

COALITION PROVISIONAL AUTHORITY ORDER NUMBER 15

ESTABLISHMENT OF THE JUDICIAL REVIEW COMMITTEE

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Noting the obligation on the CPA to restore and maintain order and the right of the CPA to take measures for its security, to ensure fundamental standards of due process and to promote the rule of law,

Noting that the Iraqi justice system has been subjected to political interference and corruption over the years of Iraqi Ba'ath Party rule,

Noting that it is inherent to the stability of any society that the judicial system is independent and impartial but is seen to be so,

Recognizing the role that the Judicial Review Committee will have in ensuring as far as possible the highest standard of judicial service in,

Acting in accordance with the Administrator's Order Number 1 of May, 16 2003 on the De-Baathification of Iraqi Society (CPA/ORD 16 May 2003/01),

I hereby promulgate the following:

Section 1 Establishment

- 1) There will be established an entity to be known as the Judicial Review Committee (hereinafter "the Committee") which will commence operation at a time to be fixed by the Administrator.
- 2) The Committee will operate at the discretion of the Administrator and will terminate operation at a time to be fixed by the Administrator.

Section 2 The Iraqi Judiciary Act

In accordance with Section Three of Coalition Provisional Authority Regulation Number One, the Iraqi Organization of the Judiciary Act of 1979 ("Iraqi Judiciary Act") shall be suspended insofar as its provisions conflict with this Order, or any

CPA/ORD/-- Jun 2003/--

decision of the CPA, the Senior Advisor or the Judicial Review Committee. Nothing in the Iraqi Judiciary Act, or any other Iraqi law, shall impede the operation of the Committee as provided for in this Order and the Committee Terms of Reference.

Section 3 Composition of the Committee

- 1) The Committee shall be composed of three Iraqi members and three international members who shall be nominated by the Senior Advisor and appointed by the Administrator, and who shall serve at, the discretion of the Administrator.
- 2) The members of the Committee shall be qualified lawyers within their national jurisdictions and shall serve for a period of three months unless otherwise specified at the time of appointment.

Section 4 Powers and Functions

- 1) The Committee shall investigate and gather information on the suitability of Judges and Prosecutors to hold office. It shall have the power to remove judges and prosecutors from office, confirm their continued holding of office, appoint replacements for judges and prosecutors removed from office and resolve the claims of judges and prosecutors who assert that they were improperly removed from office.
- 2) The Committee will act in accordance with the Committee Terms of Reference.

Section 5 Obligation to Provide Information

- 1) All persons shall, on request by the Committee, and in accordance with the Terms of Reference, provide all authorized information within their possession, control or knowledge concerning any matter regarding which the Committee is authorized to obtain information.

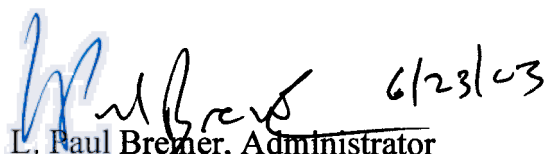
Section 6 Regulation of the Council

- 1) The Council shall be bound by and operate in accordance with its Terms of Reference and any Regulations, Orders or Memoranda issued by the Administrator.

- 2) The Senior Adviser shall fix the remuneration of members of the Committee.
- 3) The Iraqi members of the committee shall retain any governmental positions that they hold. Any member of the Committee may continue to hold employment positions that they held prior to joining the Committee, if the Senior Advisor determines that they are able to do so without impeding their service on the Committee and that no conflict of interest or bias is created thereby.

Section 7
Entry into Force

This Order shall enter into force on the date of signature.


L. Paul Bremer, Administrator
Coalition Provisional Authority