



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

**Sixth and seventh periodic reports of States parties expected
in 2014**

Madagascar*

[24 January 2014]



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Introduction

In spite of the social and political crisis that has gripped Madagascar since December of 2008, the country has not fallen short of its obligations regarding submission of reports on the implementation of the international human rights instruments that it has ratified.

In this context, Madagascar has drawn up and defended before the relevant treaty bodies its reports on the implementation of:

- The International Covenant on Economic, Social and Cultural Rights, in 2009
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, before the Committee against Torture in 2011
- The Convention on the Rights of the Child in 2012, and also its report to the Human Rights Council under the Universal Periodic Review, in 2010.

The present combined report acting as the 6th and 7th periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women has been drawn up in fulfilment of the commitments established pursuant to article 18 of the Convention and in accordance with the injunctions of the Committee on the Elimination of Discrimination against Women.

With support from UNFPA, UNDP and the Office of the United Nations High Commissioner for Human Rights, two drafting workshops were held, in Mahajanga and Toamasina in 2013, at which the report was prepared by members of the committee in charge of the drafting of initial and periodic reports under international human rights instruments, comprising representatives of:

- The National Institute of Statistics, under the Office of the Deputy Prime Minister, which is responsible for the economy and industry,
- The Ministry of Foreign Affairs,
- The Ministry of Justice,
- The Ministry of Domestic Security,
- The Ministry of Population and Social Affairs,
- The Ministry for Relations with Institutions,
- The Ministry of National Education,
- The Ministry of Public Health,
- The Ministry of Communications,
- The Ministry for the Civil Service, Labour and Social Law,
- The Office of the Secretary of State for the Gendarmerie.

In addition, representatives of civil society at national and regional level who are also members of the drafting committee contributed to the work.

Acronyms and abbreviations

ADM	Maternal death audit
AFD	Agence Française pour le Développement (French Development Agency)
AGDI	African Gender and Development Index
AGOA	African Growth Opportunity Act
AGR	Income-generating activities
AME	Exclusive maternal breastfeeding
Art	Article
ASAMA	Supplementary Educational Action Programme for Malagasy Adolescents
CAE	Credit With Education
CECAM	Mutual savings banks and agricultural credit funds
CECJ	Counselling and Legal Assistance Centre
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CENI-T	Independent National Electoral Commission for the Transition
CEPE	Certificate of Elementary Primary Studies
CES	Special Electoral Court
CNaPS	National Social Security Fund
CNDH	National Human Rights Council
CNIDH	National Independent Human Rights Commission
CNMF	National Microfinance Coordination body
CNTEMAD	National Centre for Distance Learning
CPN	Prenatal consultancy
CSB	Basic Health Care Centre
CST	Higher Transitional Council
CT	Transitional Congress
DEPA	Directorate for Pre-school Education and Literacy
DNA	Deoxyribonucleic acid
DSY	Directorate for Economic Summaries
ECPAT	End Child Prostitution and Trafficking
EDS	Demographic and Health Survey

EPM	Permanent/Periodic Household Survey
EU	European Union
F.	Female
FFKM	Fikambanan'ny Fiangonana Kristiana Malagasy (Ecumenical Council of Malagasy Christian Churches)
FFM	Filankevitra ny Fampihavanana Malagasy (Malagasy Reconciliation Council)
FRAM	Fikambanan'ny Ray aman-drenin'ny Mpianatra (Association of parents of pupils)
GAVI	Global Alliance for Vaccines and Immunization
GDP	Gross domestic product
HCC	High Constitutional Court
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IFAD	International Fund for Agricultural Development
ILO	International Labour Organization
INSTAT	National Institute of Statistics
INSTN	Institute of Nuclear Science and Technology
IST	Higher Institute of Technology
ITN	Insecticide-treated mosquito net
M.	Male
MINFOPTLS	Ministry for the Civil Service, Labour and Social Law
MPAS	Ministry of Population and Social Affairs
ND	No data
NGO	Non-governmental organization
ODA	Official Development Assistance
ODDER	Diocesan Rural Development Fund
OEMC	Office for Mass Education and Civics Teaching
OIF	International Organization of la Francophonie
OIM	Internationale Organization for Migration
OMEF	Malagasy Observatory on the Use of Vocational and Entrepreneurial Training
OTIV	Ombona Tahiry Ifampisamborana Vola
PACEM	Electoral cycle assistance project

PANAGED	Gender and Development National Action Plan
PASSOBA	Programme of Support to the Basic Social Strata in the Health Sector
PIE	Interim Education Plan
PMPM	Anti-Vice and Minors Protection Police
PSNEFO	National Strategic Plan for the Eradication of Obstetric Fistula
RNDH	National Human Development Report
SADC	Southern African Development Community
SAVA	Sambava, Antalaha, Vohémar, Andapa
SCAC	Cooperation and Cultural Action Service
SNFI	National Strategy for Inclusive Financing
SONU	Emergency Obstetric and Neonatal Care
SONUB	Basic Emergency Obstetric and Neonatal Care
SONUC	Comprehensive Emergency Obstetric and Neonatal Care
SPDTS	Professional Association of Qualified Social Workers of Madagascar
SSME	Mother and Child Health Week
STI	Sexually transmitted infection
TIAVO	Tahiry Ifamonjena Amin'ny Vola
TM	Tolon'ny Mpikarama
TPI	Intermittent preventive therapy
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
UNCDF	United Nations Capital Development Fund
UNFPA	United Nations Population Fund
UNHCHR	Office of the United Nations High Commissioner for Human Rights
UNICEF	United Nations Children's Fund
USD	U.S. dollar
Vit.	Vitamin
WHO	World Health Organization

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Part I General information

1. Since the last report was examined in 2008, there have been changes in the demographic, political, economic and social spheres.

A. Characteristics of the population and demographic change

2. The characteristics of the Malagasy population have already been described in the preceding report.

3. According to projections by the National Institute of Statistics (INSTAT), the population of Madagascar which was estimated in 2003 at 16,584,801 increased to 21,263,403 in 2012, with more than 80 per cent living in rural areas.

4. Madagascar has 22 Regions and 119 Districts. The breakdown of the population by Region is shown in the table below.

Table 1
Estimated population of Madagascar by Region, 2012

<i>Regions</i>	<i>Total population</i>
Alaotra Mangoro	999,894
Amoron'i Mania	696,080
Analamanga	3,260,060
Analanjirifo	1,007,703
Androy	714,486
Anosy	654,004
Atsimo Andrefana	1,281,865
Atsimo Atsinanana	874,888
Atsinanana	1,237,010
Betsiboka	285,744
Boeny	778,485
Bongolava	445,249
Diana	681,472
Haute Matsiatra	1,167,408
Ihorombe	304,032
Itasy	713,416
Melaky	281,921
Menabe	576,423
Sava	954,818
Sofia	1,213,994
Vakinankaratra	1,755,524
Vatovavy Fitovinany	1,378,926
Madagascar	21,263,403

Source: INSTAT/Population projection.

5. The population of Madagascar is characterized by a high fertility rate, but a downward trend has been regularly recorded. The average number of live births to a woman by the end of her childbearing years, or total fertility rate, has gone down from 5.2 in 2003-2004 to 4.8 in 2008-2009. Similarly, infant mortality and young child mortality went down by 10 points and 22 points, respectively, between 2003-2004 and 2008-2009 owing to the implementation of a cluster of measures to improve maternal and infant health.

Table 2

Trends in fertility and infant and young child mortality

<i>Years</i>	<i>Total fertility rate</i>	<i>Infant mortality (per 1000 live births)</i>	<i>Young child mortality (per 1000 live births)</i>
2003-2004	5.2	58	94
2008-2009	4.8	48	72

Source: INSTAT/ Madagascar population and health survey, 2003-2004 and 2008-2009.

6. In 2008, life expectancy at birth was 56.2 years.¹
7. The demographic make-up of the non-natives is shown in the appended tables.

B. Political information**1. The crisis**

1. Since the end of 2008, for more than four years, Madagascar has been dealing with a grave social and political crisis.
2. A popular protest movement against the ruling regime resulted in the resignation of Marc RAVALOMANANA, the serving President of the Republic, on 17 March 2009.
3. By Order 2009-001 of 17 March 2009, Marc RAVALOMANANA transferred full powers to a military directorate which in turn transferred them by Order 2009-002 of 17 March 2009 to Andry Nirina RAJOELINA.
4. Order 2009-003 of 17 March 2009 established a High Transitional Authority and suspended Parliament.
5. By its letter 79-HCC/G of 18 March 2009, the High Constitutional Court:
 - took note of these Orders and confirmed the dissolution of Parliament,
 - took note that the post of President of the Republic was vacant,
 - initiated the transfer of powers and the appointment of Andry Nirina RAJOELINA as President of the High Transitional Authority performing the functions of Head of State and the nomination of MONJA Roindefo Zafitsimivalo as the Prime Minister of the Government of the High Transitional Authority.

¹ Source : INSTAT/National Human Development Report (RNDH) 2010.

2. The process of emerging from the crisis

6. In spite of this crisis, Madagascar did not experience any clashes between clans, tribes, ethnicities or races.

7. Several attempts were made to emerge from the crisis, both at national and at international level.

8. At national level, under the aegis of the Ecumenical Council of Malagasy Christian Churches (FFKM) mandated by the international community, mediation efforts were undertaken at the Hintsy hotel, at the Carlton hotel, at the Antanimena episcopal palace and at the embassy of Senegal.

9. At international level, under the aegis of SADC, the African Union, the International Contact Group and the United Nations, agreements for emerging from the crisis were concluded:

- Signing of the Maputo Agreement in Mozambique by Didier RATSIRAKA, Marc RAVALOMANANA, Albert ZAFY, former elected presidents, and Andry Nirina RAJOELINA, President of the High Transitional Authority on 9 August 2009 under the aegis of SADC;
- Signing of the Addis Ababa Additional Act of 6 November 2009.

10. Through these instruments, it was agreed that:

- Andry Nirina RAJOELINA became Transitional President;
- Fetison Rakoto ANDRIANIRINA, from the RAVALOMANANA camp, and Emmanuel RAKOTOVAHINY, from the Albert ZAFY camp, were appointed co-presidents;
- Eugène Régis MANGALAZA of the RATSIRAKA camp was appointed consensus Prime Minister. As he was unable to form a government, Camille Albert VITAL was appointed to replace him.

11. Following the failure of the preceding agreements, under the aegis of SADC and with participation by representatives of the international community, a Road Map for Ending the Crisis was signed by 10 political entities including the RAVALOMANANA and Albert ZAFY camps. Those supporting former President Didier RATSIRAKA did not sign it.

12. Act 2011-014 of 28 December 2011 incorporates this road map into the domestic legal system and describes the various transitional institutions.

3. The transitional institutions provided for by the road map

3.1. Executive branch

13. In accordance with the road map:

- Andry Nirina RAJOELINA is the Transitional President and exercises the functions of Head of State
- Jean Omer BERIZIKY, the consensus Prime Minister, heads the National Union Government. He was appointed by the Transitional President from a list of personalities proposed by the political entities that had signed the road map.

- In accordance with the provisions of article 5 of the road map, he neither comes from the same province as the Transitional President nor belongs to the political platform that supports him.
- The members of the National Union Government were appointed by the Transitional President in response to a proposal from the consensus Prime Minister based on a list of political figures proposed by the political entities that had signed the road map.

14. The appointment of the members of the Government made allowance for a fair and equitable distribution of portfolios.

3.2. Parliament

15. The Higher Transitional Council and the Transitional Congress make up the Transitional Parliament.

16. The Higher Transitional Council (CST) is presided over by General Dolin RASOLOSOA of the RAJOELINA camp. With 90 members, it performs the functions of the Senate.

17. The Transitional Congress (CT), presided over by Mamy RAKOTOARIVELO, of the RAVALOMANANA camp, has 250 members. This body takes on the functions assigned to the National Assembly.

18. The members of these two chambers come from the Malagasy political entities that signed the road map² and are appointed by the Transitional President.

3.3. Electoral institutions

19. With the aim of holding elections that will be fair, free, transparent, credible and accepted by all, an Independent National Electoral Commission for the Transition and a Special Electoral Court have been set up.

Independent National Electoral Commission for the Transition (CENI-T)

20. CENI-T, set up by Act 2012-004 of 1 February 2012, is the body responsible for organizing the elections.

21. Its mission is to:

- organize and supervise the electoral processes;
- process and publish the provisional results of the votes during the transition.

22. CENI-T has 24 members, distributed by categories as follows:

- Category A: the President of the Independent National Electoral Commission, recruited in accordance with the procedures and criteria defined by Act 2012-004 establishing the organization, operation and prerogatives of the Independent National Electoral Commission for the Transition;
- Category B: ten members representing civil society bodies including:
 - three from organizations active in election monitoring;
 - one from organizations active in citizen education;

² Road map of 17 September 2011.

- one from associations for the defence of human rights;
- one from the Order of Journalists, chosen by peer-selection;
- one from the association of civil servants, chosen by peer-selection at a General Assembly summoned and directed by the most senior member of the highest grades;
- one from the Order of Barristers chosen by peer-selection;
- a designated teacher of law from the public universities appointed by the deans of the faculties of law of the public universities;
- a magistrate from the Association of Magistrates of Madagascar chosen by peer-selection at a General Assembly summoned and directed by the most senior member of the highest grades.
- Category C: two members from the Government, namely:
 - one senior territorial administration official representing the Ministry of the Interior;
 - one senior official from the Ministry for Decentralization.
- Category D: one representative of each of the 11 political parties or groupings that signed the road map.

23. The CENI-T is the moral guarantor of the authenticity of the electoral process and the truth of the vote.

24. With the aim of ensuring the transparency and credibility of the elections, training in observing and monitoring electoral processes has been provided to civil society organizations and to the political parties.

25. In order to be able to fulfil its mission, the CENI-T receives technical and financial support from the Government and from the international community, through the electoral cycle assistance project, known as PACEM, administered by UNDP.

The Special Electoral Court (CES)

26. The Special Electoral Court within the High Constitutional Court was established by Act 2013-008 of 1 August 2013.

27. The Special Electoral Court is responsible for accepting and validating candidatures, resolving electoral disputes and announcing the final results of the presidential and legislative elections.

28. By Decree 01-CES/AR of 22 November 2013 announcing the final result of the first round of the presidential election on 25 October 2013, the candidates Jean Louis ROBINSON, with 949,987 votes (21.16 per cent) and Hery RAJAONARIMAMPINANINA, with 711,534 votes (15.85 per cent) were authorized to contest the second round.

29. The second round of the presidential election, combined with the legislative elections, was held on 20 December 2013.

3.4. Institutions to bring about a climate of reconciliation

30. In order to bring about a climate of reconciliation, a Special Commission at the Supreme Court and the Malagasy Reconciliation Council (Filankevitry ny Fampihavanana Malagasy) were established.

Special Commission at the Supreme Court

31. This Special Commission established by Order 2012-004 of 9 October 2012 is responsible for:

- pronouncing the wide-ranging and unlimited amnesty for the actions and from the penalties which are covered in terms of articles 2 and 3 of Act 2012-007 of 3 May 2012 establishing amnesty for the purpose of national reconciliation;
- ruling on the requests for amnesty submitted by persons under prosecution who were not covered by the measures stipulated by Act 2012-007 of 3 May 2012 establishing amnesty for the purpose of national reconciliation, following investigation by the Filankevitry ny Fampihavanana Malagasy, the Malagasy Reconciliation Council;
- notifying the person concerned of the decision confirming amnesty;
- drawing up at the Supreme Court a list of those benefiting from amnesty and publishing it in the Official Gazette of the Republic.

32. The Special Commission consists of six chief magistrates serving at the Court of Appeal, four appointees and two alternates, as well as one chief magistrate serving at the General Prosecutor's Office at the Court of Appeal and one alternate, all of them selected by their peers at the General Assembly of the Court of Appeal.³

The Malagasy Reconciliation Council or Filankevitry ny Fampihavanana Malagasy (FFM)

33. The Malagasy Reconciliation Council was set up by Act 2012-010 of 9 May 2012 establishing the creation, mission, prerogatives, composition and operational procedures of the Filankevitry ny Fampihavanana Malagasy (FFM), the Malagasy Reconciliation Council.

34. The mission of the Malagasy Reconciliation Council is:

- to establish procedures for compensation of any person who was a victim of the political events that occurred between 2002 and the date on which the road map was signed;
- to eliminate and forestall cyclical political crises;
- to establish sound foundations for the future and for the economic development of the Nation;
- to consolidate social harmony, unity and cohesion within all the groupings making up the Nation, in order to bring about harmonious and balanced development throughout the national territory, taking into account cultural values and mutual respect.

³ Article 3 of Order 2012-004.

4. Measures taken to implement the road map

35. For purposes of implementing the road map, legislative and regulatory provisions were adopted, namely:

- Act 2011-014 of 28 December 2011 incorporating the road map into the domestic juridical system;
- Act 2011-012 of 18 August 2011 relating to the political parties;
- Act 2012-004 of 1 February 2012 setting up the CENI-T;
- Organic Law 2012- 005 of 22 March 2012 establishing the Electoral Code;
- Act 2012-007 of 3 May 2012 establishing amnesty for purposes of national reconciliation;
- Act 2012-010 of 9 May 2012 creating and establishing the mission, prerogatives, composition and operating procedures of the Filankevitry ny Fampihavanana Malagasy (FFM) or Malagasy Reconciliation Council;
- Decree 2012-568 of 23 May 2012 creating and establishing the mission, composition, organization and operation of the Committee to Track and Monitor the Implementation of the Road Map;
- Act 2012-006 of 30 July 2012 establishing the code of ethics and correct political conduct of the political actors during the Transition;
- Organic Law 2012-015 of 1 August 2012 concerning the election of the first President of the Fourth Republic;
- Organic Law 2012-016 of 1 August 2012 concerning the first legislative elections of the Fourth Republic.

C. Changes to the Constitution

36. A new Constitution was adopted on 11 December 2010. This new Constitution of the Fourth Republic enshrines the principle of equality and non-discrimination in the areas of sex, level of education, wealth, origin, religious belief or opinion.

37. The Constitution also enshrines a prohibition on torture and mistreatment.⁴

38. It adopts:

- The International Bill of Human Rights;
- The Conventions relating to rights of the child, rights of women, protection of the environment and to social, economic, political, civil and cultural rights.

39. In addition, alongside the Regions and Communes making up the territorial collective groupings, the Constitution has also reinstated the Provinces.⁵

⁴ Article 8 of the Constitution: “No person may be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

⁵ Article 3 of the Constitution: “The Republic of Madagascar is a State constituted by a system of decentralized territorial groupings, comprising Communes, Regions and Provinces, whose powers and principles of administrative and financial autonomy are guaranteed by the Constitution and defined by the Law.”

D. Economic and social information

1. Economic information

40. The variations in gross domestic product (GDP) and in inflation are the result of the political situation that has gripped the country from 2008 to the present day:

- In 2008, Madagascar began a phase of acceleration and improvement of the process of coordinating its economic development; the rate of growth reached 7.1 per cent.
- However, the political crisis which began at the end of 2008 paralyzed the national economy, based on the following causes:
 - the closure of numerous business selling goods for duty-free import, owing to the country's non-eligibility under the African Growth Opportunity Act (AGOA), which increased the rate of unemployment,
 - the freezing of budgetary support and outside financing,
 - the drop in the Government's budgetary revenue,
 - the inadequacy of overall demand, related to the fall in household incomes and purchasing power,
 - the effect of the world economic recession,
 - the negative impacts of the cyclones from 2004 to 2013 (Hubert, Bingiza and Haruna) and of the plagues of locusts from 2010 to 2013.
- In 2011, the national economy experienced a recovery, which continued in 2012. That year was characterized by a modest increase in the rate of economic growth, namely 3.1 per cent as against 2011's 1.3 per cent and a drop in the rate of inflation to 5.8 per cent as an average for the period, as against 9.5 per cent in 2011.
- The proportion of the population living below the poverty line reached 76.5 per cent in 2010, as against 68.7 per cent in 2005.

41. The Human Development Index (HDI) went down, from 0.571 in 2008 to 0.481 in 2010 and to 0.480 in 2011, thereby reclassifying Madagascar among the low human development countries.

42. Payments under Official Development Assistance (ODA) dropped continuously: US\$700 million in 2008, US\$470.3 million in 2010 and US\$405.6 million in 2011. The gross investment rate fell from 40.3 per cent of GDP in 2008 to 18.8 per cent in 2010 and 14.5 per cent in 2011.

43. With regard to the investment climate, Madagascar is counted among the countries that have made reforms in the facilitation of business in 2011. Madagascar moved from 144th place in "Doing Business 2011" to 137th out of 183 countries in 2012.

44. It can be seen however that there are still persistent constraints, in particular with regard to granting of construction permits, connection to electricity, transfer of ownership and the obtaining of loans.

45. On the infrastructure front, there are:

- a degradation of road infrastructures, owing to the drop in expenditures from domestic financing and the absence of foreign financing;
- a drop in the national rate of access to drinking water, from 44 per cent to 39 per cent over the period 2008-2012;
- a decreasing trend in the rate of usage of latrines by the national population, from 51 per cent to 46 per cent over the period 2007-2011.

46. Rice-growing production has gone down from 5,932,550 tonnes in 2010 to 5,886,100 in 2011, as against 6,295,564 tonnes in 2009, owing to unpredictable climatic variations and natural disasters.

Table 3

Changes in nominal and real gross domestic product (GDP) and in the rate of inflation

<i>Year</i>	<i>Nominal GDP (billion Ar)</i>	<i>Real GDP (billion Ar)</i>	<i>Growth (per cent)</i>	<i>Inflation (per cent)</i>
2012	21,989	627	3.1	5.8
2011	20,088	609	1.3	9.5
2010	18,273	601	-1.1	9.2
2009	16,797	607	-2.6	9.0
2008	16,081	624	7.1	9.2

Source: INSTAT/Directorate for Economic Summaries.

2. Social information

2.1. Health

47. The Government has a National Community Health Policy and a National Policy for Comprehensive Medical and Psychosocial Care of Persons in Madagascar Living with HIV/AIDS.

48. Furthermore, a National Social Protection Policy is being drawn up.

49. Basic health care is dispensed by level 1 Basic Health Care Centres (CSB 1) staffed by paramedical personnel at “Fokontany” level and by level 2 Basic Health Care Centres (CSB 2) staffed by doctors in the main locations in the Communes. Access of the population to basic health care has been improved in part by recruitment of doctors and paramedical personnel as state employees. Also, contractual paramedical personnel have been recruited with support from UNICEF and UNFPA.

50. The table below describes the situation of the CSB that have been closed or reopened.

Table 4
Trends in operability of the Basic Health Centres (CSB)

Year	Types of CSB/Total	Total No. of CSB	CSB in operation	CSB not operating	Causes for non-operation				CSB reopened
					Infrastructure	Shortage of Personnel	Insecurity	Others	
2009	CSB1	875	795	80					
	CSB2	1,561	1,516	45					
	Total for 2009	2,436	2,311	125	15	82	6	22	NA
2010	CSB1	862	734	128					7
	CSB2	1,596	1,510	86					9
	Total for 2010	2,458	2,244	214	32	128		54	16
2011	CSB1	884	828	56	11	45			105
	CSB2	1,601	1,584	17	6	11			80
	Total for 2011	2,485	2,412	73	17	56			185
2012	CSB1	935	796	139					11
	CSB2	1,609	1,561	48					38
	Total for 2012	2,544	2,357	187	59	121	7		49

Source: Ministry of Public Health.

2.2. Education

51. The net primary school attendance rate has dropped, from 83.3 per cent in 2005 to 73.4 per cent in 2010.

52. The literacy rate has also gone down, from 77 per cent in 2009 to 71.4 per cent in 2011.

2.3. Security and prison overcrowding

53. In the legal and correctional sphere, the crime rate has risen, from 1.22 offences per 1,000 inhabitants in 2010 to 1.39 in 2011. Consequently, prison overcrowding persists, with more than 19,000 detainees among the 82 prison establishments with a capacity for 15,000.

54. However, this situation does not affect the cases of women detainees.

55. With a view to remedying this situation, the Ministry of Justice with support from UNDP and UNHCHR organized a mission to examine the good practices in Rwanda directed towards combating prison overcrowding. Making use of a policy of detainee rehabilitation, the country has succeeded in 17 years in reducing the number of detainees from 150,000 to 56,000.

56. The lessons learned in the course of this mission will be used to improve the correctional system with the aim of combating prison overcrowding and improving the conditions of prison life, including for women.

Part II Implementation of articles 1 to 16 of the Convention

Implementation of article 1 of the Convention: Definition of discrimination against women

(As covered in the recommendation in paragraph 11)

The Committee recommends that the State party incorporate in its Constitution or in other appropriate legislation a definition of discrimination against women, encompassing both direct and indirect discrimination, in line with article 1 of the Convention. It further recommends that the State party ensure that the understanding of indirect discrimination encompasses sex-based discrimination as well as other forms of discrimination that women may face. The Committee calls on the State party to take additional measures to ensure that the Convention is sufficiently known and applied by the State party as a framework for all laws and policies on gender equality and the advancement of women. The Committee also calls on the State party to take additional measures to disseminate information about the Convention and the Committee's general recommendations, as well as to implement training programmes for prosecutors, judges, lawyers and officials of the customary justice system on the Convention and its application. It recommends that sustained awareness-raising and legal literacy campaigns targeting women, including rural women and non-governmental organizations working on women's issues, be undertaken to encourage and empower women to avail themselves of available procedures and remedies for violations of their rights.

57. While there has not been a constitutional and legislative revision to define discrimination in accordance with paragraph 11 of the Committee's concluding observations, the laws already in existence do provide for non-discrimination against women in the area of recognition and enjoyment of their civil and political rights and their right of access to health, education and employment.

58. The shortcomings observed by the Committee in its recommendation will be dealt with in a legislative reform following the installation of the Parliament of the Fourth Republic.

59. The Gender and Development National Action Plan (PANAGED), referred to in the previous report, has undergone an evaluation. Recommendations have been made seeking its extension for the future.

60. In 2010, the Ministry of National Education, with support from UNDP and working through the Office for Mass Education and Civics Teaching produced a translation into Malagasy of the Convention on the Elimination of All Forms of Discrimination against Women and distributed it for the general education middle school (*collège*) and senior school (*lycée*) pupils. In addition, the Convention has been incorporated in the new civics curricula.

61. As part of the campaigns to increase knowledge and awareness of the Convention, with the support of UNDP the Ministry of Justice has produced the educational films "AINA" and "FANDRIKA" on the prevention of violence, notably marital violence, against women. The films were broadcast on all television channels on the occasion of International Women's Day on 8 March and Human Rights Day on 10 December, from 2010 to 2012.

62. In 2012, with support from UNDP and the Office of the United Nations High Commissioner for Human Rights, 2,000 copies of training manuals on human rights, including the topic of combating discrimination against women, were distributed to personnel teaching human rights in the major professional training establishments for the legal profession, the police, the gendarmerie, the army and the prison administration.

63. Furthermore, with the support of UNDP and UNHCHR, training sessions on prevention of discrimination against women were given in February and May 2013 to law enforcement personnel in Toamasina, Antsirabe and Fort Dauphin, including magistrates, criminal investigation police officers, prison officers and military personnel.

64. Since 2008, the same training has been provided to the members of the legal clinics, the members of the Counselling and Legal Assistance Centres (CECJ) and women's associations in Mananjary, Farafangana, Manakara, Fort Dauphin, Tuléar, Andohatapenaka, Ihosy, Ambalavao and Sakaraha.

65. With support from UNDP, the Ministry of Justice has set up mechanisms for monitoring access to justice and cases of sexual and gender-based violence in the three towns of Antananarivo, Diego and Tuléar. Since May 2012, computer equipment intended for the offices for tracking sexual and gender-based violence has been issued to all stakeholders, including Communes, Districts, the Ministry of Population, the Court of First Instance and the Appeal Court in those three places and the Ministry of Justice.

66. The staff in charge of the monitoring mechanisms in the three pilot areas were all trained in using the software in 2012.

67. The objective is to have access to reliable data collection mechanisms, including for data related to any forms of discrimination against women, with the aim of going on to carry out an analysis that will be helpful in preparing a national policy for promotion and protection of human rights, in particular the rights of women and children.

Implementation of articles 2 and 5: Elimination of discrimination against women

(As covered in the recommendation in paragraph 17)

The Committee requests the State party to view its culture as a dynamic aspect of the country's life and social fabric and as subject, therefore, to change. It urges the State party to put in place without delay a comprehensive strategy, including legislation, to modify or eliminate cultural practices and stereotypes that discriminate against women, in conformity with articles 2 (f) and 5 (a) of the Convention. Such measures should include efforts which should be undertaken in collaboration with civil society, to raise awareness of this subject, targeting women and men at all levels of society, including traditional leaders. The Committee urges the State party to tackle harmful cultural and traditional customs and practices, such as the practice of "moletry" (bride price) in the north-west and the custom that prescribes the abandonment of a twin child in Mananjary, more vigorously. The Committee encourages the State party to implement effective and innovative measures to strengthen the understanding of the equality of women and men and

work with the media in order to enhance a positive and non-stereotypical portrayal of women.

68. These two articles were covered by a single recommendation, which makes it advantageous to deal with them together.

69. In order to respond to these recommendations which called for legislative reform and efforts to combat prejudice based on the idea of women as inferior to men, legislative and regulatory measures were undertaken and reported on in the previous report.

70. Despite the entry into force of the new Act which abrogated the previous law that was discriminatory in the sphere of property inheritance, in practice, women in certain areas of the south and south-east do not dare claim their rights, out of a fear of being rejected by the family and the entire community owing to the custom that is considered to be unchangeable.

1. Combating the idea of inferiority of women relative to men

71. The customary idea of women as inferior to men persists, being much more prevalent in the rural areas. As a result, women are deprived of their right to:

- participate equally with men in exercising parental authority, despite the provisions of Act 2007-023, articles 15 and 16⁶
- express their views in public,
- participate in the administration of public affairs through election or appointment to positions of high responsibility;
- have access to credit with a view to becoming economically independent.

72. With the support of UNDP, and as part of the implementation of the programme Increased Participation of Women in Community Decisions, through improving the exercise of their civil and economic rights, steps were taken between June 2011 and July 2013 in the south-eastern and south-western parts of the country to allow women to express themselves in public and to participate in the administration of community affairs.

73. Following this programme, women and women's groups were enabled to take part in decision-making at community level.

⁶ Act 2007-023 of 20 August 2007 on the rights and the protection of children:

Art. 15 – “Parental authority is vested in the father and mother to protect the child in the areas of security, physical or moral integrity and education.”

Art. 16 – “Parental authority is exercised jointly by the two parents if they are married.”

Table 5
Percentage of women's participation in the Fokontany assemblies

<i>Action areas (Districts)</i>	<i>No. of target groups of the project</i>	<i>No. of members in the groups</i>	<i>No. of women over 18 in the Fkt</i>	<i>No. of members taking part in the GAs of the Fkt</i>	<i>Percentage</i>
Farafangana	80	2,320	3,094	2,042	88
Manakara	58	1,348	1,925	1,117	82.8
Mananjary	56	1,312	1,730	1,176	89.6
Total	194	4,980	6,749	4,335	87

Source: Activity report of the PAF project, July 2013.

74. From 2011 to 2012, with the objective of encouraging a change in attitude and behaviour such as to help eliminate the harmful customs that discriminate against women, the Ministry of Population and Social Affairs organized information and awareness-raising sessions, further to which 62 traditional leaders from the regions of Boeny, Ihorombe, Menabe, Amoron'i Manja, Antsimo Andrefana, and Anosy undertook a commitment to promote equality between men and women and to prevent gender-based violence among those from their locality.

75. Since 2008, awareness-raising sessions on "the possibilities for girls to choose careers traditionally assigned to boys" have been carried out by the Ministry of National Education every year, at an average of 140 educational establishments.

76. With the aim of doing away with the stereotyped image of girls as being destined for domestic work and the traditional concept of certain careers being reserved for girls or boys, the Office for Mass Education and Civics Teaching has drawn up a school programme of civics education advocating sexual equality in the spheres of domestic work and careers. To increase public awareness of the problem, booklets and posters calling for equal treatment of girls and boys within the family were produced and distributed to public educational establishments in Madagascar's 22 regions in 2012, to the 10 national supervisory bodies of private education in 2013 and also to civil society organizations.

77. Also, the Ministry of National Education, together with all the related ministries, undertook a national school attendance campaign for the academic year 2013-2014. This campaign covers the principal factors causing exclusion from the primary cycle, including lack of access to schools and parents' failure to send children to school for reasons related to culture and regional customs, such as the practice of "moletry".

78. Further, in order to combat prejudices and stereotypes within families, the OEMC within the Ministry of National Education introduced a programme for developing parent education, through the establishment of parents' schools, the aim being to convince the parents to treat their girls and boys with equality.

79. As of 2013, three parents' schools are in existence, in Antananarivo, Antsirabe and Ambatondrazaka.

80. With the aim of doing away with the stereotyped image of girls as being destined for domestic work and the traditional concept of certain careers being reserved for girls or boys, the Office for Mass Education and Civics Teaching has drawn up a school programme of civics education advocating sexual equality in the

spheres of domestic work and careers. To increase public awareness of the problem, booklets and posters calling for equal treatment of girls and boys within the family were produced and distributed to public educational establishments in Madagascar's 22 regions in 2012 and also to civil society organizations.

81. The emphasis in the awareness-raising visits to educational establishments, is on the possibility for girls to choose careers traditionally reserved for boys.

82. With regard to negative social and cultural practices, reference may be made to the continuing existence of discriminatory attitudes towards girls and children, as embodied in moletry and the abandonment of twin children.

2. "Moletry"

83. The "moletry", practised in certain places in the north-west, consists of a one-year marital contract based on the bride price offered by the future husband to the family of the wife. This price comprises an amount of money and a number of cattle, depending on what has been agreed during the negotiations. The level of the bride price is often dependent on the social status of the future wife and her age.

84. The bride price is actually paid to the wife's family after one year, ("volambita"), provided that the wife has not done something wrong or behaved inappropriately. In the event of a fault imputable to the wife, the bride price is not payable. If that is not the case, the price remains property of the wife's family even in the event of separation.

85. In 2008, in order to combat the practice of moletry, the Ministry of Justice, supported by UNDP, entrusted the Miaramita legal office with a study intended to:

- determine the scale of the phenomenon, in particular as it affected girls;
- draw up a road map towards elimination of child marriage by way of moletry.

86. In the light of the results of the study, the Ministry of Justice organized a workshop involving all the judicial, administrative, religious and traditional authorities from the Region of Sofia. The intention was to convince the participants of the harm that the practice of moletry did to girls and to obtain a commitment from them to combat this scourge.

87. At the end of the workshop, a road map was signed by the stakeholders. It constitutes the commitment of each and every one to combat this phenomenon and to undertake concrete actions in their sphere to do so.

88. Consequently:

- The traditional Chiefs undertook not to give their blessing in cases of moletry imposed on girls of less than 18 years of age;
- The religious authorities of all faiths combined, Christian and Muslim, promised to undertake awareness-raising projects directed at their congregations with the aim of eradicating moletry imposed on children;
- The judicial, police and administrative authorities undertook similar commitments.

89. It had been planned that the impacts of the actions undertaken should be evaluated in 2009, but this was not done owing to the crisis.

3. Twin children

90. In the Districts of Mananjary and Nosy Varika, the birth of twins is considered by all the members of the community to be a curse, resulting in an absolute prohibition on keeping such children within their biological family. This prohibition also impacts the possibility for the people concerned to live in the locality of Mananjary.

91. In the light of this situation, the Ministry of Justice, with support from UNDP, had studies carried out to understand the underlying reasons for this practice, the scale of it, and ways and means to be pursued in order to eradicate this discrimination with regard to twin children.

92. A workshop involving the judicial, administrative, religious and traditional authorities was held in 2008 in Mananjary. The intention was to convince the participants of the harm done by the discrimination against twins and to obtain a commitment from them to combat this scourge.

93. At the end of the workshop, a road map was signed by the stakeholders. It constitutes the commitment of each and every one to combat this phenomenon and to undertake concrete actions in their sphere to do so.

94. However, the Ampanjaka hedged their position in that while they did not stipulate that parents must abandon their twin child, they would not give their blessing to such a decision. In their view, those who dared to brave the prohibition and raise twin children in Mananjary did so at their own risk.

95. There has thus been some slight progress, in that twin children may reside in Mananjary with their biological parents and live together with the members of the Antambahoaka ethnic community.

Implementation of article 3 of the Convention: Promotion of sexual equality

(As covered in the recommendation in paragraph 13)

The Committee calls upon the State party to ensure that the national machinery for the advancement of women has the necessary visibility, decision-making and coordination powers to enable it to effectively fulfil its mandate in promoting gender equality. It requests the State party to provide, in its next report, a clearer and more detailed picture of the national machinery, both the central coordinating body and the sectorial units to be created, including its authority, functions, powers and resources. Taking into account that the “Conseil national des droits humains” has been tasked with the implementation of the Convention and other human rights treaties, it also recommends that the Commission be comprised of an equal number of female and male staff and members, as well as providing full and easy access to women to claim their rights

1. National mechanism for promotion of women

96. The national mechanism for promotion of women, implementation of which was initiated by the Ministry of Population and Social Affairs in 2008, provided that its members should consist of focal points from the ministerial departments and from representatives of civil society.

97. The objective was to integrate the gender dimension into the development programmes and projects of these entities and also to coordinate the actions for promotion of gender equality. The period between 2009 and 2013 was marked by ongoing changes in the supervisory staff and the focal points and also in the priorities in the entities' activities. That situation caused the mechanism to become largely inactive.

98. The mechanism will be reactivated taking into account the recommendations made in the Committee's concluding observations on visibility and powers of decision-making and coordination.

2. National Commission for Human Rights

99. Article 40, paragraph 2 of the Constitution provides that: "The Government will ensure the promotion and protection of human rights, through the creation of specialized bodies."

100. A National Commission for Human Rights was established by decree in 1996, but the mandate of that institution expired in 2002 and was not renewed.

101. In 2008, Act 2008-012 established the National Human Rights Council.

102. Taking into account the recommendations of the treaty bodies including that of the CEDAW Committee, the Directorate for Human Rights and International Relations at the Ministry of Justice, supported by the Office of the United Nations High Commissioner for Human Rights and UNDP, organized in May 2012 a workshop to assess the conformity with the Paris Principles of Act 2008-012 of 17 July 2008 establishing the National Human Rights Council.

103. In the course of the workshop, each article of the Act was analyzed. This analysis revealed that several provisions of the Act were not in conformity with the Paris Principles, including those relating to the appointment of the members of the Council, because seven of the nine members were appointed by the executive branch. That might give the executive branch a stranglehold on the institution and jeopardize its independence.

104. To rectify this situation, a preliminary draft Law was drawn up by representatives of the Office of the Prime Minister, the Ministry of Justice, members of the Transitional Parliament, representatives of the order of journalists, of the University and of attorneys, and members of civil society.

105. Following wide-ranging consultation with all the stakeholders and incorporation of their observations, the draft Law was examined and adopted by the Government Council. The Law will be submitted to Parliament following its adoption by the Council of Ministers.

106. The draft Law aims to establish an institution for defence of human rights in conformity with the Paris Principles, by ensuring:

- its independence with respect to the executive branch,
- as wide a mandate as possible,
- a pluralist and representative composition,
- independent appointment procedures,

- regular and effective full-time operation,
- adequate financing.

107. The title of National Human Rights Council was replaced by National Independent Human Rights Commission in order to stress the independence of the institution.

108. Furthermore, the draft Law states that the representatives of the relevant entities will be selected by their peers, with the exception of the representative of the executive branch, who does not have voting rights.

109. Similarly, the appointment of the members brings together the concepts of representativeness, pluralism, expertise, experience, sound morality, integrity and commitment to the values and principles of human rights.

110. In order to ensure stability and effectiveness, the members of the Commission will fulfil their functions on a full-time basis in order to be able to give rapid, appropriate and real-time responses to any violations perpetrated.

111. In accordance with the recommendation of the Committee on the Elimination of Racial Discrimination, the Commission is empowered to carry out investigations into cases of human rights violation.

112. Finally, it is a fundamental requirement that the Commission be provided with adequate human, technical and financial resources.

113. In addition, articles 2 and 4 of the draft Law specify the duties of the Commission in the following terms:

Article 2 – The Commission shall be responsible for:

- (1) promoting and protecting all human rights without exception;
- (2) providing, on a consultative basis, to the executive and legislative branches of Government, the Supreme Court and any other competent body, either at the request of the authorities concerned or by making use of its powers of autonomous examination, opinions, recommendations, proposals and reports concerning any matter related to the promotion and protection of human rights;
- (3) while preserving its independence, drawing up opinions for the executive branch concerning fundamental freedoms and human rights, the rights of women, of children, of persons with disabilities, of older persons and of any other vulnerable group;
- (4) drawing up reports on the national situation of human rights and fundamental freedoms in general, as well as on more specific issues;
- (5) promoting and ensuring the harmonization of laws, regulations and national practices with the subregional, regional and international instruments relating to human rights to which the Malagasy State is party, and monitoring their effective implementation;
- (6) encouraging the ratification of the regional and international instruments relating to human rights or the adoption of such instruments and ensuring their implementation;

(7) making the executive branch and its various components aware of human rights violations anywhere in the country, proposing to it any initiatives intended to halt such violations and, as appropriate, giving an opinion on the positions and reactions of the authorities concerned;

(8) examining the laws and regulations in force and the draft or proposed Acts and making appropriate observations with a view to guaranteeing that those instruments are in conformity with fundamental human rights principles; recommending, if necessary, the adoption of new legislation, adaptation of existing legislation and regulations, and amendments thereof if necessary;

(9) cooperating with the United Nations and any of its bodies, subregional and regional institutions and the national institutions of other countries that are empowered to act in the spheres of promotion and protection of human rights;

(10) contributing to the drafting of the reports that the Government is required to submit to the bodies and Committees of the United Nations, as well as to subregional and regional institutions, pursuant to its treaty obligations and, where appropriate, issuing an opinion on the topic, while preserving its independence;

(11) increasing knowledge of human rights and the fight against all forms of human rights violation, by raising awareness in public opinion, in particular through information and education, and calling for the help of all organs of the press, among other approaches;

(12) taking part in the preparation of programmes having to do with teaching and research on human rights and participating in the implementation thereof in school, university, social and professional settings;

(13) receiving and examining individual or collective complaints and requests related to human rights violations and seeking an amicable settlement through conciliation or passing them on to any and all competent authorities, as appropriate;

(14) carrying out at any time regular announced or unannounced visits to prisons and other places of detention and forfeiture of liberty.”

Article 4 – “The Commission shall undertake studies, analyses, investigations and publications on all matters relating to human rights and fundamental freedoms.

The Commission shall bring to the attention of the competent authorities all cases of violation, notably those related to:

(a) the practice of torture and other cruel, inhuman or degrading treatment or punishment during police custody or detention in prison facilities or in reeducation and rehabilitation centres, as well as any cases of extrajudicial execution;

(b) the existence of premises where secret detention is practised;

(c) forced disappearances or secret transfers;

(d) the practice of racial discrimination, the worst forms of child labour and trafficking in persons;

(e) freedom of opinion, expression and demonstration.”

Implementation of article 4 of the Convention: Acceleration of de facto equality between men and women

(As covered in the recommendation in paragraph 27)

The Committee urges the State party to raise awareness about the importance of education as a fundamental human right and as a basis for the empowerment of women and to take steps to overcome traditional attitudes that constitute obstacles to women and girls in the full enjoyment of their human rights to education. It recommends that the State party take steps to ensure equal access of girls and young women to all levels of education, to retain girls in school and to implement re-entry policies so that girls and young women return to school after pregnancy. The Committee further urges the State party to take measures to increase the enrolment of girls at all levels and recommends the introduction of further temporary special measures, in accordance with its general recommendation No. 25, including incentives for parents to send girls to school.

114. Article 8, paragraph 2, of the 2010 Constitution provides that: “All individuals are equal before the law and enjoy the same fundamental freedoms protected by the law without discrimination in the areas of sex, level of education, level of wealth, origin, race, religious belief or opinion.”

115. In consequence, no person may be discriminated against on the basis of his or her origin by being deprived of access to nationality.

116. In order to respond to the recommendation of the CEDAW Committee, a draft Law amending and amplifying certain provisions of Order 60-064 of 22 July 1960 dealing with the Malagasy Nationality Code has been drawn up.

117. This draft aims to guarantee Malagasy nationality to the children of a mixed couple, in the same way as to children born to a father of Malagasy nationality and a mother of foreign nationality.

118. It also seeks to ensure:

- Preservation of children’s right to nationality:
 - acquisition of Malagasy nationality if one of the parents is Madagascan, regardless of whether the child is legitimate or not (new article 9);
 - preservation of the Malagasy nationality of children who are adopted internationally (new article 17, paragraph 2);
 - automatic acquisition of Malagasy nationality by foreign children legally adopted by a person of Malagasy nationality (new article 17, paragraph 1).
- Respect for the rights of women to nationality:
 - the possibility for a mother of Malagasy nationality to pass on that nationality to her children regardless of her marital situation (new article 40);
 - provision for a woman who has married a foreigner to keep her original nationality, even if she acquires that of her husband, provided that the national law covering the latter allows this (new article 47).

Implementation of article 5 of the Convention: Elimination of cultural practices and stereotyping

(As covered in the recommendation in paragraph 17)

The Committee requests the State party to view its culture as a dynamic aspect of the country's life and social fabric and as subject, therefore, to change. It urges the State party to put in place without delay a comprehensive strategy, including legislation, to modify or eliminate cultural practices and stereotypes that discriminate against women, in conformity with articles 2 (f) and 5 (a) of the Convention. Such measures should include efforts which should be undertaken in collaboration with civil society, to raise awareness of this subject, targeting women and men at all levels of society, including traditional leaders. The Committee urges the State party to tackle harmful cultural and traditional customs and practices, such as the practice of "moletry" (bride price) in the north-west and the custom that prescribes the abandonment of a twin child in Mananjary, more vigorously. The Committee encourages the State party to implement effective and innovative measures to strengthen the understanding of the equality of women and men and work with the media in order to enhance a positive and non-stereotypical portrayal of women.

119. The harmful cultural practices related to the practice of moletry and abandonment of twin children in Mananjary have been covered in the information on the implementation of article 2, in the present report.

120. As part of the fight against harmful practices as embodied in "moletry" and the abandonment of twin children, the traditional chiefs, the media, local and regional administrative authorities and also members of civil society organizations received information and insights from a series of workshops held in Mampikony, Mananjary, Manakara and Farafangana.

121. In terms of legislative reform to combat the traditional concept of women as inferior, resulting in discrimination against them, reference may be made to the abrogation of the provisions on the inequitable sharing of property following a divorce, as well as the establishment of the age of consent to marriage at 18 for both sexes, whereas in the past a man could enter into marriage at 17, a woman at 14. Similarly, the offence of adultery now attracts the same punishment for both, whereas in the past adultery by the woman was punished more severely.

Implementation of article 6 of the Convention: Prioritization of combating violence against girls and women

(As covered in the recommendation in paragraphs 19 and 21)

The Committee urges the State party to give priority attention to combating violence against women and to adopt comprehensive measures to address all forms of violence against women and girls, in accordance with its general recommendation No. 19. It requests the State party to raise public awareness, through the media and education programmes, of the fact that all forms of violence against women are a form of discrimination under the Convention and therefore in violation of women's rights. The Committee calls upon the State party to ensure that violence against women and girls, including domestic violence, marital rape and all forms of sexual abuse, constitute a criminal offence; that perpetrators are prosecuted, punished and rehabilitated; and that women and girls who are victims of violence have access to

immediate means of redress and protection. The Committee requests the State party to remove any impediment faced by women in gaining access to justice and recommends that legal aid be made available to all victims of violence, including through the establishment of additional legal aid clinics in rural or remote areas. The Committee recommends the implementation of training for the judiciary and public officials, in particular law enforcement personnel, health-service providers and community development officers, in order to ensure that they are sensitized to all forms of violence against women and can provide adequate gender-sensitive support to victims. It also recommends the establishment of counselling services and shelters for victims of violence. The Committee requests that the State party provide information on the laws and policies in place to deal with violence against women and girls and on the impact of such measures, as well as data and trends on the prevalence of various forms of such violence, disaggregated by age groups.

1. Raising of public awareness on forms of violence against women

122. In order to respond to the recommendation in paragraph 19 to raise public awareness of the fact that all forms of violence against women are a form of discrimination under the Convention, the Ministry of National Education, acting through the Office for Mass Education and Civics Teaching (OEMC) has produced educational programmes, broadcast over national radio. These broadcasts in the course of April 2013, from Monday to Saturday, have raised public awareness about the discrimination against women arising out of all the forms of violence that they suffer.

123. Within the family, physical violence against women may constitute criminal offences punishable under the Penal Code.

124. Violence perpetrated against a pregnant woman constitutes an aggravated offence under the terms of article 312 bis of the Penal Code.⁷

125. According to a survey carried out by the civil society platform for children, in some working-class areas of the capital, 6 per cent of girls have been the victims of rape perpetrated by people close to them, notably fathers, stepfathers, uncles and teachers. Statistically, incest is at 11 per cent among 12 to 14-year-olds, and physical touching among 7 to 8-year-olds is at 5 per cent.

126. An investigation performed by the NGO ENDA-OI in 2009 revealed that 65 per cent of the women questioned stated that they had suffered an act of violence.

⁷ Art. 312 bis (Act 2000-021 of 28.11.00) – A person who has intentionally injured or struck a pregnant woman, her pregnancy being apparent or known to the offender, shall be punished by two to five years' imprisonment and a fine of 100,000 to 400,000 Ariary provided that the injuries and the blows have not caused any illness or incapacity of the woman to work of the kind referred to in article 309.

Chart 1

Response of the women questioned who stated that they had suffered an act of violence

Source: Investigation performed by ENDA-OI.

127. An investigation carried out by the programme BABEO in 2010 identified the forms of violence against women which were the most reported in Antananarivo, as summarized by the chart below:

Chart 2

Forms of violence against women most reported in Antananarivo

Source: Investigation carried out by the programme BABEO.

128. With regard to rape by a husband perpetrated against his wife, at the present time marital rape is not yet classified as a criminal offence in its own right. A draft Act is being prepared.

129. In 2012, in partnership NGO Groupe Développement, the Ministry of National Education, working through the OEMC, joined the fight against sexual exploitation of children, through preventive actions such as educational radio broadcasts, visits to raise awareness among pupils and parents at educational establishments and training for 200 teachers in the capital and in Mahajanga on how children can protect themselves against sexual exploitation. These teachers then passed on the knowledge to 3,000 pupils. Manuals, guides and reaching tools dealing with self-protection against child sexual exploitation have been produced and distributed to teachers and pupils.

130. Combating sexual exploitation of children is incorporated in the new Civics educational programmes in the secondary schools and high schools offering both general and vocational education.

131. In order to facilitate access to justice for women who are victims of violence but do not have the financial resources to pay the costs of seeking redress, Decree 2009-970 of 5 January 2010 regulating the provision of legal aid makes provision for covering those costs.

132. Furthermore, since 2013 with the support of the Cooperation and Cultural Action Service (SCAC), a pool of lawyers at the law centre (Maison de Droit) in Antananarivo has been providing free of charge, during the criminal proceedings, care for and defence of the interests of minors and women lacking resources who have been the victims of violence.

2. Trafficking and exploitation for purposes of prostitution

2.1. Implementation of the new Act on trafficking and sex tourism: prevention, prosecution and punishment

Prevention

133. Measures have been taken to counter the risks of trafficking and exploitation for purposes of prostitution to which migrant female workers are exposed:

- Repatriation and social reintegration of 85 women and one child from Lebanon, in March 2011;
- Management of their social and occupational reintegration by the Ministry of Population, including grants of resettlement allowances;
- Temporary halt to the sending of migrant workers to high-risk countries such as Saudi Arabia, Kuwait and Qatar or to any other country not offering sufficient guarantees of protection of human rights in general and the rights of migrant workers in particular.

134. Once this halt had been decided, the Government of Saudi Arabia submitted a proposal for a bilateral agreement relating to the migration of domestic workers.

135. In addition, to strengthen the efforts to combat trafficking in accordance with international norms, Madagascar has requested technical support from the International Organization for Migration directed towards:

- improving the draft reform of Act 2007-038 against trafficking in persons,
- establishing a national mechanism to combat trafficking in persons,
- trainer training,
- capacity-building for those responsible for the implementation of laws having to do with combating trafficking in persons.

136. Also for purposes of prevention, and in order to create informed awareness in the populace on the danger of trafficking and sexual exploitation of children for commercial ends, in 2008 the Ministry of Justice with the support of UNDP produced a film showing:

- the different forms of trafficking and sexual exploitation of children for commercial ends both at global level and in the country;
- the procedure for bringing the matter before the courts, the punishment meted out to traffickers and the rehabilitation of victims including their social reintegration.

137. In 2010, with support from UNICEF the Ministry for Youth and Leisure also produced films of similar content to combat the sexual exploitation of children.

138. All of these films have been broadcast on the national and local public and private television channels.

139. Also, since 2012, 30,000 awareness-raising posters on the prohibition of sex tourism, and its classification as a crime, have been produced and displayed at the entrance to hotels and other buildings in the locations most exposed to the risk of trafficking and sex tourism. These posters were produced and distributed by the Ministry of Tourism.

140. Finally, with the support of UNICEF, to allow for reporting of any form of violence against women including trafficking and sexual exploitation, a free phone line⁸ was set up in 2010. This free phone call is nation-wide, and alerts the Anti-Vice and Minors Protection Police.

141. To prevent exploitation through prostitution of women and girls, awareness-raising sessions have been held by the Anti-Vice and Minors Protection Police, in cooperation with personnel of the Professional Association of Qualified Social Workers of Madagascar (SPDTS) and volunteers from the Fokontany belonging to the association Fiantso.

142. In 2011-2012, the following projects were carried out:

- Raising of awareness of pupils' parents at 32 educational establishments;
- Raising of awareness of the population of 45 Fokontany;
- Raising of awareness of the management of 15 hotels;

⁸ Phone number 147.

- Systematic monitoring in night clubs, gambling establishments and video establishments.

Prosecution and suppression

143. Implementation of the Act on trafficking and sex tourism is encountering certain obstacles:

- Despite the training carried out since 2007 it has to be admitted that prosecution and sentencing and the provision of compensation to the victims occur only rarely;
- The victims are afraid to complain to the competent authorities, owing to lack of knowledge of their rights, shame, or fear of reprisals by the perpetrators;
- In most cases, the victims prefer to reach a private settlement which enables them to obtain compensation without having recourse to the courts.

144. In order to overcome these obstacles, the campaigns to provide information to and raise awareness in the public will be intensified.

2.2. Training of those responsible for the implementation of the Act and of social workers and community development officers

145. Between 2009 and 2013, with support from UNDP, UNHCHR, the International Organization of la Francophonie and the Cooperation and Cultural Action Service (SCAC), the Ministry of Justice held several series of training sessions on the implementation of the Act on trafficking and sex tourism, in Taolagnaro, Toamasina, Mahajanga, Antsiranana, Antananarivo and Mananjary, directed towards those responsible for the implementation of the Act: magistrates, criminal investigation police officers, members of the bar and representatives of civil society organizations, totalling 40 participants at each site.

2.3. Adoption of an action plan

146. In order to respond to the recommendations of the Human Rights Council within the context of the Universal Periodic Review (UPR) and of the CEDAW Committee relating to the adoption of an action plan to combat trafficking, a permanent anti-trafficking organization is currently being established. This will be responsible for:

- proposing a national plan to combat trafficking, covering the aspects of prevention, prosecution, suppression of traffickers, awarding of compensation to victims and organization of their rehabilitation;
- proposing legislative reforms in conformity with international norms;
- drawing up a multidisciplinary mechanism to deal with the issues.

2.4. Intensifying efforts to improve the economic situation of women, and in particular of girls who have reached the age of puberty

147. Steps have been taken with the aim of eliminating the vulnerability of women, and of girls over the age of puberty, to exploitation and trafficking:

- Encouragement to parents to send their daughters to school, through:
 - reduction of parents' costs for education,
 - distribution of basic school necessities (backpacks, notebooks, pens) for primary school pupils,
 - distribution of teaching materials,
 - continued elimination of enrolment fees for the primary cycle,
 - provision of operating funds to the State schools, at a rate of 3,000 Ariary per pupil per year.
- Provision of an annual subsidy to private schools and to their teaching staff. For 2013, a subsidy of 3,532,700,000 Ariary to the private sector is planned, at a rate of 27,000 Ariary per year per teacher and 30,000 Ariary per month for nine months.
- It has also been possible to bring street children of 10 to 15 into school, through assistance from the Supplementary Educational Action Programme for Malagasy Adolescents (ASAMA). This provides such children with an intensively abbreviated education of 10 months' duration, allowing them to sit for the public examinations for the Certificate of Elementary Primary Studies (CEPE). Children in a similar situation aged between 7 and 10 are provided with a programme for literacy and re-entry to school, appropriate to their age and level of learning. The school fees for such re-entry are covered by NGOs, including the Groupe Développement which is now End Child Prostitution and Trafficking (ECPAT) Madagascar.

148. Also in 2012, in partnership with the NGO Groupe Développement, the Office for Mass Education and Civics Teaching (OEMC) provided training for 200 teachers in the capital and in Mahajanga on how children can protect themselves against sexual exploitation. These teachers then passed on the knowledge to 3,000 pupils.

149. Furthermore, in 2013 as part of the implementation of the BABEO programme of assistance to women entrepreneurs, financed by the European Union, 80 women were trained by the OEMC in the sphere of combating violence against women.

150. To assist women to become economically independent, enabling them to escape from trafficking and sexual exploitation and also to be able to keep their daughters over the age of puberty in school, women's associations and groupings have been equipped by UNDP as part of the implementation of the programme for increased participation by women through improving the exercise of their civil and economic rights. Three action zones were targeted, namely Farafangana, Manakara and Mananjary.

Table 6
Location of the beneficiaries of the programme

<i>Action zone</i>	<i>No. of groupings supported by the project</i>	<i>No. of groupings using community mobilization techniques</i>
Farafangana	80	75
Manakara	58	52
Mananjary	56	51
Total	194	178

Source: Activity report on the project supported by UNDP, July 2013.

151. The women belonging to each grouping were provided with support which made it possible for them to pursue small-scale businesses such as pig-breeding, rice-growing, raising of chickens or breeding of fish. The income obtained enabled them to keep their children at school, avoiding the risk of their being exposed to trafficking and sexual exploitation.

152. Finally, in 12 of the island's regions, women were enabled to take advantage of training on agriculture, raising of livestock and craft activities provided by the Malagasy Observatory on the Use of Vocational and Entrepreneurial Training (OMEF) at the end of 2012 and the beginning of 2013.

153. This training is intended to create independence for rural women who are not yet receiving social benefits.

Table 7
Number of women receiving training on agriculture, livestock raising and craft activities provided by OMEF

<i>Region</i>	<i>Training</i>	<i>Number of participants</i>	<i>Number of women trained</i>	<i>Percentage of women trained</i>
Diana	Crafts	20	13	65%
Atsimo Andrefana	Dairy cattle	20	5	25%
Vatovavy Fitovinany	Palm oil	20	5	25%
Boeny	Fish smoking	13	4	30.77%
Haute Matsiatra	Cassava	20	10	50%
Amoron'i Mania	Beekeeping	20	7	35%
Atsimo Atsinanana	Brick-making	23	2	8.69%
Alaoatra Mangoro	Fish breeding	20	3	15%
Analanjifofo	Cloves	15	1	6.66%
Bongolava	Maize	20	9	45%
Itasy	Fish breeding	20	2	10%
Atsinanana	Banana paste	20	0	0%

Source: Statistical data from OMEF-Directorate for Support to Employment Promotion .

2.5. Intensifying efforts to combat sex tourism, in particular in cooperation with the countries of origin of the perpetrators

154. The Act on combating trafficking and sex tourism provides a wide-ranging jurisdiction, making it possible to prosecute offenders wherever they are located. Consequently, cooperation with the countries of origin of traffickers is important.

Implementation of article 7 of the Convention: Equality in political and public life at national level

(As covered in the recommendation in paragraphs 15 and 23)

The Committee recommends that the State party implement temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25, as part of a necessary strategy to accelerate the achievement of de facto equality between women and men. It calls upon the State party to consider using a range of possible measures, such as quotas, benchmarks, targets and incentives, in particular with regard to ensuring the accelerated implementation of articles 7, 8, 10, 11, 12 and 14 of the Convention.

The Committee encourages the State party to implement concrete measures to increase the number of women in decision-making positions, in particular at the municipal/local level, in Parliament and in political parties. It recommends that the State party make effective use of article 4, paragraph 1, of the Convention on temporary special measures and the Committee's general recommendations Nos. 23 and 25, and establish concrete goals and timetables to accelerate women's equal participation in public and political life at all levels. The Committee also invites the State party to encourage political parties to use quotas. The State party is urged to carry out awareness-raising campaigns aimed at women and men to help ensure the elimination of stereotypes associated with men's and women's traditional roles in the family and in society at large and enhance women's political empowerment.

1. Right to vote and to be eligible for election in all elections

155. The successive constitutions have enshrined the principle of non-discrimination with regard to the right to vote and to be eligible for election. Organic Law 2012-005 instituting the Electoral Code has retained this principle, by providing in articles 3 and 5 that:

Art. 3 – “All Malagasy citizens, without any distinction as to sex, aged at least eighteen years on the date of the election and enjoying their civil and political rights, shall be entitled to vote.

The voting rights of women who have acquired Malagasy nationality by marriage and of foreigners who have acquired Malagasy nationality by naturalization shall be as stipulated in the Nationality Code”.

Art. 5 – “All Malagasy citizens, without any distinction as to sex, shall be entitled to stand for elected office, provided that they fulfil the conditions to be entitled to vote as well as those required by the instruments specific to each category of election, notably:

- listing on the electoral roll;
- the age required by law for each elected office.”

2. Women's participation in the administration of political and public affairs

2.1. Women's participation in elective offices

156. As of 2012, participation of women is still very modest, but is already approaching the goal of 30 per cent:

- Transitional Government: 9 female ministers out of 35 total, 25 per cent;
- Higher Transitional Council: 32 female councillors out of 161 total, 20 per cent;
- Transitional Congress: 64 female members of congress out of 366 total, 17 per cent;
- Regional Chiefs: no women, 0 per cent;
- Regional Secretaries-General: 4 women out of 22 total, 18 per cent;
- District Chiefs: 22 women out of 119 total, 18 per cent;

157. The low representation of women in the Transitional institutions shows that Malagasy women are encountering obstacles to their active participation in political life. With 25 per cent women in the Transitional Government, 17 per cent in the Transitional Congress, 20 per cent in the Higher Transitional Council and 4 per cent female mayors, it may be concluded that the holding of political office is seen as the prerogative of men.

158. Of the 33 candidates for the presidential election of 25 October 2013, two were women.

2.2. Participation of women in the administration of public affairs

159. As shown in the chart below, women remain a minority at the High Constitutional Court, by contrast with the Supreme Court where the personnel trends seem to have been favourable to women.

Chart 3
Progression in the presence of women at the High Constitutional Court and the Supreme Court (in per cent)

Source: National report on the African Gender and Development Index (AGDI), 2003.

160. Indeed, at the Supreme Court, there is parity between women and men both in number and in responsibility. Women have the same entitlement as men to hold the posts of President of the Supreme Court (appointed by the Minister of Justice) and President of the Chamber (selected among the most senior at the highest grade).

161. The following chart records the participation of women in the Government from 1991 to 2012.

Chart 4
**Progression of the participation of women in the Government
(in per cent)**

Source: IDISA 2003/RNDH 2006/Baromètre Madagascar 2010 and 2012.

162. In 1998, there were five female ministers or secretaries of State. The figure of five female ministers reappeared in 2010.

Chart 5
**Progression of the participation of women in high Government offices
(in per cent)**

Source: AGDI 2003/ Baromètre 2010 and 2012.

163. In 2012, Madagascar ranked 7th in the region, with 33 per cent women executive secretaries/directors-general and 24 per cent female high officials.

164. On the legal side, 454 out of 913 magistrates are women, 49.72 per cent.

Trades unions

165. In the trades unions, women account for 29 per cent of the members and occupy 25.08 per cent of Executive Committee posts and 20.41 per cent of the posts of union leader.⁹ The chart below summarizes the participation of women in the 13 unions surveyed:¹⁰

- 28.98 per cent of the 99,072 members;
- 74.92 per cent of the 311 executive committee members;
- 20.41 per cent of the 338 leaders.

166. In the federations not affiliated with centralized groups, which account for a total of 11,707 members, there are 6,132 women. The relatively high number of women in the executive posts in these federations, namely 47.14 per cent in the executive committees (33 out of 70) and 31.25 per cent of leaders (15 out of 48) can be explained by the specific nature of the unions concerned.

Chart 6

Progression of the presence of women in the trades unions

Source: Focus/ILO/CTM survey/AGDI national report 2004

167. Thus, the inter-union association Tolon'ny Mpikarama (TM) brings together the unions which organize the workers in the textile sector (embroidery, clothing, etc.), in which more than 80 per cent of the workers are women. This explains the figure of eight female presidents out of the 23 currently serving.

⁹ Source : Focus/ILO/Confederation of Malagasy Workers (CTM), "Renforcement des capacités des femmes syndicalistes" (Strengthening the capacities of women trades unionists) 2004.

¹⁰ Cf. details in Annex 5.

Participation of women in elections

168. In April 2012, UNDP organized a strategic planning workshop seeking increased representation of Malagasy women in decision-making positions through integration of gender into the electoral process, in the post-conflict context. The new dynamic which arose from this workshop will help to involve women to a greater degree in the pre-electoral, electoral and post-electoral phases of the process. This can be seen in the presence of women among the members of the bureau of the Independent National Electoral Commission for the Transition (CENI-T).

Table 8
Women in the bureau of CENI-T

Members of the bureau	Men	Women	Women,
			per cent
President	0	1	100
Vice-president	2	0	0
Rapporteurs	1	1	50
Total	3	2	40

Source: Personal inquiry of CENI-T (2012).

169. Two women and three men make up the bureau of CENI-T, which is the second institution in the country to be led by a woman. It currently has 22 members, five of whom are women. That is a reflection of the degree of gender sensitivity of the institutions that have put forward their representatives to serve in it.

170. The right to vote extends to women, who are very enthusiastic about exercising it. As an example, at the most recent constitutional referendum of 11 November 2010, 3,204,243 women (44.8 per cent) were registered as against 3,946,980 men.¹¹

171. The meagre number of women affiliated with a political party demonstrates their lack of trust in political parties¹² and their lack of interest in standing as candidates in the elections.

172. In order to rectify the inadequacy of the number of women affiliated with a political party and to encourage them to stand as candidates, it is planned to:

- Legislate to oblige the political parties to alternate their candidates by sex for the ballots using the list system, ensuring that the candidate at the top of the list shall be a woman in half of the constituencies;
- Ensure that 50 per cent of female candidates shall be applied for the uninominal elections;
- Establish a firm objective including a timetable for implementation.

¹¹ Source : Baromètre Madagascar 2012 from CENI 2010.

¹² Focus/UNDP (2002). "Perceptions du vécu et aspirations des femmes et des hommes relatives aux relations de genres" (Perceptions of men and women's experiences and aspirations in the area of gender relations) – RNDH Madagascar 2003.

Associations

173. Women are active in associations carrying out social functions.

Chart 7

Presence of women in associations

Source: National Report on the AGDI 2003.

1. The proportion of women in leadership posts in community organizations remains low. The national report on the AGDI notes a rate of 17 per cent, only in the social, training-related, economic, education and infrastructure spheres. By contrast, women are more numerous in treasurer positions, at an estimated 39 per cent. The chart shows that there is a sizable representation of women in treasurer positions, in each sphere. The explanations provided for that fact are based on the idea that women have the qualities of mental discipline needed for the function.

Implementation of article 8 of the Convention: Representation of women at international level

(As covered in the recommendation in paragraph 23)

The Committee encourages the State party to implement concrete measures to increase the number of women in decision-making positions, in particular at the municipal/local level, in Parliament and in political parties. It recommends that the State party make effective use of article 4, paragraph 1, of the Convention on temporary special measures and the Committee's general recommendations Nos. 23 and 25, and establish concrete goals and timetables to accelerate women's equal participation in public and political life at all levels. The Committee also invites the State party to encourage political parties to use quotas. The State party is urged to carry out awareness-raising campaigns aimed at women and men to help ensure the elimination of stereotypes associated with men's and women's traditional roles in the family and in society at large and enhance women's political empowerment.

2. Women in Madagascar are just as entitled as men to represent the State in international bodies. The Ambassador and Permanent Representative of Madagascar to the United Nations in Geneva is a woman.

3. Since 2003, the heads of delegation responsible for defending the reports on the implementation of the various human rights treaties before the United Nations treaty bodies have been women ministers.

Implementation of article 9 of the Convention: Rights to nationality

(As covered in the recommendation in paragraph 25)

The Committee urges the State party to amend the Nationality Code so as to bring it in line with article 9 of the Convention.

4. A draft Law taking account of the suggestions in the recommendation in paragraph 25 is at present being submitted to Parliament for adoption.

5. With regard to a woman's acquisition, change or retention of nationality, article 9 of the draft Law provides that: "A child confirmed to be descended from at least one parent of Malagasy nationality is Malagasy."

6. A woman who has married a foreigner is entitled to retain her original nationality even if she acquires that of her husband, provided that the national law of the husband's country allows this.

7. With regard to the rights of the woman as to the nationality of her child, a mother who has acquired Malagasy nationality is entitled to pass this on to her children, whatever her marital situation.

Article 40: "Malagasy nationality is automatically conferred, under the same terms as for the parents, provided that descentance is confirmed in accordance with Malagasy civil law, on:

- a legitimate or legitimized child whose father or mother acquires Malagasy nationality;
- a child born out of wedlock, where the one of the parents with respect to whom descentance was first confirmed or, where applicable, the surviving parent, acquires Malagasy nationality."

8. A child of foreign nationality who has been adopted acquires Malagasy nationality if one of the adoptive parents is Malagasy.

Implementation of article 10 of the Convention: Awareness-raising on the importance of education

(As covered in the recommendation in paragraph 27)

The Committee urges the State party to raise awareness about the importance of education as a fundamental human right and as a basis for the empowerment of women and to take steps to overcome traditional attitudes that constitute obstacles to women and girls in the full enjoyment of their human rights to education. It recommends that the State party take steps to ensure equal access of girls and young women to all levels of education, to retain girls in school and to implement re-entry policies so that girls and young women return to school after pregnancy. The Committee further urges the State party to take measures to increase the enrolment of girls at all levels and recommends the introduction of further temporary special measures, in accordance with its general recommendation No. 25, including incentives for parents to send girls to school.

9. In response to this recommendation, the Constitution of 11 December 2010 repeats the principle of gender equality in the area of rights to education. Article 23 stipulates that: "All children have the right to be taught and educated under the responsibility of the parents and in observance of their freedom of choice."

10. Furthermore, in accordance with the provisions of article 22: "The State undertakes to take the measures necessary to ensure the intellectual development of any individual, as limited only by his or her own abilities."

11. In addition, article 24 of the constitution guarantees equal access for all to a free public education.

1. Legislative measures

12. In accordance with the terms of Act 2008-011 of 26 July 2008 laying down general guidelines on the system of education, teaching and training in Madagascar, girls enjoy exactly the same free access to the educational system as boys.

13. The following statistical data show the proportion of girls in the Malagasy educational system.

Table 9
Statistics of the Malagasy educational system, showing the proportion of girls

Regions	Total, pre-school		Total, primary 1 to primary 5		Total, 1st form to 4th		Total, 5th form to upper 6th	
	Boys & girls	Girls	Boys & girls	Girls	Boys & girls	Girls	Boys & girls	Girls
Alaotra Mangoro	2,194	1,139	181,397	89,026	32,990	16,590	7,702	3,706
Amoron'i Mania	5,696	2,852	139,138	67,865	33,287	17,243	5,549	2,719
Analamanga	3,738	1,906	283,207	135,612	94,716	48,702	23,048	12,007
Analanjirifo	6,047	3,091	242,241	117,396	56,582	26,432	5,235	2,130
Androy	509	269	118,442	64,152	10,907	5,474	1,624	699
Anosy			92,861	47,391	10,822	4,869	2,149	955
Atsimo Andrefana	1,914	1,007	184,994	97,801	27,261	12,857	6,186	2,632
Atsimo Atsinanana	2,029	1,092	185,359	89,163	22,243	8,827	2,296	795
Atsinanana	1,608	842	248,074	122,135	38,896	19,324	6,669	3,300
Betsiboka			48,704	24,154	6,498	3,118	999	451
Boeny	1,516	774	91,936	45,770	15,289	7,205	3,770	1,670
Bongolava	50	21	74,631	36,593	12,444	6,101	2,064	935
Diana	2,234	1,144	96,930	48,555	23,479	11,736	5,412	2,530
Haute Matsiatra	2,303	1,179	208,926	102,905	46,966	25,352	8,237	3,982
Ihorombe	124	67	48,704	23,450	5,374	2,426	1,224	557
Itasy	892	481	111,947	54,454	23,585	12,290	3,743	1,816
Melaky			32,585	16,081	3,410	1,587	668	270
Menabe	675	376	82,521	42,230	10,521	4,934	2,323	988
SAVA			225,948	110,638	51,295	22,491	6,282	2,388
Sofia	71	38	273,266	134,336	48,787	20,470	9,192	3,503
Vakinankaratra	4,267	2,215	245,107	118,082	50,045	24,915	7,411	3,349

Regions	Total, pre-school		Total, primary 1 to primary 5		Total, 1st form to 4th		Total, 5th form to upper 6th	
	Boys & girls	Girls	Boys & girls	Girls	Boys & girls	Girls	Boys & girls	Girls
Vatovavy Fitovinany	1,732	849	322,413	156,803	37,940	16,050	5,870	2,324
TOTAL	37,599	19,342	3,539,331	1,744,592	663,337	318,993	117,653	53,706
Percentage	100	51.44	100	49.29	100	48.09	100	45.64

Source: Directorate for Educational Planning/Ministry of National Education/Statistical yearbook 2010-2011.

14. The numbers of children starting education at the pre-school level show a preponderance of girls, at 51.4 per cent as against 48.6 per cent for boys. A progressive reversal of that situation may be observed at the primary, secondary and senior levels.

15. In the case of primary education, the proportion of girls attending is 49.30 per cent; the figure for boys is 50.7 per cent. However, in certain Regions such as Androy, Anosy, Atsimo Andrefana, Diana and Menabe, the proportion of girls in school remains higher than the number of boys.

16. In the case of secondary education, the gap generally becomes more significant, with 48 per cent of girls as against 52 per cent of boys in the middle schools (*collèges*) and 45.64 per cent of girls against 54.36 per cent of boys in the senior schools (*lycée*). Nevertheless, it may be observed that in the middle schools, the proportion of girls attending exceeds that of the boys in five regions out of 22. At the senior level, only the Region of Analamanga has a higher proportion of girls.

17. The steady reduction in the proportion of girls may be explained by the fact that the girls leave school earlier, either in order to get married or because of an early pregnancy, or because the parents, considering that they have learned enough, take them out of school prematurely.

18. Up to the age of 20 to 21, the number of female students exceeds that of males, at 54.15 per cent. But from 22 onwards, there are fewer females than males pursuing higher education.

19. The table below shows the numbers of higher education students enrolled for the academic year 2009-2010 (Cf. annex).

Table 10
Distribution by subject and sex of the students, studying with the National Centre for Distance Learning (CNTEMAD)

<i>Subject</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Management	1,218	1,282	2,600
Law	1,425	1,763	3,188
Management information systems	511	241	762
Trade	189	339	628
Communications	162	539	701
Professional certification (computer science, communications, trade)	124	194	318
Total	3,629	4,368	7,987
Proportion (per cent)	45	55	100

Source: Ministry for Higher Education and Scientific Research (MESUPRES)/ Yearbook 2009-2010.

20. The data given in the table do not provide information on the level of student gender parity. They do show, however, that access to higher education is facilitated by the presence of public and private institutions scattered throughout the island, notably CNTEMAD which operates in 20 regions out of 22. The presence of CNTEMAD in almost all regions facilitates women's access to higher education since the distance teaching provided means that they do not need to leave their place of residence.

21. The data also show that the proportion of girls enrolled in higher education with CNTEMAD is higher than that of the boys, 55 per cent against 45 per cent.

22. All students, regardless of sex, and depending on their level of education, have access to the same programmes, the same exams and to teaching personnel of the same level of qualification. Division by sex of teachers at primary and secondary level is not possible. At higher levels of education, female teachers are less numerous than males, as can be seen in the table below.

Table 11
Division of higher education teaching staff by sex

	<i>Full professor</i>			<i>Professor</i>			<i>Lecturer</i>			<i>Assistant</i>			<i>Total</i>		
	<i>M</i>	<i>F</i>	<i>Total</i>	<i>M</i>	<i>F</i>	<i>Total</i>	<i>M</i>	<i>F</i>	<i>Total</i>	<i>M</i>	<i>F</i>	<i>Total</i>	<i>M</i>	<i>F</i>	<i>Total</i>
Six public universities	64	28	92	81	41	122	408	179	587	242	131	373	795	379	1174
Private institutions	56	22	78	102	15	117	89	34	123	211	88	299	457	159	618

Source: MESUPRES.

23. Students regardless of sex have the same opportunities to take advantage of the grants provided by the State. In 2009-2010, 39,818 students out of 47,793, or 83.1 per cent, received study grants.

24. In order to rectify the phenomenon of early school-leaving and increase the rate of attendance in general and that of girls in particular, the Ministry of National Education with support from UNICEF and in collaboration with other ministries having to do with education, before the beginning of the 2013-2014 school year, launched a campaign to achieve attendance of all children of school age, directed towards the parents and the public at national level.

25. In addition, since 2006, and with the support of USAID, a programme of grants for girls directed towards their staying in school and completing at least the primary education cycle has been initiated by the Ministry of National Education.

26. Furthermore, since 2007, a programme “One girl for another”, developed by the Ministry of National with the support of UNICEF, has been seeking the same objective. This strategy sets up a guidance system in which an older girl from the second or third year acts as a guide to a girl from the same village who has just recently enrolled in the first year of primary school. The task of the guide is to assist the junior girl in several areas, to accompany her to school and to help her with her homework.

27. Finally, measures to reduce the financial burden on parents have been taken to reactivate school attendance by children in general and by girls in particular. This is because when parents lacking resources have to choose which of their children will continue their education, the choice often goes against the girls.

28. On an ongoing basis, therefore, the State covers the costs of school enrolment, distributes, with the support of UNICEF, basic school equipment, grants subsidies to the teachers recruited by the association of parents of pupils (FRAM) and to the teachers at private schools, sets up school canteens in rural areas at high risk of school drop-out, and provides grants to pupils from families having difficulties.

29. Under the Interim Education Plan (PIE) covering the period 2013-2015:

- 3,650,959 pupils in 2013 received sets of basic educational supplies;
- 151,379 schools in zones of food insecurity will be equipped with new canteens;
- 182,548 pupils will benefit from a nutritional supplement in the gap between certain periods;
- 4,224 middle school pupils will receive study grants and 11,333 teachers in the private sector will be subsidized;
- scaling up of pre-school education preschool and granting of preschool activity funds.

30. In the case of children outside the school system, the ASAMA¹³ will undertake the reintegration of children who have never attended school or have left, regardless of sex.

31. The table below shows what has been achieved by the Directorate for Pre-school Education and Literacy (DEPA) between 2008 and 2012.

¹³ Supplementary Educational Action Programme for Malagasy Adolescents.

Table 12
Achievements of the DEPA

<i>Academic years</i>	<i>No. of classes</i>	<i>Starting number</i>	<i>Present at exams</i>	<i>Qualifying for the CEPE</i>	<i>Per cent</i>
2008/2009	18	483	334	260	77.44
2009/2010	56	1,265	804	494	61.49
2010/2011	34/69	2,110	667	524	85
2011/2012	34/80	1,009	747	606	81.12
Total	221	4,867	2,552	1,884	73.82

32. Between 2008 and 2012, the number of ASAMA classes went up from 18 to 80, providing re-entry to 4,867 pupils, of whom 1,884 out of 2,552 applying qualified for the CEPE, equivalent to a success rate of 73.82 per cent.

33. In the light of these results, the PIE is making provision for extension of the ASAMA classes. In consequence, 10,000 adolescents who have never attended school or have left will be assigned to the care of NGOs and a further 10,000 will be assisted by 11 educational pilot projects spread over three regions: Amoron'i Mania, Analanjirofo and Atsinanana. Following an accelerated school education of 10 months, these children will take the CEPE examinations and those who pass will be incorporated into the formal educational circuit.

34. Finally, to cover the case of children with disabilities, Decree 2009-1147 of 1 September 2009 establishing a national policy of inclusive education has been adopted. Article 4 of this decree stipulates that "No child shall be refused admission to a primary school without a legitimate reason." Thus all children regardless of physical, sensory or mental health have the same rights to attend school.

35. The objective of "inclusive education" is to include all children who are outside the formal educational system in classes of nearby public or private primary schools, and to keep them in school.

36. In a collaborative venture with UNICEF, it is planned that by 2015, 20,000 children who have never attended school or have left will have been enrolled or re-enrolled in school. As an experimental project, in 2013 refresher courses were organized for 6,365 children who had left or never attended school, spread over 112 inclusive classes, and training was provided to 385 teachers undertaking the experiment.

37. The data for the year 2010 give more details on the distribution by age-band of the students enrolled for the academic year 2009-2010.

Table 13
**Distribution by age-band of the students enrolled for the academic year
 2009-2010**

Age-bands	Entire higher education system (6 public universities, Institute of Nuclear Science and Technology, 3 Higher Institutes of Technology, CNTEMAD, private universities)			Proportion of girls
	Male	Female	Total	Per cent
Under 18	487	962	1,449	66.39
18 to 21	14,388	16,727	31,115	53.76
22 to 25	16,288	13,360	29,648	45.06
26 to 29	5,430	3,314	8,744	37.90
30 to 33	1,171	667	1,838	36.29
34 to 39	552	393	945	41.58
Over 40	568	291	859	33.87
Total	38,884	35,714	74,598	47.87

Source: MESUPRES/Yearbook 2009-2010.

Implementation of article 11 of the Convention: Equal rights to employment and work

(As covered in the recommendation in paragraphs 15 and 29)

1/ States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

2/ a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

1. Regulatory framework

38. Madagascar has ratified:

- International Labour Organization Convention No. 100 on equal remuneration,
- Convention No. 111 on discrimination in employment and occupation,
- Convention No. 118 on equality of treatment on nationals and non-nationals in social security,
- Convention No. 151 on labour relations in public service.

39. National legislation on the labour market, both in the public and the private sector, ensures observance of the principle of equal access to employment in conformity with international labour rules.

40. The public sector is governed by Act 2003-011 of 3 September 2003 establishing the general statute on public officials; the private sector is governed by Act 2003-044 of 28 July 2004 establishing the Labour Code.

41. Social benefits in the private sector are regulated by Decree 69-145 of 8 April 1969 establishing the Social Security Code.

2. In the public and private sectors

42. The principles of equal access to employment, equal remuneration for work of equal value and of non-discrimination on grounds of hiring age or of sex are respected.

43. Article 53 of Act 2003-044 of 28 July 2004 establishing the Labour Code stipulates that “At the same level of professional qualification, for the same employment and for work of equal value, remuneration shall be the same for all workers of whatever origin, colour, national ancestry, sex, age, union membership, opinion or status.”

44. Chapter III of the Labour Code defines the particular working conditions of certain categories of worker, notably female workers.

45. In the private sector, in order to combat discrimination based on age and sex, article 1 of Decree 2013-337 of 14 May 2013 sets the normal age for commencement of the right to benefits at 60 for workers of both sexes, whereas in the past retirement age for women was 55.

3. In the informal sector

46. In 2012, a national survey on employment and the informal sector was undertaken by INSTAT, with the support of UNDP, ILO and IRD/DIAL. The results of the survey reveal that:

- Unemployment, as defined by ILO,¹⁴ is still low in Madagascar since it affects only 1.3 per cent of the island’s active population. However, it does affect women more than men, with six out of ten unemployed persons being women;
- Nine out of 10 jobs are in the informal sector. This means that there is a marked preponderance of women in the informal sector excluding agriculture (domestic services in households and some activities in the category of family assistance).

47. Every year since 2011, the National Social Security Fund (CNaPS) has undertaken awareness-raising activities to encourage employers in the informal sector to enrol their employees in the CNaPS so that they can obtain social benefits.

48. Encouraging economic operators to join the formal sector is one of the priorities of the Office of the Deputy Prime Minister responsible for the economy and industry. Such encouragement involves promoting the establishment of cooperatives.

¹⁴ As defined by ILO, an unemployed person is any individual:
Of working age (5 years old or more),
Without work for the past seven days,
Actively seeking employment,
Available to work.

4. Equal pay for equal work

49. Article 29 of the 2010 Constitution provides that “All citizens have the right to a fair remuneration for their work, ensuring for the worker and his or her family a life in conformity with human dignity.”

5. Economic migration

50. The high level of unemployment has caused an increase in the number of men and women who have left the country to find work elsewhere, notably in the Seychelles, Mauritius, Saudi Arabia, Kuwait, Qatar and Dubai.

Table 14
Rates of emigration in 2007

<i>Country</i>	<i>Number</i>	<i>Men</i>	<i>Women</i>	<i>Length of stay abroad</i>
Lebanon	448	0	448	2 to 3 years
Mauritius	276	76	200	2 to 3 years
Seychelles	256	45	211	2 years
Mayotte	5	5	0	3 mo. to 1 yr.
TOTAL	985	126	859	

Source: Ministry for the Civil Service, Labour and Social Law (MINFOPTLS).

Table 15
Areas of work of people emigrating in 2007

<i>Employment</i>	<i>Number</i>
Home help	209
Cleaning woman	239
High-precision mechanic	26
Machine operator	226
Refrigeration mechanic	1
Fish cutter	212
Packer and caser	43
Mechanical equipment technician	2
CAT painting technician	3
Operator	10
Educational adviser	14
TOTAL	985

Source: MINFOPTLS.

Table 16
Rates of emigration in 2008

Country	Number	Men	Women	Length of stay abroad
Lebanon	657	0	657	3 years
Mauritius	133	76	57	2 years
Seychelles	1	0	1	1 year
TOTAL	791	76	715	

Source: MINFOPTLS.

Table 17
Areas of work of people emigrating in 2008

Employment	Number
Cleaning woman	657
Fish cutter	58
Kitchen aid	2
Maintenance personnel	73
Animal welfare officer	1
TOTAL	791

Source: MINFOPTLS.

Table 18
Rate of emigration in 2009

Country	Number	Men	Women	Length of stay abroad
Lebanon	3,919	0	3,919	3 years
Mauritius	294	62	232	1 to 3 years
Seychelles	133	75	58	2 years
Mayotte	19	19	0	3 mo. to 1 yr.
Kuwait	7	0	7	2 years
TOTAL	4,372	156	4,216	

Source: MINFOPTLS.

Table 19
Areas of work of people emigrating in 2009

Employment	Men	Women	Duration
Cleaning woman		3,926	3 years
Fish cutter		58	2 years
Kitchen assistant	2		2 years
Maintenance personnel	73		2 years
Animal welfare officer		1	1 year

<i>Employment</i>	<i>Men</i>	<i>Women</i>	<i>Duration</i>
Specialized sheet-metal painter, maintenance	4		6 mo.
Machine circuit and transmission maintenance and repair technician			8 mo. - 1 yr.
	2		
Circuit system and motor maintenance and repair technician	2		6 mo.
Circuit maintenance and repair technician	4		6 mo.
Electronic system maintenance and repair technician	1		6 mo.
Electric system maintenance and repair technician	1		6 mo.
Specialized machine tool technician	2		3 mo.
Accessory cabinet maintenance technician	1		11 mo.
Mechanical technician	2		3 mo.
Machine operator (textiles)	4	62	3 years
Machine operator	16	169	3 years
Not listed	42		2 years
TOTAL	156	4 216	

Source: MINFOPTLS.

Table 20
Rate of emigration in 2010

<i>Country</i>	<i>Number</i>	<i>Men</i>	<i>Women</i>	<i>Length of stay abroad</i>
Lebanon	23	2	21	3 years
Mauritius	206	161	45	2 to 3 years
Qatar	1		1	2 years
Mayotte	4	4	0	1 year
Kuwait	116		116	2 years
Egypt	108	108		2 years
Dubai	2		2	2 to 3 yr.
Saudi Arabia	1		1	2 years
TOTAL	461	274	186	

Source: MINFOPTLS.

Table 21
Areas of work of people emigrating in 2010

<i>Employment</i>	<i>Men</i>	<i>Women</i>	<i>Duration</i>
Cleaning woman		139	2 to 3 yr.
Babysitter		2	2 to 3 yr.
Specialized painter	2		1 year
Machine tool technician	2		1 year
Machinist	213	3	3 years

<i>Employment</i>	<i>Men</i>	<i>Women</i>	<i>Duration</i>
High precision mechanic	15		2 years
Machine operator		42	3 years
Security agent	12		2 years
Carpenter	9		2 years
Welder	6		2 years
Equipment operator	5		2 years
Mason	9		2 years
Foreman	1		3 years
Gardener	1		3 years
Maintenance technician	1		2 years
TOTAL	274	188	

Source: MINFOPTLS.

Table 22
Rate of emigration in 2011

<i>Country</i>	<i>Number</i>	<i>Men</i>	<i>Women Not Specified</i>	<i>Length of stay abroad</i>
Lebanon	1		1	3 years
Mauritius	390	246	144	3 to 4 years
Seychelles	50	22	28	2 years
Mayotte	7	7		5 mo. to 1 yr.
Kuwait	165		165 (including 2 prohibitions on leaving the territory)	2 years
Aix-en- Provence	1	1		indeterminate
France	1	1		2 mo.
Jordan	288	113	167	8 3 years
TOTAL	903	390	505	8

Source: MINFOPTLS.

Table 23
Areas of work of people emigrating in 2011

<i>Employment</i>	<i>Men</i>	<i>Women Not specified</i>	<i>Duration</i>
Fish cutter	22	28	2 years
Machine tool technician specializing in machining	1		5 mo.
Mechanical equipment technician	2		5 mo.
Sheet metal worker/painter	1		1 year
Maintenance and repair technician	3		5 mo. - 1 yr.

<i>Employment</i>	<i>Men</i>	<i>Women</i>	<i>Not specified</i>	<i>Duration</i>
Cleaning woman		166 (including 2 prohibitions on leaving the territory)		3 years
Washing worker	3			3 years
Inspector	1			3 years
Farm labourer	4			3 years
Weaver	1			3 years
Machine operator	125	126		3 to 4 years
Operator	25			3 years
Machinist	45	18		3 years
Washing worker	21			3 years
Fish sorter	15			
Finisher	1			3 years
Milling labourer	1			3 years
Miller	2			3 years
Cook	2			3 years
PMS Support	1			Indeterminate
Course on company management	1			2 mo.
Pressing operator	23	20	7	
Not listed	9	17		
Checking	1			
Cheek mending		1		
Quality control		1		
Cutter	4			
Foreman		1		3 years
Stitching foreman		1		
Inspection	1	1		
Final inspection	2			
Interpreter		1		
Knitting worker	2	4		
Looping/inspection		1		
Looping	8	42		
Machinist	41	30		
Machine operator		1		
Mending worker	4	16		
Operator		1		
Machine operator		1		
Robot operator	1			
Shima Seiki operator	1			
Packer	4	2		
QC looping	1			

<i>Employment</i>	<i>Men</i>	<i>Women</i>	<i>Not specified</i>	<i>Duration</i>
Ironer		1		
Robot	1			
Knitting robot	1			
Seamer	1			
Shima Siki worker	5	3		
Shima Seiki machine operator	1	1		
Stitcher	2	17	1	
Overlock looping		1		
Knitter		1		
Checker		1		
Warehouse worker		1		
TOTAL	390	505	8	

Source: MINFOPTLS.

Table 24
Rate of emigration in 2012

<i>Country</i>	<i>Number</i>	<i>Men</i>	<i>Women</i>	<i>Length of stay abroad</i>
Seychelles	260	48	212	2 years
Mauritius	881	602	279	2 to 5 years
Oman	3		3	2 years
Saudi Arabia	360		360	2 years
Kuwait	1,626		1,626 (1 used twice)	2 years
France	23		23	3 mo. to 1 yr.
Jordan	73	19	54 (1 used twice)	2 years
TOTAL	3226	669	2557	

Source: MINFOPTLS.

Table 25
Areas of work of people emigrating in 2012

<i>Employment</i>	<i>Men</i>	<i>Women</i>	<i>Duration</i>
Cleaning woman		1990	1 to 2 years
Manual labourer	3	24	
Food and beverage manager	6		2 years
Security agent	10		
Executive chef	2		
Executive housekeeper	2		
Chief steward	1		
Security manager	2		
Fish cutter	37	203	

<i>Employment</i>	<i>Men</i>	<i>Women</i>	<i>Duration</i>
Sewing worker	30	5	2 years
Machine operator	387	123	3 years
1st year worker	2	9	3 to 5 years
Machinist	112	122	3 years
Colourist	1		3 years
Web developer	2		3 years
Snack bar operator	1		3 years
Washing worker	1		3 years
Operator	40		2½ years
Hand sanding operator	3		3 years
Worker	13	13	5 years
Packing worker	1		3 years
Supervisor	1		3 years
Screen printer	3		3 years
Inspector		2	
Interpreter	1	1	
Knitting worker	1		
Sleeve looper		1	
Looping worker		14	
Mending worker		7	3 years
Robot operator	1		
Shima Seiki operator	1		
Overlock worker	1		
Rewinder		1	
Shima Seiki worker	1		
Stitching worker		16	
Overlock looping	1		
Checker		1	
ILM worker		1	
Assembler		1	
Cook	1		
Not listed	1	1	
Trainer		22	3 mo.
TOTAL	669	2 557	

Source: MINFOPTLS.

51. Regulatory measures have been taken to provide for monitoring and assessment of the situations of migrant workers:

- Decree 2005/396 of 28 June 2005 establishing the operating conditions and procedures of private and the procedures for granting or withdrawing approval, and the subsequent texts;

- Decree 01-013/2010 of 10 February 2010 establishing the procedures for granting or withdrawing approval of private employment agencies.

52. National legislation, recognizing the right to maternity leave both in the public and in the private sector, does not permit dismissal for reasons of pregnancy. Article 94 of the Labour Code provides that: “A woman applying for employment shall not be required to state that she is pregnant. Pregnancy may not be taken into consideration as grounds for cancelling a work contract during the probationary period.”

Article 95: “No employer may cancel the work contract of a paid woman when it has been medically confirmed that she is pregnant.”

53. However, in practice certain companies exporting goods for duty-free import, when recruiting, prefer to hire women who are not pregnant.

54. It is also rare for a case of dismissal on the grounds of pregnancy to come before the labour courts.

Implementation of article 12 of the Convention: Equality of access to health care

(As covered in the recommendation in paragraphs 15 and 31)

The Committee recommends that the State party implement temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25, as part of a necessary strategy to accelerate the achievement of de facto equality between women and men. It calls upon the State party to consider using a range of possible measures, such as quotas, benchmarks, targets and incentives, in particular with regard to ensuring the accelerated implementation of articles 7, 8, 10, 11, 12 and 14 of the Convention..

The Committee recommends that the State party take measures to improve women’s access to health care, especially emergency obstetric care and health-related services and information, in accordance with article 12 of the Convention and the Committee’s general recommendation No. 24 on women and health. It calls on the State party to improve the availability of sexual and reproductive health services, including family planning, with the aim of preventing early pregnancies and clandestine abortions. It encourages the State party to enhance all health services, especially for rural women. The Committee requests the State party to provide in its next report detailed information on measures taken to improve women’s access to health-related services and information, including in regard to sexual and reproductive health and family planning, and the impact of these measures.

55. Madagascar does not yet have specific measures forming part of a strategy accelerating the achievement of de facto equality between men and women by means of quotas.

56. As has been pointed out in the part of this report dealing with the implementation of article 7, in the area of exercise of political rights, it is envisaged to take special measures in the form of quotas, targets and timetables in order to achieve de facto equality between men and women in the area of access to elective office.

57. Under article 267 of Madagascar’s Health Code, it is the responsibility of the State to set up special quality health services, accessible to women undergoing

complications related to pregnancy, childbirth, post-partum, the post-natal period or abortion.¹⁵

58. Mother and child health is one of the priorities of the Malagasy Government. From 1992 to 2009, the rates of infant and young child mortality went down by 45 points and 91 points, as a result of a cluster of activities to improve the health of mothers and infants. However, following a drop of 127 points, the rate of maternal mortality is showing a certain upward trend. Maternal deaths occur in greater numbers (88 per cent) in the communities than in health structures (12 per cent).

Table 26

Trends in maternal, neonatal, infant and young child mortality

	<i>Demographic and Health Surveys, Madagascar</i>			
	<i>1992</i>	<i>1997</i>	<i>2003-2004</i>	<i>2008-2009</i>
Maternal mortality per 100,000 live births	596	488	469	498
Neonatal mortality per 1,000 live births	42	41	34	24
Infant (< 1 yr.) mortality per 1,000 live births	93	96	58	48
Young child (< 5 yr.) mortality per 1,000 live births	163	159	94	72

Sources: Demographic and Health Surveys, Madagascar, 1992, 1997, 2003-2004, 2008-2009.

59. The Government has a road map to reduce maternal mortality over the period 2005 to 2015. Studies have been undertaken to support decision-making and redirecting of the general health policy, in particular in the area of the mother and newborn survival programme.

60. A document on Political Orientation in Reproductive Health was adopted and implemented in 2012. Efforts have been made to improve women's access to health services during pregnancy and childbirth and during the post-natal period.

1. Improvement in women's access to health care during pregnancy

61. Prenatal consultancy services (CPN) are offered free of charge in all public health structures. With the goal of enhancing the survival rate of mothers and newborns, groups of preventive, curative and promotional activities are offered during pre-natal consultations.

62. The involvement of the community in the process of planning, implementation and follow-up of these activities has made it possible to improve the access of pregnant women to appropriate care. An increase in the number of women attending the first prenatal consultancy has been observed.

63. Awareness-raising activities will be enhanced in order to achieve the objectives set out in CPN 4.

¹⁵ Act 2011-002 of 15 July 2011 establishing the Health Code.

Table 27
Trends in attendance at prenatal consultancy

	Year 2009		Year 2010		Year 2011		Year 2012	
	Achieved	Target	Achieved	Target	Achieved	Target	Achieved	Target
Rate of first prenatal consultancy (CPN.1)	61%	76%	65%	78%	63%	80%	80%	80%
Rate of women who have had at least four prenatal consultancies (CPN.4)					Not available		15.4%	60%

Source: Ministry of Public Health / Health statistics service.

64. Since 2011, in order to ensure the quality of services offered as part of prenatal care, the refocused CPN has been enhanced and incorporated into the training in Emergency Obstetric and Neonatal Care, including all care appropriate to pregnant women such as vaccination, nutrition and iron and folic acid supplementation, deworming, administration of sulfadoxine/pyrimethamine and counselling and screening for HIV and syphilis.

65. From 2009 to 2010, the percentage of births protected against tetanus went up from 51.2 per cent to 59 per cent, peaking at 62 per cent in 2011 during a campaign to eliminate maternal and neonatal tetanus.

Table 28
Numbers of births protected against neonatal tetanus

Year	Expected pregnancies	Number of women receiving ATT	
		Number	Percentage of protected births
2009	881,00	503,503	57.2%
2010	964,270	566,725	58.8%
2011	793,057	492,295	62%
2012	816,202	483,979	59%

Sources: Health sector statistical yearbook, JRF 2011, JRF 2012.

66. As recommended by the World Health Organization, in 2012 a draft Law on vaccination was under review. Its objective is to create a legal framework for managing health through vaccination to prevent avoidable diseases, in conformity with its constitutional obligations; to plan, organize, execute and monitor activities aimed at guaranteeing that vaccination to prevent avoidable diseases by vaccination shall be compulsory and free; and to provide the ongoing funding needed to achieve the goals set forth.

67. As part of the fight against HIV/AIDS, the various biological surveillance studies of pregnant women in 2005, 2007 and 2010 have shown HIV/AIDS prevalences lower than 1 per cent: respectively 0.15, 0.18 and 0.09 per cent. However, the number of pregnant women who have had the HIV/AIDS test is only 32.15 per cent, as against a target of 80 per cent.

Table 29
Rates of primary prevention of mother-to-child transmission of HIV/AIDS

<i>Year</i>	<i>Counselling/Pretest for HIV (per cent)</i>	<i>Test for HIV/AIDS (per cent)</i>	<i>Target (per cent)</i>
2010	29.07	22.80	80
2011	57.29	51.04	80
2012	39.41	32.15	80

Source: Ministry of Public Health / National Programme against AIDS.

68. According to the results of a study in 2008–2009, in the course of the prenatal consultations, 9 per cent of pregnant women received counselling on AIDS, agreed to have the test and were informed of their results, while 24 per cent of pregnant women only received counselling on AIDS and 13 per cent agreed to have the test and were informed of their results.¹⁶

69. Efforts have been made to improve pregnant women's access to primary HIV/AIDS prevention by scaling up the locations for screening and counselling on HIV/AIDS.

Table 30
Trends in the establishment of locations for HIV/AIDS screening and counselling

<i>Indicators</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>Targets 2017</i>
Number of locations for HIV screening and counselling	816 in 2,436 CSBs	1,020 in 2,458 CSBs	1,638 in 2,485 CSBs	1,644 in 2,544 CSBs	
Proportion of CSBs offering HIV/AIDS counselling and screening	33.49%	41.49%	65.91%	64.62%	100% (all public CSBs)

Source: Ministry of Public Health / National Programme against AIDS.

70. With regard to the fight against malaria, indoor insecticide spraying campaigns, carried out since 2007 before the beginning of the transmission season constitute one of the most effective vector control methods for interrupting the transmission of malaria. This method has made it possible to increase the proportion of the population protected against malaria. Starting in 2008, this method has been applied in a number of communes.

71. From 2010 to 2011, the method was put into generalized use in the central highlands, and extended in three regions in the south. To give better protection of pregnant women and of children, a cluster of supplementary activities is dispensed both routinely and in the campaigns. Insecticide-treated mosquito nets (ITNs) are distributed either free of charge or through social marketing.

¹⁶ Source: Demographic and Health Survey 2008-2009.

Table 31
Numbers of ITNs distributed

	2007	2008	2009	2010	2011	2012
ITNs distributed in routine activities	-	471,720	44,000	74,363	226,040	130,364
ITNs distributed in campaigns in the districts*	2,026,000 in 92 districts		2,900,000 in 10 districts	4,748,869 in 72 districts		3,463,445 in 31 districts
ITNs sold through social marketing in the districts*	914,156 in 106 districts	429,332 in 104 districts	253,300 in 104 districts	163,636 in 104 districts	284,235 in 104 districts	345,931 in 104 districts

Sources: Ministry of Public Health / National Anti-Malaria Programme.

*Total number of health districts: 2005 to 2010, 111; starting in 2011, 112.

72. Intermittent preventive therapy (TPI), based on periodic doses of sulfadoxine/pyrimethamine, is dispensed as a malaria prophylaxis starting from the fourth month of pregnancy. This strategy is implemented in 91 health districts. Regardless of the point in the CPNs when the pregnant woman has been seen, the number of pregnant women who have benefited from TPI in the targeted districts has increased. However, the rate of attrition between TPI.1 and TPI.2 varies between 17.18 per cent and 27.42 per cent. Greater efforts must be made in order to ensure the protection of pregnant women.

Table 32
Numbers of pregnant women receiving malaria prophylaxis

	2007	2008	2009	2010	2011	2012
Total population	18,555,667	19,071,811	19,601,026	20,142,015	20,696,070	21,263,403
Women pregnant >4 mo. (1.88% / total pop.)	348,847	358,550	368,499	378,670	389,086	399,752
Pregnant women under TPI.1	Number 169,207	318,163	316,848	327,423	359,081	273,520
	Percentage 48.50	88.74	85.98	86.47	92.29	68.42
Pregnant women under TPI.2	Number 109,278	219,840	238,262	248,522	272,954	188,557
	Percentage 31.33	61.31	64.66	65.63	70.15	47.17
Rate of attrition between TPI.1 and TPI.2	Percentage 17.18	27.42	21.33	20.84	22.14	21.25

Sources: Ministry of Public Health / National Anti-Malaria Programme.

73. In the nutrition area, deworming and iron and folic acid supplementation for pregnant women are dispensed free of charge in a campaign held during Mother and Child Health Week.

2. Improvement of women's access to health care in childbirth

74. Since 2006, with the support of WHO, UNICEF and UNFPA, the Basic Emergency Obstetric and Neonatal Care programme (SONUB) has been offered at 504 health structures, and the Comprehensive Emergency Obstetric and Neonatal Care (SONUC), including caesarean sections, are available at 48 public health structures. Capacity-building sessions in Emergency Obstetric and Neonatal Care

(SONU) have been provided to 787 health professionals including physicians, midwives and nurses, and with a view to scaling up the activities and making them permanent, SONU modules have been included in the initial training course for Malagasy paramedical personnel.

75. Since 2008, the public health structures have been equipped with individual sets of childbirth supplies and inputs for caesarean sections, covered by the State budget and also by contributions from technical and financial partners including UNICEF and UNFPA. As a consequence, 3,119 mothers and newborns have benefited from this provision. A 2009 evaluation of the use of the supplies for caesarean sections showed that 4,295 cesarean births were paid for by the State and 7,949 by UNFPA. However, since 2010, the rate of provision of such equipment to health structures has gone down, and in 2011 the coverage needs were not met. In 2012, the impact on the childbirth rate has been as would be expected.

Table 33
Coverage of childbirth in health structures

Indicators	2009	2010	2011	2012	Targets 2012
Rate of childbirth in health structures	31.59%	33.97%	30%	29.50%	42%
Rate of caesarean sections	1.07%	0.9%	0.93%	1.37%	1.5%

Source: Ministry of Public Health.

3. Improvement in women's access to health care after childbirth

76. In 2011, in the context of promoting exclusive breastfeeding, Decree 2011-629 of 29 December 2011 regulating the marketing of breast-milk substitutes was adopted. This Decree applies to breast-milk substitutes both when they are marketed and when they are presented as products completely or partially replacing breast milk. The Decree also applies to feeding bottles and teats.

77. Since 2008, with the aim of reducing maternal mortality still further, the maternal death audit (ADM) has been set up in the public health structures. This audit consists of a detailed study of the causes, circumstances and associated factors contributing to maternal deaths occurring in the health structures, in order to formulate recommendations for changes. In addition, based on analyses of the avoidable causes and factors underlying maternal deaths and their aftermath, corrective actions are to be undertaken at local, regional and national level. Since 2008, this strategy has been implemented in 26 reference hospitals.

78. In 2012, the four main causes of the maternal deaths recorded in public health structures were septicaemia (42 per cent), haemorrhage (21 per cent), eclampsia (17 per cent) and uterine rupture (13 per cent). A draft Decree institutionalizing the practice of audit and review of maternal deaths in all Malagasy health structures carrying out deliveries is in the process of adoption.

79. At community level, surveillance of maternal deaths has been initiated through sentinel sites set up in five districts.

80. Since June 2012, a pilot project aimed at improving maternal and neonatal health has been implemented in the five Regions of Atsimo Atsinanana, Vatovavy Fitovinany, Atsimo Andrefana, Androy and Sofia.

81. This project consists of the provision of reliable and real-time data, through messages by the mobile phone system, for ongoing tracking of the occurrence of maternal and neonatal deaths and the supply of reproductive health products. By the end of the year, though the cooperation of the phone company TELMA, 393 maternal deaths and 176 neonatal deaths were recorded.

Table 34

Progression in the establishment of audits and surveillance of maternal and neonatal deaths

<i>Indicators</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Number of hospital structures auditing maternal deaths	3	10	19	26
Number of sentinel sites for surveillance of maternal mortality		3	3	5

Source: Ministry of Public Health/Directorate for Child, Mother and Reproductive Health.

82. Postnatal consultation is part of the minimum cluster of activities in all health structures. The proportion of women receiving postnatal care in the 48 hours following childbirth was 32.1 per cent in 2003-2004, and 46 per cent in 2008-2009.¹⁷

83. As part of improving the feeding of vulnerable groups and to ensure the survival and optimal development of every child, in 2010 a manual entitled “Infant and Young Children Feeding and Women’s Nutrition” was drawn up to act as a reference for doctors and paramedical personnel. This manual highlights best practices through the most effective and economic interventions aimed at promoting and protecting infant and young child feeding, particularly breastfeeding, supplementary nutrition, and women’s nutrition. A communication strategy dealing with “Infant and Young Children Feeding and Women’s Nutrition” has been developed, and various kinds of instructional visual aids produced and distributed. Curricula for training health officers, community leaders and community officials were created. On this basis, 224 health officers, 860 community leaders and 2,854 community officials have been trained in interpersonal communication in the area of infant and young children feeding and women’s nutrition in four regions (Analamanga, Androy, Atsimo Andrefana and Anosy).

4. Family planning and reproductive health services

84. A national family planning programme, adopted in 2007, seeks to reduce the number of pregnancies that are too early, too closely-spaced, too late or too numerous. Family planning services are available free of charge in 97 per cent of public health structures, 41 per cent of which also offer long-term methods. In 2012, the service on offer was enhanced by the establishment of 2,388 operational community-based family planning facilities, which are attached to the CSBs and staffed by 3,796 community officers, with 454 offering injectable contraceptives in 88 Communes. Use of contraception has increased from 18 per cent in 2003 to 29 per cent in 2008.¹⁸

¹⁷ Source: Demographic and Health Survey 2008-2009.

¹⁸ Source : Demographic and Health Survey 2008-2009.

5. Early pregnancy, obstetric fistula

85. According to successive demographic and health surveys, early pregnancy is trending downwards, from 52 per cent in 1997 to 32 per cent in 2008. Nevertheless, abortions remain the corollary to early pregnancies, and one third of abortions are performed on adolescent girls under the age of 25, representing 2 per cent of the reasons for hospitalization. Since early pregnancies result in difficult childbirth, they render more likely the occurrence of obstetric fistula, which creates physical incapacity of varying degrees of intensity, accompanied by a severe human and social burden from the victim's stigmatization by society, resulting in her rejection by the community, or even her family, leading to total isolation and shame.

86. Certain usages and customs involving marriage at a very early age such as molestry, the ever-earlier occurrence of the first sexual encounter, the sexual liberty in some regions where girls are released from parental authority from the age of puberty onwards, living on their own, are all factors tending to result in early pregnancies.

87. A situational analysis carried out in 2007 to assess the scale and impact of obstetric fistula resulted in an estimate of approximately 2,000 new cases a year, equivalent to two or three per 1,000 pregnancies.

88. A project to eliminate obstetric fistula was undertaken in 2010. This consisted of free attention comprising reparative surgery and the social reintegration of 10 women who had suffered obstetric fistula, from six different regions.

89. In 2011, a national campaign in Toliara, involving seven regions of the south-east and south-west of Madagascar (Atsimo Andrefana, Androy, Anosy, Vatovavy Fitovinany, Atsimo Atsinanana, Ihorombe, Menabe) resulted in the free treatment of 106 women who had suffered obstetric fistula and an increase from two to 14 in the number of hospital centres dealing with obstetric fistula.

90. In 2012, a survey of the women who had suffered obstetric fistula was incorporated into Mother and Child Health Week, with 589 cases being counted, of which 265 were treated. The National Strategic Plan for the Eradication of Obstetric Fistula (PSNEFO), involving the implementation of preventive, curative and social reintegration activities, including psychological care, has been prepared and will be operated by the Ministry of Public Health in collaboration with the other ministries concerned, partners such as the United Nations, national and international NGOs and other people of good will.

6. Prevention of early pregnancy

91. Article 3 of Act 2004/028 of 9 September 2004 establishing the National Policy on Youth stipulates that "The National Policy on Youth covers all young people without distinction as to sex, social class, religion, political affiliation or physical or mental handicap."

92. The Government has a National Policy on Young Peoples' and Adolescents' Reproductive Health. A joint and multisectorial approach of the Ministries of Health, of Youth and of National Education has been adopted to raise awareness about young peoples' and adolescents' reproductive health and reducing early pregnancies.

93. Measures have been taken to prevent early pregnancies: counselling is provided to adolescents, a more effective approach to sex education and contraception has been adopted in the schools, radio and television broadcasts have been prepared, and capacity-building in a life skills approach based on sexual and reproductive health has been provided to the people concerned.

94. In 2012, a reference manual entitled “Young peoples’ friends service” was written and 4,000 copies distributed. Also, 148 “Young peoples’ friends” services were set up in 31 of 119 districts, and 35 “Young peoples’ friends” basic health centres were established. Networking among the “Young peoples’ friends” services has made it possible to refer young people in line with their requests and their needs. In 2013, with the support of WHO, UNICEF and UNFPA, 31 communes will network the “Young peoples’ friends” services in their respective localities.

95. Every year, young trainers (male and female equally, between 15 and 24 years of age) are recruited and entrusted with distribution, on a community basis, of condoms to their peers.

Table 35

Progression of activities of young peer trainers in 25 locations

<i>Year</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Number of young peer trainers	1,735: 915 M and 815 F	200: 100 M and 100 F	425: 225 M and 200 F	442: 221 M and 221 F
Number of condoms distributed	65,433	77,889	228,432	155,169
Young people made more aware through the life skills approach	159,533	99,844	86,057	133,485
Young people referred to the health centres	1,904	1,515	4,083	1,787

Source: Ministry of Youth and Leisure.

96. In the implementation of the programmes for young people, the activities on prevention of early pregnancy are carried out in conjunction with the prevention of STIs/HIV/AIDS.

Table 36

Progression in the number of young people made aware of reproductive health and HIV/AIDS (25 sites)

<i>Year</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Males		22,009		75,068
Females		23,013		58,417
Total	159,533	45,022	189,422	133,485

Source: Ministry of Youth and Leisure.

Implementation of article 13 of the Convention: Elimination of discrimination against women in other areas of economic and social life

(As covered in the recommendation in paragraph 33)

The Committee urges the State party to ensure that the promotion of gender equality is an explicit component of its national and local development plans and programmes, in particular those aimed at poverty reduction and sustainable development. The Committee also urges the State party to pay special attention to the needs of rural women and women heads of households, ensuring that they participate in decision-making processes and have full access to credit facilities. The Committee further urges the State party to take proactive measures to ensure that rural women have access to health services, education, clean water, electricity, land and income-generating projects. It recommends that the State party design and implement gender-sensitive rural development strategies and programmes, ensuring the full participation of rural women in their formulation and implementation.

1. Women's access to credit

97. In order to facilitate women's access to credit, the Ministry of Finance and Budget, working through the National Microfinance Coordination body (CNMF), which is a component of the Directorate-General of the Treasury, has undertaken certain measures, notably the promotion of the product Credit with Education (CAE), to benefit very vulnerable women. The CAE provided training to women's associations and/or groupings in the areas of:

- maternal and infant health, family planning, etc.;
- management of household income;
- education of children;
- management of revenue-creating activities.

98. The table below shows the amounts of support provided by the CNMF to spread awareness of the microfinance product exclusively targeting women.

99. These support amounts were provided from 2006 to 2007 and the partnership agreements relating to them ended in 2009.

100. After that period, all the microfinance institutions used their own funds to continue to offer the CAE credit to their clients/members, at least to those who were still active in business. It may also be noted that the microfinance institutions OTIV, ZL and TIAVO offer the CAE credit to their members.

101. In the case of Volamahaso, the CAE product is one of their flagship products but is not reserved exclusively for women.

Table 37
**Financial support from the CNMF to spread awareness of the CAE product
(financing by UNDP)**

<i>Institutions</i>	<i>Regions</i>	<i>Date</i>	<i>Amount</i>	
			<i>MGA</i>	<i>USD</i>
OTIV Alaotra	Alaotra	June 2006	140,000,000	64,113
		Nov. 2007	24,000,000	13,615
OTIV Antananarivo	Analamanga	June 2006	304,000,000	139,216
OTIV Diana	Diana	June 2006	98,557,000	45,143
Haingonala	Amoron'i Mania	June 2006	202,200,000	92,597
ODDER	Anosy	Oct. 2006	208,420,000	97,885
AECA	Boeny	Nov. 2007	70,000,000	39,712
OTIV SAVA	SAVA	Nov. 2007	40,000,000	22,692
CECAM	Bongolava	Nov. 2007	66,000,000	37,443
Total			1,153,197,000	552,415
<i>Coverage</i>				
Number of women benefiting from credits				25,000
Average amount of credit granted				163,100 Ariary

Source: Ministry of Finance and Budget.

102. For the whole of the sector, the table following shows the progression in the percentage of women members and/or clients of the microfinance institutions and other categories of credit providers carrying out microfinancing.

Table 38
**Percentage of women members and/or clients of the microfinance institutions
and other credit providers**

	<i>Dec. 2008</i>	<i>Dec. 2009</i>	<i>Dec. 2010</i>	<i>Dec. 2011</i>	<i>Dec. 2012</i>	<i>March 2013</i>	<i>June 2013</i>
Number of service points	638	652	700	739	784	789	803
Rate of use by households	13.9%	16.1%	17.5%	19.5%	22.69%	23.13%	23.69%
Number of members and/or clients	529,774	629,302	733,864	844,340	984,683	1,010,537	1,042,421
Number of women members and/or clients	228,120	285,388	340,586	387,636	452,166	465,554	483,579
Percentage of women members and/or clients	43.06%	45.35%	46.41%	45.91%	45.92%	46.07%	46.39%

Source: www.madamicrofinance.mg (tracking sheets of microfinance institutions supplied to the CNMF).

103. As is shown in the table above, there was an increase in the percentage of women utilizing microfinance services from 43.06 per cent in 2008 to 46.39 per cent in June 2013.

104. In addition, the current National Strategy for Inclusive Financing (SNFI) 2013-2017 restates the importance of women's access to financial and microfinance services. It was adopted in December 2012 by the bodies involved in the microfinance sector, including the Ministry of Finance and Budget, the Ministry of Agriculture, financial and technical partners (World Bank, IFAD, AFD,

UNCDF/UNDP, the European Union, etc.), the Professional Association of Microfinance Institutions, the Professional Association of Banks, the Committee of Malagasy Insurance Companies and the microfinance institutions and microfinance banking institutions,.

105. In order to achieve that, so as to implement the activities envisaged, on 23 October 2013 the bodies involved in the microfinance sector confirmed the content of the SNFI's budget, and UNCDF/UNDP is going to allocate funding for the period 2013 to 2015.

106. By 2017, it is envisaged that that the National Strategy for Inclusive Financing will have impacted more than a million women as beneficiaries.

2. Rural women's access to adequate health services

107. The Government has had a National Policy for Community Health since 2008. The health programmes, notably those promoting mother and newborn survival, have been strengthened by involvement of the community at all planning stages. A structure responsible for development of community health, known as the Health Committee, has been created at Commune and Fokontany level, with organization, operation and powers as specified in Interministerial Decree 8014/2009 of 2 September 2009. This acts as the principal interface between the health system and the community, and reports on the technical level to the ministerial department in charge of health.

108. In Madagascar, 79.7 per cent of the population live in rural areas. The majority of the population have problems in accessing health services, 50 per cent of the CSBs are cut off and 65 per cent of the population live more than 5 kilometres from their locations, which negatively impacts the frequency with which they attend them. Since the crisis in 2009, the operation of certain of the basic health centres has been impeded, and some of them have even closed, for various reasons including in particular lack of security and the movement of health officers to more urbanized areas.

109. Consequently, health services are preponderantly used in urban areas. Efforts have been made to improve the situation of the restricted access of rural women to care appropriate to pregnancy, and to childbirth, in a health structure.

Table 39

Trends in operation of the Basic Health Centres

Year	Total CSBs	CSBs operational	CSBs not operational	Reasons for non-operation				
				Infra-structure	Staff	Insecurity	Not specified	CSB re-opened
2009	2,436	2,311	125	15	82	6	23	ND
2010	2,458	2,244	214	32	158		54	16
2011	2,485	2,412	73	11	45			85
2012	2,544	2,357	187	59	121	7		73

Source: Ministry of Public Health.

110. Efforts have been made to reopen the closed centres, through redeployment and recruitment of technical personnel from the State budget. Technical and financial partners, notably UNICEF, UNFPA and the GAVI Alliance, have also made a contribution to the strengthening and reopening through recruitment under contract of nurses and midwives.

Table 40

Trends in recruiting and placing under contract of doctors and paramedical personnel

Year	Government		Total health officers placed under contract by partners
	No. of budget lines allocated for health	No. of budget lines intended for recruitment of technical personnel	
2009	1,144	862 (doctors and paramedical personnel)	-
2010	1,360	1,060 (doctors and paramedical personnel)	207
2011	-	380 paramedical personnel	231
2012	-	281 paramedical personnel	215

Source: Ministry of Public Health.

111. In addition, in the context of the implementation of the mother and newborn survival programme, Mother and Child Health Week has been institutionalized and held twice a year over all the territory since 2006. This strategy is directed towards strengthening the supply and utilization of basic health services by means of an integrated cluster of services including vaccination, malaria prevention, prenatal consultation and counselling and screening for HIV/AIDS, family planning and nutrition (vitamin A supplementation, deworming, screening for malnutrition, iron and folic acid supplementation). Whenever the cluster is restarted, the range of services offered is defined according to the priorities at the time. The Week targets as a priority the mothers and children in the least accessible zones and those least served by the routine services and seeks to reach at least 90 per cent of the population. This strategy has made it possible to strengthen and integrate effective strategies to reach the targets in the most remote areas, representing 40 per cent of the population. It offers free services whether on a fixed, advanced or mobile basis.

Table 41

Progression of coverage of the cluster of services offered during Mother and Child Health Week

Coverage (per cent)	2009		2010		2011		2012	
	April	October	April	October	April	October	April	October
Vit. A supplementation in children of 6 to 59 months	95%	98%	95%	95%	91%	98%	96%	95%
Deworming in children of 12 to 59 months	97%	99%	95%	96%	92%	95%	96%	95%
Deworming of women pregnant > 4 months	39%	53%	51%	54%	52%	56%	50%	48%
Screening for acute malnutrition in children aged 6 to 59 months	59%	81%	92%	95%	67%	87%	85%	92%

Coverage (per cent)	2009		2010		2011		2012	
	April	October	April	October	April	October	April	October
Iron and folic acid supplementation in pregnant women							17%	100%
Screening for HIV in pregnant women	57%	63%		44%			70%	52%
Administration of TP.1 and TP.2 in pregnant women	33%	25%						
Family planning (Staff recruited)	34,154	21,347		10,751				

Source: Ministry of Public Health.

112. Despite the efforts expended, access to health services remains restricted for rural women. The obstacles have been identified in both urban and rural contexts, and include the need for permission by the woman's husband for her to leave home to seek care.

Table 42

Problems of access to care for women aged 15 to 49, depending on their area of residence

Area of residence	Problems in accessing health care									
	Getting permission to go to seek care	Finding the money for the treatment	Distance to the health service	Having to take a means of transport	Not wanting to go alone	Fearing that the caregiver will not be a woman	Fearing that a caregiver will not be available	Fearing that no medicine will be available	At least one of the problems in accessing health care	
Capital	15.1	46.1	27.8	23.7	27	17.2	36.1	39.6	74.3	
Other towns	9.7	46.1	18.6	14.4	20	10.4	31.9	32.5	67.1	
Total urban areas	11.6	46.1	21.9	17.8	22.5	12.9	33.4	35.1	69.7	
Rural	15.7	56.9	46	34.2	29.6	17.6	44.1	44.9	76.9	

Source: Demographic and Health Survey 2008-2009.

113. Since 2013, for a period of three years, with the aim of reducing the vulnerability of the poorest populations and those most affected by the crisis, the Programme of Support to the Basic Social Strata in the Health Sector, known as the PASSOBA-Santé Project has been implemented in five Regions (Analanjirifo, Anosy, Atsimo Andrefana, Menabe and SAVA). The budget allocated, amounting to 22 million euros, is financed jointly by UNICEF and the European Union. An extension of this project to four other regions is envisaged starting in 2014. The strategies for approaching the problems are based on:

- Improvement of the geographical accessibility of the operational health structures through a policy of recruitments in accordance with the guidance of the Ministry of Health to ensure long-term sustainability, including:
 - recruitment of personnel under contract needed for the operation of the targeted health structures.
 - financing of the engagement of suitable staff in the health structures in the cut-off areas, through application of a set of hiring allowances and

initiatives in line with the human resources development plan of the Ministry of Health.

- Enhancement of the coverage and the quality of the services provided in the CSBs, through technical and financial support to the decentralized and isolated structures operating in the health sector, in line with their levels of competence.
- Improvement of the management of the pharmaceutical inputs needed for the operation of the basic and first reference level health structures.

3. Rural women's access to education

114. In order to give effect to the recommendation in paragraph 33, literacy and school attendance measures have been taken to facilitate rural women's access to education.

115. From a literacy rate in women of 15 and over of 50.3 per cent in 2001, by 2004 it had reached 55.5 per cent and by 2010, 68 per cent.

116. For the formal educational cycles, the rate of rural girls' access is lower than for urban girls, except in the case of the primary cycle, as shown in the following table

Table 43

Number of girls for every 100 boys attending school, by educational level

	<i>Urban</i>	<i>Rural</i>	<i>Total</i>
Primary	90.2	99.9	98.0
1st cycle secondary	97.0	86.5	89.9
2nd cycle secondary	90.9	89.3	90.3
Higher	134.5	*Nss	119.2
Total	92.5	97.5	96.3

Source: INSTAT/Permanent/Periodic Household Survey (EPM) 2010

*(Nss: Not statistically significant).

117. Rural girls' access to education, in the cut off areas, is limited by the distance of the schools from the places where the pupils live. In order to facilitate access to education for rural girls, religious establishments in some of the larger towns are equipped with boarding facilities for girls.

118. The following table records the changes in the literacy rate from 2005 to 2010.

Table 44

Rate of literacy in individuals aged 15 and over, by area and gender

<i>Year</i>	<i>Area</i>		<i>Gender</i>		<i>Total</i>
	<i>Urban</i>	<i>Rural</i>	<i>Men</i>	<i>Women</i>	
2005	75.9%	58.9%	66.8%	59.3%	62.9%
2010	83.7%	67.8%	74.9%	68.0%	71.4%

Source: INSTAT/EPM 2005 and 2010.

119. The rate of literacy in general has risen from 62.9 per cent to 71.4 per cent, an improvement of 8.5 points. The rate of literacy in women has risen from 59.3 per cent to 68.0 per cent, an improvement of 8.7 points.

120. In rural areas, the increase is 8.9 points and in urban areas it is 7.8 points.

121. These figures confirm the greater progress in literacy being made among rural women.

4. Implementation of article 13c: right to participate in recreational activities, sports and all aspects of cultural life

122. Article 3 of Act 2004/028 of 9 September 2004 establishing the National Policy for Youth stipulates that “The National Policy for Youth covers all young people without distinction based on sex, social class, religion, political affiliation or physical or mental disability.

123. Between 2011 and 2012, the Ministry for Youth has enhanced centres and infrastructures for young people:

- 31 of 42 young people’s centres made operational in district principal towns for young people whether or not attending school, giving them access to sociocultural and leisure activities;
- 31 young people’s centres renovated in terms of sporting infrastructure, with support from UNFPA and UNICEF;
- 25 information kiosks set up in 25 rural communes in the regions of Sava, Diana, Alaotra Mangoro, Atsinanana, with support from UNICEF;
- 20 young people’s centres equipped with free internet access through cooperation with Orange Madagascar.

124. The following table shows the utilization of the young people’s centres at 25 locations.

Table 45

Utilization of young people’s centres by 10 to 24 year-olds

	2009	2010	2011	2012
Boys		32,136	32,424	70,085
Girls		11,711	15,772	29,321
Total	86,982	43,857	48,186	99,406

Source: Ministry of Youth and Leisure.

5. Participation of girls in sporting activities

- In 2011, observance of the regulations on parity between girls and boys in equal numbers in the participation in the Indian Ocean Island Games;
- Annual “special junior” sporting competitions entitled the President’s Cup, for boys and for girls, organized by the Ministry of Sport;
- “Kitra Fokontany” sporting events including 7-a-side football for boys and girls, basketball, volleyball, every year with the Fokontany;

- Contests organized by private structures, every year: Pazzapa singing contest (RTA), slam poetry contest (Alliance Française);
- Participation of women in public speaking, the national association for which is led by a woman. Women may make speeches at weddings or other events, which used not to be the case.

6. Skills training

125. With support from UNICEF, 400 young reporters aged between 13 and 18, comprising 200 girls and 200 boys, have been recruited and trained at various school levels (*collèges, lycées*) as well as by religious, sporting and artistic associations and clubs to provide radio broadcasts in their localities.

126. Between 2011 and 2012, 238 sports coaches, 37 of them women, were trained at the National Sports Academy.

127. Between 2011 and 2013, 56 managers and leaders of youth activities, 20 of them women, were trained at the National Institute for Youth.

Implementation of article 14 of the Convention: Making promotion of sexual equality an explicit component of national and local development plans and programmes

(As covered in the recommendation in paragraph 33)

The Committee urges the State party to ensure that the promotion of gender equality is an explicit component of its national and local development plans and programmes, in particular those aimed at poverty reduction and sustainable development. The Committee also urges the State party to pay special attention to the needs of rural women and women heads of households, ensuring that they participate in decision-making processes and have full access to credit facilities. The Committee further urges the State party to take proactive measures to ensure that rural women have access to health services, education, clean water, electricity, land and income-generating projects. It recommends that the State party design and implement gender-sensitive rural development strategies and programmes, ensuring the full participation of rural women in their formulation and implementation.

128. Some information on the implementation of article 14 has been supplied and amplified in connection with implementation of recommendation No. 33 as it applies in particular to rural women's access to services in the fields of health, education and training, and also their training and access to credit and agricultural assistance.

129. The effective participation of rural women in the preparation and execution of development plans at all levels comes up against obstacles that are cultural in nature and which promote the idea that the conception, preparation and execution of community development plans are exclusively the preserve of men. It should be noted, however, that in certain regions, notably in the south-east, women's groupings that have become cooperatives are beginning to involve themselves in the management of development matters, by taking part in the Fokontany assemblies when local development plans are drawn up, as well as becoming involved in all activities of the community.

130. Currently, rural women do not benefit directly from programmes of social security.

Implementation of article 15 of the Convention: Equality of men and women before the law

131. The information supplied in the preceding report concerning the legal entitlement to enter into contracts, to choose the family home and to administer joint property remains valid.

1. Equality of men and women before the law

132. The recognition of the equality of all before the law, without distinction as to sex, is enshrined in article 6, paragraph 2 of the Constitution in the following terms: “All individuals are equal before the law and enjoy the same fundamental freedoms protected by the law without discrimination based on sex, level of education, wealth, origin, religious belief or opinion.”

133. In consequence, women have the same entitlement as men to choose the family home and to enjoy identical treatment before the courts, and enjoy the same protections at all stages of legal proceedings without any restriction based on sex.

134. In addition, women also enjoy the same entitlement as men in spheres such as concluding contracts, administering property and the right of free movement.

Application of article 16 of the Convention: Elimination of discrimination against women in all matters arising out of marriage

(As covered in the recommendation in paragraph 37)

The Committee urges the State party to harmonize civil and customary law with article 16 of the Convention and to repeal the provision requiring a six-month interval before women can remarry. The Committee also calls upon the State party to implement measures aimed at eliminating polygamy, as called for in the Committee’s general recommendation No. 21 on equality in marriage and family relations. The Committee recommends that the State party seriously consider the situation of women in de facto unions, and of the children resulting from such unions, and ensure that they enjoy adequate legal protection.

1. Harmonization of civil law and customary law in the area of marriage

135. There are two types of marriage in Madagascar: civil and traditional. Article 29 of Act 2007-022 of 20 August 2007 relating to marriage and matrimonial regimes provides that marriage may also be celebrated in accordance with tradition. In conformity with the Convention and in order to implement recommendation No. 37, this Act provides for recording of the traditional marriage before the Registrar, who will immediately draw up the marriage certificate. This recording of the marriage confers on the wife and the child the legitimate status to enjoy the rights arising out of the marriage on an equal footing with other children.

136. This legalization of the traditional marriage was designed in order to confer on children born to a de facto union the status of legitimate children; something which is common in rural areas owing to the distance to registry offices.

2. Prohibition on women to remarry before the end of an interval period of six months

137. It should be noted that his prohibition has been retained in order to avoid any confusion as to paternity in the event that a child is conceived during that period, since the use of DNA testing to determine paternity is not yet universally accessible in Madagascar.

3. Elimination of polygamy

The law prohibits polygamy, but certain Malagasy natives who are Muslim are polygamous. Elimination of polygamy conflicts with Muslim religious practice.
