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Mayotte: Stringent relationship between France and Comoros (1975-2015)

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AFRICA İTALİ İŞMALARININ ULUSLARARASI İLİŞKİLER TEZİ.....
Yüksek Lisans programı öğrencisi..... K.A.B. M. ZİARANI.....
...MAYDİTE: ST. IN. GENİT. RELATIONSHIP BETWEEN... FRANCE AND...
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I-ABSTRACT

The purpose of this study is to put the light on the dispute between France and the union of Comoros on the Comorian island of Mayotte.

This question as can be read in the twenty resolutions adopted by the United Nations between 1973 and 1994, causes misunderstanding on both sides and unnecessarily fuels passions. This question stems from the dispute between the French State and the Comorian State over Mayotte, when the latter gained full international sovereignty. While France has exercised sovereignty in the island of Mayotte since 1841, the Comoros, since its accession to independence July 6, 1975, claims the island on the ground that it and the other territories of the archipelago of the Comoros form a legal entity, apart from the effective exercise of French sovereignty. This research is based mainly on three important themes. One will be devoted to the reason of the Franco-Comorian conflict on the island of Mayotte, the other theme will show the positions of each party to the conflict (France, Comoros and the island of Mayotte), and in the end it will be necessary to talk about the assets resulting from Franco-Comorian relations.

If we analyze this question through a legal approach, this is a question that does not raise any particular difficulty, since it is resolved, on the basis of international law, on the practice of the Organization of the United Nations and the jurisprudence of the International Court of Justice (ICJ). As a result, any argument to plead Mayotte's membership in the Comoros will not find any unquestionable legal legitimacy.

ÖZET

Bu çalışmanın amacı, Fransa ve Komorlar Birliği arasındaki Mayotte Como adası ile ilgili ihtilafını aydınlatmaktır.

Bu konu, 1973-1994 yılları arasında Birleşmiş Milletler tarafından kabul edilen yirmi kararda da görüldüğü üzere, her iki tarafta da yanlış anlaşılmalara ve gereksiz kızgınlıklara (öfkelere) neden olur. Bu konu, Mayotte, uluslararası tam egemenliğe kavuştuğunda, Fransa ve Komorlar arasındaki Mayotte ile ilgili anlaşmazlıklarından kaynaklanıyor. Fransa, Mayotte adasındaki egemenliğinin 1841 yılından beri geçerliyken, Komorlar, bağımsızlığa kavuştuğu 6 Temmuz 1975 tarihinden bu yana adanın, Fransız egemenliğinin etkin bir şekilde kullanılmasından öte, adanın ve diğer ada toprakları Komor Adaları'nın ayrılmaz bir parçası olduğunu iddia etmektedir. Bu araştırma esas olarak üç önemli temaya (konuya) dayanmaktadır. Biri, Mayotte Adası ile ilgili Fransız-Komor ihtilafının sebebi ile ilişkilendirilebilir, diğer tema her partinin ihtilafa bakış açısını gösterecek ve bu, Fransız-Komor ihtilaf sonucunu göstermekle son bulacaktır.

Bu konuyu hukuki bir yaklaşımla analiz edersek, bu, uluslararası hukuka dayanarak Birleşmiş Milletler Örgütü'nün uygulamaları ve Uluslararası Adalet Divanı'nın (ICJ) içtihadı üzerine uluslararası hukuka göre çözümediğinden, belirli bir zorluk çıkarmayan bir sorundur. Sonuç olarak, Mayotte'nin Komorlardaki üyeliğini savunmak için yapılacak herhangi bir argüman, tartışılmaz bir meşruiyet bulamaz.

Anahtar kelimeler: Fransa ve Komorlar ilişkisi, Mayotte Adası ile ilgili ihtilaf, Birleşmiş Milletlerin kararları, Mayotte Adası'nın statüsü

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III-Abbreviations

AFD:	French Development Agency
AEFE:	Agency for French Education Abroad
CLAC:	Cultural Center of Animation
DOM-TOM:	Oversea Territory
RGPH:	General Population and Housing Census
CENI:	National and Independent Electoral Commission
UNDP:	United Nation Development Program
MENRAC:	Ministry of National Education, Reseach, Art and Cultur
OIF:	International Organization of Francophone
UNICEF:	United Nations Children’s Fund
FAO	Food and Agriculture Organization
UN:	United Nations
AU:	African Union
COI:	Indian Ocean Commission
FAZSOI:	Force of South Indian Ocean Zone
IMF:	International Monetary Fond
ADB:	African Development Bank
SNPSF:	National Society of Poste and Telecommunication
AIMPSI:	International Airport Moronic Prince Said Ibrahim
COM-AIR:	National Aerieenne Company
MA-MWE:	National Company of Water and Electricity
ONICOR:	National Office for the Importation and Marketion of Rice
CSCHR:	Society of Hydrocarburey of Comoros

OCOVA:	Comorian Organization of Vanilla
BCC:	Central Bank of Comoros
BIC:	Bank of Industry and Trade
OIF:	International organization of Francophone
COMESA:	Common Market of Eastern and Southern Africa
BIRD:	International Bank for Reconstruction and Development
AFDB:	African Development Bank
IDB:	Islamic Development Bank
IMO:	International Maritime Organization
IOC:	International Olympic Committee
UNEP:	United Nations Environment Program
RFIC:	Islamic Federal Republic of Comoros
ODA:	Office, Development and Assistance
FSPASACA:	Support to Airport Security on the African Continent
ETI:	International Technical Expert
IOM:	International Organization for Migration
W.H.O	World Health Organization
UNFPA:	United Nations Population Fund

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CONCLUSION

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CHAPTER 1: INTRODUCTION

Any decolonization is certainly a test for both the colonizer and the colonized. Most often, it is under the pressure of struggles that the European nations have granted at least formal sovereignty to their former colonies. But they have sometimes maintained their domination over territories with small sizes and populations. For example, there are many colonies in the Indian Ocean. The Union Jack floats on the Chagos Archipelago (including Diego Garcia Atoll) integrated into the British Indian Ocean Territory. France is present at Reunion (D.O.M.), the French Southern and Antarctic Territories (T.O.M.), in the territorial community of Mayotte, on the Tromelin Reef and the Scattered Islands of the Mozambique Channel: Glorious, Juan de Nova.

However, located in the Mozambique Channel, the Union of Comoros is composed of four islands (Anjouan, Moheli, Mayotte and Grande Comoros), with a total area of 2172km². Comoros is a coastal country located in the Indian Ocean between the island of Madagascar at the entrance of the Mozambique Channel. This position offers a great advantage to the greatest maritime vessels in controlling the passage of maritime traffic in the Indian Ocean; hence the interest of France to rally to the Comoros Islands since the colonial period. ¹It is an option that the French theorists of the decolonization of Arthur Girault to Albert Sarraut, while passing by Jules Harmand had envisaged only in a very distant time, and even uncertain. Yet everything gives colonization an educational purpose. Thus, Girault writes about the concept of autonomy: "Just as the goal of education is to make men capable of behaving themselves and destined to emerge from the paternal power of their majority. So also the goal of colonization is to form societies able to govern themselves and to form independent states once mature". It may be repeated from the mother country what has sometimes been said of the Roman tutor: she must work to render herself useless. Its objective is to prepare the inevitable emancipation, so that the separation takes place without jerkiness and bitterness.

Sarraut is more explicit about this educational goal of colonization: Education should strengthen the links between the colony and the metropolis. He writes:

¹ <http://www.Informationsgénéral sur l' ArchipedesComores.com.gov/htm>

"The colonies are not only markets they are living entities, human creations, united countries of the French State which we are going, through scientific, moral and political progress, promote access to higher destinies, like the other parts of the national territory. "

Thus, in the French theory of colonization, colonization is conceived as a means of educating the natives, but independence is not very much appreciated. Yet in the period we have chosen, the term native, as defined by Girault, is repeated; and it is particularly applied to the Comoros, which in 1946 obtained administrative autonomy, then internal autonomy in 1961, and finally the enlargement of internal autonomy. Each time, the colonial authority promises independence after a process of elite training. Faced with this constant, the goal of French colonization in the Comoros is totally different from what was mentioned by Sarraut.

However, France has a bad relationship with the Union of Comoros, A relationship full of ambiguities and divergences especially for the stability of the Comoros and in terms of maritime security between the Comorian island of Anjouan and the Comorian island of Mayotte. The least that can be said is that relations between Paris and Moroni are often difficult. The strategic interest of France in Mayotte has poisoned relations between the two countries for more than three decades. The Franco-Comorian dispute over Mayotte has something to do with the complexity of Franco-Comorian relations. France is regularly indexed for its actions in the Comoros through the coups that are perpetrated by French mercenaries and its intentions in the Comorian island of Mayotte. More than ten coups or attempted coups have been perpetrated in Comoros, and more than six are sponsored by French mercenaries. And those coups or attempted coups are the origin of the political destabilization experienced by the Comoros. Efforts are being made, on both sides, to consolidate the relations between the two countries and consolidate them further, taking into account the points of history, culture and civilization between the two countries. Thus France has established relations of friendship and co-operation with the Union of Comoros, to which it provides important assistance in the technical, cultural, economic and financial fields.

However, the Comoros archipelago became a full member of the organization of the African Union on July 18, 1975, as a state composed of four islands (Anjouan, Mohéli, Mayotte and greater Comoros). That same year it became a member of the United Nations on 12 November 1975. Since 1975, Comoros has benefited greatly from the support of these international institutions. Since that time, the archipelago of the Comoros has embarked on a legal battle to claim sovereignty over the Comorian island of Mayotte in international forums

where Comoros is a member. To this end, the United Nations strongly condemns the illegal occupation of the Comorian island of Mayotte by France. More than 20 resolutions of this institution of international law condemn and prohibit any presence of France in this island. The organization of the African Union also condemns the illegal occupation of this island by France. Several resolutions are also adopted for this purpose by the African Union. Thus, the organization of African Unity established the "Committee of 7" in 1977.² This committee acts as an intermediary between the Comoros and the African group in order to search for an amicable settlement solution in the question of Mayotte, opposing the Comoros and France.³

Despite the resolutions that strongly condemn the presence of France in the Comorian island of Mayotte, respectively the organization of nations and the African Union, despite the efforts of the Comorian government to find a way to resolve this territorial conflict amicably with France, the French government continues to despise these resolutions and ignores the legality of international law. France by these actions continues to expand these actions and occupies the island of Mayotte by force. The international authorities who support the Comorian thesis affirm each year that, in accordance with the agreements signed on June 15, 1973 between the Governments of Paris and Moroni and concerning the accession of the Comoros to independence, the results of the consultation of 22 December 1974 should have been "considered on a global basis and not island by island". They criticize France for having maintained its presence in Mayotte following this vote of self - determination by undermining the territorial integrity of a colonial country whose populations have opted globally for independence. As a result, United Nations and the AU (African Union) have decided since 1975 to integrate Mayotte into a Comorian federal state.⁴

However, in this dispute, we can blame France for having forgotten that decolonization is not only a matter of pure domestic law. Since the establishment of the United Nations, the issue has been progressively regulated by international custom. Nguyen Quoc Dinh observes that the colonial Power is not divested of its competence to conduct the emancipation operation itself. But it is no longer entirely free and must exercise its powers in accordance with the rules of international law. In the case of Mayotte, the French conception

² The Ad Committee of Seven of the African Union is an organ established by the African Union in 1977 at the request of the Comorian authorities to deal with the case concerning the dispute between France and the Comoros on the island of Mayotte.

³ <http://www.malango-actualité.fr/imprimé-article.php>.

⁴ université de Clermont 1,1980 Cf.tixier cch-e/ une décolonisation inachevée : l'affaire des Comores ; thèse de doctorat

of the right of secession ignores the principle of inviolability of the frontiers inherited from colonization and the right of peoples to self-determination.

However, the announcement of the problem in this subject comes from the fact that France is the colonizing country of the Union of Comoros. In 1945, Comorian politicians appeared at this moment where the colonizer claims to want the colonized to learn how to manage their affairs in order to be able to rule their country after independence. The French colonial theory changes its face under the influence of the Universalist ideas of the United Nations organization: colonization must allow the development of elites capable of taking over the destinies of their country. Relations between France and the Comoros are far from being considered fruitful as France continues to flout and violate the territorial integrity of the Comoros Union since the accession to independence of the Comoros in 1975. France, on 13 June 1973, in an agreement signed between the latter and the Union of the Comoros, provides the accession of the Comoros to independence in cooperation and friendship between the two countries. In the self-determination referendum of the Comoros, on 22 December 1984, a clear majority of the Comorians voted in favor of Comoros independence. In the referendum made for this purpose, the yes won at 94 % / % for the wish of the independent. On July 6, 1975, the President of the Government Council of the Comoros, Mr. Ahmed Abdallah Abderemane, unilaterally proclaimed the independence of the Comoros archipelago, within the limits of its natural borders inherited by the colonization namely Mayotte, Mohéli, Anjouan and Great Comoros.

By a law of July 1975, in flagrant violation of its own commitments under the June 1973 agreements, France undertook to proclaim the results of the self-determination referendum on global basis but not island by island, ratified the independence of the Comoros for three islands (Anjouan, Moheli and Grande Comore) with the exception of Mayotte that France has since this date occupied militarily, and proclaims it French.

France nevertheless takes note on 9 July 1975 of the independence of Anjouan, Grande Comore and Mohéli while reserving the case of Mayotte: "The Government, taking into account the unequivocal will of the populations of these islands to gain independence, takes note of it and expresses its willingness to enter into talks with the new Comorian authorities on transfers of responsibility. With regard to the island of Mayotte, whose representatives in the Chamber of Deputies of the Comoros have shown their desire to follow the procedure established by the Parliament, the Government will take into account the will thus manifested

"(Le Monde, 10 July 1975, 2). Published following the Council of Ministers, this announcement constitutes the express recognition by France of the new Comorian State and its territorial base provisionally determined by three islands pending the decision of the Mahorais. Thus, the divergence and the dispute between France and the Comoros on the island of Mayotte began. A climate of divergence and tension between Paris and Moroni begins to perpetrate because Moroni claims in all forms the membership of Mayotte in the archipelago, so much so that France occupies this island illegally.

What is the fate of Franco-Comorian relations to the question of the Comorian island of Mayotte? What are the real motivations of France for contempt of international law and customary law inherited by the decolonization of the people to arrange themselves? What is the future for an island of 374 square kilometers, located 10,000 kilometers from Paris, populated by 50,000 inhabitants? Comorian become again against historical evidence? To become a Western country through the grace of departmentalization? Or more simply be Mahorais? What is the position of the parties to the conflict, it means the position of the Comorian government and the French government and the population of Mayotte in these disputes between France and the Comoros? What about the position of the UN and the AU in this problem?

The objective of this study is to present the origin of the Franco-Comorian dispute over Mayotte in order to find out why France is illegally occupying the Comorian island of Mayotte. It is also to suggest some ways that can help us to resolve the Franco-Comorian dispute over the island of Mayotte.

But before going further in the criticism, it is necessary to show the genesis of the Franco-Comorian difference over Mayotte. Suggested in 1972, promised in 1973, the decolonization of the Comoros is implemented the following year with the law of 23 November 1974 which provides in its first article: "The people of the Comoros will be consulted on the question of whether they wish to choose independence or remain within the French Republic ". More specifically, we will discuss in a general way the Comoros socio-culturally, economically and geographically before making a critical analysis of the Franco-Comorian conflict on the issue of the Comorian island of Mayotte. And in the end, give some advantages on the relations between France and the Union of Comoros.

This study is important for several reasons either future or current. First, this study provides an understanding of the Comoros archipelago Political overviews. Secondly, this

study is important because it highlights shows the French government continues to despise these resolutions and ignores the legality of international law and ignores the principle of inviolability of the frontiers inherited from colonization and the right of peoples to self-determination. Thirdly, the lack of resources of the Comorian studies and the political issues at the Istanbul Commerce University Library makes this final thesis a significant, because it will provide further academic work for the next generation of the students at the respective institute, in fact it provides vital guard-lines of the students to proceed their own research toward political issues relates the Union of Comoros.

However, the theory of this thesis will be based on the idea of realism, as the realism is an approach to study and practice the international politics and emphasizes more the role of the nation-state and makes a broad assumption that all the nation states are motivated by national interests. The national interests are more generic and easily define. All the nation states preserve to their political power and their territorial integrity. Power is an absolute meaning sine it can be defined the terms of military, Economic, political, diplomatic and as well cultural resources. It will also be based on the principle of the declaration of the United Nations system that "all states are equal in law and in duty" and no state is superior to another and cannot exert any influence to other independent states.

Methodology

This research will mainly use qualitative research methodology. For the reasons that, according to Leedy&Ormrod (2005), qualitative research methodology involves three types that are suitable to this thesis and is conducted only one category of that resource, which is secondary data resources and the primary data resource will not be accepted. But essentially, this research will be deeply relying on the secondary data research that will be collected from the Journals, Books, Magazines, and also Articles. E-resources and the linking websites on this topic of "stringent relationship between France and Comoros on the Mayotte issues" and the other written materials in the field of social studies, political studies, and historical data. The literature review will be wise people's sayings, interview, previous Authors of Social Science and Politics of a failed state.

Literature review

The following part of this chapter looks into relevant literature review that collected from articles, books, magazines, journal that are in line with this topic area and also is being looked into whether the "relationship between France and Comoros on the Mayotte issues" and examines the main characteristics of this relation. It makes an analytical evaluation of relevant literature that will be used in this research area. Several Authors in political Science, Economics, history and Social Anthropologists have proposed explanations on the illegal occupation of a territory of a country Concept, but as many Authors have argued about the problem between France and Comoros on Mayotte issue. Example including , Djaffar Mmadi (2009), Jean Fasquel (1991), Yves Salesse (1995); Soeuf Mohamed el-Amine (2011); Ahmed Wadaane Mohamed (1992).

The large body of scholars writings on theme are not agree on the way that France government used to achieve their purpose on the issue of the Comorian island of Mayotte. Jean fasquel puts forward the idea according to which the French government did not hold to these words for the referendum of self-determination carried out in the Comoros in 1974 for this purpose. (Mayotte: les Comores et la France- 1991). As for Soeuf Mohamed El-Amone, he puts forward the thesis that it will not have stability and development in Comoros without the return of Mayotte in the Comorian union. (Les grands défis de la politiques étrangere Comorienne- 2011). It is more significant to underline how the France government put in plain words particularly the criteria that other authors normally find most influential. Valery Giscard d'Estaing, former president of the French Republic, was questioned about the results of the 1974 referendum in the Comoros and he said: "In the case of the island of Mayotte, it is about archipelago of Comoros (...). It is a homogenous population in which there is virtually no French-origin or very limited population. Is it reasonable to imagine that part of the archipelago remains independent and that an island, whatever the sympathy that may feel for its inhabitants, retains a different status? (...) I think it is necessary to accept contemporary realities. The Comoros are a unit; it is natural that their fate is a common fate even if, indeed, some of them could wish another solution. We do not have, on the occasion of the independence of a territory, to propose to break the unity of what has always been the only archipelago of the Comoros ". This is what the former President of the French Republic said about the 1974 referendum.

This thesis is divided into four chapters. The first chapter highlights briefly an introduction of the study in line with the research question, objective of the study, problem statement, and scope of the study, significant. Chapter two shows general information about

Comoros, and the Chapter three discusses and analyzes the body of the Franco-Comorian dispute over the Comorian island of Mayotte. It also gives the positions of each one on the conflicts and traces some ways to follow in order to reach a reasonable solution for the conflict, and the chapter four discusses briefly some outcome of the franco-comorian relationship.



CHAPTER 2: GENERAL INFORMATION ON COMOROS

2.2 The strategic location of Comoros (geographically)



Source: www.graphicmaps.com

The Comoros is composed of four islands; Grand Comores, Anjouan, Mayotte, and Moheli with a total area of 2172 Km². The Comoros are in an arc of a circle at the northern mouth of the Mozambique Canal with the same types of luxuriant vegetation and perfumes you can find in the region, hence the appellation of the islands with perfumes. Unfortunately, the islands suffer from a lack of hydrographic network. The waters of the sky are the only ones that many islanders depend on, and many use the natural source of water collection to fill the vast cement cubes that serve as water cisterns within their communities.

The Union of Comoros is located at the northern end of the Mozambique Channel between Mozambique and the island of Madagascar. This state is part of the archipelago of Comoros. Moroni, which is the capital, is 297 km east of the coast of the province of Cabot Delgado of

Mozambique, while 400 km separates the latter to the shores of the island of Anjouan. The archipelago is subject to tropical climate with two seasons (dry season from June to October and wet season from November to May) divided according to the altitude and rainfall.

Grande Comore, where the capital Moroni is located, is home to an active volcano area called Mount Karthala Volcano, whose crater still is the largest in the world with an area of 2631 meters in diameter.⁵ The territory of the Comoros whose seabed still contains unsuspected wealth is also home to a very old and rare fish called the coelacanth, which according to researchers, has not undergone any evolutionary changes for more than 300 million years. The middle of the Comoros islands is a shipping route used by about two-thirds of the oil exports from the Middle East, and is estimated that close to one million tonnes of fuel is transported by about ten supertankers every day on average en route to the western world⁶. The geographical position of the Comoros Islands in the Indian Ocean as one of the main routes for maritime traffic is a major asset for the country's affirmation in the socio-economic plan, especially with the Comoros developing country policy initiated by the current president, Azali Assoumani. Through international organizations and the economic partners who support the mission, this policy challenges the Comoros a developing country and has become popular among the people.

France's interest in the country has lingered since the occupation of Mayotte after the proclamation of independence of the four islands of the Comoros in 1975 by the president, Ahmed Abdallah Abderemane. The French were interested due to the fact that Comorian islands of Mayotte offered the biggest ships in all seasons, excellent anchorages and constituted a strategic position. They therefore wanted to bind to the three other so-called independent islands by different economic agreements, defense and bilateral cultural and sanitary co-operation signed in November 1978. Another argument for France's interest in the Comoros Islands is that the location of the Union of Comoros in this area attracted many of the world's powers. An example of this is China, which is an ally of the Comoros as it relentlessly supports the Comoros in its socio-economic development. Saudi Arabia, Iran and the United States of America are also powers whose relationship with the Comoros ought to be mentioned.⁷

⁵ Jean Martin(1983) Comores : quatre iles entre pirates et planteurs (tome 2), histoire général des Comores

⁶ Henri Bouvet(2001) ;Etudes Océan indien – les problèmes de formations aux Comores

⁷ Ahmed Wadaane Mohamed (; 1992). Le Harmattan ; Mayotte : le contentieux entre la France et les Comores

In recent years the United States of America under the presidency of Barak Obama has become interested in the Comoros especially after the discovery of oil in the waters of the Comoros Islands in 2009.

The geographical position of the Comoros Islands to the other islands of the region gives it a considerable advantage in terms of trade to other islands but also to the mainland. In comparison to Madagascar, Seychelles, Mauritius, Reunion and the mainland, the Comoros has a considerable advantage in trade.



Şekil 1The Four Islands of Comoros

2. Socio economic aspects

2.1- Population

The origin of the population of the Comoros is the result of successive migratory waves of groups of different origins that would melt over time to form this original Swahili civilization of the Western Indian Ocean. In the Comoros, these migrations have given rise today to a homogeneous population characterized by the same customs, the same language, (*Shikomori*), and the same religion, Sunni Islam. The first traces of this population dates back to the 9th century during the period of Arab conquests in the Indian Ocean and their commercial activities. They were followed by South-Arab migrants Protestant Malayo-Polynesians of matrilineal origin and Arab-Persian-Bantu populations from the North-East Coast of Africa.

In the twelfth century during the Shiraz period, peoples of this region were inclined to Sunni Islam Shafaite teachings imposed patriolinerity. Around 1600, an African population arrived

via Madagascar with its matrilinearity. Each cultural group was maintained in its traditional environment by influencing each other reciprocally. The archipelago of the Comoros is organized in sultanates.⁸

Nevertheless the number of inhabitants residing in the last census in 2016 is 822,710, 52% of whom live in Grande Comore (Ngazidja), 42% in Anjouan (Ndzouani) and 6% in Moheli (Mwali). According to the latest General Population and Housing Census, the population growth rate was 5,386 people in 2016. At this rate, the Comorian population is expected to reach 100,500 in 2030 and to double in the following 33 years. The distribution of the Comorian population is distributed as follows:

- 414,381 current male populations; (50.40%)
- 408,381 current female populations; (50.38%).

In the Comoros urban growth is mainly due to the rural exodus following the decline in agricultural production and the concentration of public investment and economic activity in urban areas, especially in the capitals of the islands. The Comorian population is still predominantly rural (72% compared to 28% in urban areas). (General Population and Housing Census 2016)

However, despite the many problems encountered due to several factors, the Comorian population is changing. These problems are related to chronic famine, epidemics, malnutrition but also to a non-peaceful environment enabling the population to increase under favorable conditions. These problems are also accentuated by the fact that a good part of the Comorian population is around the four corners of the planet. According to a study carried out by the CENI (National and Independent Electoral Commission), the Comorian diaspora is estimated to be about 350,000 people in the world; this being supported by UNDP (United Nations Development Programme) in the electoral elections in the Comoros in 2016. The same is supported by several international organizations including the World Bank, which estimates that this massive distribution contributes significantly to the socio-economic development of the Union of Comoros both through its direct remittances to the country and through its multiple contributions in the form of projects co-development, knowledge and expertise. This same survey proves that most of the Comorian diaspora is in France.

⁸ Jean Martin,(1983), Comores : quatre îles entre pirates et planteurs (tome 2) histoire général des Comores

Contrary to the many problems mentioned, the Comorian population does not allow itself to be increased according to the rhythm and the indications of the new policy initiated by the Comorian government in the matter of health. This policy supported by the non-governmental and international institutions for development and health in the Comoros particularly UNICEF and UNIFPA has reduced the infant mortality rate and increased the birth rate. The latter has grown considerably in the last 10 years thanks to the combined efforts of the Comorian government and these socio-economic partners. According to the same report, the birth rate in the Comoros is estimated to be at 7,907 since 2016. The population is increasingly concentrated around an urban pole (Mamoudzou, Moroni Mutsamudu, and Fomboni) respectively head of each island or known as high concentration. This is due to the fact that all commercial and administrative activities are concentrated in the capital.

The Comorian population is young, where 56% of the total population is under 20 years of age. Despite the dynamism and potential of the Comorian population, this young Indian Ocean state does not make any effort to motivate and activate the youth who are the lever of development. Many of these youths are unemployed and untrained. This comes from the fact that the private sector in the Comoros is not yet developed. It is since 2005 that foreign investors began to take interest in the Comoros islands because of the policy stability. The Comorian governments must urgently provide a solution of this problem. These young people will constitute a block against them because this phenomenon of youth unemployment, who the majority of are graduates at different faculties and higher schools. It must be remedied in order to avoid following the example of a country such as Tunisia, where unemployment was the major factor that pushed the unemployed youth to embark on street demonstrations and civil unrest to express their dissatisfaction with the status quo. A country whose half of its population is constituted by the youth must take advantage of this to revive its economy and value this capital because the youth is the backbone of development. As of now in the country, many youth can be found idle in the street, most of them engaged in delinquent and unfitting practices. Drugs, prostitution and youthful delinquency are the most remarkable consequences of unemployment here.

Nevertheless, Mayotte according to the international clock on the population now counts 252 112 inhabitants, however there inhabitants are not counted among the Comorian population. This is due to the fact that French colonial power of the Comoros Islands continues to use its influence on Mayotte Island whose Comorian authorities are fighting for

its return to the natural bosom. The population of Mayotte is not distinguished from the population of the other islands that make up the Comoros. They share the same culture, religion, the same language, same civilization, same color skin and even customs. France, through diplomatic and economic resources corrupted the population of Mayotte during the proclamation of the independence of the Comoros Islands in 1975 and this unknowing population of that time opted for the yes in a referendum carried out in 1975 for this purpose. Despite the numerous revolts and attempts made by the Comorian governments since 1975 to the present day and a good part of the elite of the Mayotte population, the islands remain under French control and continue to grow from day to day by multiple reforms initiated by the French government.

2.2-the Comorian society

In Comoros, the society is following the traditional rhythm. Grande Comoros (Ngazidja) which is the greatest island occupies the greater part of society. On Ngazidja where the tradition has been very strong since the time of the sultanates, it continues to take a real place in the Comorian society. Custom and tradition occupy a good position, dispartate the other islands of the archipelago.

Comorian traditions and customs are influenced by Arab, African and Indian influences which are visible in traditional clothing and traditional gastronomy as well as in some rituals of daily life (prayer, meals and songs). The society is matriarchal. Unlike the Anjouanese, the Grande Comorians live under a matrilineal social organization similar to those still experienced today by the numerous ethnic groups of East Africa, Tanzania, Mozambique, and even Malawi. It is not surprising that these Bantu people import their institutions and way of life in the island. The title of Mafe which was carried by the first leaders of the country confirms today the thesis of this African origin in the island.⁹

It should also be noted that society in large Comoros is organized by feudal powers. This is explained by the clan structures of which each clan held its own. The island formed a federation of sultanates under the authority of high chief chosen among the sultans. In Grande

⁹ Jean Martin, (1983) Comores : quatre iles entre pirates et planteurs (tome2), histoire général des Comores

Comoros, a grand marriage is an inescapable tradition. It represents the life-long economies and gives you the possibility to become a great notable (famous). This event which sustains a generalized corruption is probably at the origin of the great social precocity of the island. Even with all this, the great marriage continues to influence the society of Grande Comoros (Ngazidja). It should also be noted that despite the social insecurity, grand marriage contributes in an incontestable way to the socio-economic development of the Comoros. This is due to the fact that the Comorian state has totally resigned in many social fields, notably the construction of schools and hospitals, the construction of roads and public buildings which can help local populations. Because the society wants to win and take a position of leadership in the local area and business, they are forced to pick up where the government is failed.

Unlike Ngazidja where grand marriage is considered as a mainstay, in the other islands society is virtually different. In Anjouan (Ndzouani), the population is very active and much diversified compared to the other three islands of the archipelago. This is due to the fact that Anjouan society is very mobile compared to other islands. The island of Anjouan was a classical Muslim monarchy with a king who took the title of sultan and probably sometimes that of Emir-al-Moumenin. It had formerly known the division of its territory into several principalities whose chiefs had bears the title of Beja as at Grande Comoros then that of Fani. According to Martineau this last name could indicate a Sinhala influence.

In Anjouan as in other neighboring islands, the Arab institution of the sultanate had been set up in the early 16th century by immigrants from the African coast but who came from the Arabian Peninsula and the from the Middle East. Mutsamudu, the capital of the island of Anjouan was a commercial city. At that time, merchants coming from foreign countries mainly Arab countries settled massively in Mutsamudu before discovering the other islands. Many of them came to Comoros for trade. In addition the Anjouanese society is hard working. The family is characterized as being the most important element of life and anyone outside the family does not carry any importance in comparison with the members of the family.

Moheli, which is the smallest of the four islands, population lives in the rural area. At that time the island of Moheli was less visited and was rather unknown to sailors. It had however constituted a fairly frequent commercial warehouse mainly by the Portuguese and several islanders who had knowledge of the Lusitanian language. This title of chief or sultan clearly indicates that they were regarded only as notables invested with administrative functions.

These chiefs resided in Fomboni capital of the island on the north coast where it was easy to win Anjouan.¹⁰

On the other hand, agriculture and poultry are the most dominant activities of the island. The Mohelian society is homogeneous. Juvenile delinquency and illiteracy affect the Mohelian population in large quantities. The infant mortality rate weakens this small society of around 53 878 inhabitants. The Mohelians do not practice the great marriage in the same way as in Grande Comoros or Anjouan. In Moheli, the activities of the great marriage are summarized only in three days, in contrast to Ngazidja where there is a week of activities and a lot of money spent. This is due to the poverty and lack of social dynamism in the island of Moheli.

Most of the European captains had refused to approach the island of Mayotte because it is too volcanic and with a very close shoreline. It is also surrounded by rocks and surrounded by a reef whose passes were then not entirely known. It is confused with Anjouan because of an islet located in the north-west whose shape recalls some of the island of the Selle. According to archaeologists and historians, the island of Mayotte is the oldest island in the Comoros Islands. Since the French and English had chosen the port of Anjouan and the Portuguese had a particular interest in Moheli, Mayotte was favored by the Dutch ships. In 1719, the traveler J. de Coninck visited the island aboard the Barneveld. He gives a brief description of the island and describes the archipelago as a whole under the vocabulary of "Mayotte Island". As in the other neighboring islands in Mayotte the public power belonged to an Arabian aristocracy which however seems to have settled later and certainly from Anjouan. The chief as elsewhere took the title of (Faoume) or Sultan. The local dynasty was founded in the middle of the 16th century by Mohamed ben Hassan, the second sultan of Anjouan who seems to have reigned over the two islands. Mamoudzou is the capital of the island.

3- Economic dependence

3.1-The historical context

¹⁰ Ainoudine Sidi, (2012) Etudes sur l'archipel des Comores

The economy of the islands of the Comoros archipelago was prospering before colonization, it was a rural economy and transport or slavery was widely used. The islands had very few people. The economic and social situation would deteriorate following the Malagasy razzias and then colonization. A colonial society Comores Bambao dominated the economy and local politics throughout its existence. It was one of the factors that pushed the inhabitants of the islands towards independence. Before Comoros became independent, the economic sector remained for the benefit of the colonizer. It controlled almost all the land that could be used for agriculture.

However, the exploitation of goods and people contributed more to the Comoros' accession to independence because unions and protest movements were born to protest the manner in which France treated the Comoros. The colonial heritage, the chronic instability of the institutions, a certain negligence of the local authorities and the aid of the former colonial power, France did not allow the independent country to create the conditions for an economic take-off. The Comoros is experiencing a strong growth rate, 6% on average for 10 years supported by a bold program of investments in basic infrastructures. The economic situation of Comoros deteriorated after 1 January 1994 when the Comorian franc endured a devaluation of 33% (1 FF = 75 FC). After the mid 1980's, the union sank into a serious crisis both economically and politically. The decline in the price of raw materials aggravated the situation leaving the country heavily indebted. Real GDP grew only 1.2 per cent per year from 1986 to 1992. The real per capita income fell to about US \$ 520 in 1994 which corresponded to a decrease of about 2% per year. Moreover, the population grew strongly. The next period is marked by the blockade and stopping of international aid and the independence crisis. However, since the creation of the Union the situation has improved.

The Human Development Index places the Union of the Comoros at 132nd out of 177 countries in 2006. Per capita income is estimated at 465 dollars in 2005 which is slightly below the average for sub-Saharan Africa (510 dollars). In 2005, 60% of the population lived¹¹ in poverty. Most of the population lives in rural areas and depends on food crops or fisheries. Agriculture and fishing are the two ways in which the average Comorian manages to feed their families. These sectors are little exploited and remain negligible to the Comorian authorities although rich. Island fishing and agriculture that the country offers can help the economy develop. There are no other promising sectors in Comoros, as fisheries and

¹¹Ministère de finance, du budget et de l'économie chargé des investissements et de la privatisation ; direction générale au plan ; rapport sur l'évolution budgétaire des Comores (2015)

agriculture remaining subsistence activities whereas the tourism sector is still in its embryonic stage. Fishing is artisanal and coastal. Coastal funds are fragile and overexploited. Fishing techniques remain primitive and not very diversified; the most practical techniques are hand-line fishing. Fishing on the trail was introduced with motorization and foot lockers. It is starting from the 1980s that the Comoros opened its first school of fishing in Anjouan and existing regimes is constantly making efforts in this area. In 2011 the Comoros under the presidency of Ahmed Abdallah Sambi inaugurated the first major fishing center.

The tourism sector remains an important factor for the economy of Comoros. The Comorian natural environment is very attractive and very favorable for this sector. Although there are several hotels, tourism remains very underdeveloped. The main cause that prevents development is lack of investment for the development of the necessary infrastructure.

The geographical isolation of Comoros makes it a relatively expensive destination. The islands nevertheless export vanilla ylang-ylang and clove. The country is not self-sufficient for its diet. The number of imports is lower than exports and the country is dependent for food and economic dependence. The cultivation of tropical spices (in descending order of importance vanilla ylang ylang clove) is the Union's main export resources. These three products provide 80% of foreign currency inflows. Cash crop prices are highly subject to climatic and financial fluctuations (the low level of farmers' own funds may lead to a fall in production if prices fall) and the potential for a very limited increase in production.

The economic situation makes daily life difficult for the inhabitants. The Comorian diaspora is an important means of the survival for the population, they contribute by sending money to the country. The Comorian diaspora has become an essential element for the economic social development of the country. It supports the Comorian authorities in the economic sector by sending money or by the creation of small and medium sized enterprises in the country. This makes the Islands benefit a great deal through financial autonomy and economic freedom within the Union.

Furthermore, the country's economy relies heavily on donations and aid from friendly countries and donors. The difficulty of collecting public revenues and the lack of control over public spending are chronic. France is the foremost financial ally, the main supplier and main lender of the Comoros. The budgetary equilibrium can only be attained by donors and also especially by the diaspora abroad. The republic of China and the kingdom of Saudi Arabia are also two friendly countries of the Comoros, being that since its accession to

independence they have provided tremendous support to the Comoros, especially on the socio-economic sector. It should be noted however that there are other friendly countries to Comoros but the three are best examples in this area. The international financial institutions, in particular the IMF, the World Bank and the African Development Bank are also financial partners of the Comoros Union. These institutions have been very supportive to the Comoros in the development of the economy. The lack of natural resources but also the poor management of public revenue means that the economy remains in the dependencies. This policy of dependence not only places the country in the zone of the most indebted countries of the world but also in the line of the poorest and least developed countries of Africa. However it remains to be known what the outcome of the new policy initiated by the government in place, led by Azali Assoumani, will bring forth.

This policy of emergency of Comoros on the horizon by 2030 is a policy welcomed by almost all on the Comorian political scene and civil society. Much effort is needed to support the Comoros emergency policy. It should also be noted that the likely appearance of petroleum in Comorian waters is a hope for Comoros to alleviate themselves from economic problems and to take out the challenges of the millennium.

At the level of external debts, the union is heavily indebted to the donors. The Union signed an agreement with the IMF in February 2005 to set up a technical assistance program for management and to benefit from a reduction in external debt in the context of an "initiative for highly indebted poor countries". From 2005, the political stability started to prevail in Comoros union because of which foreign aid has resumed between the Comoros and these donors.

3.2-the private sector

It is also worth noting that the union of Comoros through the deputies voted a law n° 07-0010 assembly of the union of Comoros Investment Code which deals with investment by giving access to foreign investors and also emphasizing improvements in the conditions to invest in Comoros. This law has given freedom to investors by removing tax barriers and securing the rights and privileges of investors. Article 05 of this investment code provides as follows:

“Subject to compliance by the undertaking with its obligations under Article 12, the acquired rights of every kind shall be guaranteed and the enterprise shall enjoy full and complete economic and competitive freedom:”

- to acquire property rights and concessions of any kind necessary for its business such as land, movable, immovable commercial industrial or forestry;*
- to dispose of these acquired rights and assets;*
- be part of any organization; professional of his choice*
- to choose its methods of technical industrial commercial and legal management, social and financial support, foresters;*
- to choose its suppliers, service providers and its partners;*
- to participate in offers for public contracts throughout the country;*
- To choose its human resources management policy and to freely carry out the recruitment of his resources.*

Therefore, the investment code alleges and treats foreign companies and nationals equally because it is one of the means among the strategies to attract the donors to invest in the Comoros.

The private sector remains a very deplorable sector in Comoros. Despite the very favorable and very attractive climate and the political stability found in Comoros, the private sector remains less developed. The Comorian authorities must find ways and means to attract foreign investors notably by strengthening institutions and fair and peaceful justice. The tertiary sector must be supported by foreign investors to allow a rebound in the country's economy.

3.3- Public sectors

As for the public sector, the country records some public institutions and enterprises. This sector is facing problems which are driving the country into a dependency policy. This is because many of them under the orders of the head of state, and although they are of a **public sector** political character, they do not have the full right to exercise their power and competence. The institutional leaders always depend on the state authority. According to

audit reports most of these institutions fall into bankruptcy and cannot manage their own expenses. This is because corruption and pilfering are habitual practices for these institutions. Some of them are among the most influential institutions:

- ✓ SNPSF: National Societe des Postes et telecommunications
- ✓ AIMPSI: Aeroport International Moroni Prince Said Ibrahim
- ✓ Bank of Development
- ✓ Com-air: Compagnie Aérienne Nationale
- ✓ Ma-Mwe: National company of water and electricity
- ✓ ONICOR: National Office for the Importation and Marketing of Rice
- ✓ Comoros Hydrocarbure: Societe Comorienne des Hydrocarbures
- ✓ OCOVA : Comorian organization of vanilla
- ✓ BCC: Central Bank of the Comoros
- ✓ BIC: Bank for Industry and Trade

4-political aspects in Comoros

4.1- Comoros during pre-independence

4.1.1-political power in the pre-colonial period

Many historians who have often used oral traditions believe that the islands that make up the Comoros archipelago today lived well before the arrival of the Arabs in the 5th

century. This is what made it possible to demonstrate the excavations of numerous archaeologists since the end of the Second World War, among them being Kirkman Chittick Verin Horton Allibert Chanudet and Wright. Recently, the archaeologist Ali Mohamed GOU showed that in these islands settled Bantu sailors coming from East Africa in the 4th century. He also noted that if these Africans were in contact with Arabs then they had no properly Muslim heritage. This pre-Islamic period is very little considered by local scholars perhaps because people some of the people seek at all costs to minimize their African origins and to accentuate their Arab heritage. But it is probably necessary to consider the finding of the archaeologists that when the Arabs arrived they found an African political and social organization in Comoros. According to these historians in Grande Comore, it first had a system governed by (MAFE) ancestors or deans who would be heads of family clans or villagers. The reign of the (MAFE) was, according to the oral tradition, of short duration. They were replaced by the MABEDJA which form a chiefdom running each village. The (MABEDJA) were by succeeded by the sultans with the mass arrival of Arab-Shiraziens in the 4th century. On the other three islands it seems that we find almost the same African organization. In Anjouan the island is divided into several principalities, at the head of each are (MAFANI) a term which according to ALLIBERT covers the same reality as that of (MAFE). Mayotte like Moheli was under the rule of the chiefs of Anjouan. Besides, in Moheli there were only peasants working on land for Anjouan landlords. In Anjouan the one who brought unification to the island is a Shiraz prince (Hassan or Hussein). Anjouan was a classic Muslim monarchy from the 6th century whose powers remained divided between three royal lineages implanted in the three main cities: Mutsamudu, Ouani, and Domoni. The true unification of the authority was realized in the 8th century. However, the Sultan did not have all the powers, as it was limited by a great council bringing together the principal notables recruited in the great families. This great council intervened in all important political matters such as the choice of a sultan when there is a vacancy of power or the decision to wage war. This is perhaps why we find that in the modern times, also in the Comoros, the usurpers ratify their acts by the agreement of the notables.

On the other hand, the Sultan was second to several viziers who far from being ministers were relays of the central power in certain regions. He was first a warlord who had the armed forces for him to subdue the (WAMATSAHA) and the slaves or to carry out expeditions to the other islands of the archipelago. The local administration was in the hands of governors called to Anjouan naib who are the representatives of the sultan in the cantons.

There were also other local government agents: Qadis, police, chief's tax collectors, village chiefs and religious leaders. The origin of the great Comoros is in the fact that it forms a federation of sultanates placed under the authority of a supreme chief chosen among the sultans. This office of sultan of the sultans being not hereditary it is acquired by war or by offerings to the nobles. We return to this idea of the search for the agreement of the notables.¹² The Sultan Tibe like other Sultans but of a higher rank was at first a warlord and his function gradually evolves into politics. As CHOUZOUR points out he reigns over territory and theoretically over other Sultanates. He then places among those who come from royal lineages men who are devoted to him in certain sultanates and intervenes in internal affairs.

As in Anjouan the sultans were assisted by viziers ministers recruited from the great families for their political influence on a region. But it was only an honorary title because of their great number. These viziers therefore, had no real powers in the affairs of the island. With regards to the judicial system, previously justice was handed down by religious leaders according to qur'anic law or by traditional leaders according to local custom. The two jurisdictions today in the hands of the Qadis are in contradiction in certain areas.

4.2-the protectorate system

For the Comoros Islands, the most striking fact was their entry into French influence in the 19th century. Mayotte was bought in 1841 from a Malagasy usurper (ANDRIANTSOLY) and became a French colony in 1843. Its destiny was then linked to that of the metropolis and already to the planters who, despite the abolition of slavery shortly afterwards used the commitment to be able to resort to a servile labor force. Theoretically,

¹² ; Jean Martin (1983) Harmattan; Comores : quatre îles entre pirates et planteurs (tome2) histoires générale des Comores

power in Mayotte was in the hands of the King of France especially since the Malagasy usurper Andranatsoli died in 1845. France then had no design for the island, except that of a military post. Moreover, the head of the colony was a soldier, a sailor who took the title of superior commander of Mayotte, who then took the ascendancy on the two islands which are close to him and even came to dominate them from the 19th century. From 1886 on, the French settled in Anjouan and Moheli and the commander of Mayotte imposed on these islands sultans devoted to the French cause. The two islands were under the protectorate of France but the indigenous administration remained in place. It was a system that was not very widely spread in the French empire. It presupposed a division of power between the sovereign and the French state. First, the sultan and his government dealt with the internal affairs under the supervision of the resident and the metropolis took charge of external affairs. But in fact the resident was all powerful. As elsewhere (Morocco Tunisia or Indochina) the French authorities claimed to their rights in the areas of justice, the police, and to such a degree that from 1897, the island of Moheli became administered by the resident.¹³

In the great Comoros it is the Sultan Said Ali who after having recovered the throne of his great father and seeing his power weakening, turned his hand to the protection of France in 1883. But it was not until 1886 that the botanist, Leon Humblo, succeeded in obtaining a protectorate contract for the great Comoros. Humblo made his residency in 1889 and from there; the Sultan Said Ali gradually lost his power and his island. In 1893, he had proposed to the French his abdication twice. At the end of the same year, he was sent to prison. In 1909 while in the French parliamentary, the Comoros attaché to Madagascar brought a letter of abdication of Sultan Said Ali to the president of the republic. Three years later due to this act of political suicide, the other three islands of the Comoros become French colonies.¹⁴ We can already see a difference between Madagascar and the Comoros. The French had to wage a war to conquer Madagascar. In Comoros, the Sultans sold the resilia even though they were most often the victims of cunning by the colonizer. This perhaps explains why the memory of a powerful state among the Malagasy gives them a more rapid national consciousness due to the fact that the sultans who sold their islands do not represent an ideal capable of welding all the Comorians.

¹³ Jean Martin (1983) Harmattan; Comores : quatre iles entre pirates et planteurs (tome2) histoires générale des Comores ;

¹⁴ <http://www.gouv.com/mayotte/background.htm>

4.3- 6 July 1975

World War 2 was a major catalyst to the decolonization struggle in Africa. The effects of the devastating war were indeed drastic and consequently influenced the pace of the decolonization process. When it ended, the oppressed colonized peoples were demanding to exercise their rights of self-determination. As Professor Rupert Emerson put it, "the colonized peoples served notice they were no long prepared to accept positions of inferiority in which the imperialists had placed them". The war affected the metropolitan countries adversely. With the exception of the Great Britain, the rest of the imperial powers, including France, Belgium, the Netherland, and Portugal, suffered considerably as a result of Nazi Germany's domination and occupation during the war years. These colonial powers were shaken by the impact of the war. For example in the case of France the devastation was overwhelming indeed. The burdens and dislocation resulting from the war were very disturbing. The psychological impact of defeat and occupation haunted France many years after the war, although she finally emerged on the side of the winning coalition in 1945. Similarly, other colonizers were facing nationalist movements bent on achieving their national independence also. The colonial subjects realized that the best time for them to achieve their national independence was the post-war period when their colonial masters were very vulnerable. It is generally believed that World War 2 marked the beginning of the end of the general idea of empire. Although weakened by the six-year war, the metropolitan powers wanted to continue the colonial enterprise. Facing a long period of economic hardship, they appreciated the commercial advantages of the colonies. They also realized the strategic value of colonial bases as well as the value of colonies as sources of military manpower.

The post war period witnessed the rise of African nationalism. Post war conditions included economic hardships such as the fall of prices of commodity, the scarcity and high prices of imported goods, low wages, and mass unemployment. The nationalists' leaders of the forties, fifties, and sixties were the products of colonial and metropolitan universities. For example, Felix Houphouet Boigny of the Ivory Coast studied medicine, in Dakar, Senegal; Leopold Sedar Senghor, the distinguished scholar, poet as well as politician and Habib Bourguiba studied in Paris. In Anglophone Africa Sylvanus Olympio (Togo), Jomo Kenyatta (Kenya) and Julius Nyerere (Tanzania) studied in Great Britain. Other distinguished Africa

nationalists who studied abroad included Kwama Nkrumah (Ghana), Hastings K. Banda (Malawi), and Nnamdi Azikiwe (Nigeria).

In case of Comoros for example, Said Mohamed Cheick, Ahmed Abdallah Abdereman, Ali Soilih, Mohamed Taki and Mouzaour Abdallah were some of the leaders who lead protest for independency from France. These men were journalists, doctors, lawyers, and intellectuals. They were charismatic and were accepted by the masses as leaders. These men were treated like national heroes and they eventually spearheaded the nationalist movements which were determined to topple the colonial administrations in the various dependencies. A major source of their influence was indeed their ability to focus and channel diverse grievances and interest in a common appeal and unifying segmented populations in pursuit of a common goal of liberating their countries from foreign rule. At the time, these leaders returned from abroad, their hopes for advancement were dashed on the rocks.

4.3.1-the independence of Comoros

July the 6th 1975 remains and will remain a memorial date in the annals and memories of all the Comorian people. This date marks the beginning of the end of the colonial system and opens a new era of Franco-Comorian relations. On 6th July 1975 the Comorians said no to the French imperialist system and said yes to the sovereignty and independence of the islands that make up the archipelago of Comoros.

On Sunday July 6th 1975 shortly after the Meridian hour of this day of rest for all the communities the President of the Council of the Government Ahmed Abdallah gave a long ceremonial dress, the scarf embroidered around his neck turban on his head between, to the Chamber of Deputies. Of the 39 members 33 were there but the Grand Comorian and the 5 Mahorais were absent, when the matter was submitted for the vote the proposal was approved unanimously of the members present. The declaration was short; “I declare the immediate and unilateral independence of the archipelago in its colonial frontiers that is to say Mayotte, Moheli, Anjouan and the Greater Comoros.” On July 7 Ahmed Abdallah was elected head of state by the Chamber of Deputies which was holding the national assembly, he announced the creation of a constitutional committee. Paris published a new communication on July the 9 the stating “the government will take into account the willingness manifested by the population of Mayotte” it was specified that in this island French law will continue to apply.

Following the publication of France, President Abdallah was quick to reply. He demanded the departure of the French forces, the legion and the gendarmerie.¹⁵

Nevertheless, a new image begins to shine in the eyes of the whole world. The Comorians who lived abroad began to propagate the unilateral independence of the Comoros Islands all over the world. In Africa the Comorians benefited from Tanzania's aid and the broadcast of the independence of Comoros on the Tanzanian national radio. This broadcast which lasted several weeks was circulating almost in the African countries of the Eastern zone. Other countries like South Africa helped the Comoros on this occasion. Major international media such as New York Times began to speak in write of the independence of Comoros, an act which did not please the French authorities.

Thus, France soon reacted by beginning to influence the population of Mayotte in all forms of protest against the unilateral independence of Comoros. France considered this decision to be a lack of respect for the Comorian authorities in its respect. Because she had long believed that the Comorians were not in a position to take charge of the destiny of their country. While France sought to manipulate the population of Mayotte, the Comorian authorities were well ahead of the international level. Comorian political movements and political parties were beginning to be formed. The White Green (Mranda), Fron National (Passoko) and other parties were formed and began to spread in the national territory. The year 1975 ended with a significant loss for the Comoros, Prince Said Ibrahim who could have been the man of recourse to stabilize and maintain the good reign of the new state suddenly died of a heart attack in Jeddah. On December the 31st 1975, the French parliament found that Grande Comores, Moheli and Anjouan were no longer part of the republic; they decided that Mayotte would be consulted on its wish to remain in the Republic or to join the Comorian State; if the answer is yes to France, a new constitution on the status of the island will be organized in the two months that followed.¹⁶

In Moroni the young revolutionary Ali Soilihi emerged as the only political force to lead the country. On January 2nd 1976 the National Assembly met to elect the Head of State after the sudden overthrow of Ahmed Abdallah on August 3rd 1975. The young leader (38-year-old) head of state, appointed his government and began a new policy of revolution. The new government set the administrative organization as a priority and sought to put in place a

¹⁵ Ainouddine Sidi,(2012) Etude sur l'archipel des Comores

¹⁶ <http://www.gouv.com/mayotte/background.htm>

development policy. He also set himself the task of forging new relations and opening the country all over the world. Diplomatic relations were opened with the USSR, CHINA, SOUTH AFRICA, the Kingdom of SAUDI ARABIA and other countries of East Africa such as Tanzania, Kenya and others. The UN Security Council discussed a resolution calling on France to renounce the Mayotte referendum and respect the unity and integrity of the Comoros, France opposed by using its veto powers.¹⁷

Since 6th July 1975 the Comoros Independent has acceded to several international and regional organizations. To this perspective, they have signed cooperation agreements with certain organizations, agencies and other specialized agencies of the United Nations system. According to a list of these institutions include: UN, AU, OIF, MNA, OIC, LEA ,IOC, COMESA, CEN, G77 ,BIRD, ASECNA, AfDB, IDB, ILO ,IMF, IMO, IOC, UNEP ,FAO ,UNICEF, UNFPA, NESCO, UNCTAD, WHO, and others. The Comoros are also recognized by all the member States of the United Nations and have signed multilateral and bilateral conventions treaties and agreements. It is for this reason that France has often been condemned on the international scene notably by the General Assembly of the United Nations, the AU, the OIC and the MNA. It is with this in mind that the Comoros has undertaken to promote a balanced foreign policy that is linked to their objectives and strategic interests within the framework of the country's independence and sovereignty.

Parallel to all the principles and all the commitments made by France in particular the referendum organized on the 22nd of December 1974 by the four islands of the Comoros (Great Comoros Mayotte Anjouan and Moheli) to ask the Comorian population whether they wanted the territory of the Comoros to independent, at the end of the ballot independence was accepted by 94. 56 % of the votes cast in the entire territory of the archipelago against 5. 44 %. In parallel with the commitments made by France to announce the ballot of the referendum globally and not just island, France decided the contrary by drawing the consequences of the referendum which the great Comoros Moheli and Anjouan. The yes for independence approximatesd 100% of the voters and decided on the other hand that Mayotte would have to vote again within two months. Thus on 8 February 1976, the Mahorais declared themselves in a referendum organized for that purpose at 99.4 % for the maintenance within the French Republic. In accordance with the law of 31st December 1975,

¹⁷ ; Dr Djaffar Mmadi,(2009) ; Comores : de l'indépendance à la dépendance

the Mahorais were convened on referendum; and the unconscious Mahorais of the time spoke proudly for the wish to retain the status of territory overseas.¹⁸

Thus a new era of diplomatic relations opened up between France and the Comoros. And it is from this date that the dispute between France and the Comoros on the island of Mayotte began. Until today the Comorian authorities firmly claim the return of Mayotte in its natural lap, to France continues to flout and despise the rules of international law and the fundamental principles of the United Nations system as regards the regulation of the principle of peoples to dispose of them.

5-the government system in Comoros

The Comorian political landscape after 1975 is unprecedented. Since the accession of the country to independence, Comoros registered of political crises perpetuated by the political instability. At this stage, more than ten coup d'etats or attempts are recorded, more than five of which are sponsored and led by French rebels. This is in addition, to the fact that after the accession of the Comoros to independence France cut financial relations with the Comoros Islands which led the country falling into an economic crisis.

Nevertheless, the authorities maintained their positions and began to clean up the basic foundations of a new policy. Therefore, on 1 October 1978 the Islamic Federal Republic of Comoros (RFIC) was proclaimed and a new constitution was adopted. This new constitution confers on the Comorian state a multi-party presidential system largely decentralized. The president of the republic is both the head of state and head of government. He has all the legislative power, executive power and judicial power.¹⁹

However with the coming to power in 1988 President Said Mahamed Djahar opted for a new political era marked by “democracy”, this is how the country began to lay the foundations of governance. It should also be noted that the 1978's Constitution provided for the appointment of governors in each island (Anjouan Moheli Grande Comores and Mayotte). These governors were to be appointed by presidential decree. The president of the republic chose according to his policy in the respective islands and according to his

¹⁸ université de ciernmond 1,(1980) Cf.tixiercch-e. Une décolonisation inachevée : l'affaire des Comores ; thèse de doctorat

¹⁹ Dr Djaffar Mmadi,(2009) Comores, de l'indépendance à la dépendance

prerogative and motivation a man of whom he trusts to represent him. These governors had some limited power. All the time they were under the direct authority of the head of state, the latter could change a governor from one island to another without changing all his government. On 13th April 1999 a coup d'etat reversed a civil government. This coup d'etat is perpetuated by a group of the soldiers of which Azali Assoumani was their leader. Although this coup d'etat was not bloody it had a reversal of power and a new military regime settled in the country. Two years later a referendum was held on December 23rd 2001 to an end to the political and constitutional crises. The “yes” vote was 76.6% of the votes casted. The new constitution was supposed to allow the creation of “the Union of Comoros” This name had just replaced the “Islamic Federal Republic of the Comoros” and the Comoros Union is a federation that grants a large autonomy to the islands.²⁰

The new constitution of 2001 stipulates that a representative of each of the islands is to be elected president of the republic every four years according to article 13 “the Presidential Tenure islands”. It should also be noted that the same constitution provides that each island will be governed by a governor who will be chosen at the same time as the president of the republic. This governor shall have the full right and autonomy to perform those functions which have been conferred upon him by the constitution without being subject to the orders of the head of the union. The governors shall be elected by universal suffrage at the same time as the president of the union; they will exercise the same mandate as the president of the union, that is to say Four years renewable tenure of office. He performs these functions and manages the internal activities of his island.

All the same, it should be noted that the constitutional review of 2001 confers on the head of state the same prerogatives. That is he remains the head of state and government. The system is still the presidential system. This new constitutional mechanism is a means of putting a balance of power between the islands. It is also a means for the Comoros to separate itself from the political and constitutional crisis that the country was going through since its accession to independence. Because before the adoption of this new constitution the central power remained in the hands of the great Comorians which led to the political destabilization of the country. Meanwhile the chronic political instability of the Comoros has plunged the country into poverty and has made people unable to develop their tourism potential.

²⁰Comores actualité : [http :/www/article.re/gouvernance](http://www/article.re/gouvernance). Actualité en union des Comores.id article.fr, 2017

Given that the country will never know the stability as long as Mayotte remains “under French occupation” and in the light of article 4 of the 2001 Constitution it should read: “The institutions of Mayotte shall be set up within a period not exceeding six months from the date on which the situation which prevents that island from actually reaching the union of Comoros. The present constitution will be revised in order to draw the institutional consequences of the return of Mayotte within the union”. Since the rotating presidency is one of the foundations of the important institutions of the Union of Comoros it could not then be applied to Mayotte before this island is effectively integrated within the natural lap.



CHAPTER 3: THE CONFLICT BETWEEN FRANCE AND COMOROS ON MAYOTTE ISSUE

1 Diplomacy context

Since 1975 France has maintained a political administrative and military presence in Mayotte ignoring the resolutions adopted by the United Nations and the OAU and the will expressed by the Comorian people. The Mahorais people's movement expected the French government and parliament to make a decision on the fate of Mayotte in 1979 in accordance

with Article 1 paragraph 2 of Law No. 76-1212 of 24 December 1976 which states that: “*at the end of a period of at least three years from the promulgation of the present law the population of Mayotte will be consulted if the general council makes the request by the majority of two thirds on the maintenance of the status defined in the articles below or on the transformation of Mayotte into a protectorate or possibly on the adoption of a different status*”

The UN has invited Paris and Moroni to find a just and equitable settlement in respect of the political unity and territorial integrity of Comoros. The French government is however not showing any interest accede to international requests and preferred to repeal paragraph 2 of the above-mentioned article 1 (law of 24 December 1976) at the end of 1979 and postponed further the term to five-year.

Two elements are to be taken into account in this manifest of the French authorities.

- The first element relates to the firm and resolute position of the international authorities which condemn with a very strong majority this illegal occupation of the Comorian island of Mayotte.
- The second element concerns the position of the African Union, which sees France strongly criticized by the African heads of state.

1.1 United Nation on the issue of Mayotte

More than 20 resolutions have been voted by the UN reaffirming the sovereignty of the Comorian state over Mayotte and asking France to withdraw from the island. In particular Resolution No. 31/4 passed on 21st October 1976 which strongly condemns the presence of France in Mayotte because it constitutes a violation of the national unity territorial integrity and sovereignty of the independent Republic of the Comoros. It also condemns and rejects the referendums organized by France in Mayotte considering them as null and void.

By the same resolution the United Nations rejects any form of referendums or consultations that may be organized later in Comoros territory of Mayotte by France and any foreign legislation tending to legalize any French colonial presence in the Comorian territory of Mayotte. Nevertheless France continues to organize as many consultations as it wishes in Mayotte in spite of this resolution.

1-1.1-admission of Comoros to the United Nations

The Comoros archipelago became an official member of the United Nations system on 12 November 1975. That is to say five months after the proclamation of its unilateral independence.²¹

The General Assembly thirtieth session 3885 (xxx) received the communication of the Security Council dated 17 October 1975 recommending the admission of Comoros to the United Nations. Having examined the application for admission of the Comoros reaffirming the need to respect the unity and integrity of the Comoros archipelago composed of the islands of Anjouan; Moheli, Mayotte and Grande Comore as pointed out in resolution 3291 (XXIX) of 13 December 1974 and other resolutions of the General Assembly decided to admit Comoros to the United Nations.

Since then the Comoros as a whole including Grande Comores, Anjouan, Mayotte and Moheli has been an integral part of the United Nations. Since the admission of Comoros to the United Nations, the institution has always pleaded for the Comoros in its dispute with France.

The UN has condemned several times the position of France in the Comorian island of Mayotte. Despite the fact that the Comoros has become a member state of the UN and their natural borders have never questioned before by the former colonizing power, France has been illegally and forcibly occupying the Comorian island of Mayotte for a long time and this has trampled laws under the UN charter and international law which are normally imposed on all countries. For the first time in the world an independent state recognized by the international community is subject to a process of recolonization.

Here I attach two resolutions of the organization of the United Nations which condemns and reject energetically the presence of France in the Comorian island of Mayotte:

Question of the Comorian island of Mayotte;

The general assembly;

²¹ Service des archives(ministère des relations extérieures chargé de la coopération et du monde arabe , union des Comores 2017)

Recalling that the people of the republic of the Comoros as a whole, in the referendum of 22nd December 1974, expressed by an overwhelming majority its will to accede to independence in conditions of political unity and territorial integrity, considering that the referendums imposed in the inhabitants of the Comorian island of Mayotte constitute a violation of the sovereignty of the Comorian state and of its territorial integrity,

Considering that the occupation by the France of the Comorian island of Mayotte constitutes a flagrant encroachment on the national unity of the Comorian state, a member of the united nations,

1. Considering that such an attitude on the part of France constitutes a violation of the principles of the relevant resolutions of the united nations, in particular the general assembly, resolution 1514(XV) of 14 December 1960, concerning the granting of independence of colonial countries and people, which guarantees the national unity and territorial integrity of such countries, Condemns and consider null and void the referendums of 8th February and 11th April 1976 organised in the Comorian island of Mayotte by the government of France, and rejects:
 - a- Any other forms of referendum or consultation which may hereafter be organised on Comorian territory in Mayotte by France.
 - b- Any foreign legislation purporting to legalize any French colonial presence on Comorian territory in Mayotte;
2. Strongly condemns the presence of France in Mayotte, which constitute a violation of the national unity, territorial integrity and sovereignty of the independent Republic of the Comoros;
3. Calls upon the government of France to withdraw immediately from Comorian island of Mayotte which is an integral part of the Independent Republic of the Comoros, and to respect its sovereignty;
4. Invite all member states to render effective assistance, individually and collectively to the Comorian states and to co-operate with it in all fields with a view to enabling it to defend and safeguard its independence, the integrity of its territory and its national sovereignty;

5. Appeals to all member states to intervene, individually and collectively, with the government of France to persuade it to abandon once and for all its plan to detach the Comorian island of Mayotte from the republic of Comoros;
6. Calls upon the government of France to enter immediately with the government of the Comoros concerning the implementation of the present resolution.²²

General assembly- thirty ninth sessions

Question of the Comorian island of Mayotte

The general assembly:

Recalling its resolutions 1514(XV) of 14th December 1960, containing the declaration on the granting of independence of colonial countries and peoples, and 2621(XXV), of 12th October 1960, containing the programme of action for the full implementation of the declaration;

Recalling also its previous resolutions in particular resolutions 3161(XXVIII) of 14th December 1973, 3291(XXIX) of 13th December 1974, 31/4 of 21st October 1976, 32/7 of 1 November 1977, 43/69 of 6th December 1979, 35/43 of 28th November 1980, 36/105 of 10th December 1981, 37/65 of 3rd December 1982 and 38/13 of 21st November 1983 in which it, inter alia, affirms the unity and territorial integrity of the Comoros;

Recalling, in particular, its resolutions 3885(XXX) of 12th November 1975, on the admission to the memberships in the United Nations, in which it reaffirmed the necessity of respecting the unity and territorial integrity of the Comoros archipelago, composed by the islands of Moheli, Anjouan, Mayotte and the Grand Comoros;

Recalling further that, in accordance with agreement between the Comoros and France, signed on 15th June 1973, concerning the accession of Comoros to independence, the results of the referendum of 22nd December 1974 were to be considered on a global basis and not on island by island;

²² 39th meeting 21st October 1976.

Convinced that a just and lasting solution to the question of Mayotte is to be found in respect to the sovereignty, unity and the territorial integrity of the Comoros archipelago;

Convinced further that a speedy solution of the problems is essential for the preservation of the peace and security which prevail in the region,

Taking note of the repeated wish to the government of the Comoros to initiate as soon as possible a frank and serious dialogue with the government of France with a view to accelerating the return to the Comorian island of Mayotte to the republic of Comoros;

Taking note of the report of the secretary general and bearing in mind of the decision of the organisations of united African unions, the movement of non-aligned countries and the organisation of the Islamic conferences concerning this question;

1. Reaffirms the sovereignty of the Islamic federal republic of Comoros over the island of Mayotte;
2. Invites the government of France to honour the commitments entered into prior to the referendum on the self-determination of the Comoros archipelago of 22nd December 1974 concerning respect for the unity and territorial integrity of the Comoros;
3. Calls for the translation into practice of the wish expressed by the president of the republic of France to seek actively a just solution to the problem of Mayotte;
4. Urges the government of France to open the negotiation with the government of Comoros with a view to ensuring the effective and prompt return of the island of Mayotte to the Comoros;
5. Requests the Secretary General of the united nations to follow development concerning this question, in conjunction with the Secretary General of the organisation of the African Union and to report to the General Assembly at its fortieth session;
6. Decides to include in the provisional agenda of its fortieth session the item entitled “ Question of the Comorian island of Mayotte”²³

The two resolutions mentioned above, shows in a clearer way the position of the United Nations on the dispute between France and the Comoros. The United Nations has always advocated for the integrity and territorial sovereignty of the Comoros Islands as a whole. It

²³ 94th meeting 19th December 1984.

has never failed to apply the law to this dispute since the Comoros put this question to this institution of international law. Despite all this, France has never applied the resolutions of the various assemblies of the United Nations on the question of the Comorian island of Mayotte.

The representative of France to the UN voted against the resolution of October 21st 1976. The member states of the UN question the true intentions of the French socialists who came to power since 10th May 1981. Both believed that at the end of the special status of territorial collectively erected in Mayotte since 1976 the Socialists were going to release in 1984 a position for the settlement of this dispute. At the UN many countries are beginning to wonder and ask questions about France's opposition in this resolution.

Elsewhere critics are beginning to circulate on the refusal of France, a great country that claims to be the guarantor of the fundamental principles of the United Nations. By refusing to obey and join the line of the member countries of the United Nations system on the resolutions of the question of the Comorian island of Mayotte, France offends and violates the rules of the UN. France by using its veto powers, diplomatic and financial means continues to ignore the decisions of the UN by claiming against all the wills of the members of the United Nations organization on the resolutions held for the question of the island Comorian of Mayotte.

1-2 African union on the issue of Mayotte

In 1978 at the Summit of heads of states and Government of the African Union in Khartoum Sudan, the African leaders present at this summit severely criticized the policy of the former colonizing powers after 1960. They strongly denounced the vile strategy of colonial recapture of the continent by the colonialist and neo-colonialist powers of Western Europe that justify the so-called mutual defense pact based on colonial relations between unequal partners of Africa and Europe. This so-called defense pact is for these heads of state a way for westerners to grab and share the African continent without the least respect or consultation.²⁴

²⁴ Khartoum; union of Africa meeting, 1978

In this period, many African countries had acceded to their territorial sovereignty. The African Union showed its indignation several times about the illegal occupation of the Comorian island of Mayotte. It adopted for this purpose a firm position and condemned France on several occasions. It must be said that a few years earlier, the OAU had admitted, during its twenty-fifth session the Republic of the Comoros in its midst under the same conditions that is to say constituted of the four islands mentioned above and it was during this same session that the Council of Ministers of the OAU decided to take up the question of the Comorian island of Mayotte.

During its twenty-seventh session the OAU for the sake of appeasement and in order to assist the Republic of the Comoros in its efforts to achieve by peaceful means to a quick just and satisfactory settlement of the problem of Mayotte decided to create an” ad hoc Committee of the Seven of the OAU on the Comorian island of Mayotte”.²⁵

The seven members of this committee are: Algeria Cameroon Gabon Madagascar Mozambique Senegal and the Republic of Comoros itself. The Gabonese Republic is chairing this committee.

Since its establishment the **ad hoc Committee of Seven** has made unremitting efforts and engaged in a great deal of mediation between the two parties either collectively or through one or more of its members. In this regard the delegation has a duty to place special emphasis on the major role of the mediation initiatives as the Head of State of the country holding the chairmanship of the **ad hoc Committee of the Seven** by El Hadj Omar. Bongo President of the Gabonese Republic. The last meeting of the Ad Hoc Committee of Seven was held in Moroni from 9 to 11 November 1981 in the presence of all members.

In this meeting it was recommended that a mission of the Ad Hoc Committee of the Seven and the Secretary-General of the OAU “makes contact as soon as possible with the French authorities with a view to examining the practical modalities for the return of the Comorian island of Mayotte to the Federal Islamic Republic of the Comoros if possible by setting a deadline. The ambassadors of the seven States members of the Committee residing in Paris were requested to follow closely the evolution of this issue and by undertaking collective action towards French authorities whenever necessary.

²⁵ General assembly of the union of Africa, 1978

Thus on July the 8th 1986 the delegation of the seven-member committee of the OAU was received by the first French minister of the time Mr. Jacques Chirac in his office. The delegation was composed of: Mr. Martin Bongo Minister of Foreign Affairs of Congo, Mr. Ibrahim Fall Minister of Foreign Affairs of Senegal, Mr. Said Kafe Minister of Foreign Affairs of the Comoros, Jean-Felix Adande Ambassador of Gabon and Mr. Broznson Ndede Deputy Secretary General of the OAU.

The Delegation pointed out to the French Prime Minister that their mission reflected the importance with which the organization of the African Union attached to the question of the Comorian island of Mayotte and recalled the previous steps taken by the Committee. This mission aimed to invite France to respect the unity and territorial integrity of the Comoros archipelago in accordance with the commitments made by France on the eve of the referendum of self-determination and in accordance with the position of Africa. It was thus a question of inviting France to start as soon as possible the practical arrangements for the return of the island of Mayotte to the Republic of the Comoros.

The chairman of the committee was quoted as saying “The French Government has shown a positive attitude and goodwill towards Africa and my delegation hopes that this positive attitude and goodwill will be reflected inter alia in the negotiations with the Government of the Comoros. On the question of Mayotte therefore we urge that negotiations be pursued with order in the hope that they will quickly lead to a just and appropriate settlement”²⁶

The OAU has overseen many of the proceedings on the Franco-Comorian dispute and their position on this problem is very remarkable. On 23rd July 1989 the OAU Council of Ministers adopted a resolution on the Comorian island of Mayotte expressing concern at the intransigence shown by the French government towards the legitimate demands of the Comorian government. The text reaffirms the sovereignty of the Comoros on the island of Mayotte and calls on OAU member states to do their utmost to alert French and international public opinion on the issue in order to bring the French government to end its illegal occupation of the island. The resolution calls on all Member States of the OAU and the international community to condemn and reject any form of consultation which could be organized by France in the Comorian territory of Mayotte on the international status of the island.

²⁶ Service des archives,(ministère des relations extérieures chargé de la coopérations et du monde arabe ,union des Comores 2017)

As France is a country which follows law and since these negotiations are done within the framework of law and at this time the right created by the United Nations is especially highlighted here is the international law reiterated every year by UN and the OAU for France to apply and reintegrate the island of Mayotte in the Republic of Comoros. It is not a question of defeating what has been done in the name of change but it is important to rectify the injustice where it has been applied (as French President Francois Mitterrand often asserted).

1-3 Other international and regional institutions on the issue of Mayotte

1-3.1-League of Arab States;

The League of Arab States is the only international organization that the Comoros is part of which that the question of Mayotte has never been debated. This is due to the fact that the Comoros has never presented to this organization the dispute that opposes it to France.

However, many of the permanent members of this institution show their support to the Republic of Comoros in many forms. As for the Organization of Nations or on the African Organization are those who support the Comoros. Their assistance comes in the form of votes of the resolutions that these organizations adopted respectively during their sessions on the question of the Comorian island of Mayotte. Friendly countries to Comoros which are members of the League of Arab States such as Libya, Saudi Arabia, Iran and Egypt are states whose support for this conflict is salutary.²⁷

1-3.2- The movement of non-aligned countries

However, the movement of non-aligned countries is in favour of the Comoros. This movement has repeatedly condemned France over the illegal occupation of the Comorian island of Mayotte. It has expressed deep concerns at the fact that the French government has not hitherto manifested concretely the willingness to restore this island. It has also expressed its active solidarity with the Comorian people in their legitimate efforts to liberate this island and to preserve its independence unity and territorial integrity. In this respect members of

²⁷ Ministère des relations extérieures chargé de la coopérations et du monde arabe, département arabe union des Comores 2017

non-aligned countries have agreed that political and diplomatic support to the Comorian people must remain permanent in all major international forums such as the UN, the OAU, the OIC; and the movement of non-lines that have already made considerable efforts in this direction.

1-3.3-The Islamic Conference

As for the Islamic Conference of which the Comoros is one of the member states, the latter aligns itself behind the United Nations and the Organization of the Union of African Countries. For this fact in resolution No. 49/28-P from 25th to 27th June 2001 the Islamic Conference reaffirms the territorial integrity of the Comoros composed of the four islands; Great Comoros, Mayotte, Anjouan and Moheli. It also expresses its active solidarity with the Comorian people and supports the Comorian government in its political and diplomatic efforts to implement the return of the island of Mayotte in its natural whole.

1-3.4- The European Union

All countries of the European Union (EU) without exception voted for the admission of the Comoros to the UN as a state composed of the four islands of Mayotte, Anjouan, Moheli and Grande-Comoros. How can we understand that today Europe is being forced by France to impose a state of affairs contrary to the fundamental laws of its countries. These countries cannot both validate the sovereignty of the Comorian state on Mayotte and accept that this island is French. The question of the Comorian island of Mayotte occupied by France was included in the provisional agenda and therefore scheduled to be debated at the 63rd regular session of the UN General Assembly on 16th September 2008. France had done everything to ensure that this issue did not appear in the final agenda by exerting pressure and blackmail on the Comorian authorities. Can Europe continue to cover the occupation of part of the territory of a sovereign country a member of the United Nations? Is the European Union prepared to act blatantly against Community law and international law just to satisfy the vagaries of France? Because it will have to integrate Mayotte as Ultra Peripheral Region (RUP) as the article 299 of the treaty of Amsterdam, because this Comorian island will be part by France. What is the European Parliament doing in the face of this unprecedented

desire of a European country to recolonize a part of the territory of a United Nations member country?²⁸

We demand nothing more or less than the application of international law and democratic principles governing relations between sovereign States as defined in the Charter of the United Nations. We call on the mobilization of all the democrats of the world to bring Comoros out of the head-a-head murderer and behind closed doors that France has imposed on them for more than 42 years by helping to establish a public and media debate on that question.

2- Juridical contexts

2.1 The Comorian constitutional law

Internally the integration of Mayotte into the Comoros as envisioned incongruously by the Comorian constitution. In our view this question is undeniably resolved on the legal plane insofar as the membership of Mayotte to France remains irrefragable both on the basis of international law, the jurisprudence of the International Court of Justice and the practice of the United Nations only on the basis of national law and the jurisprudence of the Constitutional Council. However it continues to be raised by the Comorian State. In fact it constitutes for the Comorian authorities a strong political argument to harangue the population even though at the international level it remains without real scope.

This question which regrettably prevents any idea of regional integration from prospering and therefore of knowing an effective application is definitely relevant only within the Union of the Comoros where it remains immiscible. This question is well readable in the Comorian constitution. As the title of article 1 paragraph 1 clearly states: “The Union of the Comoros is a Republic composed of the autonomous islands of Mwali, (Moheli), Maore (Mayotte), Ndzuwani (Anjouan) Great Comoros”.

This constitutional affirmation shows beautifully the membership of the island of Mayotte in the archipelago of Comores.²⁹

²⁸ Ministère des relations extérieures chargé de la coopération et du monde arabe , département chargé des affaires européen, union des Comores 2017

²⁹ The Comorian constitutional law 2001

Another argument based on the violation of the principle of *uti possidetis juris* is often advanced by the Comorian State. The principle of *uti possidetis juris* which is derived from customary international law imposes respect for the frontiers inherited from colonization. In other words one could rely on international customs which entails a legal obligation in the same way as treaties to recognize the existence of a single entity except that its place is insignificant in the world international legal order. Indeed in the Aquarone judgment, the Counsel stated that “Neither Article 55 nor any other provision of a constitutional nature prescribes or implies that the administrative judge makes international custom prevail over the law in case of conflict between these two norms” The Constitution does not mention custom just like resolutions. It may be considered therefore that these two types of norms have in domestic law an infra-legislative value unlike treaties which have a supra-legislative value.

In international law the custom is only opposable to the State if it does not manifest expressly its refusal; which is far from the case of the France since in relation to this particular question has always expressly manifested its refusal to be opposed to any international rule whether customary or not. In any case in international law the principle of *uti possidetis* has no absolute scope and in French national law it has no binding scope because it constitutes a principle of customary international law.

2.2 The French constitutional Law

It is stipulated in article 53 paragraphs 3 of the constitution of the 5th republic; “No cession, no exchange, no addition of territory is valid without the consent of the populations concerned.”³⁰

A literal interpretation shows that the very title of the resolution involves the “administering” powers as the only ones able to “grant” independence to colonial peoples. Moreover the word “Grant” leaves above all room for unilateral behaviour (we think in particular of the Constitutional Charter of 4th June 1814 granted by Louis XVIII). Since then on it was for France alone to grant this independence in accordance with French law and all the more so since it was a matter that fell exclusively within the competence of the French State. In this respect, Article 53 of the Constitution required him to consult all the people of the territories

³⁰ article 53 paragraphs 3 of the constitution of the 5th republic(france constitutional law)

concerned who desired to constitute an independent State. This also justifies that the Constitutional Council had validated the law relating to the consequences of the self-determination of the islands of the Comoros. Indeed he had unambiguously considered that France had not violated any rule of international public law.³¹

In its decision no. 75-59 DC of 30th December 1975 the constitutional judge had anticipated the reactions of the international community anticipating that no intervention of an international body, whatever it may be could not prevent the maintenance of Mayotte in the Republic. The Constitutional Council made an accurate reading of the last paragraph of Article 53 which states that “surrender no exchange no addition of territory is valid without the consent of the population”. He went further to explain the scope of this article to arrive at the deduction as to the meaning of the word “territory”. Article 53 does not have the same legal consistency as that used in the expression “Overseas Territory”. While the phrase “Territory Overseas”; included the four islands of the Comoros archipelago and thus constitutes an 'administrative block' and administrative unit justifying a common administration of these territories, the word territory as understood by the constituent in Article 53 does not imply this unit.

The word “territory” which necessarily translates to administrative unit constitutes in our view an approximate interpretation of Article 53. The word “territory” and the expression “Overseas territory clearly does not have the same legal significance and the Constitutional Council rightly pointed out in the aforementioned decision. More explicitly the principle of territorial integrity invoked by the Union of Comoros finds its legal and historical roots in the legal status that the legislator and the constitution had reserved for the whole of the Comoros archipelago. Indeed the terms “territories of the Comoros” and “Overseas territory” (both terms included the four territories) are at the origin of the inaccurate reading of the situation of Mayotte. The status of Overseas Territory implied the four islands and ipso facto imposed a common administration. This situation has misled the defenders of the principle of territorial integrity since the two expressions - one consubstantial to the other which allows a unity to appear are only a pure creation of legal and administrative construction of the country. It seems therefore less convincing to rely on a political and administrative unit created by France to claim a territory that has never been part of a legal entity of French sovereignty.

³¹ Mayotte l'illusion de la France (Yves Salesse 1995)

2.3- The international constitutional law

If at some point in time international law has revealed confusion over the questionable supremacy of the principle of the intangibility of the territory on which the Comorian claims are based, a desirable teleological interpretation makes it possible to make the right of peoples to govern of themselves. The famous resolution 1514 (XV) of 14th December 1960, although it does not operate to show any hierarchy of the principles that it brings forth, was under international law in no way opposable to France and its overseas territories much less under domestic law where it runs up against the constitutional provisions which only recognize that the treaty has an authority superior to that of law (Article 55 of the Constitution). Clearly therefore resolution 1514 (XV) has no binding effect from the point of view of domestic law and cannot therefore validly serve as a basis for Comorian quarrels as the Constitutional Council has stated in its decision n° 75-59 DC of 30th December 1975. Therefore the condemnations of the UN put forward by the Comorian State to justify its geographical approach have only a decorative scope.

Assuming that the said resolution is opposable to France its amphigoric drafting brings into conflict the two principles. The paradox is paroxysmal between the right conferred on the people to free determination (point 2 of the resolution) and national unity and territorial integrity (point 6) as to which is the prevailing principle. Apart from the fact that institutional history and international jurisprudence³² privileges point 2 in such circumstances a chronological analysis of the provisions of resolution 1514 (XV), notwithstanding questionable relevance, argues for point 2 and thus the right of peoples to self-determination. The scrupulous reading of resolution 2621 (XXV) of 13th October 1970, which constitutes the program of action for the implementation of resolution 1514, supports this position. This defines the manner in which resolution 1514 is to be implemented. It exhaustively enumerates the program to be followed by the administering Powers. In this case France must abide by the rigorous respect of the elements contained in resolution 2621 (XXV). However the text in question reaffirms in preamble that “*all peoples have the right to self-determination and independence (...)*”. It ignores the question of territorial integrity. This desire of the General Assembly to mention only the right to self-determination clearly

³² see in particular the judgment of the ICJ of 30th June 1995 on the case of East Timor between Portugal and Australia

demonstrates its important place in international law. This text which specifies the modalities for the implementation of resolution 1514 (XV) gives special consideration to the right of the people to freedom of determination in relation to the principle of territorial integrity in the context of the dispute between France and the Union of Comoros.

The prevalence of the right of peoples to self-determination finds its justification in the fact that it is one of the aims pursued by the United Nations.³³ These formal considerations make it clear that the wording of the resolution is unfortunately not synonymous with limpidity and cannot claim to provide a legal solution to the case at hand. France like the United Kingdom, particularly in the Falkland Islands conflict with Argentina, should rightly show respect to the right of the people to self-determination thereby adhering to the principle that “*all peoples have an inalienable right to full freedom.*”

In this respect, the Charter of the United Nations and the jurisprudence of the International Court of Justice are sufficiently enlightening in that they consider that the right of peoples to self-determination is “an enforceable right erga omnes” and also that it is one of the essential principles of contemporary international law.

It should be recalled that in the Barcelona Traction case of 24th July 1964 the Court held that the erga omnes right was a right of such importance that “*all States may be regarded as having a legal interest to see that these these rights are protected*” . The erga omnes nature of the right of the Mahorian people to self-determination imposes recognition of this right to States. According to Judge Weeramantry “*there is an obligation on all Member States to recognize this right*”. To support the contrary is to empty the law of its essential content and thereby deny its existence.

It follows that the Comorian State has no valid reason under international law and practice of the United Nations for failing to comply with an enforceable right erga omnes which is the right of peoples self-determination if not an inappropriate habitual attempt at ratiocination which ultimately fails to establish a confrontational relationship between the Comorian and the Mahorian authorities.

In addition the claims of the Comorian authorities are based on a condemnation of France by the UN resolution 31-4 of 21st October 1976 which “strongly condemns the French presence in Mayotte, the tone employed is particularly threatening. The UN prefers to pray or

³³ This principle appears twice in the Charter particularly in Articles 1 and 55.

even invite France to resolve this pseudo-conflict. So we go from a threat to a prayer. No doubt we can see behind this relaxation a disinterest of the famous “Question of the Comorian island of Mayotte” recalled by the former President of the Union of Comoros Ikililou Dhoinine at the 70th session of the General Assembly of the United Nations on 15th September 2015 and by the current President Azali Assoumani on the occasion of the 71st session of the United Nations General Assembly on 13th September 2016.

Although the Comorian authorities may refer to this pseudo-conflict to international forums the fact remains that this is an unobtrusive reality that would be desirable to comply with. Any claim no matter where it comes from cannot create a legal truth. Moreover Mayotte's change of status from Overseas Countries and Territories (OCTs) to the status of ultra-peripheral region (OR) which has been in force since 1st January 2014 is beyond the financial reach of many countries. This had the effect of significantly reducing any international consideration of any claim of Mayotte by the Comoros.

This means that the territory of Mahorais is a European territory which was not the case until 1st January 2014 and that the Mahorian population enjoys full citizenship of the European Union and the rights attached thereto. If discordant voices could be heard in the seventies the support of Europe to France on this issue will now be total. It is indeed difficult to accept that the European Union can accept that a territory that is fully included in the territorial and personal scope of Union law may be subject to shared sovereignty between two States, one being European. In other words Europe would never have admitted that Mayotte became a European region while simultaneously being a Comorian territory. Also on the European and international level the Question of the Comorian island of Mayotte Produces and will produce the effect of a cautery on a wooden leg. What about on the national level?

3-political context

3-1-Negotiation as the only option to resolve conflicts

3-1.1-Social dialogue in Africa an ancestral practice

The term dialogue which comes from the Greek is composed of two entities: dia- and logos which respectively signify “between” and “speech reason” a word thus shared between several people or group of people. As etymology indicates dialogue calls upon reason and active listening, this allows us to follow a thought, to hear the essential as well as to express emotions and fears. The ultimate goal in this type of communication exercise is not to be right on the receiver to search together and in an uninterested way the consensus if not the truth. This type of dialogue is known in many African traditional societies. It was the instrument for rebalancing societies whenever crises or conflicts threatened the foundations of the family or community. In this exercise of dialogue it is the cohesion of the group that is looking for or restarting a political system that is considered to be failing.

In the early 1900s under the banner of sovereign national dialogue or national conference the dialogue between the various forces of the nations allowed a transition from one system to another. The process of democratization triggered by these “National Sovereign Conferences” has thus allowed the introduction of multiparty politics, political pluralism (in many countries single-party system has given way to multiparty) trade unionism and a reorientation or even a direction of the “economy, the organization of pluralist elections and the drafting of new constitutions taking into account the aspiration of the people.”³⁴

This was the case in Benin, the Congo the Democratic Republic of Congo, Gabon, Ivory Coast, Central Africa, Togo, Niger ,Mali etc. In this wave of democratization that was blowing in Africa the organizations of civil society had emerged and carried the social claim. For the purposes of this report we will look at the case of Benin, Guinea and most recent Burkina Faso.

Benin for being the first country to experiment in 1990 this tool that wants to the political history of Guinea without being similar to that of Benin has many similarities. Guinea has experienced in the framework of the security sector reform a framework for national dialogue in which civil society has played a significant role.

Burkina Faso latest model to date, Despite the violence that accompanied the departure of President Compaore and the latest coup attempt by elements of the former RSP the situation could have been worse if traditional and religious authorities had not engaged in the

³⁴ [http ;/www. Jeunes Afrique .article ; php.fr](http://www.Jeunes-Afrique.org/article.php)

mediation. As the African sages recognize; the maturity of a people is evaluated not by the number of tragedies they have known but by the way in which the people overcome these them peacefully without clashes or fighting. It is symptomatic to note that the dialogue with the African has known its nobility but its weaknesses are also noteworthy.

On the other hand, on 24th September 1990 French President Francois Mitterand declared: “We too have had to answer questions that are mounting everywhere: so many resolutions passed by the Security Council have remained a dead letter. I believe that the mutual neutralization resulting from East-West antagonism which has condemned the Near and Middle East for a sort of ruinous and desperate war of is today for some reason the Arab world has had the sudden diligence of the United Nations when it comes to Iraq and it is true that there is in this deficiency a sorry reference that alters the just authority of effects” our recent decisions truly in such a circumstance that which brings us together I think it impossible not to say it highly: the right must be the same for all in the principle and its effects “

President Francois Miterrand clearly identified France's position on Iraq's invasion of Kuwait and clearly defined the necessary steps to resolve this crisis described as “gurre logic”. Francois Miterrand praised the negotiations rather than any other way to reach a settlement of this conflict. Why then is it President of the French Republic does not find the ways and means to solve the problem between France and the Comoros? It is true that the stakes and the interests are not the same, however, they are two violations of the law. This speech rich in meaning by Francois Miterrand on the occasion of the 45th General Assembly of the United Nations 24th September 1990 following the invasion of Kuwait by Iraq. And it is in the same sense that the French president continued these remarks by affirming:

“France is first of all at the service of the law as defined by the judge between the nations that is your institution (... ..) Our policy is the policy of the United Nations. Our approach involves use the direct dialogue between the stakeholders, the agreement with neighbouring or close states and finally the irreplaceable international bond that you represent”. In making this speech the Comorians people were attentive to hear of the fate of the conflict between France and the Comoros over the question of Mayotte.

3.1.2-France Comoros: the turnaround of France

The hope of liberalizing the movement of people and goods between Mayotte and her sisters was short-lived. In an inter-ministerial press release dated 28th September 2017 the French Overseas and Foreign Affairs ministries announced that “the implementation of the roadmap resulting from the France-Comoros High Council Paritaire of 12th September 2017 has been postponed given the incomprehension and false information that this document has generated. This announce was published following the meeting between the parliamentarians of the island of Mayotte, the president of the Departmental Council of Mayotte and the representatives of the French ministry in charge of foreign affairs, the interior and the overseas territories of Mayotte. This announcement also states that Mayotte's elected representatives will be associated with the next meetings of the High Joint Council and consulted before the Technical Committee which will soon be set up. This joint announcement thus unilaterally buried a joint document signed between two Ministers of Foreign Affairs. It added unilateral and unacceptable conditions for the Comorian side such as the participation of the Mahorian elected representatives in the work of the High Joint Council (HCP).³⁵

The High Joint Council (HCP) is a body instituted for the implementation and monitoring of the guidelines defined by the Paris Declaration on friendship and cooperation between the Comoros and France signed in Paris 21st June 2013. It met on 12th September 2017 at the Quai d'Orsay in Paris for the 5th time under the presidency of the Minister of Europe Jean-Yves Le DRIAN accompanied by Jean-Baptiste LEMOYNE Secretary of State to the Minister of Europe and Foreign Affairs and the Comorian Minister for Foreign Affairs and Cooperation SOUEF Mohamed El-Amine. In the spirit of the Paris Declaration under the banner of friendship and cooperation the two delegations together sought, in the course of their work, ways and means to find a new approach to bring together the two countries into cooperation particularly on the question of Mayotte. This end a road map has been drawn up aimed at promoting human exchanges between the islands of the archipelago in a legal framework and by strengthening the security of sea and air links.

Following the signing of this roadmap the Deputy of Mayotte Mansour Kamardine had asked in a statement that the Minister of Foreign Affairs Jean-Yves Le Drian receives a delegation composed of parliamentarians and the chairman of the Departmental Council at an appropriate given the “very lively emotion that were aroused” in the public opinion of

³⁵ Service des archives(ministère des relations extérieures chargé de la coopération et du monde arabe union des Comores 2017)

Mauritius. Mr. Kamardine said during the session of the questions to the French government of 26th September that the establishment of the roadmap raises a very strong emotion in Mayotte and we consternate several titles. MP Mansour asked “the withdrawal of the road map. The answer given by the spokesman of the French government suggested that the Macron government had a new vision on relations between France and the Comoros. But finally it has just given once again to the blackmail of the elected Mahorais who do not want the cancellation of the visa Balladur.”³⁶

In 2012 a delegation from the French Senate's Law Commission visited Mayotte between 11th and 15th March 2012 in order to take stock of the general situation of the island and to establish an initial state of affairs of the island departmentalization. This mission had made its conclusions in July 2012 and proposed in particular a policy alternative to that currently led by the French Government in its “fight against illegal immigration”.³⁷ Thus it had advocated the pure and simple revision of the “visa requirement” established in 1995 to limit the movement of people between Mayotte and the other three islands of the archipelago of Comoros. From the publication of this report the Mahorais have mobilized for the maintenance of this visa of death. They had used the 9th August 2012 the General Council to denounce any policy to reform this visa. The French Government has given up and failed to take these recommendations into account.

Five years after the signing of the roadmap between the Comorian government and the French government, on 12th September 2017 to promote human exchanges between the islands of the archipelago in a legal framework and strengthening the security of sea and air links the Mahorais descended on the roads on 25th and 28th September 2017 to denounce this roadmap. Protesters invaded the *prefecture* of Mayotte on 26th September and closed the Foreign Service. The French government had once again let go of the ballast and thus insulted the future of this archipelago. The development of the archipelago of Comoros necessarily and inevitably passes through the liberalization of the movement of goods and people between the island of Mayotte and its sister islands. Unfortunately France continues to breed in its original sin of dividing an archipelago.

³⁶ Service des archives (ministère des relations extérieures chargé de la coopération et du monde arabe union des Comores 2017)

³⁷ Malango actualité n°267-2010-29- union des Comores

During the meeting of the Government on 26th September the French Government reaffirmed its wish to build an effective cooperation with the Comoros based on regular exchanges common actions and reciprocal commitments.

In response the French government in the presence of its Prime Minister who nodded when the member asked for the withdrawal of the road map had put the question of the roadmap in its geopolitical context. Christophe Castaner spokesperson for the Prime Minister stated that the Prime Minister wished for an amicable settlement of conflict: France and the Comoros are united by old relations of History and which one should not neglect. It is in the interest of the two countries to have a dialogue and cooperation, it is this spirit that brought forth the 5th High Joint Council. The work took place in a friendly and confident atmosphere listening and understanding. They have allowed extremely positive advances. The Comorian and French authorities pledge to fight together against these shameful trafficking of human beings (...) The work aims to fight against all forms of illegal immigration (...) the two countries share the desire to build effective cooperation based on regular exchanges joint actions and reciprocal commitments.

Thus the French government has booted at the request of the member of Mayotte. It reaffirmed its desire to respect the signed road map with the Comorian government. A scathing answer to those who does not want to hear about the circulation of people between the inhabitants of the archipelago of Comoros. Times are tough for extremists in Mayotte who realize that the French government is not wantto listen to their anti-Comorian diatribes but it tries to find solutions to the tragedies that plague French and Comorian families. A state-to-state discussion that enrages those who mock the Comorian state.

On the other hand in 1988 the Prime Minister Michel Rocard and his government allied to other forces of civil society were kind enough to develop dialogue and negotiations with the Caledonian population the political parties of New Caledonia and they reached the signing of the Matignon agreements which at least avoided confrontation. François Mitterrand called the French voters from the metropolis to the overseas territories in accordance with the constitution and its article11 to determine through the referendum on New Caledonia.

The Comorian people are hopeful that once they have been placed in the supreme magistracy to preside over the destinies which France gathered in the perspective of Europe in 1993 without frontiers the French President Mitterrand will know before the end of his

second mandate the powers it has precisely stipulated in Article 11 of the French Constitution:

“The President of the Republic, on the proposal of the Government during the duration of the sessions or on a joint proposal of the two Assemblies published in the Official Gazette, may submit to the referendum, any draft law on the organization of the public authorities including the approval of an agreement of communities or tending to authorize the ratification of a treaty which without being contrary to the constitution would affect the functioning of the institutions. When the referendum concluded to the adoption of the project the president of the republic promulgates it within the period provided for in the preceding article.”

The Republican practice shows that, since the Algerian crisis, political considerations and arguments have been at the forefront and that legal aspects are second.

“We were twenty years old in the Munich agreements and many like us had only the humiliation the death and the captivity as a gift of the majority which gives us a little right to judge some rights to the severity “ Francois Mitterrand policy Fayard editions) July 1945.

3-2- the Comorian government's position on the franco-comorian dispute

3-2.1-Historical

The question of Mayotte comes first from national politics and at the same time constitutes a fundamental axis of foreign policy. The specific nature of international relations would justify the government having more room for maneuver in the area of foreign policy than in the domestic affairs of the country. It is a reprieve for the state that will take refuge behind this policy and accumulate errors and mistakes that will in the long run hinder the smooth running of diplomatic action.

Even before the accession of the Comoros to international sovereignty the Comorian authorities demand territorial sovereignty as a whole that is to say; Mayotte, Anjouan, Moheli and Grande Comores. In 1972 Prince Said Ibrahim President of the Government Council at that time in a letter addressed to the Secretary-General of the United Nations system asked for the application the declaration of 4th December 1960 adopted by the General Assembly of the United Nations granting of independence to colonial countries and peoples.”

This demand raised when the prince noted that from the referendum organized in the Comoros on Sunday 22nd December 1974 the French government begins fraudulently to separate Mayotte from other islands. In drawing the consequences of this, the prince and his government begin to resort to international law.³⁸

An imperfection in the functioning of international organizations and the contradictions within themselves contributes enormously to such a situation. While it is true that sovereignty is priceless the means of any other nature which makes it possible to concretize an assertion in practice has never been available in time. Moreover the lack of cohesion consultation and follow-up in the management of political affairs in general does not spare the Comoros foreign policy. This observation is as true as a national mechanism has never been put in place to translate the UN and AU resolutions into practice. This is how the Comoros never managed to give the height of the stake the importance that merited the Committee of Seven of the AU created for the question of Mayotte.

In addition the Comorian governments treat this issue in a non-professional way. Because each president adopts his method and his policy but never draws a roadmap well structured to follow in the distant future. Thus Ali Soilih's approach on the issue was to defend the issue on the international scene while chatting clandestinely with the Mahorais without any contact with Paris. An approach that seems logical in practice because it would weld the independent Comorian part to the brother Mahorais without the opinion of Paris. Indeed in a letter dated 9th December 1975, Ali Soilih delegation in charge of the interim of the head of state addressed Marcel Henry secretary general of the MPM by trying to remind him of his previous political commitments and especially to reassure him of the decentralization the rule of law and the democracy aspired to by Mahorais. In addition to these two options he also organized the pink march on Mayotte. Salim H. Himid and Mouzaour Abdallah two of his closest ministers will 20 years later betray this line by

³⁸ Les grands défis de la politique étrangère des Comores ; Soeuf Mohamed El-Amine, 2011

adopting other orientations, approaches and methods. President Ahmed Abdallah will be content to make big statements about the issue of Mayotte on the international scene. Said Mohamed Djahar who launched the idea of tripartite dialogue will never put it on the road. Successors will fit into this logic to a close difference. Azali Assoumani tried to open direct talks with both the Mahorais and the French. In a message he sent in July 2005 to President Jacques Chirac on the question of Mayotte and on cooperation between the two countries the Comorian Head of State placed his action in the continuity of the affairs of the state by saying: *“The question of Mayotte deserves a reorientation to register in time and exceed all passion with respect of course the principles that my country has always defended”*.³⁹

Thus the French analyst Olivier Rollot was quite right when he said: “If the French intentions in the Comoros have always been tainted with ambiguities those of the Comorian leaders have remained an implacable and permanent limpity, quote the Minister of Foreign Affairs and Cooperation Souef Mohamed El Amine at the UN conference on xenophobia and racism in Durban in September 2001 ... “.

However, it is clear that what is lacking in Comorian politics is the lack of follow-up.

In a speech delivered at the UN on 24th September 2009 Mohamed Sambu declared that he was ready to sign a treaty with France in which the latter country would recognize Mayotte's membership of the Union of the Comoros. In return France would be allowed to continue the management of this island during a transition period in order to preserve the “social gains” of the Mahorais. For the former Comorian President this initiative is based on the principle that there is an “indivisible” nation composed of four natural elements (Anjouan, Grande Comores, Mayotte and Moheli) and the reality that Mayotte is managed. This compromise is however unfeasible on the French side. For ikililou dhoinine, in his first UN speech on 23rd September 2011 the president of the Comoros suggests a dialogue between Comorians and Mahorais that could very well lead to an institutional partnership between a sovereign Comorian state and the French department of Mayotte as part of Comoros. The impossibility of a cession of Mayotte to the Comoros without the prior agreement of its population if it were to be retained, it would mean the proposal of Mohamed Sambu would lead to a transfer from Mayotte to the Comoros without consultation of the Mahorais. Admittedly this solution would only be a violation of the sanction by France of international law.

³⁹ Les grands défis de la politique étrangère des Comores ; Soeuf Mohamed El-Amine, 2011

On their side, the Comorian civil society activists who have taken up and committed to the question of Mayotte say loud and clear that the Comorian government is showing procrastination, amateurism and its speeches are ambiguous. The civil society has never given up on this Franco-Comorian dispute. It protests in every possible way. This is a non-governmental association was created for this cause; “The Mahorais Committee” was created on 12th November as Mahorais day. The purpose of this association is to raise awareness and carry out peaceful protests and activities to awaken Comorians in this legitimate cause, organize workshops, debate conferences for executives and academics. It also involves the youth in its awareness messages regarding Mayotte's membership in the Comoros.

3-2.2- At the bilateral level

The attitude should consist of a revival of the dialogue between the French and Comorian authorities on the question; the union of the Comoros based on the sacrosanct principle of the intangibility of the frontiers inherited from colonization and that of respect for unity and territorial integrity. The Comorian authorities have worked to bring together Comorians from all the islands particularly through cultural and other political exchanges.

They also proposed to France to commit to no longer condemn France on the international scene as long as this dialogue will continue to seek a suitable outcome for the Comorian side including the breakdown of the process of departmental Mayotte.

To warn the French side that in the absence of a serious examination of this Comorian proposal in a short period of time the question will be debated at the General Assembly of the United Nations as well as at all the international and regional institutions which the Comoros is a member .

3.2.3- At the multilateral level:

After the failure of many attempts to resolve the Franco-Comorian conflict using amicable routes between France and Comoros, the Comoros reverts back to international law.

Because they are convinced that only this is the right to solve any territorial conflict. Thus a serious campaign of awareness of the partners especially the immediate neighbours of the Comoros was undertaken to ask them to renew their support for this problem of vitality of the Comoros. They also extended the awareness campaign to partners and friendly countries to support the Comorian cause.

They reacted for this purpose, the committee of seven of the organization of the African Union on the question of Mayotte. The Comoros has adopted a policy of monitoring with regard to regional cooperation particularly as regards the Indian Ocean Commission that France cannot introduce in both political and technical texts such terms as “Comoros and Mayotte “French Mayotte “ or the “ three islands of Comoros” these expressions go against the resolution CM / Res.419XXV of 18th July 1975 on the admission of the Comoros to the organization of the African unit; and resolution 3385XXX of 12th November 1975 on the admission of the Comoros to the United Nations system.

Recall that in the proposal that the Comorian authorities developed to resolve this conflict amicably with the French it was established that the Comorian authorities have accepted that Mayotte participates in the games of the IOC and benefits from development projects but opposing at the same time to any participation in regional forums as an entity apart from the Comoros Union.

3-2.4- The condemnation of France to the UN and the OAU by the Comoros

The Union of Comoros becomes a full member of the organization of the African Union on 18th July 1975 as a state composed of four islands (Mayotte, Moheli, Anjouan and Grande Comores). It also became a member of the United Nations on 12th November 1975. Comoros enjoys full rights in both instances in accordance with the principles of the texts of these institutions. To facilitate the resolution of this problem after having obtained the recognition of the units of the four islands and the sovereignty of the Islamic Federal Republic of the Comoros over them the Comorian Government would be ready to readapt the code of Comorian nationality so that it can accept the concept of dual nationality which allows Maorais (Comorian Mayotte) to retain their achievements as such. The Maorais may

well keep their property in the Comoros as well as in Mayotte. With this in mind the Comorian government sees no inconvenience for France to install a consul general in Mayotte.⁴⁰

Anxious to have this file evolve very quickly and concretely the Comorian government would like negotiations to be started under the auspices of the secretariat of the United Nations system.

The following are letters addressed by President Ahmed Abdallah to the United Nations Secretary-General dated 20th November 1989 requesting the condemnation of France by the illegal occupation of Mayotte.

Mr. Secretary-General

I send you a memorandum on the question of the Comorian island of Mayotte which has been approved by my whole government.

Although the Comorian side has shown a moderation and a clear desire for openness out of the ordinary, the French side has absolutely not until now allowed to accelerate the process of restitution of the island Mayotte which has a geographical ethnic social and cultural impact.

Mr. Janvier Perez de Cueller Secretary General of the United Nations, the memorandum that we send to you contains the eligible framework for us to negotiate an honourable one for both parties.

I asked my Foreign Minister Mr. Said Kafe to hand it over this very day with a message of friendship to President Mitterrand.

I would therefore be obliged if you would like to take the last word and inform us of our wish to stop at present a timetable for negotiations.

I take this opportunity to express my admiration for the commendable efforts you are making in the service of international peace and would like to express the hope that they will enable my country to recover its territorial integrity and to gain access to the dignity to which it is entitled.

⁴⁰ Les grands défis de la politique étrangère des Comores ; Soeuf Mohamed El-Amine, 2011

Receive Monsieur le Secetaire Generale, the assurance of my highest consideration and the expression of my anticipated thanks.

AHMED ABDALLAH ABDEREMANE

Letter addressed to the president Francois Mitterrand

Mister President,

I have taken the care of sending to you my Minister of Foreign Affairs Mr. Said Kafe who enjoys my full confidence in order to hand you a copy of the memorandum on the island of Mayotte which the Comorian Government will hand over to-day to Mr. Janvier Perez De Cueller Secretary General of the United Nations

It is indeed at the request of the latter who has been mandated by the General Assembly to mediate between our two countries that we make the requested contribution in order to find a just and satisfactory solution to the problem of Mayotte.

You have sir that this problem occupies all my previous political action and mobilizes to the highest point the Comorian people.

Address of the president of Comoros Ahmed Abdallah Sambi to the general assembly

For many years my country has called upon the international community to witness and expressed its willingness to provide a bilateral just and equitable solution to the issue at hand.

The answer to our place was scathing: not only did France take in 1994 unilateral measures to impede the free movement of people by the introduction of a visa for any Comorian wishing to go to Mayotte, but it also initiated in the year 2000 an illegal process of

departmentalization of the island. I wish to stress here that the imposition of this visa in 1994 has serious consequences. There is about 70 km of water separating Anjouan and the island of Mayotte the largest marine cemetery in the world with nearly seven mille dead already counted.

In addition, while we had agreed to set up a high-level working group charged with relaunching the dialogue and reflecting together on just and equitable solutions, France organized on 29th May 2009 another consultation aimed to transform the status of the island of Mayotte into an overseas department.

Mr. Secretary General,

Honorable Assistant,

We are surprised that despite all the good will of the Comorian party and especially the innovative proposal on Mayotte to have “a country two systems” that I myself presented during the previous session in this August Assembly, France has hitherto given a positive answer to this extended hand. This double system would be a compromise that would guarantee finally the respect of the international law while allowing France to continue to administer the Comorian island of Mayotte in a legitimate way for a period to be determined by mutual agreement. It would enable our brothers and sisters to preserve their social achievements and their standard of living. Lastly it would allow the other three islands to take up, in peace and stability, the many challenges posed by development. However France wants to ignore this compromise and faced with this attitude we are obliged to request our Organization to demand from France that it respects and abides by international law by applying the various relevant United Nations resolutions on the Comorian island of Mayotte and reconsiders its position with respect to this extended hand which is obviously a huge sacrifice for my country.

The future of Comoros, this small sovereign country member of the United Nations is at stake.

It goes besides the honour of France this great country whose ideals of liberty, equality and fraternity have strongly and deeply inspired the Universal Declaration of Human Rights and the principles that underpins our Charter. Lastly there is the honour of our Organization

which if it were to be known that international law and equality should be constantly ignored and the territorial integrity of the Comoros continually flouted all its credibility would be called into question. As a guarantee of respect for international law it is incumbent on it to require its members to ensure that their legislation is consistent with its respective resolutions.

3-3- the position of the French government

3.3.1- The strategic importance of Mayotte

I would like to try to explain the interest of this island and more broadly of the Indian Ocean and the Mozambique Channel for French imperialism and its rivals. The book by Pierre Caminade "Comoros-Mayotte": a neocolonial history (Agone editions) explains how the Indian Ocean became strategically important again in the late 1960s and early 1970s with the Six Day War in 1967 the 1971 conflict between India and Pakistan, the Yom Kippur war in 1973 and the first oil crisis in the same year. Moreover, the Soviet Union developed its naval power in the Indian Ocean and the Americans reinforced and militarized the naval air base of Diego Garcia.

Caminade says that the French sought at that time to assert their own influence in the region with their naval base Diego-Suarez competing with Diego Garcia. But under pressure from Madagascar which had established diplomatic relations with the Soviet Union and China in late 1972, the French withdrew from Diego-Suarez in 1973. A document written at the time by a Mahorian; evokes the strategic interest of Mayotte as an alternative: "Mayotte overseas department would represent for France on the international chessboard a position of observatory geographically well located between the Reunion and Djibouti while we must leave Diego-Suarez." It was during this period that a Gaullist lobby around Michel Debre and Pierre Messmer envisaged the creation in Mayotte of a new base of the French fleet. This

naval base was not completed but in 2000 the Badamiers military check point in Petite-Terre (Mayotte) was put into service.⁴¹

There are also other islands around Madagascar - the Scattered Islands: Juan de Nova, the Glorious Islands, Tromelin etc which were attached to the French colony of Madagascar since 1896. These islands should have been restored in 1960 during the proclamation of independence of this country. But three months before independence the French government placed these islands under the direct authority of the Minister of Overseas. It is de Gaulle himself who insisted that these islands remain part of France because they were possible sites for the nuclear tests of the future “strike force” and also simply because of their strategic position for the French army: they allow French imperialists to control the Mozambique Channel. If we count Tromelin and the island of Reunion another DOM, Madagascar is surrounded by territories claimed by the France.

In 2010 alone the Sarkozy government signed a draft joint economic management framework agreement with Tromelin Mauritius (which was successively Dutch colony then French and British before gaining independence in 1968). The following has been stated with regards to the aforementioned;

“There can be no question that France renounced sovereignty over Tromelin not only in principle but also because it could have had an impact on other disputes relating to French overseas possessions particularly that with Madagascar. It scattered Islands located in the Mozambique Channel. “

Partly for military reasons and for the strategic position of these islands, the Mozambique Channel is a very frequent shipping route through which a large part of the oil exports from the Middle East to Europe (and the United States) pass. In addition there are important economic interests. The Mozambique Channel could become a new eldorado of oil and off-shore gas. According to a report published in 2012 by oil companies that carried out exploration work off Juan de Nova the exploitable deposits would be “comparable to those of the North Sea” (April 2012).⁴²

However, the Sarkozy government insisted in a report intended for the Senate that the French will to retain the control of Juan de Nova was motivated above all by the concern to

⁴¹ Pierre Caminade” Comoros-Mayotte”: a neocolonial history (Agone editions)

⁴² Pierre Caminade” Comoros-Mayotte”: a neocolonial history (Agone editions)

protect “essential breeding sites for more than 3 million birds of 26 species as well as some 15 000 sea turtles”. The same report suggested that France had no oil interests in the Eparses Islands.

There is also something called the Economic Exclusivity Zone (EEZ). A country may control the resources (fishing but also raw materials such as oil, gas etc.) of a maritime area within a 200 nautical mile (370 km) radius of its territory. As France claims the EEZ around Juan de Nova it has ceded the oil exploration licenses even though the island is only 150 km from the Malagasy coast.

Moreover, Caminade insists in his book the importance EEZs for France. France is the second world maritime power behind the United States (at least by the ocean surface it claims control). And it has territories in all the oceans which gives it a strategic place with, for example, its communication stations in Mayotte, Reunion and New Caledonia. The electronic espionage network which includes the communication station of Mayotte covers almost all of the planet. According to Caminade France is making much of this security asset within the European Union. Mayotte is also important as a permanent base for the French armed forces. They installed a detachment of the Foreign Legion and a base of gendarmerie maritime.

3-3.2- Divide the Comoros to rule in Mayotte

It was in 1841 that the French arrived to “protect” Mayotte. In 1886 Grande Comores then Anjouan and Moheli passed in turn under French protectorate. In 1946 the four islands became an “overseas territory” – “the territory of the Comoros”

At the same time an independent feeling began to develop in Mayotte France as part of a classic colonial policy of “divide and conquer” had always favoured Mayotte which is minority - about 10% of the population of the country. French imperialists reacted to the independentism feeling that threatened the rest of the archipelago and the other colonies of the region (particularly the neighboring Reunion). In 1957 it decided to punish Mayotte by entrusting all the powers in the Comoros archipelago to a “Council of Government” where the Mahorais would be in the minority. As a result the capital and the main economic activities were also transferred in 1958 to Moroni at the other end of the archipelago.⁴³

⁴³ Etude sur l’archipel des Comores ; Ainoudine Sidi,2012

This is the origin of separatism Mahorais vis-à-vis the Comoros. The MPM – (Mouvement Populaire Mahorais) was founded in 1963. This movement resorted to violence and expulsions to achieve its ends and in particular to throw the “Anjouanais” to the sea. It had in particular a female militia “ticklish” reputed for its brutality. From 1966 separatist demonstrations and slogans were launched in Mayotte by the three great families of the island (Henry, Giraud and Nouvou).

During this period France encouraged repression against the Comorian independence movement in Mayotte (called “shake hands” because it is conducive to rapprochement with the Comoros) and its agents fuelled the anti-Comoros feelings. The Secretary of State for DOM-TOM Messmer mentioned that “Mayotte French can remain for 130 years or so many years if it wishes” But at the same time France supported the President of the Comoros Ahmed Abdallah put in place by Jacques Foccart the “Secretary General for African and Malagasy Affairs” of the Elysee. With insults and repression Abdallah also pushed the Mahorais towards separatism. Faced with the attacks and provocations of Abdallah which were increasing France presented itself to the Mahorais as their only possible protector.⁴⁴

In 1974 the Comorians organized a referendum on independence. The question was whether the people of the Comoros wished to choose independence or remain within the French Republic. Finally the results were proclaimed in July 1975. Almost 95% of the votes casted in the Comoros were in favor of independence. But for the Mahorais 7.7% of the voters at the time (today because of the explosive demographic growth I have already mentioned the Mahorais represent almost 30% of the Comorian population) the result were quite another: 65% of them oppose independence.

In July 2000 the Chirac-Jospin government organized a new referendum to approve the principle of “departmentalization”. The “yes” having won by 73% a last referendum was organized in 2009 for approval of the “Transformation of Mayotte into a single community called department”. Unsurprisingly after a campaign dominated by blackmail and institutional fraud the victory of the “yes” won at an overwhelming 95% (but the abstention rate was still high - 39% - and the opponents of the departmentalization explained this level by the pressures exerted during the campaign and the day of the referendum against the vote “no”. A few days later when he got off the plane that brought him to Mayotte Sarkozy

⁴⁴ Etude sur l’archipel des Comores ; Ainoudine Sidi,2012

declared: “You are French my compatriots of Mayotte since 1841 that is to say for a longer time than Nice or that”

3-3.3- Down with the “Balladur visa”

It is Charles Pasqua who as interior minister of the Mitterrand-Balladur government took in 1994 the initiative of the restoration of a visa imposed to the Comorians for some displacement that it is in Mayotte (family visit seek treatment join their compatriots Mahorais work etc.). The introduction of this visa aimed to cut and isolate Mahorais residents of other islands of the archipelago. In particular they suddenly transformed into “illegal immigrants” to all Comorians from the neighbouring island of Anjouan which is located less than 70 kilometres away, many of whom have family ties with the inhabitants of Mayotte. The absurdity of this diktat which cuts bureaucratically in the living flesh of one and the same people was so blatant at the time that it was denounced including by Foccart the gray eminence of the FrancAfrique. He mentioned to the effect that “we could have done as if the sixty thousand inhabitants of this small island could live without connection with the rest of the archipelago”⁴⁵

Since 1st January 1995 Anjouanais have thus become the main source of massive Comorian “illegal immigration” to Mayotte. Anjouan is the poorest and most overpopulated island of the archipelago. The makeshift boats that make the trip from Anjouan to Mayotte the kwasa kwasa (fishing boats) are legion. Since the introduction of the Balladur visa thousands of Anjouanais including many children and babies have drowned while trying to reach Mayotte by the sea. This inlet has been dubbed “the largest marine cemetery in the world.” There is a need for immediate abolition of the “Balladur visa” and giving full rights of citizenship for all those who are in Mayotte!

Anjouanais today represent 40 to 50% of the population of Mayotte. They are mostly women. Since 1995 large raids and explosions of pogromist violence regularly occur in Mayotte against the Anjouanais and a climate of permanent fear has settled in. In 1998 there were 6 500 immigrants to the artificial “border” between Mayotte and the rest of the Comoros. In 2008 there were 160 in 2010 there were 26 400. Figures for 2011 and 2012 are lower (210

⁴⁵ Etude sur l’archipel des Comores ; Ainoudine Sidi,2012

and 160 evictions respectively) because of the best “interceptions” at sea according to Paris which explains that more Anjouanais are refolded even before reaching the Mahoran coast.

The hunt for “illegal immigrants” had been conducted with the same vigor by both right and left governments. In 2000 the “socialist” government of Jospin further tightened the legislation on conditions of entry and residence of foreigners in Mayotte. An Anjouanais who enters or stays in Mayotte without a visa was now to be liable to one year imprisonment and a fine of 40 euros. During his visit to Mayotte in 2009 Sarkozy did not fail to shed a few tears of crocodile on the “several deaths every year” - which are caused criminal “illegal immigration” networks by in Mayotte.

Furthermore, like the rest of the rules and administrative practices the treatment reserved by the repressive machine of the French State to the “clandestine” of Mayotte is also “adapted”. In concrete terms this means that the French colonial administration in Mayotte has been breezing at the feet of its own rules. As a result many children find themselves abandoned overnight as if they were suddenly orphaned after the expulsion of their parents. In addition the PS-Greens government of Holland explicitly excluded Mayotte from the circular of 6th July 2012 limiting the detention of minors in retention camps.

From 2010 the media advanced the figure of several thousand children that were abandoned and isolated to a number of 2000 inhabitants But the administration has invented a “solution” to this problem: it is simply enough to also expel the children by attaching them administratively (and arbitrarily) to any adult. In this way as explained by the local director of the PAF (Border Police) “the minor who is the subject of an expulsion is attached to an adult who has accompanied him in the boat.

A child of Anjouanais in Mayotte can theoretically hope to regularize his status to his majority provided however that at the age of 16 he can attest to a schooling of 5 years which is almost impossible. According to the 2007 population census 44 of over-15s have never been to school. As for the mother she is in principle not to be expelled as long as her child is under 16 years old ... but she remains officially a “clandestine immigrant” not authorized to work except of course “;in the dark” which is to say in conditions of overexploitation close to pure and simple slavery.

Another anecdote to show the animosity that France feeds between Anjouan and Mahorais. In late February 2004, in the south of Mayotte 57 children of undocumented migrants were forcibly removed from their school by villagers. Following this the chief of staff of the prefect a French obviously discussed with the villagers the gendarmerie etc. and finally agreed that to appease the spirits of the members of the “collective” villagers they can be “associated with the fight against illegal immigration by providing information to the police on the supposed administrative status of some inhabitants of the commune”.

These events are also reminiscent of the climate of 2005 when the spirits were warmed by Francois Baroin then Minister of Overseas for France who suggested that we end up with the right soil. At that time the houses of the “illegal immigrants” were burned under the gaze of the gendarmerie and thousands of people had to hide in the forest. Very quickly the price of certain commodities had double for lack of workers “illegals” to make return the crops. France however never accepted the annexation of Alsace and Lorraine by Germany in 1870. It would in no way have recognized the validity of a referendum organized in the regions occupied by Germany after its defeat in the 39/45 war when it was not able militarily to oppose this decision even though Nazi Germany would have it validated by its parliament and entered these regions in its constitution.

3-3.5- When France invents a law and misunderstands the UN

On 31st December 1975, the French National Assembly adopts the law number 75-1377 concerning a new consultation specific to Mayotte. On 8th January 1976 the Mahorais voted for the yes to 99.42. The UN tried to declare this referendum null on 6th February 1976. France used its veto powers for the first time in its history to oppose this move.

The UN will condemn France more than twenty times but France remains deaf and has its veto that it can brandish to violate international law. Indeed the Comorian constitution recognizes 4 islands so there is a conflict of territory and the UN has recognized the Comoros by considering this territory is composed of 4 islands. The law of 3rd January 1968 (article 3 paragraph 1) states: “*the Comoros archipelago comprises the islands of Grande Comoro, Anjouan, Mayotte and Moheli forms an overseas territory endowed with the personality*” as Mahmoud Ibrahim writes in his book entitled *The Dispute Between France and The Comoros*.

The visit of Yves Jedo and Alain Joyandet French Minister for Overseas Territories and of Cooperation respectively from May 15th to May 16th 2008 was to be historic. It was the first time that French high ranking politicians went to Comoran soil to discuss the rise of the dispute between the two countries. In this visit the two politicians who represented the French government signed agreements with the Comorian authorities. According to the newspaper Malango an article published on Saturday 17th May 2008, The Secretary of State for overseas spoke of a new agreement that should lead in early 2009, the signing of a bilateral agreement between the two countries which had never happened since the proclamation of independence of Comoros. This agreement could be according to the same source sign within the framework of a visit of ex-president Nicolas Sarkozy to Moroni. “We will prepare by the beginning of next year a visit of President Sarkozy to Moroni. In the meantime if the opportunity arises the two heads of state can meet in Paris”.

The signing of this bilateral agreement will among other things open up a new phase of relations that are hitherto very tense between the two countries with regard to the question of Mayotte. This is a new relationship between the four little sisters in order to find stability and out of a logic of confrontation. In his remark Yves Jégo stated that “It's been 33 years since both sides have the same speech we must now begin a new era.” This agreement foresees among others things as a will to foresee a cooperation which gathers the four islands of the archipelago. Exchanges between the four islands must be prioritized. The question of Mayotte was quickly evacuated at the meeting of the two French ministers and the President of the Comoran government Ahmed Abdallah Sambi. Mr. Jedo explained that each had their position and must go beyond it

The Comorian side wants free movement of people and goods between the four little sisters. People who want to go to Mayotte spend a few days to visit their families or for other purposes such as work medical care or anything else. But on the contrary if these people have other purposes than the one mentioned example live they will have to respect the rules of the republic. If these words are confirmed in the acts it will mean the end of the famous Balladur visa set up in 1995 between the islands of the archipelago and accused by many militants of being the origin of the thousands of losses of life in the arm of the sea that separates Anjouan and Mayotte.

However it can be said that the position of the French government on the dispute with the Comorian government has never been satisfactory. It has never been satisfactory to the

extent that since the unilateral accession of the Comoros to independence no French government has ever attempted to treat this question amicably. It is obvious that the tone on the dispute changes according to the time and according to the policy put in place by successive French governments but none of them has ever dealt with this dispute. For example President Francois Mitterrand in listening to these speeches and his position as to the respect for the principle of international law and the principles of peoples to self-determination it was believed that after his second term as President of the French Republic that he was going to at least alleviate this problem. Unlike that nothing has been done and these successors only make things worse. Faced with this observation we can say that the position of the French government wants at all costs to maintain the island of Mayotte in the republic to maintain its position in the Indian Ocean but also to control the independent Comoros. As confirmed by several analysts the presence of France in this area allows it to play an important role on the international scene but also in its policy of enlarging these borders. France wants to position itself as a leader in the Indian Ocean ahead of Russia and the United States of America which have a presence in this zone respectively. But is it necessary that France a great power continues these maneuvers of disregard of the principles of the United Nations and international law just to maintain its position in the Indian Ocean? Is there not another alternative to maintain its position in this zone that illegally occupy Mayotte?

3.4 What does the mahorian population want?

In accordance with Articles 1, 2 and 3 of the Separatist Law of 31st December 1975 the population of Mayotte was twice consulted during 1976. First on 8th January 1976 it was asked to take a decision whether it wished to remain in the French Republic or become part of the new Comorian state. Then on 11th April 1976 a second consultation was organized, this time several voters had gone to the polls. In all these consultations the Mahorais were in favour of maintaining within the French Republic. It should be noted also that Gerbet rapporteur of the law committee of the National Assembly said: *“It is not surprising in these circumstances that the Mahorian People's Movement (MPM) had given the very great majority of its adherents the order to express the desire that Mayotte be endowed with the status of department that a means of printed bulletins and distributed by its care well that the possibility of departmentalization has not been officially offered to them “.*

Taking into account the particular situation of the island it is considered that departmentalization is a formula too rigid that is does not adapte to the real needs of Mayotte whose population has retained the customary Muslim civil status. It must also be remembered that even before this period of protectorate the Mahorais lived in the total dependence of the sultans of Anjouan and subsequently that of Madagascar before being attached to the system of French protectorate. The Mahorais have never put in their heads an idea of living independently. For them, living in the French Republic is the only way to fight the socio-economic problems that reign in the archipelago. During the referendum the population of Mahorais was illiterate, the majority of them could neither read nor write and France is seen as having contributed to this. For them living in the French Republic is a way to stay free.

The Mahorais having succeeded in imposing on the French Government the postponement of the implementation of the roadmap resulting from the France-Comoros High Joint Council of 12th September 2017, by imposing conditions that resemble a request for capitulation of the Comoros. Even before they are associated “at the next meetings of the High Joint Council and consulted upstream on the work of the Technical Committee to be set up soon as stipulated the inter-ministerial press release of the French overseas departments and Foreigners affairs on 28th September 2017. They demanded that Mayotte be able to fly with the French flags during the games of the islands of the Indian Ocean as well as the integration of the island be as a separate entity in the Commission of Indian Ocean. These conditions resemble a formal request for capitulation of the Comoros because if these conditions are accepted, then Comoros will be accepting that Mayotte is an island of France.

Since the Comoros gained independence on 6th July 1975 the Comoros have lost weight in favour of France and the Mahorais in the hope of finding a solution to this territorial conflict. Comorian concessions have always been exploited as a victory by the Mahorais. From the withdrawal of the issue of the Comorian island of Mayotte to the United Nations General Assembly to the integration of Mayotte to the games of the islands of the Indian Ocean by the will of the Comoros, these gestures have strengthened the positions of Mahoran who demand a lot more from Comoros. The small gestures made by France to bring the 4 islands of the archipelago are fought by the Mahorais like the roadmap of 12th September 2013 which according to the words of the spokesman of the French government includes “advances extremely positives”. These advances are mainly and always Comorian concessions as the factual recognition in an official document signed by the Government of

the Union of the Comoros of the existence a maritime border between the “Comoros” and “Mayotte”.

Thus the Comorian concessions have never favoured the rapprochement of the islands of the archipelago; on the contrary they have been transformed into victory by the Mahorais. What the Mahorais really want is the Comorian capitulation the acceptance of fait accompli French Mayotte and the discussion of regional cooperation and good neighbourly relations.



CHAPTER 4: THE OUTCOME OF FRANCO-COMORIAN RELATIONSHIP

Since the Republic of Comoros' independence from France in 1975, both France and Comoros have been able to maintain a good relationship with one another. This relationship is based on mutual interests that bring them to work closely together and the fact that France continues to be involved in several affairs of its former colony. These issues range from cultural, scientific, economic, health and even family dynamics. Because of the tumultuous past between the two countries, what is apparent is the perpetuation of bilateral situation – one that is consistent on the dependency of one another in keeping up with these same stated affairs. Nevertheless, their cooperation between the two countries is believed to be done through the bilateral relationship that exist between both capitals, Paris and Moroni.

What can we expect to come from their dependant relationship? What is acquired from the Franco-Comorian relationship and how does that play out in future of each country? Can France be considered a long-standing ally of the Comoros, loyal to its friend in their bilateral relations?

1.0-france Comoros's socio economic relationships

1.1 Economic Cooperation

France and its former colony have a close economic relationship, being that ties that France has to the Comoros since the island achieved independence. Part of this relationship is France's intention to assist its former colony socially and economically. Thus today, France is the country's largest donor (between 25% and 45% of annual public development aid commitments) and remains a major commercial partner (3rd largest supplier and 2nd customer in 2015). According to the IMF's 2012 statistics, France is the second largest supplier to Comoros (14% market share) behind Pakistan (17%) the United Arab Emirates (11%) and India (8%). It seems obvious that these countries are the potential partners of the Comoros Union as they are involved in the country's supply for exports and imports of food and other necessary goods. France is the biggest trade partner between the Republic of Comores, and as a result, its exportation to Comoros is € 29.7m.⁴⁶ On the other hand,

⁴⁶ Ministries of Economy, Labor, Employment and Promotion of Women Entrepreneurship - Department of Archives, Union of Comoros, (2017)

Comoros play its part in exports, shipping necessary industrial products to France. France is the fourth largest purchaser of goods of the Republic of Comoros after the Netherlands, Singapore and Turkey. Its purchases represent € 5.7 million (up 13%) and mostly include essential oils for the perfume and cosmetics industry. There is a particularly special importance in the context of the monetary agreements of the Franc Zone. France guarantees the unlimited convertibility of the Comorian Franc and has a 50% representation on the Board of Directors of the BCC (Central Bank of the Comoros). The latter is a pillar of the country's economic stability in the context of economic fragility and marked vulnerability of the financial system. The most significant French investments are linked in the banking sector with the Comoros Bank for Industry and Trade (BNP Paribas group) and the French Development Agency (AFD). The French Development Agency is a French institution set up in the Comoros as a partnership for financial development. It is the standing body empowered to evaluate the real investment needs in the Comoros. More recently, the Bolloré Africa Logistics group in collaboration with France manages the port of Moroni.

In 2015, trade between France and the Comoros was up by 25% and amounted to € 49 million (€ 41 million in exports and € 8 million in imports). The Comoros was therefore increased to the 133rd customer and the 69th surplus of France in the world.

Several large French companies are located in Comoros: Colas (quarrying and gravel crushing), Lafarge (realization of a cement bagging unit), Bolloré, BIC-Comores (BNP Paribas), Air Australia, Ewa, Camusat (telephone equipment supplier working on a € 25 million coastal monitoring project), and Telco (subsidiary of the Telma Franco-Malagasy group). With regard to direct public aid, France remains at the forefront.⁴⁷

France leads donors in 2009-2013, with 17.6% of the official development assistance (ODA). This figure rises to 20.8% for the year of 2013 according to the figures of the Commissariat Général Plan. Behind follows the European Union, China and the United Arab Emirates with respectively 14.2%, 11.6% and 9.5% of ODA in the period between 2009-13.

France's support is mainly focused on the projects of the French Development Agency in the sectors concerning water and health, as well as actions by the French Embassy in Comoros in favor of the language French and governance.

⁴⁷ AFD French development agency (2015); Report published for the investissement on Comoros

France and the Comoros intend to play a central role in multiple sectors, including the construction of an area of the South West Indian Ocean, peace and security, law and democracy, justice and freedom, development and prosperity . Both countries will give new impetus to their economic relations, particularly through the development of regional cooperation. To this end, they intend to promote a revival of their economic exchanges and encourage the development of investments between their companies. This recovery should be mutually beneficial and result in the development of investment and the preservation and potential creation of jobs in their respective territories. Economic operators, including the Comorians living in France and the French living in the Comoros, will be closely associated with its definition and monitoring of its implementation. This new dynamic will strengthen the solidarity and reinvigorate the economic relations between both capitals, Paris and Moroni.

Nevertheless, it is important to emphasize that despite the good economic relations that exist between the two countries, that France is not fully committed . Comoros is basically backwards when it comes to direct investment in the private sector. France is the colonizing country of the Republic of Comoros, and at such, France has a good base in the matter of investment in Union of the Comoros. I must state in this case, that France has not established any industry, production companies or made a major transformation in the Comorian's grounding. The only French establishment on Comorian soil is an educational institution, Ecole Francaise Henri Matisse, which studies are limited to the secondary level. This institution is designed in practice to educate the children of the French missionaries accredited in the Comoros and the French nationals of Comorian nationality who have had their children in the Comoros. Despite all this, France remains the first economic partner of the Union of the Comoros.

1.2 -socio cultural relation

Cultural, scientific and technical cooperation between France and Comoros

According to the source (*cadre de programmation conjointe*) France's cooperation with the Union of Comoros covering the 2015-2020 period provides for a total amount of € 135 million, including more than € 25 million to be put in place by AFD for competitions that have already been learned and can be mobilized. Their implementation, however, depends on the ability to cope with the many handicaps suffered by the country: energy, remoteness, maritime transport, outsourcing, compliance with contracts. At this stage, these weaknesses affect the volume of disbursements which remains below targets. Through the French Agency for Development (AFD), France wants to expand its technical action in the Union of the Comoros. According to a document published by the French Agency for Development in 2015, France will support the Comoros with technical damage. The document focuses mainly on energy, fishing, the maritime domain and others whose needs are very sensitive. This technical accompaniment will help relaunch and initiate good bases to revive productive activities in these areas.

1.2.1-Technical cooperation

On 27 September 2010, France and the Union of the Comoros signed a new Defense Partnership Agreement aimed at developing the capabilities of the Comorian army and providing a cooperation component in the field of maritime safety. The entry into force in 2013 of the intergovernmental agreement established a defense partnership will made it possible to consolidate cooperation in this area. In this context, France's commitment is to support the Union of Comoros in its desire to reform its defense tool. The addition of a secondment of a military advisor to the minister was to accompany the strategic thinking under way. In addition, the combination of the cooperation actions of the Armed Forces of the South Indian Ocean Zone (FAZSOI - Military Staff) and the Directorate of Security and Defense Cooperation (MFA) was to mark a special effort in the training of managers and units. Cooperation in the field of internal security (fight against drug trafficking, fight against trafficking in human beings and against illegal immigration), which benefits from the presence of a technical expert, continues. The training actions are the basis of this cooperation, in particular for the reinforcement of airport security for which the Union of the Comoros benefits from the FSP ASACA project (Support to airport security on the African continent). The safety of navigation and maritime services, as well as the safety of life at sea

is an essential concern. In order to strengthen the efficiency of the services concerned, in particular to the coast guard, France will carry out training activities for the benefit of the Comorian personnel concerned in the framework of its structural defense cooperation and will take part in surveillance operations and, if necessary, search and rescue at sea.⁴⁸ France also makes available to the Union of Comoros an International Technical Expert (ETI) specialized in the fields of airport security, the Police of the Air and Borders and another ETI with the Central Bank of Comoros.(AFD, 2015)

1.2.2-Cultural cooperation

France is also active in cultural cooperation. French alliances are present on each of the three islands of the Union of Comoros (Grande-Comore, Anjouan and Mohéli). They have more than 3000 enrolled in French classes alone. The French school, Henri Matisse, contracted with the Agency for French Education Abroad (AEFE) welcomes many students in Moroni. The cooperation scheme is completed by a Campus area.

At this level, there is a rapid and significant deterioration of French language proficiency at all levels of the Comorian educational system, which hinders learning. The Comorian authorities are calling for a large-scale action, capable of reversing the trend of weakening French language skills, so as to avoid that an impairment in the use of this language. It is assumed that this will eventually lead to increased difficulties in academic success, a loss of Francophone practice in the archipelago. More broadly, in the field of education, the French government adopts a strategy based on the development of education and vocational training with a view to improving human capital. Programs and projects implemented must aim to:

- Develop education, technical education and vocational training in adequacy with the job market;
- Improve access and quality of basic education (preschool and elementary) and secondary;
- Develop competent human resources.

⁴⁸ Report published by the AFD French development agency (2015)

- Promote literacy and sports and cultural activities;
- Fit into the Global Partnership for Education.⁴⁹

1.2.3-Improving the level of French Language in the Comoros

Local authorities wish to maintain the development of French language among the citizens instead of Arabic. At the level of general education, the draft Master Plan (2010-2015) recommends a strengthening of the teaching of languages, and more particularly French. At the request of the educational authorities, bilateral cooperation in the language sector will contribute to the success of this reform, notably through the implementation of a FSP project entitled, "Support to French in the Comoros" (2013-2015). It was developed in close cooperation with the Ministry of National Education, Research, Arts and Culture (MENRAC) and the participation of university authorities, audiovisual media managers, heads of reading and reading centers. cultural animation (CLAC) of the International Organization of Francophonie (OIF) and library associations. The component aims to strengthen the initial training and continuous training of French teachers. This component concerns the Francophone environment in the Comoros, particularly in the fields of books and media.

1.2.4-As for higher education

The policy of strengthening the faculty of the University of the Comoros will be supported through the French policy of scholarships, missions and invitations to allow a strengthening of the teaching supervision with an increase in the number of PhD students and PhDs on all faculties. Similarly, the establishment of research laboratories, the conduct of university conferences, and publication in reference journals will be encouraged. This support is also valid for the National Center for Documentation and Scientific Research to strengthen its link with the University. In line with the strategy of the Comorian partners, it will support the policy carried out in favor of the professionalism of higher education in the creation of professional sectors and the dialogue with the economic partners. The University of Comoros has been able to establish a number of university partnerships will be better to grow in the development of these initiatives. This is particularly important for bilateral Franco-Comorian

⁴⁹ http://www.gouv.com/Comoros/background.Minister_of_education.htm(2015)

cooperation but also for the Institute for Research for Development (IRD) which becomes a new player in higher education in the Comoros.(AFD, 2015)

2. the comorian diaspora

2.1 The immigrants from Comoros to France

2-1.1-First migrations of Comorians in metropolitan France

The first Comorian migrants to settle in France were the famous "navigators" in the late 1940s and early 1950s. Before them, soldiers had participated in the First and Second World wars but were repatriated once the war over.

At the end of the hostilities from 1939-45, some fighters tried to settle in the late 1940s. Merchant vessels of the CMM began to crisscross the Indian Ocean and connect the colonies to the metropolis, making Comorians tempted by the adventure of navigation to seize the opportunity.

Thus began the bridge between the French empire of the Indian Ocean and the metropolis. According to Slimani-Le Houérou (2002), "colonization has made France one of the Comorians' destinations", and after Marseille, their main home port. The Messageries Maritimes company from Marseilles sent ships to the Indian Ocean colonies and between 1952 and 1970, the "Glorious Period", Comorian navigators and the expansion of the diaspora laid the foundations for a movement that would eventually take on an international dimension previously unknown in the Comorian migratory movement.⁵⁰

Four cruise ships belonging to the Compagnie des Messageries Maritimes (based in Marseille) provided the connection between the port of Marseille and the Indian Ocean (Madagascar, Réunion, Mauritius, Comoros, Dar es Salaam, Mombasa, Djibouti ...)

⁵⁰ Slimani-Le Houérou (2002),

In the Comoros from the years 1950-1960, different populations had an unlimited admiration for these new rich lands, where many wanted to recreate the idea of EL Dorado, but through a new space and time.

2-1.2-the comorians population in marseille

Being the point of fall of the Comorian migration since the first arrivals in the years 1940-1950, this cosmopolitan city was built by multiple waves of migrations which succeeded one another. Up to now, Marseilles constitutes as the first major place where Comorian immigrants settled down. They came almost all from Madagascar, a transit country from where they boarded the long courses destined for the metropolis. The colonization of the island of Madagascar by France had facilitated mobility to the “big island”. Therefore, a large number of Comorians left the archipelago for Madagascar and then headed for Marseille, where a migratory network began to form, facilitated by the ships of the Messageries Maritimes (including J. Laborde, Labourdonnais, F. De Lesseps and the P.Loti). It was not until the end of the 1950s that the first steamers of M.M. wetting off Moroni. F. Le Houérou (2002), explained:

"The history of the installation of the Comorians in Marseille is comparable to that of the Maghreb migration. They are visible in the old central districts now undergoing renovation that correspond to the first installation: it is the 1st, 2nd and 3rd districts that correspond to the Joliette, the Basket where there are currently several tens of families, Félix-Pyat, Belsunce, boulevard National, boulevard de Paris and boulevard de Strasbourg going to Saint Charles station. These neighborhoods, which have traditionally welcomed newly-arrived populations, still offer unhealthy and dilapidated housing, but also preserve in some streets a collective life and community solidarity that is reminiscent of the country of origin. "

Few Comorians still live today in the districts of the Panier, Joliette that were once the base for all migrants from Ngazidja. The new areas invested in the outskirts of Marseille were more recent, mostly in the 1980s. The story of the installation of Comorians in Marseille at the very beginning begins in a small number of neighborhoods in the center of the city. Basket F. Le Houérou and K. Direche-Slimani (2002, p.15) support this idea, noting that there are real places of arrival circumscribed in the city and spaces predestined for new migrants. It is these neighborhoods bordering the port which are invested by the new immigrants, the sector of Joliette and more particularly the district of the basket make office at the beginning of the XXth century point of fall for the newcomers of all nationalities.

E. Temine (1998, p.104) relates that, already at the beginning of the XXth century, Corsicans and Neapolitans invested the Basket where they found there between them, inhabitants of the same village in a same street, recognizing each other and helping each other, as they would have done in the village, recomposing even this village, with its traditions, its particular devotions, with, of course, its meeting places, the wash-house, the cafe, the shops, with his league habits.

Although Marseille occupies most of Comorian immigrants, other cities like Paris, Lyon, Bardeau, Nice are also cities whose number of Comorians are not negligible. The Comorians settle in the largest agglomerations of France with every opportunity to earn a living. Arriving on French soil, the “undocumented” prefer to settle down in the countryside where the control of papers is less risky. It is until a moment through financial means to buy papers or from marriage to a female with French nationality to hope for the promise of seeing papers. This parish weakens many because a person without papers can live more than 10 years in French soil without the chance to see a regular day. We can not go without mentioning the sacrifice that families make while sacrificing all their wealth during this adventure, and also the vital risk that each one of them will take while crossing the Mediterranean.

2.2-Structure of Labor Marker and Context of Socio-Economic

Since the rise to independence of the Comoros Islands, their economy is struggling to take off. The political turbulence that has shaken them has hindered the process of their socio-economic development. Between 1975 and 2005, the evolution of their GDP was very weak and erratic. From 1975 to 1980, average annual growth was 5.6%, with an average annual growth rate of 2.7%, while the population growth rate was 3.2%. The cost of maintaining the mercenaries, their grip on the Comorian economy and the risky management of public finances by the government of President Abdallah did not allow the economic take-off.

From 2000, this trend reversed. In this respect, the economy has been characterized by positive growth averaging 3.0 per cent a year, corresponding to a per capita growth rate of 0.8 per cent, while the population growth of 2.8 percent (source of BBC 2002). In addition, the weakness of the Comorian economy can be explained by several other factors. We can

cite, among others, political instability, corruption, the weakness of human resources and the absence of a development model appropriate to the Comorian reality. These make it difficult to diversify. Thus, its production structure remains dualistic. This dualism which characterizes the economy of a country in full demographic expansion contributes to maintain the structural imbalances which characterize the market of the Comorian job. According to statistics from 1980 and 2003, the labor force grew at an average annual rate of 2.4%. This corresponds to the arrival of the labor market of more than 3,500 new assets per year. The virtual absence of industrial activities, the limited capacity of the private sector in terms of job creation and the saturation of the Comorian civil service make it difficult to integrate these cohorts of young workers.⁵¹ This results in an endemic unemployment rate that affects all socio-professional categories.

Young graduates prove to be the most affected. In 2008, 23 per cent of 18-24 year olds and 36.5 per cent of higher education graduates were unemployed compared to 14.3 per cent for the national average (UNDP 2014). Moreover, the lack of movement through structured unions and the overabundance of the workforce makes Comorian workers more vulnerable. As a result, their wages are very low, especially in the private sector where they are traded over the counter without any regulation. Faced with this difficult socio-economic context, characterized by a strong population growth, an employment crisis and very restrictive and costly social obligations, international migrations proves to be a risky, yet attractive opportunity to curb these difficulties. Many Comorians have chosen to subscribe to this option. In order to diversify their sources of income and to guard against the risk of social decommissioning, most of them are trying to send one of their own to France, resulting in a massive influx of Comorians to this new "El Dorado".

2.2.1-the evolution of the comoros's diaspora in france

During the last three decades of independence, the number of Comorian migrants in France has risen steadily. However, to give an exact number is a difficult task because,

⁵¹ Geraldine Vivier(1996) Les migrations Comoriennes en France

despite the intensity of migratory movements between Comoros-France, the Comorian state has no statistics to count its nationals living on French soil. Although the authorities of the host country have statistics to analyze the origin of their immigrants, the variables "country of birth" or "nationality of origin" chosen by INSEE (National Institute of Statistics and Economic Studies) reveal to be less relevant to quantify them. This difficulty is explained by the fact that some of them were born in Madagascar or on the island of Zanzibar. Others are French by birth, born before independence who preferred to retain French nationality, including migrants who live there illegally. It is estimated that there are over 10,000 Comorian people in mainland France (IFAD, 2007). Due to these difficulties with legitimacy in statistics, biases have influenced significant differences between the estimates made by international organizations (World Bank, IFAD ...) various associations (FORIM 10 and FECOM 11 ...) and those revealed by the French administrations (INSEE, Civil Status Services of Nantes, ministries ...).⁵² Although these different sources of data tend to confirm the complexity of the evaluation of the Comorian community in France, they agree on the growing importance of these migratory flows. From 2,210 in 1975, some estimates put forward the figure of 150,000 to 200,000 Comorian nationals living in metropolitan France by 2007. On the other hand, the official figures sorted out among the various French administrations tend to minimize them. The 1999 French censuses estimated them at 13,763 individuals. According to the Ministry of Immigration and National Identity, 10,997 Comorians were admitted to stay in metropolitan France, between 1995 and 2005. This ministry reveals that there were 6,839 to be naturalized French, between 1995 and 2008. According to sources gathered from some officials of the Embassy of the Comoros in France, the number of 80,000 to 120,000 people seems to be closer to reality. However, such advanced data without references or reliable sources appears approximate and call for caution.

2.3-fund transfert from the comorian diaspora

Money tranfers from migrant workers in France to their home country represents a booming financial windfall. This global dynamic has also spread to the Comoros. It is the

⁵²(Thèse de doctorat 2012) youssouf abdilla ; La diaspora de la grande Comores à Marseille et son apport sur le développement de l'île

first source of foreign exchange (Banque of France, 2005) representing 24% of the country's GDP and 346% of development aid (ADB, 2008).

However, the evaluation of these cash flows proves to be difficult. According to the AfDB (2008), 82% of this monetary windfall is carried by returning migrants, compared to 18% for traditional routes (banks and transfer companies ...). However, estimates by the Central Bank of Comoros (BCC) and the African Development Bank (AfDB) tend to assert steady growth. According to the BBC (2005), they rose from CF 800 million (1.6 million) to CF 3.9 billion (8 million) between 1985 and 1995. In 2007, they peaked at CF 39.9 billion (79 million euros) (AfDB, 2008). This strong rise could be explained, on the one hand, by the intensification of the migratory phenomenon or by the economic recession which has shaken the archipelago since 1985. Rather (2005) and Giuliano and Ruiz-Arranz (2009) found a strong negative correlation between the economic cycle prevailing in the migrants' country of origin and their remittances. They deduce that these cash flows are contra-cyclical. As a result, the economic crisis that has rocked the Comoros since the mid-1980s would have forced them to be more supportive of their families back home. According to the AfDB (2008), each active migrant sends on average 100 to 160 euros per month, which is 10 to 15% of their monthly income. These transfers are mainly from France to the island. It stands out with 49%, compared to 33%, 9% and 2% respectively for the PACA region, Rhône-Alpes and Nord-Pas-de-Calais (ADB, 2008).

Moreover, the analysis of the funds transiting through the official channels, in this case those of Western Union, shows that their distribution at the island level is unequal.

Grande Comore differs from the other sister islands in the migratory income it receives. The share allocated to it varies between 82-86%, compared to 11-12% and 2-3% respectively for Anjouan and Mohéli, between 2005 and 2008. Such a distribution could be ⁵³explained by the fact that over 90% of Comorian migrants in France originate there (World Bank, 2004). In addition, the Greater Comorian social organization, based on the principle of "*Anda na Mila*" (us and customs), generates a strong family solidarity, which lowers the migratory cost and positively influences the propensity of migrants coming from this island to transfer money. In contrast, in Anjouan and Mohéli, where customary constraints are less restrictive, family

(Thèse de doctorat 2012) ; youssouf abdillah : La diaspora de la grande Comores à Marseille et son apport sur le développement de l'île

relationships are less cohesive (IFAD 2007). As a result, the possibilities of migration and the consequent corollaries of remittances are limited in these last two islands.

2.4-the immigration of culture and science

2-4.1-migration in east africa

First-time migrants from Comoros moved to the east coast of Africa, especially Zanzibar because of long-standing community and cultural proximity. The settlement was made up of a large influx of migrants from Zanzibar, the closest cultural island to Africa. Historical links date back to the 19th century when political instabilities provoked many quarrels of succession within the royal lineages of the archipelago. The outcome of that was that Comorians regained the East coast of Africa, in particular Zanzibar.

At the time in the 19th century, the Comoros as Zanzibar were attached to the Sultan of Oman and the Hadramis. Many in East Africa had promoted the links between the Comoros and the Arabian Peninsula as emphasized by BG Martin (1971) who states that, "Culturally and religiously, but not politically, the four islands of Comoros group in Mozambique Channel were likewise apart from Zanzibar". But already, between the 14th and 19th century, an important migratory flow from Hadramout in the Arabian Peninsula to the east coast of Africa gradually lead to their installation which subsequently promoted cultural rapprochement. At the same time, it was noted that members of the noble Comorian lineages in the region exercised important administrative or religious functions in Lamu (Kenya) and Zanzibar (Saleh, 1995). The island of Zanzibar in the 19th century played a major role in the determination of Comorian migration, constituting a real migratory network. The Comorian migratory field in the sub-region included Kenya, Mozambique and Zanzibar but it was the latter which was the preferred destination. A migration already installed since the XIV century has been grafted an important contribution of migrants in the nineteenth century bringing the Comorian population to 2% of that of the island (Zanzibar). Léon Humblot and Henri Pobeguïn, both French administrators stationed in the Comoros at the time noticed in the nineteenth century a considerable flow to the neighboring island, mostly Grand Comorians, settling primarily in the city of Zanzibar(over 10,000 in 1893). (Blanchy, 2007: p5)

They actively immigrated, mainly for the purpose of teaching Koranic education and religious subjects. This diaspora has given illustrated and highly respected personalities to the Comoros; such as Al Habib Umar bin Sumayt, Cadi Said Mohamed Abdourahmane, the first Mufti of the Comoros or Mougni Bacar, a man illustrated by his teaching.⁵⁴

2-4.2.the comorian who migrated to the island of madagascar

According to Delval (1978), the relations between Comoros and Madagascar started way back long ago, when migrations from the North and East Coast of Africa continued to the Malagasy coast. People from the Comoros or East Africa, including elements from Arabia, the Persian Gulf or India settled in Madagascar and mingled with the Malagasy. This Islamized population, according to Delval, who from the 9th century onwards established relations between Africa, the Comoros and the Malagasy coasts, was composed for the most part of elements from the Comoros, being the oldest Comorian representatives in Madagascar. Particularly numerous in Madagascar in the 15th and 16th century, they ran important trading posts belonging to the Sheiks along an area from Baly to Nossi-Be, trading counters of pearls, ceramics, cloth, turtle, mangrove wood, cattle and especially slaves. These trading establishments were totally under the influence of the Islamized at the end of the 15th century. (Delval, 1978) The arrival of the Portuguese in the Indian Ocean completely ruined the commercial activities of the Antalaotra who had to abandon their looted and destroyed trading posts. This was the first major retreat of the Comorians in Madagascar. The migration movement of the Comorians towards the “big island” was to undergo an amplification because of the colonization of the island of Madagascar by France in 1896. In terms of administrative structures, the Comoros became by their attachment until in 1946 a Malagasy dependency and constituted, now with Madagascar, the 9th administrative region. This new colonial development facilitated free movement between the two territories.

The first installations were made in the nearest coastal cities, in the West and in the North: Majunga, Nossi-Be, Diégo Suarez; then they reached other ports including Tamatave. Finally, the penetration into the interior of the country was made by isolated elements. The movement accelerated until World War II, when it continued at the rate of 500 arrivals per year (Delval, 1978). The Malagasy rebellion of 1947 led the French administration to recruit

⁵⁴ Henri Bouvet,(2001), Etudes océan indien – les problèmes de formation aux Comores

from the Comorians to provide police and security services. Delval (1978) argues that "it was the origin of the body of Comorian police officers serving in Madagascar. This recruitment attracted to the cities of the interior and especially Tamatave Comorians who later brought family members and people from their villages in search of work. They constituted real reception facilities facilitating the movement and installation of newcomers attracted by the "big island". Another event also contributed to precipitating the migration movement in this period to Madagascar: in 1949 and 1951, the archipelago experienced two particularly devastating cyclones for the agricultural economy, especially food crops and to flee famine many whole families migrated to Madagascar. It was a massive exodus.

The migration of the Comorian population to Madagascar is an economic one. At that time, with the presence of the French administration in the "big island", Madagascar was the only "El Dorado" for the Comorians. They moved massively towards the big island for reasons of economic order. They went looking for jobs to achieve familial livelihood. This migration is carried out by maritime way. At this time the means of transport used were very risky. According to Delval(1978), the number of Comorians who lived in the island of Madagascar between 1950 and 1960 exceeded 49,000 people.

In addition, Comorians spared a lot while investing in the purchase of goats, oxen, fabrics, jewelry, furniture, bedding, appliances, taxis, houses, including some with bank accounts. The purpose of the savings was, among other things, to prepare the return for the fulfillment of the grand marriage.

For the Malagasy, the Comorians remained foreigners and the main obstacle to integration was in fact their belonging to the Muslim religion. The noticeable improvement in their living conditions did not facilitate their integration into Malagasy society. But the situation changed from 1972, when the new regime of socialist orientation was set up and the establishment of the Malagasy Democratic Republic by President Ratsiraka and the publication on August 26, 1975 of the Charter of the Revolution. Malagasy socialist questioning agreements signed with France granted French nationals the same privileges as nationals. From then on, the Comorians were full foreigners.

It was until the arrival of Ali Soilihi in 1975 and the socialist orientation of his political side were welcomed by the new Malagasy authorities. While giving priority to nationals, the "Comorian brothers" were treated with kindness and they begin to pack their bags to the Comoros.

2-4.3- other destinations of the comorian population

The Comorian population is young and not very influential. The conditions pushing the Comorians to move outside are economic and educational. Economic circumstances at this time include lack of good job opportunities, high unemployment, inadequate social protection and poverty. Alongside these endogenous factors, exogenous factors such as family reunification, the desire to secure a better standard of living and the search for better job opportunities and working conditions are identified. Potential migrants may be encouraged to migrate after hearing from relatives or friends about job opportunities, wages and living conditions offered abroad. Almost by nature, the average Comorian travels easily. For them, emigrating does not require any special effort. This stems from individual, family, community, and very few, if any, development strategies at the national level. Some families invest to send one of their own abroad. They sell a portion of their property hoping for a return from expatriates in country. This type of emigrating takes place in countries whose climate and living conditions are very favorable. For example, for France, the Arab countries that have good relations with the Comoros (Saudi Arabia, Qatar, Dubai, London, Reunion , Canada) are countries whose Comorians are moving massively to for economic ends.⁵⁵

On the other side, Comorians travel for educational and health reasons. The Comorian population is largely in Africa (Senegal, Morocco, Madagascar, Dar Es Salaam, Egypt, Sudan). These respective countries are maintaining good diplomatic relations with the Comoros Union. The International Organization for Migration (IOM) states that a large proportion of Comorian students are in the Middle East. In a report by this institution, it affirms that Saudi Arabia, Iran and Turkey respectively welcome a good number of Comorian students. This is due to multiple bilateral and multilateral cooperation agreements between these countries and the Comoros Union.

In addition, the Comoros and Turkey signed a protocol of cooperation on 14 April 2015 which focuses on the development of institutional capacities, the development of national strategy and economic and social analysis. The sharing of experiences in the field of education, training and scientific research are among the most important points of this

⁵⁵ *The International Organization for Migration (IOM) 2015*

protocol. It should also be noted that even before the signing of this memorandum, Comorian students have come in good numbers through the international scholarships offered by the Government of Turkey in this field. There are more than 100 nationals from different Turkish universities. This number evolves according to the areas and motivations of the Comorian student. All of this has just been reinforced today by the opening of an agency (TIKA) in the Comoros by the Turkish authorities. This agency prioritizes education, health, agronomy and economics.

As to whether the desirable migration policy should favor or not this emigration, opinions are divided. Among the actions proposed as part of the migration policy are the implementation of measures against brain drain as well as the supervision and stricter control of emigration. It is also hoped that the opening of major projects on the national territory will retain potential emigrants, while targeted policies should encourage the return of emigrants as a driver of development for the country. It is crucial for policymakers to develop job opportunities for young people to return home after school or when they have gained work experience. The emigration of Comorians increases the share of the Comorian population who are less qualified and decreases the proportion of qualified people. Among the suggested political orientations to curb emigration movements, two stand out:

1. Tourism development and the search for opportunities for young people at the local level to offer them a real alternative to emigration. Moreover, return migration to the Comoros should be made as a lever for the development of the country. The return of qualified Comorians to the country should bring innovative ideas and financial resources to invest in their implementation. Generally, the contribution to the development of return migration depends on a number of factors.
2. The prevailing context in countries of origin, local labor market conditions and the business climate can play a significant role in determining the successful reintegration of returnees. It is also a function of a number of individual factors, including employability and the relevance of their skills in their country of origin, including those obtained in the different countries.

RECOMMENDATIONS

The problem between France and the Comoros Islands is an internal problem. It is local in the sense that it is a people of the same race same color of skin, same civilization, same language, religion that are torn apart. In this sense it is commendable that stakeholders find ways and means to solve this problem mutually without resorting to international channels. This is why the Comorian government and the people of Mayotte must form a joint commission to begin negotiations.

First of all, find a way to ease tensions and to have a way of loving each other, helping each other, having lasting communication and avoiding unnecessary provocation. But who will play the mediation? Who is able and willing to start up this commission and start negotiations to open the way to dialogue? Can we resort to international channels? At this level I believe that France is the only entity that can play the role of mediation in the problem between Comoros and these brothers of Mayotte. France with its diplomatic means and financial muscle can in a short time find the ways to start up the permanent dialogue between the Comorian people and the Mahoran brothers. Below are seven prepositions related to this issue.

1. The French president must include the question of Mayotte on the agenda of the Franco-African summit which is held every year, as was the case of Chad which was vigorously opposed to partition, in order to find solutions together with other African counterparts for the reunification of the Comoros.
2. That the parliamentary groups both of the majority and of the opposition sitting in the National Assembly and the senate agree to hold talks in Paris with a delegation of Comorian deputies who will present their proposals and points of view of the problem of Mayotte. Together they establish dialogue the path to follow to overcome this disagreement between France and the Comoros.
3. That the French ambassador in the Comoros be provided with the necessary diplomatic powers to initiate communication and to mediate between the various representatives of Mahorian and their brothers in the Comoros. In this sense a national commission may be chaired by the French ambassador who guarantees dialogue and respect for the members of the various delegations who may meet in the Comoros and sometimes in Mayotte. This commission must allow the political parties, the civil society, the religious leaders and representative notables to agree and to define in common the bases of the reintegration of Mayotte in the whole Comorian by means of the dialogue.

4. The French Government is therefore to draw up a bill which systematizes the precise and concise proposals to submit to the parliament to put an end to this “dispute” and to set up a provisional government of the four islands of the Comoros reunified government to define the new institutional order and to prepare the transfer of power. The members of the French Constitutional Council must in addition have a political dialogue to the prospect of national reunification of the Comoros.
5. That the French government must remove within a specified time the “visa requirement” which blocks the free movement of the Comorian population to the sister island of Mayotte.
6. The Comoros could seek an advisory opinion from the international court of justice which is the highest court of the United Nations both on the referendum cure out on Mayotte on 1974, on the question of the departmentalization of Mayotte and on the legal status of the island in order to resolve this problems.
By doing so Comoros continues to defend its sovereignty and territorial integrity by resorting to diplomacy and international law.
7. The Comoros as they do several times can seize these institutions to reactivate the operations of the return of Mayotte within the natural lap through the way of the mediation. The Comoros may seize the Organization of the African Union in order to reactivate its authority established for this purpose “the ad hoc committee of the seven”. This committee is created by the African Union at the request of the Comorian authorities to undertake follow-ups on the resolution of Franco-Comorian conflicts on the question of Mayotte. They can also refer to the Indian Ocean Commission to mediate the dispute

CONCLUSION

History will bear in mind that the Balkanization of the Comoros in 1975 was carried out in accordance with Article 53 of the French Constitution of 1958, but contrary to the

principle of the indivisibility of colonial entities enshrined in the United Nations and ICJ. Should we not welcome with skepticism the remarks made by President François Mitterrand to his Comorian counterpart at the Franco-African summit in Paris in November 1981? The head of state said: "France is committed to actively seeking a solution to the problem of Mayotte in accordance with its national law and international law. Since the popular consultation of 22 December 1974 which is at the origin of the division of the "Comoros Islands", an uncertainty hangs over the destiny of Mayotte. As in the case of the majority of students, the essential question to be decided remains that of the statute. The arguments in favor of the unity of the archipelago being thwarted by those who recognize a specificity to the Mahoran insularity, is it still possible to seriously consider a solution to the problem of Mayotte at the international level?"

It should be recalled that the separation of Mayotte from the other "Comoros Islands" resulted in the introduction of the French franc as of February 23, 1976 to replace the franc c. f. a. Comorian, the commissioning of a local radio station, the opening of a civil air link on Réunion, and an unprecedented development of schooling and administrative, health and social services. Therefore, how could the inhabitants of an island in full development thanks to the multifarious help of the Metropolis be able to accept to integrate in a State which, after the departure of the French in 1975, sank in the disorder and the improvisation is synonymous with coups d'état, mercenaries, corruption, maritime piracy and whose political, economic and demographic prospects are frankly catastrophic?

Thus, for both political and legal reasons, any solution to the Franco-Comorian dispute on the island of Mayotte seems to be blocked for an indefinite period. In entrenching itself behind the principle of the right of peoples to self-determination, which it interprets in the best interests of its own, the Government of Paris implicitly implied to the Moroni authorities that there is not, in reality, an alternative solution to the maintenance of Mayotte in the French Republic. During the United Nations System Summit on September 24, 1990, French President François Mitterrand gave the following:

"To prevent this anarchy, to exclude the reason of the strongest, to also prevent an alliance of the powerful imposes an order in which others do not recognize: I know no answer other than the right. But the law is not the monopoly of anybody, of any state, of any philosophy. It expresses the general will and is it not remarkable, in this respect, that we are witnessing the emergence of an almost universal agreement on simple values which are called freedom,

freedom to say, to do, to circulate, to elect its leaders, equality, justice, respect for the rights of the people, tolerance, acceptance of the difference? All values that favor the dialogue on the balance of power. And everyone feels, and everyone knows, that in the relations of peoples between them, there is no peace, no lasting freedom unless the States agree to abide by the common rules that you are responsible for making "(speech François Mitterrand at the UN on 24 September 1990). Thus, in view of the Franco-Comorian conflict on the Comorian island of Mayotte only the right is entitled to decide. The Comorian people is convinced that the respect of the principles of the right, the equality, the right of the people, the freedom to say, to make and to elect its leaders without any constraint and the equality of justice between the people are the only weapons possible to arrange and give an appreciable solution to the disputes between Paris and Moroni. It is conceivable that in the relationship report, the mutual dialogue is always a good alternative to weld the parties in conflict. Thus, dialogue was recourse in several countries in the particularly African world. For the purposes of this report, we can take the example of the case of Benin, Guinea, the very recent case of Burkina Faso, etc.

It is also important to go back a bit to mention two cases of complex conflict between the French Republic and Algeria and New Caledonia. In both cases, political approaches are rewarded with constitutional approaches.

In place of Article 53 of the French Constitution, political considerations may take precedence over the case of Mayotte, as before, in order to solve the two complex cases, Algerian and New Caledonian; for, according to General de Gaulle, the founder of the 5th republic, "a constitution is a state of mind, institutions, a practice As far as ours is concerned, his spirit derives from the need to assure the public authorities of the effectiveness, stability and responsibility that they lacked organically under the third and fourth republic "(General de Gaulle's press conference January 31, 1964). We remember that the outcome of the war in Algeria, it is the political arguments that have weighed and led to the "Evian agreements" in 1962 triggering the independence of Algeria. In the same way, we have in memory the tragedy of Ouvea, in New Caledonia, from which emerged the "Matignon chords", opening a perspective for the New Caledonians.

"The event of law, it's all about. Which country can believe itself safe from violence, from arbitrariness, from the domination of others? Yes, the time has come for the rule of international law, it is enough that you decide and act accordingly. Precisely, in recent years,

the United Nations has become increasingly involved in the settlement of conflicts, should I mention Namibia and Nicaragua, the war between Iran and Iraq, and soon I hope, Cambodia, apartheid. As much to make meet the good will of two men, one and the other South Africans, one and the other capable of being heard by their respective communication: Nelson Mandela and Frédéric De Klerk "(speech of François Mitterrand , September 24, 1990). The current French government can and must finally settle the problem of Mayotte. A problem that, in the eyes of international law, has already been solved by refolding itself in the relevant resolutions of the organization of the system of nations on the question of the Comorian island of Mayotte, more particularly resolutions 3161 (XXVIII) of 14 December 1973, 3291 (XXIX) of 13 December 1974, 31/4 of 21 October 1976, 32/7 of 1 November 1977, 34/69 of 6 December 1979, 35/43 of 28 November 1980, 36/105 of 10 December 1981 and 37 / 65 of 3 December 1982, in which it affirmed the unity and territorial integrity of the Comoros, or its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Countries and Territories. Peoples Colonies, and 2621 (XXV) of 12 October 1970, containing the Program of Action for the Comprehensive Implementation of the Declaration.

A triple bet is open to the two protagonists of the Franco-Comorian dispute:

- Men and women are called upon to work, from now on, with a view to establishing a law that guarantees fundamental freedoms and impels the economic, social and cultural recovery of the four islands. This will make it possible to perpetuate the free movement of people and well between the four islands of the archipelago of Comoros. It will also help endorse evil spirits and conflicting skills among people of the same custom, culture, civilization, religion and language.
- A new option of mutually beneficial cooperation that respects the rights of everyone, especially the national sovereignty of each people, the independence of each nation. France and the Union of the Comoros must respect the law, the equality of the people and the justice, start negotiations as already wanted in the resolutions of the United Nations to identify ways and means to reach an outcome of the conflict. France, a country of law, must respect the resolutions of the United Nations system on the question of Mayotte and submit to the principle of the right of the people to self-determination.
- France and Comoros have many assets to win these challenges. Engage the dialogue without delay. Great Comoros, Anjouan, Mayotte and Moheli are part of the same nation of

destiny, just as the strong French nation is now ready to pursue a policy of mutual interests with a strong community Europe. By its history, the archipelago of the Comoros never considered itself really belonging to the West, nor by its culture its traditions and its social structures, it does not belong to France, but it needs the France, as France needs the Comoros.



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