



# General Assembly

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**Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

**Madagascar\***

The present report is a summary of eight stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translation services.



## **Information provided by stakeholders**

### **A. Background and framework**

N/A

### **B. Cooperation with human rights mechanisms**

1. The authors of joint submission 4 state that, according to their assessment, the majority of the recommendations accepted by Madagascar during its initial universal periodic review in 2010 have not been acted upon or effectively followed up on account of the political crisis that has gripped the country since 2009. They therefore conclude that the Malagasy Government has not fulfilled its human rights obligations in the context of the universal periodic review.<sup>2</sup>

### **C. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **1. Equality and non-discrimination**

2. The authors of joint submission 4 refer to the recommendations accepted by Madagascar during its initial universal periodic review concerning women's rights, and note the existence of many traditional practices that discriminate against women and run counter to positive law, especially with regard to land rights. These practices are reinforced by an attitude of general indifference to human rights violations, particularly with regard to sexual violence. Certain domestic laws, such as the Marriage and Matrimonial Property Act, the Succession Act, the Labour Code and the Nationality Code are in contradiction with the international conventions ratified by the country.<sup>3</sup>

3. The authors of joint submission 4 recommend that Madagascar ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; that it expedite the alignment of its domestic laws with the international conventions it has ratified; and that it adopt stringent measures, including legislation and awareness-raising campaigns, with a view to eliminating traditional and cultural practices that discriminate against women and girls.<sup>4</sup>

#### **2. Right to life, liberty and security of the person**

4. The authors of joint submission 1 refer to the recommendations made to Madagascar concerning the death penalty and note with regret that the country did not provide clear information on the steps it had taken to give effect to those recommendations during its initial universal periodic review. On that occasion, Madagascar indicated that the conditions necessary for the immediate abolition of the death penalty had not yet been met, as a large segment of the population, as well as the majority of parliamentarians, still considered the dissuasive effect of maintaining capital punishment in the domestic legal order to be useful in combating insecurity. The authors of the submission add that the parliamentarians in the south of the country are currently opposed to the idea of abolishing the death penalty on account of the increase in the theft of zebu (*Dahalo*), and that there are some who wish to reintroduce the death penalty for the rape of minors.<sup>5</sup>

5. The authors of the submission recommend that Madagascar introduce a de jure moratorium on the death penalty as quickly as possible; that it abolish the death penalty and establish its prohibition in the Constitution; that it ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; and that it commute the sentences of those condemned to death to a fair sentence that fits the crime.<sup>6</sup>

6. The authors of joint submission 1 also refer to the recommendations concerning the prohibition of torture and welcome the fact that Madagascar accepted them during its initial universal periodic review. They recall that Madagascar adopted Act No. 2008/008 of 25 June 2008 on the prohibition, prevention and punishment of acts of torture and other cruel, inhuman and degrading punishment or treatment. However, they state that the Act in question has still not been incorporated into the Criminal Code, as the Code still classes torture only as an aggravating circumstance to an offence, namely that the death of a victim as a result of torture will be considered to be murder by a judge.<sup>7</sup>

7. The authors of the submission also state that the range of penalties provided for in the Act of 25 June 2008 is not fixed for inhuman or degrading treatment. The distribution of penalties between crimes and offences is determined by the judge alone and, according to the authors, undermines not only the legal certainty of the person subject to trial but also the principle of the legality of the offences and penalties in question.<sup>8</sup>

8. The authors of the submission add that, despite the fact that Madagascar agreed to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which it signed on 24 September 2003, it has still not done so. However, Madagascar reaffirmed its commitment to ratifying the Optional Protocol during the consideration of its initial report by the Committee against Torture in 2011.<sup>9</sup>

9. The authors of the submission recommend in particular that Madagascar revise its Criminal Code and Code of Criminal Procedure to effectively punish acts of torture and cruel, inhuman and degrading treatment; that it amend the Act of 25 June 2008 to specify a range of penalties for inhuman or degrading treatment; that it ratify the Optional Protocol to the Convention against Torture as soon as possible; that it continue to provide training on torture and its absolute prohibition to magistrates, prosecutors, lawyers, police officers and prison officers.<sup>10</sup>

10. The authors of joint submission 1 also refer to the recommendations concerning the improvement of detention conditions accepted by Madagascar. They indicate that detention regulations are strictly defined by Malagasy criminal law. However, judicial police officers and magistrates do not strictly observe detention regulations and cases of non-observance are rarely punished. Furthermore, numerous cases of detainees being kept in detention when such detention is no longer legal have been reported in several penal establishments, especially in rural areas.<sup>11</sup>

11. The authors of the submission add that the share of the State budget allocated to the judicial police is so small that complainants are obliged to cover the transport costs of judicial police officers, be it for arrests as part of an investigation, bringing detainees before the public prosecutor or taking them back to prison.<sup>12</sup>

12. The authors of the submission also state that Act No. 2007-021 of 30 July 2007 has amended the Code of Criminal Procedure to reinforce the exceptional nature of the law concerning pretrial detention by stating that it is an exceptional measure. However, in practice, pretrial detention is resorted to almost systematically and, according to a report submitted in June 2012 by the Malagasy authorities, that year, around 53 per cent of the 19,870 detainees in the country were being held in pretrial detention.<sup>13</sup>

13. Detention conditions in Madagascar are catastrophic and could be seen to constitute cruel, inhuman or degrading treatment. They are characterized by endemic overcrowding, almost non-existent access to health care and food, and possible recourse to ill-treatment. Furthermore, accused persons are not held separately from detainees as a matter of course. In the majority of penal establishments, men are held separately from women. However, men are held separately from boys only in large centres. In Madagascar, women are not always held separately from girls, and many women are detained with their young children.<sup>14</sup>

14. As to political prisoners, dozens of individuals opposing the High Transitional Authority are still being detained without a trial. According to the authors of the submission, there were reportedly dozens of soldiers, gendarmes and civilian militiamen among those arrested in the capital or in the provinces between June and August 2009.<sup>15</sup>

15. The authors of the submission recommend in particular that Madagascar ensure compliance with the Standard Minimum Rules for the Treatment of Prisoners; that it provide judicial police officers with better legal and ethical training by, inter alia, raising their awareness of the principle of legality; that it enhance the Public Prosecution Service's control over the procedural guarantees relating to custody; that it combat all forms of illegal detention or detention that exceeds the prescribed limits by, for example, holding agents accountable for their actions in accordance with article 614 of the Code of Criminal Procedure; that it guarantee all detainees access to a fair and equitable trial within a reasonable time frame; that it take urgent measures to curb overcrowding in prisons by prioritizing alternative measures to detention, especially in respect of persons found guilty of minor offences; that it ensure that adults are kept separate from minors and that accused persons are kept separate from detainees; that it release with immediate effect those persons whose period of custody or pretrial detention has expired and who are in effect being detained arbitrarily; and that it release with immediate effect all political prisoners.<sup>16</sup> The authors of joint submission 4 make similar recommendations.<sup>17</sup>

16. The authors of joint submission 4 refer to the recommendations accepted by Madagascar concerning women's rights and note the absence of a general framework for combating gender-based violence. In addition to the absence of a general framework for combating gender-based violence, a law of silence cloaks the subject, which, according to the authors, allows perpetrators to act with impunity.<sup>18</sup>

17. The authors of the submission recommend in particular that Madagascar develop a national policy to combat gender-based violence with a specific and comprehensive legal framework that will help put an end to the impunity of the perpetrators of such violence, and with an adequate budget; that it adopt specific legislation on violence within the family which takes into account all forms of violence, including physical, psychological, moral and sexual violence, and that it impose restraining orders on the perpetrators of such violence; that it establish structures to provide medical, legal, psychosocial and financial assistance to victims, including access to reparation, compensation and social reintegration; that it set up emergency shelters for women and girls forced to leave their family home; that it develop a specific programme to rehabilitate perpetrators with a view to curbing recidivism; that it work closely with traditional, local and religious authorities to make them full partners in the fight against gender-based violence; that it raise the awareness of political leaders, both at the executive and legislative levels, of gender-based problems in Madagascar to enable them to become part of an effective solution; and that it continue to promote gender equality in the areas of decision-making and law enforcement.<sup>19</sup>

18. The authors of joint submission 3 refer to the recommendations accepted by Madagascar whereby it undertakes to adopt measures to combat trafficking in women and to protect the families of female migrants. Drawing upon witness statements that recount acts of violence related to the trafficking of Malagasy women, some of whom died,<sup>20</sup> the

authors state that the Malagasy Government has not acted upon these recommendations. The authors of joint submission 4 also make similar observations on the basis of the recommendations accepted by Madagascar concerning female migrants.<sup>21</sup>

19. The authors of joint submission 3 recommend that the Malagasy Government investigate recruitment agencies, whether they are official or not, and verify the authenticity of the contracts issued by them; that it inform female migrants of the nature of the work offered to them, of the living conditions and of their rights in migration countries; that it guarantee female migrants the possibility of maintaining links with family members who remain behind in their home country; that it set up a prepaid telephone line to allow female migrants to contact their family and/or those responsible for them; that it ratify International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189) and implement the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which it ratified in 2005; that it foster relations with migration countries with the aim of protecting female migrants from all forms of violence while guaranteeing them access to care; that it facilitate the return of female migrants to their country of origin; and that it combat poverty, which is the main factor driving Malagasy women to emigrate.<sup>22</sup>

20. The authors of joint submission 4 make similar recommendations and add that the Malagasy Government should adopt and implement the bill amending the law on trafficking in persons; that it provide victims with psychosocial, medical and legal care and facilitate their reintegration; and that it guarantee data collection by means of an Observatory.<sup>23</sup>

21. Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that in Madagascar, corporal punishment of children was lawful, despite recommendations that it should be prohibited by the Committee on the Rights of the Child and the Committee against Torture. GIEACPC noted that no recommendation to prohibit corporal punishment was made during the first UPR of Madagascar and hoped that Madagascar will receive during its second review in 2014 a specific recommendation requesting that legislation be enacted to explicitly prohibit corporal punishment in the home and all settings.<sup>24</sup>

22. The authors of joint submission 2 refer to the recommendation accepted by Madagascar whereby the country undertook to set up an institution responsible for overseeing and assessing the application of the Convention on the Rights of the Child and, in particular, to implement an action plan to protect street children and to ensure their reintegration into society. They indicate that, despite the efforts made by the Government in that area, children remain the most vulnerable population group in Madagascar and that, within that group, children working and/or living on the street face particular discrimination and abuse.<sup>25</sup>

23. The authors of the submission add that the phenomenon of homeless children is widespread in the capital and in large cities, and that those street children live with their parents in similar conditions. They are severely deprived in areas such as nutrition, health care, education, housing, water and sanitation, protection and access to information. The young people in question live on the street with their family, as part of a gang or sometimes alone and tend to be school dropouts without any qualifications. They perform odd jobs such as handling goods, delivering water and cleaning, often in difficult conditions. This itinerant existence also exposes young people to temptations such as theft, gambling, drinking, gang membership, and/or to ill-treatment, including sexual abuse, drugs and physical violence. For those children, the urgency of their situation and their daily struggle to survive, along with the harmful psychological consequences that the latter entails, jeopardize their future and that of their country.<sup>26</sup>

24. The authors of the submission recommend in particular that Madagascar continue its efforts to develop a coherent and effective child protection system; that it construct housing, emergency accommodation and shelters for children and their families living on the street or in a particularly precarious situation; that it guarantee people in a particularly precarious situation and especially people living on the street access to free health care and to recreational activities, including leisure and sporting activities; that it undertake activities to support the families of street children; that it combat the stigmatization of street children by carrying out awareness-raising campaigns targeting the general population; that it strengthen its partnerships with associations and structures that work with or for street children; that it provide educators for children who are extremely vulnerable, including street children, with adequate training; and that it raise the awareness of police officers of the rights of children and young people living on the street.<sup>27</sup>

25. Marist International Solidarity Foundation (FMSI) refers to recommendations accepted by Madagascar to trace the root causes in order to find a lasting solution to trafficking and sexual exploitation of children. FMSI has found that cases of child prostitution and sex tourism are continuously increasing in Madagascar. Places like Nosy Be, Tamatave, Foule-Point, Fort-Dauphin and Antananarivo have become very prone to this practice. The majority of people involved in prostitution are girls under the age of 18 years old. Many young girls have been introduced into the trade due to poverty. It helps them to earn money for themselves and their families. Some parents have perpetuated the practice by encouraging their children to do prostitution for revenue.<sup>28</sup>

26. In the light of these findings, FMSI recommends to the Government of Madagascar to strengthen its adherence to the laws especially Penal Code Law number 2007-038 of 14 January 2008 that fights against human trafficking and sex tourism; establish integrated child protection development plans at the local government level in order to efficiently and effectively combat all forms of violence, abuse and exploitation of children; and provide the youth with alternative activities that will keep them busy and make them more productive.<sup>29</sup>

### **3. Right to privacy, marriage and family life**

27. The authors of joint submission 4 indicate that the Malagasy Nationality Code is very restrictive, with the result that communities which have been living in the country for several generations find themselves stateless, as they have been unable to establish a link with their country of origin or acquire the nationality of their host country. Moreover, instances of racial profiling and discrimination based on race and religion have been reported when issuing identity documents. The fact that both the general public and the public officials responsible for enforcing the law are ignorant thereof only serves to promote abuse and corruption. The main activities aimed at remedying that situation were launched by the United Nations. The United Nations came up against the reluctance of public officials to directly apply the provisions of the international conventions ratified by the country and of stateless persons to take part in surveys owing to an unfavourable sociopolitical context.<sup>30</sup>

28. The authors of the submission recommend that Madagascar align its Nationality Code with the international conventions ratified by the country; that it take administrative and legal measures to apply those conventions without delay; that it continue to raise the awareness of magistrates and other public officials responsible for administering civil status and nationality, as well as that of civil society organizations, of the international conventions ratified by the country; that it inform the communities concerned of their rights and the procedures they should follow to regularize their status, and provide them with legal assistance during the process to prevent all forms of corruption; that it set up a

national forum with a view to creating the conditions necessary for these activities to be carried out in a context of understanding and social cohesion.<sup>31</sup>

#### **4. Freedom of expression, association and peaceful assembly, and right to participate in public and political life**

29. Reporters Without Borders refers to the recommendations accepted by Madagascar concerning the media, which deal with the reform of the legislative framework governing the media, defining the work of the media, the protection of journalists and respect for the independence of the media, and states that, while some progress has been achieved, the Malagasy authorities have not given full effect to the majority of the recommendations. According to Reporters Without Borders, the failure of the Malagasy authorities to give full effect to the recommendations is partly attributable to the fact that, following its initial universal periodic review, the political crisis in Madagascar continued and that, during that time, the unwillingness of the main political actors to compromise thwarted any attempt at substantive reform.<sup>32</sup>

30. Reporters Without Borders notes that, during the period under consideration (2010–2014), no progress has been made in the reform of the legal framework governing the media. The Act on the Communication and Audiovisual Media of 1990, which prescribes disproportionate penalties, including heavy fines and prison sentences for Malagasy journalists who commit crimes such as defamation, providing false information, undermining the security of the State or incitement to violence, is still in force in the country and, four years after the universal periodic review, the issue seems to have been completely forgotten, as it is no longer referred to. As a result, over the last few years, the media have been regularly intimidated and threatened by the executive and the security forces. The violations of the right to freedom of information have included acts of violence committed against journalists, acts of vandalism committed against the media, judicial harassment, crimes of “defamation” being wrongfully attributed to the media and the arbitrary “propagation of false news”.<sup>33</sup>

31. Reporters Without Borders considers the reform of the Special Commission for Audiovisual Communication, which is the national body responsible for regulating the media, to be a priority, as it needs to be independent of the Executive. However, it continues to report to the Ministry of Communication, which, according to Reporters Without Borders, uses it in a discretionary and abusive manner to issue orders to suspend or close media outlets on the grounds of “non-respect for registration procedures” and “lack of a valid licence to operate”.<sup>34</sup>

32. It is for this reason that Reporters Without Borders recommends in particular that Madagascar revise its Communication Code through a process which is transparent and which takes into account the views of all stakeholders, namely the media sector, civil society organizations and international organizations; that it abolish prison sentences for journalists committing any of the crimes provided for in the Act on the Communication and Audiovisual Media of 1990; that it grant the Special Commission on Audiovisual Communication real autonomy from the Executive to enable it to perform its functions independently and efficiently; that it recognize the role that media professionals play as citizens and development actors and put an end to judicial harassment and abuses against them; that it ensure that perpetrators of abuse against journalists and media professionals are duly prosecuted.<sup>35</sup>

33. The authors of joint submission 4 indicate that very few people dare to reveal that they are human rights defenders, as there is no legal structure to guarantee their safety. Moreover, Madagascar has not adopted the United Nations Declaration on Human Rights Defenders.<sup>36</sup>

34. The authors of the submission recommend that Madagascar incorporate the Declaration on Human Rights Defenders into its Constitution.<sup>37</sup>

#### **5. Right to social security and to an adequate standard of living**

35. The authors of joint submission 3 state that the large number of female Malagasy migrant workers is largely attributable to the level of poverty in the country. Nearly four out of five inhabitants, that is to say over 76 per cent of the population, live below the poverty line. The level of poverty has risen by 12 per cent over four years and the World Bank expects it to rise further. Living conditions are particularly difficult. The poorest populations live in rural areas. Moreover, in May 2013, an invasion of 500 million locusts, which affected 15 of the 22 regions of the country, destroyed many crops, including rice, grass, corn and sugar cane, and deprived inhabitants of food and modest gains.<sup>38</sup>

36. As to the right to adequate housing, the authors of joint submission 2 indicate that, while the Ministry of the Population and Social Affairs, through the Directorate for the improvement of living conditions and housing, has implemented a policy aimed at rehousing homeless families, the projects in question have not yielded satisfactory results or met the expectations of the population. The projects had the specific aim of relieving congestion in large cities such as Antananarivo, Toamasina and densely populated areas where unemployment, prostitution and all forms of delinquency are on the rise. Their failure can be attributed to a lack of follow-up and adequate resources. Those wishing to migrate to uninhabited and, as yet, unexploited areas of the country, who were abandoned to their fate, quickly returned to the city and took up residence in extremely precarious housing made of wood, cardboard or plastic, which, more often than not, is located in flood-prone areas, while a number of them have no home and live on the street.<sup>39</sup>

#### **6. Right to health**

37. The authors of joint submission 4 refer to the recommendation accepted by Madagascar concerning the right to health and find that Madagascar has not given full effect to the recommendation encouraging it to provide free health care as, apart from the efforts undertaken in the areas of maternal and child health, the population's access to health care in general remains contingent upon the financial means at the disposal of each individual or each family. In addition to having to contribute financially, several other factors conspire to prevent the ailing from accessing health care, including the inadequacy of the budgetary resources allocated to health care, distance, remoteness, the unequal geographical distribution of basic health-care centres, which adversely affects rural areas, as well as the closure of such facilities. The country's sociopolitical crisis has only served to exacerbate the situation further.<sup>40</sup>

38. The authors of the submission recommend that Madagascar allocate at least 15 per cent of the State budget to the health-care sector, in accordance with the Abuja Declaration; that it guarantee the availability of good-quality and low-cost community care; that it carry out activities aimed at raising the awareness of men of the need to assume greater responsibility for the health care of women and children; that it continue to raise the awareness of traditional leaders and other "guardians of customs" of the need to abandon beliefs that run counter to messages intended to promote health care.<sup>41</sup>

39. The authors of joint submission 5 state that during its first UPR, Madagascar did not receive any recommendations related to women's reproductive rights, including safe abortion services. They indicate that despite there being an increased need to provide reproductive health programs and services, Madagascar has not been able to offer such services for women, both because of a lack of financial resources, and because public health is not prioritized. Policies with regard to access to reproductive health services have been set in place but their implementation remains a significant challenge. Reproductive

health services and assistance are free of charge like many other services in public health centers but their accessibility remains limited due to a lack of awareness to the existence of the services by the general public and the limited coverage, as 40 per cent of the Malagasy Population is living more than five kilometres far from any health center.<sup>42</sup>

40. The authors of joint submission 5 recommend that Madagascar should, *inter alia*, establish policies and programs to provide all individuals with good-quality and accessible family planning services, including emergency contraception, within a comprehensive package of sexual and reproductive health information and services – such policies and programs must meet the particular needs of young women (specifically, between the ages of 15–49), poor women, HIV-positive women and survivors of rape; amend the current law regarding abortion with a view to decriminalize women’s access to safe abortion services by removing restrictions to the service; establish public awareness raising campaign aimed at increasing women’s knowledge of the current legal context surrounding abortion, the complications of miscarriage and unsafe abortion and where to obtain appropriate services and information; remove barriers to women’s access to abortion services, including third-party authorization or notification clauses.<sup>43</sup>

## 7. Right to education

41. The authors of joint submission 2 refer to the recommendation accepted by Madagascar whereby the country has undertaken to reform its education system to guarantee all boys and girls access to free primary education. They state that, despite the State having undertaken to make primary education free, that undertaking has still not become a reality. Schools often require parents to pay fees in order to supplement the meagre and irregular salaries of their teaching staff.<sup>44</sup>

42. The authors of the submission add that the level of absenteeism is currently high in certain regions of the country owing to the requirement to pay fees. It is quite clear that parents cannot bear the cost of school fees and learning materials, as they themselves receive a meagre wage and are sometimes not paid for months at a time.<sup>45</sup>

43. Furthermore, while a number of new schools have been built and existing schools refurbished, the fact remains that there are not enough schools to accommodate all the children of school age. In addition, teachers are still not sufficiently equipped and more often than not do not possess a proper teaching qualification. Thus, despite the Government’s efforts, the quality of the education system continues to leave a lot to be desired, as classes are often oversubscribed with the number of students reaching 45–90 in some cases. Moreover, those children with a visual, motor or other form of disability are not sufficiently integrated into the education system.<sup>46</sup>

44. The authors of the submission conclude that all these difficulties, with their demotivating effect, cause students to fail their examinations. Many children drop out of school and, in families where there are several children, priority is given to the eldest child or to boys.<sup>47</sup>

45. The authors of the submission recommend that Madagascar, when giving effect to the recommendations already made during its first universal periodic review, take all the measures necessary to make primary education free, both in terms of direct and indirect costs; that it continue its efforts to raise the school attendance rate and to reduce the school dropout rate, particularly among the most disadvantaged children; that it guarantee the right of girls to education by carrying out awareness-raising campaigns aimed both at families and the general population to highlight the importance of attending school.<sup>48</sup>

46. The authors of joint submission 4 make similar comments and recommendations.<sup>49</sup>

47. FMSI shares similar concerns. FMSI urges Madagascar inter alia to significantly increase the State's budget allocation towards education to uphold the right of free and compulsory primary education for all children as stipulated in the Constitution; provide adequate school infrastructure, including sanitation facilities and adequate water supplies; provide better incentives for teachers and provide facilities in educational institutions particularly in primary schools that will attract children and help them feel better at school.<sup>50</sup>

## 8. Persons with disabilities

48. The authors of joint submission 4 refer to the recommendation accepted by Madagascar whereby it has undertaken to ratify the Convention on the Rights of Persons with Disabilities, and note that the commitments made by the country in that regard have given great hope to persons with disabilities. However, the administrative measures taken and the budgetary resources allocated to the service responsible for persons with disabilities remain highly insufficient. Moreover, the marginalization of persons with disabilities with respect to access to education, employment, leisure activities, the vote and even cultural activities, remains significant and disproportionately affects women with disabilities.<sup>51</sup>

49. The authors of the submission recommend that Madagascar ratify the Convention on the Rights of Persons with Disabilities.<sup>52</sup>

### Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org).

#### *Civil society*

##### *Individual submissions:*

- FMSI Marist International Solidarity Foundation, Genève (Suisse);  
 GIEACPC Global Initiative to End All Corporal Punishment of Children, London (United Kingdom);  
 RSF Reporters sans frontières, Paris (France);

##### *Joint submissions:*

- JS1 Joint submission 1 submitted by: FIACAT: Fédération Internationale de l'Action des Chrétiens pour l'Abolition de la Torture, Paris (France); and ACAT Madagascar: Action des Chrétiens pour l'Abolition de la torture de Madagascar;
- JS2 Joint submission 2 submitted by: IIMA: Istituto Internazionale Maria Ausiliatrice, Genève (Suisse); and VIDES International: International Volunteerism Organisation for Women, Development and Education; Franciscans International; Apprentis d'Auteuil;
- JS3 Joint submission 3 submitted by: MIAMSI : Mouvement International Des Milieux Sociaux Indépendants, Vatican (Saint-Siège) ; and PAX ROMANA – MIIC: Mouvement International des Intellectuels Catholiques; CARITAS INTERNATIONALIS: Mouvement Catholique Caritatif International;
- JS4 Joint submission 4 submitted by: PAX ROMANA – MIIC: Mouvement International des Intellectuels Catholiques, Genève (Suisse); and ACAT Madagascar: Action des Chrétiens pour l'Abolition de la Torture de Madagascar; AFHM: Association des Femmes Handicapées de Madagascar; CDA: Conseil de Développement d'Andohatopenaka; CNFM: Conseil National des Femmes de Madagascar; Focus Development Association; MIIC: Mouvement International des Intellectuelles Catholiques ; KMF/CNOE: Comité national d'observation des élections – Education des citoyens; MIEC: Mouvement International des Etudiants Catholiques; SIF: Solidarité des Intervenants sur le Foncier; SPDTS: Syndicats des Professionnels Diplômés en

Travail Social; UNMDH: Union Nationale Malagasy des Droits Humains; TABITA; MCCP: Mouvement Chrétien de Cadres et de Professionnels; CNPFDH: Confédération Nationale des Plates Formes en Droits Humains de Madagascar; BIMTT: Bureau de Liaison des Institutions de Formation en Milieu Rural;

JS5 Joint submission 5 submitted by: SRI: Sexual Rights Initiative, Ottawa (Canada); and Alliance Nationale pour l'Autopromotion des Populations Vulnérables (ANAPV).

- 2 JS4, p. 1.
- 3 JS4, p. 2.
- 4 JS4, p. 2.
- 5 JS1, p. 9.
- 6 JS1, p. 10.
- 7 JS1, p. 4.
- 8 JS1, pp. 4 et 5.
- 9 JS1, p. 5.
- 10 JS1, p. 5.
- 11 JS1, p. 6.
- 12 JS1, p. 6.
- 13 JS1, pp. 6 et 7.
- 14 JS1, p. 8.
- 15 JS1, p. 8.
- 16 JS1, pp.7 et 9
- 17 JS4, p. 5.
- 18 JS4, p. 2.
- 19 JS4, pp. 2 et 3.
- 20 JS3, p. 2.
- 21 JS4, p. 3.
- 22 JS3, p. 4.
- 23 JS4, p. 4.
- 24 GIEACPC, p. 1.
- 25 JS2, p. 4.
- 26 JS2, p. 5.
- 27 JS2, pp. 5 et 6.
- 28 FMSI, p. 4.
- 29 FMSI, p. 5.
- 30 JS4, pp. 5 et 6.
- 31 JS4, p. 6.
- 32 RSF, p. 1.
- 33 RSF, pp. 1 et 2.
- 34 RSF, pp. 2 et 3.
- 35 RSF, p. 4.
- 36 JS4, p. 7.
- 37 JS4, p. 7.
- 38 JS3, p. 2.
- 39 JS2, pp. 4 et 5.
- 40 JS4, pp. 8 et 9.
- 41 JS4, p. 9.
- 42 JS5, pp. 1 and 2.
- 43 JS5, p. 4.
- 44 JS2, p. 6.
- 45 JS2, p. 6.
- 46 JS2, pp. 6 et 7.
- 47 JS2, p. 7.
- 48 JS2, p. 7.
- 49 JS4, pp. 7 et 8.
- 50 FMSI, pp. 3 and 4.

<sup>51</sup> JS4, p. 11.

<sup>52</sup> JS4, p. 11.

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