

|                                 |   |
|---------------------------------|---|
| <b>Country/entity</b>           | Madagascar  |
| <b>Region</b>                   | Africa (excl MENA)  |
| <b>Agreement name</b>           | Acte Additionnel d'Addis Abéba, à la Charte de la Transition Malgache |
| <b>Date</b>                     | 6 Nov 2009  |
| <b>Agreement status</b>         | Multiparty signed/agreed  |
| <b>Interim arrangement</b>      | Yes   |
| <b>Agreement/conflict level</b> | Intrastate/intrastate conflict  |

### Malagasy Political Crisis (2009)

A conflict between Madagascar's elected president, Marc Ravalomanana, and an opposition movement led by the Mayor of the capital city Antananarivo, Andry Rajoelina, escalated in early 2009 when street protests and an uprising of parts of the military forced Ravalomanana to resign and go into exile in South Africa. A 2009 agreement called for a transitional government, however, Rajoelina, despite protests from Ravalomanana supporters and foreign governments, appointed a cabinet loyal to himself. The tensions were mediated in 2011 by a SADC mediation effort, which proposed a transitional roadmap that was eventually signed by all major political forces. However, after June 2012, the open conflict broke out once again.

Close

Malagasy Political Crisis (2009)

|                        |  |
|------------------------|--|
| <b>Stage</b>           | Implementation/renegotiation   |
| <b>Conflict nature</b> | Government   |
| <b>Peace process</b>   | Madagascar peace process   |
| <b>Parties</b>         | Ont signe:<br>Rajoelina, Andry;<br>Ratsiraka, Dider;<br>Ravalomanana, Marc;<br>Zafy, Albert; |

**Third parties**

Ont signé comme témoins:

Pour l'Union Africaine

Ablasse Ouedraogo

Pour la SADC

Joaquim Chissano, chef de l'Equipe Conjointe de Médiation pour Madagascar

Pour l'Organisation Internationale de la Francophonie

Edem Kodjo

Pour les Nations Unies

Tiébilé Dramé

**Description**

An agreement focusing on the political composition of transitional structures created by the previous Maputo agreements.

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**Agreement document**

[MG\\_091107\\_Acte Additionnel a la Charte de la Transition\\_tr.pdf \(opens in new tab\)](#) |

[Download PDF](#)

**Agreement document (original language)**

[MG\\_091107\\_Acte Additionnel a la Charte de la Transition.pdf \(opens in new tab\)](#)

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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** 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.

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**Governance**

**Political**

**institutions (new or reformed)**

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

Page 1, I. TRANSITIONAL INSTITUTIONS, Article 1

In addition to the Transitional President, who shall exercise the functions of Head of State, designated by the Rajoelina Party, in the person of Mr Andry Rajoelina, a Presidential Council shall be established, made up of two Transitional Co-Presidents designated respectively by:

- the Zafy Party, in the person of Dr Emmanuel Rakotovahiny and;
- the Ravalomanana Party, in the person of Mr Fetison Rakoto Andrianirina.

Page 1, I. TRANSITIONAL INSTITUTIONS, Article 2

The remit of the Transitional President shall be as foreseen in the Transitional Charter. It shall be carried out by the Transitional President, assisted by the two Co-Presidents of the Presidential Council.

Page 2, I. TRANSITIONAL INSTITUTIONS, Article 3

The Transitional President and the two Co-Presidents shall meet weekly to evaluate the national situation, and implement any necessary measures, or have these implemented by the Council of Ministers.

Page 2, I. TRANSITIONAL INSTITUTIONS, Article 4

The two Transitional Co-Presidents shall countersign the acts of the Transitional President.

## **Elections**

Page 2, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 6

- The political party leaders of Madagascar have reaffirmed that the principal objective of the Transition is to organise proper, transparent and credible elections for purposes of establishing the institutions of the Fourth Republic.
- They shall take all necessary measures, with the mobilisation and support of the international community, to organise presidential and legislative elections as soon as possible, and within the timescale established by the Transitional Charter.

Page 2-3, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 7

- Wishing to ensure neutrality in the forthcoming elections, the political party leaders of Madagascar reaffirm their commitment to Article 5 of the Maputo Political Agreement, which states that:

"The members of the Transitional Government shall not contest a presidential election organised by the Transition."

- In addition, they state that if the President and the Co-Presidents shall choose to participate in the next presidential election, they shall resign their functions, 60 days before the date of the presidential election.
- In the event of the situation described in line 2 of the present article, the older of the two Co-Presidents shall act as President.

Page 3, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 8

- To speed up preparations for the elections, party leaders request that the International Community organises as soon as possible the expert electoral advisory mission foreseen in article 6 of the Maputo Political Agreement and article 33 of the Transitional Charter.

Page 6, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

f. INDEPENDENT NATIONAL ELECTORAL COMMISSION

CENI shall be made up of experienced, credible, competent persons of substantial integrity. It shall be set up by the national conference during its first session, no later than December 2009.

## **Electoral commission**

Page 6, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

f. INDEPENDENT NATIONAL ELECTORAL COMMISSION

CENI shall be made up of experienced, credible, competent persons of substantial integrity. It shall be set up by the national conference during its first session, no later than December 2009.

## **Political parties reform**

No specific mention.

|   |  |
|---|--|
| <b>Civil society</b>                      | <p>Page 1, Untitled Preamble</p> <p>The leaders of the Madagascar political parties, meeting in Addis Ababa from November 3 to 6, 2009, have solemnly reaffirmed their complete adherence to the Political Agreement, the Transitional Charter, and the subsequent agreements signed at Maputo in Mozambique on August 9, 2009.</p>  |
|   | <p>Page 5, V. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10</p> <p>- Responsibilities within the Transitional institutions shall be allocated as follows:</p> <p>2. Other institutions</p> <p>d. ECONOMIC AND SOCIAL COUNCIL</p> <p>The President of the Economic and Social Council shall be designated by civil society.</p> <p>The 72 members of the Economic and Social Council shall be designated as follows:</p> |
| <b>Traditional/<br/>religious leaders</b> | No specific mention.   |
| <b>Public<br/>administration</b>          | No specific mention.   |
| <b>Constitution</b>                       | No specific mention.   |

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**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→Executive coalition  
State level

Page 1, I. TRANSITIONAL INSTITUTIONS, Article 1

In addition to the Transitional President, who shall exercise the functions of Head of State, designated by the Rajoelina Party, in the person of Mr Andry Rajoelina, a Presidential Council shall be established, made up of two Transitional Co-Presidents designated respectively by:

- the Zafy Party, in the person of Dr Emmanuel Rakotovahiny and;
- the Ravalomanana Party, in the person of Mr Fetison Rakoto Andrianirina.

Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9

- The Malagasy political leaders shall nominate the following persons to the Transitional Institutions:

- President of the Transition, proposed by the Rajoelina Party, Andry Rajoelina;
- Co-President of the Transitional Presidential Council, proposed by the Ravalomanana Party, Fetison Rakoto Andrianirina;

Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9

- Transitional Government:

- Prime Minister, Head of the National Unity Government, Mr Eugène Mangalaza
- Deputy Prime Minister, Mr/Mrs....
- Deputy Prime Minister, Mr/Mrs....
- Deputy Prime Minister proposed by the Ravalomanana Party.

Page 4, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

1. The Government - The 31 ministerial portfolios shall be distributed as follows:

- Rajoelina Party: 6 portfolios
- Ravalomanana Party: 6 portfolios
- Ratsiraka Party: 6 portfolios
- Zafy party: 6 portfolios
- Other movements\*: 7 portfolios

Power sharing→Political power sharing→Proportionality in legislature

State level

Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9

- The Malagasy political leaders shall nominate the following persons to the Transitional Institutions:

- ... • President of the Transitional Superior Council, proposed by the Rajoelina Party...?;
- President of the Transitional Congress proposed by the Ravalomanana Party, Mamy Rakotoarivelo;

Page 4, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

a. TRANSITIONAL SUPERIOR COUNCIL

- The 65 senators shall be distributed as follows:

- Rajoelina Party: 13 senators
- Ravalomanana Party: 13 senators
- Ratsiraka party: 13 senators
- Zafy party: 13 senators
- Other movements\*: 13 senators

Page 4-5, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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### **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.

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### **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 5-6, V. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10  
- Responsibilities within the Transitional institutions shall be allocated as follows:  
2. Other institutions  
e. TRANSITIONAL HIGH COURT  
For a total of 11 members:  
One member designated by the Transitional President;  
One member designated by the Transitional Superior Council;  
One member designated by the Transitional Congress;  
One member designated by the National Reconciliation Committee;  
Three members designate by the Magistracy Superior Council; and  
Four members designated by the political parties (one member per party).  
The President of the Transitional High court shall be elected by his peers.

**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.

|                 |                      |
|-----------------|----------------------|
| <b>Business</b> | No specific mention. |
| <b>Taxation</b> | No specific mention. |
| <b>Banks</b>    | No specific mention. |

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**Land, property and environment**

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|---|----------------------|
| <b>Land reform/rights</b>                     | No specific mention. |
| <b>Pastoralist/<br/>nomadism rights</b>       | No specific mention. |
| <b>Cultural heritage</b>                      | No specific mention. |
| <b>Environment</b>                            | No specific mention. |
| <b>Water or riparian<br/>rights or access</b> | No specific mention. |

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**Security sector**

|                                  |   |
|----------------------------------|---|
| <b>Security<br/>Guarantees</b>   | Page 6, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10<br>- Responsibilities within the Transitional institutions shall be allocated as follows:<br>2. Other institutions<br>g. COMMITTEE FOR REFLECTION ON DEFENCE AND NATIONAL SECURITY<br>The Committee for Reflection on Defence and National Security shall be made up of 8<br>members designated by the political parties as follows:<br>2 by the Rajoelina Party<br>2 by the Ravalomanana Party<br>2 by the Ratsiraka Party<br>3 by the Zafy party |
| <b>Ceasefire</b>                 | No specific mention.  |
| <b>Police</b>                    | No specific mention.  |
| <b>Armed forces</b>              | No specific mention.  |
| <b>DDR</b>                       | No specific mention.  |
| <b>Intelligence<br/>services</b> | 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.

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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** Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9  
- The Malagasy political leaders shall nominate the following persons to the Transitional Institutions:  
... • President of the National Reconciliation Committee proposed by the Zafy party, Dr Albert Zafy.

Page 5, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10  
- Responsibilities within the Transitional institutions shall be allocated as follows:  
2. Other institutions  
c. NATIONAL RECONCILIATION COMMITTEE  
The 9 members of the National Reconciliation Committee shall be designated as follows:  
• 2 by the Rajoelina Party  
• 2 by the Ravalomanana Party  
• 2 by the Ratsiraka Party  
• 3 by the Zafy party

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## **Implementation**

**UN signatory** UN Representative signed as witness - pour les Nations Unies : Tiébilé Dramé

**Other international signatory** No specific mention.

**Referendum for agreement**

No specific mention.

**International mission/force/similar**

Page 3, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 8  
- To speed up preparations for the elections, party leaders request that the International Community organises as soon as possible the expert electoral advisory mission foreseen in article 6 of the Maputo Political Agreement and article 33 of the Transitional Charter.

**Enforcement mechanism**

Page 7, V. IMPLEMENTATION OF THE AGREEMENTS AND THE MONITORING MECHANISM, Article 12

They shall ask the UA, to together with SADC, OIF and the UN to set up a mechanism to monitor implementation of the Transitional Charter, the agreements and the present additional act.

Page 7, V. IMPLEMENTATION OF THE AGREEMENTS AND THE MONITORING MECHANISM, Article Article 13

- In accordance with articles 20 and 21 of the Maputo Political Agreement, and articles 36 and 37 of the Transitional Charter, the institutions represented by the members of the Joint Mediation Team are the guarantors of the effective implementation of the agreements.

- The institutions represented in the monitoring mechanism shall make appropriate provisions for evaluating the implementation of the agreements and managing any disputes which may arise.

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