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Agenda item 71

STRENGTHENING OF SECURITY AND CO-OPERATION IN THE MEDITERRANEAN REGION

Letter dated 29 September 1989 from the Permanent Representatives of  
Algeria, the Libyan Arab Jamahiriya, Mauritania, Morocco and Tunisia  
to the United Nations addressed to the Secretary-General

We have the honour to transmit to you herewith five copies of the original Arabic language texts of the Treaty instituting the Arab Maghreb Union (annex I) and the Declaration of the Institution of the Arab Maghreb Union (annex II), signed at Marrakesh, Morocco, on 10 Rajab A, H, 1409, corresponding to 17 February 1989 by the Kingdom of Morocco, the Republic of Tunisia, the People's Democratic Republic of Algeria, the Great Socialist People's Libyan Arab Jamahiriya and the Islamic Republic of Mauritania,

In accordance with its article 19, the Treaty entered into force on 1 July 1989 after completion of the ratification procedures by the five founding States of the Union.

In transmitting to you the original Arabic language texts of the two documents, together with French, English and Spanish translations, we request you to have them circulated to Member States and Observers as official documents of the General Assembly under agenda item 71.

(Signed) M. Ahmed GHEZAL  
Ambassador and Permanent  
Representative of the Republic of  
Tunisia to the United Nations

(Signed) M. Driss SLAOUI  
Ambassador and Permanent  
Representative of the Kingdom of  
Morocco to the United Nations

(Signed) Ali A. TREIKI  
Ambassador and Permanent  
Representative of the Socialist  
People's Libyan Arab Jamahiriya to the  
United Nations

(Signed) M. Hosine DJOUDI  
Ambassador and Permanent  
Representative of the Democratic  
People's Republic of Algeria to the  
United Nations

(Signed) M. Mohamedou OULD MOHAMED MAHMOUD  
Ambassador and Permanent Representative of the  
Islamic Republic of Mauritania to the United Nations

\* Reissued for technical reasons.

ANNEX I

In the name of God, the Clement, the Merciful

TREATY 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,

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 co-operation 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 co-operation 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 specialised 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 organisation 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 block 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 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 Rsjab 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

**MUAWIA ULD SIDI AHMED TAYEA**

ANNEX II

In the Name of God, the Clement, the Merciful

DECLARATION  
OF THE INSTITUTION OF  
THE ARAB MAGHREB UNION

H. M. HASSAN I I ,  
King of Kingdom of Morocco,

H. E. ZEIN EL ABXDIN 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

and H. E. MUAWIA ULD SIDI AHMED TAYEA  
Chairman of the Military Committee of the 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 Ziraida 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 co-operation 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 co-ordination in our socio-economic policies, positions and options,

Taking into account the fact that our union will make our region an area of security and a haven of peace, which will permit it to contribute to the consolidation of international co-operation 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 step-by-step 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 co-operation 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 co-operation 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 co-operation 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 acuirements and working with the international community for the  
● rtablirhment of a world order where justice, dignit, freedom and human rights  
would prevail and the relations of which would be marked by sincere co-operation  
and mutual respect.

With a view to achieving the above-rtated goalr we have concluded the Treaty  
that defines the principles and aims and determiner the structures and organs of  
the Union.

Done in the city of Marrakeah 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

SHADLI BEN JEDID

For the Great Arab People's  
Socialist Libyan Jamahiriya

MUAMMAR KADDAFI

The President of the Islamic Republic  
of Mauritania

MUAWIAULD SIDI AHMED TAYEA

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