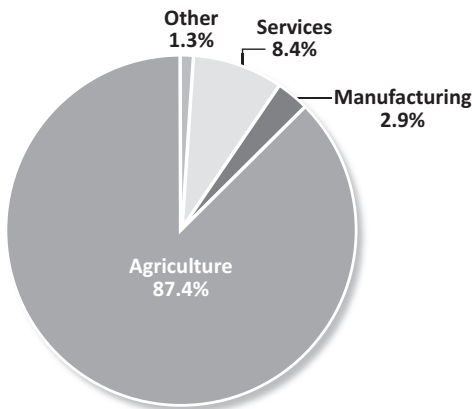


In 2012, Madagascar made a minimal advancement in efforts to eliminate the worst forms of child labor. The de facto government conducted child trafficking related investigations and participated in UN and World Bank-funded education and livelihoods programs. However, some of the labor positions within the de facto government remained vacant, and most of the child labor policies and laws from the previous administration were not implemented. Children continue to engage in the worst forms of child labor, particularly in hazardous forms of agriculture and mining.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	22.1 (1,206,992)
Attending School	5-14 yrs.	69.1
Combining Work and School	7-14 yrs.	15.4
Primary Completion Rate		72.5

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from SIMPOC Survey, 2007.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Madagascar are engaged in the worst forms of child labor, including hazardous activities in agriculture and mining. (3, 4) In Madagascar, children produce a variety of agricultural products. While the extent of the problem is unknown, evidence suggests that children as young as age 8 are involved in the production of grapes, wine, tea, cocoa, and cotton.(5, 6) Although information is limited, there are



reports that children are also found working in the vanilla sector, hand-pollinating flowers and also working in the triage and drying process for 7 to 8 hours a day. Limited evidence also suggests that children are engaged in cutting and planting sisal (an agave plant with sharp edges commonly used to produce rope) in the district of Amboasary.(5-10) Although information is limited, there are reports that children are engaged in the production of copra (dried meat of the coconut) in Sambava and Toamasina.(5, 6) In addition, some children reportedly labor in the tea industry, working with fertilizer or carrying up to 50 kilograms of weight on their backs.(5, 6, 11) Risks for children engaged in agriculture include using dangerous tools, carrying heavy loads, and applying hazardous pesticides.(3, 12, 13)

Although information is limited, there are reports that children herd cattle and sheep, working long hours and risking exposure to environmental elements.(11, 14) Limited evidence suggests that children in coastal areas are engaged in fishing, including for crabs, sea cucumbers, shrimp, and oysters.(5, 10, 11, 15) Some children also perform deep-sea diving. Children engaged in the fishing sector may be at risk of drowning and excessive sun exposure.(6, 15) Although information is limited, there are some reports that some children make charcoal, risking injury from burning wood and carrying heavy loads.(11, 14)

Children in various regions are involved in hazardous gemstone mining, including mining for sapphires.(15) These children

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are at risk of suffocation and death during mine cave-ins and landslides. Although information is limited, there are reports that children engaged in salt mining risk respiratory illness and exposure to high temperatures, and may carry heavy loads. A growing number of children (some as young as age 7) are involved in gold mining in the regions of Analamanga, Vakinankaratra, and Anosy. These children work 10 hours per day and earn no more than \$14 per week.(8, 11, 16, 17) In stone quarries, children work long hours crushing rocks to produce building materials, and they endure physical and verbal abuse.(14, 18, 19)

In the urban informal sector, children work in bars, sell goods on the street, and transport goods by rickshaw.(4, 15, 20) Children are also reportedly involved in transporting bricks to trucks or construction sites.(5) Such children commonly carry heavy loads. There are also an unknown number of street children who guard vehicles and fetch water for restaurants. Such activities may include carrying heavy loads and exposure to criminal elements.(21) Limited reports suggest that children are forced to beg by relatives in order to earn an income for the family, and some are subjected to violence.(22)

Malagasy children engaged in domestic service commonly work in Antananarivo or Antsirabe and are between the ages of 9 and 12. These children work an average of 12 hours per day, with some working as much as 18 hours per day. Many children receive little to no payment or even in-kind compensation (such as room and board) for their work.(10, 14, 15, 23-28) These children are sometimes exposed to hazardous activities, such as carrying heavy loads, as well as to sexual and psychological abuse from their employers.(14, 15, 23-26)

A growing number of children in Madagascar's coastal cities and in Antananarivo are engaged in commercial sexual exploitation to survive and to pay for school fees.(10, 15, 29-32) Children, mostly girls, are exploited in sex tourism. Children are often recruited for commercial sexual exploitation through fraudulent offers of employment in the service industry and are subject to physical and psychological abuse.(29, 33)

Madagascar is a source country for domestic and international trafficking in persons.(29, 33) Reportedly, Malagasy children are mostly trafficked domestically from rural to urban areas for forced labor in sectors such as commercial sexual exploitation, domestic service, mines, fishing, and agriculture.(29) The majority of child trafficking involves recruitment by acquaintances, transport operators, tour guides, and hotel workers, as well as complacent family members.(29, 33)

Reports indicate that ongoing political and economic instability since the 2009 coup and subsequent droughts and cyclones have caused an increase in unemployment, inflation, and poverty.(10, 26, 29, 34-42) These problems appear to have contributed to a decrease in school enrollment and an increase in the worst forms of child labor, particularly in commercial sexual exploitation of girls. Furthermore, the lack of school infrastructure (especially in rural areas) and vocational and technical training opportunities are significant barriers to children's education in Madagascar.

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for work and apprenticeships at 15.(43) The Decree also permits children age 14 to work if authorized by a labor inspector and compulsory schooling is completed.(15)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	14
	Free Public Education	Yes

The Labor Code prohibits children under age 18 from employment that is immoral or hazardous, and several other laws also restrict children's work.(43) Decree N2007-563 permits children between ages 15 and 17 to perform light work if the work does not exceed their strength, is not hazardous, and does not interfere with their health or physical, mental, spiritual, moral, and social development.(48) Both the Decree and the Labor Code prohibit children under age 18 from

working at night. The Decree further stipulates the maximum weight a child can carry, by gender (i.e., 10 kg for girls and 20 kg for boys). Decree N2007-563 also prohibits children from working near toxic materials and pesticides, as domestic servants, or in bars, discos, casinos, mines, or quarries.

Decree N2007-563 criminalizes commercial sexual exploitation of children, including the use of children to produce and disseminate pornographic materials, the trafficking of children, and the use of children in illicit activities (e.g., trafficking drugs).(48) The Penal Code allows for the extradition of Malagasy nationals and persons charged with trafficking in other countries.(49) Forced labor, including slavery and debt bondage, is prohibited in Madagascar under both the Labor Code and Decree N2007-563.(43, 48)

Ordinance No. 78-002 of 1978 defines national service as the compulsory participation of young Malagasy in national defense and in the economic and social development of the country.(50, 51) However, the law also defines the minimum age for compulsory military service in the Malagasy army as 18 and prohibits engagement of children in armed conflict.(52, 53)

The Constitution provides for free and compulsory primary education until age 14.(15, 44-46) The gap between the compulsory education age and the minimum age to work leaves children ages 14 to 15 particularly vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work either. In practice, a growing number of families have to pay registration and other school fees, as the de facto government has decreased its school subsidies since the 2009 coup.(10, 27, 38, 47)

Institutional Mechanisms for Coordination and Enforcement

Political instability since the 2009 coup continued to hamper efforts to coordinate and enforce laws that protect children from the worst forms of child labor.(37, 54, 55) Shortly after the coup, many public servants and labor inspectors were relieved of their positions, and some still have not been replaced.(33)

The National Committee to Fight Child Labor (CNLTE) is an inter-ministerial committee led by the Ministry of Civil Services and Labor, with representatives from the Ministries of Education, Health, and Justice.(5) The CNLTE coordinates programs, provides input on legislation and regulations on child labor, and is charged with monitoring and pursuing the implementation of the National Action Plan to Fight Child Labor.(5) The Division for the Prevention, Abolition, and

Monitoring of Child Labor within the Ministry of Civil Service and Labor supports the CNLTE by coordinating, monitoring, and evaluating framework activities designed to combat child labor. The Division also conducts research and development activities to combat child labor.(5) However, research indicates that CNLTE efforts to coordinate on child labor issues were minimal during the reporting period, as it operated on a small budget.(10, 33)

The National Statistics Institute is responsible for collecting and processing data for monitoring the implementation of the Convention on the Rights of the Child.(56) In addition, the Ministry of Population and Social Affairs (with support from UNICEF) is responsible for maintaining child protection databases at the regional and local levels, including data on the incidence of child labor.(56) The extent of the current de facto government's efforts to collect, compile, and share data is unknown.

Prior to the 2009 coup, anti-trafficking efforts in Madagascar were coordinated by the President's Inter-Ministerial Anti-Trafficking Committee, with members from 11 other ministries, as well as the police and the *gendarmerie* (a military body charged with police duties among civilian populations).(57) However, under the current de facto government in Madagascar, the Anti-Trafficking Committee has been operating informally without a budget, and lack of coordination between the agencies remains an issue.

The Ministry of Civil Services and Labor is charged with conducting workplace inspections and enforcing child labor laws.(15, 58) The Ministry of Civil Services and Labor has approximately 90 labor inspectors.(10) Research indicates that no child labor inspections were performed during the reporting period, and the number of labor complaints is unknown, as the de facto government did not make this information available. Insufficient staffing, equipment, transportation, and funding hampered inspection, monitoring, and enforcement efforts.(10, 15, 29, 54, 59, 60)

The Ministry of Justice is charged with enforcing all laws pertaining to violence against children, including trafficking and commercial sexual exploitation of children.(10) The Morals and Minors Brigade of the National Police Force oversees investigations related to minors, including issues of trafficking and commercial sexual exploitation of children.(57) Aside from its headquarters in Antananarivo, the Morals and Minors Brigade has 15 regional units across Madagascar who are responsible for investigating criminal cases involving children.(10, 21) The Brigade continues to operate a hotline and work with other agencies, NGOs, and international

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organizations to organize assistance for victims.(33, 57) However, reports indicate that the de facto government made limited efforts to refer cases of child exploitation to the very few service providers.(15, 29) In addition, the Brigade's anti-trafficking database remains dormant due to a lack of funding and the reassignment of key personnel.(33)

The Brigade reports having investigated 70 cases related to trafficking and exploitative child labor offenses in Antananarivo during the reporting period.(10) The Brigade notes that it reported about 30 of these cases to the Justice Department for prosecution. However, these statistics are not fully verifiable, and no additional information was available as of February 2013.(10)

Government Policies on the Worst Forms of Child Labor

The previous Malagasy Government had adopted the 2007-2012 Madagascar Action Plan (MAP), which expressly includes the objective of fighting child labor and trafficking. It had also adopted the 2004-2019 National Action Plan to Eliminate the Worst Forms of Child Labor (NAP), which includes anti-trafficking and anti-commercial sexual exploitation initiatives. Since the coup, the de facto government has not fully recognized or sufficiently implemented much of the previous Government's policies on the worst forms of child labor.(14, 29, 37, 54, 61)

Child labor concerns were also incorporated by the previous Government into national development agendas and key documents, such as the Education for All Program, the 2008-2013 Decent Work Program, Madagascar's 2007-2012 Poverty Reduction Strategy Paper, and the 2008-2011 United Nations Development Assistance Framework.(62, 64, 65) Evidence suggests that the de facto government has not fully recognized or sufficiently implemented these poverty reduction, education, and development policies.(33, 55)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

In September 2011, Malagasy political stakeholders signed the Southern African Development Community's (SADC) Roadmap for Ending the Crisis in Madagascar, which outlines steps toward free and fair elections.(10, 66-69) During the reporting period, Madagascar's National Independent Electoral Commission for the Transition (CENI-T) and the United Nations scheduled elections for July and September 2013.(70-72) Much of the donor funding for social programs in Madagascar remained suspended during the reporting period due to the political situation.

The current de facto government continued limited participation in the World Bank-funded, \$119 million Rural Development Project that aimed to improve productive investments in household livelihoods and food production, as well as in agriculture development.(73) Ending in December 2012, the Project targeted 90,000 beneficiaries, though research did not find information on actual results.(73) In addition, the government participated in a WFP project that continued to provide food support to 131 schools in the three regions of Atsimo Andrefana, Androy, and Anosy, covering 63,967 students.(73) The de facto government also participated in a childbirth registration campaign, with funding from UNICEF.(15)

During the reporting period, the International Fund for Agricultural Development committed a loan of \$33 million and a grant of an additional \$2 million to the de facto government to finance the Vocational Training and Agricultural Productivity Improvement Program (FORMAPROD).(74) In addition, the de facto government participated in projects funded by UNICEF to construct 650 temporary education facilities in regions hit by cyclones.(75) UNICEF also provided basic education, health, and social services to children throughout the country.(76) During the year, the de facto government funded an education project that provided disabled children with specialized education services and trained 400 teachers to address their needs.(77) The impact of these education, agriculture, and social programs on child labor is unknown.

During the reporting period, the de facto government continued to operate the state-funded Manjorisoa Center, which provides support and services to child laborers in the capital. In addition to staff, the de facto government provides \$6,700 annually to the center.(10) However, reports suggest that this funding amount is insufficient to meet the total need.(10, 33) The Ministry of Population and Social Affairs, in collaboration with UNICEF, supported approximately 450 multi-sector networks covering 55 districts in 11 regions throughout the country to protect children from abuse and exploitation; however, it is unclear how many specific child labor-related cases were addressed during the reporting period.(21) The de facto government also participated in some awareness raising campaigns, including on child sex tourism.(10)

The de facto government continued to take part in the Regional Program for Eastern Africa to increase coordination in combating human trafficking.(78) Government officials also participated in activities to raise awareness of child sex trafficking, including films, radio broadcasts, posters, and

other materials, with support from NGOs, ILO-IPEC, and UNICEF.(56)

Certain child labor-related humanitarian activities at the local level continued during the reporting period.(10, 79) The USDOL-funded, 4-year, \$4.5 million KILONGA project to combat the worst forms of child labor ended during the reporting period.(79) Among its results, it withdrew or prevented 9,375 children from being engaged in the worst forms of child labor in agriculture, commercial sexual exploitation, domestic service, mining, and quarrying.(79) Also during the reporting period, the de facto government continued to participate in the 4-year, EU-funded Tackling Child Labor through Education (TACKLE) project.(80) This

\$13.5 million project aims to combat child labor through the provision of educational services in Madagascar, along with 10 other countries.(80, 81) The de facto government participated in a regional, \$1 million, French-funded, 3-year (ending in 2014) project that aims to combat child labor in the domestic service sector.(10)

During the reporting period, the de facto government provided limited investment in social programs that protect children.(29, 37, 54, 55) As a result, the scope of existing child labor and anti-trafficking programs is insufficient to address the magnitude of the problem.(10, 29) Furthermore, the question of whether these programs are sustainable has not been addressed.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Madagascar:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Establish a compulsory age for education equivalent to or greater than the minimum age for work.	2009, 2010, 2011, 2012
Coordination and Enforcement	Ensure committees to combat the worst forms of child labor are operational.	2009, 2010, 2011, 2012
	Fully fund activities such as the existing anti-trafficking database.	2009, 2010, 2011, 2012
	Expand efforts to refer cases of child exploitation to service providers.	2011, 2012
	Track and make publicly available information on the results of labor inspections, investigations, and violations.	2009, 2010, 2011, 2012
	Investigate and prosecute child labor and worst forms of child labor violations.	2009, 2010, 2011, 2012
	Implement constitutional provisions that provide for free education.	2011, 2012
Policies	Reinvigorate efforts to implement existing policies, including the MAP and the NAP.	2010, 2011, 2012
	Take steps to implement development, education, and poverty reduction policies.	2011, 2012
Social Programs	Assess the impact of the existing education, agriculture and social programs on addressing child labor.	2010, 2011, 2012
	Increase the scope of child labor and anti-trafficking programs to reach more children at risk of the worst forms of child labor.	2010, 2011, 2012
	Establish and implement a program to address the lack of school infrastructure, which impedes children's access to education.	2011, 2012

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