

Antananarivo Agreements

Antananarivo, April 23 1999

We, the Comoros parties signatories to the Addis Ababa Agreement of December 23, 1997 and of the Mohéli Communiqué of January 28, 1998, meeting in Antananarivo (Madagascar) from April 19 to 23, 1999, in the presence of official observers, in order to define a new institutional framework which satisfies the legitimate aspirations of the Comorians;

1. DEFINITION OF THE NEW COMORIAN ENSEMBLE

a. Basic principles of organisation of the State:

- Sharing of competences between the central Power and the Islands enabling the Islands to administer and manage their own affairs freely and without interference. Competences related to State sovereignty (Exterior Defence, Exterior Relations, Currency, Nationality...) and its symbols (flag, national anthem, national emblem) are the exclusive prerogative of the central Power. All other competences are assigned exclusively to the Islands except for those assigned jointly or concurrently to the central Power and the Islands, such as Justice, Planning, Taxation, International Cooperation, and which are listed in the basic law of the Comorian Ensemble.
- Guaranteed sharing of competences between the central Power and the Islands
- Guaranteed public and civil liberties and Human Rights
- Equitable resource sharing between the Islands and the central Power such that the central Power has adequate resources to exercise its competences.
- These principles will be enshrined in the Basic Law of the Comorian Ensemble and in the Basic Law of each Island.

b. The institutions

Effective participation of the Islands in the organisation and functioning of the institutions.

i. – National institutions

National Executive

The National Executive consists of:

- The President of the Union, Head of State, elected by the National Assembly in turn from candidates from the same Island for a mandate of three years;
- The Government of the Union directed by a Head of Government nominated by the President of the Union and sworn in by the National Assembly. The Islands should be represented equally in the Government.

Legislative power:

This consists of a single Assembly called the National Assembly half of which is made up of representatives chosen by the Island Assemblies and half chosen by directly elected representativesⁱ. For representatives elected by universal direct suffrage, none of the Islands may be represented by less than a minimum or more than a maximum of representatives^{ii,iii}.

The Supreme Court:

- Oversees the constitutionality of the Basic Laws of the Islands and other legislation;
- Oversees the distribution of competences between the Comorian Ensemble and the Islands.

i.i- The Island institutions

The Island Assembly:

Approves acts relating to the competences of the Islands;

The Island Government

This is the seat of decentralised power in each Island enabling the territorial units to discharge their functions.

c. New name

Union of the Comoros Islands^{iv}.

2. GOOD GOVERNANCE

The creation of control mechanisms to ensure correct and transparent management of public affairs at all levels of the Comorian Assembly.

Establishment of genuine rule of law, particularly through the publication of laws and regulations.

Encouragement of equitable development between and within the Islands through a balanced distribution of public investment and a judicious approach to the location of public institutions across the national territory.

3. TRANSITION

a. Institutions of the transition

At the national level:

- Constitution of a Government of Transition

- The political parties propose to the interim President of the Republic the nomination of a consensus Prime Minister, of competence and integrity, charged with forming a Government of Transition and discharging his mandate during the period of transition as foreseen in the present Agreement ;
- The Prime Minister and Members of the Government may not compete in the elections foreseen to establish the new institutions.

Mandate

Management of current affairs:

- Establishment of new institutions;
- Establishment of a Commission tasked with preparing an inventory of the national estate;
- Preparing for a round table of donors and re-establishing relations with international financial institutions.

At the Island level:

The structures in place in the Islands will continue to function during the period of transition.

b. Length of the transition period

A maximum of one year from signature of the present Agreement.

All the Comorian parties undertake to cooperate in order to create a confident and secure climate in the Islands which will favour the free movement of goods and people and the implementation of the decisions of the Comorian Inter-Island Conference;

4. MECHANISM FOR MONITORING CONFERENCE DECISIONS

The establishment of a committee presided over by the OUA, and consisting of Comorian parties signatory to the present Agreement, and official observers.

The monitoring Committee is tasked with ensuring the implementation of the decisions of the Comorian Inter-Island Conference.

5. RESPONSIBILITY FOR IMPLEMENTATION OF COMORIAN INTER-ISLAND CONFERENCE DECISIONS

The OUA, ONU, and the League for Arab States will act as guarantors and oversee the implementation of the Conference decisions.

Done in Antananarivo, Friday April 23, 1999, in the presence of official observers.

ⁱ Provision formulated by the Anjouan delegation, on the election by direct universal suffrage of half of the representatives in the National Assembly.

ⁱⁱ Provision formulated by the Mohéli delegation, which recommends equal representation of all the Islands in the Assembly.

ⁱⁱⁱ Provision formulated by the Grand Comor delegation, on the minimum and maximum number of representatives per Island.

^{iv} Provision formulated by the Grand Comor delegation, on the new name.