

Comoros

44

/100

PARTLY FREE

<u>Political Rights</u>	18 /40
<u>Civil Liberties</u>	26 /60

LAST YEAR'S SCORE & STATUS

50 /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Comoros's volatile political history includes a number of coups and attempted coups, though recent presidential and legislative elections have been reasonably well administered. In 2018, a controversial referendum ushered in a number of major systemic changes, and opponents of the referendum and its main proponent, President Azali Assoumani, were severely persecuted. Systemic corruption and poverty remain problems.

Key Developments in 2019

- President Azali won a new term in a March election that opposition candidates and election monitors did not consider credible. The Supreme Court barred seven candidates ahead of the poll, and two opposition leaders who participated in a transitional council meant to force Azali out of office were arrested in the days following the vote.
- The Comorian government continued restricting press activity, detaining five journalists in the first four months of the year; three of them were subsequently released, though one was subjected to degrading treatment while in custody. The government also seized editions of two newspapers and seized the printing press of a third, prompting a media boycott of government events in early April.
- Authorities launched a crackdown on social media sites during the presidential contest, questioning individuals for their online activity. The government also shut telecommunications services down for one day in late March.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority	1/4
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elected through free and fair elections?	
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Under the 2001 constitution, the president was directly elected for a single five-year term, with eligibility rotating among the main islands of Grande Comore (Ngazidja), Anjouan, and Mohéli. However, a new constitution, approved in a controversial 2018 referendum that was boycotted by the opposition, allows the president to run for two consecutive five-year terms, and abolished the system of rotating power among the islands. The referendum allowed President Azali Assoumani of the Convention for the Renewal of the Comoros (CRC) to contest the March 2019 presidential election.

The Supreme Court barred seven contestants from participating ahead of election day, including former president Ahmed Abdallah Mohamed Sambi. On election day, the 12 opposition candidates reported that some polling stations opened several hours early, with full ballot boxes. Acts of violence and intimidation were also reported in some regions.

The Independent National Electoral Commission (CENI) initially reported that Azali won the election in the first round, with 60.8 percent of the vote, while Ahamada Mahamoudou of the Juwa Party won 14.6 percent; in early April, the Supreme Court validated results stating that the president earned 59 percent of the vote. The 12 opposition candidates immediately rejected the results. Observers from the African Union (AU), the Common Market for Eastern and Southern Africa (COMESA), and the East Africa Standby Force (EASF), an AU-backed regional defense organization, warned the contest was not credible, saying it was marred by irregularities and opacity.

Score Change: The score declined from 3 to 1 due to serious irregularities surrounding the year's presidential election, including evidence of electoral fraud, the banning of opposition candidates, and the questionable legal basis for the vote itself.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	3/4
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The unicameral Assembly of the Union consists of 33 members, 9 selected by the assemblies of the three islands and 24 by direct popular vote, who serve five-year terms. In the 2015 legislative election, the Union for the Development of Comoros (UPDC) won 11 seats, Juwa 10, the Democratic Rally of the Comoros (RDC) 4, and the CRC 2; the remaining seats were split between smaller parties and independent candidates. Although international observers said it was a calm and transparent election, the polls were marred by accusations of fraud, and of misuse of state resources by then president Ikililou Dhoinine's UPDC.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

2/4

The CENI, while historically able to run credible elections, has faced accusations of bias and corruption among its members. In 2016, CENI president Ahmed Djaza and three other members were detained for embezzlement, though Djaza was reelected as its president in 2017.

The disputed constitutional referendum held in 2018, which the CENI said passed with 93 percent of the vote, was marred by an opposition boycott. Opposition groups denounced it as an unconstitutional power grab by Azali, and said Azali's dismissal of the Constitutional Court ahead of the vote rendered it illegal. There were also allegations of voter intimidation and fraud. Later, upon facing growing dissent in the parliament, Azali dismissed the CENI's top opposition representative.

The new constitution allows the president to run for two consecutive terms, abolished the system of rotating power among the islands, abolished the three vice-presidential posts (one representing each island), and declares Sunni Islam as the national religion. It also transferred the competencies of the Constitutional Court, which was seen as impartial in deciding electoral matters, to a new chamber of the Supreme Court.

B. Political Pluralism and Participation

B1 0-4 pts

<p>Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?</p>	<p>2/4</p>
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Political parties are mainly formed around specific leaders and draw on island or ethnic bases of support. In the past, parties have generally been able to operate freely, though the government occasionally disrupted opposition parties' activities by denying them meeting and assembly space.

However, 2018 was marked by a crackdown on opposition figures who publicly criticized that year's constitutional referendum. That December, two dozen opposition figures received prison sentences for opposing the referendum or the president, including former vice president Djaffar Said Ahmed Hassane and Juwa secretary general Ahmed el-Barwane. El-Barwane was among 17 opposition figures who were pardoned by Azali in May 2019.

While Azali pardoned some opposition politicians in 2019, his government maintained pressure on others in the aftermath of the March election. Presidential candidates Achmet Said Mohamed and Soilihi Mohamed were briefly detained in late March, though both were later released. Soilihi led a National Transitional Council (CNT) that unsuccessfully attempted to force Azali from his post through civil disobedience and industrial action; Soilihi agreed to refrain from further involvement after his release in early April. Opposition party members also faced a crackdown in the days after the presidential vote, with security forces dispersing rallies on Grande Comore and Anjouan.

B2 0-4 pts

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Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

2/4

In the past, Comoros's numerous opposition parties have seen a realistic chance of gaining power through elections, though they were impeded by occasional government interference in their operations. Allegations of misuse of state resources by incumbents were not uncommon. However, the arrests, convictions, and harsh sentences against opposition leaders who spoke out against the constitutional referendum and the president in 2018 hamper the ability of opposition parties to compete in elections, including the March 2019 presidential contest.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

2/4

While individuals are generally free to exercise their political choices, the influence of Comoros's powerful army—which cracked down on dissent during the 2018 constitutional referendum—as well as of religious authorities can place pressure on voters and candidates.

The army was used to intimidate and detain opposition figures during and after the 2019 presidential campaign. Gendarmes were deployed to arrest Soilihi after he announced his involvement in the CNT in late March. Gendarmes also detained at least one member of Soilihi's campaign team and interrogated the spouse of presidential candidate Achmet, who served as a CNT spokesperson, in April.

Score Change: The score declined from 3 to 2 because of the government's continued use of the military to intimidate voters, opposition candidates, and their supporters.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender,

LGBT, and other relevant groups) have full political rights and electoral opportunities?

2/4

There are no laws preventing various segments of the population from having full political rights and electoral opportunities. However, traditional attitudes discourage women from participating in politics, and women won just two seats in the legislature in the 2015 election. Legal and societal discrimination against LGBT+ people makes political advocacy for LGBT+ rights difficult.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

2/4

According to the constitution, the president decides on the policies of the state, which are executed by the government. However, irregular activity in the legislature has hampered representative policymaking in recent years. In 2015, the newly installed Assembly of the Union chose its president in an irregular election that sparked accusations of an “institutional coup” from the opposition. During the vote, opposition members were prevented from accessing the chamber, at times through the intervention of security forces. The opposition parties, deeming the election illegitimate, unsuccessfully brought a case calling for the dismissal of the assembly president to the Constitutional Court.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

1/4

There are reports of corruption at all levels, including within the judiciary, civil service, and security forces. The Azali administration dissolved the National Commission for Preventing and Fighting Corruption (CNPLC) in 2016.

In 2018, former president Sambi was arrested for corruption, embezzlement of public funds, and forgery in connection with a large-scale passport sales scheme. A parliamentary report revealed that the plan had cost the country up to \$971 million. Sambi remained under house arrest at the end of 2019.

C3 0-4 pts

Does the government operate with openness and transparency?	1/4
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Government operations are characterized by a lack of transparency. Various reform initiatives have so far not successfully addressed the problem. Financial asset disclosures by public officials are not released to the public. Comoros provides the public with no opportunities to engage in the budget process.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	1/4
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The constitution and laws provide for freedom of speech and of the press. However, the use of censorship laws to prosecute legitimate journalistic work, and other pressure, has prompted widespread self-censorship. Press freedom was restricted in 2018, with the closings of private radio stations as criticism of Azali and the constitutional referendum gained traction. Journalist Faïza Soulé Youssouf was also arrested that October, while covering opposition protests.

The Azali government continued to restrict press activity and detain journalists in 2019. In February, two reporters for local news organization FCBK FM were arrested on charges including defamation, incitement to violence, and offense against the head of state, and were kept in pretrial detention. In late March, gendarmes accused Toufé Maecha, editor in chief of newspaper *Masiwa Komor*, of espionage after he inquired about government arrests during the election campaign. The International Union of the Francophone Press (UIPF) reported that Toufé, who was released after six hours, was forced to undress during his detention. Two French journalists covering the aftermath of the March election were arrested in April. They were released two days later, but their local press cards were withheld and they committed to leave Comoros later that month. Authorities also seized copies of two newspapers and seized the printing press of a third in late March and early April, prompting Comorian journalists to boycott coverage of government events for two weeks.

Score Change: The score declined from 2 to 1 due to the arrests, intimidation, and censorship of journalists before and after the presidential election.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

2/4

Islam is the state religion, and 98 percent of the population is Sunni Muslim. Sunni Islam was made the state religion in 2018, resulting in wariness of the government among adherents of minority religions. Previously, the state religion had been “Islam”; some observers suggested the change reflected efforts by Azali to bring the country closer to Saudi Arabia, and to counter the influence of a rival, former president Sambi, who is seen as close to Iran.

Anti-Shia sentiments have been publicly expressed by some government figures, while many Christians keep their faith private in order to avoid harassment. Proselytizing and public religious ceremonies are prohibited for all religions except Sunni Islam.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	3/4
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Comoros has two types of schools: madrassas, where the Quran is integral, and state-run schools with French instruction. Academic freedom is generally respected, though the education system is sometimes affected by unrest from student protests and teacher strikes.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	2/4
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Private discussion is generally free. However, the legacies of the country's volatile political history, which involves a number of coups and attempted coups, as well as the crackdown on the opposition that surrounded the 2018 referendum, can discourage people from openly discussing politics in some situations. This situation worsened during the 2019 presidential campaign, with the government monitoring social media services including Facebook and Twitter; individuals were reportedly questioned by the authorities over their social media activity during this period. The government also shut the country's telecommunication services down for one day in March 2019, limiting Comorians' ability to access the internet.

Score Change: The score declined from 3 to 2 because reports of surveillance, a short telecommunications shutdown, and social media monitoring during the election period encouraged self-censorship in Comoros.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	
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Freedoms of assembly and association are protected by the constitution, but these freedoms have been inconsistently upheld, and deteriorated significantly since 2018.

Opposition parties organized rallies during the run up to and aftermath of the March 2019 presidential election, but government forces violently dispersed these events. At least one person was killed and another 12 were injured when a rally in Anjouan was dispersed in late March.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

2/4

Nongovernmental organizations (NGOs) at times face bureaucratic interference, including requirements to secure permits from high-level officials in order to visit prisons. Some NGO representatives have spoken out against the atmosphere of repression in recent years, but did so at some risk in light of the broad crackdown on dissent.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

3/4

Workers have the right to form unions, bargain collectively, and strike. In cases of national interest, the government may require essential personnel to return to work. No law prohibits antiunion discrimination or protects workers from retribution for striking. There are some laws that impose mandatory arbitration processes for labor disputes.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	1/4
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The judicial system is based on both Sharia (Islamic law) and the French legal code. Though the law establishes mechanisms for the selection of judges and attorneys, the executive branch often disregards these and simply appoints people to their positions. Court decisions are not always upheld.

The 2018 referendum abolished the Constitutional Court and established a new constitutional chamber of the Supreme Court. This new chamber ruled in favor of the government during the run up to the March 2019 presidential election by barring several candidates from running and by validating its results, despite widespread concerns that the vote was marred by irregularities.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	1/4
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All defendants have the right to a fair public trial, but they often face lengthy delays. Corruption can prevent guarantees of due process. Opposition members and presidential candidates were also denied due process in 2019; candidates Achmet and Soilihi were arrested for their involvement in the CNT in late March, and some supporters also faced detention and questioning. Former president Sambi's pretrial detention period ended in April 2019 with no progress on pending corruption charges, but his lawyer reported that the former president still remained under house arrest at year's end.

Score Change: The score declined from 2 to 1 due to arbitrary arrests and the absence of legal procedures surrounding the detentions of opposition leaders.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom	
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from war and insurgencies?

2/4

The law prohibits the illegitimate use of physical force, but security agents have engaged in excessive force, and are generally not held accountable for such behavior. There are questions about the will or capacity of the army to identify and punish abuses within its ranks.

Violence also occurred during the run up to the 2019 presidential election. In early March, President Azali was reportedly targeted in a bombing while traveling to a campaign rally. No one was injured, and authorities subsequently arrested four people.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

2/4

The law provides for equality of persons. However, same-sex sexual activity is illegal, with punishments of a fine and up to five years in prison. Few women hold positions of responsibility in business, outside of elite families. Laws requiring that services be provided for people with disabilities are not well enforced.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

2/4

The constitution and law provide for freedom of movement, both internally and externally. While these rights are generally respected by the government, in practice,

poverty frequently prevents travel between the islands as well as access to higher education.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	2/4
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In accordance with civil and some customary laws, women have equal rights in inheritance matters. Local cultures on Grande Comore and Mohéli are matrilineal, with women legally possessing all inheritable property. However, this is complicated by the concurrent application of Sharia, interpretations of which can limit gender equality. In addition, a poor system of land registration and women’s difficulties in securing loans hampers women’s right to own land.

Endemic corruption and a lack of a culture of transparency hampers normal business activity.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	1/4
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Early and forced marriages have been reported in Comoros. The law prohibits domestic violence, but courts rarely fine or order the imprisonment of convicted perpetrators, and women and children rarely file official complaints. Sexual violence and workplace harassment are believed to be widespread, but are rarely reported to authorities.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	1/4
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The Comorian economy, which is primarily agricultural, relies heavily on remittances from Comorian citizens in France. Many young people struggle to find sustainable opportunities for employment. Poverty has driven many people to attempt the dangerous trip to Mayotte, a French territory, in flimsy boats known as kwassa-kwassa.

Government efforts to identify and prosecute human trafficking are minimal, and trafficking cases, if addressed, are often done so through informal mediation processes. At times, these mechanisms have facilitated the return of trafficking victims to traffickers.

On Comoros

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Country Facts

Global Freedom Score

44/100 Partly Free

Other Years

2019

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