

Country/entity Madagascar

Region Africa (excl MENA)

Agreement name Statement on Transition in Madagascar

Date 22 May 2009

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/conflict level 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)

Stage Pre-negotiation/process

Conflict nature Government

Peace process Madagascar peace process

Parties Not signed, but agreement mentions the negotiations included "the Rajoelina group, the Ratsiraka group, the Ravalomanana group and the Zafy group"

Third parties Not signed, but agreement mentioned negotiations were conducted, "under the auspices of international mediators from the African Union (AU), the Southern African Development Community (SADC), the Organisation internationale de la Francophonie (OIF) and the United Nations (UN)."

Description A joint statement on negotiations on a transitional arrangement. Provisions discuss when elections should occur, an amnesty, and the different institutions that will be a part of the transition.

Agreement document	MG_090522_Statement on Transition in Madagascar.pdf (opens in new tab) Download PDF
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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.

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.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→Temporary new institutions
Page 1,

First, all parties have agreed on the following principles:

...

- A special statute ensuring the dignity and guaranteeing the security of former Heads of State will be drafted. A Council of Wise Men regrouping all former Heads of State will also be established.

Second, parties reached agreement on the establishment of all transitional institutions. These are:

- The High Transitional Authority
- The Transitional Government of National Unity
- The Transitional Congress
- The National Reconciliation Council and the Truth and Reconciliation Commission, mandated to review recent Malagasy history, promote national reconciliation and assess issues of reparations and compensations.
- The Economic and Social Council of the Transition
- The High Court of the Transition
- The Reflection Committee on National Defense and Security
- The Independent Electoral Commission

Elections

Page 1:

Negotiations are ongoing in view of securing the endorsement of all groups for a Charter of the Transition, which will provide a framework for the consensual management of the transition leading to free, fair and transparent elections as soon as possible.

Page 1:

To date, the negotiations have succeeded in reaching agreement on a number of points. First, all parties have agreed on the following principles:

...

- The participation of former Heads of State and the Head of State of the Transition in the next presidential election. After a long debate, the Malagasy parties decided to respect the right of former Heads of State and the Head of State of the Transition to run in the election.
- The elections will take place at the earliest possible date within a period of 14 months based on an assessment by international and national experts of Madagascar's capacity to organize credible elections.

Electoral commission

Page 1,

Second, parties reached agreement on the establishment of all transitional institutions. These are:

...

- The Independent Electoral Commission

Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	<p>Power sharing→Political power sharing→Executive coalition State level Page 1,</p> <p>Second, parties reached agreement on the establishment of all transitional institutions. These are:</p> <p>...</p> <ul style="list-style-type: none"> • The Transitional Government of National Unity <p>Page 2,</p> <p>The ongoing discussions are focused on the composition and formula for the proportional distribution of seats among executive and legislative institutions. Power sharing→Political power sharing→Proportionality in legislature State level Page 2,</p> <p>The ongoing discussions are focused on the composition and formula for the proportional distribution of seats among executive and legislative institutions.</p>
Territorial power sharing	No specific mention.
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 No specific mention.

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 No specific mention.

Protection measures No specific mention.

Other No specific mention.

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 Page 1,
Second, parties reached agreement on the establishment of all transitional institutions. These are:
...
• The High Court of the Transition

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 No specific mention.

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

Page 1,

First, all parties have agreed on the following principles:

- The need for a neutral, peaceful and consensual transition

...

- A special statute ensuring the dignity and guaranteeing the security of former Heads of State will be drafted. A Council of Wise Men regrouping all former Heads of State will also be established.

Ceasefire

No specific mention.

Police

No specific mention.

Armed forces

Second, parties reached agreement on the establishment of all transitional institutions. These are:

...

- The Reflection Committee on National Defense and Security

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 Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 2,

A general amnesty, excluding gross violations of human rights, war crimes, crimes against humanity and crimes of genocide, is also under discussion for infractions linked to the events of a period yet to be specified.

Courts No specific mention.

Mechanism Page 1,

Second, parties reached agreement on the establishment of all transitional institutions. These are:

...

- The National Reconciliation Council and the Truth and Reconciliation Commission, mandated to review recent Malagasy history, promote national reconciliation and assess issues of reparations and compensations.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation Page 1,

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...

- The National Reconciliation Council and the Truth and Reconciliation Commission, mandated to review recent Malagasy history, promote national reconciliation and assess issues of reparations and compensations.

Implementation

UN signatory

Page 1,

The multilateral negotiations seeking to establish a neutral, peaceful and consensual transition in Madagascar resumed on Wednesday 20 May 2009 under the auspices of international mediators from the African Union (AU), the Southern African Development Community (SADC), the Organisation internationale de la Francophonie (OIF) and the United Nations (UN).

Page 2,

The international mediators call on all parties to make the concessions necessary to reach agreement on all remaining questions and conclude the negotiations in order to establish a concerted transition

Other international signatory

Page 1,

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Page 2,

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Referendum for agreement

No specific mention.

International mission/force/similar

No specific mention.

Enforcement mechanism

No specific mention.

Related cases

No specific mention.

Source

Madagascar: Statement on Transition in Madagascar <https://allafrica.com/stories/200905230009.html>