



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined fifth and sixth periodic reports submitted by Madagascar under article 44 of the Convention, due in 2018*


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I. Methodology and preparation of the report

1. In order to comply with its obligations under the international legal instruments that it has ratified, including the Convention on the Rights of the Child, Madagascar established an interministerial committee in 2003 to prepare initial and periodic human rights reports, with the work of the committee being coordinated by the Ministry of Justice. The Ministry restructured the committee by Order No. 28 775/2017 of 11 November 2017 to enable it to more effectively meet those obligations. The Order extended the committee's mandate so as to ensure that treaty body recommendations are followed up on and implemented. The new committee is composed of representatives of the Senate, the National Assembly, the relevant ministries, the National Statistics Institute and civil society organizations. In September 2017, while the present report was being prepared, the Directorate for Human Rights and International Relations and the Directorate for Legislative Reform, of the Ministry of Justice, with support from the United Nations Children's Fund (UNICEF), disseminated the committee's recommendations and specific guidelines regarding the preparation of reports on the rights of the child. In October 2017, a platform was created where, with the involvement of representatives of the relevant ministries, the necessary data could be collected for the preparation of the report. The data collected were submitted to the drafting committee, which began compiling, drafting and finalizing the report in January 2018. Also with support from UNICEF, three drafting workshops were held for members of the committee, first in Antananarivo and then in Antsirabe. Representatives of the Independent National Human Rights Commission and the Child Protection Section of UNICEF who work with the Ministry of Justice also took part in drafting the present report.

II. Responses to the Committee's recommendations

A. General measures of implementation

Population

2. In September 2015, the Ministry of Population, Social Protection and the Advancement of Women adopted a national social protection policy for the period 2015–2019. The policy sets out a coherent and comprehensive strategy and includes action plans for providing effective social protection coverage to the population, including children. The National Strategy to Combat Child Marriage (2018–2024), which had been drawn up by a subcommittee of the National Child Protection Committee, was validated in September 2017 and adopted by the Government Council in June 2018. The strategy has a plan with an allocated budget and four objectives:

- To deepen the commitment of local authorities, communities and families to preventing child union or marriage and protecting children from such practices by changing behaviours;
- To increase children's capacity to protect themselves from early union or marriage and early pregnancy;
- To increase the capacity and commitment of agencies to protect children from early union or marriage, including by caring for pregnant girls;
- To harmonize and coordinate actions against child union or marriage.

Youth

3. Madagascar established the National Youth Policy in 2015 under Act No. 2015-038 of 3 February 2016. The policy focuses on:

- Protecting children's rights against any danger arising from their environment, and promoting those rights;
- Helping children thrive and be independent;
- Promoting participation and co-decision-making.

4. In 2016, the Ministry of Youth and Sport prepared a five-year plan, covering the period 2017–2022, to implement the National Youth Policy and ensure that the rights of adolescents are respected and that adolescents take on more responsibility.

5. The five-year plan is geared towards the well-being of adolescents, peace education, good citizenship and sustainable development, sport and recreation and culture for the purposes of personal growth.

Health

6. The Ministry of Public Health has set itself the goal of guaranteeing good health, a healthy environment and a higher-quality, productive life for the entire Malagasy population by 2030.

7. In pursuing that goal, it aims to be fully involved in the fight against poverty and to support the country's socioeconomic recovery by improving the health of the population in several priority areas, including maternal and child health.

Education

8. To promote children's right to an education, the Ministry of Education, the Ministry of Employment, Technical Education and Vocational Training, and the Ministry of Higher Education and Scientific Research jointly prepared the Education Sector Plan for the period 2018–2022.

9. The vision of the Plan – “a quality education for all, the guarantee of sustainable development” – is broken down into five strategic goals. The first two are particularly relevant to children: to give all children an equitable, quality basic education so that they are better able to face an economy in constant flux and to contribute to the sustainable development of the country, in socioeconomic, cultural and environmental terms, and to their own personal development; and to develop the skills and employability of the country's human capital to match the needs of emerging sectors, whether these be modern or traditional.

Labour

10. The mission of the National Committee to Combat Child Labour, at the Ministry of Public Service, Labour Administration Reform and Social Laws, is to:

- Implement and monitor the National Action Plan to Combat Child Labour;
- Guide and monitor the work of the International Programme on the Elimination of Child Labour of the International Labour Organization (ILO/IPEC) in Madagascar;
- Issue opinions on laws and regulations to combat child labour;
- Support the formulation, approval and monitoring of relevant action programmes of civil society and non-governmental organizations;
- Provide policy advice on all activities aimed at abolishing child labour in the country, including those of IPEC, and integrate them with other national initiatives;
- Give advice on priority areas for all activities to combat child labour in the country, including those of IPEC;
- Regularly review and evaluate all activities aimed at the abolition of child labour in the country, including those of IPEC;
- Ensure that the goals and targets related to child labour established under ILO programmes and by the Government and relevant institutions are met.

11. The Committee is a tripartite body composed of representatives of the State, the most representative workers' organization, as designated by the organizations themselves, and non-governmental organizations active in the field of child labour. The term of office of members is four years.

Coordination

12. The National Child Protection Committee was established at the Ministry of Population, Social Protection and the Advancement of Women, pursuant to Decree No. 2012-858 of 25 September 2012, to help coordinate implementation of the Convention. The committee's primary task is to guide national child protection policy and programmes, coordinate related actions and foster collaboration among all stakeholders working in the field.

13. Its functions are to develop and promote a common understanding of the issues surrounding child protection; to design common strategies and programming and operational guidance principles to support and strengthen existing mechanisms, take decisions, issue recommendations and provide follow-up; to accept and assess reports on activities carried out that are sent to it by the technical commission provided for in article 8; to issue instructions and, where necessary, order corrective measures in connection with the implementation of child protection activities; and to prepare a yearly national report on the implementation of child protection activities on the basis of the previously mentioned reports.

14. The National Child Protection Committee is composed of representatives of ministries and civil society organizations working in the field of child protection. It has a steering committee made up of the general directors and a technical committee made up of specialists from different ministries.

15. The Committee receives funding from the State budget and support from technical and financial partners.

National action plan

16. Madagascar does not have one overarching national policy on the protection of children's rights. However, there are sectoral policies and strategies in areas such as population, youth, health, education and labour.

17. The National Development Plan for 2015–2019 addresses child protection in its first and fourth sections, which aim to reinforce the fight against all forms of trafficking and abuse, restore human dignity by providing health-care services and a quality education in a healthy environment, and reduce the number of children at risk of chronic malnutrition and the number of children under 5 at risk of acute malnutrition.

18. The National Development Plan aims to establish a successful educational system that meets international standards by significantly reducing illiteracy, guaranteeing a quality education for everyone, increasing user satisfaction and improving the functioning of the educational system.

19. In connection with the fight against poverty, an economic development paper was prepared for the period 2015–2019. It places particular emphasis on protecting children's rights, with strategies to improve the quality of the health and educational systems and expand the social protection system. Its strategy to improve access to water, sanitation and hygiene also fosters the protection of children's rights.

20. The National Zero Hunger Strategy offers an opportunity to reduce the rate of stunted children under 2 years of age and to improve access to adequate food throughout the year in Madagascar.

21. The Ministry of Population, Social Protection and the Advancement of Women has prepared regional framework plans for child protection for six regions (Diana, Boeny, Analamanga, Atsinanana, Atsimo-Andrefana and Vatovavy-Fitovinany) with a view to creating a more protective environment for children in the family and community.

22. Work on the National Child Protection Policy began this year under the supervision of an interministerial committee, with input from civil society. This policy serves as a point of reference for all actors working in the field of child protection.

23. Initiatives to combat child labour include the preparation of the National Action Plan to Combat Child Labour for the period 2004–2018, with a view to:

- Preventing the worst forms of child labour;

- Extricating and reintegrating those already engaged in such work;
- Protecting all child workers under the minimum age for admission to employment from exploitation and dangerous work.

24. The National Youth Policy addresses the concerns of teenage parents. Thirty per cent of all babies delivered in the country are born to teenage mothers.

25. The basic principle of the policy is that it should guarantee the promotion and protection of the rights of young people from any danger arising from their environment.

Independent monitoring

26. The new Independent National Human Rights Commission, established by Act No. 2014-007 of 22 July 2014, is consistent with the Paris Principles, in that:

- Its independence is guaranteed by the fact that it takes orders from no one;
- It has a separate budget, which is included in the budget legislation;
- Its composition is pluralist; the majority of its members are representatives of civil society organizations working on human rights issues and are elected by their peers.

27. The Commission was established in 2015 and has been operational since 13 October 2016, when its members were sworn in. The official appointments of a secretary-general, an administrative and financial director and section heads are being made gradually.

28. The Government has made one floor of a building belonging to the Ministry of Finance and Budget available to the Commission.

29. Since being formally established, the Commission has:

- Investigated cases of human rights violations;
- Carried out activities to raise awareness of human rights;
- Published reports on its work, in 2017 and 2018.

30. The Office of the Ombudsman, established by Order No. 92-012 of 29 April 1992, serves as a monitoring mechanism that contributes to the promotion and protection of human rights, including the rights of the child.

Allocation of resources

31. The budget allocated to education by the State is bolstered and supplemented by funding from direct beneficiaries, the private sector and financial partners.

32. The Ministry of Finance and Budget allocates an overall amount for the three ministries, which are authorized to make intrasectoral distributions within the limits of the overall annual budgets and the anticipated expenditures under the main categories.

33. Between 2018 and 2022, the State expects the current education budget to increase by around 2.5 per cent per year. Current spending under the Education Sector Plan has been adjusted to match the corresponding State financing, but a slight shortfall, amounting to 4.6 per cent of planned spending, remains to be filled.

34. As for capital investment, the shortfall is much larger, amounting to 13.4 per cent of planned spending over the period 2018–2022. Funding from external resources, taking into account projects that will be renewed and the contribution of additional funds by education sector technical and financial partners, is projected to increase by 15 per cent for 2018 and by an additional 5 per cent annually for each subsequent year until 2022.

Data collection

35. The National Strategy for the Development of Statistics is being updated; data collection is governed by Act No. 2018-004 of 18 April 2018 on the organization and regulation of statistical activities.

36. Through the National Statistics Institute, the Ministry of the Economy and Planning is finalizing Madagascar's third General Population and Housing Census, scheduled for 2018. The census will yield the data on indicators that the country needs most urgently in

order to monitor and assess comprehensive and sectoral development programmes and the ongoing assistance programmes of development partners (e.g. the Common Country Assessment within the United Nations Development Assistance Framework) and to provide monitoring for the United Nations Post-2015 Development Agenda.

37. The census will provide national and regional data and, as applicable, district and village-level data on the indicators set out in international resolutions and at major international conferences, including indicators that directly affect children.

38. The census will make it possible to, inter alia, update demographic data and information from the last General Population and Housing Census, which dates from 1993, and to obtain age- and sex-disaggregated statistical data on the population and data on the smallest administrative unit and the socioeconomic situation, so as to facilitate analysis. The 2018 multiple indicator cluster survey, which started a few weeks ago, will allow for data to be collected on various indicators, including those relating to children's rights.

39. Efforts have been undertaken to harmonize the data-collection system at the sectoral level.

40. The Ministry of Justice, in collaboration with the National Statistics Institute and in partnership with UNICEF, has put in place a national child protection database to provide the tools needed to design a targeted operational strategy on child protection in Madagascar.

41. A special register and a special procedure for minors have been established in the courts of first instance to speed up the processing of cases involving children in conflict with the law and child victims of violence, as well as to compile statistical data on such cases.

42. A workshop was held in June 2015, in partnership with the United Nations Development Programme (UNDP), to determine how criminal cases should be coded. This was done with a view to having reliable statistical data and up-to-date information on legal cases.

43. The principal objective is to set up a mechanism for the collection and processing of data, disaggregated by age and sex, in order to get information on criminal cases involving rights violations and on access to justice.

44. Such a mechanism would also make it possible to ascertain the number of vulnerable people, especially women and children, who have had free access to judicial services, as well as the percentage of women and children receiving legal aid or advice.

45. Through Circular No. 80-15 MFPTLS/SG/DGTLS of 22 October 2015, the Ministry of Public Service, Labour Administration Reform and Social Laws appointed a labour inspector within each Regional Labour Office to work solely on issues relating to the fight against child labour, in order to better organize data collection and step up implementation of the measures taken by each Regional Labour Office to combat child labour.

46. At the Ministry of Education, the Directorate of Planning and Studies is responsible for centralizing and managing the data provided by the regional education directorates, which are drawn from basic survey forms filled out by schools at the beginning of the school year. The statistical yearbooks prepared for this purpose contain data, disaggregated by region, level of education and sex, on the number of students, school performance (such as the repetition rate and examination pass rate) and the number of schools and classrooms in operation.

47. At the National Gendarmerie, the Directorate for Organization and Employment is responsible for managing the data collected by the Child Protection and Vice Squad of the Criminal Investigation Department.

Children's rights and the business sector

48. In April 2017, the Ministry of Industry and Private Sector Development conducted a training-for-trainers programme on "Guiding Principles on Children's Rights and Business". The objective was to establish a children's rights protection system within companies, primarily in the agrifood and agro-industrial, mining and oil, tourism, telecommunications, banking and services sectors.

49. In 2017, 29 national firms and 55 regional tourist operators took part in the programme.

50. A code of conduct for actors in the tourism sector, prepared in 2012 by the Ministry of Tourism in collaboration with UNICEF and ECPAT, was signed in 2015 by regional tourist boards and professional associations that are members of the Madagascar National Tourist Board. The code now has around 1,000 signatories. Its objective is to protect children's rights in the tourism sector.

51. The key provisions of the code are for signatories to:

- Promote, respect and ensure respect for human rights and children's rights in all their activities;
- Protect children in their facilities and activities against all forms of commercial sexual exploitation, child sex tourism, child labour, trafficking in persons and all other forms of abuse;
- Support the emergence of a tourism industry that respects children's rights by promoting businesses with a proven commitment to combating the commercial sexual exploitation of children and child sex tourism;
- Provide tourists with information to make them aware of Malagasy laws on the commercial sexual exploitation of children, child sex tourism, child labour, trafficking in persons and other forms of abuse;
- Report any form of commercial sexual exploitation of children, child sex tourism, child labour, trafficking in persons or any other form of abuse.

52. In the field of new technologies, three out of the four major Internet and mobile telephone service providers are making significant contributions to wider efforts to combat violence against children. These companies actively contribute to prevention, the education of the general public and the strengthening of the national mechanism for reporting cases of child abuse and exploitation by making free telephone lines (the 147 helpline) available for people to report any acts of violence against a child.

53. Under article 2 of Act No. 2007-023 on the rights and the protection of children, a child is defined as any human being under the age of 18 years. However, a distinction is made between the age of majority for civil matters, which is 21 years, and the age of majority for the purposes of marriage, which is set at 18 years in article 3 of Act No. 2007-022 of 20 August 2007 on marriage and matrimonial regimes.

B. General principles

Non-discrimination

54. Article 6 (2) of the Constitution of the Fourth Republic states: "All individuals are equal before the law and enjoy the same fundamental freedoms protected by the law without discrimination based on sex, level of education, wealth, origin, religious belief or opinion."

Respect for the best interests of the child

55. In accordance with article 5 of Act No. 2007-023 of 20 August 2007 on the rights and protection of children, all judicial decisions taken regarding children must be based on the child's best interests.

Respect for the views of the child

56. There is respect for the views of children in school, family and social settings. They may express themselves freely. When a legal decision involves a child, his or views are solicited.

57. Programmes for children and adolescents have been created and broadcast on national radio and television. Examples include *Henoy ankeh zahay* (Listen to us) and *Kids Time*, which offer fun educational activities.

58. As agents of their own protection, it is important for children to share their ideas not only with their parents and other community members, but also with each other, and for them to be role models for each other by showing mutual respect and taking responsibility for themselves.

59. In that spirit, the Ministry for Communications and Relations with Institutions organized a meeting between 15 children from the six provinces and the President of the Republic in Iavoloha on 20 November 2017 to celebrate Universal Children's Day, and another at the Children's Assembly that took place on 6 June 2017. The Prime Minister met with 116 students from Sambava on 11 August 2017.

C. Civil rights and freedoms

Nationality

60. Following the Committee's recommendation, the Government of Madagascar adopted Act No. 2016-038 of 25 January 2017, on the Nationality Code. The Act's new article 9 makes it possible for women to pass on their nationality to their children irrespective of marital status. Mothers now transmit nationality to their children in the same way as fathers.

61. In order to preserve the right of every child to a nationality, the Act provides that children born to a father or mother with Malagasy nationality acquire that nationality regardless of whether they are legitimate or born out of wedlock.

Statelessness

62. Madagascar has no law on statelessness. However, the Government is aware that, at present, any child born to stateless parents will not have a nationality, even if his or her parents were born in Madagascar. Accordingly, the Ministry of Justice, in partnership with the Office of the United Nations High Commissioner for Refugees, held public consultations at the provincial level and carried out awareness-raising activities in 2016 and 2017 in order to find out the public's views on the situation of stateless persons in Madagascar.

Birth registration

63. In order to improve birth registration, a bill amending Act No. 61-025 of 9 October 1961 on civil status documents was adopted by parliament during its May 2018 session. Essentially, the bill provides for:

- Digitizing the civil registry;
- Establishing national and local civil registry offices;
- Extending the deadline for declaring a birth to 30 days;
- Granting community leaders the power to accept birth notifications;
- Increasing the penalties related to civil registration.

64. A national coordination committee was established in 2014 by Decree No. 2014-509 of 27 May 2014, to improve the civil registration and vital statistics systems. The committee's main mission is to implement the Government's political and strategic guidelines, which are focused on computerizing the civil registration system and expanding civil registration coverage so as to provide a service that is more accessible and closer to home.

65. In 2018, in line with the Africa Programme for Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS), the Government Council adopted a strategic plan for the period 2018–2027 to improve the civil registration system.

66. The plan's priority areas are civil registration and birth registration, particularly for children of specific demographic groups and vulnerable groups, including children of migrants and the children of families living on the street, disadvantaged families and families living in isolated areas, as well as children of stateless persons.

67. Since 2017, as part of the plan's implementation, public awareness-raising campaigns on the importance of birth registration have been conducted, together with local leaders, in the district of Ambovombe Androy.

68. Thanks to the plan, mobile registration centres have been set up in all villages.

69. In 2013, the birth registration rate for children up to the age of 5 years was 83 per cent, and 88 per cent for children aged 6 to 17 years. Three hundred thousand mobile registration centres have been set up in the administrative centre of each district. Representatives of the village communities, the basic health centres and hospitals are involved in the organization and harmonization of the services offered by these centres.

70. In addition, courts of first instance have issued late registration certificates to ensure that all children have a birth certificate.

Freedom of expression and access to appropriate information

71. The right of all children capable of discernment to express their opinions on any matter affecting them is provided for in article 7 of Act No. 2007-023 of 20 August 2007 on the rights and protection of children. Under this article, any competent authority hearing a child must take such non-coercive measures as are necessary to facilitate their deposition and keep it as short as possible.

72. Regulating access to appropriate information and managing the resources used for the purposes of media coverage are duties of the Ministry for Communications and Relations with Institutions.

73. A development plan has been prepared to implement the policy on the public's access to radio and television in urban and rural areas. The plan promotes access in hard-to-reach areas by decentralizing and devolving media and communications services.

74. Since 2017, the efforts made to provide access to radio and television have included:

- Providing 200 television decoders, free of charge, in the south of the island;
- Repairing 32 radio transmitters and 61 television transmitters throughout Madagascar;
- Installing 17 new radio transmitters and 24 new television transmitters in remote areas such as Tsihombe and Amboasary Sud in the Androy region.

75. Fifteen documentation and information centres have been established, with the collaboration of the United Nations Educational, Scientific and Cultural Organization (UNESCO), to promote access to information.

76. Since 2012, under the auspices of the Ministry of Education, information campaigns have been carried out in schools on the use of information and communications technology. Fifty-five ordinary State high schools and 24 State primary schools have been equipped with digital classroom kits consisting of an interactive digital whiteboard, a computer and a video projector. Since 2014, some 8,000 tablets have been distributed to State middle and high schools.

77. The Ministry for Communications and Relations with Institutions monitors information that is inappropriate or harmful for children pursuant to Act No. 2016-029, containing the Media Communications Code.

78. A number of articles of the Code pay particular attention to the protection of children by seeking to considerably reduce the use of shocking language, including that of a sexual nature, and the publication of indecent images on the front page of media publications.

79. Since 2013, the Ministry of Youth and Sport has been helping bolster children's access to information through the 22 Internet access centres (C@net) it has set up, in collaboration with the company Orange Madagascar, in youth centres spread out over 20 regions.

80. Since 2011, another helpline (511) has been opened to allow children to express their concerns and ask for advice. The helpline operates 24 hours a day.

81. The website www.azaza.mg has been set up as part of the “We Protect Children Online” programme, to provide guidance and information to young people and to enable them to report images of child sexual abuse.

82. A 147 helpline for emergency calls and reporting has been in place since 2008. In 2015, it began offering counselling and information services. The helpline is free and accessible 24 hours a day, including to children, from a telephone line anywhere in the country. Advice is provided by social workers trained in receiving such calls. Between 2015 and 2017, a total of 387,712 calls were received.

D. Violence against children, including abuse and neglect of children

Violence against children

Law enforcement, investigation and prosecution of violent offences

83. The Central Service of the Vice and Juvenile Protection Police at the Ministry of Public Security handles all cases involving offences committed against children, including violent offences of all kinds.

84. The cybercrime division of the Central Service is responsible for detecting, investigating and arresting the perpetrators of Internet-related offences. Twenty criminal investigators have been trained in digital search techniques used to track down alleged perpetrators.

85. Within the National Gendarmerie, the Child Protection and Vice Squad specializes in child protection. It coordinates and supervises judicial investigations conducted by National Gendarmerie units into perpetrators of violence against children.

Age of sexual consent

86. National legislation does not expressly establish an age of sexual consent.

Capacity-building for staff in caring for child victims of violence and abuse

87. Since 2013, the State Secretariat for the Gendarmerie, in collaboration with the Ministry of Justice and the Ministry of Public Security and with the support of UNICEF, has carried out capacity-building programmes on child protection measures and the fundamental principles of the Convention for members of the gendarmerie.

88. In 2016 and 2017, 60 gendarmes received training on child protection in cooperation with the French gendarmerie.

89. In 2017, training and information-sharing sessions on Act No. 2016-018 of 22 August 2016 on measures and procedures applicable to children in conflict with the law were conducted in collaboration with the Ministry of Justice and in partnership with UNICEF.

Introduction of a permanent helpline

90. Since 2008, the 147 helpline has been available to receive reports and complaints of ill-treatment, violence, abuse or exploitation of children. Calls are taken by social workers or police officers where immediate referral to the police is required. Since it was first established, this line has been part of the Child Helpline International network. In 2015, the line was upgraded to include a centralized information-technology platform with 15 work stations and software-based monitoring of incoming calls (received and not received) and outgoing calls. The set-up also provides for volunteer listeners, resources, a database, real-time statistics, ease of remote maintenance and a system for blacklisting nuisance calls and whitelisting calls to the protection networks closest to the callers. The automated nature of the 147 helpline allows reliable statistics to be generated.

91. Activities have been organized in State schools in the capital to raise awareness of the helpline and its purpose.

Community-based mutual support to meet psychosocial and economic needs

92. No information available.

Social care aimed at improving families' standard of living (allowances, counselling service)

93. In order to improve families' standards of living, the Ministry of Population, Social Protection and the Advancement of Women has implemented the "Social Safety Net" project for 2015–2019 with a view to increasing the access of extremely poor households to development-based safety nets through the social transfer programme and highly labour-intensive work. The Ministry has also introduced a human development cash transfer programme to improve the nutritional status of children in 350,000 target households, mainly those up to the age of 10 years who are living in the poorest families.

94. Entitlement to cash transfers is dependent on the work done by family members and their degree of vulnerability. In 2017, a total of 252,650 families experiencing difficulties in five regions (Haute Matsiatra, Atsimo-Andrefana, Vakinankaratra, Atsinanana and Vatovavy-Fitovinany) benefited from the human development cash transfer programme.

95. The aim of this programme is to provide households with some additional income to make it easier for children aged between 6 and 10 years to attend school. Households receive their transfers every two months, which amounts to six transfers per year over a three-year period. The transfer consists of a basic amount plus incentives to encourage the enrolment and ongoing attendance of children in primary school. In Vakinankaratra, in line with the third component of the Social Safety Net project alluded to in recommendation 46 (f), the cash transfer programme benefits 5,000 of the poorest households with children aged between 6 and 10 years.

Awareness-raising through the media or other means

96. On the occasion of the various national and international days devoted to children, educational radio programmes were broadcast on Radio Nationale Malagasy with the aim of raising public awareness of efforts to tackle violence against children.

97. The "Let Us Learn" project has enabled local radio presenters to receive training on key aspects of the campaign to combat violence against children. The project is led by an inter-ministerial team made up of representatives of the Ministry of Education, the Ministry of Population, Social Protection and the Advancement of Women, the Ministry of the Interior, the Ministry for Communications and Relations with Institutions and the Ministry of Youth and Sport, in partnership with UNICEF.

98. In 2016, media professionals and members of the young reporters club from the five regions of Boeny, Atsimo-Andrefana, Analanjirofo, Vatovavy-Fitovinany and Atsimo-Atsinanana were trained and given the opportunity to broadcast programmes on local radio stations.

99. In 2018, media professionals in the Anosy and Androy regions received training.

100. In 2017, the Ministry of Education, and the Ministry of Population, Social Protection and the Advancement of Women, in partnership with UNICEF, helped the four regional education directorates in Boeny, Vatovavy-Fitovinany, Atsimo-Andrefana and Analanjirofo to develop a regional code of conduct focused on protecting children and combating violence against them by involving representatives and officials of the regional directorates and school districts as well as students, parents, teachers and school officials.

101. The Ministry for Communications and Relations with Institutions broadcast three weekly programmes:

- In January 2015, a programme on early marriage entitled *Fampanambadiana aloha loatra*;
- In April 2015, a programme on school dropout entitled *Azo averina an-tsekoly ve ireo nitsoaka an-daharana?*;
- In October 2016, a programme on early pregnancy, entitled *Fitsoahana an-daharana sy ny vokadratsiny*, which focused on the rejection and abandonment of a child.

102. The website www.azaza.mg has been specifically designed to combat online violence and sexual exploitation. There are links for reporting abuse and a link to the 147 helpline; the legal texts related to the programme are clearly cited on the website.

Education and redress

103. In order to strengthen the mechanism for preventing violence and abuse targeted at women and children and promoting the care of victims, the Ministry of Population, Social Protection and the Advancement of Women has set up “Vonjy centres” and counselling and legal advice centres.

104. The counselling and legal advice centres are grass-roots social agencies that have been working to promote and protect human rights since their establishment in 2003. Their mission is to prevent gender-based violence and provide free psychosocial support to victims. Currently, 21 centres provide services to the public, including child victims of abuse, violence, exploitation or neglect and children who are at risk. Currently, in 2018, a project is under way to improve the organization and functioning of the centres.

105. Vonjy centres are integrated care centres that provide psychosocial, medical and legal services to child victims of sexual violence in one location. In collaboration with the Ministry of Public Health and the Ministry of Public Security, and with technical support from UNICEF, four centres have been set up in Mahajanga, Nosy Be, Antananarivo and Toamasina. Construction work on a further two centres in Fort-Dauphin and Toliara will start in late 2018.

106. Vonjy centres have a social support service that carries out the necessary investigations in the place where the victim comes from. If victims have suffered serious injuries, they are immediately taken to hospital. All services provided by these centres are free of charge. Where necessary, the centre’s legal department initiates legal proceedings.

107. A child protection network was established pursuant to articles 66 and 67 of Act No. 2007-023 of 20 August 2007.

108. The network is an organized system that enables stakeholders with different but complementary mandates to collaborate and coordinate their actions in pursuit of a common goal, which is to promote children’s rights and protect children from all forms of violence, abuse and exploitation, including the loss of their family environment.

109. In the communes, the networks rely on organized community-based groups that take it upon themselves to protect children by taking not only preventive measures but also protective action, identifying cases of violence, implementing the measures within their power and referring or reporting cases to the competent authorities. In the districts, the networks rely on institutions that ensure the complementarity and coordination of services, implement missing services, build relations with the community and engage in capacity-building and mobilization activities.

110. The child protection networks are subdivisions of the National Child Protection Committee in the regions. The networks are established by district or municipal ordinance.

111. The State and non-State child protection actors that make up the networks have received training on data collection and processing tools, the registration of reported cases at the district and commune level, and the use of the reporting form.

Effective remedies

112. All individuals, including children, enjoy legal protection. If their rights are violated, they may petition a competent court to obtain compensation for the damage suffered.

Sexual violence

113. Violence of any kind is punishable under Malagasy criminal law.

Corporal punishment

114. Article 11 of Order No. 5246-96/MEN of 28 August 1996 prohibits corporal punishment in schools. Pursuant to this provision, a teacher in a private school in

Antananarivo who physically abused a pupil had her teaching licence revoked and was banned for life from teaching.

115. Circular No. 234/MEN/SG of 4 April 2017, which reiterated the ban on using violence against pupils in public and private schools, was subsequently issued.

116. In 2017, standard regulations for all State primary schools were developed by the Ministry of Education. The regulations prohibit all forms of violence in schools and require teachers to intervene in cases of psychological harassment. They also require parents to avoid all acts of physical and mental violence and to intervene where necessary. They establish penalties for persons who breach a school's regulations and disciplinary code and contain recommendations for educational corrective action.

117. The charters of good conduct established by parents, pupils and teachers for all schools formally condemn acts of violence of any kind.

Harmful practices

118. In June 2015, in an effort to eradicate harmful practices, the Ministry of Population, Social Protection and the Advancement of Women, in partnership with UNICEF, organized awareness-raising campaigns on the harmful effects of child marriage. Community dialogues were conducted in six regions in order to encourage traditional leaders and local authorities to commit themselves to eliminating these practices in their respective communities.

119. Following this campaign, the National Strategy to Combat Child Marriage was adopted in October/November 2017.

E. Family environment and alternative care

Family environment

120. Reception centres are provided for in the draft decree implementing the law on adoption. This draft decree was validated by the Rights of the Child Reform Commission on 4 September 2018. It was initiated by the Ministry of Justice and the Ministry of Population, Social Protection and the Advancement of Women.

121. In late 2017, the Ministry of Population, Social Protection and the Advancement of Women and the non-governmental organization SOS Children's Village France signed an agreement on the implementation of a project concerning the quality of care in child protection services in Madagascar. The aim of the project is to assess the quality of care provided to children in difficult situations, vulnerable children and orphans in social care centres using a reference document on the norms and minimum standards of care for children in care.

Children deprived of a family environment

122. All children deprived of a family environment are placed in reception centres or foster families approved by the Ministry of Population, Social Protection and the Advancement of Women. In order to strengthen the monitoring of these children, family foster care mechanisms were established in the regions of Analamanga, Atsinanana, Diana and Boeny in 2016 and a reference document on the norms and minimum standards of care for children in care homes was drawn up in 2017. In that regard, certain improvements have been made:

- Capacity-building sessions on the rights and obligations of reception centre managers were held for the managers of 85 approved centres (2015).
- The data gathering and processing tools and methodologies used in reception centres were updated, enabling technical support to be provided to 17 pilot reception centres licensed for adoptions.
- Capacity-building sessions on the use of the reference document were held for stakeholders (social workers, foster families, members of child protection networks).

123. A review of the conditions in reception centres for children in difficult situations, vulnerable children and orphans in the 22 regions was carried out in 2013. A further review is scheduled to take place in 2019.

	2013	2014	2015	2016	2017
Approval granted	14	9	40	13	5
Approval refused	0	0	0	1	0
Approved for adoptions	0	0	0	0	21
Centre no longer active	0	0	0	5	0

Adoption

Illegal adoption

124. Article 23 of Act No. 2014-040 of 20 January 2015, on combating trafficking in persons, criminalizes illegal adoption. Any violation or failure to comply with all the rules relating to national or intercountry adoption is punishable under this Act.

125. A new Act No. 2017-014 of 30 June 2017 on adoption – the implementing decree for which has just been approved by the Rights of the Child Reform Commission – has replaced the former Act No. 2005-014 of 7 September 2004 on adoption. Article 26 of the new Act stipulates that the Malagasy Central Adoption Authority has sole jurisdiction for dealing with administrative applications, while article 39 of the Act stipulates that the courts of first instance have sole jurisdiction for ruling on applications for full adoption.

Combating illegal adoption

126. The advisory committee of the Malagasy Central Adoption Authority contributes to the fight against illegal adoption by examining and issuing an opinion on the files of children up for adoption and the files of adoptive parents.

127. The Ministry of the Interior may block adoptions considered to be illegal if an attempt to adopt a child illegally is identified or suspected.

Human, financial and technical resources

128. In accordance with Decree No. 2015.1034 of 30 June 2015 on the organization chart of the Ministry of Population, Social Protection and the Advancement of Women, the Malagasy Central Adoption Authority has been appointed by the State to fulfil the obligations and functions relating to the full national and intercountry adoption of Malagasy children. Its mission is to strengthen the legal and administrative framework for the protection of children, specifically in the area of adoption, and also to strengthen the system for preventing harm and monitoring action to protect children deprived of parental care.

129. The Authority has its own human resources in the form of officials from the Ministry of Population, Social Protection and the Advancement of Women and the equipment it needs to fulfil its mission and duties, including communication tools, computer equipment for data management tasks and the usual work and documentation tools. The Authority's operating budget is provided for in the Finance Act.

F. Disability, basic health and welfare

Children with disabilities

130. In response to the recommendation to ratify the Convention on the Rights of Persons with Disabilities, an Act authorizing the ratification of that Convention was promulgated on 15 April 2015 and the related instruments of ratification were deposited with the Secretary-General of the United Nations on 12 June 2015.

131. Madagascar strengthened its international commitments by adopting Act No. 2017-042 of 12 December 2017 authorizing the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

132. The process of setting up a national commission for persons with disabilities is under way. This body will be responsible for all matters related to persons with disabilities, including monitoring the situation of children with disabilities in Madagascar.

133. In the education sector, the following measures to revitalize, promote and develop an inclusive culture and practices have been taken pursuant to Decree No. 2009-1147 of 1 September 2009 establishing the General Policy on Inclusive Education:

- Since 2013, special examination papers have been printed for candidates with visual impairments.
- Since 2014, classrooms that meet the required standards for children with disabilities have been constructed.
- A regional platform for the educational and social inclusion of children with disabilities has been established in accordance with Circular No. 2017/240/MEN of 5 April 2017.¹
- A framework document for inclusive education in Madagascar was drawn up in 2017.
- A regional mechanism on the educational and social inclusion of children with disabilities was developed in 2017.
- Teachers received training in the area of inclusive education in 2017.
- Educators specialized in teaching children with disabilities were recruited in 2017, with the status of public servants.

134. Progress has been made in promoting the educational and social inclusion of children with disabilities:

- The number of children with disabilities enrolled in school has increased.
- In the past three years, 76 candidates with visual impairments have taken the official examinations for the primary school leavers' certificate.
- From 2014 to 2017, 3,256 classrooms that met the required standards were built.
- In 2016–2017 and 2017–2018, a total of 2,798 regular classroom teachers received training on inclusive education, inclusive classroom management and caring for children with disabilities in schools.

135. In 2017, nine regional platforms were set up, in the regions of Boeny, Analanjorofo, Vatovavy-Fitovinany, Androy, Anosy, Atsimo-Atsinanana, Atsimo-Andrefana, Analamanga and Vakinankaratra.

136. In the area of health, a bill is being finalized that provides for the establishment of a system of prevention, care and rehabilitation and protection measures for children and adults with mental and psychological disorders.

Mental disability

137. The priorities of the Ministry of Public Health include strengthening the health-care system by strengthening providers' capacities, including those related to the prevention and management of mental disorders, the availability of health inputs for all types of health facility and the adaptation of health infrastructure to the needs of persons with disabilities.

138. In accordance with the 2015–2019 National Disability Inclusion Plan, the National Strategic Plan for the Development of Physical Rehabilitation Services for 2017–2021 was drawn up and implemented in order to provide a frame of reference. The plan makes it possible to identify the status of physical recovery provisions and the priorities of the

¹ The regional platform is composed of the decentralized technical services of the ministries concerned (the Ministry of Education, the Ministry of Employment, Technical Education and Vocational Training, the Ministry of Population, Social Protection and the Advancement of Women, the Ministry of Justice, the Ministry of the Interior, the Ministry of Defence and the Ministry of Public Security), regional civil society organizations involved in inclusive education, social centres for children with disabilities and children belonging to vulnerable groups, and associations/regional platforms of persons with disabilities.

health-care sector, the results expected from the actions undertaken, the strategic areas and related priority actions, and the relevant indicators that make it possible to measure the extent to which the targeted objectives have been achieved.

139. The Ministry has acquired the appropriate infrastructure and equipment, including:

- Thirteen public functional rehabilitation units;
- Six public medical appliance services;
- Four functional rehabilitation units in four hospitals (Anosy Avaratra District Referral Hospital, Arivonimamo District Referral Hospital, Miarinarivo Regional Referral Hospital and Tsiroanomandidy Regional Referral Hospital);
- Two public, community-based rehabilitation sites in the district of Avaradrano and the district of Ambohidratrimo;
- Four private rehabilitation units with or without a medical appliance service;
- One orthopaedic surgery unit and one physiotherapy facility are being established within the Itaosy District Referral Hospital, which is known as a dynamic referral centre for maternal and child health, with a view to creating a centre for the early detection and treatment of orthopaedic and neurological impairments.

140. A programme to provide basic training in occupational therapy was recently established at the faculty of medicine with the support of the Malagasy Occupational Therapy Association, the Growing the Nations Therapy Programme, and the Christoffel Blindenmission.

Hearing and visual impairments

141. Hearing health is currently a component of the disability prevention programme. For this reason, a national policy on hearing health has been developed to reduce the burden caused by hearing impairment on individuals, families and communities.

142. Since 2008, the Ministry of Public Health has taken steps to ensure that 29 basic health facilities in the health districts of Antananarivo-Renivohitra and Manjakandriana are able to conduct eye examinations and treat common ear complaints.

143. Early screening and treatment of newborns and young children make it possible to avoid speech disorders and learning difficulties.

In regional referral hospitals and university hospitals:

- Infrastructure: 14 ear, nose and throat units are in operation, including:
 - Seven units in public hospitals (Mahajanga, Toamasina, Antananarivo, Antsirabe, Fianarantsoa, Toliary);
 - One semi-public unit (Soavinandriana Hospital, Antananarivo);
 - Six units in private hospitals (Anosibe Clinic, Organisation Sanitaire Tananarivienne Inter-Entreprises Anosibe, Ankadifotsy Sisters Clinic, Ilafy Polyclinic, Sampan'Asa Loterana momba ny Fahasalamana Antananarivo and Antsirabe).
- Facilities: 4 out of 14 services have an operating theatre (Joseph Ravoahangy Andrianavalona University Hospital, Soavinandriana Hospital, Sampan'Asa Loterana momba ny Fahasalamana Antananarivo, Anosibe Clinic). These operating theatres for ear, nose and throat conditions are all concentrated in Antananarivo. A total of 4 out of 14 units have equipment for functional examinations (Joseph Ravoahangy Andrianavalona University Hospital, Soavinandriana Hospital, Sampan'Asa Loterana momba ny Fahasalamana Antananarivo, Soavinandriana Hospital, Sampan'Asa Loterana momba ny Fahasalamana Antsirabe);
- Human resources:
 - Fifteen specialist doctors (Toamasina University Hospital, Joseph Ravoahangy Andrianavalona University Hospital, Soavinandriana Hospital, Sampan'Asa Loterana momba ny Fahasalamana Antananarivo, Anosibe

Clinic, Ankadifotsy Sisters Clinic, Antsirabe Regional Referral Hospital, Fianarantsoa University Hospital);

- Thirteen assistant doctors (Toamasina University Hospital, Joseph Ravoahangy Andrianavalona University Hospital, Soavinandriana Hospital, Anosibe Clinic, Ankadifotsy Sisters Clinic, Fianarantsoa University Hospital);
- Two general practitioners, one in the public sector and one in the private sector (Mahajanga);
- Six doctors for outpatient consultations (University Care and Public Health Facility of Analakely, Sampan'Asa Loterana momba ny Fahasalamana Antananarivo, Organisation Sanitaire Tananarivienne Inter-Entreprises Anosibe, Toliary Regional Referral Hospital), only one speech therapist (Soavinandriana Hospital);
- Only one audiologist (Sampan'Asa Loterana momba ny Fahasalamana Antananarivo);
- Five audiometrists, all working in the private sector (Soavinandriana Hospital, Sampan'Asa Loterana momba ny Fahasalamana Antananarivo and Antsirabe).

144. Technical and financial support for the participation of persons with disabilities in physical and sporting activities is provided by the Ministry of Youth and Sport, which strongly supports the Fédération Handisport (Paralympic Committee).

145. Pursuant to article 33 of Decree No. 2001-162 of 21 February 2001, implementing Act No. 97-044 of 2 February 1998 on the rights of persons with disabilities, a National Commission on Persons with Disabilities will be established.

146. This commission will be responsible for:

- Supporting the Ministry on all matters related to the social inclusion of persons with disabilities;
- Promoting cooperation among all stakeholders working to promote the rights of persons with disabilities;
- Issuing guidance and/or directives on the effective implementation of the rights of persons with disabilities;
- Designing and developing strategies for the mobilization of resources;
- Monitoring and evaluating scheduled actions.

147. In 2017, radio programmes on the rights of persons with disabilities were broadcast every Friday on Radio Nationale Malagasy to raise awareness of the need to combat prejudice and discrimination against children with disabilities. An awareness-raising campaign on the rights of persons with disabilities was conducted in three regions (Analamanga, Vakinankaratra and Atsinanana) as part of the "Towards Mainstreaming Disability" project, which is aimed at improving the living conditions of persons with disabilities.

Health and health-care services

148. The Government has taken new policy measures, in particular the establishment of universal health cover and a national strategy for local development in the context of decentralization, on the basis of which the National Community Health Policy has been updated.

149. This policy is the fruit of the stakeholders' joint reflections, which emerged from a participatory and consultative approach.

150. In accordance with the National Health Policy and other national and international strategic framework documents ratified by Madagascar, the National Community Health Policy, as updated in 2017, defines all the strategic approaches adopted for all the actions taken in the field of community health.

151. These approaches are focused on seven areas:

- Incorporating community health into the health system;

- Optimizing community-based actions for the promotion of health;
- Scaling up integrated community-based actions;
- Coordinating the implementation of actions;
- Institutionalizing community health;
- Harmonizing the community-based approach;
- Boosting research into community health.

152. The Ministry of Public Health has made efforts to reduce teenagers' vulnerability to early pregnancy, abortion, sexually transmitted infections and HIV/AIDS and to tackle the persistence or emergence of certain diseases, including by adopting Act No. 2017-043 of 25 January 2018 establishing general rules on reproductive health and family planning. Positive results have been achieved since 2014.

153. In the area of human resources, the Ministry has:

- Recruited 230 medical specialists, 590 general practitioners, 2,013 paramedics and 89 dental surgeons;
- Trained 1,252 health workers in the integrated management of childhood illnesses, maternal and neonatal health, care for persons with tuberculosis and persons living with HIV, 36,600 community workers in the integrated management of childhood illnesses, and 47 surgeons.

154. In the area of infrastructure, the Ministry has:

- Established 66 new basic health centres;
- Built 45 basic health centres and 29 district referral hospitals with operating theatres;
- Renovated 200 basic health centres, 21 centres for the Campaign on Accelerated Reduction of Maternal, Newborn and Child Mortality in Africa, 9 university hospitals, 18 regional referral hospitals and 36 district referral hospitals;
- Established 40 new care centres for persons living with HIV and an early warning system in all health districts.

155. In the area of material inputs and equipment, the Ministry has:

- Implemented a national audit of district-run pharmacies and a system for funding the non-stop supply of essential medicines in basic health centres;
- Provided technical equipment to 1,811 basic health centres, 22 university hospitals and 24 district referral hospitals; 839 motorcycles to basic health centres; and individual childbirth kits, loyalty kits (comprising motorcycles, generators, furniture, telephones and kitchen utensils) and digital radiology tables to 34 hospitals;
- Distributed 2 million insecticide-treated mosquito nets for the prevention of malaria;
- Installed solar-powered refrigerators in 660 basic health centres.

156. The system for supplying all health facilities has been strengthened in order to prevent stock shortages of tracer medicines.

157. Training sessions have been organized for community workers to enable them to offer curative and preventive services through packages of community-based activities proven to be effective for the well-being of the population, particularly for the health of mothers and children.

Nutrition

158. To combat malnutrition, Madagascar has implemented the Third National Nutrition Plan for 2017–2021. The Plan is aimed at improving child survival rates and enabling children to develop to their full physical and intellectual potential by improving the nutritional status of the population, including that of the most vulnerable persons.

159. Efforts are focused on treating all children suffering from malnutrition and severe acute malnutrition without complications in outpatient nutritional recovery and education centres (basic health centres). Children suffering from severe acute malnutrition with

complications receive intensive therapeutic treatment in intensive nutritional recovery centres.

160. In 2018, the Government, in partnership with the World Bank, the World Health Organization, UNICEF and the United States Agency for International Development, is implementing the Nutritional Outcomes Improvement Project using the Multi-Phase Programme Approach in order to improve the health status of women and children in target areas by improving nutrition and access to quality services and strengthening the health-care system.

161. The objective is to increase the use of a package of mother and child health interventions that have been shown to improve key nutritional behaviours known to reduce chronic malnutrition and provide an immediate and effective response to crises and emergencies.

Malaria

162. Madagascar has a strategic plan for tackling malaria for 2018–2022. It is aimed at eliminating all malaria-related deaths and boosting 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.

163. To achieve these goals, the focus is on the following five strategic areas:

- Strengthening programme management and coordination;
- Protecting the entire population by taking the most efficient preventive action;
- Properly treating all cases of simple and severe malaria;
- Strengthening the communication and social mobilization framework;
- Improving the monitoring framework.

164. As far as incidence rates are concerned, 39 districts have a high incidence rate (over 100 cases per 1,000 inhabitants), 15 districts have a moderate incidence rate (50–100), 29 districts have a low incidence rate (10–50), 16 districts have a very low incidence rate (fewer than 10 cases per 1,000) and 5 districts have fewer than 1 case per 1,000 (*source*: Ministry of Public Health, Department of Malaria Control, 2013–2017).

165. The situation as regards malaria, including among children under 5 years of age, is reflected in the incidence rate and the mortality rate. From 2013 to 2016, the number of serious cases fell from 10,777 to 8,136 and the number of deaths from 667 to 443, representing decreases of 24.5 and 33.58 per cent respectively.

166. In terms of malaria prevention, the current national strategic plan is aimed at ensuring that at least 80 per cent of pregnant women take three doses of intermittent preventive treatment in the 93 districts in the control phase and that at least 90 per cent of the population are protected in the areas targeted by the indoor insecticide-spraying campaign and insecticide-treated mosquito nets.

HIV/AIDS

167. Madagascar has a strategic plan to combat HIV/AIDS for 2013–2017 that is based on the following new strategic approaches: multi-sectoral action, decentralization, integration of services, adaptation of the response to the type of epidemic, active involvement of persons living with HIV and key population groups most at risk of HIV, compliance with quality standards, consideration of gender aspects, human rights and equity, respect for the “Three Ones” set of guiding principles and good governance.

168. With regard to the prevention of mother-to-child transmission of HIV, the measures being taken to reduce to less than 5 per cent the proportion of infants infected with HIV because they were born to an HIV-positive mother include the promotion of sexual practices that protect against infection, the use of contraceptives to prevent unwanted pregnancy and the adoption of a package of services to reduce mother-to-child transmission of HIV (prenatal consultation).

Young people's health

169. In order to improve the health of young people, the Government has set itself the following targets in its operational plan to implement the United Nations Global Strategy for Women's and Children's Health 2015–2020:

- Reduce the rate of early pregnancy by at least 50 per cent;
- Make 50 per cent of basic health centres youth-friendly;
- Transform all public primary schools into “health schools”.

Elimination of obstetric fistula

170. Madagascar has an operational plan to eliminate obstetric fistula for the period 2014–2030, covering care, social reintegration, resource mobilization, monitoring, evaluation and research, and has established a task force for this purpose.

171. In 2016, seven women with obstetric fistula were cared for by the Ministry of Public Health. An annual national campaign is organized for the management of detected cases, and 16 surgeons have been trained in fistula repair.

Women's access to health care during pregnancy

172. Measures taken to improve women's access to health care during pregnancy include the provision of medical assistance to patients in the prevention of unwanted pregnancies, and the management of pregnancy-related complications, childbirth, the post-partum and postnatal periods and abortion.

173. Women's access to care in remote areas has been improved through the provision of basic emergency obstetric and neonatal care and comprehensive emergency obstetric and neonatal care.

Reducing maternal and neonatal mortality

174. To translate the Government's political will to reduce maternal and neonatal mortality into action, a road map has been developed for the period 2015–2019.

175. Since 2014, as part of the implementation of the Campaign on Accelerated Reduction of Maternal, Newborn and Child Mortality in Africa, which was launched in 2009, the Ministry of Public Health has set up centres in areas far from a basic health centre.

176. Health services focusing specifically on maternal, neonatal and child health are provided under the direct supervision of the principal affiliated basic health centre 24 hours a day, 7 days a week.

Adolescent health

177. Act No. 2017-043 of 25 January 2018 establishing general rules governing reproductive health and family planning amended the law of 31 July 1920 penalizing all contraceptive propaganda, and supplemented existing legislation on reproductive health. This law, which is adapted to the sociocultural context in Madagascar, is essential for universal and free access to relevant services.

178. Preventive health programmes for children and adolescents have been carried out by the Ministry of Youth and Sport, including:

- Adolescent reproductive health services (since 1997), with the objective of preventing early pregnancy and sexually transmitted infections/HIV;
- Essential family practices (2013), with a focus on health services and raising awareness among children of everyday action they should take;
- The development of the “life skills” approach to topics relating to the daily life of adolescents (2011, updated in 2018), enabling them to control their behaviour when confronted with the different situations that they face in everyday life;
- The development of a social network entitled *Tanora Garanteen* (2012), aimed at providing adolescents with answers and guidance on reproductive health issues;

- The 511 helpline (since 2011), which helps youngsters maintain sexual and reproductive health.

179. Social and educational measures were adopted to:

- Strengthen the skills of young peer educators;
- Establish nine youth facilities in rural areas, which served as youth centres from 2015 to 2017.

180. The Ministry of Education evaluated the content of sex education courses taught in schools using the Sexuality Education Review and Assessment Tool to improve sex education and reproductive health awareness in all schools.

181. School curricula focus on the acquisition of academic knowledge relating to human sexual and reproductive health and on the adoption of civic and responsible behaviour that is respectful of Malagasy sociocultural values.

182. Based on an analysis of the evaluation results, three types of document were developed, namely the policy framework for sex education in schools, sex education programmes in schools for each age group and a communication document for parents. The objectives of these documents are to:

- Ensure children's sexual and reproductive health;
- Prepare children and young people for adulthood and a secure future;
- Protect children and young people from sexual abuse and violence;
- Develop community living skills and protect children and young people by reducing the rate of early pregnancy.

183. In 2016, these documents were trialled with 3,000 students, 250 educators (teachers and non-teachers) and 345 parents in the regions of Vatovavy-Fitovinany and Atsimo-Andrefana.

Integrated Strategic Plan for Family Planning and the Safety of Reproductive Health Products 2016–2020

184. This plan is designed to help reduce maternal and neonatal mortality and to ensure access for all to quality reproductive health and family planning products available anywhere, anytime.

National Strategic Plan for Adolescent Reproductive Health 2018–2020

185. This plan was drawn up to:

- Reduce maternal and infant morbidity and mortality, particularly among adolescents and young people aged 10 to 24 years;
- Improve the political, legal, institutional, sociocultural and programmatic environment for the development of sexual and reproductive health activities for adolescents and young people;
- Strengthen the knowledge and skills of stakeholders, including adolescents and young people, community actors, opinion formers and providers involved in the implementation of sexual and reproductive health programmes for adolescents and young people;
- Monitor and evaluate harmonized sexual and reproductive health interventions for adolescents and young people.

Adequate standard of living

Right to an adequate standard of living

186. In application of the National Development Plan, the Ministry of the Economy and Planning drew up an economic development paper for the period 2015–2019 to improve the standard of living of the population, including children, by enhancing the quality of the

education and health systems, expanding the social protection system and improving access to water, sanitation and hygiene.

187. The National Zero Hunger Strategy offers an opportunity to reduce the rate of stunted children under 2 years of age and to improve access to adequate food throughout the year.

188. The Development Plan for Private Sector Employment is aimed at developing an economic dynamic with a favourable structural transformation through the strengthening of sustainable production capacity and the promotion of job creation and income-generation opportunities for vulnerable populations, including women and young people in target areas.

189. To implement the Plan, a draft tripartite agreement between the rural commune of Faux-Cap/Tsihombe, the Ombona Tahiry Ifampindramana Vola network and the Ministry of the Economy and Planning is being drawn up with a view to improving the standard of living of vulnerable populations in the Androy region. The purpose of the agreement is to facilitate the uptake of socioeconomic opportunities through a progressive approach, namely by combining “cash for work” social action related to the stabilization of sand dunes, personal finance education and the launch of income-generating activities, as catalysts for the reduction of vulnerability.

Aid and assistance

190. Act No. 2017-048 of 8 February 2018 governing food and animal feed safety is in force and aims to introduce harmonized international food standards to protect the health of consumers and promote fair practices in food trade.

191. The National Nutrition Office was established by Decree No. 2004-1072 of 30 November 2004 and modified by Decree No. 2007-394 of 7 May 2007 specifying the organization and functioning of the Office. This body, which implements the National Nutrition Policy, is responsible for:

- Implementing the strategic guidelines laid down by the National Nutrition Council;
- Submitting a technical and financial report to the Council;
- Ensuring the integration of nutrition in the programme planning and budgeting of the various public and private stakeholders at the national, regional and local levels;
- Ensuring close collaboration between key sectors: health, education, agriculture, rural development, planning, and social protection;
- Harmonizing activities with non-governmental organizations and associations, avoiding any overlap and strengthening public-private partnerships;
- Coordinating, at the technical level, information exchange and research and development activities in the field of nutrition;
- Effectively managing the funds made available to it for all nutrition programmes;
- Putting in place a donor positioning plan based on the country’s needs and a donor withdrawal plan to ensure the sustainability of actions, particularly the search for the resources needed to implement the National Nutrition Policy;
- Facilitating financial and technical audits of its own activities;
- Coordinating technical, operational and financial activities, while providing technical support to implementing agencies in the drafting of project and financing documents;
- Monitoring and evaluating the implementation of actions by the various stakeholders;
- Promoting the establishment of quality standards for nutrition activities by the various stakeholders and ensuring that they are respected;
- Harmonizing implementation strategies and approaches, without impinging on the responsibilities and roles of sectoral ministries in specific areas within their respective mandates.

Aid and assistance in access to drinking water and sanitation

192. To ensure access to safe drinking water, the Ministry of Water, Energy and Hydrocarbons adopted the National Water, Sanitation and Hygiene Strategy for 2013–2018.

193. The strategy ensures effective and sustainable access to water and sanitation infrastructure, a drastic reduction in the practice of open-air defecation, and the development and implementation of integrated water resources management by all water, sanitation and hygiene stakeholders.

194. In 2017, drinking water supply activities were undertaken in four rural and urban areas. Such activities are also under way in eight regions, namely: Analanjirofo, Analamanga, Atsimo-Andrefana, Betsiboka, Bongolava, Melaky, Sofia and Vakinankaratra.

195. Activities related to the Water Supply in the South project are planned in four regions, including:

- The provision of drinking water supply through the establishment of a pipeline in the Androy region, in partnership with UNICEF;
- The rehabilitation and extension of drinking water networks in the Anosy and Androy regions, in partnership with UNICEF;
- The rehabilitation of boreholes and the construction of new water points in the Atsimo-Andrefana region, in partnership with UNICEF, the Syndicat des Eaux d'Île-de-France, the Japan International Cooperation Agency and Humada;
- The construction of 100 positive boreholes in the Menabe region, in partnership with China.

Technical and financial assistance

196. Madagascar has adopted a national policy for risk and disaster management.

197. It has also adopted a corresponding national strategy, which brings together long-term priority actions aimed at increasing the resilience of the Malagasy population, national institutions and the decentralized local authorities to disasters, thereby ensuring acceptable and secure living conditions for the population.

198. The implementation of these instruments is entrusted to the National Office of Risk and Disaster Management.

Education, including vocational training and guidance*Budget allocation for preschool education*

199. The Government has carried out actions to develop early childhood education: it has organized literacy activities and built resource and literacy centres in eight regions.

200. From 2013 to 2014, the preschool budget increased 21-fold. From 2015 to 2017, it gradually decreased five-fold, before being raised 13-fold in 2018. Two main factors explain the decrease between 2015 and 2017.

201. From 2013 to 2017, the Ministry of Education, with the support of UNICEF, was able to build 92 preschool classrooms in 11 regional education directorates.

202. The following activities have been undertaken by the Ministry of Education in cooperation with technical and financial partners (UNICEF, UNESCO, the World Bank, Aide et Action, Open Society Initiative for Southern Africa, the International Organization of la Francophonie, Christoffel Blindenmission, Handicap International and Radio Télévision Malagasy):

- The development of working papers, such as:
 - The Early Childhood Education Policy Framework (2014);
 - Educational programmes for 4- and 5-year-olds (2014);
 - A workbook for children (2015);
- The strengthening of actions in favour of preschool education.

203. In 2017, to enhance the provision of regional preschool education, 25 early childhood technical assistants were recruited, of whom 3 were assigned to the central Department of Preschool Education and Literacy, and 22 were assigned to regional education directorates.

Reform of the education system in general

204. Since 2013, Madagascar has been committed to relaunching the reform of its education system through the elaboration of the Interim Education Plan 2013–2015 and, subsequently, the Education Sector Plan 2018–2022.

205. In order to implement these plans, the overall education budget was increased by 16.74 per cent between 2013 and 2017.

206. To improve access to education, the Government continues to prioritize construction for primary education, and, since 2016, has made special efforts with regard to preschool education. In 2016, 61.52 per cent of the construction budget was allocated to these two levels of education; in 2017, the proportion increased to 88.18 per cent.

207. In order to promote children's access to education, the Ministry of Education is continuing its efforts to relieve the burden on parents. In 2017, 3,112,649 school kits were distributed, 10,000 teachers recruited as State employees were paid for by parents, 12,892 public primary schools benefited from school funds in the amount of 3,000 ariary per pupil per year, and 49,502 teachers in public primary school who were not State employees and 3,589 teachers in private schools were subsidized at the rate of 22,000 ariary per teacher per two-month period.

G. Special protection measures

Economic exploitation, including child labour

208. The Ministry of Public Service, Labour Administration Reform and Social Laws adopted 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. Several innovations were introduced, such as more explicit definitions of "light work" and the "worst forms of child labour", the identification and prohibition of work of an immoral nature and dangerous or unhealthy work in rural and urban areas, and a formal prohibition against employing domestic workers in a dangerous or abusive family home.

209. By Decree No. 2005-523 of 9 August 2005, the Ministry set up the National Committee to Combat Child Labour, with a mandate to:

- Implement and monitor the National Plan of Action to Combat Child Labour;
- Guide and monitor the work of the International Programme on the Elimination of Child Labour of the International Labour Organization (ILO/IPEC) in Madagascar;
- Issue opinions on laws and regulations to combat child labour;
- Support the formulation, approval and monitoring of relevant action programmes of civil society and non-governmental organizations;
- Provide policy advice on all activities aimed at abolishing child labour in the country, including those of IPEC, and integrate them with other national initiatives;
- Give advice on priority areas for all activities to combat child labour in the country, including those of IPEC;
- Regularly review and evaluate all activities aimed at the abolition of child labour in the country, including those of IPEC;
- Ensure that the goals and targets related to child labour established under ILO programmes and by the Government and relevant institutions are met.

210. The Committee is a tripartite body composed of representatives of the State, the most representative workers' organization, as designated by the organizations themselves, and non-governmental organizations active in the field of child labour. The term of office of members is four years.

211. With regard to the Committee's functioning, the Ministry, through its Department of Labour and Fundamental Rights, acts as the Committee's technical secretariat.

212. The Regional Labour Service contributes to the functioning of the Regional Committee to Combat Child Labour by acting as the Committee's technical secretariat.

213. As part of its efforts to strengthen programmes to combat child labour and to improve the socioeconomic situation of children and their access to education, the Government has implemented a programme to improve the situation of working children and a programme to promote their integration and reintegration into school.

214. The programme to improve the situation of child workers covered the period from 2013 to 2017 and involved taking care of 35 child workers engaged in the worst forms of labour each year: 20 children aged 6 to 12 years benefited from refresher courses for one school year to enable them to return to school; 15 children aged 15 to 17 years received vocational training, particularly in fabric-cutting, stitching and embroidery, and literacy lessons.

215. After their training, the children could, according to their wishes, either be placed in a clothing manufacturer or brought together in a cooperative, where they would be self-employed.

216. The care provided extended to the establishment of a canteen for the 35 children, health check-ups, the provision of educational and technical equipment and the provision of school supplies for teaching and administrative staff.

217. The National Committee to Combat Child Labour also steers the implementation of actions to combat the commercial sexual exploitation of children.

218. In 2015, a code of conduct was signed by the Government, economic actors, employers' and workers' organizations and civil society organizations working in the field of child protection to combat child labour in the vanilla industry, particularly in the Sava region.

219. A 45-month project entrusted to ILO and entitled "Supporting Sustainable and Child Labour Free Vanilla-Growing Communities in Sava" was launched on 18 May 2017 in the Sava region with the main objectives being to:

- Reduce child labour;
- Improve the living conditions of vanilla-producing communities in a sustainable way;
- Improve access to education and working conditions for young people and vanilla-producing households;
- Promote decent work for children.

220. The project contributes to the implementation of the decent work country programme, in particular the fight against the worst forms of child labour and the implementation of legislation to promote decent work.

221. A baseline survey was conducted between October 2017 and March 2018 in all 32 communes in which the project is being implemented in the four districts of the Sava region to estimate the prevalence of child labour, hazardous work, the worst forms of child labour, including domestic work, theft and other offences in the vanilla sector, and to gauge working hours, workplace hazards and risks, and the risk of engagement in child labour, in order to provide guidance in the implementation of the project.

Sexual exploitation

222. Sexual exploitation is governed by Act No. 2014-040 of 20 January 2015 amending and supplementing certain provisions of the Criminal Code on combating trafficking in persons and sex tourism. Pursuant to this Act, the Ministry of Tourism, which is tasked with combating child sex tourism and the sexual exploitation and prostitution of children in the field of tourism and travel, has signed a partnership commitment with the Madagascar National Tourist Board, UNICEF and ILO to strengthen the fight against all forms of exploitation of children in the tourism industry through the promotion of a code of conduct for actors in the tourism sector and the training of such actors in tourist regions. By the end

of 2016, more than 1,000 actors in the tourism sector had signed the code of conduct. The Ministry of Tourism, in collaboration with the Madagascar National Tourist Board and in partnership with ECPAT International and UNICEF, has since monitored the provision of support to these actors in the implementation of the commitments under the code. Through the use of new technologies, tourism regulators include a component on monitoring actions related to the code in their systematic administrative checks. The aim is to have 300 tour operators applying the code by the end of 2018.

223. In 2017, frequent unannounced raids were carried out by the vice squad and the Ministry of Population, Social Protection and the Advancement of Women.

Protection of children from sexual exploitation in the tourism industry

224. In 2014, the Ministry of Tourism created “Tourism Security” (a tourist police force) by Interministerial Order No. 36116/2014/MST/MINTOUR/MINJUS/MPPSFP/MID/SG of 5 December 2014, establishing the Office of the Special Commissioner for Tourism in order to ensure the safety of children, persons working in the tourism industry and tourists.

225. The Order was first implemented at Isalo National Park, followed by other pilot sites that are among the most popular tourist destinations.

226. In 2015, 150 tourist police officers were trained.

227. In April 2016, 250 packs of communication materials on child protection were distributed, and monitoring was carried out in 539 tourist establishments.

228. In 2017, 50 security guards working at nine tourist sites received child protection training.

229. The Ministry has a regional framework plan for child protection for the period 2016–2019; this document was prepared by the Atsinanana regional authorities. It sets out the actions to be taken by all public and private actors working for the protection of children.

230. As a member of Child Protection Networks, the Ministry aims, in 2018, to:

- Encourage the managers of brothels, beach cabins and hotels, transporters and representatives of the tourism sector to get involved in the protection of children;
- Organize campaigns to monitor the implementation of the commitments made by tour and hotel operators;
- Follow up on and monitor the situation of children living around mining sites popular with tourists;
- Strengthen the educational and professional reintegration of child victims and those at risk of sexual exploitation, in partnership with ILO.

231. The Ministry and ECPAT France have signed a partnership agreement with the aim of protecting children and preventing their sexual exploitation in the tourism industry. The partnership also seeks to:

- Strengthen the child protection monitoring system at all levels (national and regional);
- Strengthen the legitimacy, suitability and impact of actions to combat child sex tourism;
- Encourage coordination among ministries, associations and the private sector through the development and implementation of a concerted action plan;
- Raise awareness among professionals, students taking tourism studies, and tourists of the gravity and illegality of this practice in order to give them a sense of responsibility for the protection of children.

232. Awareness-raising campaigns for tour operators were conducted in the district of Nosy Be in 2018 within the framework of the partnership between the Ministry, ECPAT and UNICEF with a view to enforcing the code of conduct.

Prevention

233. In 2016, through cooperation between the French gendarmerie and the Malagasy National Gendarmerie, the capacity of 10 non-commissioned officers and gendarmes to combat the sexual exploitation of children was strengthened.

234. In 2017, in collaboration with the regional population office of Boeny, members of the Child Protection and Vice Squad and its branches conducted field trips to *fokontany* (villages), hotels and bars, including karaoke bars. Hoteliers and service providers in the establishments visited were made aware of provisions prohibiting the sexual exploitation or prostitution of children:

- 45 village and *fokonolona* (village community) chiefs and well-known residents of Ambalakida, in the district of Mahajanga;
- 4 seafront bars in Mahajanga, including employees and employers;
- 2 hotels and bars/karaoke establishments in Besarety and Betongolo, Antananarivo.

235. As part of efforts to build the capacity of child protection network members to fight against child exploitation, members of the Toamasina Criminal Investigation Section, in collaboration with the regional population office of Atsinanana, were able to raise awareness among:

- 96 members of the child protection network and 64 secondary-school pupils in the Brickaville district of Atsinanana region;
- 27 members of the child protection network;
- 15 teachers and 30 parents in the district of Antanambao Manampotsy.

Special protection measures for child victims to avoid abuse and re-victimization in the justice system

236. In order to prevent re-victimization in the judicial system, gendarmes, police officers and judges have been trained in listening and counselling techniques and in interviewing child victims. Criminal investigators ensure respect for procedural guarantees relating to the right of a defendant to be assisted by a lawyer, his or her parents, a family member or another person of his or her choice.

Child trafficking

237. Madagascar has made a firm commitment to combating trafficking by ratifying the main relevant international human rights instruments.

238. In order to bring national legislation into line with these instruments, Madagascar adopted Act No. 2007-038 of 14 January 2008 amending and supplementing certain provisions of the Criminal Code on combating trafficking in persons and sex tourism. Noting certain shortcomings in the Act, the Government recently strengthened its legal arsenal by adopting Act No. 2014-040 of 20 January 2015 on combating trafficking in persons.

239. Madagascar currently has an inclusive stand-alone law that groups together all the provisions related to trafficking that had previously been scattered in different texts, making them difficult to apply. This law, which deals specifically with trafficking, criminalizes all national and international acts of trafficking involving women and children.

240. It also extends the scope of the offence of trafficking to cover:

- Exploitation of prostitution;
- Exploitation of domestic labour;
- Forced marriage;
- Exploitation of beggars;
- Organ trafficking;
- Illegal adoption;

- Sale of persons;
- Civil debt bondage;
- Commercial sexual exploitation of children.

241. In order to strengthen prevention in this area, the Government set up the National Office to Combat Human Trafficking, a standing body attached to the Office of the Prime Minister.

242. Composed of representatives of relevant ministries, civil society organizations working in the fields of children's rights and trafficking in persons, members of the media and lawyers, the Office coordinates actions to combat trafficking in persons.

243. The National Action Plan to Combat Trafficking in Persons was adopted and approved in the presence of technical and financial partners.

244. It is a five-year plan to achieve objectives related to the following four strategic areas by 2019:

- Prevention of trafficking in persons;
- Protection of victims of trafficking in persons;
- Prosecution and punishment of perpetrators;
- Cooperation.

245. With its vision that "the national mechanism, civil society and the media, each exercising their role, contribute significantly to the elimination of national and transnational human trafficking, and victims who are aware of their rights have easier access to justice in order to assert them", the Plan contributes to the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons.

246. Public awareness and legal literacy campaigns have been conducted by the Ministry of Justice in target regions in partnership with ECPAT and UNDP.

247. The Ministry of Population, Social Protection and the Advancement of Women has provided assistance and psychosocial care to trafficked Malagasy nationals repatriated by the Ministry of Foreign Affairs.

248. Since its approval in 2015, the National Action Plan to Combat Trafficking in Persons has been implemented by the actors concerned. Public awareness and legal literacy campaigns for law enforcement officials have been conducted by the Ministry of Justice, with financial support from UNDP and ECPAT France. The campaigns have helped to raise awareness of legislation and institutional mechanisms to combat trafficking.

249. In order to strengthen the capacity of these actors, two pools of trainers have been created. The trainers, in partnership with the International Organization for Migration (IOM), organized training programmes for law enforcement officials and victim care providers in six target regions in 2017.

250. Two training manuals on human trafficking for use by actors in the justice system in Madagascar were produced with IOM support in 2017 and made available to trainers to facilitate understanding of the provisions of the new law and thereby ensure its effective implementation.

251. In 2017 and 2018, 18 non-commissioned officers serving in the Analamanga, Diana, Haute Matsiatra, Sava and Atsimo-Andrefana regions and 30 officer cadets enrolled in the gendarmerie officers' training course at the Moramanga National Gendarmerie Academy benefited from capacity-building on the use of procedural manuals for the prosecution of human trafficking cases.

252. Pursuant to Act No. 2014-040 of 20 January 2015 on combating trafficking in persons, procedures for the investigation, arrest and prosecution of perpetrators and accomplices have been initiated since 2015, resulting in a number of convictions.

Specialized training for law enforcement officials

253. Since 2013, some 350 non-commissioned officers and gendarmes from different regions have improved their knowledge of children's rights, laws and procedures applicable

to children, and appropriate techniques for meeting with, listening to and interviewing children during investigations – whether they are victims or alleged offenders requiring legal protection because of their situation.

254. This training was provided in collaboration with actors such as the National Police and the Ministry of Justice to implement the provisions of Act No. 2016-018 of 22 August 2016 on measures and procedures applicable to children in conflict with the law, and for the effective application of the mechanism for monitoring cases involving child victims.

255. In 2017, 50 criminal investigators from the National Gendarmerie, from all regions, received training on measures and procedures applicable to children in conflict with the law and on the service standard in order to accelerate the processing of cases involving such children.

256. The Ministry of Justice issued Circular No. 39-MJ/SG/DGAJER/DRL/13 of 10 May 2013 on guidelines for processing the cases of minors in conflict with the law.

257. Circular No. 03-MJ/SG/DGAJER/DRL/CIRC/2017 of 31 January 2017 was issued pursuant to the provisions of Act No. 2016-018 of 22 August 2016 that concern pretrial detention (Official Gazette No. 3718 of 10 November 2016).

258. Service standards for the implementation of this Act and a framework for monitoring compliance with those standards by courts of first instance, using finalized and validated indicators, have been made available to stakeholders. The service standards have been validated by justice officials at the Antananarivo Court of Appeal.

259. A capacity-building programme for justice officials has been organized to ensure the effective enforcement of laws by the justice system. This training covers:

- The new provisions set forth in Act No. 2016-018 of 22 August 2016;
- The service standards to accelerate the processing by courts of first instance of cases involving children in conflict with the law;
- The mechanism for monitoring cases concerning child victims of violence that come before courts of first instance;
- The monitoring framework for cases involving children in conflict with the law, child victims and children at risk;
- Reflection on the implementation and operationalization of the data-collection and feedback system that covers children in conflict with the law who are in detention in Madagascar.

260. Since 2016, training has been provided in four regions for 30 judges and prosecutors and 30 registrars from 10 courts of first instance, and for 49 criminal investigators from the child protection and anti-vice squads of the National Police and the National Gendarmerie. The training was followed by an evaluation and coordination workshop involving 10 members of the child protection network.

Dissemination of laws

261. In 2017, the High Council of the Prison Service approved a bill on the general organization of the prison system for minors in detention. The draft text provides for minors' separation from adults and the appointment of social reintegration officers to support them. It puts the emphasis on the internal regulations that minors are informed about, preparations for social reintegration, and ways of monitoring the detention of minors.

262. In late 2016 and 2017, the Directorate of Prison Reform conducted campaigns to disseminate laws relating to minors in detention, including Act No. 2016-018 of 22 August 2016, in the following 12 prisons: Tsiroanomandidy, Miarinarivo, Arivonimamo, Vatomaniry, Toamasina, Maevatanana, Mahajanga, Tsiarahy, Manjakandriana, Ankazobe, Moramanga and Toliara.

Administration of juvenile justice

263. To bring the juvenile justice system into conformity with international standards and conventions, the Government adopted Act No. 2016-018 of 22 August 2016 and repealed Ordinance No. 62-038 of 19 September 1962.

264. The Act provides for the promotion of alternative measures, enlisting the help of the community, to prevent children from entering the criminal justice system and to ensure their fair and humane treatment, protection and reintegration into social life.

265. Pursuant to the Act, the Ministry of Justice has:

- Established the “RP MIN” special register for complaints concerning alleged juvenile offenders to distinguish complaints against them from those filed against perpetrators in general, and to monitor these complaints;
- Established two special registers for complaints of violence against children: the “VMIN” register on violence against minors and the “VSMIN” register on sexual violence against minors, with the aim of distinguishing such cases and following up on them;
- Adopted a community approach to dealing with certain cases involving children;
- Carried out quantitative monitoring of minors in detention in 16 regional directorates;
- Prepared a summary report on children in conflict with the law who have been granted probation;
- Provided useful support for information-gathering and monthly reporting by a group of key players dealing with children in conflict with the law;
- Provided equipment to support the social reintegration of minors being held in Antanimora central prison and the Anjanamasina re-education centre and to combat and prevent the spread of the plague epidemic in prisons;
- Identified children in detention who might benefit from the provisions of the Act and prepared relevant information on them;
- Recruited a social worker from the Ministry of Population, Social Protection and the Advancement of Women;
- Provided technical assistance in connection with children in conflict with the law (since early May 2017);
- Signed an agreement with the association Grandir Dignement (Growing Up In Dignity) for the provision of legal aid to vulnerable minors in court hearings.

266. Children in conflict with the law are treated fairly and humanely and receive a fair trial. Their inherent rights must be respected during proceedings. The goal is to promote restorative juvenile justice, as demonstrated by the introduction of various alternatives to detention, such as probation, conciliation, judicial supervision and placement in an institution.

Detained minors

267. Madagascar has 82 prison facilities. Of these, 41 central prisons and 3 detention centres (at Sambava, Iharaña and Andapa) receive minors, while 2 re-education centres are reserved for them. Therefore, minors may be detained at 46 of the 82 facilities.

268. These children, generally from disadvantaged backgrounds, typically serve 6 to 24 months in prison, most commonly for theft. The Ministry of Justice and UNICEF have set up a system to count children in detention, which monitors movements at the Antanimora and Mandrosoa facilities on a monthly basis.

Juvenile wings

269. Of the 41 central prisons, 22 have a juvenile wing. However, underage girls are not yet separated from women prisoners. A total of 131 minors are in detention with adults. Since 2012, 10 juvenile wings have been added to prisons.

Children in prison with their mothers

270. Ninety-six children live in prison with their mothers. These are newborns and children under 5 years of age. At Antanimora, children aged between 2 and 5 do not stay in the prison during the week, and spend only the weekend with their mothers.

Conditions of detention

271. The Ministry of Justice has made efforts to improve conditions of detention.

Food

272. Dry cassava is the staple diet of detainees. However, in the two re-education centres and Ambatondrazaka central prison, minors are served rice and an accompaniment.

273. Twelve central prisons (Betroka, Tôlañaro, Farafangana, Mahajanga, Ambanja, Antsiranana, Nosy Be, Miandrivazo, Morondava, Antsohihy, Ambatolampy and Antsirabe) serve rice twice a week. At the Mananjary and Manakara central prisons and occasionally in other prisons, minors eat rice on Sundays.

Health-care services

274. Madagascar has 64 nurses and 2 doctors, divided among 45 prisons. Nurses are assigned to 40 of the 43 prisons where minors are detained.

275. The Ministry of Justice has established a central pharmacy to supply prisons with medicines, including in the event of an epidemic.

Access to education

276. All children in prisons attend literacy classes. Academic courses are also taught, so that juvenile detainees can register for official examinations, including primary, lower-secondary and upper-secondary education certificates.

Vocational training

277. Eighteen prisons have multipurpose rooms, which are used for vocational training purposes. A partnership has been established with Grandir Dignement and the Sentinelles foundation.

Preparation for social reintegration

278. Some 220 social reintegration officers, including specialized teachers and coaches from the prison service, are active in the prison system, with a ratio of 1 staff member for every 92 prisoners. Their mission is to provide psychosocial support.

279. At least two social reintegration officers are assigned to juvenile wings.

Social reintegration programme

280. Pursuant to article 51 of Act No. 2016-018 of 22 August 2016, in 2017 a social worker from the Ministry of Population, Social Protection and the Advancement of Women was assigned to the Court of First Instance of Antananarivo at Anosy to produce the social reports ordered by the children's judge. The purpose of these reports is to collate information on the child's personality, background, school attendance, material and psychological circumstances, and appropriate means for his or her re-education.

281. Act No. 2016-018 of 22 August 2016 provides that children may be placed for a period of six months in the custody of a trustworthy person, a foster family, a State-approved institution, or a hospital or establishment capable of meeting their health needs. This period may be extended only once, for the same period.

282. Pursuant to the same Act, groups of court-appointed key players have been established for cases involving children in conflict with the law. These key players are responsible for reporting on the periodic monitoring of children in conflict with the law who are under preliminary investigation by children's judges and on the number of children awaiting trial released pursuant to Act No. 2013-018 of 20 August 2016 at the Anjanamasina re-education centre and the Antanimora central prison.

283. Since May 2017, female social workers recruited from the Ministry of Population, Social Protection and the Advancement of Women have been working in the social section of the registry at the Court of First Instance of Antananarivo in Anosy.

Specialized training in child protection

284. Since 2013, some 350 non-commissioned officers and gendarmes from different regions have benefited from a programme to improve their knowledge of children's rights, laws and procedures applicable to children, appropriate techniques for meeting with, listening to and interviewing children during investigations – whether they are victims or alleged offenders requiring legal protection because of their situation – and the effective use of the mechanism for monitoring cases involving child victims.

285. In 2017, 50 criminal investigators from the National Gendarmerie also received training on the measures and procedures applicable to children in conflict with the law and on the service standard for the processing of cases involving such children.

Protection of witnesses and victims of crimes

286. To improve access to justice and redress for child victims, a mechanism that includes legal assistance has been put in place to monitor cases of violence against children. A plan extending the scope of the monitoring mechanism to courts in four target regions has been put into operation in 11 courts of first instance. The mechanism allows for the traceability of cases involving child victims that are referred to the courts, particularly by Vonyj centres, regardless of whether the perpetrators are adults or minors.

287. The “VMIN” and “VSMIN” special registers of complaints, which were established at the Court of First Instance of Antananarivo in order to distinguish and monitor cases involving child victims of violence, will be replicated by other courts of first instance.

288. The criminal investigators, judges and registrars of 10 courts of first instance have received training on the monitoring mechanism and the framework for data collection and tracing of cases involving child victims.

289. The sections and subdivisions of the National Police and the National Gendarmerie have been provided with registers of minors.

Prevention of corruption

290. The National Anti-Corruption Strategy 2015–2025 and Act No. 2016-020 of 22 August 2016 on the fight against corruption envisage several reforms to strengthen good governance and put in place a domestic anti-corruption policy and transparent procedures to be followed by ministries, devolved and decentralized administrative bodies, public establishments and semi-public companies, so that the procedures are accessible to the public.

291. Act No. 2016-020 of 22 August 2016 also introduced new procedures for the dynamic and harmonized management of asset declarations, the notion that the holding of high government office is incompatible with prosecution for corruption or similar offences mentioned in the Act, and a sectoral policy to prevent and combat corruption.

Protection of child witnesses

292. Child witnesses enjoy legal protection under Act No. 2016-017, including testimonial aids (art. 385.1). Testimonial aids or other measures may be granted at the request of witnesses under 18 years of age and witnesses with impairments. The presiding judge may order protection measures for witnesses, taking into account their age, physical or mental impairments, the nature of the offence and the nature of the relationship between the witness and the accused, if any. If the judge authorizes the presence of a trusted person, the latter may be ordered by the judge not to communicate with the witness while the witness is giving evidence.

293. Measures include allowing the witness to testify outside the courtroom by closed-circuit television; allowing the witness to testify behind a screen or other arrangement that prevents him or her from seeing the defendant; authorizing the presence of a trusted person during the testimony; excluding the public or certain individuals from the courtroom for all or part of the proceedings when it is in the interests of public morals, the maintenance of order or due process of law; and prohibiting the media from disclosing the identity of victims and witnesses in all judicial proceedings, including preliminary investigations.

294. Article 272.1 of the Code of Criminal Procedure states that the provisions on witness protection measures are applicable to the initial inquiry and preliminary investigation.

295. Under no circumstances may protection measures interfere with due process of law or compromise the right of the accused person or defendant to a fair and equitable trial.

H. Ratification of international human rights instruments

296. The following international instruments have been ratified:

- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, on 13 May 2015;
- The Convention on the Rights of Persons with Disabilities, on 12 June 2015;
- 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;
- The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 21 September 2017.

I. Cooperation with regional and international bodies

297. Madagascar enjoys the support of technical and financial partners, including members of the United Nations system, in implementing the provisions of the Convention and its optional protocols and related national strategies and plans. This support consists not only in providing equipment and technical assistance, but also in financing programmes and projects. UNICEF provides technical and financial support for the implementation of the Convention and the two optional protocols that Madagascar has ratified.

298. Madagascar cooperates with monitoring bodies at the African regional level. In 2015, it presented its initial report on the implementation of the African Charter on the Rights and Welfare of the Child to the African Committee of Experts on the Rights and Welfare of the Child.

J. Follow-up and dissemination

299. The Committee's concluding observations were disseminated to State and non-State actors on the occasion of Human Rights Day in 2015.

300. By virtue of its broad mandate, the committee in charge of drafting human rights reports also follows up on the implementation of all the concluding observations of the treaty bodies, including those of the Committee on the Rights of the Child.

III. Implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

Data collection

301. Information provided in paragraphs 35–47 of this report.

General measures of implementation

Legislation

302. Information provided in paragraphs 237–252 of this report.

Comprehensive policy and strategy

303. Information provided in paragraphs 1–11 and 16–25 of this report.

Coordination and evaluation

304. Information provided in paragraphs 12–15 of this report.

Dissemination and awareness-raising

305. The Government encourages and provides support to civil society organizations to hold public briefings and awareness sessions, particularly in rural communities, in order to disseminate and publicize the provisions of the Protocol.

306. The media participates in public awareness campaigns conducted via radio and television broadcasts and other channels.

Preventive measures*Training: awareness-raising, operationalization of the National Office to Combat Human Trafficking*

307. Information provided in paragraphs 241 and 242 of this report.

Allocation of resources: National Child Protection Committee, Independent National Human Rights Commission, Ministry of Population, Social Protection and the Advancement of Women

308. Information provided in paragraphs 15 and 26 of this report.

*Prevention of the sale of children, child prostitution and child pornography (art. 9 (1) and (2))***Measures to prevent offences prohibited under the Optional Protocol***Birth registration, traditional practices*

309. Information provided in paragraphs 63–70, 118, 119 and 188 of this report.

Adoption

310. Information provided in paragraphs 124–129 of this report.

Sale of children

311. Information provided in paragraph 240 of this report.

Child sex tourism and travel

312. Information provided in paragraphs 224–232 of this report.

Prohibition of the sale of children, child prostitution and child pornography and related matters (arts. 3, 4 (2) and (3), 5, 6 and 7)*Criminal laws and regulations*

313. Article 12 of Act No. 2014-040 of 20 January 2015, on combating trafficking in persons, contains provisions defining the sale of persons, which are relevant in this context, since the Act covers trafficking in children.

314. The Act also contains relevant provisions on the exploitation of child prostitution.

315. Act No. 2014-006 on the fight against cybercrime punishes all Internet-related offences, including possession of child pornography.

Corruption and impunity

316. Information provided in paragraphs 290–291 of this report.

Extraterritorial jurisdiction and extradition

317. The Government adopted Act No. 2017-027 of 17 July 2014, amended by Act No. 2016-031, so as to promote the broadest possible international cooperation in criminal matters.

318. The Act regulates mutual legal assistance and extradition, in conformity with Malagasy law and applicable rules of international law.

319. Under this new law, the only condition for extradition is the existence of the criminal offence in the State from which the person is being extradited, thus eliminating the requirement of double criminality.

Protection of the rights of child victims (arts. 8 and 9 (3) and (4))*Recovery and reintegration of child victims*

320. Information provided in paragraphs 103–111 of this report.

Helpline

321. Information provided in paragraphs 80, 90 and 91 of this report.

International assistance and cooperation (art. 10)*Multilateral, bilateral and regional agreements*

322. As part of the multiplication and intensification of its global diplomatic relations, the Government is modernizing all of its diplomatic tools with a view to meeting its development objectives and meeting its international commitments. Accordingly, Madagascar is fully engaged with the plans that have been drawn up to deepen international and regional cooperation, particularly among the member States of the Indian Ocean Commission in the framework of the Commission's Justice Platform, and is also committed to bilateral cooperation.

323. The Government plans to establish bilateral agreements with the main countries where the practices referred to in article 10 are known to have occurred.

Ratification of the Optional Protocol on a communications procedure

324. The Government recognizes the need to enhance the realization of the rights of the child. Regarding the Optional Protocol on a communications procedure, the Government is focused on implementing the Convention and the two optional protocols it has already ratified.

Follow-up and dissemination

325. Information provided in paragraphs 299–300 of this report.

IV. Implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

General measures of implementation*National Commission on International Humanitarian Law*

326. The National Commission on International Humanitarian Law has been operational since its creation in 2005.

327. It has conducted awareness-raising campaigns on international humanitarian law.

328. The Commission has prepared a bill on the protection of the emblem, which is currently in the process of adoption.

329. Between 2012 and 2014, it set up regional commissions on international humanitarian law to expand its activities in four regions: Antsiranana, Boeny, Haute Matsiatra and Itaosy.

330. Since 2017, the Commission has worked with the National Office of Risk and Disaster Management on cases of natural disasters and catastrophes.

331. The Commission receives resources from the State budget for its operations, but it can also obtain funding from technical and financial partners.

Communication and awareness-raising

332. Information provided in paragraphs 96–102 of this report.

Training

333. The Government has developed human rights training activities for defence and security forces, including on the rights contained in the Optional Protocol.

334. To this end, a pool of instructors comprised of National Police, National Gendarmerie and army officers was created in 2017.

335. These instructors are responsible for supervising and facilitating about 10 training sessions for officials of the defence and security forces in the target regions.

336. The training forms part of the “Support for Security Sector Reform in Madagascar” project, which has been prepared by the Government and United Nations bodies, agencies, funds and programmes (UNDP, UNICEF, the United Nations Population Fund, the Office of the United Nations High Commissioner for Human Rights and IOM) in the framework of the security sector reform initiative financed by the Peacebuilding Fund.

337. Objectives include the revision of human rights curricula and training manuals and support for the initial and in-service training of defence and security forces officers, including those of the Malagasy Army, the National Gendarmerie, the National Police and the prison service.

Data collection: children recruited by dahalos

338. *Dahalos* are not non-State unarmed groups. They are zebu thieves in the southern part of Madagascar.

Prevention

Age verification procedures

339. No children are recruited by non-State armed groups.

Military schools

340. The National Military College, otherwise known as SEMIPI, was established in 1995. Its main mission is to train young people to be future senior government officials or military officers. It is attached to the ministry responsible for the armed forces, but is placed under the educational supervision of the ministries responsible for secondary and higher education, the latter represented by the University of Fianarantsoa.

341. At this school, the upper-secondary students and the students preparing for officer training school are treated the same as pupils in other State schools. They enjoy all rights afforded to children, such as the right to medical assistance and health care, and they have access to education, to moral support when needed, and to an independent complaints and investigation mechanism in the event of a violation of their rights. They can complain about any ill-treatment they have suffered and seek redress by going to their teachers or parents, who in turn refer the matter to the College’s military command to be resolved.

342. The command has an obligation to ensure that the rights of these students are respected and protected.

343. In no way does the fact that the school is under the authority of the ministry responsible for the armed forces mean that it provides the students with military training.

Prohibition and related matters

Criminal laws and regulations in force prohibiting and penalizing the recruitment and use of children under the age of 18 in hostilities between armed forces and non-State armed groups

344. This problem does not arise in Madagascar.

International assistance and cooperation

Cooperation with the International Committee of the Red Cross and with the Special Representative of the Secretary-General for Children and Armed Conflict

345. Although the involvement of children in armed conflict is not an issue in the State party, Madagascar has taken part in peacekeeping operations, thus contributing to the implementation of the Optional Protocol by preventing all activities that are contrary to it.

Ratification of the Optional Protocol on a communications procedure

346. In 2014, following the consideration of the second report of Madagascar in the framework of the universal periodic review, the Government rejected a recommendation to ratify the third protocol to the Convention. It is focusing on the implementation of the Convention and the two optional protocols it has already ratified.

Follow-up and dissemination

347. Information provided in paragraphs 299–300 of this report.
