

Country/entity	Madagascar
Region	Africa (excl MENA)
Agreement name	Acte Additionnel d'Addis Abéba, à la Charte de la Transition Malgache
Date	6 Nov 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	Implementation/renegotiation
Conflict nature	Government
Peace process	Madagascar peace process
Parties	Ont signe: Rajoelina, Andry; Ratsiraka, Dider; Ravalomanana, Marc; Zafy, Albert;

Third parties	<p>Ont signe comme témoins:</p> <p>Pour l'Union Africaine Ablassé Ouedraogo</p> <p>Pour la SADC Joaquim Chissano, chef de l'Equipe Conjointe de Médiation pour Madagascar</p> <p>Pour l'Organisation Internationale de la Francophonie Edem Kodjo</p> <p>Pour les Nations Unies Tiébilé Dramé</p>
Description	An agreement focusing on the political composition of transitional structures created by the previous Maputo agreements.
Agreement document	MG_091107_Acte Additionnel a la Charte de la Transition_tr.pdf (opens in new tab) Download PDF
Agreement document (original language)	MG_091107_Acte Additionnel a la Charte de la Transition.pdf (opens in new tab)

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.

Political**institutions (new or reformed)**

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

Page 1, I. TRANSITIONAL INSTITUTIONS, Article 1

In addition to the Transitional President, who shall exercise the functions of Head of State, designated by the Rajoelina Party, in the person of Mr Andry Rajoelina, a Presidential Council shall be established, made up of two Transitional Co-Presidents designated respectively by:

- the Zafy Party, in the person of Dr Emmanuel Rakotovahiny and;
- the Ravalomanana Party, in the person of Mr Fetison Rakoto Andrianirina.

Page 1, I. TRANSITIONAL INSTITUTIONS, Article 2

The remit of the Transitional President shall be as foreseen in the Transitional Charter. It shall be carried out by the Transitional President, assisted by the two Co-Presidents of the Presidential Council.

Page 2, I. TRANSITIONAL INSTITUTIONS, Article 3

The Transitional President and the two Co-Presidents shall meet weekly to evaluate the national situation, and implement any necessary measures, or have these implemented by the Council of Ministers.

Page 2, I. TRANSITIONAL INSTITUTIONS, Article 4

The two Transitional Co-Presidents shall countersign the acts of the Transitional President.

Elections

Page 2, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 6

- The political party leaders of Madagascar have reaffirmed that the principal objective of the Transition is to organise proper, transparent and credible elections for purposes of establishing the institutions of the Fourth Republic.
- They shall take all necessary measures, with the mobilisation and support of the international community, to organise presidential and legislative elections as soon as possible, and within the timescale established by the Transitional Charter.

Page 2-3, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 7

- Wishing to ensure neutrality in the forthcoming elections, the political party leaders of Madagascar reaffirm their commitment to Article 5 of the Maputo Political Agreement, which states that:

"The members of the Transitional Government shall not contest a presidential election organised by the Transition."

- In addition, they state that if the President and the Co-Presidents shall choose to participate in the next presidential election, they shall resign their functions, 60 days before the date of the presidential election.
- In the event of the situation described in line 2 of the present article, the older of the two Co-Presidents shall act as President.

Page 3, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 8

- To speed up preparations for the elections, party leaders request that the International Community organises as soon as possible the expert electoral advisory mission foreseen in article 6 of the Maputo Political Agreement and article 33 of the Transitional Charter.

Page 6, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

f. INDEPENDENT NATIONAL ELECTORAL COMMISSION

CENI shall be made up of experienced, credible, competent persons of substantial integrity. It shall be set up by the national conference during its first session, no later than December 2009.

Electoral commission

Page 6, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

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Political parties reform

No specific mention.

Civil society

Page 1, Untitled Preamble

The leaders of the Madagascar political parties, meeting in Addis Ababa from November 3 to 6, 2009, have solemnly reaffirmed their complete adherence to the Political Agreement, the Transitional Charter, and the subsequent agreements signed at Maputo in Mozambique on August 9, 2009.

Page 5, V. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

d. ECONOMIC AND SOCIAL COUNCIL

The President of the Economic and Social Council shall be designated by civil society.

The 72 members of the Economic and Social Council shall be designated as follows:

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

No specific mention.

Constitution

No specific mention.

Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level

Page 1, I. TRANSITIONAL INSTITUTIONS, Article 1

In addition to the Transitional President, who shall exercise the functions of Head of State, designated by the Rajoelina Party, in the person of Mr Andry Rajoelina, a Presidential Council shall be established, made up of two Transitional Co-Presidents designated respectively by:

- the Zafy Party, in the person of Dr Emmanuel Rakotovahiny and;
- the Ravalomanana Party, in the person of Mr Fetison Rakoto Andrianirina.

Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9

- The Malagasy political leaders shall nominate the following persons to the Transitional Institutions:

- President of the Transition, proposed by the Rajoelina Party, Andry Rajoelina;
- Co-President of the Transitional Presidential Council, proposed by the Ravalomanana Party, Fetison Rakoto Andrianirina;

Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9

- Transitional Government:

- Prime Minister, Head of the National Unity Government, Mr Eugène Mangalaza
- Deputy Prime Minister, Mr/Mrs....
- Deputy Prime Minister, Mr/Mrs....
- Deputy Prime Minister proposed by the Ravalomanana Party.

Page 4, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

1. The Government - The 31 ministerial portfolios shall be distributed as follows:

- Rajoelina Party: 6 portfolios
- Ravalomanana Party: 6 portfolios
- Ratsiraka Party: 6 portfolios
- Zafy party: 6 portfolios
- Other movements*: 7 portfolios

Power sharing→Political power sharing→Proportionality in legislature
State level

Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9

- The Malagasy political leaders shall nominate the following persons to the Transitional Institutions:

- ... • President of the Transitional Superior Council, proposed by the Rajoelina Party...?;
- President of the Transitional Congress proposed by the Ravalomanana Party, Mamy Rakotoarivelo;

Page 4, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

a. TRANSITIONAL SUPERIOR COUNCIL

- The 65 senators shall be distributed as follows:

- Rajoelina Party: 13 senators
- Ravalomanana Party: 13 senators
- Ratsiraka party: 13 senators
- Zafy party: 13 senators
- Other movements*: 13 senators

Page 4-5, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10

- Responsibilities within the Transitional institutions shall be allocated as follows:

2. Other institutions

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 5-6, V. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10
- Responsibilities within the Transitional institutions shall be allocated as follows:
2. Other institutions
e. TRANSITIONAL HIGH COURT
For a total of 11 members:
One member designated by the Transitional President;
One member designated by the Transitional Superior Council;
One member designated by the Transitional Congress;
One member designated by the National Reconciliation Committee;
Three members designate by the Magistracy Superior Council; and
Four members designated by the political parties (one member per party).
The President of the Transitional High court shall be elected by his peers.

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	<p>Page 6, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10</p> <p>- Responsibilities within the Transitional institutions shall be allocated as follows:</p> <p>2. Other institutions</p> <p>g. COMMITTEE FOR REFLECTION ON DEFENCE AND NATIONAL SECURITY</p> <p>The Committee for Reflection on Defence and National Security shall be made up of 8 members designated by the political parties as follows:</p> <p>2 by the Rajoelina Party</p> <p>2 by the Ravalomanana Party</p> <p>2 by the Ratsiraka Party</p> <p>3 by the Zafy party</p>
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.

Parastatal/rebel and opposition group forces	No specific mention.
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Withdrawal of foreign forces	No specific mention.
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Corruption	No specific mention.
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Crime/organised crime	No specific mention.
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Drugs	No specific mention.
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Terrorism	No specific mention.
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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 Page 3, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 9
- The Malagasy political leaders shall nominate the following persons to the Transitional Institutions:
... • President of the National Reconciliation Committee proposed by the Zafy party, Dr Albert Zafy.

Page 5, IV. NOMINATIONS TO THE TRANSITIONAL INSTITUTIONS, Article 10
- Responsibilities within the Transitional institutions shall be allocated as follows:
2. Other institutions
c. NATIONAL RECONCILIATION COMMITTEE
The 9 members of the National Reconciliation Committee shall be designated as follows:
• 2 by the Rajoelina Party
• 2 by the Ravalomanana Party
• 2 by the Ratsiraka Party
• 3 by the Zafy party

Implementation

UN signatory UN Representative signed as witness - pour les Nations Unies : Tiébilé Dramé

Other international signatory No specific mention.

Referendum for agreement	No specific mention.
International mission/force/similar	<p>Page 3, III. ORGANISATION OF AND PARTICIPATION IN ELECTIONS, Article 8</p> <p>- To speed up preparations for the elections, party leaders request that the International Community organises as soon as possible the expert electoral advisory mission foreseen in article 6 of the Maputo Political Agreement and article 33 of the Transitional Charter.</p>
Enforcement mechanism	<p>Page 7, V. IMPLEMENTATION OF THE AGREEMENTS AND THE MONITORING MECHANISM, Article 12</p> <p>They shall ask the UA, to together with SADC, OIF and the UN to set up a mechanism to monitor implementation of the Transitional Charter, the agreements and the present additional act.</p> <p>Page 7, V. IMPLEMENTATION OF THE AGREEMENTS AND THE MONITORING MECHANISM, Article Article 13</p> <p>- In accordance with articles 20 and 21 of the Maputo Political Agreement, and articles 36 and 37 of the Transitional Charter, the institutions represented by the members of the Joint Mediation Team are the guarantors of the effective implementation of the agreements.</p> <p>- The institutions represented in the monitoring mechanism shall make appropriate provisions for evaluating the implementation of the agreements and managing any disputes which may arise.</p>
Related cases	No specific mention.
Source	<p>UN Peacemaker, https://peacemaker.un.org/sites/peacemaker.un.org/files/MG_091107_Acte%20Additionnel%20a%20la%20Charte%20de%20la%20Transition.pdf</p>
