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HS L 179:184



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(30)

Arab Union

(Iraq - Jordan)

1958

Collected by D. H.

- found in the safe in his office

United Republic etc.

my files?



Trevor
for information
AT

MISSION
United Kingdom Delegation
to the United Nations,
New York.

(1062/34/58)

April 3, 1958.

See Andy,

I enclose a copy of an analysis that we have been sent of the main provisions of the constitution of the Arab Union, which apparently has 80 Articles in all.

I am not a consitutional lawyer, but I have seen it described as a Federal Union, somewhere between the American type, where the States though sovereign have no international identity or representation, and the model of the German Empire between 1871 and 1918, where, under the Emperor (the King of Prussia), the rulers of the German States preserved their identity and exchanged diplomatic missions with foreign Powers. This description has of course no authority behind it from Iraq or Jordan.

Yours sincerely
P. M. Crosthwaite

(P. M. Crosthwaite)

Mr. Andrew W. Cordier,
United Nations Secretariat.



- (1) Membership is open to any Arab country.
- (2) With regard to the provisions of the Constitution, each member State retains its independent, international status and existing system of government.
- (3) International treaties already in force shall so continue with regard to the country concerned, but will not be binding on the other members. All such treaties concluded after the establishment of the Union shall come within the competence of the Union Government.
- (4) The Union Government shall consist of the Head of the Union, legislative, executive and judicial authorities.
- (5) The King of Iraq shall be the Head of the Union and, in his absence, the King of Jordan.
- (6) When another State adheres to the Union the position of the Head of the Union shall be reconsidered.
- (7) The seat of the Union Government shall be alternate six months in Baghdad and Amman. This may be changed by agreement and a permanent seat established.
- (8) Every Union citizen shall have freedom of ownership and movement, dwelling and work in all parts of the Union.
- (9) The Union Chamber shall be composed of forty members, twenty from Iraq and twenty from Jordan, the first Chamber will be partly elected from the two Parliaments, and partly appointed, thereafter it appears that there will be direct elections.
- (10) The Union Council of Ministers comprises the Prime Minister and a number of Cabinet Ministers.
- (11) A member of the Union Council of Ministers can be a member of the Union Chamber, but he cannot be a member of the Council of Ministers or the Parliament of any of the Union member States.
- (12) The Head of the Union is the Supreme Commander of the Arab Army. The King of Jordan shall be the Supreme Commander of the Arab Army forces stationed in Jordan.
- (13) The Union Government is responsible for foreign affairs, defence, customs, co-ordination of financial and economic policy, unification of educational policy, joint communications and anything else decided by a two-thirds majority of the Union Chamber.

/(14) ..



(14) Iraq pays 80 per cent of the Union Government budgetary revenue for the first year and Jordan 20 per cent. After the first year permanent sources of revenue will be allotted to the Union.

(15) Constitution shall come into force when passed by joint session of Parliament in each of the member States and approved in accordance with constitutional procedure.

(16) Each Member State shall amend its constitution so that its provisions conform with this constitution.

TEXT OF THE AGREEMENT OF THE ARAB FEDERATION BETWEEN THE KINGDOMS OF IRAQ
AND HASHEMITE JORDAN

PREAMBLE

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 integrates 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

The Arab Federal State of the Hashemite Kingdoms of Jordan and Iraq exists as from today, Friday, February 14¹⁹⁵⁸. It will be open to all other Arab states who wish to join.

II

Each of the two states will preserve its independent existence and sovereignty over its own territories and retain the existing regimes.

III

Any international treaty, alliance or convention which either state has signed before federation does not commit the other. But any such alliance, treaty or convention signed after federation is binding to both through the federal authority.

IV

Steps will be taken to unify:

- a) Foreign policy and diplomatic representation abroad,
- b) The army as "the Arab Army",
- c) Customs and law, and
- d) Education.

V

Both countries will agree as soon as possible on measures to unify the currency and coordinate economic and financial policy.

VI

The federal authority will be responsible for measures to unify any other aspect not mentioned in article four.

VII

The flag of the Arab Revolt will be the flag of the federal state and of each individual state.

VIII

The federal authority will have executive and legislative bodies. An equal number of members from each existing parliament will be chosen for the federal legislature. The executive body will be appointed according to the federal constitution.

IX

The head of the federal state will be King Feisal of Iraq. In his absence the King of Jordan takes his place. Each king preserves his constitutional authority in his kingdom. If any other state joins the federation, the question of the head of state will be reviewed.

X

The federal capital will be Baghdad for six months and Amman for the other six months each year.

XI

The present constitutions of Iraq and Jordan will be amended according to the requirements of the federal constitution which will be based on the principles of this agreement. The constitution must be enacted within three months of the signature of this agreement.

XII

This agreement has been constitutionally signed.