



The Statute of the Arab Union of Administrative Judiciary

Preamble

On the occasion of holding the fourth conference of the Presidents of administrative courts of Arab States at the Arab Center of Legal and Judicial Studies of the Arab League in Beirut, as from the 1st till the 3rd of September 2014, in the presence of the Presidents and members of the Councils of State and the Supreme Administrative Courts of participating Arab Countries;

to reinforce the ties of fraternity and friendship among the Councils of State and the Supreme Administrative Courts of Arab States;

and to facilitate the means for the exchange of expertise and the enrichment of knowledge concerning administrative judiciary, as well as to unify the methodologies of judicial activism;

with a view to establish an Arab judicial entity, specialized in the domain of administrative judiciary, as a means to reinforcing common Arab work, and to reaching a comprehensive Arab unity;

the participants of this conference had agreed, initially, on establishing a union named "The Arab Union of Administrative Judiciary", in accordance with the provisions of a draft statute presented by Counselor Dr. Gamal Taha Ismail Nada, the President of the Council of State of the Arab Republic of Egypt, provided that these provisions should be reformulated in light of the remarks articulated during the discussions and the preliminary conference held in Cairo on the 30th and the 31st of May 2015, which have been considered throughout this statute after consulting with Their Excellencies the Presidents of the Councils of State and the



Supreme Administrative Courts of concerned Arab states, and hence an invitation has been addressed to meet at the Cairo premises of the Council of State on Saturday, December 12, 2015, in order consider the ratification and enforcement of this statute.

This meeting has been attended by His Highness Mr. Abdul Fattah Elsis, President of the Arab Republic of Egypt, and Their Excellencies the Presidents of the Councils of State and the Supreme Administrative Courts of the following Arab States:-

- 1- Kingdom of Jordan.
- 2- State of the United Arab Emirates.
- 3- State of Bahrain.
- 4- Republic of Tunisia.
- 5- Republic of Iraq.
- 6- State of Kuwait.
- 7- Republic of Lebanon.
- 8- State of Libya.
- 9- Arab Republic of Egypt.
- 10- Kingdom of Morocco.
- 11- Islamic Republic of Mauritania.
- 12- Republic of Yemen.

The attendees have agreed upon the establishment of this Union, in accordance with the provisions of this statute.



Chapter One

Establishment of the Union

Article (1)

A union named “The Arab Union of Administrative Judiciary” shall be established among the Supreme Administrative Courts and the Councils of State that undertake the mandate of administrative judiciary in Arab States, hereinafter referred to as ‘the Union’.

Article (2)

The Union shall have a legal personality, and it shall be represented before national and international entities by its President or whom he may delegate.

Article (3)

The city of Cairo of the Arab Republic of Egypt shall be the permanent headquarters of the Union.

Chapter Two

Objectives of the Union

Article (4)

The aims of the Union shall be the following:-

- A. Promoting and developing the administrative judiciary and reinforcing its role.
- B. Organizing and developing cooperation endeavors among the members of the Union, and strengthening their multilateral relations.
- C. Exchanging expertise and knowledge in the field of administrative judiciary.
- D. Emphasizing the principle of judicial independence as well as the immunity of the judiciary, and its ideals and superior values.



- E. Encouraging research and legal studies in relevance to administrative judiciary, and contributing for the dissemination of legal culture in Arab societies.
- F. Organizing and promoting cooperation endeavors between the Union and counterpart entities.
- G. Participating at international and regional conferences relating to administrative judiciary.
- H. Seeking to unify administrative legal terminology throughout Arab States, in coordination with competent organs of the Arab League.
- I. Tendering opinion and advice in the field of administrative judiciary, upon request from Arab States.

Article (5)

The Union shall achieve its objectives by all means, including the following:-

- A. Issuing a periodic journal that features judgments, research, legal and judicial studies, as well as any other materials issued by authorities concerned with administrative judiciary.
- B. Exchanging judgments and decisions rendered by entities concerned with administrative judiciary.
- C. Holding conferences and symposia for presenting and addressing research and legal studies relevant to administrative judiciary.
- D. Exchanging visits and expertise.
- E. Encouraging authorship, translation and publication in the field of administrative judiciary.
- F. Establishing a broad ranging legal library at the headquarters of the Union, featuring Arabic and comparative publications and legal periodicals, particularly in relation to administrative judiciary; in addition to establishing a digital library in the context of promoting the Union's website, as a means for communication and dissemination of legal culture.
- G. Seeking to establish a training center for purposes of training judges and those working in the field of administrative judiciary in Arab countries.



Chapter Three Membership of the Union

Article (6)

The founding Members and whom the General Assembly accepts its membership afterwards, in accordance with the provisions of this statute, shall be deemed a Member of the Union.

Article (7)

Organizations, societies and entities working in the fields of law and administrative judiciary shall obtain the status of observer, upon the approval of the General Assembly of the Union.

Article (8)

Membership of the Union shall be terminated upon the following conditions:-

- A. Withdrawal, which shall be effected as soon as the Secretariat General is officially notified thereof.
- B. Failing of any Member to meet its budgetary obligations for two consecutive years, unless the General Assembly decides with a majority vote of attending members, either to suspend its membership or grant it a grace period to fulfill such obligations.

Chapter Four Organs of the Union

Article (9)

The Union shall be composed of the following organs:-

- A. The General Assembly.
- B. The Executive Bureau.
- C. The Secretariat General.



Section One

The General Assembly

Article (10)

The General Assembly shall consist of Supreme Administrative Courts and Councils of State that are Members of the Union.

Article (11)

The General Assembly shall undertake the following functions:-

- A. Setting the plans and the programs of the Union.
- B. Deciding upon membership applications.
- C. Deciding upon membership termination or suspension.
- D. Approving the internal and the financial regimes of the Union, as well as the Staff Regulations of the Secretariat General, and determining staff remuneration when necessary.
- E. Setting the agenda for the upcoming session of the Union.
- F. Ratifying the final account for the past two years, and approving the general budget of the Union for the upcoming two years, considering that this budget shall be allocated to each year pursuant to an Executive Bureau resolution.
- G. Determining the means for reinforcing and promoting cooperation among the members of the Union on the one hand, and between the Union and counterpart international and regional entities on the other hand.
- H. Endorsing the report prepared by the President of the Union concerning its different activities, and the financial report prepared by the Secretary General.
- I. Ratifying the agreements concluded by the Union, relevant to its purposes, with regional and international entities.
- J. Deciding upon the membership of the Union with a majority vote of attending members.
- K. Appointing an auditor upon a proposal from the Executive Bureau.
- L. Discussing other issues as submitted by the Executive Bureau.

The General Assembly may form subcommittees consisting of members of the Union, and it also may have recourse to experts for purposes of studying particular subjects.



Article (12)

The General Assembly, upon an invitation from the Secretary General, shall hold its ordinary session at least once a year, which shall be presided over by the President of the Union.

In case of necessity, upon a request from any of its members and the approval of one third thereof, or pursuant to a proposal from the Executive Bureau, the General Assembly may hold an extraordinary session. The Secretary General shall attend both ordinary and extraordinary sessions and shall make a report as to their respective work.

Both ordinary and extraordinary sessions shall be held at the headquarters of the Union, unless the General Assembly decides, or any of its members so proposes, to convene at another venue.

Article (13)

The General Assembly shall be validly convened by the attendance of the majority of its members, and it shall issue its resolutions by the majority of the members present, unless a certain majority is so required. Each member shall have one vote, and in case of equality of votes, the side to which the president belongs shall overrule the other.

The Secretary General shall act as a rapporteur for the General Assembly.

Article (14)

The Secretary General shall consult with the members of the Union at least two months prior to inviting them to ordinary sessions, and at least one month in case of holding an extraordinary sessions.

Article (15)

Having regard to article (31) of this Statute, the Presidency of the Union shall last for a term of two years, alternating among the Presidents of member Supreme Administrative Courts and Councils of State, according to the alphabetical order of their respective countries.

The President of the upcoming term shall be an incumbent Vice – President of the Union.



Article (16)

The President of the Union is the dispensing authority.
He may delegate such mandate to his Vice-President or the Secretary General.

Article (17)

The President of the Union shall undertake his other functions according to the provisions of this Statute.

In case the President is unable to perform his powers and functions for whatever reason, the Vice-President shall act on his behalf.

Section Two The Executive Bureau

Article (18)

The Executive Bureau shall consist of the President of the Union -as a President- the Vice-President, and three members elected in their capacities by the General Assembly for a period of two years. The Secretary General shall be the rapporteur of the Executive office.

Article (19)

The Executive Bureau shall perform the following functions:

- A. Executing the resolutions of the General Assembly.
- B. Preparing a draft agenda for the General Assembly, and proposing the topic of the Union's scientific forum upon receiving the suggestions of its members.
- C. Examining the draft general budget and submitting it to the General Assembly for approval, and accepting endowments and bequests in accordance with the purposes of the Union.
- D. Examining draft resolutions and recommendations.
- E. Proposing to appoint a financial auditor for the Union, and presenting him to the General Assembly.



- F. Preparing for and holding conferences, and determining the topics to be presented therein and the dates and venues thereof, upon what the General Assembly decides.
- G. Submitting a report to the General Assembly at the beginning of its session including a statement on the Union's activities throughout the past two years, the achieved goals and such suggestions as to how to develop its activities.
- H. Endorsing the final account of each fiscal year, and presenting it to the General Assembly at its first meeting for approval.

The Executive Bureau may invite any of the Administrative Courts and Councils of State that undertake any of the competencies of administrative judiciary in non-member Arab countries, to attend the meetings of the Union, upon either a request from any of them or a proposal from the Union's ordinary General Assembly. The Executive Bureau may also invite a counterpart international or regional entity to attend the meetings of the Union, with no voting rights.

Article (20):

The Executive Bureau shall convene at least once a year at the headquarters of the Union, or in a country to which any member belongs, upon either an invitation from its President, or a proposal of one of its members with majority approval.

The Executive Bureau may take its decisions after deliberating through available written or electronic media.

Article (21):

For meetings of the Executive Bureau to be valid, the majority of its members shall attend, and its decisions shall be taken by the majority of members present.



Section Three

The Secretariat General

Article (22)

The Secretariat General is the administrative body of the Union.

The functions of the Secretariat General shall be assumed by a Secretary General who shall be elected –for a period of four years- by a majority vote of members present of the General Assembly.

When necessary, the General Assembly may appoint an assistant to the Secretary General who may be delegated some of his powers.

Article (23):

The Secretariat General shall assume the following functions:

- A. Executing the resolutions of the General Assembly and the Executive Bureau.
- B. Acting as a secretary to the meetings of the General Assembly and the Executive Bureau, and drafting the minutes and preparing the draft agenda of each meeting.
- C. Preparing items to be submitted to the Executive Bureau and the General Assembly, as well as relevant documents and reports.
- D. Archiving documents.
- E. Conducting the financial and the administrative affairs of the Union.
- F. Conveying invitations, resolutions and recommendations of the Union to its members and guest institutions.
- G. Overseeing the printing process of the Union's studies, research, journals, bulletins and periodicals, and following up with the distribution thereof.
- H. Supervising and updating the website of the Union.

In addition to whatever tasks assigned by the General Assembly, or the President of the Union.



Article (24)

The Secretary General shall submit a report on the work of the Secretariat General to the Executive Bureau at its periodic meetings.

Article (25)

The preparatory works for organizing General Assembly sessions and the expenses thereof shall be undertaken by the host Union member, in full coordination with the Secretariat General of the Union.

Article (26)

The Council of State of Egypt, as belonging to the headquarters State, shall assume all administrative costs of the Union, except for the allocations of the Secretary General which shall be determined by the General Assembly upon a proposal from the Executive Bureau.

Chapter five
Financial Provisions

Article (27)

The financial resources of the Union shall consist of the following:

- A. Members' contributions; the rules and ratios thereof shall be determined in accordance with applicable budgetary rules of the Arab League.
- B. Endowments, bequests and other aids as presented by Arab countries, regional and international organizations or entities, in accordance with the purposes of the Union.
- C. Revenues of the Union's activities.

Article (28)

The fiscal year of the Union shall run from the 1st of January till the end of December of the same year.

Article (29)

The financial regime of the Union shall demonstrate how to manage its funds, and shall also put in place expenditure safeguards, and budget



planning rubrics and execution methods, as well as all other financial rules.

Chapter Six

General Provisions

Article (30):

Upon a proposal from a member of the Union, the provisions of this Statute, in whole or in part, may be amended by a two thirds majority General Assembly resolution.

Article (31):

Notwithstanding article (15) of this Statute, the President of the Council of State of Egypt shall preside over the Union throughout its first term.

Article (32):

This Statute shall enter into force once signed by founding Members.

Article (33):

Counsellor Dr. Gamal Taha Ismail Nada -President of the Council of State of Egypt- shall be a lifetime honorary President of the Union as of the 1st of July 2016.

Concluding Provisions

This document has been issued in thirteen originals, in the Arabic language; one of which has been deposited with the Secretariat of the Union, and the rest has been delivered to signatory Members; and on the 12th day of December 2015, at the city of Cairo of the Arab Republic of Egypt, the following representatives of founding Members have duly placed their signatures thereupon.



- 1) **On behalf of the Supreme Judicial Council of the Hashemite Kingdom of Jordan.**
Judge/ Hisham El Tall, President of the Supreme Judicial Council of the Hashemite kingdom of Jordan.
- 2) **On behalf of the Supreme Federal Court of the United Arab Emirates.**
Judge/ Shehab Abdel Rahman El Hammady, President of the Civil and Commercial Circuit of the Supreme Federal Court.
- 3) **On behalf of the Supreme Judicial Council of the State of Bahrain.**
Counsellor / Salem El Kowari, President of the Supreme Judicial Council of the State of Bahrain.
- 4) **On behalf of the Council of State of the Republic of Tunisia.**
Counsellor/ Mohamed Fawzy Ben Hammad, First President.
- 5) **On behalf of the Council of State Consultations of the State of Iraq.**
Mrs. / Samia Kazem, President of the Council of State Consultations.
- 6) **On behalf of the Supreme Judicial Council of the State of Kuwait.**
Mr. Counsellor/ Youssef Jassem El Matowaa, President of the Supreme Judicial Council.
- 7) **On behalf of the Council of State Consultations of the Republic of Lebanon.**
Counsellor/ Shokry Sader, President of the Council of State Consultations.
- 8) **On behalf of the Supreme Judicial Council of the State of Libya.**
Counsellor/ Mohamed El Hafi, President of the Supreme Judicial Council.
- 9) **On behalf of the Council of State of the Arab Republic of Egypt.**
Counsellor Dr. Gamal Taha Ismail Nada, President of the Council of State of Egypt.
- 10) **On behalf of the Court of Cassation of the Kingdom of Morocco.**
Counsellor/ Abdel Meguid Baba Ali, President of the Administrative Section of the Court of Cassation.
- 11) **On behalf of the Supreme Court of the Islamic Republic of Mauritania.**
Judge/ Khetar Sedy Brahim, Counsellor at the Supreme Court.
- 12) **On behalf of the Supreme Judicial Council the Republic of Yemen.**
His Excellency Ambassador/ Mohamed Mohamed El Haseemy, Ambassador of the Republic of Yemen to Egypt and the Permanent Representative at the Arab League.

