



<b>Country/entity</b>	Comoros Anjouan
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Communiqué Commun des Délégation d'Anjouan et de Mohéli de la Sous Commission de Lois
<b>Date</b>	1 Sep 2001
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	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 by 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members of the African Union, invaded the island and forced Bacar to leave and the declaration of independence to be withdrawn.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)

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Inter-group
<b>Peace process</b>	Comoros-Anjouan islands peace process
<b>Parties</b>	For the delegation of 'Anjouan  Doctor Commander Abdou BACAR Head of the delegation  For the delegation of Moheli Mr Archadi Mohamed Mr Mindhir OUSSENE Mr Mohamed OUSSENE

**Third parties** -

**Description** The short agreement is an public statement resulting from discussions of the Sub-Commission of the Tripartite Commission in charge of drafting the Comorian constitution. Among 30 points of divergence encountered during these talks, the text raises 11 points on which the parties agree on, including: the new name of the Union; the motto; distributions of seats in the Union; distributions of competences; specific provisions related to the executive, legislative and judiciary powers.

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**Agreement document** [KM\\_010901\\_Joint Communiqué.pdf \(opens in new tab\)](#) | [Download PDF](#)

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### Groups

**Children/youth** No specific mention.

**Disabled persons** No specific mention.

**Elderly/age** No specific mention.

**Migrant workers** No specific mention.

**Racial/ethnic/  
national group** No specific mention.

**Religious groups** No specific mention.

**Indigenous people** No specific mention.

**Other groups** No specific mention.

**Refugees/displaced  
persons** No specific mention.

**Social class** No specific mention.

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### Gender

**Women, girls and  
gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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**State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** 11 °) General Provisions:  
Article...  
- This draft constitution will be regarded as the Constitution of the new Comorian Union if it is adopted by the majority of the votes cast at the level of each Island/State;

**State symbols** On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:  
1°) Name: Union of States of the Comoros  
2°) Motto: unity, solidarity, development  
[...]  
4°) Institutions of Islands/States: to add to article 7 paragraph 2: "and each island has its own symbols"

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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**Governance**

**Political institutions (new or reformed)**

Governance→Political institutions (new or reformed)→New political institutions (indefinite)  
Page 1-2:

After five working days of the Legal Sub-Commission of the Tripartite Commission that has gathered in BONOVO since 01 September 2001, more than 30 points of divergence have been listed in relation to the draft constitution submitted to review, focusing specifically on:

- The name of the New Comorian Union
- A few points on the general provisions
- The organs and the allocation of competences - Transitional provisions

On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:

1°) Name: Union of States of the Comoros 2°) Motto: unity, solidarity, development  
3°) The institutions of the Union: to indicate in the Constitution the distribution of seats on the following model:

- \* Executive Power in Great Comoros
- \* Legislative power in Anjouan
- \* Judicial Power in Moheli

4°) Institutions of Islands/States: to add to article 7 paragraph 2: "and each island has its own symbols"

5°) Article 8: to replace this article with: "The Law of the Union is binding on the whole of the territory of the Union"

6°) The exclusive competences of the Union: to retain only the competences outlined in the framework agreement of the 17.02.2001.

7°) Executive power of the Union:

- Retain the principle of a Collegial Presidency (with 2 vice-presidents elected in the same conditions as the President), rotating with the countersignature principle as mentioned in Article 12.

- With regards to the assignment process of the Chairman and the vice-presidents: a primary election by direct universal suffrage at the level of each island for each of them, and then subsequently a second election at the level of the Assembly of the Union.

- All the ministers/commissioners are equal among themselves; there is no Prime Minister

8°) Legislative power of the Union: 30 Deputies, namely 10 by Island, unicameral parliament

9°) Judiciary: replace "Supreme Court" with "Superior Court of Appeal"

10°) Revision of the Constitution: Add the vice-presidents to the list of authorities empowered to initiate a revision;

11 °) General Provisions:

Article...

- This draft constitution will be regarded as the Constitution of the new Comorian Union if it is adopted by the majority of the votes cast at the level of each Island/State;

- During the transition, the institutions at the level of the Union and the Islands/States will be those provided by the Framework Agreement of 17 February 2001, in particular its points 15 and 16.

- The powers of the Constitutional Court laid down by the present Constitution will be temporarily exercised by the instruments provided in the aforementioned Framework Agreement.

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 2:

11 °) General Provisions:

Article...

- This draft constitution will be regarded as the Constitution of the new Comorian Union if it is adopted by the majority of the votes cast at the level of each Island/State;

- During the transition, the institutions at the level of the Union and the Islands/States

<b>Elections</b>	<p>Page 1:</p> <p>On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:</p> <p>[...]</p> <p>7°) Executive power of the Union:</p> <ul style="list-style-type: none"> <li>- Retain the principle of a Collegial Presidency (with 2 vice-presidents elected in the same conditions as the President), rotating with the countersignature principle as mentioned in Article 12.</li> <li>- With regards to the assignment process of the Chairman and the vice-presidents: a primary election by direct universal suffrage at the level of each island for each of them, and then subsequently a second election at the level of the Assembly of the Union.</li> </ul>
<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	No specific mention.
<b>Traditional/religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	<p>Governance→Constitution→Constitutional reform/making</p> <p>[The Agreement in its entirety comments on a draft Constitution.]</p>

Page 2:

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[...]

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**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→Executive coalition

State level

Page 1:

On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:

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- With regards to the assignment process of the Chairman and the vice-presidents: a primary election by direct universal suffrage at the level of each island for each of them, and then subsequently a second election at the level of the Assembly of the Union.

Power sharing→Political power sharing→Proportionality in legislature

State level

Page 1:

On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:

[...]

8°) Legislative power of the Union: 30 Deputies, namely 10 by Island, unicameral parliament.

Power sharing→Political power sharing→Form of 'veto' or communal majority

State level

Page 1:

On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:

7°) Executive power of the Union:

- Retain the principle of a Collegial Presidency (with 2 vice-presidents elected in the same conditions as the President), rotating with the countersignature principle as mentioned in Article 12.

**Territorial power sharing** Power sharing→Territorial power sharing→Federal or similar sub-divided government  
Page 1:  
On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:  
[...]  
4°) Institutions of Islands/States: to add to article 7 paragraph 2: "and each island has its own symbols"  
5°) Article 8: to replace this article with: "The Law of the Union is binding on the whole of the territory of the Union"  
6°) The exclusive competences of the Union: to retain only the competences outlined in the framework agreement of the 17.02.2001.  
7°) Executive power of the Union:  
[...]  
- With regards to the assignment process of the Chairman and the vice-presidents: a primary election by direct universal suffrage at the level of each island for each of them, and then subsequently a second election at the level of the Assembly of the Union.  
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11 °) General Provisions:  
Article...  
- This draft constitution will be regarded as the Constitution of the new Comorian Union if it is adopted by the majority of the votes cast at the level of each Island/State;  
- During the transition, the institutions at the level of the Union and the Islands/States will be those provided by the Framework Agreement of 17 February 2001, in particular its points 15 and 16.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

**Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

## **Rights related issues**

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** No specific mention.

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## **Rights institutions**

**NHRI** No specific mention.

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

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## **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** Page 1:  
On these expressed points of divergence, the delegations of Moheli and Anjouan agreed on the following proposals:  
[...]  
9°) Judiciary: replace "Supreme Court" with "Superior Court of Appeal"

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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**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.

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**Security sector**

**Security Guarantees** No specific mention.

**Ceasefire** No specific mention.

**Police** No specific mention.

<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **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.

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## **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.

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