

## **Joint Communique of the delegations Anjouan and Moheli on the Legal Sub-Commission**

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.

Done at Fomboni on September 06, 2001

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