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These Documents are selected and compiled by the Research Section of the Arab States Delegations. The unofficial translation of the Constitution of the Arab Union was kindly provided by the Mission of Jordan to the United Nations.

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FOREWORD

The movement of unification in the Arab World, which has culminated in the unification of the former republics of Egypt and Syria in the United Arab Republic, the federation of Yemen with the United Arab Republic to form the United Arab States, and the creation of the Arab Union of the Kingdoms of Iraq and Jordan, is not new. Rather, it marks the beginning of the final stage in the striving of the Arabs for full unity.

Thirteen years ago, before this new drive towards Arab unification, the establishment of a political organization—namely the League of Arab States—marked the first step towards the realization of Arab unity. The League of Arab States has been functioning since its establishment in March, 1945 as a coordinating association among the Arab States.

This contemporary acceleration in Arab unification is undoubtedly a significant historical event. It has had repercussions not only on the Arab World and its people, but it has also influenced the whole world. Political scientists and historians may differ on the analysis of these repercussions and on the interpretation of the forces behind the movement. The documents which established the United Arab Republic, the United Arab States and the Arab Union are therefore basic to the study of the movement of Arab unification. In this issue we present the major instruments and documents pertaining to the latest movement of unification.

M. Fathalla El-Khatib, Ph.D.
Chief of Research Section,
Arab States Delegations Office.

Proclamation of the United Arab Republic

On February 1, 1958, in a historic session held at Kubbah Palace in Cairo, His Excellency President Shukry El-Kuwatly of Syria, and President Gamal Abdel-Nasser of Egypt, met the representatives of the Republics of Syria and Egypt, El-Sayed, Sabry El-Assaly, El-Sayed Abdel-Latif El-Baghdady, El-Sayed Khaled El-Azm, El-Sayed Zakaria Mohieddin, El-Sayed Hamed El-Khoga, El-Sayed Anwar El-Sadat, El-Sayed Fakher El Kayyaly, El-Sayed Maamoun El-Kozbary, El-Sayed Hussein El-Shaffei, El-Sayed Assaad Haroun, General Abdel-Hakim Amer, El-Sayed Salaheddin El-Bittar, El-Sayed Kamaleddin Hussein, El-Sayed Khalil El-Kallas, El-Sayed Noureddine Tarraf, El-Sayed Saleh Akeel, El-Sayed Fathy Radwan, General Afif El-Bizry, El-Sayed Mahmoud Fawzy, El-Sayed Kamal Ramzi Stino, El-Sayed Aly Sabri, El-Sayed Abdel-Rahman El-Azm and El-Sayed Mahmoud Riad.

The purpose of this meeting was to discuss the final measures to be taken for the realisation of the Arab peoples' will, and the execution of what the Constitutions of both republics stipulate, namely that the people of each of them form a part of the Arab Nation. They, therefore, discussed the decisions unanimously approved by the National Assembly of Egypt and the Syrian House of Representatives that unity should be established between the two countries as a preliminary step towards the realisation of complete Arab unity. They also discussed the clear signs manifest in the past few years, that Arab nationalism was the inspiring spirit that dominated the history of Arabs in all their different countries, their common present and the hoped-for future of every Arab.

They came to the conclusion that this unity which is the fruit of Arab nationalism is the Arabs' path to sovereignty and freedom, that it is one of humanity's gateways to peace and co-operation, and that it is therefore their duty to take this unity with persistence and determination staunch and unwavering, out of the circle of wishes and aspirations to where it can be converted into a reality. They came out of this with the conviction that the elements conducive to the success of the union of the two republics were abundant, particularly recently after their joint struggle — which had brought them even closer to one another — made the meaning of nationalism consid-

erably clearer, stressed the fact that it was a movement for liberation and rehabilitation and that it was a faith in peace and co-operation.

For all this, the participants declare their total agreement, complete faith and deeply rooted confidence in the necessity of uniting Egypt and Syria into one state to be named "The United Arab Republic."

They have likewise decided to declare their unanimous agreement on the adoption of a presidential democratic system of government for the Arab Republic. The executive authority shall be vested in the head of the state assisted by the ministers appointed by him and responsible to him.

The legislative authority shall be vested in one legislative house. The new republic shall have one flag, one army, one people who shall remain joined in a unity where all will share equal rights and duties, where all will call for the protection of their country with heart and soul, and compete in the consolidation of its integrity and the insurance of its invulnerability.

His Excellency President Shukry El-Kuwatly and President Gamal Abdel-Nassar will each deliver a statement to the people in the Syrian and the Egyptian Parliaments respectively on Wednesday, February 5, 1958 in which they will announce the decisions reached in this meeting and explain the principals of the unity on which this rising young republic shall stand.

The peoples of Egypt and Syria shall be called upon to participate in a general plebiscite on the principles of this unity and the choice of the head of the state within thirty days.

In proclaiming these decisions, the participants feel great pride and overwhelming joy in having assisted in taking this positive step on the road to Arab unity and solidarity — a unity which had been for many an epoch and many a generation the Arabs' much cherished hope and greatly coveted objective. In deciding on the unity of both nations, the participants declare that their unity aims at the unification of all the Arab peoples and affirm that the door is open for participation to any Arab state desirous of joining them in a union or federation for the purpose of protecting the Arab peoples from harm and evil, strengthening Arab sovereignty, and safeguarding its existence.

May God protect this step we have taken and those which are to follow with His ever vigilant care and benevolence so that the Arab people under the banner of unity may live in dignity and peace.

Proclamation of the Arab Union of Iraq and Jordan

(Unofficial Translation)

Whereas: the great Arab Revolt led by His Majesty the great savior Al Hussein Ibn Ali was a proclamation of a new dawn for the Arab nation advanced by the sacrifices of martyrs for the liberation of the Great Arab Nation and unification of its peoples; an attempt to regain the prestige of Arabs among the nations of the world; and a contribution to the progress of human civilization;

Whereas: the blessed revolution emanated from the surge of Arabs toward liberty and unity based upon the glorious past of the Arab World, faith in itself and its old and eternal mission;

Whereas: the mission of the Arab Revolt, for which its leader has striven, passed to the sons and grandsons and was inherited by generation after generation to remain always as a flame illuminating the path of the Arab nation toward the realization of its hopes and aspirations for the complete unity which integrated all the elements leading to liberty, happiness and strength; the regaining of the glories and preservation of its heritage, and its sacred aims; and the assurance of a happy future under the auspices of this blessed unity;

Therefore: the two Hashemite states decide to form a federation between themselves based upon these sublime aims.

I

An Arab Federation is established on February 14, 1958 between the Hashemite Kingdom of Jordan and the Kingdom of Iraq to be called the Arab Union. This Union is open to other Arab States which wish to join it.

II

Each of the two States reserves its integral State entity, its sovereignty, and its existing form of government.

III

The international treaties, pacts and agreements which bound each of the two states before the establishment of the Union will remain

valid with respect to the state which concluded them, without binding the other state. But the international treaties, pacts and agreements which will be concluded after the establishment of the Union and which will involve Union matters will come under the authority and responsibility of the Union Government.

IV

Directly after the official declaration of the Union, measures for complete unity between the two Union States will be taken in the following matters:

- a) Unity of foreign policy and diplomatic representation.
- b) Unity of the Jordanian and Iraqi armies under the name of the Arab Army.
- c) Elimination of customs barriers between the two countries and unification of customs laws.
- d) Unification of educational curricula.

V

The two parties agree to carry out, as quickly as possible, the necessary measures for unifying the currency and coordinating the financial and economic policy of the two countries.

VI

Whenever necessity and interest requires the unification of any other matter other than those mentioned in Article Four, the necessary measures will be undertaken according to the Constitution of the Union to put that matter under the competence and authority of the Union Government.

VII

The Arab Revolt flag will be the flag of the Union and the flag of each of the two states.

VIII

- a) Union affairs will be undertaken by a Union Government composed of a legislative council and an executive authority.
- b) Each of the national Jordanian and Iraqi parliaments elects the members of the legislative council from among their members. Each state will have the same number of representatives.
- c) The members of the executive authority will be appointed ac-

ording to the rules of the Union Constitution to carry out matters under the authority of the Union Government.

IX

The King of Iraq will be the Head of the Union Government. In case of his absence for any reason the King of Jordan will be the Head of the Union Government. Each of the two Kings reserves his constitutional authority in his Kingdom and when another state joins the Union, the question of the Head of state will be reviewed according to circumstances.

X

The capital of the Union will be Baghdad for six months and Amman for the other six months consecutively.

XI

- a) The Union Government will prepare the Union Constitution according to the basis indicated in this agreement and the constitution of each of the two states will be amended to the extent required, and within the limits expressed by the Union Constitution.
- b) The necessary steps and measures required for the establishment of the Union Government and the enactment of a Union Constitution will be carried out within a period not exceeding three months from the date of the signing of this agreement.

XII

This agreement is to be concluded according to the constitutional principles of each of the two states.

Provisional Constitution Of The United Arab Republic

PART I THE UNITED ARAB STATE

Article 1

The United Arab State is a democratic, independent, sovereign Republic, and its people are part of the Arab Nation.

Article 2

Nationality in the United Arab Republic is defined by Law. Nationality in the United Arab Republic is enjoyed by all bearers of the Syrian or Egyptian nationalities; or who are entitled to it by laws or statutes in force in Syria or Egypt at the time this Constitution takes effect.

PART II BASIC CONSTITUENTS OF THE SOCIETY

Article 3

Social solidarity is the basis of the Society.

Article 4

National economy is organised according to plans which conform to the principles of social justice, and aim at the development of national productivity and the raising of the standard of living.

Article 5

Private property is inviolable. The law organises its social function. Property may not be expropriated except for purposes of

public utility and in consideration of just compensation in accordance with the Law.

Article 6

Social justice is the basis of taxation and public imposts.

PART III PUBLIC RIGHTS AND OBLIGATIONS

Article 7

All citizens are equal before the Law. They are equal in their rights and obligations, without distinction of race, origin, language, religion or creed.

Article 8

No infraction and no punishment may be imposed except by virtue of the Law. Penalties may not be inflicted except in respect of offences committed subsequently to the date of the Law prescribing them.

Article 9

The extradition of political refugees is prohibited.

Article 10

Public liberties are guaranteed within the limits of the Law.

Article 11

Defence of the Fatherland is a sacred duty, and the fulfilment of military service is an honour for all citizens. Conscription is obligatory in accordance with the Law.

PART IV THE SYSTEM OF GOVERNMENT

CHAPTER I

Head of the State

Article 12

The President of the Republic is the Head of State. He exercises

his powers in the manner prescribed by this Constitution.

CHAPTER II

The Legislature

Article 13

The legislative power is vested in an Assembly named the National Assembly. Number of the members of the National Assembly and their choice are determined by Presidential Decree. At least half of the number of members must be members of the Syrian Chamber of Deputies and the National Assembly of Egypt.

Article 14

The National Assembly exercises control over the acts of the Executive in the manner prescribed by the present Constitution.

Article 15

To be member of the Assembly, a person must not be less than thirty years of age according to the Gregorian Calendar.

Article 16

The National Assembly has its seat in Cairo. It may be convened elsewhere upon the demand of the President of the Republic.

Article 17

The President of the Republic convokes the Assembly and declares the closure of its session.

Article 18

Meetings of the National Assembly, without summons, and outside its sessions are null and void, and decisions taken therein are null and void, according to the Law.

Article 19

Before admission to the exercise of their functions members of the Assembly shall take the following oath before the Assembly in public session:

"I swear in the name of Almighty God to preserve faithfully the United Arab Republic and its Regime, to watch over the interests

of the People and integrity of the Fatherland, and to respect the Constitution and the Law."

Article 20

The Assembly shall elect a President, and two Vice-Presidents at the first ordinary meeting.

Article 21

Meetings of the Assembly are public. Nevertheless, the Assembly can meet in camera following the demand of the President of the Republic on twenty of its members. The Assembly decides thereafter whether the discussion of the question under consideration should or should not be resumed in public.

Article 22

No law may be enacted unless approved by the Assembly. No draft law may be adopted unless a vote is taken on each of its articles separately.

Article 23

The Assembly draws up its own internal regulations determining the manner in which it exercises its powers.

Article 24

Every member of the National Assembly is entitled to address to the Ministers questions or interpellations. Interpellations may not be discussed until after at least seven days from the date of their presentation, except in the case of urgency and with the consent of the Minister concerned.

Article 25

Any twenty members of the National Assembly may ask for the discussion of a general question with a view to ascertaining the Government's policy and exchanging views on such a question.

Article 26

The National Assembly may express its wishes and proposals to the Government regarding general questions.

Article 27

No impost may be established, modified or abolished except by a law. No one may be exempted therefrom except in the cases specified by the Law.

No other tax or duty may be exacted except within the limits defined by the Law.

Article 28

The Law defines the basic rules of the collection of public revenues and the manner of their expenditure.

Article 29

The Government may not contract any loans, nor undertake any project which would be a burden on the State Treasury over one or more future years, except with the consent of the National Assembly.

Article 30

No monopoly may be granted except by Law and for a limited duration.

Article 31

The Law prescribes the manner of the preparation of the Budget, and its presentation to the National Assembly.

Article 32

The project of the State's General Budget must be submitted to the National Assembly for its examination and approval at least three months before the end of the financial year. Each section of the Budget must be voted separately.

The National Assembly may not introduce any amendments to the draft Budget except with the approval of the Government.

Article 33

Every transfer of funds from one section of the Budget to another must be approved by the National Assembly, as well as any expenditure for which no provision is made therein or exceeding the budgetary allocations.

Article 34

The provisions relating to the Budget of the State are applicable

to independent or annexed budgets.

Article 35

The Law determines the rules regarding the budgets of other public institutions.

Article 36

No member of the National Assembly may, during the session, be subject to a criminal prosecution without the permission of the Assembly, except in cases of *flagrante delicto*.

The Assembly must be given notification on any case where prosecution is undertaken while the Assembly is in recess.

Article 37

No member of the National Assembly may be deprived of his mandate except by a decision of a two-thirds majority of the Assembly, upon a proposal of twenty of its members, and this on the ground of loss of confidence and esteem.

Article 38

The President of the Republic has the right to dissolve the National Assembly. In this case, a new Assembly must be formed and convoked within a period of sixty days from its dissolution.

Article 39

When the National Assembly declares a vote of no confidence in a Minister, he must resign.

A motion of censure concerning a Minister may not be submitted to the Assembly until after an interpellation has been addressed to him. Such a motion must be proposed by twenty members of the Assembly. No decision may be taken before at least three days from the date of the presentation of the motion.

Withdrawal of confidence must be pronounced by the majority of the members of the Assembly.

Article 40

No one may at the same time be a member of the National Assembly and incumbent of a public function. The Law determines the other cases of incompatibility of functions.

Article 41

No member of the National Assembly may be appointed to the board of a company during the period of his mandate except in the cases prescribed by the Law.

Article 42

No member of the National Assembly may, during the period of his mandate, acquire or take or lease any State property, or lease, sell or exchange to or with the State any part of his property whatsoever.

Article 43

Members of the National Assembly receive a remuneration prescribed by the Law.

CHAPTER III

The Executive

Article 44

The Executive Power is vested in the President of the Republic, and he exercises it in the manner prescribed by the Constitution.

Article 45

The President of the Republic may not, during his term of office, exercise a liberal profession or undertake any commercial, financial or industrial activity. Nor may he acquire or take or lease any property belonging to the State, or lease sell or exchange to or with the State any part of his property whatsoever.

Article 46

The President of the Republic may appoint one or more Vice-Presidents, as he may relieve them of their posts.

Article 47

The President of the Republic appoints the Ministers and discharges them from their functions. Ministers of State, and Secretaries of State may be appointed. Each Minister supervises the affairs of his Department, and executes the general policy drawn by the President of the Republic.

Article 48

The Vice-President, or the Minister may not, during his tenure of office, exercise a liberal profession, engage in commercial, financial or industrial activities, nor may he acquire or take on lease any property belonging to the State, or lease, sell or exchange any part whatsoever of his own property to, or with the State.

Article 49

The President of the Republic and the National Assembly have the right to bring a Minister to justice for infractions committed by him in the exercise of his functions. The indictment of a Minister by the National Assembly is effected by a proposal submitted by at least one-fifth of the members of the Assembly. Such indictment must be approved by a majority of two-thirds of the members of the Assembly.

Article 50

The President of the Republic has the right to initiate laws, to oppose and to promulgate them.

Article 51

If the President of the Republic opposes a draft law, it is sent back to the National Assembly within the thirty days following the date of its communication to him.

If it is not referred back to the Assembly within this period, it is considered law and promulgated.

Article 52

If a draft law is referred back to the Assembly within the prescribed time, and is voted a second time by a majority of two-thirds of its members, it is considered law and promulgated.

Article 53

While the National Assembly is in recess, the President of the Republic may enact decrees, having the force of law, or take decisions originally lying within the competence of the Assembly, should the necessity arise. Such decrees and decisions must be submitted to the National Assembly at its first meeting. If, however, the Assembly opposes them by a two-thirds majority, they are no longer effective from the day of their opposition.

Article 54

The President of the Republic enacts the regulations necessary for the organisation of the public service departments and supervises the administration thereof.

Article 55

The President of the Republic is the Supreme Commander of the Armed Forces.

Article 56

The President of the Republic concludes treaties and communicates them to the National Assembly. Such treaties will have the force of law after their conclusion, their ratification and their publication in conformity with the rules in force.

However, peace treaties, treaties of alliance, commercial and navigational treaties as well as all treaties entailing territorial changes or affecting the rights of sovereignty, or those involving expenditure by the Public Treasury for which no provision is made in the Budget, will not become effective until after ratification by the National Assembly

Article 57

The President of the Republic may declare a state of emergency.

Article 58

The United Arab Republic consists of two regions: Egypt and Syria. In each, there shall be an executive council appointed by Presidential Decree. This executive council has the competence to examine and study matters pertaining to the execution of the general policy in the region.

CHAPTER IV

The Judicature

Article 59

Judges are independent. They are, in the administration of Justice, subject to no other authority save that of the Law. No power in the State may interfere in lawsuits or in the affairs of justice.

Article 60

Judges are irrelievable, in the manner prescribed by Law.

Article 61

The Law organises the various jurisdictions and determines their attributions.

Article 62

Sessions of the Courts are conducted in public, unless a court decides, in the interests of public order or morality, to sit in camera.

Article 63

Judicial decisions are pronounced and executed in the name of the Nation.

PART V

GENERAL RULES

Article 64

Cairo is the capital of the United Arab Republic.

Article 65

The Law determines the national flag and the regulations relative thereto.

The Law also determines the State Emblem and the regulations relative thereto.

Article 66

The law only legislates post-operatively; it has no retroactive effect. Nevertheless, provisions to the contrary may be stipulated in a law except in criminal matters with the approval of the majority of the members of the National Assembly.

Article 67

Laws are published in the Official Gazette within two weeks from the date of their promulgation, and come into force ten days thereafter. Nevertheless this time may be extended or curtailed by a special provision in the Law.

PART VI

INTERIM AND FINAL RULES

Article 68

All laws, decrees and regulations in force in each of the two

regions of Egypt and Syria at the time this Constitution comes into effect shall remain valid within the regional spheres, for which they were intended. These laws, decrees and regulations may, however, be abrogated or amended according to the procedure established in the present Constitution.

Article 69

The coming into effect of the present Constitution shall not infringe upon the provisions and clauses of the international treaties and agreements concluded between each of Syria and Egypt and the foreign powers.

These treaties and agreements shall remain valid in the regional spheres for which they were intended at the time of their conclusion, according to the rules and regulations of the International Law.

Article 70

A special budget, alongside the State Budget, shall be drawn up and put into force in each of the present regional sphere of each of Syria and Egypt until the coming into effect of the final measures for the introduction of a single budget.

Article 71

The public services and administrative systems existing at the time the present Constitution comes into effect shall remain in force in each of Syria and Egypt until their reorganisation and unification by Presidential Decree.

Article 72

Citizens shall constitute a National Union to work for the realisation of national aims and the intensification of the efforts for raising a sound National Structure, from the political, social and economic viewpoints. The manner in which such a union is to be formed shall be defined by Presidential Decree.

Article 73

The present provisional Constitution shall be in force until the announcement of the people's approval of the final Constitution of the United Arab Republic.

Issued on Wednesday, March 5th, 1958.

(Signed): GAMAL ABDEL NASSER

The Charter of The United Arab States

PART 1 THE UNION

Article 1

A Union named the United Arab States is hereby created. It includes the United Arab Republic, the Kingdom of Yemen and those Arab states which will agree to join this Union.

Article 2

Each State will preserve its international personality and its system of government.

Article 3

Citizens of the Union are equal in public rights and obligations.

Article 4

Each citizen in the Union has the right to work and to occupy public functions in the united countries without discrimination and within the limits prescribed by Law.

Article 5

Freedom of movement in the Union is guaranteed within the limits prescribed by Law.

Article 6

Member States shall pursue the unified foreign policy drawn by the Union.

Article 7

Diplomatic and consular representation of the Union abroad shall be assumed by a single mission in those cases specified by the Union.

Article 8

The Union shall have unified Armed Forces.

Article 9

Economic affairs in the Union are organised according to plans aimed at the development of production, the exploitation of natural resources, and the co-ordination of economic activities.

Article 10

Currency affairs in the Union shall be determined by Law.

Article 11

A customs union shall be established between United countries. It will be governed by the conditions and regulations prescribed by Law.

Article 12

The Law organises the stages and means of coordination of education and culture in the Union.

PART II AUTHORITIES

Article 13

The Control of Union affairs shall be assumed by a council named the "Supreme Council". It shall be composed of the Heads of the Member-States.

Article 14

The Supreme Council shall be assisted in its functions by a council named "The Union Council".

Article 15

The Union Council shall include an equal number of Representatives from Member-States. The number of Members, the duration of membership and the regulations to which they are subject shall be defined by Law.

Article 16

Presidency of the Union Council shall be assumed alternatively by each Member-State for a period of one year. The State which is to assume presidency of the Council shall appoint the President, who shall have one or more Vice-Presidents from the Member-State or States.

Article 17

The Supreme Council defines the higher policy of the Union with regard to political, defense, economic and cultural matters. It enacts the laws which are necessary to this effect. It is the supreme authority to which the determination of attributions shall be referred.

The decisions of the Council shall be issued with the unanimous approval of the Council.

Article 18

The Supreme Council shall enact the Union Laws falling within its competence in accordance with this Charter, after the agreement of the competent authorities in each State.

Article 19

The Supreme Council appoints the Commander-in-Chief of the Armed Forces of the Union.

Article 20

The General Budget of the Union shall be issued by Decree of the Supreme Council. The Law shall determine its resources and the contribution of each Member-State.

Article 21

The Union Council is the permanent authority of the Union. It shall assume the examination of political affairs and shall set down the unified yearly programme which includes the regulations and measures leading to the achievement of Union.

Article 22

The decisions and the yearly programme elaborated by the Union Council are to be submitted to the Supreme Council for rati-

fication. It decides on the decisions taken by the Union Council which have been subject of an opposition from one of the two States or more.

Article 23

The following bodies are attached to the Union Council:

- a) The Defense Council
- b) The Economic Council
- c) The Cultural Council.

The decisions taken by these bodies shall be submitted to the Union Council for ratification.

Article 24

The Law defines the manner of the formation of these bodies attached to the Union Council and their attributions.

PART III

GENERAL AND INTERIM RULES

Article 25

A Decree shall be issued by the Supreme Council determining the permanent seat of the Union of Arab States, its limits and the city in which the Union Council and the bodies attached to it shall hold their meetings by rotation.

Article 26

The Law determines the rules to be applied to the region of the permanent seat of the Union.

Article 27

Union Laws shall have full force in the United countries. They come into effect fifteen days after their publication in the Official Gazette of the Union unless otherwise specified by Law.

Article 28

The Head of each State shall appoint a minister to the United

Arab States to supervise the enforcement of the Union's decisions in respect of the region he belongs to.

Article 29

The Head of each State shall appoint a minister to represent him before the head or heads of the other States. This minister shall have the capacity of local ministers.

Article 30

Diplomatic representation between Member States of the Union shall be abolished.

Article 31

The customs regulations observed in each Member State shall remain in effect until the establishment of the Customs union between them. Meanwhile the Law may prescribe a special customs system to be observed by all Member States.

Article 32

The present Charter shall come into effect on the day of its approval, pending the establishment of the permanent system for the Union.

Damascus, March 8th, 1958.

The President of the
United Arab Republic

The Imam of the
Kingdom of Yemen.

The Constitution of the Arab Union

(Unofficial Translation)

CHAPTER I

GENERAL

Article 1

The Arab Union shall be formed of the Kingdom of Iraq and the Hashemite Kingdom of Jordan. Membership shall be open to any Arab state desiring to join and by agreement with Union Government.

Article 2

With due regard for the provisions of this Constitution, each member-state of the Union will maintain its independent international status and its existing system of rule.

Article 3

International Treaties, Pacts and Agreements which a member-state has contracted prior to creation of the Union or prior to joining the Union will continue to be binding on that state but not binding on the other member-states. All International Treaties, Pacts and Agreements concluded thereafter, will be negotiated under authority of the Union Government.

Article 4

The Union Government shall be composed of a President of the Union, Legislative Authority, Executive Authority and Judicial Authority.

Article 5

a) The King of Iraq will be the President of the Union; in his absence the King of Jordan will be President of the Union. If both Kings are absent, the President of the Union with the agreement of the Union Council of Ministers will appoint a Deputy or a Regency Council to exercise the powers of the President during his absence;

the President can specify the powers of the Deputy or the Regency Council.

b) In the event other states should join the Union, the status of the President of the Union will be reconsidered in light of the circumstances prevailing at the time.

Article 6

The headquarters of the Union Government will be rotated, six months in Baghdad and six months in Amman. Upon agreement between the Governments of the member-states this arrangement may be changed and a permanent residence selected for the Union Government.

Article 7

a) The flag of the Union shall be of the following description and measurements:

Its length to be twice its width, horizontally divided into three equal and parallel stripes with the black on the top, then white and green. On the side of the mast there will be a red equilateral triangle with a base equal to the width of the flag.

b) The emblem of the Union, its insignia, medals and national anthem are to be fixed by special law.

c) Each member-state will retain its local flag.

Article 8

All citizens of the countries of the Arab Union, regardless of race or faith and in accordance with current laws, will enjoy the freedoms and rights guaranteed by the International Human Rights Proclamation. Every individual has the right to ownership and movement throughout the Union, the freedom to live and reside in any part of the Union, to choose his profession, to practice any craft or trade and to join educational institutions.

CHAPTER II

LEGISLATIVE AUTHORITY

Article 9

The Legislative Authority of the Union rests with Union Council and the President of the Union.

Article 10

a) The Union Council shall be formed of 40 members, twenty from Iraq and twenty from Jordan.

b) Each district of the two Kingdoms will be represented by at least one representative; these will be elected in accordance with law.

c) The Kings of Jordan and Iraq will appoint the remaining number in accordance with preceding paragraph (a), provided that of these there are not less than five and not more than seven representatives.

d) Taking into consideration the numerical proportion as stated in paragraph (a) above, limitations on the total number of the Council and the manner of their selection may be reconsidered by law.

e) The first Union Council shall be formed by electing the members provided for in paragraph (b) by the House of Representatives of each state from among their own members. The remaining number are to be appointed in accordance with paragraph (c) above.

f) Representatives elected to membership in the Union Council in accordance with paragraph (e) above cannot retain their seats in the House of Representatives which elected them. They are to choose between the two memberships within eight days from the date they are elected.

g) It is not permissible to hold concurrently membership in the Union Council and in the National Assembly of either state. Any member elected to the Union Council must choose one of the two memberships within eight days from the date of his appointment or election.

Article 11

a) It is not permissible to hold concurrently membership in the Union Council and a public position, or employment with a person contracting to any of the public authorities in any of the states of the Union. Exempted from this rule are those renting Government lands or property. A public position is any position of which the holder receives a salary from the budget of any member-state of the Union.

b) Every Union Council member, before taking his seat in the Council will say the following oath before the Council: "I swear by

God the Almighty to be faithful to the Arab Union and to protect the Constitution of the Union and to carry out sincerely all assignments entrusted to me."

Article 12

The President shall convene and adjourn the Union Council in accordance with the provisions of this Constitution.

Article 13

a) The term of office of the Union Council is four Gregorian years. Each year is to have one ordinary session starting on the First Saturday of January. If that day happens to be an official holiday, it will start on the following day. If the Council is not convened on the appointed date, it will convene in accordance with the Constitution.

b) The President of the Union, on the strength of a Union decree published in the Official Gazette, can adjourn the Union Council twice, provided that the total period of these adjournments within any ordinary session does not exceed two months. These periods of adjournment will not be counted in determining the total period of the session.

Article 14

a) The duration of the ordinary session will be four months. The President of the Union has the right to extend it when necessary.

b) The President of the Union is entitled to convene the Council in extraordinary session when necessary or upon request signed by the majority of Council members. The President of the Union can adjourn the extraordinary session. The Council has no right to discuss in extraordinary session any subject except those subjects for which the session has been convened.

Article 15

The President of the Union will open the ordinary session of the Union Council by delivering a statement embodying the general policy of the Union. He may delegate the Prime Minister or one of the Ministers to supervise the opening ceremony and to deliver the statement. The Union Council will present its reply to the opening statement within a period not to exceed two weeks.

Article 16

a) At the beginning of each ordinary session the Union Council will elect a Speaker and two deputy Speakers. These may be re-elected.

b) If the Council convenes in an extraordinary session and has no Speaker, the Council will elect a Speaker to hold office until the next ordinary session.

Article 17

The meetings of the Council shall be public, but closed meetings may be held upon request to a Cabinet Minister, Speaker of the Union Council or ten members.

Article 18

The Speaker and members of the Union Council shall receive salaries specified by law.

Article 19

The Council will draft its own by-laws.

Article 20

Any Council member may resign by presenting a letter to the Speaker. The Speaker is to put the resignation before the Council for acceptance or rejection.

Article 21

The meetings of the Council shall be legal if attended by two thirds of the Council members. Resolutions of the Council shall be passed by a simple majority of attending members, except in cases when an absolute majority is required by law. The Speaker will vote only in case of a tie.

Article 22

a) Members of the Union Council will not be arrested or tried during the meetings (sessions) of the Council unless the Council shall approve the action by absolute majority or unless a member is taken in the act of a crime. In the last instance the Council shall be notified when it meets again.

b) Members of the Council will not be held responsible for thoughts or statements made while carrying out duties in the Council.

Article 23

a) Any member of the Union Council losing qualification for membership in accordance with the laws of the state to which he belongs, will lose his membership in the Union Council. His place becomes vacant.

b) If the seat of any member of the Council becomes vacant before the end of his term of office for any reason, his place will be filled in accordance with the provisions of Article Ten of the Constitution.

Article 24

A new Union Council shall be elected three months before the end of the term of the existing Council. If an election is difficult to conduct at this time, the existing Council will be extended until the election of a new Council.

Article 25

The Council will supervise the work of the Executive Power described in this Constitution.

Article 26

The Union Prime Minister or Minister who is a member of the Union Council has the right to speak and vote. Ministers who are not members of the Council have the right to speak but not to vote. Ministers or those representing Ministers have precedence over other members in addressing the Council. Only those representing Ministers and the Prime Minister are allowed to go into the meeting hall and to speak; others may be permitted to enter upon invitation of the Speaker.

Article 27

a) The President of the Union has the right to dissolve the Union Council.

b) If the Council is dissolved, a new one shall be elected immediately. In event a new Council is not elected for any reason, a Council is to be elected in the first meeting held by the National Assemblies of the member-states.

c) The new Council shall be called for extraordinary session within twenty days after its election. This session shall not be delayed beyond the 31st December for any reason. The extraordinary session

shall be adjourned on the above date so that the Council may hold its first ordinary session in accordance with the provisions of the Constitution. If the extraordinary session is held in January or February, it shall be considered the first ordinary session.

d) If the Council is dissolved, the newly elected Council shall not dissolve for the same reason.

Article 28

The Council has the right to carry out investigations in matters within its scope of authority and in accordance with its by-laws.

Article 29

The Union Council of Ministers shall present all draft laws to the Council. Except in financial matters, any ten members of the Union Council can propose laws.

Article 30

a) Draft laws suggested by the Council of Ministers shall be given to the sub-committee concerned in the Council for opinion and presentation to the Council.

b) Draft laws submitted by Council members shall be submitted to the sub-committee concerned for review and discussion. After presentation to the Council and approval, laws will be presented to the Council of Ministers for consideration and be presented again to the Union Council either in the same session or in the following session. In the event a suggestion is rejected by the Union Council, the same shall not be presented to the Council except in following sessions.

Article 31

The Union Council shall vote on a draft law article by article and then will vote on it in entirety. Upon agreement of the Council, a vote may be taken on the whole of the law without voting article by article.

Article 32

a) Draft laws approved by the Union Council shall be submitted to the President of the Union for final approval.

b) If the President of the Union does not approve a law, he shall return it to the Union Council within thirty days from the day

it was presented to him together with his reasons for not approving it. If the law is not returned within that period, it will be considered as approved.

c) If a law is returned to the Council and approved again by the Council by two thirds majority, the law shall be submitted for a second time to the President. If the law is not returned to the Council within thirty days, it will be considered approved.

Article 33

Laws shall be published in the Official Gazette within fifteen days of approval, and shall take effect after thirty days from publication, unless special provisions are mentioned in the same law regarding date of effect.

Article 34

Each member of the Union Council has the right to address any question or inquiry to any Minister in accordance with Council by-laws and regulations.

CHAPTER III

EXECUTIVE AUTHORITY

Article 35

The Executive Authority shall rest with the President of the Union, who shall carry out his authority through the Union Council of Ministers in accordance with the Constitution.

Article 36

The President of the Union is immune from liability and above responsibility.

Article 37

The President of the Union shall issue decrees upon the suggestion of the Minister concerned. These decrees shall be signed by the Prime Minister and Minister concerned, unless such decrees are related to the appointment or resignation of a Prime Minister. Orders concerning appointment or resignation of Ministers shall be signed by the President and the Prime Minister.

Article 38

The Union Council of Ministers shall consist of a Prime Minister and a number of Ministers. A Deputy Prime Minister and Ministers of State may be appointed so that the selection of Ministers will enable the member-states to take part in the Council of Ministers. Ministers shall be the citizens of one of the member-states and shall have qualifications similar to those of the members of the National Assemblies of the member-states.

Article 39

The Prime Minister and Ministers will say the following oath in the presence of the President: "I swear by God the Almighty to be faithful to the Arab Union and to protect its Constitution and to fulfill honestly the assignments entrusted to me."

Article 40

a) The Council of Ministers shall be responsible for administration of the affairs of the Union within the limits of the powers outlined in this Constitution and in accordance with laws drawn up pursuant to the Constitution.

b) The resolutions of the Council of Ministers shall be presented to the President for perusal. He may request reconsideration of any resolution. The Prime Minister and Ministers will carry out these resolutions within scope of their authority.

Article 41

a) A Minister is responsible for the affairs of his Ministry and will carry out the general policy of the Union.

b) A Minister of State shall take charge of the affairs entrusted to him by the Prime Minister.

Article 42

a) Membership in the Council of Ministers may be held concurrently with a seat in the Union Council. Concurrent membership in the Union Cabinet and in the Cabinet or the National Assembly of a member-state is not permissible.

b) Membership in the Cabinet may not be held concurrently with another public position. No Minister may buy or lease any property of the Union or properties of any of the states of the Union.

No Minister, during tenure in the Cabinet, may be a member of the board of directors of any company, carry on commercial activity, receive a salary from an official or non-official institution, or engage in a profession.

Article 43

a) The President shall appoint the Prime Minister, dismiss him, and accept his resignation. He shall appoint, upon the recommendation of the Prime Minister, the Ministers; he shall dismiss them, and accept their resignations.

b) When the Prime Minister of the Cabinet resigns, is dismissed, or dies, all the Ministers will resign.

Article 44

The salaries of the Prime Minister and Ministers are to be fixed by law.

Article 45

The Prime Minister and Ministers are jointly responsible before the Union Council for the general policy of the Union; every Minister is responsible for the activities of his Ministry.

Article 46

If the Union Council, by absolute majority of its members, votes a lack of confidence, the Cabinet must resign promptly. If the vote relates to one minister, he must resign.

Article 47

a) The meeting to vote confidence in the Cabinet or a Minister will convene either upon the request of the Prime Minister or a request signed by no less than 10 members of the Union Council.

b) A vote of confidence in the Cabinet can be postponed once for a period of not more than 7 days if the delay is requested by the Prime Minister or the Minister concerned. During this period the Council must not be dissolved.

Article 48

The Council of Ministers (Cabinet) shall present its Ministerial Statement to the Union Council within one month of its appointment, if the Council is in session. A vote of confidence on the basis of the

Statement shall be requested. If the Council is not in session, or has been dissolved, the Speech of Inauguration is to be considered a Ministerial Statement.

Article 49

The Ministers are responsible for crimes committed during performance of their duties.

Article 50

a) The Union Council has the right to arraign Ministers. Ministers will be tried before the Union Supreme Court. A decision to arraign a Minister is to be taken by secret ballot and by a two-thirds majority of the total membership of the Council.

b) A Minister, arraigned by the Union Council, will be suspended from his post until the Supreme Court issues a verdict.

Article 51

The President will appoint diplomatic representatives for the Government of the Union, will dismiss them, and accept their resignations as provided by law. He accepts the credentials of the diplomatic representatives of the foreign states.

Article 52

The President concludes treaties, pacts, and agreements related to the authorities of the Union Government, and ratifies them after the approval of the Union Council.

Article 53

a) The President is Supreme Commander of the Arab Army; he declares war with the approval of the Union Council. If the Council is dissolved, it will be summoned to meet instantly.

b) The King of Jordan is the Supreme Commander of forces stationed in Jordan.

c) Exercise of command is the authority of the Headquarters of the Arab Army.

d) The President of the Union will appoint, upon recommendation of the Minister of Defence and the Prime Minister, the Chief of Staff of the Arab Army and his assistants, field commanders, division commanders, and others.

e) Military commissions are granted and withdrawn in ac-

cordance with the constitutions of the member-states and upon recommendation of the Minister of Defence and the Prime Minister of the Union, in accordance with the Union law of the service of officers. Commissions will be announced in a Union order.

Article 54

The President issues necessary regulations for the execution of laws.

Article 55

The law will define the conditions of appointment, salaries, promotion, pension, and other things related to civil and military officials of the Union Government.

Article 56

If events take place which require immediate attention, the President may issue Union Decrees which shall have the force of law. These decrees must not violate the Constitution and must be submitted to the Union Council at its first meeting after issuance. If the Council rejects these decrees, they shall be rendered illegal as of the date of rejection, provided that prior agreements made in accordance with the decrees are not affected.

Article 57

All regulations and decrees will be issued with the approval of the Council of Ministers, and must be signed by the Prime Minister and the Ministers.

CHAPTER IV THE JUDICIAL AUTHORITY

Article 58

a) A Supreme Court will be formed of a President and six judges, three from the Cassation Court of each state or any higher judiciary.

b) The quorum for the Supreme Court shall consist of five judges, including the President.

c) The Supreme Court issues its verdicts by absolute majority.

d) The Supreme Court convenes in the capital of the Union Government.

e) Decisions of the Supreme Court are final, implementation shall be provided by law.

Article 59

The Supreme Court will have the following powers:

a) To try members of the Union Council or Ministers of the Union.

b) To settle disputes which take place between the Government of the Union and one or more of the members, or disputes which might take place among the members.

c) To give legal advice in matters referred by the Prime Minister of the Union.

d) To interpret the Constitution of the Union and other Union laws upon the request of the Prime Minister of the Union.

e) To decide on the constitutionality of Union laws and decrees upon the request of the Prime Minister of the Union or the Prime Minister of any of the member-states. A decision that a law is unconstitutional will be considered as annulling that law as of the date of the court decision.

f) To receive appeals on verdicts issued by the courts of the member-states if those verdicts involve a decision in a dispute that affects the articles of this Constitution or any Union law.

g) To receive appeals on verdicts issued by Union courts.

Article 60

a) The President of the Union, with the approval of the Council of Ministers appoints the President of the Supreme Court and other members of the Court. They cannot be dismissed.

b) The qualifications of members of the Supreme Court, conditions of their appointment, and all things related to their service will be defined by law.

Article 61

The Union Council can form other Union courts.

CHAPTER V AUTHORITY OF THE UNION

Article 62

a) The following are affairs confined to the Government of the Union:

1) Foreign Affairs and diplomatic and consular representation.

2) Negotiation of treaties, pacts and international agreements.

3) Protection of the states of the Union and preservation of their security.

4) Establishment and management of the armed forces under the name of "The Arab Army". No member of state may maintain armed units other than police and internal security forces.

5) Organization of the Supreme Defence Council, military service, and military recruitment.

6) Customs and customs legislation.

7) Coordination of financial and economic policy.

8) Currency and financial affairs.

9) Unification of education policy, programs and curricula.

10) Highways and communications.

11) Any other thing decided by the Union Council by a two-thirds majority to be a Union affair, provided that consent is obtained from the governments of member-states.

b) All other affairs and powers will remain the authority of the member-states.

Article 63

All Union laws, regulations, orders, decrees, and other decisions issued by Union authorities in accordance with the rules of this Constitution will be implemented directly and will be binding on all authorities and individuals in the member-states.

CHAPTER VI

FINANCE

Article 64

a) Income is to be provided for the Union Government by levy of taxes and fees. The member-states will cede to the Union certain revenues in order that the Union Government may carry out its duties and responsibilities in accordance with the Constitution.

b) The Kingdom of Iraq will pay eighty percent of the revenue of the budget of the first year of the Union Government; and the Hashemite Kingdom of Jordan will pay twenty percent.

c) After the expiry of the first fiscal year, paragraph (a) above will be applied. If this revenue is not realized, the Union has the right then to levy the dues it finds appropriate for the expenditure of the Union from the revenues of the member states.

Article 65

The revenues and expenditures of the Union will be organized in an annual budget to be ratified by law before the next fiscal year which begins on the first of April annually.

Article 66

No appropriation of expenditure can be spent unless it has been properly included in the budget.

Article 67

The Union Council will debate the budget chapter by chapter. If the budget has not been approved by the first of April, expenditure will continue on monthly basis at the rate of one-twelfth of the expenditure of the previous year.

Article 68

No amount may be transferred from one chapter to another of the budget, and no amount may be added, reduced, or abolished, except by law.

Article 69

a) An Accountancy and Audit Bureau is to be formed by law to control the revenues, and expenditure of the Union.

b) At the beginning of every ordinary session of the Union Council, the Accountancy and Audit Bureau will present to the Union Council a report containing its views, and a statement of the violations committed within the previous year.

c) A law will provide for the immunity of the President of the Accountancy and Audit Bureau.

Article 70

The Government of the Union may own transferable and un-transferable properties, may manage them, and dispose of them according to law.

Article 71

All properties of the Union, and its funds, and possessions are exempted from taxes and fees imposed by laws of member states.

CHAPTER VII

AMENDMENT OF THE CONSTITUTION

Article 72

This Constitution may be amended according in the following manner:

a) The President of the Union, with the approval of the Council of Ministers, or the Union Council, upon a petition submitted by 21 members, may request amendment of the Constitution. The request must state the articles which need amendment and recommend proper legislation.

b) The Union Council will debate the amendment request and will approve by a two-thirds majority of its total members.

c) If the Union Council approves, the amendment will be referred to the legislative authorities and the member-states. If the amendment is approved by absolute majority of the National Assemblies of the member-states, it becomes effective after ratification by the President as provided in Article 32.

CHAPTER VIII
MISCELLANEOUS

Article 73

a) In case of a disturbance of public peace in any part of the Union, the President may, in accordance with a decision from the Council of Ministers of the Union, order a state of siege in all parts of the Union or in a certain area. The administration of the areas in a state of siege will be organized in accordance with a special law under which powers will be granted to person or persons who will be appointed to take necessary measures to restore peace. This person or persons shall have power to suspend ordinary laws. The emergency decree may also provide for trial of persons before special courts.

b) In case of emergency in any part of the Union, or in case of the danger of aggression on the Union, the President of the Union may declare martial law in accordance with decisions issued by the Union Council of Ministers in the area or district affected.

c) Union orders may provide for suspension of ordinary laws or regulations. All officials executing emergency orders will be legally responsible for their actions under these orders unless they are excused by a special law.

d) If one of the member-states declares martial law or a state of siege according to its laws in any part of its territory, the member-state may take any measures according to its laws without consulting the Union government. The army present in the area will be responsible for carrying out such orders. The Union Government will be informed.

e) If all member-states declare a state of siege or martial law in their countries so that it includes all the Union countries, these acts will be considered an announcement issued by the Union Government. Paragraphs (a) and (b) of this Article are to be applied.

Article 74

The Union Government will fix the dates and define the measures necessary to give effect to transfer of authority from the governments of the member-states.

Article 75

The Union Council formed after issuance of the Constitution will be regarded as the first Union Council. The first session will be considered an Extraordinary Session, and will be adjourned before December 1959 to make way for the first Ordinary Session as provided in Article 13.

Article 76

The first budget of the Union Government will be presented to the Union Council in the Extraordinary Session provided for in Article 75.

Article 77

This Constitution will become effective after approval of the National Assembly in each of the member states and after ratification according to Constitutional procedures.

Article 78

All laws, regulations, and legislations which affect the authorities of the Union and which are law in the member-states when this Constitution becomes effective, will remain valid and effective until abolished, amended or replaced by legislation issued in accordance with this Constitution.

Article 79

Every member-state will amend its constitution to reconcile it with this Constitution.

Article 80

The Council of Ministers of the Union and the Governments of the member-states are requested to carry out the rules of this Constitution.