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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Madagascar**

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## Introduction

1. The Government is committed to achieving the ideals to which Madagascar aspires, namely to respect, protect and give effect to human rights; ensure social cohesion, in particular by effectively tackling the crucial issues of inequality, poverty and unemployment; and preserve peace. In this regard, Madagascar has made considerable progress in promoting, protecting and respecting human rights through the implementation of a strong normative and institutional framework, and policies and programmes.
2. Madagascar greatly appreciates the constructive engagement of the international community during the first two cycles in 2010 and 2014, and would like to thank, in particular, the United Nations Development Programme, the Office of the United Nations High Commissioner for Human Rights and the International Organization of la Francophonie.
3. Currently, its international commitment to the promotion and protection of human rights is reflected in the preparation and submission of this report.

## I. Methodology and process followed for the preparation of the report

4. Following the second-cycle review in 2014, workshops were held to:
  - Disseminate the accepted recommendations;
  - Develop and adopt, in 2015, a plan for implementing the recommendations of the Working Group on the Universal Periodic Review, the treaty bodies and the United Nations special rapporteurs.
5. The plan lays down the general and specific objectives to be met, the actions to be undertaken and the expected results, which are grouped under 13 key themes. It also establishes which ministries are responsible and sets a deadline for implementing the recommendations.
6. In the interests of efficiency, Decision No. 28775/2017 of 21 November 2017 amending Interministerial Decision No. 18600/2003 of 30 October 2003 on the establishment of a committee to draft initial and periodic reports under international human rights instruments extended the committee's mandate by assigning it the task of monitoring implementation. The committee is composed of 54 experts from relevant ministries, parliamentary institutions and civil society organizations.
7. The focal points and resource persons from the bodies concerned contributed to the preparation of this report with the active participation of representatives of the Office of the Prime Minister, the Independent National Human Rights Commission and civil society organizations.
8. The actions carried out during the first two years of implementation of the recommendations were evaluated through the preparation of a mid-term report submitted to the Human Rights Council in 2017.
9. In accordance with United Nations General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, this report provides an update on the human rights situation in Madagascar during the period under review (from 2014 to 2019), including progress made in the implementation of the 159 recommendations accepted during the 2014 review.
10. This report was prepared through an inclusive and participatory process under the coordination of the Directorate of Human Rights and International Relations of the Ministry of Justice with the technical and financial support of the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme. During the course of 2019, four workshops were organized to collect and compile data and draft the document. A technical support workshop aimed at finalizing the report was also held with experts from the International Organization of la Francophonie in June 2019.

## II. Implementation of recommendations from previous cycles<sup>1</sup>

### A. Cooperation with international and regional human rights mechanisms<sup>2</sup>

11. The regular submission of national human rights reports<sup>3</sup> and participation in the consideration thereof are among the priority objectives of Madagascar in order to honour its international commitments and improve its cooperation with the Human Rights Council, OHCHR, the treaty bodies and regional and independent mechanisms with the support of United Nations agencies.

12. Madagascar welcomed visits from the following international experts:

- Representatives of the African Committee of Experts on the African Charter on the Rights and Welfare of the Child, in 2018;
- The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, in 2016;
- Experts from the non-governmental organization Centre for Civil and Political Rights, in 2018.

13. Madagascar reiterates its willingness to continue its cooperation with United Nations and African treaty- and non-treaty-based human rights bodies.

14. Madagascar also reaffirms its commitment to honour the standing invitation extended to special procedures mandate holders on 26 August 2011, and to receive and consider all requests for visits and information from United Nations and African human rights bodies. A visit of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is scheduled for the fourth quarter of 2019, and a visit of the Special Rapporteur on violence against women, its causes and consequences is planned for the second half of 2019.

15. In 2019, Madagascar provided a response to questionnaires sent by:

- The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;
- The Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material;
- The Special Rapporteur on the rights of indigenous peoples.

### B. Acceptance of international norms

16. During the period under review, Madagascar has continued its efforts to fulfil international commitments by ratifying:<sup>4</sup>

- The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, on 21 September 2017<sup>5</sup>
- The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 21 September 2017<sup>6</sup>
- The Convention on the Rights of Persons with Disabilities, on 12 June 2015<sup>7</sup>
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, on 13 May 2015<sup>8</sup>

## **C. General framework for the protection of human rights at the national level**

### **1. Legislative framework<sup>9</sup>**

#### *Changes to the Constitution*

17. Article 54 of the Constitution of the Fourth Republic of Madagascar establishes a new semi-presidential system. This article stipulates that the President of the Republic appoints the Prime Minister put forward by the party or group of parties holding the majority in the National Assembly.

#### *Legislative framework*

18. The Government had strengthened its legal arsenal through the enactment of the following legislation:

##### Organic Acts:

- No. 2019-002 of 15 February 2019 amending and supplementing certain provisions of Organic Act No. 2018-010 of 11 May 2018 on the election of deputies to the National Assembly
- No. 2018-010 of 11 May 2018 on the election of deputies to the National Assembly
- No. 2018-009 of 11 May 2018 on the election of the President of the Republic
- No. 2018-008 of 11 May 2018 concerning the general rules governing elections and referendums

##### Ordinary Acts:

- No. 2018-043 of 13 February 2019 on combating money-laundering and the financing of terrorism
- No. 2018-027 of 8 February 2019 on civil status
- No. 2017-022 of 26 December 2017 on the late issuance of birth certificates for the purposes of retroactive birth registration for children and the provision of national identity cards for adults
- No. 2017-013 of 26 July 2017 amending and supplementing the provisions of the Code of Criminal Procedure relating to due process, preliminary investigations and preventive detention during the investigation and prosecution stages
- No. 2016-021 of 22 August 2016 on Anti-Corruption Offices
- No. 2016-020 of 22 August 2016 on the fight against corruption
- No. 2016-018 of 22 August 2016 on measures and procedures applicable to children in conflict with the law
- No. 2016-017 of 22 August 2016 amending and supplementing certain provisions of the Code of Criminal Procedure
- No. 2014-040 of 20 January 2015 on combating human trafficking
- No. 2014-038 of 9 January 2015 on the protection of personal data
- No. 2014-035 of 9 January 2015 on the abolition of the death penalty
- No. 2014-006 of 17 July 2014 on combating cybercrime, as amended and supplemented by Act No. 2016-031 of 23 August 2016
- No. 2014-005 of 17 July 2014 on counter-terrorism and transnational organized crime

19. To comply with the conventions it has ratified, Madagascar has enacted the following reform laws:

- Act No. 2017-014 of 30 June 2017 on adoption
- Act No. 2016-039 of 25 January 2017 amending and supplementing certain provisions of the Code of Criminal Procedure
- Act No. 2016-038 of 25 January 2017 amending and supplementing certain provisions of Order No. 60-064 of 22 July 1960 on the Nationality Code
- Act No. 2016-029 of 24 August 2016 on the Media and Communications Code
- Act No. 2016-020 of 22 August 2016 on the fight against corruption
- Act No. 2016-018 of 22 August 2016 on measures and procedures applicable to children in conflict with the law
- Act No. 2014-040 of 20 January 2015 on combating human trafficking

20. The content and impact of these Acts are described in the relevant sections.

## 2. Institutional framework

### *High Council for the Defence of Democracy and the Rule of Law*

21. The High Council for the Defence of Democracy and the Rule of Law is an independent institution that was established by Act No. 2015-001 of 12 February 2015. It is responsible for monitoring respect for ethics, democracy and the rule of law and the promotion and protection of human rights.

22. The High Council began its operations on 27 April 2018 and has been allocated an independent budget under the Finance Act 2019.

### *Independent National Human Rights Commission<sup>10</sup>*

23. The Independent National Human Rights Commission was established by Act No. 2014-007 of 22 July 2014. It is an independent national institution for the protection of human rights and conforms to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The Commission, which began its operations on 13 October 2016, has been allocated an independent budget under the Finance Act and has been provided with the necessary infrastructure, equipment and personnel. Of the 11 members of the Commission, 7 are representatives of civil society organizations. The sole representative of the executive branch has a purely advisory role. The members of the Commission cannot be detained or tried in connection with opinions issued or acts performed in the exercise of their functions, except with the prior agreement of the Commission and in cases of *flagrante delicto*.

24. The Commission has been designated as the national mechanism for the prevention of torture, pursuant to the Optional Protocol to the Convention against Torture.<sup>11</sup>

25. Since it was formally established, the Commission has carried out the following activities:

- Conducted information and outreach campaigns in 16 regions and 5 districts
- Visited detention centres in 3 cities<sup>12</sup>
- Investigated land disputes in Brickaville, Mananjary and Ilakaka
- Investigated cases of human rights violations, including lynching in Mananjary, the arrest and imprisonment of environmental protestors in Soamahamanina, mob justice in Antsakabary and violations of the rights of the environmental activists Clovis Razafimalala and Raleva
- Organized activities to raise awareness of human rights

*Parliamentary Court of Justice*

26. The Parliamentary Court of Justice is a judicial body provided for in the Constitution and established by Organic Act No. 2014-043 of 9 January 2015. It has jurisdiction to try:

- The Head of State, on charges of high treason, serious or repeated violations of the Constitution or a breach of duty incompatible with his or her functions
- The presidents of the two legislative chambers, the Prime Minister, members of the Government and the President of the Constitutional Court, for acts performed in connection with the exercise of their functions and categorized as serious or ordinary offences at the time of commission

27. The State budget makes provision for the operating resources required by the Parliamentary Court of Justice.

*Malagasy Reconciliation Council*<sup>13</sup>

28. The Malagasy Reconciliation Council, which was created by Act No. 2016-037 of 2 February 2017, is the national body responsible for shaping the national reconciliation process. Its mandate includes responsibility for cultivating a calm political atmosphere in order to prevent recurring political crises and restore national unity.

**D. Policy measures****1. Information, awareness-raising and outreach**

29. Madagascar has increased its efforts to promote, protect and uphold human rights. Stakeholders have employed a range of methods, including organizing awareness-raising campaigns,<sup>14</sup> community dialogues, thematic days,<sup>15</sup> exhibitions and events and developing training materials.<sup>16</sup>

**2. Training and education**<sup>17</sup>

30. The basic curricula taught at vocational training centres<sup>18</sup> include modules on human rights. Additional training has also been provided, including 235 sessions between 2015 and 2019 for 20,114 trainee police officers and gendarmes and 3 sessions for 172 trainee judicial officials between 2017 and 2019 at the National College of the Judiciary and Court Officers.

31. Between 2014 and 2018, 1,331 students in four consecutive cohorts received human rights instruction as part of their basic training at the National College of Administration and the National College of Prison Administration.

32. Since 2015, 1,010 law enforcement officials have received in-service training on human rights.

**3. Dialogue between the Government and human rights defenders**<sup>19</sup>

33. The Government engaged in dialogue with civil society organizations in September 2018 with a view to drafting a text regulating the status of human rights defenders.

**E. Equality and non-discrimination****1. Measures to ensure gender equality**<sup>20</sup>*Nationality rights*<sup>21</sup>

34. The new Nationality Code of 2017 allows Malagasy women to pass on their nationality to their children irrespective of marital status.

*Land rights*<sup>22</sup>

35. The land policy document adopted in 2015 is aimed at ensuring that all persons, irrespective of their sex, age and financial resources, have access to land and at securing their legitimate rights.

**2. Combating harmful cultural practices**<sup>23</sup>

36. Since 2008, the stigmatization and abandonment of twins in Mananjary has gradually declined as a result of the steps taken to ensure that traditional and religious authorities are committed to eradicating these practices.

37. With regard to combating *moletry* (probationary one-year marriages involving underage girls), awareness-raising activities aimed at local authorities, traditional leaders, religious leaders, teachers and representatives of civil society organizations were conducted until 2015.

38. In 2016, the 2018–2024 National Strategy to Combat Child Marriage was drafted. It is aimed at reducing the prevalence of child marriage from 41.2 per cent to 21.2 per cent over a period of seven years. The Strategy was adopted in 2018 with the long-term goal of ensuring that all villages are declared free of child marriage.

**F. Right to life and security of the person****1. Trafficking in persons**<sup>24</sup>

39. Efforts to combat trafficking in persons have included the following activities:

- The adoption, in 2014, of new legislation imposing severe punishments for trafficking in persons and related offences
- The establishment, in 2015, of the National Office to Combat Human Trafficking, a national body under the authority of the Prime Minister with the principal aim of harmonizing and coordinating activities to prevent trafficking and protect trafficking victims
- The adoption of a national action plan for 2015–2019 based on the four strategic areas of prevention, protection, prosecution and partnerships

40. The plan was evaluated in June 2019 to assess the implementation of measures designed to combat trafficking in persons. The evaluation exercise identified the progress made and the difficulties encountered during the specified period. The results of the evaluation will be used to shape a new plan.

41. In accordance with national legislation, trafficking networks have been dismantled and trafficking cases<sup>25</sup> have been registered. The prosecutions launched since 2015 have led to the convictions of 75 individuals by the court of first instance in Antananarivo.

42. Since June 2018, the Anti-Corruption Office has had jurisdiction over cases involving transnational crime. As of January 2019, of the 17 cases registered with the Anti-Corruption Office in Antananarivo, 8 were under investigation by the relevant unit and 1 case had been tried. A total of 47 individuals, including 31 women, have been charged with trafficking offences.

43. As part of the implementation of the national action plan, the Government has taken the following steps:

- In 2019, 118 Malagasy nationals experiencing hardship were repatriated, including some who were victims of trafficking or other forms of exploitation
- In 2018, the Mitsinjo reception and assistance centre for victims was opened in Antananarivo
- In 2017, manuals were developed on judicial procedure and the identification and treatment of victims

- Criminal justice officials, labour inspectors, diplomatic and consular officials, stakeholders and social workers have received training since 2016
- Since 2015, campaigns have been organized to increase public awareness and disseminate legislation

44. Between 2015 and 2019, the Government provided psychosocial, medical and financial assistance to 198 victims of cross-border trafficking.

## **2. Death penalty<sup>26</sup>**

45. Madagascar abolished the death penalty in 2014. Pursuant to the amendments made to the Criminal Code in 2017, death sentences have been commuted to life imprisonment with hard labour.

## **3. Torture and other cruel, inhuman or degrading treatment or punishment<sup>27</sup>**

46. The Constitution places an absolute prohibition on torture and other cruel, inhuman or degrading treatment or punishment.

47. A reform bill has been prepared to bring the legislation passed in 2008 into line with the Convention against Torture and the Robben Island Guidelines and will be submitted to Parliament for adoption. The reforms are centred on:

- Establishing penalties for ill-treatment
- Extending the statute of limitations
- Broadening the scope to cover acts of torture committed by private persons
- Mandating the prompt opening of investigations
- Criminalizing acts of torture
- Ensuring respect for the principle of non-refoulement

48. Campaigns have been organized to raise awareness of the prohibition of torture and ill-treatment. Training programmes for stakeholders are in place and materials relating to respect for fundamental safeguards at the outset of detention were introduced on 13 May 2019.

49. Perpetrators of acts of torture or ill-treatment that are proven to have been inflicted in the course of judicial investigations are regularly prosecuted, resulting in criminal and disciplinary penalties. In 2015, a police officer who committed an act of torture against a person arrested for theft received a 5-year prison sentence.

## **G. Respect for human rights in the judicial and prison systems**

### **1. Reform of the judiciary<sup>28</sup>**

50. To ensure equitable justice and improve access to the justice system, the following major reforms have been implemented:

- The establishment in 2017 of an office responsible for the coordination and oversight of courts, prisons and the National College of the Judiciary and Court Officers
- The compilation of the Criminal Code and the Code of Criminal Procedure into a single document in 2018
- The construction of two courts of first instance in 2018 to bring justice closer to the community
- The construction of a new building to house the juvenile court in Antananarivo in 2018
- The establishment in 2017 of a one-stop service for the registration of legal documents at the court of first instance in Antananarivo

- The establishment of welcome and information kiosks for persons accessing the justice system
- Capacity-strengthening initiatives for judges, all heads of judicial investigation units and all criminal investigation police officers
- The implementation of the real-time processing pilot programme in a number of public prosecution offices to speed up and simplify case processing and apply service standards in courts and tribunals; since 2012, the organization of annual meetings of court administrators to ensure diligence, integrity and respect for human rights in the justice sector and offer a secure environment for investors
- The introduction of computer-based file processing in the criminal justice system, the Administrative Court, the Financial Court and the Commercial Court
- The establishment in 2018 of a technical committee on legal safeguards

## 2. Reform of the prison system<sup>29</sup>

### *Reform of the prison administration system*

51. The office responsible for the coordination and oversight of courts and prisons, mentioned above, also oversees the functioning of the prison administration system and the National Prison Administration Academy.

52. In addition, a special service responsible for disseminating legislation has been operating since 2016.

### *Reform of prisons*

#### Conditions of detention

53. The food budget for detainees was doubled in 2019.

54. Following the introduction of nutrition monitoring in 2016, nutrition levels and food reserves are now checked on a monthly basis in 43 prisons.

55. The overhaul of prison camps is helping to improve food rations for prisoners.

56. The new food system introduced in all prison facilities in 2019 ensures that all prisoners consume a varied diet of 2,000 kilocalories every day. It uses ingredients grown in gardens tended by inmates in prisons and prison camps.

57. In terms of access to health care, the prison administration system has introduced the following initiatives:

- Every prison now has at least one nurse and one general doctor.
- The health of detainees has been monitored since 2018.
- A central pharmacy was established at the Ministry of Justice in 2017. It is responsible for supplying quality medicines to prisons and coordinating responses to epidemic emergencies.

#### Prison overcrowding

58. The following measures have been taken to reduce overcrowding in prisons:

- The establishment in 2019 of a strategic monitoring unit with the aim of reaching a ratio of 55 convicted prisoners to 45 pretrial detainees
- The establishment of a one-stop service at the Court of Cassation to process cases more quickly
- The construction of four prisons
- The renovation of 47 prisons, including 32 supported by the International Committee of the Red Cross, and the creation of larger sleeping quarters

- Ending the systematic use of detention orders – following the reform of the Code of Criminal Procedure, justification must be provided for all detention decisions

Separate wings for minors

59. Of the 42 central prisons where juveniles are detained, 30 have a separate wing for boys.

## H. Civil and political rights

### 1. Freedom of expression and opinion<sup>30</sup>

60. An enabling environment for journalists is guaranteed following the repeal of the press laws and the establishment of the National Regulatory Authority for the Media and Communications Sector under the new Code.

61. The Regulatory Authority is an independent body responsible for regulating the activities of the media and communications sector.

### 2. Democratic freedoms

62. The right to stand as a candidate in any election is guaranteed by the Constitution:

- Of the 855 applications received for the legislative elections on 27 May 2019, 803 were approved.<sup>31</sup>
- Of the 46 applications received for the presidential election on 7 November 2018, 36 were approved.

63. With regard to the right to vote, the Government runs regular voter registration campaigns, issues election announcements, distributes voting cards and ensures peace and security before, during and after elections. Voter registration is conducted in each *fokontany*. In May 2019, 10,154,639 individuals were registered to vote, compared with 9,913,599 registrations for the presidential election on 7 November 2018.

### 3. Fight against corruption<sup>32</sup>

64. On 28 June 2019, the Council of Ministers passed legislation on the recovery of illicit assets.

65. In the light of the recommendations made following the 2014 review, Act No. 2004-030 of 9 September 2004 on the fight against corruption was amended in 2016.<sup>33</sup>

66. In line with the National Anti-Corruption Strategy, the Government has prioritized the detection of acts of corruption and the development of a culture of integrity in the justice, security and public services sectors.

67. The President's announcement of a zero-tolerance stance on corruption in February 2019 reaffirmed that the fight against corruption and the promotion of integrity, accountability and transparency are priorities.

68. To strengthen existing anti-corruption mechanisms, the anti-corruption network established in 2004 has been replaced by the Anti-Corruption Offices.<sup>34</sup>

69. Following the various reforms, the following measures have been taken:

- I-Toroka, a new online platform for submitting complaints, was officially launched on 7 June 2019. The software used ensures complete anonymity and allows citizens to report acts of corruption and interact with investigators from the Independent Anti-Corruption Office.
- The "e-administration" project was launched by the Ministry of Justice in April 2019 as part of the corruption-free justice initiative.

- The President's announcement of a zero-tolerance stance on corruption in February 2019 reaffirmed that the fight against corruption and the promotion of integrity, accountability and transparency are priorities.
- The Anti-Corruption Offices have been rolled out gradually in the provincial capitals since 2018.
- An anti-corruption guide was developed for parliamentarians in 2017.
- The National Anti-Corruption Strategy for 2015–2025 is being implemented.

70. In order to eradicate all forms of corruption in the organization of competitive examinations for civil service positions, partnership agreements were put in place in 2014 between the Ministry of Employment, Labour, the Civil Service and Social Legislation, the Independent Anti-Corruption Office and the organizing ministries.

#### 4. Civil registration services, including birth registration<sup>35</sup>

71. The new Civil Registration Act adopted in 2019 contains the following provisions:

- Fees are no longer charged for birth registration or the issuance of the first copy of the birth certificate.
- Community leaders have been granted the authority to register births.
- The civil registry has been digitized.
- The birth registration period has been extended to 30 days.
- Penalties are in place for non-compliance with the Act.
- National and local civil registry centres have been set up.

72. The National Coordination Committee, which was established in 2014, is responsible for improving the civil registration and vital statistics systems. The Committee's objective is to implement government policies relating to community-based civil registration systems.

73. In 2018, the Government adopted a strategic plan that is aligned with the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics Systems. The plan's priority areas are civil registration and birth registration for children belonging to vulnerable groups, including migrant children, street children and children living in isolated areas.

74. In addition, mobile courts have been deployed to improve the retroactive issuance of birth certificates.

75. The *Ezaka Kopia ho an'ny Ankizy* project is continuing, with a view to facilitating the issuance of birth certificates.

### I. Economic, social and cultural rights<sup>36</sup>

#### 1. Right to health<sup>37</sup>

##### (a) National policy on children's health

76. The National Child Survival Policy adopted in 2005 was extended in February 2019 to cover the period from 2019 to 2024. The aim of the policy is to achieve a significant reduction in the morbidity and mortality rates among children under 5 years of age.

77. Under the Policy, the National Action Plans on Nutrition for 2012–2015 and 2017–2021 focused on preventing and treating all forms of malnutrition in children. The total number of treatment centres rose from 665 in 2014 to 898 in 2018.

(b) *Increasing investment in the health system to ensure universal access to essential and affordable health services*

78. The budget allocated to the health sector increased from 6.7 per cent in 2014 to 7.8 per cent in 2019.

Universal health care

79. The National Strategy for Universal Health Coverage was drawn up in 2015. It helps to protect the population from the financial burden associated with accessing health services and, more particularly, enhances the actual availability of quality health services and improves access to a minimum level of social and health protection. The Government has rolled out the Strategy in 10 districts since 2017.

80. In addition, the National Health Care Solidarity Fund was established in 2017 and provides members with basic health-care coverage. An annual subscription for the current care package costs 9,000 ariary per person. The reimbursement rate takes account of the cost of fee-based services, medicines, operational considerations and safety margins.

Epidemic diseases

81. With regard to the eradication of plague<sup>38</sup> and measles,<sup>39</sup> both of which affected Madagascar in 2017 and 2018, the Government no longer charges for treatment and has strengthened the capacities of health personnel, community workers and communities.

82. In addition, the 2018–2022 strategic plan to combat malaria is designed to eliminate all malaria-related deaths, as well as to boost the number of districts in the pre-elimination phase from 3 to 64 and the number of districts in the elimination phase from 5 to 13.

Access to health<sup>40</sup>

83. To give effect to the right of access to health, since 2014 the Government has taken the following actions:

- Constructed 165 new health facilities and refurbished 288 existing facilities
- Installed equipment for performing surgery, laparoscopies and caesarean sections at 17 health facilities
- Recruited 4,344 new employees, including 233 specialist doctors, 631 family doctors, 90 dental surgeons, 2,496 paramedics and 894 administrative and support staff
- Trained 35,213 community workers to ensure that children under the age of 5 years receive preventive care and treatment, including for acute respiratory infections, malaria and diarrhoea
- Continued to use the equity fund to provide health care for those who cannot afford it
- Ensured that all public health facilities always have sufficient quantities of quality health commodities available

Maternal and child health

84. Reproductive health and family planning are regulated by Act No. 2017-043 of 25 January 2018. The Act is intended to reduce maternal mortality and curtail population growth with a view to boosting economic growth, well-being and development.

85. Pursuant to the Act, the following documents have been adopted:

- The National Strategic Plan on Adolescent Reproductive Health for 2018–2020
- The Integrated Strategic Plan on family planning and reproductive health commodity security for 2016–2020
- The Road Map for the reduction of maternal and infant mortality for 2015–2019

86. The implementation of the Strategic Plans and the Road Map has led to an increase in family planning coverage in Madagascar, from 27.10 per cent in 2014 to 31.94 per cent in 2018.

## 2. Right to education

### (a) *Equitable access to education*<sup>41</sup>

87. During the period under review, Madagascar has made gradual progress on its commitment to increasing access to education through the implementation of the 2013–2015 Interim Education Plan, which was replaced by the 2018–2022 Education Sector Plan.

88. In order to guarantee free primary education, and in addition to the abolition of primary school fees in 2013, the following measures have been taken to reduce the financial burden on parents:

- School fund payments
- The provision of subsidies for 63,940 teachers hired by *Fikambanan'ny Ray Aman-drenin'ny Mpianatra*, the parent-teacher association, since 2015
- The progressive transfer of teachers hired by the parent-teacher association to government contracts, at the rate of 10,000 per year since 2015
- The ongoing distribution of school kits to students in public primary schools since 2008

89. National and regional enrolment campaigns for children aged 7 to 11 years who are not in school have been run since 2014.

90. Since 2014, the Government has built 3,260 new schools and refurbished 1,503 others.

91. These measures have led to an increase of 8.8 per cent in the number of students enrolled in the first year of primary education, from 1,326,577 students, including 654,465 girls, in 2013 to 1,455,108 students, including 714,632 girls, in 2017.

### Education budget

92. The implementation of the Interim Education Plan between 2013 and 2017 led to an overall increase of 16.74 per cent in the budget allocated to education.

### Compulsory school age<sup>42</sup>

93. Under the Education Sector Plan, basic education has been extended by four years, thereby increasing the length of compulsory schooling to nine years and keeping students in school until the age of 15 years.

### (b) *Quality of education*

94. To improve the quality of education, the following actions have been taken in implementation of the Education Sector Plan:

- The reform of school curricula at all levels of education
- The provision of ongoing training for teachers<sup>43</sup>
- The continued provision of educational materials, as well as desks and seating<sup>44</sup>
- The gradual introduction of digital libraries
- The reform of the educational and vocational guidance system

### (c) *School retention*

95. To combat absenteeism and school drop out, national health and nutrition campaigns were conducted for 1,112,056 students in 2015 and 1,131,353 in 2016.

96. In addition, 985 additional school cafeterias have been set up since the programme began in 2005, bringing the total number of cafeterias to 1,261.

97. All schools offer extracurricular activities.

### 3. Protection of workers' rights

98. The Government of Madagascar has demonstrated its commitment to better protection of workers' rights by enacting legislation in 2018 authorizing the ratification of legal instruments of the International Labour Organization, including:

- The Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
- The Labour Relations (Public Service) Convention, 1978 (No. 151)
- The Collective Bargaining Convention, 1981 (No. 154)
- The Domestic Workers Convention, 2011 (No. 189)
- The Protocol of 2014 to the Forced Labour Convention, 1930

99. The ratification instruments pertaining to these Conventions were deposited with the International Labour Organization on 11 June 2019.

### 4. Combating the worst forms of child labour<sup>45</sup>

100. The fight against the worst forms of child labour is intensifying in the vanilla industry. The SAVABE project is being funded by the Government of the United States of America and the International Labour Organization from 2016 until 2020.

101. Following the implementation of this project, Decree No. 2018-009 of 11 January 2018 amending and supplementing certain provisions of Decree No. 2007-563 of 3 July 2007 on child labour was issued.<sup>46</sup>

### 5. Right to decent work

102. Madagascar has made a commitment to implement the decent work country programme for the period 2015–2019 with the aim of promoting decent work in the agriculture, mining and fisheries sectors and the informal economy, including for persons with disabilities. The second decent work country programme is under development.

103. Madagascar has set the following priorities:

- Access to employment for vulnerable groups by enhancing their employability and stimulating employment-generating sectors
- Improved labour productivity through the promotion of social dialogue, fundamental principles and rights at work and social protection

104. The National Labour Council, a tripartite body for consultation and dialogue, was overhauled in September 2017. It is responsible for monitoring national policy in the field of decent work.

105. The reorganization of the National Office for Employment and Training in 2018 has enabled the production and regular distribution of the following materials:

- Information promoting work and employment
- Tools to support decision-making and the development of a forward-looking analysis for all stakeholders in the sphere of economic development

### 6. Poverty alleviation<sup>47</sup>

106. With regard to poverty alleviation, the General State Policy was submitted to Parliament and approved in February 2019. The Policy sets out development objectives geared towards building a strong, prosperous and united nation. They are organized into 13 strategy areas:

- Peace and security

- Energy and water for all
- Combating corruption
- Education for all
- Health
- Decent work for all
- Industrialization
- Tourism
- Food self-sufficiency
- Sustainable development and natural resource conservation
- Promoting housing and modernization
- The autonomy and accountability of decentralized local authorities
- Sports and culture

107. The National Employment and Vocational Training Policy adopted in 2016 is aimed at developing the skills of the entire population, both young people and adults, by 2020 and helping them to find employment in the tourism, hotel and restaurant, construction and public works, strategic resources, information and communications technologies, textiles, clothing and accessories, and rural development sectors.

108. The 2019–2023 National Strategy for Social Protection (Non-contributory) adopted in 2019 serves to implement the National Social Protection Policy. The aim is to offer protection to 15 per cent of the population categorized as extremely poor or vulnerable, increase their resilience, improve their access to social security and create better conditions for their economic, social and humanitarian development.

109. With the support of the World Bank and the United Nations Children’s Fund (UNICEF), a social safety net project<sup>48</sup> has been implemented since 2015 through various programmes, including a cash for productive work programme, a human development cash transfer programme and a post-catastrophe programme.

110. The existing social protection system has been made more resilient. With the support of partners active in the area of social and humanitarian protection, namely the World Bank, UNICEF, the World Food Programme and the National Office for Risk and Disaster Management, a project was launched in the district of Beloha, in the region of Androy, in November 2018. It involves increasing the number of beneficiaries and the amount of support provided for 11,000 beneficiary households. At the end of this first phase, it was decided by all stakeholders that the project should be rolled out nationally.

#### *Access to microfinance institutions*

111. The 2014–2017 National Inclusive Finance Strategy adopted in August 2014 is aimed at facilitating and promoting access to financial services and credit for all.

## **7. Access to drinking water and sanitation<sup>49</sup>**

### *Access to drinking water*

112. In 2013, the Government adopted the 2013–2018 National Water, Sanitation and Hygiene Strategy.

113. As part of the Water Supply in the South Project, measures have been taken to build more standpipes in order to guarantee water development, distribution and supply in the southern regions of the country.<sup>50</sup>

114. The Rural Access to New Opportunities in Water, Sanitation, and Hygiene (RANO WASH) Project, which was officially launched on 17 August 2018, is an initiative supported by the United States Agency for International Development to improve access to drinking water for vulnerable people, including children under the age of 5 years.

115. On 8 April 2019, the President of the Republic provided 459 handpumps to six target regions<sup>51</sup> with a view to achieving the Government's aim of ensuring that 70 per cent of the population has access to drinking water at a socially acceptable price by 2023.

116. As an urgent measure to supply two regions<sup>52</sup> with drinking water, the Government has constructed wells capable of supplying up to 100 m<sup>3</sup>.

#### *Sanitation*

117. The National Water, Sanitation and Hygiene Strategy guarantees effective and sustainable access to sanitation infrastructure. In 2016 and 2017, 1,764,477 latrines were constructed across Madagascar.

118. Awareness-raising campaigns have been conducted to change behaviour and promote the use of latrines.

119. Since 2016, the 22 regions have received resources from a sanitation support fund aimed at gradually eradicating the practice of open defecation. The implementation of the Interim Education Plan has led to the construction of 1,191 water points and 1,380 latrines in schools.

### **8. Environmental issues<sup>53</sup>**

120. The Government has demonstrated its commitment to environmental protection by ratifying the main international environmental conventions.<sup>54</sup> The implementation of these conventions has led to the enactment of legislation and the adoption of national plans and specific measures.

121. The following legislation has been enacted:

- Act No. 2015-005 of 26 February 2015 on the revision of the Protected Areas Management Code
- Act No. 2015-003 of 19 February 2015 on the Malagasy Environmental Charter

122. The following strategy documents have been adopted:

- The National Forest Policy, updated in 2017
- The National Environment Policy for Sustainable Development, in 2015
- The National Wood Energy Supply Strategy, in 2018
- The National Strategy to Reduce Emissions from Deforestation and Degradation, in 2018
- The National Strategy to Restore Forest Landscapes and Green Infrastructure in Madagascar, in 2017
- The National Biodiversity Strategy and Action Plans, in 2015

123. The measures taken to protect forest resources include the establishment of the following:

- The National Training Centre for Forestry Technicians, in 2017, to provide forest resource management support and services
- The interministerial environment committee, in 2017, to facilitate interministerial coordination with a view to promoting the involvement of all sectors in sustainable environmental management
- A special mechanism to combat trafficking in rosewood and ebony, under Act No. 2015-056 of 3 February 2016
- The interministerial committee responsible for curbing unlawful activities in the rosewood and ebony sector, in 2014, to encourage cooperation and synergy among ministerial departments

124. In accordance with the global initiative on security and safety at sea, Madagascar established a maritime information fusion centre in 2015. It helps to combat all forms of trafficking by sea, including trafficking in rosewood.

## **J. Rights of specific groups<sup>55</sup>**

### **1. Children<sup>56</sup>**

125. The 2016 law on the procedures applicable to children in conflict with the law provides for:

- Alternative measures, including a mediation process aimed at keeping children out of the criminal justice system
- A community resolution process for less serious offences
- Guaranteed fair and humane treatment for children in contact with the criminal justice system
- Measures to protect and rehabilitate children and reintroduce them to society

126. Pursuant to this law, non-custodial supervision measures have been introduced at three juvenile facilities.

127. Capacity-building programmes for children's judges, criminal investigation police officers, specialist teachers and prison supervisors have been conducted since 2017.

128. The Code of Criminal Procedure was amended in 2016 to place a 24-hour limit on the time in which children may be held in custody and prohibit the detention of children under the age of 13 years.

129. The Vonjy Centre, which provides comprehensive care for child victims of sexual violence, was established to strengthen child protection. Since 2015, four operations centres have been providing psychosocial, medical and legal support to child victims.

130. In 2016, a national child protection database was established in partnership with UNICEF to provide the tools needed to design a targeted operational strategy on child protection in Madagascar.

131. In 2016, a special register and framework for minors were established under the courts of first instance in order to accelerate case processing and obtain statistical data on children, including those in conflict with the law and victims of violence.

132. Since 2016, the National Child Protection Committee has organized regular meetings to develop the national child protection policy.

133. The website [www.azaza.mg](http://www.azaza.mg) was created in 2016 as part of the WePROTECT Children Online programme to receive reports of all forms of violence against children. The 147 helpline, which was originally set up to receive reports of child abuse, also provides information and advice.

134. A child protection and anti-vice service was established under the gendarmerie in 2016 to handle cases involving children.

135. Special units were set up under the National Police and the Gendarmerie in 2017 and 2018, respectively, to combat cybercrime involving children.

### **2. Women<sup>57</sup>**

136. Madagascar demonstrated its commitment to promoting and protecting women's rights by changing the name of the Ministry of Population and Social Affairs to the Ministry of Population, Social Protection and Women's Advancement. In 2014, a directorate general was established to monitor and evaluate initiatives for the advancement of women and gender issues.

137. In exercising its powers, the Directorate General for the Advancement of Women has:

- Conducted regular national and regional campaigns to raise awareness of women's rights
- Organized capacity-building programmes<sup>58</sup>
- Provided materials and equipment for women's economic empowerment
- Raised the profile of International Women's Day, celebrated on 8 March, by organizing official celebrations at the local level with a special focus on women's rights and women's participation in socioeconomic and political life

(a) *Women's economic empowerment*<sup>59</sup>

138. Women's economic empowerment has been advanced through continued capacity-building, which has included the provision of materials and equipment to help women, including young women, into self-employment and the creation of income-generating activities.

139. Since 2017, an annual competition<sup>60</sup> has been organized under the slogan "*Vehivavy mizaka tena tena ara-toekarena*"<sup>61</sup> to promote economic empowerment projects for women and girls. Each year, 18 winning associations are awarded a grant<sup>62</sup> to implement their project.

(b) *Political participation*

140. Madagascar expressly recognizes and guarantees women's right to active participation in political affairs. Women accounted for 120 of the 803 candidates in the legislative elections of 27 May 2019 and 5 of the 36 candidates in the presidential election of 7 November 2018.

141. During the period under review, 29 deputies, 14 senators, 67 mayors and 29 ministers were women.

142. Between 2016 and 2018, the 43 members of the Women in Parliament Network, who are drawn from the National Assembly and the Senate, took a series of capacity-building courses on good governance, democracy, leadership and the roles of parliamentarians, with the support of technical and financial partners. The Network played an active role in the drafting of such laws as the Reproductive Health and Family Planning Act and the Malagasy Nationality Code.

143. Concerning women's participation in decision-making bodies, with the support of the United Nations Development Programme, a leadership and communal affairs management course was organized in November and December 2015 for 280 women mayors and communal and municipal councillors from the 22 regions.

144. The mayor of the capital of Madagascar is a woman.

(c) *Combating violence against women*<sup>63</sup>

145. The following measures reflect the firm commitment of Madagascar to combating gender-based violence:

- In 2018, a bill to combat gender-based violence was drafted. It establishes marital rape as a specific criminal offence. The bill is currently being examined by the Criminal Justice Reform Commission under the Ministry of Justice and will be submitted to the Government Council before being put to Parliament.
- In 2016, the National Strategy to Combat Gender-based Violence was developed to help reduce the prevalence of gender-based violence. It has five strategy areas, including the prevention of violence, medical, legal and social interventions, socioeconomic rehabilitation for survivors and psychosocial support for perpetrators.
- Special mechanisms are gradually being set up at courts and tribunals to combat gender-based violence, beginning in May 2019.
- Ongoing efforts are being made to strengthen cooperation among the various bodies that care for victims of gender-based violence.

- Income-generating activities are continually being developed for survivors of gender-based violence.
- Events are organized each year for the 16 Days of Activism against Gender-based Violence Campaign

146. A text establishing the status, organization, functioning and powers of legal clinics has been drafted to place the nine existing clinics on a permanent footing.

147. There are counselling and legal advice centres in 13 regions.

148. Between 2014 and 2018, counselling and legal advice centres offered assistance, help and guidance to 40,147 vulnerable persons, among them victims of gender-based violence, in order to facilitate their social and economic reintegration.

149. A database was set up in 2016 to collect and process data on gender-based violence.

150. In 2017, a community women's brigade was established under the National Police to strengthen the prevention of gender-based violence.

151. Various programmes and measures have been adopted since 2018:

- Women gendarmes have been assigned to local units of the National Gendarmerie specifically to deal with cases of gender-based violence
- A capacity-building programme on preventing gender-based violence and caring for victims has been developed for police officers and gendarmes
- A module on combating gender-based violence and on women's rights has been incorporated into the curriculum for trainee police officers
- Protecting vulnerable persons and combating gender-based violence are among the strategic areas of the Ministry of Public Security workplan

### 3. Persons with disabilities<sup>64</sup>

152. Act No. 97-044 of 2 February 1998 on the rights of persons with disabilities remains in force. A bill reforming the 1997 law is being drafted to ensure compliance with the Convention on the Rights of Persons with Disabilities, which was ratified in 2015.

153. The following activities have been conducted under the 2015–2019 National Disability Inclusion Plan:

- Disability awareness and information campaigns and campaigns to disseminate the rights of persons with disabilities
- Free consultations regarding the provision of devices to meet the specific needs of persons with disabilities
- Educational support and training
- Support for income-generating activities

#### *Combating the marginalization of persons with disabilities*

154. Under existing legislation, persons with disabilities are in no way marginalized in matters relating to employment.<sup>65</sup>

155. The National Employment and Vocational Training Policy helps persons with disabilities into employment through training, the provision of learning tools and the creation of decent jobs.

156. Community-based rehabilitation facilities have been overhauled since 2012 to address the marginalization of persons with disabilities in communities.

157. The General Policy on Inclusive Education adopted in 2009 takes into account the situation and needs of children with disabilities.

158. Under the Policy, between 2014 and 2017, 3,260 new classrooms were constructed in accordance with the standards in place to facilitate the access of children with disabilities to primary education.

159. Measures have been taken to increase the participation of children with disabilities in official examinations:

- Examination papers are also produced in Braille and large print format
- An assistant may be present if the candidate requires one
- Extended time
- A transcriber may be present to record the candidate's answers

160. In the health-care sector, 79 hospitals have been fitted with ramps to ensure access for persons with reduced mobility.

### **III. Priorities, initiatives and consideration of national commitments**

161. The Government's efforts to respect, promote and protect human rights include:

- Strengthening the rule of law and good governance through the implementation of the Support for Security Sector Reform in Madagascar Project since September 2016, with the financial support of the United Nations Peacebuilding Fund and the United Nations Development Programme. The Project aims to ensure effective law enforcement in rural and urban areas and to prevent extrajudicial and summary executions.
- Combating poverty through activities to facilitate and secure investment and industrialization, promote employment for all, particularly young people, women and persons with disabilities, and put in place basic infrastructure, including water and renewable energy infrastructure.
- Implementing non-discriminatory social policies through the adoption of effective policies for food self-sufficiency.
- Modernizing towns in Madagascar and promoting decent housing.
- Reforming education in order to provide appropriate and compulsory training for young people.
- Restoring forest cover by intensifying large-scale reforestation and bush fire control activities.

162. The members of the Government are to be held accountable for taking action on the priority areas of the new General State Policy for the period 2019–2024, with an evaluation, in July 2019.

#### **The four priority areas of the General State Policy**

##### **Combating trafficking in persons, irregular migration and forced labour**

163. Madagascar is working to expand its diplomatic network by forging new diplomatic links and strengthening cooperation agreements with other countries. It is also seeking to establish and revitalize partnership agreements<sup>66</sup> on matters relating to labour and justice.

164. As a matter of urgency, Madagascar is looking to accelerate its development efforts in order to reap the economic benefits of eliminating forced labour, modern slavery and child labour. It is one of the pathfinder countries of Alliance 8.7 of the 2030 Agenda for Sustainable Development. An interactive workshop was organized in October 2018 to identify the challenges and priorities in that regard and the programmes and actions to be taken to put an end to such practices.

### **Combating gender-based violence**

165. The First Lady is leading the fight against gender-based violence, which demonstrates the country's willingness to combat this scourge. On 12 April 2019, the United Nations Population Fund appointed her as an ambassador for the fight against gender-based violence and early and/or forced child marriage.

166. The priorities include adopting a specific law<sup>67</sup> on gender-based violence to strengthen the culture of zero tolerance and developing prevention mechanisms and care arrangements for victims.

### **National statistics**

167. In order to provide updated and reliable demographic and socioeconomic data, including for the preparation, implementation, monitoring and evaluation of a national anti-poverty strategy, the Government reorganized and regulated statistical activities through the adoption of Act No. 2018-004 of 18 April 2018. The Act establishes the fundamental principles of official statistical activities and defines the new institutional framework, including the national statistical system, and the applicable administrative and criminal penalties.

168. In addition, as the second and most recent general population and housing census had been conducted in 1993, the Government conducted a third such census<sup>68</sup> in May and June 2018.

### **Older persons**

169. Madagascar is committed to protecting older persons from all forms of age-related marginalization and stigmatization. A bill is currently being drafted to facilitate the access of such persons to basic social services and justice and provide for treatment for age-related illnesses. Clubs for older persons and reception centres have also been set up at the regional level to provide comprehensive care for older persons.

## **IV. Looking ahead**

170. Between now and the third review in November 2019, Madagascar intends to continue implementing those of the recommendations received in 2014 that have so far been partially implemented or have not been implemented.

## **V. Expectations expressed**

171. Madagascar would be grateful for assistance in implementing measures to promote and better protect all human rights, in particular:

- Training for parliamentarians and members of the Government on international and regional human rights protection mechanisms
- The development of capacity-building programmes for all human rights promotion and protection stakeholders
- Technical support for the members of the committee responsible for drafting follow-up reports on the implementation of the recommendations received and commitments made by the Government at the international level

## **Conclusion**

172. Since the previous review, Madagascar has stepped up its efforts to improve the overall human rights situation and that of the rights of specific groups in the country. Legislative, regulatory, administrative and judicial measures have been taken. National and sectoral policies and programmes have been adopted with due regard to the State's financial capacity.

173. Nevertheless, further resources are needed to address the remaining challenges. Madagascar requests the support of the international community to honour the international commitments that it has assumed under the universal periodic review and other mechanisms.

174. Madagascar reaffirms its commitment to promoting and respecting human rights and confirms its willingness to deepen its collaboration with the United Nations system, the African Union and the subregional organizations of which it is a member.

## Notes

- <sup>1</sup> Recommandation n° 108.46.
- <sup>2</sup> Recommandation n° 108.57.
- <sup>3</sup> -Rapport unique valant 5e et 6e rapports périodiques sur l'application de la CDE et 2e Rapports périodiques sur l'application de ses deux protocoles facultatifs soumis en 2019 ;  
-Rapport initial sur l'application de la Convention internationale sur la protection des droits de tous les travailleurs migrants et des membres de leur famille examiné en 2018 ;  
-4ème rapport périodique sur l'application du Pacte international relatif aux droits civils et politiques examiné en 2017.
- <sup>4</sup> Recommandation n° 109.2.
- <sup>5</sup> Recommandations n° 108.4, 108.6, 108.9, 108.13, 108.21, 108.22, 108.32, 108.34, 108.35, 108.113.
- <sup>6</sup> Recommandations n° 108.1, 108.3, 108.11, 108.17, 108.19, 108.20, 108.23, 108.38.
- <sup>7</sup> Recommandations n° 108.1, 108.2, 108.15, 108.26, 108.30, 108.36.
- <sup>8</sup> Recommandations n° 108.1, 108.8, 108.39.
- <sup>9</sup> Recommandation n° 108.40.
- <sup>10</sup> Recommandations n° 108.42, 43, 44.
- <sup>11</sup> Recommandations n° 108.1, 108.3, 108.11, 108.17, 108.19, 108.20, 108.23 et 108.38.
- <sup>12</sup> Fort-Dauphin, Port-Berger et Mahajanga.
- <sup>13</sup> Recommandation n° 108.53.
- <sup>14</sup> Campagne de lutte contre le mariage des enfants (juin-décembre 2015) qui a abouti à l'adoption et la mise en œuvre de Stratégie Nationale et Régionale de Lutte contre le Mariage des Enfants, renforçant l'engagement de la communauté, des acteurs, des leaders traditionnels et des autorités dans la lutte contre le mariage des enfants. La mise en œuvre de cette stratégie s'accompagne d'un guide pour les autorités et les acteurs de proximité.
- <sup>15</sup> Sensibilisation de 126 Chefs de Juridiction et des Chefs de Cour sur la traite des personnes en 2016, sur la torture en 2017 et sur l'application des instruments internationaux relatifs aux Droits de l'Homme en 2018.
- <sup>16</sup> Vulgarisation de la loi n° 2014-040 du 20 janvier 2015 sur la lutte contre la traite des personnes auprès de l'École Supérieure de la Gendarmerie Nationale : 217 stagiaires bénéficiaires en 2015.
- <sup>17</sup> Recommandation : 108.119.
- <sup>18</sup> École Nationale des Inspecteurs et Agents de Police Antsirabe, École Nationale Supérieure de Police, École Nationale de la Magistrature et des Greffes, École Nationale d'Administration de Madagascar, École de la Gendarmerie Nationale, École Supérieure de la Gendarmerie Nationale, Académie Militaire, École Nationale de l'Administration Pénitentiaire.
- <sup>19</sup> Recommandation n° 109.7.
- <sup>20</sup> Recommandation n° 108.110.
- <sup>21</sup> Recommandations n° 108.63, 108.66.
- <sup>22</sup> Recommandation n° 108.65.
- <sup>23</sup> Recommandations n° 108.58, 108.59, 108.64, 108.70, 108.74, 108.78, 108.86, 108.93, 108.95, 108.103, 108.105, 108.106, 108.109.
- <sup>24</sup> Recommandations n° 108.61, 108.68, 108.77, 108.80, 108.82, 108.99, 108.102, 108.107.
- <sup>25</sup> Cf. Statistiques en annexe 1, Tableau 5 page ii.
- <sup>26</sup> Recommandations n° 108.34, 108.72, 108.76, 108.85, 108.89, 108.92, 108.98, 108.113.
- <sup>27</sup> Recommandations n° 108.38, 108.112.
- <sup>28</sup> Recommandations n° 108.115, 108.117, 108.118.
- <sup>29</sup> Recommandations n° 108.91, 108.117 et 109.4.
- <sup>30</sup> Recommandations n° 109.5, 109.6, 109.8, 109.9.
- <sup>31</sup> Source CENI.
- <sup>32</sup> Recommandations n° 108.114, 108.116.
- <sup>33</sup> Loi n° 2016-020 du 22 août 2016.
- <sup>34</sup> Loi n° 2016-021 du 22 août 2016 portant création du PAC.
- <sup>35</sup> Recommandation n° 108.62.
- <sup>36</sup> Recommandations n° 108.52 et 108.54.

- 37 Recommandation n° 109.3.
- 38 Sur les 107 cas confirmés de peste du 1er août 2018 au 15 mars 2019, 31 sont décédés et 76 traités.
- 39 Sur 122 840 cas de rougeole recensés du 3 septembre 2018 au 3 avril 2019, 640 décès ont été enregistrés dans les formations sanitaires et 191 décès signalés par les agents communautaires.
- 40 Recommandations n° 109.12 et 109.13.
- 41 Recommandations n° 108.127–138, 109.3 et 109.16–19.
- 42 Recommandation n° 109.14.
- 43 975 élèves enseignants formés en 2016 et 1 750 en 2018. 1 000 enseignants non fonctionnaires en exercice formés à distance.
- 44 Kits scolaires distribués : 2 047 025 au niveau de 12 régions en 2015-2016 et 3 362 273 au niveau de 17 régions en 2016–2017.  
Dotation de manuels scolaires auprès des écoles primaires : 6 943 423 en 2014 et 7 354 694 en 2018.  
Dotation de manuels scolaires auprès des collèges : 452 556 en 2014 et 483 628 en 2018.
- 45 Recommandations n° 108.90, 108.111.
- 46 L'article 10 dudit décret, les enfants de moins de 18 ans de l'un ou de l'autre sexe ne peuvent être employés à des travaux immoraux, des travaux excédant leur force et des travaux forcés. Sont considérés comme Pires Formes de Travail des Enfants (PFTE) : les travaux dans les mines et les carrières, l'exploitation sexuelle des enfants à des fins commerciales, le travail domestique ayant un caractère dangereux et abusif susceptibles de nuire à la santé et au développement physique, mental et moral de l'enfant et les travaux dangereux ou insalubres en milieu urbain et rural.
- 47 Recommandations n° 108.54, 108.121–126.
- 48 Le Projet FSS concerne:  
-39 000 ménages dans le cadre du transfert monétaire de développement humain conditionnel (TMDH) ;  
-32 500 ménages, Argent Contre Travail-Productif (ACT-P) ;  
-6 000 ménages, « *Let Us Learn* » (Transfert conditionnel) ;  
-70 000 ménages, « *Fiavota* » (Transfert monétaire non conditionnel) ;  
-1 400 ménages, « *Fiarovagnajaja* » (transfert périodique) ;  
-11 000 ménages, Travaux communautaires (ACT et transfert en nature).
- 49 Recommandations n° 109.10 et 109.11.
- 50 Régions du Grand Sud : Anosy, Androy, Atsimo Andrefana.
- 51 Six régions cibles : Analanjirofo – Boeny – Atsimo Andrefana – Anosy – Androy – Atsimo Atsinanana.
- 52 Deux régions : Analamanga – Atsinanana.
- 53 Recommandation n° 108.139.
- 54 Convention de Ramsar relative aux zones humides d'importance internationale ratifiée en 1998, Convention des Nations Unies sur le droit de la mer ratifiée en 1989, Convention de la CITES ratifiée en 1975.
- 55 Recommandations n° 108.84 et 108.97.
- 56 Recommandations n° 108.50, 108.75, 108.78, 108.81, 108.86, 108.96, 108.102, 108.111.
- 57 Recommandations n° 108.60, 108.66.
- 58 Depuis 2015, formation des jeunes filles en vue de leur autonomisation économique au niveau de deux régions. En 2018, en partenariat avec l'UNESCO, réalisation d'un projet d'autonomisation en faveur de 152 femmes en situation de handicap, en situation de précarité et de vulnérabilité par des Activités Génératrices de Revenus au niveau de quatre régions à savoir : Analamanga, Vakinankaratra, Haute Matsiatra et Boeny.
- 59 Recommandations n° 108.48, 108.120.
- 60 De 2017 à 2019, 1 048 associations ont participé aux concours.
- 61 Femmes autonomes sur le plan économique.
- 62 Premier prix Ar 20 000 000, deuxième prix : Ar 10 000 000, troisième prix : Ar 5 000 000, à partir du 4<sup>ème</sup> jusqu'au 15<sup>ème</sup> rang : Ar 1 000 000 (valeur du taux de change en date du 12 juin 2019, 1 USD = Ar 3 612,46 Source : Banque Centrale de Madagascar).
- 63 Recommandations n° 108.67, 108.69, 108.71, 108.73, 108.81, 108.83, 108.87, 108.88, 108.94, 108.97, 108.100, 108.101, 108.104, 108.108, 108.110.
- 64 Recommandations n° 109.120, 109.121.
- 65 Code du Travail, art. 104 à 109
- 66 - Maurice : Accord de coopération sur l'entraide judiciaire, signée en mars 2019, Accord bilatéral de travail élaboré en 2019, Accord de coopération en matière pénale sur l'extradition élaboré en 2019 ;  
-Maroc : Accord de coopération dans le domaine social pour un accès des jeunes malagasy aux formations universitaires professionnelles de qualité en 2019 ;  
-Koweït, Liban, Arabie Saoudite et Maurice : Trois Projets d'accords bilatéraux de travail élaborés en 2019 ;  
-Chine : Accord de coopération technique pour la mise à disposition de la population d'infrastructures

de base de qualité ;

-Comores : renouvellement de l'accord cadre en 2016.

<sup>67</sup> Cf. paragraphe n° 144 : loi spécifique sur les VBG.

<sup>68</sup> Le RGPH-3 a bénéficié de l'appui technique et financier de l'UNFPA, de la Banque Mondiale, du PNUD, de l'Union Européenne et de l'USAID.

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