Country/entity	Comoros Anjouan
Region	Africa (excl MENA)
Agreement name	Comoros's Constitution of 2001
Date	23 Dec 2001
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Anjouan Crisis (1997 - 2008)

The two islands of Anjouan and Mohéli seceded from the Comoros in 1997, with Anjouan unilaterally declaring independence. In the aftermath of this declaration, political infighting emerged and several coup attempts in Anjouan took place. In 2001, a junta led my Mohamed Bacar was able to consolidate power and he began negotiations with the Comoros. These negotiations resulted in the establishment of a renewed Union of the Comoros with a peace agreement constitution. After the end of his formal term, Bacar launched another coup against his successor, declaring independence again in July 2007. In February 2008, the Comoros army, supported by France and members of the African Union, invaded the island and forced Bacar to leave and the declaration of independence to be withdrawn.
Close
Anjouan Crisis (1997 - 2008)

Stage	Framework/substantive - comprehensive
Conflict nature	Government/territory
Peace process	Comoros-Anjouan islands peace process
Parties	The Government of Comoros
Third parties	-
Description	This constitution provides for the institutional organisations of the New Comorian Union as defined in the General Agreement on National Reconciliation (17 February 2001). It provides specially the following institutions and their relationship: I. The Union of the Comoros; II. The Respective Competencies of the Union and the Islands; III. The Institutions of the Union (the Executive Power, the Legislative Power, the Judicial Power); IV. The Constitutional Court; V. The Revision of the Constitution; VI. Transitional Provisions.

Agreement document	KM_011223_Constitution of Comoros.pdf (opens in new tab) | Download PDF

Groups

Children/youth	Groups→Children/youth→Substantive Page 1, Preamble: ... To mark their attachment to the principles and fundamental rights defined by the Charter of the United Nations, the Charter of the Organization of African Unity, the Charter of the Arab League of Nations, the Universal Declaration of Human Rights of the United Nations and the African Charter on Human and Peoples' Rights, as well as international conventions, notably those relating to the rights of children and women. ... Proclaim ... - The right of children and youth to be protected by the authorities against any form of abandonment, exploitation and violence;
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	Groups→Racial/ethnic/national group→Anti-discrimination Page 1, Preamble: ... Proclaim ... - Equality of rights and duties for all without distinction of sex, origin, race, religion or belief;
Religious groups	Groups→Religious groups→Anti-discrimination Page 1, Untitled Preamble: ...Proclaim...- Equality of rights and duties for all without distinction of sex, origin, race, religion or belief;... Groups→Religious groups→Substantive Page 2-3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 9: The following matters shall fall within the exclusive jurisdiction of the Union: Religion, Nationality, Currency, Foreign Relations, Foreign Defence, national symbols...
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	Page 1, Preamble: ... To mark their attachment to the principles and fundamental rights defined by the Charter of the United Nations, the Charter of the Organization of African Unity, the Charter of the Arab League of Nations, the Universal Declaration of Human Rights of the United Nations and the African Charter on Human and Peoples' Rights, as well as international conventions, notably those relating to the rights of children and women. ... Proclaim ... - Equality of rights and duties for all without distinction of sex, origin, race, religion or belief; Page 2, TITLE I: THE UNION OF THE COMOROS, Article 4: Under conditions determined by law, suffrage is universal, equal and secret. It can be direct or indirect. Under conditions determined by law, all Comorians of both sexes can vote in enjoyment of their civil and political rights.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)
No specific mention.

State configuration
Page 1, TITLE I: THE UNION OF THE COMOROS, Article 1:
The Union of the Comoros is a Republic, composed of the autonomous Islands of Mwali (Mohéli), Maoré (Mayotte), Ndzuwani (Anjouan) and N'gazidja (Grande Comore).

Page 2, TITLE I: THE UNION OF THE COMOROS, Article 3:
Sovereignty shall vest in the people which shall exercise it, in each island and in the Union as a whole, through its elected representatives or by referendum. No section of the people nor any individual may arrogate to itself, or to himself, the exercise thereof. No handover, no exchange, no territory adjunction is valid without the consent of concerned population.

Page 2, TITLE I: THE UNION OF THE COMOROS, Article 6:
Political parties and groups compete in the casting of votes, as well as in civic and political training of the people. They are formed and function freely, in accordance with the law of the Union. They must respect national unity and the sovereignty and inviolability of the borders of the Comoros, as recognised internationally, as well as the principles of democracy.

Page 3, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 12:
The President of the Union shall be the symbol of national unity. He shall be the guarantor of the inviolability of the borders as internationally recognized and of the sovereignty of the Union. He shall be the arbiter and the moderator of the proper functioning of the institutions. He shall be the highest representative of the Union in international relations.
...

Page 8, TITLE V: THE REVISION OF THE CONSTITUTION, Article 35:
[...]
No revision procedure may be initiated or continued when it undermines the unity of the territory and the inviolability of internationally recognized borders of the Union. The form of the organisation of the Union, as provided by this Constitution, may not be revised.

Self determination
No specific mention.

Referendum

Page 2, TITLE I: THE UNION OF THE COMOROS, Article 3:
Sovereignty shall vest in the people which shall exercise it, in each island and in the Union as a whole, through its elected representatives or by referendum. No section of the people nor any individual may arrogate to itself, or to himself, the exercise thereof. No handover, no exchange, no territory adjunction is valid without the consent of concerned population.

Page 7, TITLE IV: THE CONSTITUTIONAL COURT, Article 30:
The Constitutional Court shall rule on the constitutionality of the statutes of the Union and the islands. It shall monitor the proper conduct of the electoral operations in the islands as well as at Union level, including referendums; it shall rule on electoral disputes. Finally, it shall guarantee the fundamental rights of the individual and public liberties.
...

State symbols

Page 1, TITLE I: THE UNION OF THE COMOROS, Article 1:
...
The national emblem shall be yellow, white, red, blue, a white crescent turned to the right and four white stars aligned from one end of the crescent to the other in an isosceles triangle on a green undercoat.
The national hymn shall be: Umodja Wa Massiwa.
The motto of the Union shall be “Unity-Solidarity-Development.”
The official languages shall be the Shikomor, the national language, French and Arabic.

Page 2-3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 9:
The following matters shall fall within the exclusive jurisdiction of the Union: Religion, Nationality, Currency, Foreign Relations, Foreign Defence, national symbols.
In relations to matters under shared jurisdictions between the Union and the Islands, the islands have the power to act as long and as far as the Union does not use its right to act. The Union intervenes only if it can be done more effectively than the Islands because: (a) the regulation of a matter by an island could affect the interests of other islands;
(b) a question cannot be resolved by an island in isolation; (c) the maintenance of the legal, economic and social unity of the Union requires it. In this case, the Islands / States have, according to the matters, the power to take the necessary measures for the execution of the fundamental principles and rules defined by the Union or to the achievement of the objectives set by the Union.
An organic law determines, as needed, the matters falling within the shared competence of the Union or shared skills of Islands/States and the modalities of its exercise.
The matters falling within the exclusive jurisdiction of the Islands/States are these not falling within the exclusive jurisdiction of the Union or the shared jurisdiction of the Island / States and of the Union.

Page 3, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 12:
The President of the Union shall be the symbol of national unity. He shall be the guarantor of the inviolability of the borders as internationally recognized and of the sovereignty of the Union. He shall be the arbiter and the moderator of the proper functioning of the institutions. He shall be the highest representative of the Union in international relations.
...

Independence/ secession

No specific mention.

Accession/ unification

No specific mention.

Border delimitation

Page 2, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 7:
With due respect for the unity of the Union and the inviolability of its borders as recognised internationally, every Island freely administers and manages its own affairs. Every Island freely establishes its Fundamental Law with due respect for the Constitution of the Union. Comorians have the same rights, freedoms and obligations everywhere in the Union. No authority can adopt measures that directly or indirectly hinder the freedom of movement and settlement of individuals, as well as the free movement of goods over the whole territory of Union. The Islands have an elected executive and Parliament as well as local communities endowed with a deliberating organ and an executive organ, both elected.

Page 3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 10:
Peace treaties, commercial treaties, treaties or agreements relating to an international organisation, those that involve the finances of the Union, those that modify provisions of a legislative nature, those relating to the state of individuals, and those that include cession, exchange or addition of territory, can only be ratified or approved in virtue of a law. They come into effect only after having been ratified or approved.
If the Constitutional Court, on referral by the President of the Union, the Vice-Presidents, the President of the Union's Assembly or the Heads of the Islands Executive power, has declared that an international agreement contains a clause contrary to the Constitution, the authorisation to ratify or approve it can only be given after the Constitution has been revised. Treaties and agreements regularly ratified or approved take precedence over the laws of the Union and the Islands, as soon as they are published, subject to their application by the other party for every treaty or agreement.

Page 8, TITLE V: THE REVISION OF THE CONSTITUTION, Article 35:
Revision of the Constitution should be initiated jointly by the President of the Union and members of the Union Assembly. To be adopted, the draft or proposal of revision must be approved by two thirds of the total number of members of the Union Assembly and by two-thirds of the total members of the Assemblies of Islands.
No revision procedure may be initiated or continued when it undermines the unity of the territory and the inviolability of internationally recognized borders of the Union. The form of the organisation of the Union, as provided by this Constitution, may not be revised.

Cross-border provision

No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→New political institutions (indefinite)

Page 1, Preamble:
To bestow on themselves new institutions founded on the legally constituted state and on democracy, respectful of good governance and guaranteeing the sharing of power between the Union and the Islands that constitute it, in order to allow the latter to realise their legitimate aspirations, administer and manage freely and without hindrance their own affairs and promote their socio-economic development;

Page 2, TITLE I: THE UNION OF THE COMOROS, Article 6:
Political parties and groups compete in the casting of votes, as well as in civic and political training of the people. They are formed and function freely, in accordance with the law of the Union. They must respect national unity and the sovereignty and inviolability of the borders of the Comoros, as recognised internationally, as well as the principles of democracy.

TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS
Article 7
With due respect for the unity of the Union and the inviolability of its borders as recognised internationally, every Island freely administers and manages its own affairs. Every Island freely establishes its Fundamental Law with due respect for the Constitution of the Union. Comorians have the same rights, freedoms and obligations everywhere in the Union. No authority can adopt measures that directly or indirectly hinder the freedom of movement and settlement of individuals, as well as the free movement of goods over the whole territory of Union. The Islands have an elected executive and Parliament as well as local communities endowed with a deliberating organ and an executive organ, both elected.

Page 3, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 12:
The President of the Union shall be the symbol of national unity. He shall be the guarantor of the inviolability of the borders as internationally recognized and of the sovereignty of the Union. He shall be the arbiter and the moderator of the proper functioning of the institutions. He shall be the highest representative of the Union in international relations.
The President of the Union shall determine and conduct the foreign policy. He shall accredit ambassadors and envoys extraordinary to foreign powers; foreign ambassadors and envoys extraordinary shall be accredited to him. He shall negotiate and ratify treaties.
The President of the Union shall be the Head of Government. In this capacity, he shall determine and conduct the policy of the Union. He shall have at his disposal the administration of the Union and shall have the power to make regulations. He shall make appointments to civil and military posts of the Union.
The President of the Union shall be the Commander-in-Chief of the Armies. He shall be responsible for external defense.
The President of the Union shall be vested with the power to grant pardons, this right is exercised without countersignature.

Page 4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 13:
There shall be a Presidential Council of the Union composed of the President of the Union and Vice-Presidents, one from each of the Island/States. The mandate of the Council members is four years. The Presidency rotates between the Islands; it is carry out for the term of office by the member coming from the island under which the function falls, while other members from the other islands carry out the function of Vice-Presidents.
The President of the Union and the Vice-Chairmen who make up the team with him are

Elections	Page 2, TITLE I: THE UNION OF THE COMOROS, Article 4: Under conditions determined by law, suffrage is universal, equal and secret. It can be direct or indirect. Under conditions determined by law, all Comorians of both sexes can vote in enjoyment of their civil and political rights. Page 2, TITLE I: THE UNION OF THE COMOROS, Article 6: Political parties and groups compete in the casting of votes, as well as in civic and political training of the people. They are formed and function freely, in accordance with the law of the Union. They must respect national unity and the sovereignty and inviolability of the borders of the Comoros, as recognised internationally, as well as the principles of democracy. Page 5, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 20: The Assembly of the Union is composed for half by representatives designated by the Assemblies of the Islands/states, namely five members by Island/state and for half by representatives elected by direct universal suffrage in the system of single member constituency majority voting in two rounds. The Electoral Law specifies the terms and conditions of the mode of voting as well as the electoral districts whose number may not be less than two by Island/State. Each list must contain an equal number of candidates from each of the islands / States. The President of the Assembly of the Union is elected for the duration of the legislature. An organic law determines the conditions and the arrangements for the election of the members of the Assembly of the Union and of its President, the regime of ineligibilities and incompatibilities, as well as the allowances of Members of Parliament. It specifies the conditions under which the people are elected to ensure, in the event of vacancy, the replacement of deputies until the general or partial renewal of the Assembly of the Union. The Assembly of the Union adopts, by a majority of two thirds of its members, its rules of procedure. Before the implementation of the latter, the Constitutional Court decides on its conformity with the Constitution. Page 5, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 22: No Member shall be elected with any binding mandate. The right to vote of the Members of the Assembly of the Union shall be exercised in person. Union legislation may in exceptional cases authorize voting by proxy. In that event, no member shall be given more than one proxy. Page 7, TITLE IV: THE CONSTITUTIONAL COURT, Article 30: The Constitutional Court shall rule on the constitutionality of the statutes of the Union and the islands. It shall monitor the proper conduct of the electoral operations in the islands as well as at Union level, including referendums; it shall rule on electoral disputes. Finally, it shall guarantee the fundamental rights of the individual and public liberties. ...
Electoral commission	No specific mention.

Political parties reform	Governance→Political parties reform→Other political parties reform Page 2, TITLE I: THE UNION OF THE COMOROS, Article 6: Political parties and groups compete in the casting of votes, as well as in civic and political training of the people. They are formed and function freely, in accordance with the law of the Union. They must respect national unity and the sovereignty and inviolability of the borders of the Comoros, as recognised internationally, as well as the principles of democracy.
Civil society	Page 1, Preamble: ... Proclaim ... - Freedoms of expression, meeting, association and trade unionism with due respect for morals and public order;
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	Governance→Constitution→Constitutional reform/making [Summary] The agreement in its entirety is a Constitution. Page 3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 10: …. If the Constitutional Court, on referral by the President of the Union, the Vice-Presidents, the President of the Union's Assembly or the Heads of the Islands Executive power, has declared that an international agreement contains a clause contrary to the Constitution, the authorisation to ratify or approve it can only be given after the Constitution has been revised. Treaties and agreements regularly ratified or approved take precedence over the laws of the Union and the Islands, as soon as they are published, subject to their application by the other party for every treaty or agreement.

Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level
Page 3-4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 12:
The President of the Union shall be the symbol of national unity. He shall be the guarantor of the inviolability of the borders as internationally recognized and of the sovereignty of the Union. He shall be the arbiter and the moderator of the proper functioning of the institutions. He shall be the highest representative of the Union in international relations.
The President of the Union shall determine and conduct the foreign policy. He shall accredit ambassadors and envoys extraordinary to foreign powers; foreign ambassadors and envoys extraordinary shall be accredited to him. He shall negotiate and ratify treaties.
The President of the Union shall be the Head of Government. In this capacity, he shall determine and conduct the policy of the Union. He shall have at his disposal the administration of the Union and shall have the power to make regulations. He shall make appointments to civil and military posts of the Union.
The President of the Union shall be the Commander-in-Chief of the Armies. He shall be responsible for external defense.
The President of the Union shall be vested with the power to grant pardons, this right is exercised without countersignature.

Page 4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 13:
There shall be a Presidential Council of the Union composed of the President of the Union and Vice-Presidents, one from each of the Island/States. The mandate of the Council members is four years. The Presidency rotates between the Islands; it is carry out for the term of office by the member coming from the island under which the function falls, while other members from the other islands carry out the function of Vice-Presidents.
The President of the Union and the Vice-Chairmen who make up the team with him are elected by the Assembly of the Union to the absolute majority of its members. Before entering in function, the President of the Union and the Vice-Presidents shall take an oath before the Constitutional Court according to the following formula in Comorian language [Text in shikomori].
The conditions of eligibility and the terms of the application of this Article are laid down by an organic law.
Power sharing→Political power sharing→Proportionality in legislature
State level
Page 5, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 20:
The Assembly of the Union is composed for half by representatives designated by the Assemblies of the Islands/states, namely five members by Island/state and for half by representatives elected by direct universal suffrage in the system of single member constituency majority voting in two rounds. The Electoral Law specifies the terms and conditions of the mode of voting as well as the electoral districts whose number may not be less than two by Island/State. Each list must contain an equal number of candidates from each of the islands / States.
The President of the Assembly of the Union is elected for the duration of the legislature. An organic law determines the conditions and the arrangements for the election of the members of the Assembly of the Union and of its President, the regime of ineligibilities and incompatibilities, as well as the allowances of Members of Parliament. It specifies the conditions under which the people are elected to ensure, in the event of vacancy, the replacement of deputies until the general or partial renewal of the Assembly of the Union. The Assembly of the Union adopts, by a majority of two thirds of its members, its rules of procedure. Before the implementation of the latter, the Constitutional Court decides on its conformity with the Constitution.
Power sharing→Political power sharing→Form of 'veto' or communal majority

Territorial power sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided government
Page 1, Preamble:
To bestow on themselves new institutions founded on the legally constituted state and on democracy, respectful of good governance and guaranteeing the sharing of power between the Union and the Islands that constitute it, in order to allow the latter to realise their legitimate aspirations, administer and manage freely and without hindrance their own affairs and promote their socio-economic development;

Page 2, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 7:
With due respect for the unity of the Union and the inviolability of its borders as recognised internationally, every Island freely administers and manages its own affairs. Every Island freely establishes its Fundamental Law with due respect for the Constitution of the Union. Comorians have the same rights, freedoms and obligations everywhere in the Union. No authority can adopt measures that directly or indirectly hinder the freedom of movement and settlement of individuals, as well as the free movement of goods over the whole territory of Union. The Islands have an elected executive and Parliament as well as local communities endowed with a deliberating organ and an executive organ, both elected.

Page 2, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 8:
Union law shall take precedence over the law of the islands; it shall be executed in the whole territory of the Comoros.

Page 2-3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 9:
The following matters shall fall within the exclusive jurisdiction of the Union: Religion, Nationality, Currency, Foreign Relations, Foreign Defence, national symbols.
In relations to matters under shared jurisdictions between the Union and the Islands, the islands have the power to act as long and as far as the Union does not use its right to act. The Union intervenes only if it can be done more effectively than the Islands because: (a) the regulation of a matter by an island could affect the interests of other islands;
(b) a question cannot be resolved by an island in isolation; (c) the maintenance of the legal, economic and social unity of the Union requires it. In this case, the Islands / States have, according to the matters, the power to take the necessary measures for the execution of the fundamental principles and rules defined by the Union or to the achievement of the objectives set by the Union.
An organic law determines, as needed, the matters falling within the shared competence of the Union or shared skills of Islands/States and the modalities of its exercise.
The matters falling within the exclusive jurisdiction of the Islands/States are these not falling within the exclusive jurisdiction of the Union or the shared jurisdiction of the Island / States and of the Union.

Page 3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 10:
Peace treaties, commercial treaties, treaties or agreements relating to an international organisation, those that involve the finances of the Union, those that modify provisions of a legislative nature, those relating to the state of individuals, and those that include cession, exchange or addition of territory, can only be ratified or approved in virtue of a law. They come into effect only after having been ratified or approved.
If the Constitutional Court, on referral by the President of the Union, the Vice-Presidents, the President of the Union's Assembly or the Heads of the Islands Executive power, has declared that an international agreement contains a clause contrary to the Constitution

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 1, Preamble:
...
Proclaim
- Equality of rights and duties for all the Islands;
- Equality of rights and duties for all without distinction of sex, origin, race, religion or belief;

Page 2, TITLE I: THE UNION OF THE COMOROS, Article 4:
Under conditions determined by law, suffrage is universal, equal and secret. It can be direct or indirect. Under conditions determined by law, all Comorians of both sexes can vote in enjoyment of their civil and political rights.

Page 7, TITLE IV: THE CONSTITUTIONAL COURT, Article 30:
The Constitutional Court shall rule on the constitutionality of the statutes of the Union and the islands. It shall monitor the proper conduct of the electoral operations in the islands as well as at Union level, including referendums; it shall rule on electoral disputes. Finally, it shall guarantee the fundamental rights of the individual and public liberties.
The Constitutional Court shall guarantee the distribution of powers between the Union and the islands. It shall be competent to rule on the conflicts of jurisdiction between two or several institutions of the Union, between the Union and the islands, and among the islands themselves.
Every citizen may request a ruling of the Constitutional Court on the constitutionality of statutes, either directly or by way of objecting to the application of an allegedly unconstitutional statute before a court of the Union or of an island in a case involving him. The court shall stay the proceedings until the Constitutional Court has given its ruling, which it shall do within thirty days.

Bill of rights/similar No specific mention.

Treaty incorporation

Page 1, Preamble:
...
To mark their attachment to the principles and fundamental rights defined by the Charter of the United Nations, the Charter of the Organization of African Unity, the Charter of the Arab League of Nations, the Universal Declaration of Human Rights of the United Nations and the African Charter on Human and Peoples' Rights, as well as international conventions, notably those relating to the rights of children and women.

Page 3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 10:
Peace treaties, commercial treaties, treaties or agreements relating to an international organisation, those that involve the finances of the Union, those that modify provisions of a legislative nature, those relating to the state of individuals, and those that include cession, exchange or addition of territory, can only be ratified or approved in virtue of a law. They come into effect only after having been ratified or approved.
If the Constitutional Court, on referral by the President of the Union, the Vice-Presidents, the President of the Union's Assembly or the Heads of the Islands Executive power, has declared that an international agreement contains a clause contrary to the Constitution, the authorisation to ratify or approve it can only be given after the Constitution has been revised. Treaties and agreements regularly ratified or approved take precedence over the laws of the Union and the Islands, as soon as they are published, subject to their application by the other party for every treaty or agreement.

Page 3, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 12:
...
The President of the Union shall determine and conduct the foreign policy. He shall accredit ambassadors and envoys extraordinary to foreign powers; foreign ambassadors and envoys extraordinary shall be accredited to him. He shall negotiate and ratify treaties.

Civil and political rights

Human rights and equality→Civil and political rights→Equality
Page 1, Preamble:
...
Proclaim
- Equality of rights and duties for all the Islands;
- Equality of rights and duties for all without distinction of sex, origin, race, religion or belief;
- Equality of all before the law and the right of every accused person to be defended;

Page 2, TITLE I: THE UNION OF THE COMOROS, Article 4:
Under conditions determined by law, suffrage is universal, equal and secret. It can be direct or indirect. Under conditions determined by law, all Comorians of both sexes can vote in enjoyment of their civil and political rights.
Human rights and equality→Civil and political rights→Liberty and security of person
Page 1, Preamble:
...
Proclaim
...
- Freedom and security of every individual on the sole condition that he or she does not commit any act liable to harm others;
...
- The right to a healthy environment and the duty of all to safeguard this environment.
Human rights and equality→Civil and political rights→Freedom of movement
Page 2, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 7:
With due respect for the unity of the Union and the inviolability of its borders as recognised internationally, every Island freely administers and manages its own affairs. Every Island freely establishes its Fundamental Law with due respect for the Constitution of the Union. Comorians have the same rights, freedoms and obligations everywhere in the Union. No authority can adopt measures that directly or indirectly hinder the freedom of movement and settlement of individuals, as well as the free movement of goods over the whole territory of Union. The Islands have an elected executive and Parliament as well as local communities endowed with a deliberating organ and an executive organ, both elected.
Human rights and equality→Civil and political rights→Freedom of association
Page 1, Preamble:
...
Proclaim
...
- Freedoms of expression, meeting, association and trade unionism with due respect for morals and public order;
Human rights and equality→Civil and political rights→Fair trial
Page 1, Preamble:
...
Proclaim
...
- Equality of all before the law and the right of every accused person to be defended;
Human rights and equality→Civil and political rights→Privacy and family life
Page 1, Preamble:
...
Proclaim
...
- Inviolability of a person's home under conditions prescribed by law;
Human rights and equality→Civil and political rights→Vote and take part
Page 5, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 22:

Socio-economic rights	Human rights and equality→Socio-economic rights→Property Page 1, Preamble: ... Proclaim ... - Guarantee of ownership, except when public use or necessity have been established according to law and on condition of fair compensation; Human rights and equality→Socio-economic rights→Health Page 1, Preamble: ... Proclaim ... - The right of all to health and education; ... - The right to a healthy environment and the duty of all to safeguard this environment. Human rights and equality→Socio-economic rights→Education Page 1, Preamble: ... Proclaim ... - The right of all to health and education; Human rights and equality→Socio-economic rights→Other Page 1, Preamble: ... Proclaim ... - Freedom to do business, as well as the security of capital and investments;

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizen, general
Page 2-3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 9:
The following matters shall fall within the exclusive jurisdiction of the Union: Religion, Nationality, Currency, Foreign Relations, Foreign Defence, national symbols.
In relations to matters under shared jurisdictions between the Union and the Islands, the islands have the power to act as long and as far as the Union does not use its right to act. The Union intervenes only if it can be done more effectively than the Islands because: (a) the regulation of a matter by an island could affect the interests of other islands;
(b) a question cannot be resolved by an island in isolation; (c) the maintenance of the legal, economic and social unity of the Union requires it. In this case, the Islands / States have, according to the matters, the power to take the necessary measures for the execution of the fundamental principles and rules defined by the Union or to the achievement of the objectives set by the Union.
An organic law determines, as needed, the matters falling within the shared competence of the Union or shared skills of Islands/States and the modalities of its exercise.
The matters falling within the exclusive jurisdiction of the Islands/States are these not falling within the exclusive jurisdiction of the Union or the shared jurisdiction of the Island / States and of the Union.
Rights related issues→Citizenship→Citizens, specific rights
Page 2, TITLE I: THE UNION OF THE COMOROS, Article 4:
Under conditions determined by law, suffrage is universal, equal and secret. It can be direct or indirect. Under conditions determined by law, all Comorians of both sexes can vote in enjoyment of their civil and political rights.

Page 2, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 7:
With due respect for the unity of the Union and the inviolability of its borders as recognised internationally, every Island freely administers and manages its own affairs. Every Island freely establishes its Fundamental Law with due respect for the Constitution of the Union. Comorians have the same rights, freedoms and obligations everywhere in the Union. No authority can adopt measures that directly or indirectly hinder the freedom of movement and settlement of individuals, as well as the free movement of goods over the whole territory of Union. The Islands have an elected executive and Parliament as well as local communities endowed with a deliberating organ and an executive organ, both elected.

Page 7, TITLE IV: THE CONSTITUTIONAL COURT, Article 30:
...
Every citizen may request a ruling of the Constitutional Court on the constitutionality of statutes, either directly or by way of objecting to the application of an allegedly unconstitutional statute before a court of the Union or of an island in a case involving him. The court shall stay the proceedings until the Constitutional Court has given its ruling, which it shall do within thirty days.
Rights related issues→Citizenship→Citizen delimitation
Page 2, TITLE I: THE UNION OF THE COMOROS, Article 5:
Comorian nationality is acquired, kept and lost in accordance with the law. No one who is Comorian by birth can be deprived of his or her nationality.

Democracy	Page 1, Preamble: ... To bestow on themselves new institutions founded on the legally constituted state and on democracy, respectful of good governance and guaranteeing the sharing of power between the Union and the Islands that constitute it, in order to allow the latter to realise their legitimate aspirations, administer and manage freely and without hindrance their own affairs and promote their socio-economic development; Page 2, TITLE I: THE UNION OF THE COMOROS, Article 6: Political parties and groups compete in the casting of votes, as well as in civic and political training of the people. They are formed and function freely, in accordance with the law of the Union. They must respect national unity and the sovereignty and inviolability of the borders of the Comoros, as recognised internationally, as well as the principles of democracy.
Detention procedures	No specific mention.
Media and communication	Rights related issues→Media and communication→Media roles Page 1, Preamble: ... Proclaim ... - The right to multiple sources of information and a free press;
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.

Judiciary and courts

Page 4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 13: [Summary] Members of the Presidency Council must take an oath in front of the Supreme Court.

Page 4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 13: [Summary] Members of the Presidency Council must take an oath in front of the Supreme Court.

Page 4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 14: In the event of vacancy of the Presidency of the Union for whatever cause or permanent impeachment ruled by the Constitutional Court seized by the two Vice-Presidents, election of the new President of the Union shall be organised within a maximum period of one month from the date of the finding of the vacancy or the definitive impeachment ruled by the Constitutional Court. …

Page 4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 18: The President of the Union shall establish an annual report on the state of the Union for the information of the Assembly of the Union, the Constitutional Court as well as the assemblies and executives of the islands.

Page 5, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 20: The Assembly of the Union is composed for half by representatives designated by the Assemblies of the Islands/states, namely five members by Island/state and for half by representatives elected by direct universal suffrage in the system of single member constituency majority voting in two rounds. The Electoral Law specifies the terms and conditions of the mode of voting as well as the electoral districts whose number may not be less than two by Island/State. Each list must contain an equal number of candidates from each of the islands / States.
The President of the Assembly of the Union is elected for the duration of the legislature. An organic law determines the conditions and the arrangements for the election of the members of the Assembly of the Union and of its President, the regime of ineligibilities and incompatibilities, as well as the allowances of Members of Parliament.
It specifies the conditions under which the people are elected to ensure, in the event of vacancy, the replacement of deputies until the general or partial renewal of the Assembly of the Union. The Assembly of the Union adopts, by a majority of two thirds of its members, its rules of procedure. Before the implementation of the latter, the Constitutional Court decides on its conformity with the Constitution.

Page 6, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 26: … The Laws shall be promulgated after the Constitutional Court has declared their conformity with the Constitution.

Page 7, TITLE III: THE INSTITUTIONS OF THE UNION, 3: The Judicial Power, Article 28: The judicial power is independent of the legislative and executive powers. Judges are only subject, in carrying out their duties, to the authority of the law. Magistrates cannot be removed from office. The President of the Union is the guarantor of the independence of the judiciary. He is assisted by the Higher Council of Magistrates. An organic law organises the judiciary in the Union and the Islands.

Page 6, TITLE III: THE INSTITUTIONS OF THE UNION, 3: The Judicial Power, Article 29: The Supreme Court shall be the highest judicial authority of the Union in criminal and private law cases, administrative and auditing matters of the Union and the islands. The decisions of the Supreme Court shall not be subject to appeal and shall be binding on the executive power, the legislative power and all authorities in the territory of the Union. An Institutional Act shall determine the composition as well as the rules for the

Prisons and detention	No specific mention.
Traditional Laws	Page 1, Untitled Preamble: ... To draw on Islam for continuous inspiration for the principles and rules governing the Union;

Socio-economic reconstruction

Development or socio-economic reconstruction	Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development Page 1, Preamble: To bestow on themselves new institutions founded on the legally constituted state and on democracy, respectful of good governance and guaranteeing the sharing of power between the Union and the Islands that constitute it, in order to allow the latter to realise their legitimate aspirations, administer and manage freely and without hindrance their own affairs and promote their socio-economic development;
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.

Taxation

Socio-economic reconstruction→Taxation→Power to tax
Page 3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 11:
The Islands/States enjoy financial autonomy. They develop and manage freely their budget according to the principles applicable in the management of public finances. An organic law sets the share of public revenues before respectively return to the Union and the States/islands. This distribution is carried out in the framework of the annual Finance Act of the Union. Under the conditions laid down in the organic law, the Islands / states can create for the benefit of their budget taxes not provided for by the law of the Union.

Page 6, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 25:
...
Private Members' Bills and amendments introduced by Members of the Assembly of the Union shall not be admissible where their enactment would result in either a diminution of public revenue of the Union or the creation or increase of any public expenditure of the Union.

Page 6-7, TITLE III: THE INSTITUTIONS OF THE UNION, 2: The Legislative Power, Article 27:
The Assembly of the Union shall adopt the Finance Bills with a two-thirds majority. Should the Assembly of the Union fail to reach a decision within sixty days, the provisions of the Bill may be brought into force by Ordinance.

Banks

Socio-economic reconstruction→Banks→Central bank
Page 2-3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 9:
The following matters shall fall within the exclusive jurisdiction of the Union: Religion, Nationality, Currency, Foreign Relations, Foreign Defence, national symbols.
In relations to matters under shared jurisdictions between the Union and the Islands, the islands have the power to act as long and as far as the Union does not use its right to act. The Union intervenes only if it can be done more effectively than the Islands because: (a) the regulation of a matter by an island could affect the interests of other islands;
(b) a question cannot be resolved by an island in isolation; (c) the maintenance of the legal, economic and social unity of the Union requires it. In this case, the Islands / States have, according to the matters, the power to take the necessary measures for the execution of the fundamental principles and rules defined by the Union or to the achievement of the objectives set by the Union.
An organic law determines, as needed, the matters falling within the shared competence of the Union or shared skills of Islands/States and the modalities of its exercise.
The matters falling within the exclusive jurisdiction of the Islands/States are these not falling within the exclusive jurisdiction of the Union or the shared jurisdiction of the Island / States and of the Union.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.

Armed forces	Page 2-3, TITLE II: THE RESPECTIVE COMPETENCIES OF THE UNION AND THE ISLANDS, Article 9: The following matters shall fall within the exclusive jurisdiction of the Union: Religion, Nationality, Currency, Foreign Relations, Foreign Defence, national symbols. In relations to matters under shared jurisdictions between the Union and the Islands, the islands have the power to act as long and as far as the Union does not use its right to act. The Union intervenes only if it can be done more effectively than the Islands because: (a) the regulation of a matter by an island could affect the interests of other islands; (b) a question cannot be resolved by an island in isolation; (c) the maintenance of the legal, economic and social unity of the Union requires it. In this case, the Islands / States have, according to the matters, the power to take the necessary measures for the execution of the fundamental principles and rules defined by the Union or to the achievement of the objectives set by the Union. An organic law determines, as needed, the matters falling within the shared competence of the Union or shared skills of Islands/States and the modalities of its exercise. The matters falling within the exclusive jurisdiction of the Islands/States are these not falling within the exclusive jurisdiction of the Union or the shared jurisdiction of the Island / States and of the Union. Page 3-4, TITLE III: THE INSTITUTIONS OF THE UNION, 1: The Executive Power, Article 12: ... The President of the Union shall be the Head of Government. In this capacity, he shall determine and conduct the policy of the Union. He shall have at his disposal the administration of the Union and shall have the power to make regulations. He shall make appointments to civil and military posts of the Union. The President of the Union shall be the Commander-in-Chief of the Armies. He shall be responsible for external defense.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.

Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	No specific mention.