

Country/entity Comoros
Anjouan

Region Africa (excl MENA)

Agreement name Accord pour la gestion de la période intérimaire

Date 16 Jun 2010

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 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members of the African Union, invaded the island and forced Bacar to leave and the declaration of independence to be withdrawn.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)

Stage Implementation/renegotiation

Conflict nature Government/territory

Peace process Comoros-Anjouan islands peace process

Parties	Pour la Communauté internationale Amb. Francisco Madeira Envoyé special du Président de la Commission de l'Union Africaine
	Pour Ngazidja S.E.M. Mohamed Abdoulwahabi Gouverneur de l'île
	Pour Anjouan S.E.M. Moussa Toybou Gouverneur de l'île
	Pour Mohéli S.E.M. Mohamed Ali Saïd Gouverneur de l'île
Third parties	Pour la Communauté internationale Amb. Francisco Madeira Envoyé special du Président de la Commission de l'Union Africaine
Description	This short agreement defines the modalities and timetable for the election of the President of the Union of Comoros and the Governors of the autonomous islands.

Agreement document	KM_100616_Accord pour la gestion de la periode interimaire_tr.pdf (opens in new tab) Download PDF
Agreement document (original language)	KM_100616_Accord pour la gestion de la periode interimaire.pdf (opens in new tab)

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.

Gender

Women, girls and gender No specific mention.

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 No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Political institutions (new or reformed)	<p>Governance→Political institutions (new or reformed)→Temporary new institutions</p> <p>Page 3, II. Mechanisms for implementation and guarantees:</p> <p>II.I In implementing judgement no 10-05/CC of May 8, 2010 of the Constitutional Court, the formation of the Government by the President of the Union foreseen in this judgement, will take place according to the following provisions:</p> <p>II.I.I To ensure inclusive and transparent management of the interim phase, the appointment by each island chief executive of a qualified person to participate in the Government, in a mission and/or function to be determined by the President of the Union;</p> <p>II.I.II Nomination of a person appointed by Mohéli as Minister of State in charge of elections;</p> <p>II.II A law to be drafted to revise the Electoral Code based on the timetable presented in the annex;</p> <p>II.III A law to be drafted on indemnities, privileges and protocols which will apply to Presidents of the Union, the Constitutional Court, the Union Assembly and Governors of the autonomous islands when their mandates expire;</p> <p>II.IV The establishment of a new Independent National Electoral Commission (Commission Electorale Nationale Indépendante, CENI) with all the means necessary to organise elections according to the timetable determined in this dialogue;</p> <p>II.V The establishment of a monitoring committee, made up of two (2) representatives of the Union, two (2) representatives per autonomous island, and of members of the international community coordinated by the African Union, in order to monitor, supervise and ensure the effective implementation of all decisions arising from the dialogue and strict adherence to the timetable. The committee will also be tasked with tracking and monitoring activities related to the transfer of services;</p> <p>II.VI The establishment of a calm and harmonious environment in which the free expression and movement of persons throughout the national territory is assured.</p> <p>[See Page 4-6 for Table detailing: MANAGEMENT OF THE INTERIM PHASE TIMETABLE FOR HARMONISED ELECTIONS FOR PRESIDENT OF THE UNIION AND GOVERNORS OF THE ISLANDS]</p>
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Elections

Page 2, I. Dates of elections and investitures:

I.I In accordance with the timetable set out in the annex which forms an integral part of this Agreement, the primary elections in Mohéli for the President of the Union of Comoros and the first round of the election for the Governors of the autonomous islands, will take place on November 7, 2010;

I.II The election of the President of the Union of the Comoros and the second round of the election for the Governors of the autonomous islands will take place on December 26, throughout the national territory;

I.II The investiture of the Governors of the islands will take place three (3) days before that of the President of the Union, given that their mandates will start from the day of investiture of the President of the Union;

I.IV The investiture of the new President of the Union of the Comoros will take place in the Palace of Beit-Slam in Moroni. It will be subject to an agreement between the outgoing President and the new elected President and will take place on a date between the official announcement of the final results of the general elections and May 26, 2011.

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II.IV The establishment of a new Independent National Electoral Commission (Commission Electorale Nationale Indépendante, CENI) with all the means necessary to organise elections according to the timetable determined in this dialogue;

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**Electoral
commission**

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Page 3:

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We express our satisfaction with and appreciation of the engagement of our partners in the international community, for their commitment to working to ensure the financing of the elections, and to provide the technical assistance necessary to revise the electoral code and operationalise CENI.

**Political parties
reform**

No specific mention.

Civil society	[See Page 4-6 for Table Referencing to Civil Society involvement in the MANAGEMENT OF THE INTERIM PHASE TIMETABLE FOR HARMONISED ELECTIONS FOR PRESIDENT OF THE UNIION AND GOVERNORS OF THE ISLANDS]
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	<p>Governance→Constitution→Constitutional reform/making Page 2, Untitled Preamble:</p> <p>...</p> <p>- Mindful of the need to work in harmony to implement the constitutional reforms following the referendum of May 17, 2009;</p> <p>Page 3, II. Mechanisms for implementation and guarantees:</p> <p>II.I In implementing judgement no 10-05/CC of May 8, 2010 of the Constitutional Court, the formation of the Government by the President of the Union foreseen in this judgement, will take place according to the following provisions:</p> <p>II.I.I To ensure inclusive and transparent management of the interim phase, the appointment by each island chief executive of a qualified person to participate in the Government, in a mission and/or function to be determined by the President of the Union;</p> <p>II.I.II Nomination of a person appointed by Mohéli as Minister of State in charge of elections;</p> <p>II.II A law to be drafted to revise the Electoral Code based on the timetable presented in the annex;</p> <p>II.III A law to be drafted on indemnities, privileges and protocols which will apply to Presidents of the Union, the Constitutional Court, the Union Assembly and Governors of the autonomous islands when their mandates expire;</p> <p>II.IV The establishment of a new Independent National Electoral Commission (Commission Electorale Nationale Indépendente, CENI) with all the means necessary to organise elections according to the timetable determined in this dialogue;</p> <p>II.V The establishment of a monitoring committee, made up of two (2) representatives of the Union, two (2) representatives per autonomous island, and of members of the international community coordinated by the African Union, in order to monitor, supervise and ensure the effective implementation of all decisions arising from the dialogue and strict adherence to the timetable. The committee will also be tasked with tracking and monitoring activities related to the transfer of services;</p> <p>II.VI The establishment of a calm and harmonious environment in which the free expression and movement of persons throughout the national territory is assured.</p>

Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level
Page 3,

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Power sharing→Political power sharing→Other
State level

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Territorial power sharing Power sharing→Territorial power sharing→Federal or similar sub-divided government
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I.IV The investiture of the new President of the Union of the Comoros will take place in the Palace of Beit-Slam in Moroni. It will be subject to an agreement between the outgoing President and the new elected President and will take place on a date between the official announcement of the final results of the general elections and May 26, 2011.

Page 3:

We ask, in the national interest, that the deputies of the Union and Advisors of the autonomous islands meet in Congress to validate the dates of the harmonised elections for the President of the Union and the Governors of the islands, foreseen in this Agreement, and that the Union Assembly adopts the draft laws specified in the timetable.

[See Page 4-6 for Table detailing: MANAGEMENT OF THE INTERIM PHASE TIMETABLE FOR HARMONISED ELECTIONS FOR PRESIDENT OF THE UNION AND GOVERNORS OF THE ISLANDS]

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

Human rights and equality→Civil and political rights→Freedom of movement

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Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion

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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	Page 3, II. Mechanisms for implementation and guarantees: II.I In implementing judgement no 10-05/CC of May 8, 2010 of the Constitutional Court, the formation of the Government by the President of the Union foreseen in this judgement, will take place according to the following provisions: ... II.VI The establishment of a calm and harmonious environment in which the free expression and movement of persons throughout the national territory is assured.
Protection measures	No specific mention.
Other	Page 3, II. Mechanisms for implementation and guarantees: II.I In implementing judgement no 10-05/CC of May 8, 2010 of the Constitutional Court, the formation of the Government by the President of the Union foreseen in this judgement, will take place according to the following provisions: ... II.VI The establishment of a calm and harmonious environment in which the free expression and movement of persons throughout the national territory is assured.

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 No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 3:

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Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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 No specific mention.

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 Page 2, Untitled Preamble:
- Encouraged by the will to spare no effort to promote and consolidate the process of national reconciliation, in order to tackle decisively the problems of socio-economic development in the Comoros;
- Conscious of the need to continue to work for greater stability and national unity;

Implementation

UN signatory No specific mention.

Other international signatory Pour la Communauté internationale
Amb. Francisco Madeira
Envoyé special du Président de la Commission de l'Union Africaine

Referendum for agreement No specific mention.

International mission/force/similar

Page 2, Untitled Preamble:

...

- Following the peace missions to Comoros of the African Union Commissioner for Peace and Security, Ambassador Ramtane Lamamra, on April 8 and 10, and June 3 and 5, 2010;

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Enforcement mechanism

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Related cases

No specific mention.

Source

<http://peacemaker.un.org/>