



# Convention on the Rights of the Child

Distr.: General  
4 March 2020  
English  
Original: French  
English, French and Spanish only

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## Committee on the Rights of the Child

Eighty-sixth session  
7–25 September 2020

### Consideration of reports of States parties

## List of issues in relation to the combined fifth and sixth periodic reports of Madagascar

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2020. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

### Part I

1. Please describe the steps taken to designate a governmental body as the entity responsible for ensuring comprehensive coordination in the implementation of the Convention and related laws, policies and strategies across all sectors and between the national and regional levels. Please provide updated information on the measures taken to develop a comprehensive policy for the realization of children's rights that coordinates all sectoral action plans and is harmonized with the National Comprehensive Development Plan.
2. Please provide information on the steps taken to increase public funding to the social sector for children and indicate whether there are any plans to conduct a comprehensive assessment of budgetary needs in order to establish clear budgetary allocations with a view to ensuring respect for children's rights in this area. Please provide updated information on the review and implementation of the National Strategy for the Development of Statistics.
3. Please provide information on the measures taken to investigate cases involving the violation of children's rights by businesses and to provide appropriate remedies. Please provide updated information on the measures taken to strengthen the inspection and monitoring of businesses with a view to preventing and addressing cases of child labour.
4. Please provide information on any legislative measures taken to abrogate the exception to the minimum age of marriage and on measures taken to prohibit child marriage and informal unions without exception. Please provide information on the awareness-raising measures taken in collaboration with parents and community leaders to challenge social norms regarding the acceptability of child marriage. Please describe the steps taken to establish a minimum age for sexual consent.
5. Please provide information on the specific, cross-cutting measures taken to end the discrimination and inequality faced by children, particularly girls, children with disabilities, children living with HIV or AIDS and children in rural areas. Please indicate whether children have the opportunity to be heard in all judicial and administrative proceedings



concerning them, including proceedings relating to decisions on custody, placement in alternative care settings and adoption.

6. Please provide information on:

(a) Efforts to enact legislation that explicitly prohibits the corporal punishment of children in all settings;

(b) Measures taken to raise public awareness about the harmful effects of corporal punishment;

(c) Investigations and prosecutions launched in relation to cases of violence against children, including sexual abuse and neglect in the family;

(d) Efforts to ensure the availability of adequate child protection services, particularly in rural areas, and on the resources allocated for the provision of such services;

(e) The protection of children against online sexual exploitation and abuse;

(f) Measures taken to provide child victims with appropriate therapy and support.

7. Please provide information on the finalization and implementation of the decree concerning the Adoption Act and on the approval and implementation of the decree concerning foster families. Please provide information on the quality standards applicable to residential institutions and how they are monitored and indicate whether there is a deinstitutionalization policy.

8. Please provide updated information on:

(a) The establishment and mandate of the National Commission for Persons with Disabilities;

(b) The resources allocated to increase access to inclusive education, health care and social services for children with disabilities;

(c) Steps taken to investigate the abuse of children with disabilities, especially girls and children living in rural areas, and to prosecute the perpetrators;

(d) Programmes aimed at ending the stigmatization of and discrimination against children with disabilities.

9. Please provide additional information on:

(a) Measures taken to review and strengthen the implementation of health programmes, including routine immunization programmes, especially in rural areas, in particular programmes intended to combat malaria, communicable diseases and vaccine-preventable diseases;

(b) Efforts to promote, protect and support exclusive breastfeeding of children up to the age of 6 months;

(c) The results of actions taken to implement the road map for combating high rates of infant and neonatal mortality;

(d) Measures taken to broaden access to safe drinking water and sanitation, particularly in rural areas.

10. Please provide additional information on the measures taken within the framework of the Sectoral Plan on Education to ensure that all children, in particular children in vulnerable situations, have access to high-quality education, including informal education and training, and acquire the basic knowledge and skills needed for their development and future access to employment. Please also provide information on the policies adopted to allow pregnant girls and teenage mothers to continue their education and the effect that such policies have had on the school dropout rates of these groups.

11. Please provide updated information on:

(a) Efforts to ensure the application of Decree No. 2018-009 of 17 January 2018 amending and supplementing certain provisions of Decree No. 2007-563 of 3 July 2007 on child labour, and the measures taken to facilitate the adoption of the new National Plan of

Action to Combat Child Labour, including information on the human, financial and technical resources allocated for its implementation;

(b) Mechanisms in place to identify and protect victims of child labour, including in the informal sector;

(c) Measures taken to increase the number of labour inspectors and to expand their powers;

(d) Reintegration and rehabilitation measures in place for victims of child labour.

12. Please provide information on:

(a) The implementation of Act No. 2014-040 of 20 January 2015 on combating human trafficking and the National Plan to Combat Human Trafficking with a view to ensuring that the law contains provisions aimed at the elimination of child sex trafficking;

(b) Internal trafficking;

(c) Measures taken to ensure the availability of appropriate support services for children, including integrated services during investigations.

13. Please provide additional information on:

(a) Measures taken to expedite trials;

(b) The application of non-custodial measures in accordance with Act No. 2016-018 of 22 August 2016 on measures and procedures applicable to children in conflict with the law;

(c) Measures to ensure the availability of free legal assistance for children;

(d) Steps taken to ensure that children in detention have access to food, clean water, sanitation, health services and education;

(e) Efforts to ensure that child detainees are kept separate from adult detainees in prisons.

14. Please provide information on the measures taken to implement the recommendations contained in the Committee's previous concluding observations regarding:

(a) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/MDG/CO/1);

(b) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPSC/MDG/CO/1).

## Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

16. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in

terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

17. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

(a) Child victims of violence, abuse or sexual exploitation both within and outside the family, including information on investigations, prosecutions, convictions or acquittals and any reparations granted to the victims;

(b) Cases of corporal punishment, especially in schools, in the home and in alternative care settings;

(c) Teenage pregnancies and abortions, including the number of deaths resulting from unsafe abortions;

(d) Children affected by sexually transmitted infections, including HIV, and children living with AIDS;

(e) Investigations and prosecutions launched in relation to cases of child labour and the reparations or compensation granted to victims;

(f) The enrolment rate in pre-primary, primary and secondary school and the school completion rate for each of these levels;

(g) Children recruited by or involved with the non-State armed groups known as *dahalos*;

(h) Child deaths due to abuse and neglect, suicide or accidents.

18. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, including the number of children who have been:

(a) Living in institutions, including unaccredited residential centres;

(b) Placed in foster families.

19. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

20. Please provide, if available, updated statistical data disaggregated by age, sex, type of offence, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

(a) Arrested;

(b) Referred to diversion programmes;

(c) Placed in pretrial detention;

(d) Serving a custodial sentence, including data on the length of the sentence;

(e) Held in detention facilities for adults.

21. Please provide information on how the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals integrate a child rights-based

approach, including with regard to child participation and data collection, and how they promote the realization of children's rights under the Convention and its Optional Protocols.

22. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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