

No. 26844

**MOROCCO, ALGERIA, LIBYAN ARAB JAMAHIRIYA,
MAURITANIA AND TUNISIA**

Treaty instituting the Arab Maghreb Union (with declaration). Concluded at Marrakesh on 17 February 1989

Authentic text: Arabic.

Registered by Morocco on 29 September 1989.

**MAROC, ALGÉRIE, JAMAHIRIYA ARABE LIBYENNE,
MAURITANIE ET TUNISIE**

Traité instituant l'Union du Maghreb arabe (avec déclaration). Conclu à Marrakech le 17 février 1989

Texte authentique : arabe.

Enregistré par le Maroc le 9 septembre 1989.

[TRANSLATION¹ — TRADUCTION²]

IN THE NAME OF GOD, THE CLEMENT, THE MERCIFUL

TREATY³ INSTITUTING THE ARAB MAGHREB UNION

His Majesty Hassan II, King of the Kingdom of Morocco,
His Excellency Zein El Abidin Ben Ali, President of the Republic of Tunisia,
His Excellency Shadli Ben Jedid, President of the People's Democratic Republic of Algeria,

The leader of the Great first of September Revolution,

Colonel Muammar Kaddafi, the Great Arab People's Socialist Libyan Jamahiriya,

And His Excellency Colonel Muawiya Uld Sidi Ahmed Tayea, Chairman of the Military Committee for National Salvation and Head of State of the Islamic Republic of Mauritania,

Having faith in the strong ties based on common history, religion and language that unite the peoples of the Arab Maghreb,

In response to the deep and firm aspirations of these peoples and their leaders to establish a Union that would reinforce the existing relations and provide them with the appropriate ways and means to gradually proceed toward achieving a more comprehensive integration among themselves,

Conscious that this integration will have effects that will enable the Arab Maghreb Union to acquire a specific weight allowing it to make an effective contribution to world balance, to the consolidation of peaceful relations within the international community and to the establishment of security and stability in the world,

Aware that the institution of the Arab Maghreb Union requires tangible achievements and the setting up of common rules embodying the effective solidarity among its components and ensuring their economic and social development,

Expressing their sincere determination to make the Arab Maghreb Union a means for the construction of total Arab unity and a starting point for a wider union comprising other Arab and African countries,

Have agreed on the following:

Article One

By virtue of this Treaty, a Union, to be called the "Arab Maghreb Union", is hereby instituted.

¹ Translation supplied by the Government of Morocco.

² Traduction fournie par le Gouvernement marocain.

³ Came into force on 1 July 1989, the date agreed upon by the Parties at a meeting held at Rabat on 30 June 1989 at which was recorded the completion of the ratification procedures provided for in article 19:

State
Algeria
Libyan Arab Jamahiriya
Mauritania
Morocco
Tunisia

Article Two

The Union aims at:

- Strengthening the ties of brotherhood which link the member States and their peoples to one another;
- Achieving progress and prosperity of their societies and defending their rights;
- Contributing to the preservation of peace based on justice and equity;
- Pursuing a common policy in different domains; and
- Working gradually towards achieving free movement of persons and transfer of services, goods and capital among them.

Article Three

The common policy referred to in the previous Article aims at reaching the following goals:

- In the international field: to achieve concord among the member States and establish between them a close diplomatic cooperation based on dialogue;
- In the field of defence: to preserve the independence of each of the member States;
- In the economic field: to achieve industrial, agricultural, commercial and social development of member States and take the necessary measures for this purpose particularly by setting up joint ventures and working out general and specific programmes in this respect;
- In the cultural field: to establish a cooperation aimed at promoting education on its various levels, at safeguarding the spiritual and moral values emanating from the tolerant teachings of Islam, and at preserving the Arab national identity, and to take the necessary measures to attain these goals, particularly by exchanging teachers and students and creating joint university and cultural institutions as well as joint institutions specialized in research.

Article Four

The Union shall have a Presidential Council composed of the Heads of State of the member States and constituting the supreme authority of the Union.

The chairmanship of the Council shall be for a period of six months in rotation among the Heads of State of the member States.

Article Five

The Presidential Council of the Union shall hold its ordinary sessions every six months; it may hold extraordinary sessions whenever deemed necessary.

Article Six

Only the Presidential Council shall have the authority to take decisions, and its decisions shall be taken unanimously.

Article Seven

The Prime Ministers of the member States, or their homologues, may meet whenever deemed necessary.

Article Eight

The Union shall have a Council of Foreign Ministers which shall prepare the sessions of the Presidential Council and look into the points submitted by the follow-up Committee and the specialized ministerial Committees.

Article Nine

Each State shall appoint a member of its ministerial Council, or General Popular Committee, to be in charge of Union Affairs; these appointees shall form a Committee for the follow-up of the affairs of the Union and shall submit the results of their proceedings to the Council of Foreign Ministers.

Article Ten

The Union shall have Specialized Ministerial Committees set up by the Presidential Council which shall determine their tasks.

Article Eleven

The Union shall have a General Secretariat composed of one representative for each member State; the General Secretariat shall exercise its functions in the country presiding over the session of the Presidential Council under the supervision of the Chairman of the session whose country shall cover the expenses involved.

Article Twelve

The Union shall have a Consultative Council comprising ten members for each State, to be chosen by the legislative bodies of the member States or according to the internal system of each State.

The Consultative Council shall hold an ordinary session every year as well as extraordinary sessions at the request of the Presidential Council.

The Consultative Council shall advise on all draft decisions handed over to it by the Presidential Council, as it may submit to the Presidential Council any recommendations it might consider likely to strengthen the action of the Union and achieve its goals.

The Consultative Council shall elaborate its rules of procedure and submit them to the Presidential Council for approval.

Article Thirteen

The Union shall have a Judicial Organ, composed of two judges for each State to be appointed by the State concerned for a six-year period, and renewed by half every three years. The Judicial Organ shall elect a chairman from its members for a one-year period.

The Judicial Organ shall specialize in examining conflicts related to the interpretation and implementation of the Treaty and the agreements concluded within the framework of the Union and submitted by the Presidential Council or any of the States parties to the conflict or as provided for by the Statutes of the Judicial Organ, the verdicts of which shall be binding and final.

Likewise, the Judicial Organ shall give advisory opinions on legal questions laid before it by the Presidential Council.

The Judicial Organ shall elaborate its Statutes and submit them to the Presidential Council for ratification. The Statutes shall constitute an integral part of the Treaty.

The Presidential Council shall determine the seat of the Judicial Organ and its budget.

Article Fourteen

Any aggression directed against one of the member States shall be considered as an aggression against the other member States.

Article Fifteen

Member States pledge not to permit on their territory any activity or organization liable to threaten the security, the territorial integrity or the political system of any of them.

They also pledge to abstain from joining any alliance or military or political bloc directed against the political independence or territorial integrity of the other member States.

Article Sixteen

Member States are free to conclude any agreements between them or with other States or groups provided these agreements do not run counter to the provisions of this Treaty.

Article Seventeen

Other States belonging to the Arab Nation or the African community may join this Treaty if member States give their approval.

Article Eighteen

Provisions of this Treaty may be amended upon the proposal of one of the member States, and such amendment becomes effective after its ratification by all member States.

Article Nineteen

This Treaty goes into effect after its ratification by the member States according to procedures in force in each member State.

Member States are committed to take the necessary measures to this end within a maximum period of six months from the date of signature of this Treaty.

DONE in the city of Marrakesh on the blessed day of Friday the tenth of Rajab 1409 of the Hegira (1398 of the Death of the Prophet), corresponding to 17 February (Nuar) 1989.

For the Kingdom
of Morocco:

HASSAN II

For the Republic
of Tunisia:

ZEIN EL ABIDIN BEN ALI

For the People's Democratic
Republic of Algeria:

SHADLI BEN JEDID

For the Great Arab People's
Socialist Libyan Jamahiriya:

MUAMMAR KADDAFI

The President of the Islamic Republic
of Mauritania:

MUAWIYA ULD SIDI AHMED TAYEA

IN THE NAME OF GOD, THE CLEMENT, THE MERCIFUL

DECLARATION OF THE INSTITUTION
OF THE ARAB MAGHREB UNION

H. M. Hassan II, King of the Kingdom of Morocco,

H. E. Zein El Abidin Ben Ali, President of the Republic of Tunisia,

H. E. Shadli Ben Jedid, President of the People's Democratic Republic of Algeria,

The Leader of the Great First of September Revolution in the Great Arab People's Socialist Libyan Jamahiriya, [Colonel Muammar Kaddafi],

And H. E. Muawiya Uld Sidi Ahmed Tayea, Chairman of the Military Committee of National Salvation, President of the Islamic Republic of Mauritania,

On the basis of what unites our Peoples in terms of religion, language, history, as well as a community of expectations, aspirations and destiny,

Being inspired by the glorious feats of our ancestors who contributed to the radiance of the Arabo-Islamic civilization and to the enrichment of a cultural and intellectual Rebirth which gave the best support to a common struggle for liberty and dignity,

Translating our common will as expressed in the Ziralda Summit in Algeria which launched forward our quest for the most appropriate ways and means leading to the edification of the Arab Maghreb,

Being aware of the fact that the fulfilling of the wishes of our Peoples for unification calls for conjugated efforts, an effective cooperation between our States and increasing complementarity in all fields,

Considering that the transformations and complementary connections occurring on the world scene, in general, and the challenges facing our States and Peoples in the political, economic, cultural and social fields, in particular, require from us greater mutual aid and solidarity and intensified efforts for the attainment of our contemplated goal,

Being perceptive of the urgent need there is to conjugate the efforts of our States in all fields and ensure full coordination in our social-economic policies, positions and options,

Taking into account the fact that our union will make of our region an area of security and a haven of peace, which will permit it to contribute to the consolidation of international cooperation and peace,

Proclaiming our firm determination to reinforce the foundations of justice and dignity for our Peoples and to confirm the individual and collective rights in our homelands on the basis of our cultural identity and spiritual values,

Following the precedents set by regional union projects across the world in their typically gradual, staid and steady steps of development and their rational planning,

Considering that the countries of the Arab Maghreb hold human, natural and strategic potentialities which enable them to face up to these challenges and to adapt to the changes expected to take place in the next decades,

Being convinced that a unified Arab Maghreb constitutes a major stage in the edification of Arab unity,

Being convinced that the advent of a unified Arab Maghreb will consolidate the struggle of the Palestinian Arab People for liberation and the recovery of their inalienable national rights,

Being persuaded that an evolving Maghreb entity will enable our countries to reinforce cooperation with the other sister African countries for the progress and prosperity of our African Continent,

Considering that the Arab Maghreb Union is the best framework for the fulfilling of the will of our Peoples in strengthening their ties with all friendly Peoples and in supporting the international organizations and gatherings to which our countries belong,

Considering that the building up of international cooperation and the upholding of world peace necessitate the setting up of regional unions for firmer and more secure foundations,

Responding to the aspirations of our Peoples while being aware of the delicate complexion of this juncture and conscious of the historical responsibility which rests upon us,

And as we stress our adherence to our spiritual values, our historical genuineness, our openness to others and our attachment for the principles of international ethics,

We declare, with the help of God and in the name of our Peoples, the institution of the Arab Maghreb Union, a complementary grouping of conjugated wills seeking cooperation with similar regional groupings and a solid bloc determined to contribute to the enhancement of international dialogue, to give support to upright principles and to mobilize the potentialities of its Peoples for the purpose of reinforcing the independence of the member States in the Arab Maghreb Union, preserving their acquirements and working with the international community for the establishment of a world order where justice, dignity, freedom and human rights would prevail and the relations of which would be marked by sincere cooperation and mutual respect.

With a view to achieving the above-stated goals we have concluded the Treaty that defines the principles and aims and determines the structures and organs of the Union.

DONE in the city of Marrakesh on the blessed day of Friday, the tenth of Rajab 1409 of the Hegira, corresponding to 17 February 1989.

For the Kingdom
of Morocco:

HASSAN II

For the Republic
of Tunisia:

ZEIN EL ABIDIN BEN ALI

For the Popular Democratic
Republic of Algeria:

CHADLI BEN JEDID

For the Great Arab People's
Socialist Libyan Jamahiriya:

MUAMMAR KADDAFI

The President of the Islamic Republic
of Mauritania:

MUAWIYA ULD SIDI AHMED TAYEA