

The Arab League: Its Foundation and Role in Arab Regional Security

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Abstract: The Arab League was created in the post-colonial era. However, the structure and regulations of the Arab League proved incompatible with the complex problems of the then-emerging Arab countries. In fact, despite supporting the hard-won independence of Arab states and contributing, though modestly, to the temporary settlement of a few inter-Arab conflicts, the Arab League fell short of emerging as a powerful player in regional politics. The weak organizational structure of the League, especially its conflict resolution mechanisms, together with internal rivalries between its major members have led to its current defunct state.

Introduction

The dream of uniting the Arab world was one of the driving forces for the rebellion against the Ottoman Empire during World War One. In fact, the seeds of revolt lied in the rise of the Pan-Arabism then rampant in the Arab provinces of the empire, and particularly in the Levant. The desire to build an independent Arab state to transform the Arab region from a place of decay and impoverishment and to spark a cultural and political renaissance was at the core of Arab nationalist aspirations.¹ These feelings were fueled in particular by the harsh policies adopted by the Ottoman Empire towards non-Turkish subjects – Arabs in particular – in its final days.²

Under the direct supervision of the British, the Arabs, led by Sharif Hussein bin Ali of Mecca, made up an Arab Legion fighting alongside the Allies during World War I. The aim of the revolt, as stipulated in the Damascus Protocol and in the correspondence between Hussein and Sir Henry McMahon based on the protocol, was to revolt against the Ottoman Empire and to establish an Arab state or a union of Arab states.³ In the period after the military defeat of the Ottomans, there was a shift in thinking towards the establishment of a union or alliance of Arab states instead of one Arab state. However, that naive proposal did not come to fruition, as the French and British had different plans for the region. The Sykes–Picot Accord had already divided up most of the “liberated areas” between the two triumphant imperial powers.⁴ The only exceptions to this arrangement were the “South Syria” that went to Prince Abdullah under the name of the Transjordan Emirate and the region of Najd and Hijaz, which became later a part of the project of Saudi Arabia.⁵

However, most Arabs resisted this attempt by the colonial powers at creating new realities by distorting the facts of history, geography and geopolitics. For example, in defiance of the division of Greater Syria, the Syrian Congress was formed in June 1919 in Damascus.⁶ The majority of its members were former deputies to the Council of the Ottoman Envoys.⁷ The participants showed overwhelming support for King Faisal I's demands, rejecting the severance of Palestine and Lebanon from their motherland Syria. The League of Nations came to implement the divisions that the colonial powers drew up. The great degree of resistance both militarily and politically between the two world wars was motivated by a drive in the Arab world for independence.⁸ Moreover, the intensification of Nazi and fascist pressure on European countries during World War II made it very difficult for Britain and France to bear further unrest within their colonies and areas under their control in these Arab countries. Therefore, their leaders promised to grant the Arab countries their independence after the end of the war and encouraged openly popular drives towards Arab unity, as stated by then British Foreign Minister Anthony Eden in 1941.⁹

The Establishment of the League of Arab States

At the end of the 1930s, Mustapha al-Nahhas Pasha, then Prime Minister of Egypt, called on Arab leaders to visit Egypt to exchange views on the idea of establishing an Arab Union.¹⁰ In the consultations of 1939, three trends emerged: those who wished to form a Greater Syria, those who wished to establish a Fertile Crescent state and those who wanted a larger union of Arab states.¹¹ Towards the end of the Second World War, when allied victory

was imminent, it became clear that the victorious Western countries were not going to follow through on promises to grant Arab countries their independence.¹² However, the preparatory committee of the Arab League adopted the final version of the charter nonetheless, and the delegates signed the charter on March 22, 1945.¹³

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The charter elaborated the objectives of the Arab League as being to seek to strengthen ties between Arab states, to maintain their independence and to preserve the security and safety of the Arab region in all fields including politics, economics, culture, society and healthcare.¹⁴ The organs of the Arab League included the Council of League of Arab States,¹⁵ the General Secretariat,¹⁶ the Economic and Social Council,¹⁷ and the Arab Ministerial Councils.¹⁸ The league would be funded through member states' contributions. The Secretary General prepares the draft budget and submits it to the Board for approval prior to the beginning of each financial year. Each member state's share of contribution to the League budget is determined by consensus within the Council. The budget of the League of Arab States has increased steadily from \$26 million in 1999 to \$50 million in 2010 and \$62 million in 2018. The percentage of each member state's contribution is measured by its contributions to the UN.



Following the latest controversy over member states' contributions, the suggestion that prevailed was to have UN contributions as a basis with the limitation that each state's contribution should be between 1 percent of the League's budget – even if this is larger than its contribution to the United Nations – and 14 percent. This has been a source of lively debate each period, especially after the accumulation of outstanding contributions from members reached \$100 million in 2017.¹⁹ In 2017, the deficit in the League's budget reached crisis levels worse than at any time since its foundation. Its finances were running so low that the League failed to pay salaries to its employees. The Secretary-General reportedly resorted to using the League's reserves of \$40 million and borrowed \$2.5 million to pay salaries in addition to the expenses required for the Secretariat. It is widely believed that slow donation rates to the League reflect the politically-motivated attitudes of some of its members.

As far as the membership in the League of Arab States is concerned and according to Article 1 of its charter, every independent Arab State may accede to the League after submitting an application to the Permanent Secretariat. This should be submitted to the Council at the first meeting after the submission of the application.²⁰ As for membership withdrawal, each member state has the right to withdraw from the League if the Council is informed of this desire one year prior to its implementation.²¹

Dispute Settlement

Among the main tasks of an international organization is to resolve disputes that may arise between its members by peaceful means. Otherwise, a fratricidal conflict may easily pose a grave threat to

the unity of the organization. There has unfortunately been no reflection of this simple logic either in the charter nor in the history of the Arab League.

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At the time when the charter was drafted, its prevailing ideology was promoting full independency, total sovereignty, and self-pride. The philosophy of the League of Nations and the strong Western sense of statism greatly influenced Arab leaders at that time. Consequently, big differences emerged in the views of the leaders of Arab countries on the subject of dispute settlements and compulsory arbitration in preparatory talks. One can easily see the extent to which the principle of compulsory arbitration was propounded by many Arab delegations, especially Egypt and Iraq, in the event of an Arab dispute between two or more members of the Arab League. This tendency was fiercely resisted by the Lebanese delegation, which demanded the preservation of the absolute sovereignty of member states. However, a compromise solution was found, with the charter stipulating that it is not permissible to resort to force to settle disputes between two or more member states of the League and if it is not related to independence, the sovereignty or territorial integrity of the states involved and the parties to the dispute resort to the Council to resolve this dispute, the decision then is effective and binding. In this case, the state that is a party in the dispute has no right to participate in the deliberations of the Council and its decisions. In another



scenario; if it is feared that a war would erupt between a state of the League and any other state, the Council would mediate between the conflicting states in reconciliation efforts. Arbitration and mediation decisions would be issued by a majority of votes.

This implies that the charter limits the scope and level of procedures at the Council's disposal²² Arbitration and mediation are not binding without the consent of the parties to a conflict.²³ Therefore, it could be unreservedly stated that the legal system for the settlement of disputes within the Arab League framework lacks accuracy and effectiveness. On the practical side, looking back at the history of the Arab League, one can find only a handful of cases in which the League contributed successfully to conflict resolution.

Co-operation between the UN and the Arab League

The UN Charter also established special rules for the peaceful resolution of international disputes. Indeed, the charter encourages parties to conflict to seek settlement through resort to regional agencies or other arrangements of their choice.²⁴ Hence the role of regional organizations, the Arab League included, in conflict resolution is justified and affirmed by the nature of the UN Security Council. It is widely believed that the Security Council is politically charged to the extent that the political price of any settlement it makes could be much higher than the benefits. On the other hand, in many dispute resolution precedents in the Arab region, the Gulf countries in particular often bore much of the financial cost of any UN Security Council Resolutions.

In fact, the Arab League was unable to reach a settlement of major inter-Arab disputes and they ended up at the table of the United Nations' Security Council. The crisis prompted by Iraq's invasion of Kuwait was a crisis that demonstrated the weakness of the League of Arab States and its inability to find solutions to differences among member states. Initially, the Arab League demanded in resolution 5036 that Iraq withdraw its troops from Kuwait immediately and unconditionally, affirming its strong commitment to protect the sovereignty and territorial integrity of the member states of the League and rejecting any intervention or attempt by foreign powers to intervene in Arab affairs. However, the differences in positions during the Arab League's summit on August 9–10, 1990 and the debate over the summit's resolution 195, which called on state members to send troops to Saudi Arabia to deter any Iraqi invasion of its territory, indicate the weakness of the League of Arab States in resolving inter-regional disputes. The above resolution was approved by 12 of the 21 League members. While Iraq, Libya and the PLO voted against the resolution, Algeria and Yemen abstained and Tunisia abstained from the debate and vote. Yet, in the end, the actual decisions to form a coalition of forces that protected Saudi Arabia and liberated Kuwait were taken by the Security Council.²⁵

The Arab League and Non-State Actors

As an inter-state organization, the Charter of the League left no room to accept the membership of any non-state entities. In addition, the charter made no specific rules on how to deal with non-state or sub-state entities that were performing political roles, whether affiliated with a member state or otherwise. The foundations of the League were based on the sovereignty of the state and the



preservation of the centrality of member states. Therefore, the League always dealt cautiously with non-state entities including the PLO, which was in fact an entity of its own creation. However, individually, member states of the Arab League had a long history with relating with such actors at all levels.

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Initially, the Council of the Arab League chose to consider the Palestinian delegation to represent the “Arabs of Palestine” rather than the full territory. After the Nakba of 1948 and the Israeli occupation of a large part of the Palestinian territories, the status of Palestine within the League did not change. The change took place only after the decision of the League Council in 1952 to consider the Palestinian representative to represent “Palestine” and not merely “Palestinian Arabs”.

That status continued until the formation of the Palestine Liberation Organization, which was recognized by the Arab kings and presidents at an Arab summit held in Cairo in 1964. In that summit, it was agreed that the Palestine Liberation Organization should be the representative of Palestine to the League of Arab States. Then the PLO was recognized as the only legitimate representative of the State of Palestine at the 1974 Rabat Summit. The League’s Council decided to accept the PLO as a full member of the League of Arab States at a conference held in Cairo on September 9, 1976.

In Hamas’s case, despite initial sympathy, the fear of Hamas’s association with other Arab Islamic political entities invoked dissatisfaction among some Arab governments. Nonetheless, from the outset, the Arab States were divided in their perception of Hamas’s Islamic affiliation and its role in the Israeli Arab conflict.²⁶ The Arab League dealt with Hamas merely as a national liberation movement in Palestine. The League remained cautious about increasing its dealings with intra-state entities, except when they were part of a government, yet Hamas was an exception. There was always a certain level of interaction with Hamas, many of which came in the context of the Palestinian reconciliation efforts. For example, the League welcomed the Palestinian Parliamentary elections of 2006 which Hamas won. It commented on the election stating that it was fair and transparent with full international recognition. It called on Israel not to use the victory of Hamas in the Palestinian elections to “stall” the peace process.

In addition, we can trace the League’s engagement with civil society in the sense that the League made space for the participation of civil society organizations in its various activities, particularly, on the Development and Human Rights fronts. Many civil society organizations have attained ‘observer’ status in the Economic and Social Council and its organs. However, still for many commentators this was too little and too late. Although the Arab Charter on Human Rights was adopted in 2004 and the Arab Committee for Human Rights was established soon afterwards; and in spite of the fact that there are indications that the League principles had been partially redrawn to adopt the principles of human rights, civil society organizations were largely left aside and not taken seriously as



partners. For example, the Statute of the Arab Court of Human Rights was drafted in 2014 without the participation of civil society organizations or human rights experts, which led to the failure to provide essential mechanisms for monitoring human rights violations and bringing violators to justice. Therefore, there is currently renewed call to modernize the charter in a way that accommodates civil society in the political arena as well.²⁷

Assessing the Arab League's Performance

While acknowledging the existence of deficiencies in the provisions governing the work of the League of Arab States with regard to the settlement of inter-Arab disputes, the League has not completely failed to perform this function. The Council of the League expanded the use of other means of settling disputes beyond mediation and arbitration by resorting to intermediation, using good offices, and fact-finding and monitoring bodies and missions. For instance, intensive institutional efforts and the many initiatives by the League to end the Lebanese Civil had limited success; "in the end it was the individual powers, in this case Syria and Saudi Arabia, that helped end the conflict by convening the Taif Agreement. Technically it was under the auspices of the League, but in reality, Saudi Arabia and Syria were the driving forces."²⁸

Yet, this does not negate the need to amend or develop the texts of the settlement of the Charter. This is what the League has tried to do at times. In its seventy-year lifetime, the League has created new mechanisms including the Political Committee, the League's mechanism for conflict prevention, management and resolution that was

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later replaced, and the Arab Peace and Security Council. In addition, the League has played major roles in supporting the liberation struggle in countries such as Algeria, Oman, South Yemen, and Sudan.²⁹ In addition, it has contributed to the settlement of a few Arab-Arab disputes, such as the Egyptian–Sudanese conflict in 1958, Morocco and Algeria in 1963, and the war between North and South Yemen in 1987.

The League's ability in doing this was very much dependent on the degree of acceptance it obtained from the parties to the conflict.³⁰ In addition, the League encouraged Arab-Arab cooperation through a group of specialized organizations formed at different levels both within and outside the League.³¹ Similarly, the League represented the Arab countries in various international organizations such as the United Nations and its specialized organizations, as well as the Organization of African Unity. The League also cooperated with the latter on the foundation of a range of joint institutions such as the Arab Bank for Economic Development in Africa (BADEA). The Arab League was active too as a party in dialogue with Europe during the 1970s.³²

Despite immense changes in world politics and huge shifts in international law, members of the Arab League are still looking and dealing with the League in the same way that prevailed at 1945. The restrictions imposed on the dispute-resolution articles were a direct result of the very strong notion of national



sovereignty of the states, which was at its climax at the time when the League was established. However, sovereignty has become relative and states can no longer claim their sovereignty in order to evade their international obligations. The principle of absolute non-intervention in the internal affairs of countries has its share of this development; the same way rules of international humanitarian law allow states to intervene to protect civilians in armed conflicts.

Future Challenges Awaiting the Arab League

The League has faced various difficulties during the stages since its formation, some of which took the form of constant challenges, such as the Arab–Israeli conflict. However, the League’s major dilemma has been that of self-determination. With the decline of pan-Arabism, the League lost one of the basic moral pillars. Pan-Arabism by its very nature was the main driving force for the creation of the League, not as a pure ideology but as a manifestation of the fear by the Arab states of the colonial powers. External threats to some Arab countries helped in maintaining the idea of the joint fate of the Arabs. That remained the case after the Iranian revolution and the outbreak of the Iraqi-Iranian war, which was widely seen by most of the Arab countries as a joint struggle against Iranian aggression or the threat of aggression. Nevertheless, the Iraqi invasion of Kuwait and the second Gulf war, when many Arab states participated in the military campaign that left Iraq totally paralyzed, was the closing scene of this pan-Arabism.

Besides, the way Arab regimes define their interests has magnified the urge for more independence and narrowed their characterization of national identity. In

part, this was a way to gain legitimacy at the grassroots level. One of the few exceptions was the Gulf Cooperation Council, which for some time took gradual but firm steps towards coordinating both basic internal public policies and external policies in the Gulf region. Nevertheless, the current Gulf crisis has casted its shadows over the interactions and intra-regional politics of the Arab states. This split between Arab countries that is influenced by the division within the Gulf has created new dynamics in the region. Two camps have emerged as a direct result of the positions the Gulf states took in response to the Arab League. The first, led by Qatar, initiated wide support for the Arab spring, while the other camp led by Saudi Arabia has been more hesitant to redefine its strategic interests in the light of new reality of the Arab spring.

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The Syrian case is a very important example of the shining and consequently fading of the Arab League’s political performance. The appetite for direct positive intervention was very strong at the beginning of the Arab uprisings, particularly in the Syrian context. In fact, the Arab Spring and its profound consequences created a new momentum for the Arab League to act responsively. That was made clear when the Arab League sent a mission to observe the implementation of peace proposals aimed at ending violence in Syria. Later Lakhdar Ibrahim was appointed as a joint UN and Arab League envoy to



Syria. On another front, the Arab League participated actively in organizing the Syrian factions and received many delegations from inside and outside Syria that represented the Syrian opposition. It could be noted that both Egypt (at the time) and Qatar were keen to have the Arab League participating in such efforts. More importantly, the Arab League organized one of the earliest and most successful Syrian opposition conferences in Cairo on July 2-3, 2012. As a result, the Syrian opposition came up with two very important documents, namely the National Covenant and the Transitional Stage.

The Arab League was then involved directly in referring the Syrian case to the UN and in the implementation of the Security Council resolutions. This cooperation between the Arab League and the UN continued when the joint representation of the Arab League and the UN arranged for Geneva talks in 2014. However, with the arrival of a military government in Egypt and the escalation of the split in the Gulf, a major decline in the involvement of the League in the Syrian crisis was clear.

Conclusion

Changing political and security circumstances, together with a self-definition of interests by each of the Arab states, have created continuous challenges to the Arab League. The malfunctioning of this organization could be attributed not only to the political weakness of the member states themselves, their lack of political will for reform and institutional co-operation, but also to the League's built-in frail structure. Still, however, the Arab League is an important regional arrangement that could be serve as a base for security and political co-operation. In addition, the League of Arab States is

a framework that should not be simply abandoned, as it is the only organizational manifestation of the Arab geopolitical ties. For some, the only way to establish new Middle Eastern robust political and security systems that resonate with the new realities of the region is to get rid of the Arab League. Particularly, they say, given that the common interests of the Arab states have deeply fallen behind their shared interests with other regional actors and superpowers. However, keeping the Arab League alive is a strategic goal, not only for Arab states but also for external powers as well. For the Arab States, it is the only symbolic institution of the joint Arab political existence. For the superpowers, it has always been the source of legitimacy when it comes to implementing an unpopular agenda in the region.



Endnotes

- 1- According to Karol Sorby Jr, the aim of the chief of the Arab movement Sharif Husain was to “elicit British support for Arab independence in all the Arab provinces of the Ottoman Empire from Mersin in the north, the Persian frontier in the east, the Mediterranean in the west and the Red Sea and Indian Ocean in the south. The only temporary exception he was prepared to make was Aden. No doubt he was aware that Britain would not agree to all this, but, like most negotiators, he began with his maximum bargaining position.” See Karol Sorby Jr “The Arab National Movement in World War I”, *Asian and African Studies*, 15, 2006, 1, pp.40-54
- 2- The Ottoman Empire was ruled by followers of Committee of Union and Progress (İttihad ve Terakki Cemiyeti), which toppled Abdülhamid II and implemented discriminatory policies towards non-Turkish subjects in the Ottoman Empire. See Süleyman Demirci, ‘The Methods Employed by the Unionists in Power to Control People Of The Ottoman Balkan Peninsula’, *Sosyal Bilimler Enstitüsü Dergisi*, 2006/2, 21, available at <http://dergipark.gov.tr/download/article-file/219373>
- 3- Teitelbaum Joshua, *The Rise and Fall of the Hashemite Kingdom of Arabia*. C Hurst & Co Publishers Ltd (22 Oct. 2001), p.49.
- 4- Sykes–Picot Accord was one “of five secret agreements, made during the course of the First World War, foretold the break-up of the Ottoman Empire. The nations involved in this prospective carving up of the Ottoman realm were Britain, France, Russia and Italy.” See Karol Sorby Jr, *Ibid*.
- 5- *Ibid*.
- 6- The objective of the congress was initially in preparation for The King–Crane Commission, officially called the ‘1919 Inter-Allied Commission on Mandates in Turkey’ that formed in order to investigate the future of Greater Syria after the Ottoman Empire. See Report of the American Section of the International Commission on Mandates in Turkey (The King–Crane Commission), August 28, 1919, available at <https://www.scribd.com/document/72247553/The-King-Crane-Commission-Report-Syrian-Congress-Aug-28-1919>
- 7- They represented most of the Greater Syria cities and towns. They were 85 members represented Damascus, East Jordan, Antioch, Beirut, Tripoli, Mount Lebanon, Palestine, Aleppo, Hama, Homs, Deir Al-Zour and Jabal Addruze.
- 8- Attasi Karim, *Syria, the Strength of an Idea: The Constitutional Architectures of Its Political Regimes*. Cambridge University Press, 2018.
- 9- Al-Saqar Khaled, *Jordan During WWII*. The center of Academic Books, Amman, p.41
- 10- Porath Yehoshua. *In Search of Arab Unity 1930-1945*. Routledge, London and New York, 2013, pp. 257-269
- 11- Supporters of the Fertile Crescent vision were divided into two streams: one called for a Federation, or a union with a supreme authority imposing its will on member states, and another that saw a much softer union working on a co-operation and co-ordination basis among the Arab countries, while maintaining their independence *Ibid*.
- 12- In mid-1944, Mustafa Al-Nahhas Pasha activated a Preparatory Committee for the Arab General Conference, which formulated proposals to achieve Arab unity. The Committee met in Alexandria on September 25, 1944, in the presence of delegates from Egypt, Syria, Iraq, Eastern Jordan, Saudi Arabia and Yemen. It is very important to observe the debate within the committee as it was and still is at the core of the Arab League dysfunctional history. After eight consecutive sessions, the participants ruled out the idea of a Federation that is controlled by a central government and the two major projects of Greater Syria and the Fertile Crescent. The debate was confined to form a union or a regional organization – composed of the willing states – whose decisions would be implemented only by the countries that approve it.
- 13- The membership of the Arab countries has largely expanded since the signing of the charter; having started with only seven countries, now 22 members, Comoros was the last to join in 1993. The “League of the Arab Countries” could have called the “Arab Alliance” as proposed by Syria or the “Arab Union” as it was suggested by Iraq. However, the Egyptian delegation stated that the name Arab was more appropriate in terms of language and politics and was compatible with the objectives of the Arab countries. At the end all agreed on that name with a little modification so it became “League of Arab States”. The Arab delegates who attended the meetings of the Preparatory Committee for the Arab General Conference in Alexandria issued a protocol known as the Alexandria Protocol which provides for their approval for the establishment of Arab States.



14- In a clear desire of compatible with the UN the stressed principles of principles of the United Nations Charter, the legal equality among Member States, the non-interference in the affairs of Member States and the principle of Mutual assistance. The League enjoys a full legal international Character as most of the International and regional Organizations, therefore it has the right to conclude international treaties and to exchange diplomatic representation with States and international organizations. In addition, the League's premises and staff abroad have the right to enjoy diplomatic immunity in accordance with Article 14 of the Charter. It has three main organs established under its Charter, and other units established by the Joint Arab Defense Treaty in 1950, as well as by resolutions of the Council of the League.

15- The Council, which is the highest authority in the League, consists of representatives of member states, each with one vote. The summits of Arab kings and presidents were considered as a representation of the Council of the League of Arab States. In accordance with the Charter of the of Arab States, the League represented by the Council respects the implementation of the agreements signed by the member states and support cooperation between the later and international bodies concerned with maintaining international peace and security. The Council also takes the necessary measures to stop any actual or imminent aggression against State members by means of mediation or arbitration. The Council is responsible for the appointment of the Secretary-General of the League, the assessment of member states' contributions to the League's budget and the rules of procedure of the Council. The presence of two thirds of the member states constitutes the quorum necessary for the validity of any session of the Council. Decisions adopted by consensus are favorable whenever possible. However, in the event that consensus cannot be reached the decision is deferred to the next session. Yet if the matter is of an urgent nature, a special session shall be convened within one month. After all, if there is no consensus, the vote is regarded as "valid" and the decision is effective by obtaining two thirds of the states present for the decisions on the substantive issues.

16- The League of Arab States has a permanent secretariat whose primary function is to manage the administrative and financial affairs of the League. The Secretary General is of ambassadorial level who is appointed by the Council of League by a two-thirds majority of the members for a renewable five-year term. The Secretary-General, with the approval of the Council, appoints the Assistant Secretaries and the principal officials of the League.

17- This was established within the framework of the League of Arab States as one of its main organs under article 8 of the "Arab Common Defense and Economic Cooperation Treaty" signed in 1950 and amended more than once; most recently at the 2004 Tunisia Summit. The Council includes the Ministers of the Arab Member States concerned with economic and financial affairs with a view to achieving cooperation among Member States to promote their economies, invest their natural resources, facilitate inter-trade exchange and, in general, coordinate the economic activities of the Arab States.

18- Since the early 1950s, Arab relations have witnessed a phenomenon of specialized agencies and ministerial councils operating independently or semi-independent within the framework of the League. The aim was to achieve the League's objectives set out in Article II of the Charter and the Treaty on Joint Defense and Economic Cooperation of 1950 on the achievement of Arab cooperation in all political, economic and social issues. These councils vary according to their independence and the existence of an independent Secretariat and budgets. For example, the Council of Arab Ministers of the Interior and the Council of Arab Ministers of Justice have their own Secretariat and independent budgets. Other Ministerial Councils supervise specialized Arab organizations including the Council of Ministers of Arab Higher Education, the Council of Arab Ministers of Education and the Council of Arab Ministers of Agriculture. Example of Ministerial Councils whose secretariats are departments of the League of Arab States, the Council of Ministers of Defense and the Council of Arab Ministers of Health.

19- The problem of member states not paying their share of the budget in full has been very common throughout the history of the League. In 2010, when Amr Moussa assumed the position of Secretary General, the contributions reached 90 percent of the total budget; it was a rare incident.

20- In many occasions accession of new states triggered controversy within the Council. In 1961, Iraq objected to Kuwait's request, claiming that it was part of the Iraqi territory. The Iraqi delegate withdrew from the Council in protest against this request. The Council, however, accepted its membership on the basis of Article



VII of the Charter, which stipulates that the unanimous decision of the Council shall be binding only on those who accept it. Accepting Somalia and Djibouti in the League also sparked controversy among the Arab countries on the grounds that their official language is not Arabic, but the Council of the League decided that the two peoples are of Arab origin therefore accepted them as full members of the League Arab States. Retrieved from <http://leagueofarabstates.net>

21- The Council has the right to deem any member state as not complying with the duties of the Charter and consequently the council could decide to terminate its membership from the League by a decision issued by unanimity of all member states, except the state in question. In addition, if a member state loses its international legal character for any reason, its membership in the League will also be ended. This occurred during the unification between Egypt and Syria in February 1958 after becoming one state as the United Arab Republic. Also this happened after the unification between North and South Yemen in 1990. However, that does not apply in case the loss of the state's sovereignty was a result of occupation or use of force, as happened after Iraq's invasion of Kuwait in 1990, where the Kuwait membership in the League was not affected.

22- Articles 5 – 6 of the League Charter.

23- There was an attempt to rectify that shortcoming in the charter by the Joint Defense and Economic Cooperation Treaty on June 17, 1950. The aim of first article of that Treaty was to ease the restrictions contained in Article 5 of the Charter of the League of Arab States but did not really make any changes, as the main factor in the settlement of the disputes is still subject to the consent or non-consent of the States parties to the conflict. However, if the disputes reached a stage of aggression or a threat of aggression the Council could "take measures" upon the request of the state under the aggression or the threat of aggression. Paragraph 2 of Article 6 was amended alongside with Article 7 as mentioned in the note above.

24- Article 33 of UN Charter states: "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means."

25- O'Connell, Mary Ellen, "Enforcing the Prohibition on the Use of Force: The U.N.'s Response to Iraq's Invasion of Kuwait" (1991), Articles by Maurer Faculty, paper 2085.

<http://www.repository.law.indiana.edu/facpub/2085>

26- The declaration of HAMAS creation took place on 14/12/1987 alongside with the early phases of the first Palestinian Intifada.

27- Mervat Rishmawi, 'Can the Arab League Be Civil Society's Partner for Human Rights?'

December 9, 2015, available at <https://www.opensocietyfoundations.org/voices/can-arab-league-be-civil-society-s-partner-human-rights>. See also the League of Arab States Human Rights Standard and Mechanisms Manual, available at <https://www.opensocietyfoundations.org/sites/default/files/league-arab-states-manual-20151125.pdf>

28- Quote from Professor Bazzi Mohamad, in 'The Arab League', Council on Foreign Relations, <https://www.cfr.org/background/arab-league>. Accessed 28/10/2018.

29- Such a role was the direct cause of the expansion of the membership to the above, to include twenty-two Arab countries, while the number of countries signatory to the founding charter numbered seven countries. Retrieved from <http://www.arableagueonline.org>

30- Ibid.

31- Within the framework of the League, organizations have been established in several fields, including employment, economic and social development, scientific and cultural affairs, and the means of communication and information. Examples of such organizations are: the Arab Labor Organization (ALO) and the Arab Fund for Economic and Social Development (AFESD), the Arab League Education (ALECSO), Culture and Science Organization, the Arab States Broadcasting Union (ASBU) and the Arab Telecommunication Union (ATU). Outside the framework of the League, it encouraged the activities of trade unions. As a result, many associations for groups such as Arab lawyers, doctors, journalists, jurists, and workers were established. Ibid

32- Ibid.



ABOUT THE AUTHOR

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The Sharq Forum is an independent international network whose mission is to undertake impartial research and develop long-term strategies to ensure the political development, social justice and economic prosperity of the people of Al-Sharq. The Forum does this through promoting the ideals of democratic participation, an informed citizenry, multi-stakeholder dialogue, social justice, and public-spirited research.

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