

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

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| 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)) |
| 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](#)  | [Download PDF](#)

Groups

Children/
youth No specific mention.

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|------------------------------|----------------------|
| 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

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|-------------------------|----------------------|
| 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

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| Elections | <p>Page 1:</p> <p>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.</p> <p>Page 1:</p> <p>To date, the negotiations have succeeded in reaching agreement on a number of points. First, all parties have agreed on the following principles:</p> <p>...</p> <ul style="list-style-type: none"> • 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 | <p>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 Independent Electoral Commission |
| Political parties reform | <p>No specific mention.</p> |
| Civil society | <p>No specific mention.</p> |
| Traditional/religious leaders | <p>No specific mention.</p> |

Public administration No specific mention.

Constitution No specific mention.

Power sharing

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| 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: ... • The Transitional Government of National Unity</p> <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.</p> <p>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.

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| Water or riparian rights or access | No specific mention. |
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Security sector

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| Security Guarantees | Page 1, First, all parties have agreed on the following principles: <ul style="list-style-type: none">• The need for a neutral, peaceful and consensual transition ... <ul style="list-style-type: none">• 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: ... <ul style="list-style-type: none">• 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,

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.

Implementation

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| UN signatory | <p>Page 1,</p> <p>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).</p> <p>Page 2,</p> <p>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</p> |
| Other international signatory | <p>Page 1,</p> <p>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).</p> <p>Page 2,</p> <p>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</p> |
| 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>
