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GENERAL AGREEMENT ON NATIONAL RECONCILIATION
(signed on Saturday February 17th 2001 in Fomboni)

I. WE, COMORIAN PARTIES, representing the Comorian Government and the Political forces supporting it in Mohéli and in the Grande Comore, the Anjouan Authority, the Opposition and the Civil Society of the Islands under the auspices of the Organisation of the African Unity supported by the International Organisation of la Francophonie and the European Union and in the presence of the League of the Arab States and the United Nations,

- i) Taking into account the efforts deployed by the different Parties of the crisis, as well as the previous Agreements concerning the resolution of the Comorian crisis;
- ii) Determined to start the urgent work of construction a New Comorian Ensemble responding adequately to the necessity of a sharing of powers by the Ensemble and the Islands, in order to let them concretise their legitimate aspirations and to administer and freely manage their own affairs and to enhance in that way their social and economic development;
- iii) Conscious of the necessity to create conditions favourable of the reinforcement of the national cohesion, through dialogue and consultation, in order to promote the factors uniting us and to work together in order to concretise the superior interests of our populations;
- iv) Conscious also of the absolute necessity of introducing justice, equality, democracy, good governance, respect of human rights and public liberties and to engage all Comorians in this process;
- v) Expressing our profound appreciation in regard to the Organisation of African Unity, of the International Organisation of la Francophonie, of the European Union and of the League of Arab States, for the constant efforts they are deploying in view of a rapid, just and durable solution of the Comorian crisis;

2. WE APPROVE, by this present General Agreement, the organisation of a New Comorian Ensemble, sole subject of international right, founded on the respect of national unity and the intangibility of the frontiers of the Comoros such as they are internationally acknowledged, in accordance with the resolution CM/Res.419 (XXV) concerning the admission of the Comoros to the Organisation of African Unity 18 July, 1975, and the resolution 3385 (XXX) of 12 November, 1975, concerning its admission to the United Nations.

3. WE ENGAGE to undertake the urgent work of its construction and to respond adequately to the necessity of a sharing of the power between the Ensemble and the Islands in order to let

those entities concretise their legitimate aspirations to administer and freely manage their own affairs.

4. WE AGREE that the Constitution will determine the fields of competence of the Ensemble and of the Islands. However, the prerogatives relating to the sovereignty of the State (religion, nationality, currency, foreign relations and exterior defence) and the national symbols (the flag, the national anthem, the national emblems) are within the competence exclusively of the New Comorian Ensemble.

5. WE THEREFORE DECIDE about the instruments, the time-table and the guarantees below:

I. INSTRUMENTS

A. TRIPARTITE COMMITTEE FOR THE NATIONAL RECONCILIATION AND THE DEFINITION OF THE NEW COMORIAN ENSEMBLE

6. The Committee is the principal body representing the Government, the Authority of Anjouan, the Political Forces and the Civil Society of the Islands.

7. It constitutes the appropriate Forum for a broad consensual debate aiming at arriving at a durable solution of the current crisis and at providing national reconciliation. It is also in charge of the drawing up of the project of the Fundamental Law. It is autonomous.

i) COMPOSITION

8. The Committee is composed in the following way:

- i) for each Island, the Committee is composed of a delegation containing the same number of delegates which will represent, on an equal basis, the Government, the Authority of Anjouan and the Political Forces supporting them, the Political Forces of the Opposition and the Civil Society ;

ii) it draws up, adopts and initiates its own regulations;

ii) FUNCTIONS AND ASSIGNMENTS

9. The Committee should:

i) initiate a technical sub-committee responsible for the drawing up of the Constitution of the New Comorian Ensemble and for the determining of the forms of its popularisation and its approval by way of referendum;

ii) initiate a sub-committee in charge of the collection of arms and of the reintegration of young people;

iii) initiate all other working groups and/or Sub-Committees judged necessary for the effective accomplishment, within the given time, of the specific tasks assigned to them;

iv) within the framework of its assignments, its decisions are taken by consensus and become binding for all the institutions of the country.

B. NATIONAL ELECTORAL INDEPENDENT COMMITTEE OF APPROVAL

10. A National Electoral Independent Committee of Approval will be initiated. Its members will be appointed by the Tripartite Committee for the national reconciliation and the definition of the New Comorian Ensemble.

11. This Committee is responsible for the undertaking of the following actions:

- i) revising the electoral code ;
- ii) sensitizing the voters and prepare electoral lists and cards ;
- iii) organising, conducting and supervising the constitutional referendum and all the other elections;
- iv) approving and publishing the electoral results;

12. The Committee draws up, adopts and initiates its own regulations.

II. TRANSITION AND TIME-TABLE

13. The transitional Institutions are as follows:

i) On a National level

14. The Head of State in office will assume the functions of President during the period of transition.

15. After adoption of the Constitution in accordance with the time-table established in clause 17 below, the Government will be dissolved and replaced by a Transitional Government of national unity composed on a basis of equality, the practical forms of which will be defined by the Follow-Up Committee. The Transitional Government of National Unity will be responsible for the initiation of the new institutions, among other things. Anjouan will join this Government according to forms which will be established subsequently.

ii) On the level of the Islands

16. The structures in force on the Islands will continue to exercise their functions until the new structures have been initiated.

iii) Time-table

17. The period of transition will respect the following time-table:

June, 2001 at the latest: Constitutional referendum

31 December, 2001: Initiation of the new institutions.

III. GUARANTEES

18. Within seven (7) days after the proclamation of the results of the constitutional referendum the Head of State will form the transitional Government of national unity mentioned in clause 15 above.

19. The Head of State and the members of the transitional Government of National Unity as well as the presidents of the Committees and Sub-Committees envisaged by this Agreement who will not have handed in their resignation within the limit of seven (7) days after the adoption of the Constitution will not be eligible at the subsequent elections. The Head of State in office must pronounce himself before the forming of the Transitional Government of National Unity.

20. Through their neutrality they guarantee security, peace and equality during the transition.

21. The Comorian Parties, signatories of this General Agreement engage to work together in order to create, on the Islands, a climate of trust and a context which is peaceful and favourable to free establishment, to free circulation of persons and goods, to free and fair elections.

22. The Comorian Parties also engage to cooperate closely with the Follow-Up Committee and to respect the decisions taken by it within the framework of the accomplishment of this Agreement, particularly the strict respect of the time-table related to the drawing up and adoption of the Constitution as well as the elections which will follow thereupon.

IV. SUPPLEMENTARY MEASURES

23. The signatory Parties ask the international community to vouch for the engagements taken within the framework of this Agreement and to provide the Comoros with technical, logistic and financial aid allowing it to making sure a peaceful transition, to guarantee the good realization of the electoral process and to help with the establishment of the New Comorian Ensemble.

24. They also ask the international community to consider the fact that the Comoros now enter into a stage allowing the progressive resumption of the development work. Moreover they appeal to the international community to organize, in collaboration with the transitional Government of national unity, a Donors' Conference.

25. With regard taken to the specificity of the Anjouan situation, the signatory Parties expressly ask the international community to grant this entity the indispensable human, financial and material resources for the carrying out of the stipulations of this present General Agreement.

26. They also ask the Organisation of African Unity to lift the embargo concerning Anjouan from the signing of this present General Agreement.

V. FOLLOW-UP MECHANISM

27. A Follow-Up Committee, composed of the signatory Parties and of representatives of the international community, coordinated by the latter, will be initiated in order to control, supervise, coordinate and take all measures considered necessary in order to guarantee the effective realization of all the stipulations of this present General Agreement and a strict following of the time-table.

In this respect, the representatives of the international community could make all suggestions, particularly for the Constitution to be submitted to a referendum within the given time limits. The Follow-Up Committee establishes and adopts its regulations.

This Committee will also be responsible for the arbitrating of all differences of opinion related to the carrying out of this present General Agreement.

28. Finally, the Comorian Parties signatories of this present General Agreement take the opportunity of the ongoing national reconciliation in order to reaffirm in front of the international community, and especially to the United Nations and the Organisation of African Unity, their attachment to a rapid and peaceful solution of the issue of the Island of Mayotte. In this respect, they appeal to the international community that it may take advantage of this moment offered by the dynamics of the New Comorian Ensemble in order to facilitate the rapid and peaceful settling of this issue.

29. All stipulations contrary to the stipulations of this present Agreement are nul and void.

30. This General Agreement comes into force at the date of its signing. The first meeting of the Follow-Up Committee will take place on 1 March, 2001.

Signatures

For the Comorian Parties: Mohamed Fazul, Lt-Col. Saïd Abeid, Abbas Djoussouf, Ali Toihiri, Saïdali Bacar, Issamidine Adaine, Col. Azali Assoumani,

For the international community: The organisation of African Unity (Francisco J.C. Madeira), The International Organisation of la Francophonie (André Salifou).

Fomboni, 17 February, 2001