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Draft report of the Working Group on the Universal Periodic Review*

Madagascar

* The annex is being circulated without formal editing, in French.

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its thirty-fourth session from 4 to 15 November 2019. The review of Madagascar was held at the eleventh meeting, on 11 November 2019. The delegation of Madagascar was headed by the Minister of Justice, Jacques Randrianasolo. At its 17th meeting, held on 14 November 2019, the Working Group adopted the report on Madagascar.
2. On 15 January 2019, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Madagascar: Austria, Eritrea and Nepal.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Madagascar:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/34/MDG/1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/34/MDG/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/34/MDG/3).
4. A list of questions prepared in advance by Germany, Liechtenstein, Portugal, on behalf of Group of Friends on national mechanisms for implementation, reporting and follow-up, Slovenia, Spain, and United Kingdom of Great Britain and Northern Ireland, was transmitted to Madagascar through the troika. These questions are available on the website of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. La délégation a noté que le rapport national a été élaboré par un comité interministériel de rédaction dans le cadre d'un processus participatif et consultatif, impliquant les acteurs étatiques et les organisations de la société civile ainsi que la CNIDH. Ce processus a bénéficié de l'appui technique et financière du Programme des Nations Unies pour le Développement, du Bureau du Haut-Commissariat des Nations Unies aux Droits de l'Homme, et de l'Organisation Internationale de la Francophonie.
6. Au titre des progrès réalisés, le Gouvernement a cité l'adoption et la promulgation des lois ayant trait à la promotion et protection des droits de l'homme, et la mise en place et l'opérationnalisation des organes tels que le Haut Conseil pour la Défense de la Démocratie et de Etat de Droit, la Haute Cour de Justice et la Commission Nationale Indépendante des Droits de l'Homme ainsi que le Conseil pour la Réconciliation Nationale.
7. En réponse aux questions soumises à l'avance, sur la ratification de l'amendement du Statut de Rome, la délégation a déclaré que les consultations sur les opportunités de ratification, incluant les Amendements de Kampala, étaient actuellement menées au niveau national.
8. Afin de mettre en œuvre les instruments ratifiés, l'État s'était donné pour priorité de mettre la législation nationale en conformité, de diffuser ces instruments, et de former les acteurs.
9. Madagascar a rappelé que la lutte contre la traite des êtres humains, l'esclavage des travailleurs migrants et l'éradication du travail des enfants figuraient parmi les défis à la réalisation des objectifs de développement durable de 2030. A cet effet, quelques mesures ont été prises afin de prévenir cette situation, y compris la sensibilisation sur l'importance de

l'enregistrement consulaire auprès des Ambassades de Madagascar; le pré-enregistrement consulaire au Ministère des Affaires étrangères pour les travailleurs migrants; la mise en œuvre du Pacte Mondial sur les migrations; ainsi que le développement de programmes de renforcement de capacité des Magistrats du Pôle Anti-Corruption, du personnel de la Police aux Frontières et du Service des Enquêtes spécialisées.

10. La délégation a indiqué que le projet de loi sur la lutte contre les violences basées sur le genre, y compris la prise en charge des victimes de viol conjugal, avait été soumis aux autorités chargées de l'adoption. La brigade des femmes de proximité avait été étendue, les textes vulgarisés, un module intégré aux formations de la gendarmerie nationale, et un centre sera inauguré, qui servira de refuge aux femmes victimes.

11. Par rapport le mécanisme et le processus national chargé de coordonner la mise en œuvre des recommandations de l'EPU, l'État a indiqué qu'il avait présenté son rapport à mi-parcours et que le Comité de rédaction suivait de près les progrès de la mise en œuvre des recommandations.

12. Concernant le respect des droits de l'homme par les forces de sécurité, Madagascar a affirmé que des sanctions disciplinaires et pénales étaient appliquées à l'encontre des membres des forces de sécurité coupables de violations des droits de l'homme. En 2019, le Secrétaire d'État chargé de la gendarmerie avait délivré 132 autorisations de poursuite.

13. Afin de réduire la surpopulation carcérale, l'État s'est efforcé d'optimiser les procédures judiciaires, incluant la mise en place d'un guichet unique au niveau de la Cour de Cassation, la multiplication des audiences correctionnelles, l'augmentation des sessions de la Cour Criminelle, et la construction et réhabilitation des prisons.

14. En ce qui concerne la réforme du Code de la communication, le projet de loi sur la réforme de la communication avec les médias avait été adopté en Conseil des ministres le 2 octobre 2019 et était inscrit à l'ordre du jour de la session de l'Assemblée nationale pour être voté. Les propriétaires de la presse et les journalistes ont été impliqués dans le processus de révision et de modification du texte, et des consultations régionales par province ont été organisées.

15. En ce qui concerne les travailleurs en situation irrégulière à l'étranger, Madagascar s'est efforcée de favoriser les contacts avec les représentations diplomatiques et consulaires et a négocié l'accord Maurice-Madagascar.

16. Afin de régulariser les cas de ses travailleurs migrants en situation irrégulière à l'étranger, Madagascar avait mis en réseau des travailleurs migrants avec les représentations diplomatiques et consulaires de Madagascar, entrepris des enquêtes et des actions des représentations diplomatiques et consulaires, et négocié un accord bilatéral sur le travail entre Maurice et à Madagascar, à la suite de consultations avec les parties prenantes.

17. Des études et des consultations nationales sur l'opportunité de ratifier la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées et le Protocole à la Charte africaine des droits de l'homme et des peuples relatifs aux droits de la femme en Afrique ont été menées en 2018.

18. Sur la réforme de la loi contre la torture, l'avant-projet de révision a été transmis aux instances d'adoption.

19. En vue d'améliorer le respect des droits de l'homme, Madagascar poursuit des campagnes de sensibilisation sur la lutte contre les vindictes populaires menées depuis 2017.

20. Madagascar a rappelé la nécessité de la contribution des acteurs nationaux et internationaux, afin d'honorer ses engagements en faveur des droits humains.

B. Interactive dialogue and responses by the State under review

21. During the interactive dialogue, 81 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

22. Myanmar commended the ratification of the Convention on the Rights of Persons with Disabilities in 2015 and several measures and reforms undertaken by Madagascar, including judiciary reform.
23. Namibia applauded the abolition of the death penalty and the subsequent accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights in 2017.
24. Nepal welcomed the strengthening of the Independent Human Rights Institution, and commended ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.
25. The Netherlands welcomed steps taken to combat violence against women.
26. Nigeria applauded the ratification of a number of international instruments, as well as efforts in combatting corruption and its policy on poverty alleviation.
27. Norway welcomed renewed efforts to respond to victims of gender-based violence and the drafting of relevant legislation.
28. Peru acknowledged the efforts made in the area of health and the environment, in particular environmentally friendly initiatives in the field of health care management and air pollution prevention.
29. The Philippines lauded the ratification of several international human rights treaties, the adoption of legislation to combat trafficking in persons, and the strengthening of the National Human Rights Institution in accordance with the Paris Principles.
30. Portugal congratulated Madagascar for ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.
31. The Russian Federation noted with satisfaction the ratification of several international conventions, and commended Madagascar for the organization of country visits by international experts.
32. Rwanda welcomed the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty and the Convention on the Rights of Persons with Disabilities.
33. Senegal welcomed efforts to improve the institutional and policy framework towards the elimination of discrimination against women and the promotion of gender equality.
34. Serbia welcomed the establishment of the Independent National Human Rights Commission in 2014 as an independent national institution for the protection of human rights in conformity with the Paris Principles.
35. Seychelles welcomed legislation to reduce maternal mortality, the adoption of a National Strategic Plan on family planning and reproductive health, and the National Strategy to Reduce Emissions from Deforestation and Degradation.
36. Slovenia welcomed the ratification of several international human rights instruments, and noted with appreciation that combating gender-based violence, and older persons, are two areas of the General State Policy.
37. Spain welcomed the abolition of the death penalty, the ratification of the Convention on the Rights of Persons with Disabilities, and efforts to improve prison conditions and to promote the rights of women.
38. Sudan welcomed the adoption of a National Plan of Action on human rights, Madagascar's cooperation with the mechanisms of the UN Human Rights Council, and ratification of a significant number of human rights instruments.
39. Switzerland congratulated Madagascar for the successful 2018–2019 electoral cycle, and commended ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

40. Togo welcomed strengthening of the normative and institutional framework for promotion and protection of women's, in particular the ratification of the Maputo Protocol and the development of a national policy on gender equality.
41. Tunisia welcomed adoption of legislation, the ratification of a number of international conventions, and efforts to combat corruption and discrimination against women and to protect the environment.
42. Turkey congratulated Madagascar for peaceful 2018 and 2019 presidential and legislative elections, and commended measures taken to strengthen public security in line with international human rights standards, and strengthening of cooperation mechanisms with international organisations.
43. Uganda commended Madagascar's efforts to improve the human rights situation, particularly the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.
44. Ukraine welcomed the ratification of several international human rights instruments and noted Madagascar's efforts to reduce corruption, including the adoption and implementation of the National Anti-Corruption Strategy.
45. The United Kingdom of Great Britain and Northern Ireland welcomed ratification of six ILO Conventions and the 2014 Protocol to the Forced Labour Convention, and recognized progress to protect Malagasy migrant workers from exploitation and modern slavery.
46. The United Republic of Tanzania commended Madagascar for adoption of law on Civil Registrations and on recovery of illicit assets, for amending law to combat corruption, and for the National Anti-Corruption Strategy.
47. The United States of America appreciated the peaceful presidential election in 2019 and urged Madagascar to seize on its progress by implementing human rights reforms.
48. Uruguay supported efforts to overcome the high level of poverty and collaboration with international organizations in this regard, and recognized the progress that prohibition of the death penalty meant for the right to life and dignity.
49. Bolivarian Republic of Venezuela welcomed the approval of the Policy Document on Land, and of the National Social Protection Strategy 2019–2023 to promote access to development for the most vulnerable groups.
50. Viet Nam appreciated Madagascar's efforts regarding poverty reduction, gender equality, reduction of inequality, and access to quality education and healthcare services, and commended measures to promote and protect the rights of persons with disabilities.
51. Zambia commended Madagascar on the reform of the prison administration system, particularly regarding overcrowding, and the abolition of the death penalty.
52. Algeria welcomed adoption of the law abolishing the death penalty, the law on terrorism and transnational organized crime. It encouraged Madagascar to take measures to improve prison conditions.
53. Angola commended Madagascar for being considered a Polio free country and welcomed the ratification of several international human rights treaties and the adoption of the Civil Registration Act.
54. Argentina commended Madagascar for extending a standing invitation to the special procedures of the Human Rights Council, welcomed its collaboration with these procedures and with the treaty bodies.
55. Armenia congratulated Madagascar on the ratification of treaties, commended efforts deployed to combat discrimination against women, including the National Strategy to Combat Gender Violence, and welcomed measures taken to improve the education system.
56. Australia welcomed the abolition of the death penalty, holding peaceful elections, reducing poverty and human trafficking, and committing to address corruption and improve governance and transparency.

57. Azerbaijan welcomed Madagascar becoming party to a number of core human rights documents and respective ILO Conventions, and noted the establishment of the High Council for the Defence of Democracy and the Rule of Law.

58. Bangladesh noted the good progress in increasing access to education for children, appreciated the National Strategy for Universal Health Coverage, and welcomed adoption of the 2018–2024 National Strategy to Combat Child Marriage.

59. Madagascar a reconnu l'existence d'exécution sommaires réalisées par les forces de l'ordre et a précisé qu'il s'agissait de cas sporadiques. Madagascar a fermement condamné les violences perpétrées sur des civiles et a mis en œuvre une répression sévère. Des poursuites ont été mises en place à l'encontre des auteurs lorsque les faits étaient avérés et ceux-ci furent traduits en justice. A titre d'exemple 27 militaires furent placés sous mandat de dépôt. Madagascar a précisé que de tels actes ne pouvaient pas être tolérés et ternissaient l'image du pays.

60. Sur la question de la détention excessive, des mesures avaient été prises pour lutter contre la surpopulation carcérale. Une unité de renseignement stratégique a été créée en 2019 afin d'inverser le ratio de condamnés par rapport aux défenseurs; un guichet unique a été mis en place pour accélérer le traitement des affaires; et quatre nouvelles prisons ont été construites pour désengorger le centre-ville et réhabiliter les 42 prisons existantes, jugées trop anciennes. Les mandats de dépôt systématiques ne sont plus autorisés et les magistrats doivent justifier leur décision de priver une personne de sa liberté. Il a été envisagé d'accélérer le traitement des demandes de libération conditionnelle et de développer des alternatives à la détention.

61. La lutte contre les violences basées sur le genre est devenue l'une des priorités de Madagascar. Un projet de loi élaborée en 2018 a été transmise aux autorités d'adoption, et, en ce sens, plusieurs brigades féminines de proximité devront voir le jour. Il a été précisé qu'un centre d'écoute destiné aux victimes et composé d'avocats, de psychologues, de policiers et d'agents de santé serait inauguré fin novembre 2019. Plusieurs sensibilisations ont été fait auprès des lycées au niveau de plusieurs communautés, un programme d'appui à l'entrepreneur, également des femmes, a été mise en place pour leur permettre d'avoir une autonomie financière, et la sanction à l'égard des violences basé sur le genre ont était rendu plus sévère. Une chaine pénale spéciale pour lutter contre ce type de violence a été mise en place au niveau des Cours et tribunaux de Madagascar.

62. Concernant la lutte contre la pauvreté, Madagascar a mis en place un plan d'urgence sociale à destination des plus vulnérables. L'accès au soin et à l'éducation ont été désigné comme les objectifs principaux. Des logements sociaux et économiques devraient être construits pour aider les plus démunis. Offrir une éducation de qualité est devenu un des objectifs spécifiques du Plan Emergence Madagascar de 2019–2023. Pour d'atteindre ces objectifs, la construction d'écoles primaires publiques est envisagée afin d'ouvrir 2 000 classes d'ici novembre 2020, et 800 sont actuellement en cours de construction. Les droits d'inscription, qui étaient obligatoires pour les parents d'enfants scolarisés, à hauteur de 2 euros par enfant, ont été supprimés

63. Madagascar a supprimé les peines privatives de liberté contenues dans son Code de la communication. Les infractions relatives à la cybercriminalité sont désormais sanctionnées par des peines pécuniaires. Depuis la réforme du Code de la communication, les citoyens ont obtenu la possibilité d'exprimer leur avis sur les discours politiques.

64. Madagascar a poursuivi ses efforts dans la lutte contre la traite des êtres humains à travers de la mise en œuvre du Plan National d'Action de lutte contre la traite des êtres humaines adopté en 2015. A l'occasion de la journée internationale de lutte contre la traite des personnes le Bureau National de Lutte contre la Traite des Êtres Humains a organisé deux événements de sensibilisation. Le premier était à destination des étudiants en droit, alors que le second était afin d'avertir les voyageurs et le personnel aéroportuaire sur les risques liés à la traite. Un numéro de téléphone spécialement dédié aux victimes a également été créé. L'accès à la justice par les victimes de traites a toujours été garanti à travers de l'article de 13 de la Constitution malgache, et le Pôle Anti-Corruption est devenu la juridiction spéciale compétente pour juger des faits de traite à caractère international.

65. La délégation a noté que la Commission Nationale Indépendante des Droits de l'Homme de Madagascar bénéficie désormais du statut A, et a été accrédité auprès des Nations Unies. Créée par voie législative, la Commission bénéficie actuellement de moyens matériels et humains, d'une autonomie de gestion et d'un budget de fonctionnement afin de garantir son indépendance. Suite au décès de deux membres de cette institution, le Gouvernement a initié le processus de remplacement des deux membres décédés cette année 2019 à travers l'organisation d'élections provinciales et nationales en collaboration avec le HCNUDH et les Organisations de la société civile.
66. Botswana was pleased to note measures undertaken to address human trafficking and the adoption of an action plan, and reform of the prison administration system. It welcomed reforms in the judiciary to improve access to justice.
67. Brazil welcomed ratification of the Convention on the Rights of Persons with Disabilities, and commended approval of the Nationality Code, giving Malagasy women the possibility of transmitting her nationality to her children regardless of her marital status.
68. Burkina Faso welcomed the operationalization of the National Human Rights Commission since 2016 and the strengthening of the legislative framework to combat gender-based violence and child marriage.
69. Burundi commended the efforts of Madagascar to improve the civil registration system. It welcomed the adoption of the General State Policy 2019–2024 aimed at combating poverty as well as the measures taken to improve the protection of the environment.
70. Canada welcomed the National Strategy to Combat Child Marriage and the National Strategy to Combat Gender-Based Violence. It was concerned about the state of detention facilities, and encouraged Madagascar to improve the infrastructure and reduce the health risks faced by detainees.
71. Central African Republic welcomed the various reforms initiated by Madagascar, including equality in the transmission of nationality to children.
72. Chile valued Madagascar's decision to ratify several international instruments, including the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.
73. China commended efforts and achievements regarding social and economic development, poverty alleviation, healthcare services, vocational skills training, promoting employment and combating trafficking and corruption.
74. Congo commended the efforts to strengthen the legal and institutional framework, including the operationalization of the Independent National Human Rights Commission.
75. Costa Rica appreciated the ratification of several international instruments, as well as the establishment of the High Court of Justice and the High Council for the Defence of Democracy and the Rule of Law.
76. Côte d'Ivoire commended Madagascar for ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities.
77. Croatia commended the ratification of the Optional Protocol to the Convention against Torture and the establishment of the National Committee to Combat Child Labour.
78. Cuba noted the updating of legislation in various spheres of political and social life, and the improvement of the mechanisms for the protection of children.
79. Denmark commended steps taken to ensure universal access to health services, including the adoption of the Family Planning Act in 2018.
80. Djibouti noted with satisfaction measures taken to strengthen the fight against poverty and to promote the rights to health, education and employment, notably the National Policy for Employment and Professional Training and the National Strategy for Social Protection 2019–2023.

81. Egypt commended the engagement and cooperation with the Human Rights Council and its mechanisms and the accession to several treaties. It applauded the strengthening of human rights legislation, reform of the justice sector and efforts in combating corruption.
82. Ethiopia congratulated Madagascar for having ratified international human rights instruments, for awareness raising campaigns, community dialogues and for the establishment of the National Office to Combat Human Trafficking.
83. Fiji commended Madagascar on its law on the worst forms of child labour, the National Action Plan against Child Labour, as well as its legislation and plans on environmental protection, and noted the absence of strategies addressing climate change.
84. France welcomed Madagascar's advancements on human rights issues, notably with respect to freedom of expression and combatting trafficking in persons, as well as its adoption of an Independent National Human Rights Commission.
85. Gabon noted the strengthening of Madagascar's legal and institutional human rights framework, the gradual abandonment of harmful cultural practices such as the stigmatization of twin children, and implementation of the 2015–2019 Country Programme on Decent Work.
86. Georgia welcomed the adoption of a national action plan to combat human trafficking, the gender and elections strategy covering the period 2015–2020, and the 2018–2024 National Strategy to Combat Child Marriage.
87. Germany welcomed the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, and the establishment of the National Commission on Human Rights.
88. Ghana commended ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Convention on the Rights of Persons with Disabilities.
89. Haiti recognized Madagascar's efforts to improve the human rights situation in the country, despite financial and historical constraints.
90. Iceland welcomed steps outlined in Madagascar's national report and looked forward to continued steps taken to improve the human rights situation in the country.
91. India welcomed Madagascar's legislative progress and reforms, including its law on combatting money laundering and terror financing, the law on human trafficking and laws on safeguarding children.
92. Indonesia commended progress in addressing inequality, poverty, and unemployment, and applauded the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
93. Iran (Islamic Republic of) commended Madagascar's development of a national strategy for universal health coverage and its ratification of the Convention on the Rights of Persons with Disabilities.
94. Iraq welcomed Madagascar's adoption of legislation on the protection of the right to life and the right to personal security, as well as the promotion of national system for human rights.
95. Ireland commended Madagascar's adoption of legislation on the abolition of the death penalty and the accreditation of its National Human Rights Institution to "A" status, and welcomed the adoption of a national strategy on gender-based violence.
96. Israel noted Madagascar's measures to raise public awareness about human rights, promote gender equality, reduce the prevalence of child marriage, and to combat human trafficking, forced labour, gender-based violence and corruption in the public sector.
97. Italy welcomed Madagascar's ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, and efforts to combat human trafficking.

98. Lebanon welcomed Madagascar's bolstering of its human rights legislation, and the establishment of institutions such as the Supreme Council for the Protection of Democracy and the Rule of Law and the National Human Rights Commission.

99. Libya welcomed ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, as well as efforts to conduct judicial reforms and improve its training, education and workers' rights.

100. Luxembourg welcomed ratification of the Convention on the Rights of Persons with Disabilities and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

101. Mali welcomed ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and measures taken to strengthen actions to combat violence against women.

102. Mauritania welcomed the normative and institutional framework adopted by Madagascar, in particular its efforts in combatting trafficking in persons.

103. Mauritius congratulated Madagascar for its actions on education and health, especially the National Strategy for Universal Health Coverage, whose budget has increased considerably over the last five years.

104. Mexico welcomed the adoption of Law 2014-035 on the Abolition of the Death Penalty and the ratification of the Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

105. Montenegro noted with appreciation ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, and commended cooperation with the UN human rights bodies and mechanisms.

106. Morocco welcomed the attention paid to measures to ensure gender equality, including the new 2017 nationality code, giving Malagasy women the opportunity to pass on their nationality to their children regardless of their marital status.

107. Mozambique noted with appreciation the constitutional and other legal reviews, and welcomed the ratification of some human rights instruments, as well as the extension of standing invitations to human rights mechanisms.

108. Timor Leste recognized the ratification of treaties, the adoption of a National Action Plan to combat trafficking in persons, the gender and elections strategies, and the Act on the abolition of the death penalty.

109. Niger welcomed legislative, regulatory, administrative, judicial, as well as national and sectoral policy and programme efforts towards the improvement of the human rights situation.

110. La lutte contre la corruption est devenue une priorité du gouvernement malgache à cause de son impact négatif sur l'économie. Pour ce faire, la loi 2004-030 relative à la lutte contre la corruption a été renforcée et réformée en 2016. Un pôle anticorruption a vu le jour et a mis en place une stratégie nationale 2015–2025 de lutte contre la corruption. Un logiciel a été lancé en juin 2019 pour recueillir les doléances anonymes de victimes. Les poursuites et les condamnations des acteurs et des complices de corruption se sont intensifiées. À titre d'exemple, 8 magistrats ont été sanctionnés par le Conseil supérieur de la magistrature pour corruption, et 3 furent révoqués. En octobre 2019, une ordonnance a été promulguée pour procéder au recouvrement des avoirs illicites.

111. D'autres mesures ont été mises en place au niveau des juridictions telles que la création d'un guichet unique de traitement des dossiers et de kiosques d'accueil dans les tribunaux, ou encore l'installation de caméras de sécurité. Au niveau pénitentiaire, de nouvelles caméras de sécurité ont été installées et le Bureau de Coordination et de Contrôle des Juridictions et des Etablissements Pénitentiaires a été créé afin de contrôler l'administration pénitentiaire.

112. La loi malgache a fixé l'âge matrimoniale à 18 ans. Les mariages précoces sont toutefois possibles avec une autorisation parentale à condition que ceux-ci soient validés par

voie judiciaire. Afin d'en éviter la multiplication, les différents acteurs du système judiciaire ont été sensibilisés et ont pu bénéficier d'un renforcement de leurs capacités. Un registre de plainte spécial des enfants victimes a été mise en place au niveau des tribunaux de première instance, qui permet la traçabilité des dossiers déférer aux tribunaux. Des campagnes de vulgarisation et de sensibilisation à destination de la population ont également été menées.

113. Madagascar a récemment entamé une réforme de sa loi sur les personnes handicapées. Il est apparu nécessaire pour le gouvernement d'assurer la conformité de cette loi à la Convention internationale relative aux droits des personnes handicapées.

114. En 2015, Madagascar a souhaité ratifier le protocole relatif aux statuts des réfugiés au travers d'un projet de loi présenté à l'Assemblée Nationale qui n'a finalement pas été adopté. La population est restée plutôt réfractaire à l'accueil de réfugiés. Madagascar a travaillé en collaboration avec le UNHCR et a accueillis cette année 156 demandeurs d'asile. La direction chargée de la gestion de l'immigration et l'émigration a traité les dossiers des réfugiés et apatrides. L'Etat ne dispose pas encore de procédures d'identification des apatrides. En 2017, il a promulgué une loi rétroactive afin de modifier et compléter certaines dispositions du code de la nationalité. Par ailleurs, un projet de plan d'action national a été élaboré et sera soumis au processus de validation prochainement.

115. Même si l'État ne dispose pas encore de procédures d'identification des apatrides, il a promulgué une loi rétroactive en 2017 afin de compléter les dispositions de sa loi sur la nationalité qui a été assorti d'un Plan d'action national.

116. Concernant l'interruption volontaire de grossesse, le gouvernement a organisé en décembre 2018 un forum national inclusif sur le droit à la vie. Des femmes issues de différentes classes sociales ont pu échanger sur les grossesses non désirées et l'avortement. Par la suite, des consultations ont été réalisées auprès des citoyens en vue d'aboutir la ratification du protocole à la Charte africaine des droits de l'homme et des peuples relatif aux droits de la femme. Même si les actions en faveur de la légalisation de l'IVG se sont multipliées, la population est restée réticente.

117. Pour rendre plus efficace la lutte contre le travail des enfants, un projet de décret a été déjà élaboré pour renforcer le pouvoir des inspecteurs du travail et rendre effective l'application de pénalité prévues par le Code du Travail et les sanctions pénales prévues par le décret numéro 2018-009 du 11 janvier 2018.

118. La constitution malgache garantissait déjà la liberté politique et la participation des femmes aux affaires publiques au travers de la loi relative aux parti politique et le statut des artis d'opposition. Actuellement, Madagascar compte 6 femmes ministres, 29 femmes députés, 13 femmes sénateurs et 67 femmes maires en exercice.

119. La délégation a déclaré que Madagascar a souhaité assurer à sa population un accès à des services de santé de qualité. En ce sens, l'État a pour objectif d'obtenir des résultats concrets et d'améliorer la qualité de vie et le bien-être de la population. Plusieurs mesures ont été envisagées telles que la prise en charge des soins des enfants de moins de 5 ans, des personnes âgées de plus de 65 ans et des femmes enceintes. Le budget alloué au secteur de la santé a également été augmenté afin de pouvoir améliorer l'accessibilité géographique au soin. Pour ce faire, la création des unités de santé mobile, équipées du matériel adéquat, dans les différents districts et communes du pays, a été envisagée. En parallèle, la construction et la réhabilitation des hôpitaux vétustes a également été prévue.

120. Sur la lutte contre la discrimination raciale, Madagascar a pris des mesures pour éradiquer la discrimination sous toutes ses formes. La discrimination raciale est déjà réprimée par la Constitution de Madagascar, donc avant de procéder à l'élaboration d'une loi spécifique sur la non-discrimination, Madagascar préfère de procéder de manière ciblée au moyen de la loi sur la discrimination de genre si elle sera adoptée par les instances compétente et à l'application effective des dispositions, à la formations des responsables de l'application des lois, et à sensibiliser la population et à la diffusion largement de tous les outils nécessaires.

121. En conclusion, la délégation a souligné qu'elle prenait en compte les remarques reçues au cours de cet échange. Madagascar a indiqué avoir pu tenir la majeure partie de ses engagements précédents grâce au soutien de ses divers partenaires, mais reste conscient des efforts qu'il reste encore à fournir.

II. Conclusions and/or recommendations

122. The recommendations formulated during the interactive dialogue/listed below have been examined by Madagascar and enjoy the support of Madagascar:

122.1 Adopt an open, merit-based process when selecting national candidates for UN Treaty Body elections (United Kingdom of Great Britain and Northern Ireland);

122.2 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Uruguay);

122.3 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Croatia);

122.4 Intensify efforts to implement the recommendations stemming from the mechanism of the Universal Periodic Review and from commitments undertaken in the framework of other mechanisms (Mauritania);

122.5 Provide sufficient resources to the Independent National Commission on Human Rights, in particular with regard to the promotion of women's rights and the promotion of equality between women and men (Serbia);

122.6 Guarantee the functioning of the National Independent Human Rights Commission in line with the Paris Principles and keep institutional and financial support to the High Council for the Defence of Democracy and the Rule of Law (Spain);

122.7 Develop a capacity building plan for public officials in the area of human rights (Sudan);

122.8 Ensure that the Independent National Human Rights Commission has sufficient resources to carry out its legal mandate (Costa Rica);

122.9 Continue to mobilise resources and seek necessary international support to enhance its capacity for the promotion and protection of human rights (Nigeria);

122.10 Continue strengthening the mandate of the Independent National Human Rights Commission in order to reach compliance with the Paris Principles (Georgia);

122.11 Strengthen the role and work of the Independent National Human Rights Commission in the monitoring of human rights, including collaboration with other states (Indonesia);

122.12 Encourage the Independent National Human Rights Commission to comply with the Paris Principles (Iraq);

122.13 Continue to further strengthen the role of the Independent National Human Rights Commission (Morocco);

122.14 Adopt a comprehensive legislation coupled with the relevant policies and programmes to combat all forms of racial discrimination (Uganda);

122.15 Continue consolidating its excellent policies for the protection of elderly persons against all forms of marginalization and stigmatization (Bolivarian Republic of Venezuela);

122.16 Continue to take positive measures to protect the rights of vulnerable groups (China);

122.17 Strengthen policies and legislative framework to fight against the stigmatization of persons living with HIV and of population at risk (India);

122.18 Combat racism and racial discrimination, including by raising awareness in order to prevent stigmatization of people living with HIV (Iraq);

- 122.19 **Strengthen efforts to prevent and combat all forms of discrimination and violence against women, in particular by implementing the national strategy to combat gender-based violence (Italy);**
- 122.20 **Adopt legislation to prevent and eliminate racism and discrimination, and create necessary mechanisms for victims to access effective remedies for justice and reparation (Mexico);**
- 122.21 **Strengthen national legislation on environmental protection (Serbia);**
- 122.22 **Promote a sustainable exploitation of its natural resources, in line with 14 and 15 Sustainable Development Goals, especially by a sustainable managements of its forests (Switzerland);**
- 122.23 **Ensure that women, children, and persons with disabilities are meaningfully engaged in the development of legislation, policies and programs on climate change and disaster risk reduction (Fiji);**
- 122.24 **Draft specific and relevant policies and programmes, with specific timelines, to ensure that mining activities contribute to the sustainable, social and economic development of the communities in which mining companies operate (Haiti);**
- 122.25 **Guarantee that bilateral fisheries agreements contain measures to protect the marine ecosystem and small fishing communities in Madagascar (Haiti);**
- 122.26 **Investigate, prosecute and punish abusive use of force and acts of torture and ill treatment by the police and security forces (Spain);**
- 122.27 **Accelerate the review process of Law 2008-008 against torture, with a view to bringing it in conformity with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and especially, ensure the inclusion of sanctions proportionate to the gravity of acts of torture, and provide for the removal of the statute of limitations for acts of torture (Togo);**
- 122.28 **Take all necessary legislative and administrative measures to investigate and punish the perpetrators of acts of torture and cruel, inhuman and degrading treatments, in particular in detention centres, and especially investigate reports of summary executions allegedly involving State security forces (Uruguay);**
- 122.29 **Thoroughly investigate alleged cases of torture and ill-treatment committed by the police or security forces and prosecute the perpetrators (Zambia);**
- 122.30 **Continue efforts to minimize prison overcrowding in line with the Nelson Mandela Rules (Angola);**
- 122.31 **Expedite alignment of the Anti-torture Act 2008-008 with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, incorporate it into national Criminal Codes and prosecute perpetrators of unlawful detention, torture and killings (Australia);**
- 122.32 **Intensify efforts to address acts of torture and ill-treatment by security forces, including conducting independent investigation on all allegations of abuses and ensure prosecution of perpetrators (Botswana);**
- 122.33 **Increase efforts to reduce prison overcrowding and improve living conditions in penitentiaries (Burundi);**
- 122.34 **Accelerate the process of revision of the law prohibiting torture, to harmonize it with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);**

- 122.35 **Redouble efforts to improve the living conditions and treatment of prisoners, including nutrition and medical care (Côte d'Ivoire);**
- 122.36 **Improve the conditions of detention by combating the excessive use of pre-trial detention to avoid overcrowding, in accordance with international standards (Croatia);**
- 122.37 **Bring its prisons and detention conditions in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (Denmark);**
- 122.38 **Accelerate the revision process of the 2008-008 Act, to ensure that the criminalization of torture and cruel, inhuman and degrading treatment is in line with international standards (France);**
- 122.39 **Reform the penitentiary system to ensure better conditions of detention, especially for children, as well as to avoid long-term preventive detention and ban extrajudicial executions (France);**
- 122.40 **Take effective measures to prevent arbitrary killings by police forces and to bring those found guilty of such actions to justice (Germany);**
- 122.41 **Strengthen efforts to prevent the use of torture, especially in law enforcement (Indonesia);**
- 122.42 **Investigate allegations of torture and prosecute the perpetrators (Iraq);**
- 122.43 **Adopt measures to tackle the phenomenon of extrajudicial executions, and ensuring that perpetrators are brought to justice (Italy);**
- 122.44 **Strengthen efforts to improve conditions in the penitentiary system, by addressing the problem of prison overcrowding, and amend the Criminal Procedural Code with the aim of reducing the duration of pre-trial detention (Italy);**
- 122.45 **Continue efforts to combat torture, both in law and practice, and launch awareness and training programs for police and security agencies (Lebanon);**
- 122.46 **Review the applicable national legislation to guarantee the inclusion of sanctions against ill-treatment, the removal of the statute of limitations on acts of torture, and the inadmissibility as evidence before the courts of confessions obtained under duress or torture (Mexico);**
- 122.47 **Rehabilitate detention centers and streamline judicial proceedings, in particular with regard to the enforcement of court decisions (Senegal);**
- 122.48 **Guarantee the independence of the judiciary, continue its efforts to establish an accessible and efficient system of justice, provided with resources, and limit the competence of the traditional justice (dina courts), ensuring the conformity of its decisions with international human rights standards (Spain);**
- 122.49 **Limit the use of pre-trial detention, by establishing reasonable terms and applying alternatives to pre-trial detention (Spain);**
- 122.50 **Limit the length of pre-trial detention, in law and practice, in conformity with international standards (Switzerland);**
- 122.51 **Integrate measures to identify and combat abusive pre-trial detention into national action plans on prison reform (United Kingdom of Great Britain and Northern Ireland);**
- 122.52 **Immediately end the pervasive practice of lengthy pre-trial detention and intensify efforts to provide appropriate nutritional and medical care for those detained (United States of America);**
- 122.53 **Ensure independent and impartial enquiries are conducted into corruption cases, including in natural resource management, in line with the**

National Anti-Corruption Strategy (2015-25) and that those found guilty face sanctions in accordance with the law (Australia);

122.54 **Ensure accountability for cases of excessive use of force by security forces by effectively investigating all allegations, and bring suspected perpetrators to justice in fair trials that meet international standards (Netherlands);**

122.55 **Strengthen efforts in the fight against corruption (Central African Republic);**

122.56 **Work towards the full implementation of the ten-year National Anti-Corruption Strategy for 2015–2025 (Israel);**

122.57 **Continue efforts to guarantee the independence and effectiveness of the judiciary (Peru);**

122.58 **Continue measures for engaging in dialogue with civil society organizations (Azerbaijan);**

122.59 **Take measures to ensure that all individuals and political parties may fully enjoy the rights to peaceful assembly and freedom of association, and ensure that any restrictions on the exercise of these rights are in accordance with the conditions set forth in the International Covenant on Civil and Political Rights (Luxembourg);**

122.60 **Allocate sufficient funds and resources to effectively implement the National Action Plan on Trafficking in Persons and ensure the effective functioning of the National Office to combat human trafficking (Seychelles);**

122.61 **Guarantee access for all victims of trafficking in persons to legal, psychological, medical and social assistance and to shelters and reparation, regardless of their status (Uganda);**

122.62 **Strengthen existing legislation to ensure that all forms of modern slavery and human trafficking are criminalised in line with international conventions and standards, including the sexual exploitation of children (United Kingdom of Great Britain and Northern Ireland);**

122.63 **Redouble efforts to combat human trafficking (Congo);**

122.64 **Extend beyond 2019 the National Action Plan on trafficking in persons, and continue strengthening the actions of prevention, confrontation and prosecution of those responsible, as well as protection for the victims of this crime (Cuba);**

122.65 **Continue efforts to combat human trafficking (Egypt);**

122.66 **Implement the National Plan to Combat Human Trafficking and enforce legislation to strengthen the protection of migrant workers and prevent situations of slavery and trafficking faced by female migrant workers (Germany);**

122.67 **Further develop its international outreach in the context of the fight against human trafficking and forced labour (Israel);**

122.68 **Continue efforts to combat human trafficking and consider renewing the implementation of the national plan to combat human trafficking 2015–2019 (Lebanon);**

122.69 **Continue efforts in training and capacity-building programs for duty bearers on anti-human trafficking (Philippines);**

122.70 **Finalize the drafting of the second generation of the Decent Work Country Program, as well as its implementation (Gabon);**

122.71 **Provide for the implementation of the National Social Protection Strategy for 2019–2023(Russian Federation);**

- 122.72 Provide adequate financial resources for the effective implementation of the National Social Protection Policy (Namibia);
- 122.73 Consider to seek financial and capacity building assistance to eradicate poverty (United Republic of Tanzania);
- 122.74 Continue developing the 13 strategic axes of the General State Policy within the framework of the fight against poverty (Bolivarian Republic of Venezuela);
- 122.75 Take further measures to sustain and reinforce food security (Viet Nam);
- 122.76 Continue to implement poverty reduction policies with focus on reducing income inequality (Viet Nam);
- 122.77 Ensure access to safe drinking water and adequate sanitation for its population, particularly for the rural community, women and disabled people (Bangladesh);
- 122.78 Continue to promote sustainable economic and social development, advance poverty alleviation and improve people's living standards (China);
- 122.79 Do not relent in its poverty alleviation efforts, with a view to improving the general well-being of its people (Nigeria);
- 122.80 Strengthen the water, sanitation and hygiene sector plan, taking into account vulnerable groups and adopting a gender and equity approach (India);
- 122.81 Enhance bilateral and trilateral cooperation in improving access to food, water, health care and education (Indonesia);
- 122.82 Eliminate poverty by the exercise of the right to development, including through sustained economic growth, investment, and creating new job opportunity (Islamic Republic of Iran);
- 122.83 Intensify its efforts to improve access to drinking water and sanitation (Islamic Republic of Iran);
- 122.84 Further enhance activities aimed at giving effect to the right of access to health (Azerbaijan);
- 122.85 Continue strengthening the implementation of the National Strategy for Universal Health Coverage adopted in 2015, in order to guarantee quality healthcare services to the entire population, regardless of their economic or social situation (Cuba);
- 122.86 Continue its efforts to fight malaria and other related infectious diseases (Islamic Republic of Iran);
- 122.87 Support strategies aimed at developing the health sector and providing health care for all (Libya);
- 122.88 Increase the annual budget allocations for education section in order to guarantee free education in primary and secondary schools for all Madagascar's children and take action to decrease early school drop-out rate (United Republic of Tanzania);
- 122.89 Make efforts to fully implement the principle enshrined in the Constitution regarding free primary education for all children in the country (Uruguay);
- 122.90 Take new measures to provide for an inclusive and quality education (Armenia);
- 122.91 Accelerate efforts to reach the objectives on inclusive education in the national sector plan, especially with regard to children with disabilities and children in geographically isolated areas (Norway);

- 122.92 Continue efforts to achieve equal access to education for all (Libya);
- 122.93 Redouble efforts regarding access to education for children in rural areas, as well as access to an adequate health service for vulnerable sections of the population, in particular women, children, older people and persons with disabilities (Mauritius);
- 122.94 Strengthen measures to encourage women's participation in public affairs and representation in decision-making levels (Myanmar);
- 122.95 Step up efforts to implement the national strategy to fight against gender-based violence (Myanmar);
- 122.96 Continue measures to ensure woman and girl victims of violence have access to justice and provide adequate protection (Myanmar);
- 122.97 Continue its efforts to broaden the economic rights and opportunities of women (Russian Federation);
- 122.98 Strengthen measures to combat discrimination and violence against women including through the implementation of relevant laws, eliminating any loopholes in national legislation that might undermine the protection of women's rights and addressing discriminatory stereotypes that affect women (Rwanda);
- 122.99 Enact legislation to criminalize all acts of violence against women, specifically criminalizing domestic violence and all forms of sexual abuse (Seychelles);
- 122.100 Accelerate the adoption of the specific law on gender-based violence that will also define marital rape as a criminal offence (Slovenia);
- 122.101 Continue its efforts to combat discrimination and all forms of violence against women (Tunisia);
- 122.102 Adopt legislation to criminalize all acts of violence against women, specifically domestic violence, including marital rape, child and/or forced marriage and all forms of sexual abuse (Ukraine);
- 122.103 Ensure the equal rights of women and men in all matters relating to marriage and family relations (Ukraine);
- 122.104 Take further measures aimed to combat and eliminate violence against women and girls, in particular sexual violence and sexual and labour exploitation (Uruguay);
- 122.105 Continue moving towards the adoption of a specific law on gender violence which strengthens the "zero tolerance" culture and on the development of mechanisms of prevention and attention to victims of such violence (Bolivarian Republic of Venezuela);
- 122.106 Continue to strengthen measures aimed at eliminating discrimination against women and tackling gender-based violence (Nepal);
- 122.107 Adopt legislation to criminalize all acts of violence against women, specifically domestic violence (Zambia);
- 122.108 Ensure incorporation of the perspective of the empowerment of rural women into the initiatives taken to prepare adaptation to climate change and to mitigate its consequences (Algeria);
- 122.109 Gradually implement measures to ensure better representation of women in public affairs, aiming at achieving gender parity (Angola);
- 122.110 Deepen measures aimed at combating traditional stereotypes and gender inequality, in particular through investigating and punishing cases of violence as well as child marriage (Argentina);

- 122.111 Continue its efforts to promote gender equality, and continue to take the necessary measures to protect the rights of women in law and practice (Armenia);
- 122.112 Enact legislation to criminalise all aspects of gender based violence including marital rape, in line with the Convention on the Elimination of All Forms of Discrimination against Women (Australia);
- 122.113 Strengthen the fight against all acts of violence against women, such as domestic violence, marital rape, and all forms of sexual abuse, including through penal legislative reforms (Brazil);
- 122.114 Adopt the specific law on the fight against gender-based violence (Burkina Faso);
- 122.115 Ensure that women and girls who are victims of violence have access to effective remedies and that the perpetrators of such acts are prosecuted and convicted (Burkina Faso);
- 122.116 Allocate adequate resources and implement the bill on fighting gender-based violence (Canada);
- 122.117 Ensure that all women and girls have access to information, services and education on sexual and reproductive health, including comprehensive sexuality education (Canada);
- 122.118 Pass laws to criminalize all acts of violence against women and take actions to ensure the protection of the rights of women in all fields, including through the elimination of the wage gap (Costa Rica);
- 122.119 Strengthen mechanisms for preventing and combating domestic violence in order to protect victims and provide them with justice and rehabilitation as well as all other forms of assistance (Djibouti);
- 122.120 Pursue the policy of eliminating inequalities between men and women by taking the necessary measures to increase the participation of women in political, economic and social life (Djibouti);
- 122.121 Pursue efforts to reinforce women's participation in political life (Egypt);
- 122.122 Give special attention to the rights of women living in rural areas (Gabon);
- 122.123 Ensure the equal rights of women and men in all matters. Adopt legislation to criminalize all acts of violence against women and enforce legislation aimed at eliminating discrimination against women (Germany);
- 122.124 Approve the proposed bill to combat gender-based violence, and ensure adequate resources for its implementation, including effective handling of marital rape as a criminal offence (Norway);
- 122.125 Continue its efforts to ensure gender equality, gender neutral policies, child rights related to access to education, health and social services (India);
- 122.126 Adopt the draft bill on gender-based violence establishing marital rape as a criminal offence, in line with recommendations of the Committee on the Elimination of All Forms of Discrimination against Women (Ireland);
- 122.127 Increase its efforts to empower women both in the economic and public spheres, and enhance women's representation in public offices (Israel);
- 122.128 Increase access for women and girls to basic health care services, giving priority to rural areas (Peru);
- 122.129 Continue ongoing efforts to combat violence against women (Libya);

- 122.130 **Repeal all discriminatory provisions against women in the public and private spheres, as well as with regards to economic autonomy, including those contained in nationality, inheritance and marriage legislation (Luxembourg);**
- 122.131 **Ensure compliance with existing legislation to eliminate discrimination against women (Luxembourg);**
- 122.132 **Adopt the specific draft bill on combatting gender-based violence, whose process began in 2018 (Mali);**
- 122.133 **Encourage the participation of women in the economic life of the country and provide them with the means for their empowerment so that they may contribute to its socio-economic development (Mauritius);**
- 122.134 **Reduce maternal mortality by increasing the access of women and girls to basic health-care services, and ensure sufficient resources to promote and protect women's and girls' reproductive health (Montenegro);**
- 122.135 **Continue enhancing measures and programs to strengthen the protection of women and girls from gender-based violence (Philippines);**
- 122.136 **Continue making efforts to promote the rights of children (Sudan);**
- 122.137 **Continue its efforts to protect the rights of children (Tunisia);**
- 122.138 **Intensify efforts to abolish child labour and combat all forms of exploitation of children (Nepal);**
- 122.139 **Adopt a specific national action plan to combat the sexual exploitation of children that takes into account all forms of sexual exploitation (Zambia);**
- 122.140 **Take practical steps, including through legislative measures, to put an end to corporal punishment in all settings (Zambia);**
- 122.141 **Intensify its efforts to ensure the progressive elimination of child labour, and take measures to raise the age of completion of compulsory education in a manner to align it with the minimum age of admission to employment (Algeria);**
- 122.142 **Take effective measures to ensure the implementation of the 2018–2024 National Strategy to Combat Child Marriages as a means of eradicating the high incidents of child marriages (Botswana);**
- 122.143 **Adopt laws prohibiting corporal punishment of children and redouble efforts against child, early and forced marriages (Brazil);**
- 122.144 **Allocate dedicated resources to projects to combat child marriage, and conduct public awareness raising campaigns in collaboration with religious and traditional authorities and civil society (Canada);**
- 122.145 **Continue efforts for the progressive elimination of child labor (Central African Republic);**
- 122.146 **Approve a national action plan to combat the sexual exploitation of children and adolescents, including preventive measures that contribute to raise the visibility of the problem and provide effective assistance to victims (Chile);**
- 122.147 **Fight effectively against child labor (Congo);**
- 122.148 **Intensify awareness campaigns and finalize the Bill regarding the rejection of twin children (Congo);**
- 122.149 **Take all necessary measures to combat child and forced marriages while addressing their root causes (Croatia);**
- 122.150 **Continue efforts to strengthen the rights of children (Egypt);**
- 122.151 **Continue the implementation of a strategic plan as aligned with the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics Systems (Ethiopia);**

- 122.152 **Implement and continue to strengthen initiatives aimed at preventing and protecting against child labour and child sexual exploitation (Fiji);**
- 122.153 **Continue its efforts to combat child labour in the vanilla production sector, by ensuring the enforceability of the legislation prohibiting child labour (Gabon);**
- 122.154 **Further implement vigorous measures against molestry and child marriages (Georgia);**
- 122.155 **Implement existing legislative and policy frameworks on child labour and child, early and forced marriage, respectively, and develop a national strategy to combat all forms of child sexual exploitation (Ireland);**
- 122.156 **Adopt all necessary measures, including awareness-raising campaigns, to prevent and combat child early and forced marriage (Italy);**
- 122.157 **Strengthen measures so that birth registration is universal, free and accessible to the entire population, including the daughters and sons of Malagasy migrant workers abroad and of foreign workers in Madagascar (Mexico);**
- 122.158 **Redouble efforts in the fight against child labor (Mozambique);**
- 122.159 **Further intensify awareness-raising activities on human rights especially for children and youth (Philippines);**
- 122.160 **Intensify efforts to ensure the progressive elimination of child labour (Timor-Leste);**
- 122.161 **Take further measures to prevent child sex tourism in the country (Timor-Leste);**
- 122.162 **Enforce legal standards to protect the rights of all migrant workers and take necessary measures against networks of traffickers (Bangladesh);**
- 122.163 **Prosecute employers who exploit migrant workers (Central African Republic).**

123. The following recommendations will be examined by Madagascar, which will provide responses in due time, but no later than the forty-third session of the Human Rights Council.

- 123.1 **Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Rwanda); (Armenia); (Montenegro);**
- 123.2 **Accede to the Protocol relating to the Status of Refugees of 1967 (Namibia);**
- 123.3 **Ratify the UN Conventions on Statelessness (Namibia);**
- 123.4 **Accede to the Convention on the Reduction of Statelessness (Ukraine);**
- 123.5 **Ratify the Protocol relating to the Status of Refugees (Ukraine);**
- 123.6 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 123.7 **Continue its commitment to ratify international treaties (Armenia);**
- 123.8 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities establishing the individual communications procedure and the inquiry procedure (Bangladesh);**
- 123.9 **Consider ratifying the Protocol Relating to the Status of Refugees and acceding to the Convention on the Reduction of Statelessness (Côte d'Ivoire);**
- 123.10 **Consider the possibility of ratifying the conventions it had already signed, in particular the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention for the Protection**

of All Persons from Enforced Disappearance, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Niger);

123.11 Take measures to continue the decentralization of the country (Germany);

123.12 Consider enacting a comprehensive legislation that provides full and effective protection against discrimination in all forms, and which contains a comprehensive list of prohibited offences that constitute grounds of discrimination (Ghana);

123.13 Launch a transparent, independent investigation into allegations of arbitrary or unlawful killings of criminal suspects by the security forces, especially during operations to combat cattle rustling (United States of America);

123.14 Create an independent mechanism to investigate reports of acts of torture and ill-treatment committed by members of the police and security forces (Costa Rica);

123.15 Implement a national reconciliation policy to combat impunity (Senegal);

123.16 Strengthen, through financial and human resources, the Independent Anti-Corruption Bureau (BIANCO) and the Financial Intelligence Unit (SAMIFIN), in order to fight more effectively against corruption in the country (Haiti);

123.17 Cease the harassment, arbitrary detention and intimidation of human rights defenders exercising their right to freedom of expression, including environmental activists (United States of America);

123.18 Enhance the freedom of expression by amending all restrictive provisions of the Law on Communication and the Cyber Crimes Law, and to align these laws with the constitutional provisions and international human rights standards (Netherlands);

123.19 Ensure that laws on libel, contempt and slander fully respect the right to freedom of expression (Canada);

123.20 Repeal the offense of insulting public officials (Canada);

123.21 Revise the legislation related to the activities of the press and communication media to strictly comply with the provisions of article 19 of the International Covenant on Civil and Political Rights (Chile);

123.22 Take all the necessary measures to release all persons detained exclusively for exercising their right to expression, opinion, association and assembly (France);

123.23 Continue to enact and fully implement legislations that seek to promote and protect the rights to freedom of expression and religion (Ghana);

123.24 Amend legislation which unduly restricts freedom of expression in line with international and regional human rights law, including by decriminalizing defamation and abolishing insult laws (Iceland);

123.25 Decriminalize defamation and insult, and amend provisions related to these issues to ensure they are better in line with international standards on freedom of expression (Luxembourg);

123.26 Amend the Penal Code to decriminalize and eliminate all punitive measures related to termination of pregnancies in cases of rape, incest, severe foetal impairment and situations where the life of the mother is at risk (Denmark);

123.27 Ensure all women and girls can access sexual and reproductive health information, services and commodities, including emergency contraception and

other modern methods of contraception, as well as comprehensive sexuality education both in and out of school (Iceland);

123.28 Ensure equitable, gender sensitive and functional access to early diagnosis and high quality treatment, as well as rehabilitation and reasonable accommodation for persons affected by leprosy-related physical impairments and disability (Portugal);

123.29 Strengthen the rights of girls and women through combatting early marriage, providing assistance for school attendance and legalizing abortion in all circumstances. Ensure that women and girls who resort to abortion, as well as doctors who perform them, are not subject to criminal sanctions (France).

124. The recommendations formulated during the interactive dialogue/listed below have been examined by Madagascar and have been noted by Madagascar:

124.1 Ratify the Optional Protocol to the Convention of the Rights of the Child on a communication procedure (Ukraine);

124.2 Improve resourcing available to bodies protecting the human rights of women, children and minorities, including LGBTI persons (Australia);

124.3 Adopt comprehensive legislation to combat racism and discrimination, which includes a definition of discrimination based on sexual orientation and gender identity (Chile);

124.4 Adopt comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity (Iceland);

124.5 Decriminalize abortion in all circumstances and remove legal, administrative and practical barriers to accessing safe and legal abortion services (Iceland);

124.6 Continue the important reform of its nationality law in order to address the gender-discriminatory provisions that persist, which deny Malagasy women the ability to confer nationality to a non-national spouse upon marriage on an equal basis with Malagasy men (Portugal);

124.7 Take the necessary measures to provide psycho-social assistance to child soldiers with a view to their social reintegration (Senegal);

124.8 Make efforts to accelerate the process of national reconciliation and ensure the demobilization and treatment of minors in armed conflict as victims (Costa Rica);

124.9 Take all steps necessary to make appropriate assistance available to children who had been involved in armed conflict, including aiding their physical and psychological recovery and their social reintegration (Timor-Leste);

124.10 Recognize the legal personality of the Fokolonona indigenous peoples, as provided for in the preamble of the Constitution (Peru);

124.11 Take all measures likely to reduce the rate of stateless persons among the population, regardless of their ethnic or religious origin (Switzerland).

125. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of Madagascar was headed by H.E. Mr. Jacques Randrianasolo, Minister of Justice of the Republic of Madagascar, and comprised the following members:

- Madame ROBLINE, Secrétaire Général Du Sénat;
- Madame RABY SAVATSARAHANA Ain'Harimanga Gabrielle, Directeur De Cabinet Du Ministre De La Justice;
- Madame SAHONDRARIMALALA Marie Michelle, Directeur Des Etudes Juridiques - Présidence De Madagascar;
- Madame RANDRIANASOAVINIRINA Lazambola Fleurisse, Chef Du Service Des Etudes Juridiques – Sénat;
- Monsieur FIDIMANANTSOA Rakotomalala Andrianirina, Secrétaire Rédacteur - Assemblée Nationale;
- Madame BELALAHY Hanitriniaina, Directeur Des Droits Humains Et Des Relations Internationales - Ministère De La Justice;
- Monsieur TOMBOHAVANA Fabien, Chef Du Service Des Droits De L'Homme - Ministère De La Justice;
- Madame RAKOTOARISOA Mboahangy Fanambinana, Chef Du Service De La Normalisation Et De L'Humanisation Des Conditions De La Détention Ministère De La Justice;
- Madame RANDRIAMBELO Mandimbin'ny Aina Mbolanoro, Directeur De L'Ecole Nationale Supérieure De La Police - Ministère De La Sécurité Publique;
- Monsieur ANDRIAMIANDRA Nivoherifidy, Chef Du Service Central De La Police Des Mœurs Et De La Protection Des Mineurs Ministère De La Sécurité Publique;
- Monsieur RAZAINDRAVONONA Georges Evariste, Contrôleur Général De Police - Ministère De La Sécurité Publique;
- Monsieur RANDRIATIANARISOA Fenitra
- Directeur De La Migration Professionnelle, Ministère Du Travail, De La Fonction Publique, De L'Emploi Et Des Lois Sociales;
- Monsieur RANDRIANIRAINY Heriniaina Arsène, Directeur De L'Institut National De Travail, Ministère Du Travail, De La Fonction Publique, De L'Emploi Et Des Lois Sociales;
- Madame RAVELOSON Julie Anna, Chef De Département - Ministère De L'Education Nationale Et De L'Enseignement Technique ,
- Monsieur FANAHEMANANA Hubert Tiaray, Directeur Général De La Communication - Ministère De La Communication Et De La Culture;
- Monsieur RABEHASOANA Andrianarivo, Général De Division Secrétaire d'Etat Auprès Du Ministère De La Défense Nationale Chargé De La Gendarmerie;
- Madame ANDRIAMIFIDY Hobinirina Nomenjanahary, Chef De Division Auprès Du Service Des Droits De L'Homme Et Des Affaires Humanitaires Ministère Des Affaires Etrangères;
- Monsieur KOLA Emi – Haulain, Chargé d'Affaires Ai - Mission Permanente De Madagascar À Genève;
- Madame RAZAFINDRAVAO Tatiana Eddie, Premier Conseiller - Mission Permanente De Madagascar À Genève;

- Monsieur RAZAFINDRANGATO Rivo Nantenaina, Conseiller - Mission Permanente De Madagascar À Genève;
- Madame BODOSOA Eulalie Yvette, Premier Secrétaire En Charge Des Questions Des Droits De l'Homme Mission Permanente De Madagascar À Genève.
