

## **C.V.**

### **Essam Saeed Abed**

#### **First: Personal data:**

**Full name and surname:** Dr. Essam Saeed Abed Ahmed Al-Obaidi

**Place of birth:** Mosul / Iraq

**Nationality:** Iraqi

**Phone number:** 0522996862

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**Mail:** University of Sharjah - P.O. Box 27272 Sharjah - United Arab Emirates

#### **Second: Academic data:**

##### **A- Specialization:**

**General specialty:** public law

**Specific specialty:** Constitutional law

##### **B- Academic qualifications:**

1- Bachelor's degree in Law for the academic year (1996-1997),  
College of Law - University of Mosul, with a good grade.

2- Master's degree in public law from the College of Law / University  
of Mosul According to University Order No. 3/11/1711 on 3/1/2000, with a  
good grade.

3- Doctorate in Public Law from the College of Law / University of  
Mosul according to University Order 3/11/7872 dated 5/7/2007 with a  
grade of very good.

4- Bachelor's degree in Islamic Sharia, Fundamentals of Religion  
Department, for the academic year (2012-2013), College of the Great Imam  
(Abu Hanifa Al-Numan), Sunni Endowment Office - Mosul City, with a  
very good grade

##### **C- Career progression:**

1- Lecturer at the Technical Institutes Authority (Technical Institute in  
the city of Mosul), Legal Administration Department, 1999-2000

2- Lecturer at the College of Law - University of Mosul, 1999-2000

3- Assistant lecturer at the College of Law - University of Mosul 2000-  
2007

4- Lecturer at the College of Law - University of Mosul, 2007-2013

5- Assistant Professor at the College of Law - University of Mosul,  
2013-2014

6- Assistant Professor at the College of Law - University of Sharjah,  
2014- 2017

7- Associate Professor at the College of Law - University of Sharjah,

from 2017 to date

### **Third: Teaching experience:**

#### **1- Teaching in the following institutes and universities:**

- Technical Institute in the city of Mosul, Department of Legal Administration, 1999-2000
- University of Mosul, 1999-2014
- University of Sharjah (2014- to date)

#### **2- Courses taught at the University of Mosul and the University of Sharjah:**

##### **First undergraduate stage:**

- The Constitutional law
- Administrative Law
- Labor and Social Security Law
- human rights
- Legal research methods
- Supervising graduation research at the bachelor's level

##### **Postgraduate stage: (Master's and PhD)**

- The Constitutional law
- Administrative Law
- Legal research methods
- In-depth studies in administrative law (PhD)

#### **3- Supervising scientific theses:**

Supervising many scientific theses (Master's - PhD) at the University of Mosul and the University of Sharjah, including:

##### **At the University of Mosul:**

- Guarantees of public rights and freedoms and means of activating them
- Financial imbalance in the administrative contract.
- The constitutional judiciary and its role in implementing the provisions of Islamic Sharia
- The state of emergency and its impact on civil and political rights
- Parental rights in Islamic Sharia and man-made constitutions
  - The political responsibility of the ministry, a comparative study.
  - The role of the administrative judiciary in establishing the constitutional state.
- Aristotle Thales's criticism of the Greek constitutions.

##### **At the University of Sharjah:**

- Balancing benefits and harms in administrative decisions
- Effects of the B.O.T. contract
- Negative administrative decision

- The administration's authority to amend the administrative contract
- Mechanisms of legislative work in the United Arab Emirates
- The extent of balance between the executive and legislative powers in the Kuwaiti constitutional system
- Administrative grievance in UAE legislation, a comparative study
- Guarantees of the independence of the Federal National Council in the United Arab Emirates
- Abolition of separate administrative decisions, a comparative study
- Judicial control over the administration's powers to terminate the administrative contract
- Conditions for accepting annulment claims in UAE legislation, a comparative study
- Precautionary suspension of a public servant from work, a comparative study
- The administration's authority to terminate administrative decisions through administrative counter-decisions, a comparative study
- The role of the constitutional judiciary in interpreting constitutional texts, a comparative study

#### **4- Discussing theses:**

Participating in the discussion of many master's and doctoral theses in many universities, including:

- The legitimacy of authority in the state: a study in the positive and Islamic systems (University of Mosul)
- The legislative authority: a comparative study between the Iraqi Basic Law of 1925 and the Constitution of the Republic of Iraq of 2005 (Kirkuk University - Iraq)
- Restrictions on freedom of opinion and expression: A study in Islamic jurisprudence and positive laws (University of Mosul)
- The role of public opinion in protecting rights and freedoms (University of Mosul)
- The right to election , a comparative study (University of Mosul)
- The role of administrative legislation in combating administrative corruption and reducing its effects (University of Sharjah)
- Administration's responsibility for the mistakes of its servants under Kuwaiti law, a comparative study (University of Sharjah)
- Administrative penalties against media violations (University of Sharjah)
- The legal framework for the administration's responsibility for its non-contractual actions (City University College in Ajman)
- Judicial control of the actions of the administration's discretionary authority (City University College in Ajman)
- Means of proof before the administrative judiciary (City University

College in Ajman)

- The Relativity of the Principle of Equality in Holding Public Jobs, a Comparative Study,” (Ajman University) .
- Administrative transparency and its role in reform and combating administrative corruption (Ajman University)
- control of administration work in UAE legislation (Imam Malik College of Sharia and Law - Government of Dubai)
- The legal nature of public benefit associations compared to the public utility (University of Sharjah)
- The disciplinary system in the UAE from the perspective of fair trial standards (University of Sharjah)
- The legal nature of energy contracts and settlement of disputes (Ajman University)
- The duty of obedience in public office, a comparative study (Ajman University)
- Constitutional protection of the right to information privacy, a comparative study (City University College in Ajman)
- The Head of State’s oversight of government activities, a comparative study (City University College in Ajman)
- The legal system for disciplinary accountability for members of the police and security forces in accordance with UAE legislation (City University College in Ajman)
- The acquired rights of a public servant under the Federal Human Resources Law, (Al Ain University)
- Compensation claim for illegal administrative decisions in administrative control (University of Sharjah)
- The end of the employment relationship in light of UAE legislation and judiciary, (University of Sharjah)
- The administration’s responsibility for administrative control activities in exceptional circumstances in UAE law, (University of Sharjah)
- The effects resulting from the Corona pandemic on contractual obligations in administrative contracts, a comparative study (Ajman University)
- The parliamentary experience and its role in political and economic development in the United Arab Emirates (Ajman University)
- Constitutional judiciary control of amendments to the constitution (University of Bahrain)
- The legal system for administrative responsibility for the health facility (Imam Malik College of Sharia and Law)
- Manifestations of administration authority in the administrative contract (University of Sharjah)
- The legal system for social and economic rights (University of Sharjah)

- The scope of judicial control over the discretionary authority of the administration (University of Sharjah)

#### **Fourth: University committees:**

She participated in many committees at the department, college and university levels, including:

##### **At the University of Mosul:**

- Scientific Committee in the Public Law Branch
- Postgraduate Studies Committee in the Public Law Branch
- Scientific Committee in the Human Rights Law Branch
- Postgraduate Studies Committee in the Human Rights Law Branch
- Committee for developing the legal system for constitutional law
- Academic Promotions Committee
- Preparation Committee for the symposium entitled (The Tax Reality in Iraq) at the University of Mosul
- Member and lecturer in the committee preparing seminars for constitutional law
- Ministerial Committee for Developing Legal Curricula in Law Colleges in Iraq

##### **At the University of Sharjah:**

- The Central Committee for Supervising the Student Council Elections at the University of Sharjah
- Scientific Committee of the Sharjah International Conference for persons with Disabilities
- Libraries Committee
- Seminars and Conferences Committee
- social Committee
- Academic Accreditation Committee for Bachelor's Degrees
- Academic Accreditation Committee for the Master's Program in Public Law
- Committee for evaluating the educational outcomes of the master's and doctoral programs
- Committee to investigate student violations
- Teaching Methods Evaluation Committee
- Student Committee and course equivalency
- Academic Advising Committee
- Graduate Affairs Follow-up Committee
- Academic Accreditation Committee
- Preparation Committee for the Mock Trial Competition
- Plans and Curriculum Committee
- Academic Subjects Equivalency Committee
- Appointments Committee
- Organizing Committee of the Eighth Arab Moot Court

- Student Issues Committee at the University
- Promotions Committee in the department
- Sustainable Development Committee
- Study schedules committee
- Committee for measuring the outcomes of college programs

## **Fifth: Scientific research:**

### **A- Individual research:**

- 1- Methods of establishing constitutions, research published in Al-Rafidain Law Journal - College of Law / University of Mosul / Iraq / Issue (13) in 2002
- 2- The rights of people with disabilities, research published in Al-Rafidain Law Journal - University of Mosul, Issue (54) in 2012
- 3- Amending rules amending the constitution in the democratic system, research published in the Moroccan Law Journal, Mohammed V University, Faculty of Legal, Social and Economic Sciences, Agdal, Rabat, Issue 30, March 2016.
- 4- Democratic values of the principle of separation of powers in parliamentary systems, research published in the Moroccan Law Journal, Mohammed V University, Agdal, Rabat, Issue 31, 2016
- 5- Constructive withdrawal of confidence, a comparative study, research published in the Journal of Sharia and Law, United Arab Emirates University, issue seventy-two, October 2017
- 6- Amending the rigid constitution without procedures by means of constitutional custom, research published in the Journal of Legal and Economic Research, Mansoura University, Faculty of Law, Issue 63, August 2017
- 7- The founding role of the constitutional judge, research published in the Moroccan Law Journal, Mohammed V University, Faculty of Legal, Social and Economic Sciences, Agdal, Rabat, Issue 35, July 2017
- 8- The constitutional judiciary's citation of foreign constitutions and rulings to interpret the national constitution, research published in the Kuwait International College of Law Journal, sixth year, issue 3, serial issue 23, September 2018
- 9- The principle of proportionality as a control for the process of restricting constitutional rights, research published in the Journal of the College of Law for Legal and Political Sciences at the University of Kirkuk, Iraq, Volume 8, No. 29, 2019
- 10- In force of constitutional judiciary rulings in terms of time, a comparative study, research published in the Kuwait International College of Law Journal, Volume 8, Issue 1, Serial Issue 29, March 2020
- 11- A new attempt to classify judicial control of the constitutionality of laws, research published in the Journal of Law - College of Law,

University of Bahrain, Volume 17, No. 1, 2020

12- Amending the Constitution by judicial interpretation, a comparative study, research published in the Journal of Sharia and Law at the United Arab Emirates University, Issue 81, January 2020

13- The role of supra-constitutional rules in restricting the original constituent power , an analytical study, research published in the King Saud University Journal of Law and Political Science, Volume 34, Issue 2, July 2022

14- The legal status of human dignity, a comparative study, research accepted for publication in the Journal of Law, Kuwait University, under Book No. 122 dated 3/28/2021

15- The extent of the authority of the constitutional judiciary in control constitutional amendments, a comparative study, research published in the Kuwait International College of Law Journal, ninth year, issue 1, March 2021

16- Evaluating the theory of the lapse of the constitutional text by not using it, an inductive comparative study, research accepted for publication in the Journal of Law, Kuwait University, Issue No. 573, 2/21/2022

17- Adapting the role of the constitutional judiciary in the democratic system, a comparative analytical study, research accepted for publication in the Journal of Sharia and Law, UAE University, 345/jo, 5/31/2022

18- The experimental legislative approach in the digital age, a comparative analytical study, research accepted for publication in the UAE University Journal of Legal Research, United Arab Emirates University, 922/jo, November 30, 2022

19- The effectiveness of prohibiting constitutional amendment in exceptional circumstances, a comparative study, research accepted for publication in the UAE University Journal of Legal Research, 52/jo, April 13, 2023

#### **B- Research in partnership with postgraduate students:**

20- The role of the principle of equality in ensuring public rights and freedoms, joint research published in Al-Rafidain Law Journal / University of Mosul / Iraq / Issue (47) in 2011.

21- The theory of unexpected financial difficulties, joint research published in Al-Rafidain Law Journal / University of Mosul, Issue (54) in 2012

22- The role of the constitutional judiciary in implementing the provisions of Islamic Sharia, joint research published in Al-Rafidain Law Journal, Volume 17, Issue 61, Year 19, December 2017.

23- Giving confidence to the Ministry, a comparative study, joint research published in the Journal of Law, Kuwait University, Volume 42, Issue 2, 2018

- 24- Parliamentary trust and the ministry, a comparative study, joint research published in the Journal of the College of Law for Legal and Political Sciences, Kirkuk, Volume 7, Issue 24, 2018
- 25- Proposing federal laws in the United Arab Emirates, joint research published in the Journal of Security and Law, Dubai Police Academy, Volume 28, No. 1, 2020
- 26- Procedural rules for administrative grievance in Emirati law, joint research accepted for publication in the Journal of Legal and Economic Research, Faculty of Law - Mansoura University, 10/20/2020
- 27- Termination of the administrative contract by the unilateral will of the administration, joint research published in the University of Sharjah Journal of Legal Sciences, Volume 18, Issue 1, June 2021
- 28- The right to dissolve the National Assembly in the Kuwaiti constitutional system, joint research published in the Journal of Law, Kuwait University, Issue 1, 2021
- 29- Administrative counter-decision, joint research accepted for publication in the Journal of Legal and Economic Research at Mansoura University, 4/26/2022
- 30- The integrity of the electoral process for the Federal National Council in the United Arab Emirates, joint research accepted for publication in the Journal of Legal and Economic Research at Mansoura University, 5/18/2022
- 31- Formal conditions for accepting an annulment claim in UAE law, a comparative study, joint research accepted for publication in the Journal of Legal and Economic Research at Mansoura University, 7/4/2022
- 32- The legal system for revoking parliamentary membership in the Federal National Council, a comparative study, joint research accepted for publication in the University of Sharjah Journal of Legal Sciences, 9/20/2022
- 33- What is the nature of the precautionary suspension of a public servant from work? A comparative study, joint research accepted for publication in the Journal of Legal and Economic Research at Mansoura University, 10/2/2022.
- 34- The extent of the permissibility of appeal against separable administrative decisions, joint research accepted for publication in the Journal of Legal and Economic Research at Mansoura University, 2/21/2023
- 35- The role of the constitutional judiciary in interpreting constitutional texts, a comparative study, joint research accepted for publication in the Journal of Legal and Economic Research, Mansoura University, 10/24/2023

#### **Sixth: Books and articles:**



### **1- Published books**

- control of the constitutionality of laws, Modern Book Foundation Company - Lebanon - Tripoli - 1st edition 2013

### **2- Articles:**

- The presumption of constitutionality in the interest of legislation, an article published in Al-Mizan magazine in the UAE (monthly magazine - Ministry of Justice), No. 219, twentieth year, December 2018.

- The authority of the Supreme Court to issue an order to transfer the case for review in the United States of America, an article published in Al-Mizan magazine in the UAE (monthly magazine - Ministry of Justice), Issue 232, twenty-second year, February 2020

- The International Dimensions of the UAE Constitution, an article published in Al-Mizan magazine in the UAE (monthly magazine - Ministry of Justice), April 2022

### **Seventh: Arbitration of scientific research:**

Arbitration of a group of scientific research for:

- 1- University of Sharjah Journal of Legal Sciences
- 2- Kuwait International Law College Journal
- 3- Journal of Legal Sciences at Ajman University
- 4- Journal of Police and Legal Sciences in Sharjah
- 5- Journal of Gulf Studies - Kuwait
- 6- Journal of Judicial Studies - Ministry of Justice in the UAE
- 7- Journal of Contemporary Legal Studies - Kingdom University in Bahrain

### **Eighth: Training:**

1. Teaching Methods Course at the Teaching Methods Center at the University of Mosul 2013

2. The educational planning and course design training program organized by the Institute for Academic Leadership in Higher Education at the University of Sharjah during the period from November 9-10, 2015.

3. The effective lecture training program organized by the Institute for Academic Leadership in Higher Education at the University of Sharjah during the period from November 23-24, 2015.

4. The training program for developmental skills in using electronic services at the University of Sharjah, which was organized by the Center for Continuing Education and Professional Development at the University of Sharjah during the period from 23 to 25 November 2014.

5. The training course in the English language, level 2, from 3/22/2015 to 5/12/2015, organized by the Education and Professional Development Center at the University of Sharjah.

6. Training course: Searching for electronic Arabic sources, University of Sharjah, 10/17/2019

**Ninth: Other experiences:**

1- Law service in the courts from 9/8/1997 until 12/12/2000.

2- Member of the editorial board of the University of Sharjah Journal of Legal Sciences for a period of three years 2020-2023