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**AMNESTY
INTERNATIONAL**



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**UN Human Rights Council
Fourteenth Session, 31 May – 18 June 2010**

**Item 6:
Consideration of UPR reports**

Madagascar

Mr. President,

Amnesty International shares serious concerns expressed by several States about the excessive, sometimes lethal, use of force by the security forces; arbitrary arrests and detention in the context of the current political crisis; and political interference in the administration of justice resulting in a lack of independent investigations into such violations. Defendants have been denied the right to be brought promptly before a judge or to be tried within a reasonable time. Others have been denied the right to defence, or their lawyers have been harassed and intimidated.

We welcome Madagascar's support of a recommendation to release political detainees, cease arbitrary detention and ensure that those arrested and detained are given a fair trial.¹ We urge the government to ensure its prompt implementation. It is essential that Madagascar also support and give effect to the important recommendation to open an independent inquiry into the deaths and the excessive use of force during the, often peaceful, demonstrations in 2009.² Madagascar must ensure that those responsible for unlawful killings and other human rights violations are brought to justice in accordance with international standards for fair trial and victims and their families granted reparation, including fair and adequate compensation. Amnesty International also calls on the government to immediately disband the bodies set up by the High Transitional Authority and mandated to carry out arrests, detentions and the investigation of crimes, as recommended during the review.

Mr. President,

¹ A/HRC/14/13, paragraph 72, recommendation 33 (UK).

² Ibid, paragraph 73, recommendation 16 (Canada).

Journalists and media outlets have been targeted by the authorities; both under President Ravalomanana and after the High Transitional Authority came to power in March 2009. Journalists deemed too critical of those in power have been silenced. We call on Madagascar to swiftly implement recommendations to guarantee freedom of expression and assembly and an independent media and to ensure that no one is arrested for exercising their rights to freedom of expression, association and peaceful assembly.³

Finally, Mr. President,

Although Madagascar has imposed a *de facto* moratorium on executions, it has not yet abolished the death penalty in law or ratified the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty. We call on Madagascar to introduce a *de jure* moratorium on executions and to abolish the death penalty.⁴

Thank you, Mr President.

³ Ibid, paragraph 72, recommendations 50-56.

⁴ Ibid, paragraph 73, recommendations 9-12.