

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

Country/ entity	Comoros Anjouan
Region	Africa (excl MENA) Africa (excl MENA)
Agreement name	Agreement on the Transitional Arrangements in the Comoros (Maroni Agreement)
Date	20 Dec 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Anjouan Crisis (1997 - 2008))
Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Comoros-Anjouan islands peace process
Parties	FOR THE COMORIAN PARTIES: - AZALI ASSOUMANI, President of the Union of the Comoros - MOHAMED BACAR, President of the Autonomous Island of Anjouan - MZE ABDOU SOULE EL BAK, President of the Autonomous Island of Ngazidja - MOHAMED SAID FAZUL, President of the Autonomous Island of Mwali

Third parties - Under the auspices of President Thabo Mbeki, President of the Republic of South Africa and Coordinator of the efforts of the Countries of the Region and the Troika of the African Union (AU) on the Comorian crisis,

IN THE PRESENCE OF:

- THABO MBEKI, President of the Republic of South Africa, and Coordinator of the efforts of the Countries of the Region and the Troika of the African Union on the Comoros
- PAUL BERENGER, Prime Minister of Mauritius
- JACQUES SYLLA, Prime Minister of The Madagascar Republic
- ABDULKADER SHAREEF, Vice-Minister of Foreign Affairs of the Tanzanian Republic
- ABDOU DIOUF, Secretary-General, International Organization of the Francophonie
- PIERRE ANDRE WILTZER, Minister delegate for Cooperation and Francophonie of the French Republic Representative of the European Union
- MAMADOU KANE, Representative of the United Nations
- WILFRID BERTILE, Secretary-General of the Indian Ocean Commission

Description In this agreement, the parties reaffirm their commitment made in the Framework Agreement for the national reconciliation in the Comoros. The agreement specifically provides for customs, budget, security arrangements, legislative elections dispositions for the transitional period.

Agreement document

[KM_031220_Agreement on Transitional Arrangements in the Comoros \(Maroni Agreement\).pdf](#)
 | [Download PDF](#)

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)→General references

Page 1, Article I. Principles:

...

- agree to complete speedily the establishment of the institutions of the Union of the Comoros in order to put an end to the suffering of the Comorian people and encourage the international community to provide the necessary technical and financial assistance for the socio-economic development of the country

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 2, Article III. TRANSITIONAL PERIOD:

The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands.

During the transitional period, the following shall apply: [the remainder of the agreement sets out a list of institutional solutions for the interim]

Elections

Page 1, Article I. Principles:

...

pledge to work towards the organisation of free, fair and democratic elections over the entire Comorian territory;

commit themselves to establish conditions conducive to elections to be held with the necessary equity and transparency and giving all the necessary guarantees in this regard, including the need for an all inclusive process involving monitoring by the international community;

Page 5, IV. SECURITY ARRANGEMENTS:

...

- the national command and control of the gendarmerie shall be the responsibility of the Union. However, during the transitional period, and for the purpose of the elections, this force, which shall be adequately resourced, shall be placed, for use, in its usual mission, at the disposal of the Presidents of the Islands. This arrangement cannot be repealed during the transitional period;

- during the entire electoral period, the use of the National Gendarmerie shall be decided, in close concertation with the National Independent Electoral Commission (NIEC) and the AU Military Observers;

Page 5, V. LEGISLATIVE ELECTIONS:

The Comorian Parties agree to finalise the electoral process before the end of April 2004, at the latest. To this effect, the National Independent Electoral Commission (NIEC) will establish an electoral calendar consistent with this deadline. As for the respective governments of the Union and the Autonomous Islands, they will sign the notification decrees of the electoral body within two weeks, at the latest, following the signature of the present agreement.

The Follow-up Committee of the present Agreement shall renew the composition of the Validation Commission and the latter shall validate the results of the forthcoming legislative elections.

Page 6, VII. SUPPORT OF THE INTERNATIONAL COMMUNITY:

As soon as an agreement is signed between the Union and the autonomous Islands, the international community shall be invited to:

- give its technical and financial support to the electoral operations;
- give, as soon as possible, the necessary technical and financial support for the preliminary activities prior to the organisation of elections (General Assembly of the NIEC, updating of voters lists, recruitment and training of agents, etc.)
- disburse the assistance promised by the donors (IMF, World Bank, Meeting of the Friends of the Comoros, etc.) to support the execution of the agents, etc.)

Electoral commission	<p>Page 5, IV. SECURITY ARRANGEMENTS: ...</p> <ul style="list-style-type: none"> - the national command and control of the gendarmerie shall be the responsibility of the Union. However, during the transitional period, and for the purpose of the elections, this force, which shall be adequately resourced, shall be placed, for use, in its usual mission, at the disposal of the Presidents of the Islands. This arrangement cannot be repealed during the transitional period; - during the entire electoral period, the use of the National Gendarmerie shall be decided, in close concertation with the National Independent Electoral Commission (NIEC) and the AU Military Observers;
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.
Public administration	<p>Page 2-3, Article III. TRANSITIONAL PERIOD: The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands. During the transitional period, the following shall apply: ... (b) Budget for the transitional period ... At the same time, the Comorian Parties agree to the following measures: - commissioning, through the Harmonisation Committee, for review and decision, of a study on the number of employees in the civil service and the payroll, it being understood that the recruitment process will be frozen until such a time as the needs of the Union and the Autonomous Islands have been identified;</p>
Constitution	No specific mention.

Power sharing

Political
power
sharing

Power sharing→Political power sharing→Other proportionality
State level

Page 2, Article III. TRANSITIONAL PERIOD:

The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands.

During the transitional period, the following shall apply:

(a) Customs

To this effect, a Provisional Customs Council (PCC) shall be established to monitor the operations relating to the collection and control of the shared customs revenue and prepare the operational framework of the Customs Service in conformity with the new institutional architecture.

The PCC shall be composed of seven (7) members, namely a Director-General appointed by the President of the Union, three (3) Deputy Directors-General appointed by each President of the Islands and three international experts placed at the disposal of the Comoros by the donor community.

Power sharing→Political power sharing→International involvement
State level

Page 2, Article III. TRANSITIONAL PERIOD:

The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands.

During the transitional period, the following shall apply:

(a) Customs

To this effect, a Provisional Customs Council (PCC) shall be established to monitor the operations relating to the collection and control of the shared customs revenue and prepare the operational framework of the Customs Service in conformity with the new institutional architecture.

The PCC shall be composed of seven (7) members, namely a Director-General appointed by the President of the Union, three (3) Deputy Directors-General appointed by each President of the Islands and three international experts placed at the disposal of the Comoros by the donor community.

...

The Parties agree to establish a Committee (hereinafter referred to as the Harmonisation Committee) chaired by a representative of the International Community [IMF, World Bank, United Nations Development Programme (UNDP), African Union, European Union, International Organisation of the Francophonie (OIF)], which will be responsible for harmonising customs norms and structures as well as macro-economic data. This should be completed within the two months following the signature of the present Agreement.

Meanwhile, the Parties agree to immediately establish, in Anjouan, a private international structure, to be recommended by the World Bank, to monitor transparency and control of customs operations. This structure will be results driven.

Territorial
power
sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided
government

Page 1, II. DISTRIBUTION OF POWERS

The Comorian Parties recall the progress made in the discussions held in
Paris

under the auspices of La Francophonie and pledge to pursue their
consultations with a view to submitting the results of these discussions to the
Parliament of the Union, for decision.

Economic
power
sharing

Power sharing→Economic power sharing→Sharing of resources

Pages 4-5,

II Transitional Period

Page 2-4, Article III. TRANSITIONAL PERIOD:

The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands.

During the transitional period, the following shall apply:

(a) Customs

To this effect, a Provisional Customs Council (PCC) shall be established to monitor the operations relating to the collection and control of the shared customs revenue and prepare the operational framework of the Customs Service in conformity with the new institutional architecture.

The PCC shall be composed of seven (7) members, namely a Director-General appointed by the President of the Union, three (3) Deputy Directors-General appointed by each President of the Islands and three international experts placed at the disposal of the Comoros by the donor community.

The PCC shall organise itself in such a way as to be able to execute its mandate effectively, both at the level of the Customs Central Services and the Customs Services in the Islands.

The management of the Customs Services shall be the responsibility of a Directorate of Customs comprising the Director-General and the Deputy Directors-General and functioning on the basis of the principle of collegiality.

The Deputy Directors-General shall report to the Director-General.

In the execution of its functions, the Directorate of Customs shall be supported by operational services at the level of the Islands, these operational services shall be headed by Regional Directors appointed by the Directorate of Customs.

The decisions of the Directorate of Customs shall be adopted by consensus, failing which decisions shall be made at the level of the PCC by simple majority of its members, on basis of the Customs Code.

The Parties agree to establish a Committee (hereinafter referred to as the Harmonisation Committee) chaired by a representative of the International Community [IMF, World Bank, United Nations Development Programme (UNDP), African Union, European Union, International Organisation of the Francophonie (OIF)], which will be responsible for harmonising customs norms and structures as well as macro-economic data. This should be completed within the two months following the signature of the present Agreement.

Meanwhile, the Parties agree to immediately establish, in Anjouan, a private international structure, to be recommended by the World Bank, to monitor transparency and control of customs operations. This structure will be results driven.

(b) Budget for the transitional period

The Comorian Parties agree to:

- the opening of a special account with the Central Bank of the Comoros

(BCC) and the depositing in that account of the fiscal and non-fiscal revenues to be shared;

- automatic transfer, following the establishment of the common mechanism for the collection of the revenues and after the deduction of external debt service, into the individual accounts of the respective governments of the

Military power sharing Power sharing→Military power sharing→Proportionality
Pages 4-5, IV. SECURITY ARRANGEMENTS

The Comorian Parties agree to :
- the deployment of civilian and military observers of the African Union during the entire transitional period;

Page 5
- the national command and control of the gendarmerie shall be the responsibility of the Union.
However, during the transitional period, and for the purpose of the elections, this force, which shall be adequately resourced, shall be placed, for use, in its usual mission, at the disposal of the Presidents of the Islands. This arrangement cannot be repealed during the transitional period;

- during the entire electoral period, the use of the National Gendarmerie shall be decided, in close concertation with the National Independent Electoral Commission (NIEC) and the AU Military Observers;

- the Comorian Defence Force shall in no way be involved in the electoral process.

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 No specific mention.

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 [Summary: Page 3-4, The agreement provides for (b) Budget for the transitional period, (c) Special Budget Provision for Ngazidja, and (d) Consolidated Budget; - See Territorial Power-Sharing and Taxation].

Natural resources No specific mention.

International funds Page 1, Article I. Principles:

...

- agree to complete speedily the establishment of the institutions of the Union of the Comoros in order to put an end to the suffering of the Comorian people and encourage the international community to provide the necessary technical and financial assistance for the socio-economic development of the country.

Page 2, Article III. TRANSITIONAL PERIOD:

...

During the transitional period, the following shall apply:

a) Customs

...

(3) Deputy Directors-General appointed by each President of the Islands and three international experts placed at the disposal of the Comoros by the donor community.

...

The Parties agree to establish a Committee (hereinafter referred to as the Harmonisation Committee) chaired by a representative of the International Community [IMF, World Bank, United Nations Development Programme (UNDP), African Union, European Union, International Organisation of the Francophonie (OIF)], which will be responsible for harmonising customs norms and structures as well as macro-economic data. This should be completed within the two months following the signature of the present Agreement.

Meanwhile, the Parties agree to immediately establish, in Anjouan, a private international structure, to be recommended by the World Bank, to monitor transparency and control of customs operations. This structure will be results driven.

Page 6, VII. SUPPORT OF THE INTERNATIONAL COMMUNITY:

As soon as an agreement is signed between the Union and the autonomous Islands, the international community shall be invited to:

- give its technical and financial support to the electoral operations;
- give, as soon as possible, the necessary technical and financial support for the preliminary activities prior to the organisation of elections (General Assembly of the NIEC, updating of voters lists, recruitment and training of agents, etc.)
- disburse the assistance promised by the donors (IMF, World Bank, Meeting of the Friends of the Comoros, etc.) to support the execution of the agents, etc.)
- support the execution of the budget of the Union through a specific contribution.

Business No specific mention.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 2-3, Article III. TRANSITIONAL PERIOD:

The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands.

During the transitional period, the following shall apply:

...

(b) Budget for the transitional period

The Comorian Parties agree to:

- the opening of a special account with the Central Bank of the Comoros (BCC) and the depositing in that account of the fiscal and non-fiscal revenues to be shared;

- automatic transfer, following the establishment of the common mechanism for the collection of the revenues and after the deduction of external debt service, into the individual accounts of the respective governments of the Union and the Autonomous Islands of Anjouan, Ngazidja and Mwali, on the basis of the following quotas: Union – 28%, Ngazidja – 32, 5%, Anjouan – 30,5%, Mwali – 9%.

- the Harmonization Committee shall verify the extent to which the budgets submitted by the Union and the Islands, on the basis of the quotas, correspond to their respective needs. When the expenditures of one of the Parties are not proportionate to its quota, the Harmonization Committee shall modify the rate of the quotas and, consequently, the amount of the budgets, making use, where possible, of the Trust Fund to be established.

(c) Special Provision for Ngazidja

An exceptional appropriation corresponding to the difference between the amount actually paid to Ngazidja and the amount that should have been paid would be given to Ngazidja to cover the expenses incurred in relation with the functioning of the Executive Branch of the Island since January 2003.

...

(d) Consolidated Budget

As soon as the organic laws on the distribution of powers have been adopted, the Comorian Parties agree to adopt a consolidated budget providing for the special account mentioned above and an automatic transfer to the individual accounts of the respective governments of the Union and the Autonomous Islands.

Banks	<p>Socio-economic reconstruction→Banks→Central bank</p> <p>Page 3, Article III. TRANSITIONAL PERIOD:</p> <p>The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands.</p> <p>During the transitional period, the following shall apply:</p> <p>...</p> <p>(b) Budget for the transitional period</p> <p>The Comorian Parties agree to:</p> <ul style="list-style-type: none"> - the opening of a special account with the Central Bank of the Comoros (BCC) and the depositing in that account of the fiscal and non-fiscal revenues to be shared;
-------	---

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	No specific mention.
------------------------	----------------------

Ceasefire	No specific mention.
Police	<p>Page 5, IV. SECURITY ARRANGEMENTS:</p> <ul style="list-style-type: none"> - the national command and control of the gendarmerie shall be the responsibility of the Union. However, during the transitional period, and for the purpose of the elections, this force, which shall be adequately resourced, shall be placed, for use, in its usual mission, at the disposal of the Presidents of the Islands. This arrangement cannot be repealed during the transitional period;
Armed forces	<p>Page 5, IV. SECURITY ARRANGEMENTS:</p> <ul style="list-style-type: none"> - the national command and control of the gendarmerie shall be the responsibility of the Union. However, during the transitional period, and for the purpose of the elections, this force, which shall be adequately resourced, shall be placed, for use, in its usual mission, at the disposal of the Presidents of the Islands. This arrangement cannot be repealed during the transitional period; - during the entire electoral period, the use of the National Gendarmerie shall be decided, in close concertation with the National Independent Electoral Commission (NIEC) and the AU Military Observers; - the Comorian Defence Force shall in no way be involved in the electoral process.
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	<p>Page 2-4, Article III. TRANSITIONAL PERIOD:</p> <p>...</p> <p>During the transitional period, the following shall apply:</p> <p>a) Customs</p> <p>...</p> <p>The Comorian Parties reiterate the need to ensure transparent, independent, efficient and objective management of the Customs Service.</p> <p>...</p> <p>(b) Budget for the transitional period</p> <p>...</p> <p>At the same time, the Comorian Parties agree to the following measures:</p> <ul style="list-style-type: none"> - establishment, through the Harmonisation Committee, of a monitoring mechanism responsible for verifying the accuracy and transparency of the expenditures of the Union and the Autonomous Islands during the transitional period;
Crime/ organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/ pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory Representative of the United Nations signed as witness.

The UN is also part of the 'Troika' which forms the committee presided over by the AU and tasked to follow up on the implementation of the agreement.

IN THE PRESENCE OF:

...

- MAMADOU KANE, Representative of the United Nations

Other international signatory IN THE PRESENCE OF:

- THABO MBEKI, President of the Republic of South Africa, and Coordinator of the efforts of the Countries of the Region and the Troika of the African Union on the Comoros

- PAUL BERENGER, Prime Minister of Mauritius

- JACQUES SYLLA, Prime Minister of The Madagascar Republic

- ABDULKADER SHAREEF, Vice-Minister of Foreign Affairs of the Tanzanian Republic

- ABDOU DIOUF, Secretary-General, International Organization of the Francophonie

- PIERRE ANDRE WILTZER, Minister delegate for Cooperation and

Francophonie of the French Republic Representative of the European Union

...

- WILFRID BERTILE, Secretary-General of the Indian Ocean Commission

Referendum for agreement No specific mention.

International mission/
force/similar Page 1, Article I. Principles:
...
commit themselves to establish conditions conducive to elections to be held with the necessary equity and transparency and giving all the necessary guarantees in this regard, including the need for an all inclusive process involving monitoring by the international community;

Page 2, Article III. TRANSITIONAL PERIOD:

The Comorian Parties agree on the need for a transitional period spanning from the signing of this Agreement to the full establishment of the Parliament of the Union, which shall adopt organic laws pertaining to the distribution of powers, and that of the Parliaments of the Islands. During the transitional period, the following shall apply:

(a) Customs

To this effect, a Provisional Customs Council (PCC) shall be established to monitor the operations relating to the collection and control of the shared customs revenue and prepare the operational framework of the Customs Service in conformity with the new institutional architecture.

The PCC shall be composed of seven (7) members, namely a Director-General appointed by the President of the Union, three (3) Deputy Directors-General appointed by each President of the Islands and three international experts placed at the disposal of the Comoros by the donor community.

...

The Parties agree to establish a Committee (hereinafter referred to as the Harmonisation Committee) chaired by a representative of the International Community [IMF, World Bank, United Nations Development Programme (UNDP), African Union, European Union, International Organisation of the Francophonie (OIF)], which will be responsible for harmonising customs norms and structures as well as macro-economic data. This should be completed within the two months following the signature of the present Agreement.

Meanwhile, the Parties agree to immediately establish, in Anjouan, a private international structure, to be recommended by the World Bank, to monitor transparency and control of customs operations. This structure will be results driven.

Page 4, IV. SECURITY ARRANGEMENTS:

The Comorian Parties agree to :

- the deployment of civilian and military observers of the African Union during the entire transitional period;

Page 5, IV. SECURITY ARRANGEMENTS:

...

- during the entire electoral period, the use of the National Gendarmerie shall be decided, in close concertation with the National Independent Electoral Commission (NIEC) and the AU Military Observers;

Page 5, VI. FOLLOW-UP OF THE IMPLEMENTATION OF THE PRESENT AGREEMENT

In order to implement the present Agreement scrupulously and in good faith, a Follow-up Committee will be established, consisting of representatives from the Comorian Parties signatory to the present Agreement, the international community. This Follow-up Committee will

Enforcement mechanism Page 5, V. LEGISLATIVE ELECTIONS:
...

The Follow-up Committee of the present Agreement shall renew the composition of the Validation Commission and the latter shall validate the results of the forthcoming legislative elections.

Page 5-6, VI. FOLLOW-UP OF THE IMPLEMENTATION OF THE PRESENT AGREEMENT

In order to implement the present Agreement scrupulously and in good faith, a Follow-up Committee will be established, consisting of representatives from the Comorian Parties signatory to the present Agreement and the International Community. This Follow-up Committee will monitor and ensure that commitments are respected, and shall interpret the provisions of the present Agreement and take all the necessary measures in this regard. The Committee will be chaired by the African Union (South Africa, as co-ordinator of regional efforts on the Comoros, and the Commission of the African Union) and will consist of representatives from the Countries of the region and the AU Troika, France, European Union, the International Organisation of Francophonie, the United Nations, the IMF, the World Bank, the League of Arab States and from the Indian Ocean Commission. The Committee will adopt its own rules of procedure. Whenever the Comorian Parties meet, the Chairperson of the follow-up Committee should make himself/herself available to participate in such meetings.

Related cases No specific mention.

Source UCDP, Uppsala University
<https://ucdped.uu.se/peaceagreements/fulltext/Com%2020031220.pdf>
