



General Assembly

Distr.: Limited
5 November 2014

Original: English / French

UNEDITED VERSION

Human Rights Council
Working Group on the Universal Periodic Review
Twentieth session
Geneva, 27 October – 7 November 2014

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

Madagascar

* The annex to the present report is circulated as received

Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1–4	3
I Summary of the proceedings of the review process	5–107	3
A. Presentation by the State under review	5–31	3
B. Interactive dialogue and responses by the State under review	32–107	7
II. Conclusions and/or recommendations.....	108–110	13
Annex		
Composition of the delegation		24

Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twentieth session from 27 October to 7 November 2014. The review of Madagascar was held at the 11th meeting on 3 November 2014. The delegation of Madagascar was headed by H.E. Ms. Noeline Ramanantenasoa, Garde des sceaux, Ministre de la Justice. At its 17th meeting held on 6 November 2014, the Working Group adopted the report on Madagascar.
2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Madagascar: Algeria, Costa Rica and Indonesia.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Madagascar:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/20/MDG/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/20/MDG/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/20/MDG/3).
4. A list of questions prepared in advance by Belgium, Germany, Mexico, Netherlands, Norway, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America was transmitted to Madagascar through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. La délégation de Madagascar, conduite par Madame Noeline Ramanantenasoa, Garde des sceaux, Ministre de la Justice, a indiqué que le rapport national a été élaboré par le Comité Interministériel de rédaction des rapports des droits de l'homme ayant impliqué toutes les parties prenantes tant au niveau central que régional avec inclusion des représentants des organisations de la société civile. La mise en œuvre des recommandations a été fortement affectée par la crise survenue en 2009 et en raison des sanctions prononcées à l'encontre de Madagascar et de ses effets négatifs dans tous les secteurs. Cependant, avec l'appui du PNUD, du Haut-Commissariat aux Droits de l'Homme et d'autres partenaires bilatéraux et multilatéraux, des recommandations ont été réalisées. Parmi celles-ci figurent des recommandations rejetées, à savoir le démantèlement de la Force Spéciale d'Intervention décidé en Conseil des Ministres après l'investiture du Président de la 4^{ème} République; l'examen en Conseils du Gouvernement et des Ministres du projet de loi portant ratification du Protocole facultatif se rapportant au Pacte international relatif aux droits civils et politiques visant à abolir la peine de mort; l'inscription à l'ordre du jour de l'Assemblée Nationale de la proposition de loi portant abolition de la peine de mort.
6. Pour les recommandations acceptées réalisées, Madagascar a mentionné notamment le retour à l'ordre constitutionnel suite à l'organisation des élections présidentielles et législatives apaisées; la promulgation de la loi n° 2014-007 portant institution de la

Commission Nationale Indépendante des Droits de l'Homme (CNIDH) conforme aux Principes de Paris; l'adhésion à la Convention sur la Protection des Droits des Travailleurs Migrants et des Membres de leurs Familles par le Parlement en Novembre 2013 et l'examen en Conseils de Gouvernement et des Ministres des projets de textes portant autorisation de ratification de la Convention relative aux droits des personnes handicapées et du second Protocole facultatif sur le Pacte international sur les droits civils et politiques.

7. D'autres recommandations réalisées portent sur l'extension de la saisine de la Haute Cour Constitutionnelle en matière de violation des droits fondamentaux reconnus par la Constitution; l'examen en Conseils du Gouvernement et des Ministres avant la transmission au Parlement du projet de loi portant création de la Haute Cour de Justice compétente pour juger le Président de la République, le Premier Ministre et les membres du Gouvernement, les deux Présidents des deux chambres du Parlement et le Président de la Haute Cour Constitutionnelle; l'intégration de la formation en droits de l'homme dans les programmes de formation des responsables de l'application des lois dans les grandes écoles professionnelles de la magistrature, de la police, de la gendarmerie, de l'administration pénitentiaire et des forces armées en vue de prévenir le recours excessif à l'usage de la force et le respect des droits de l'homme lors de l'accomplissement de leur fonction au quotidien.

8. Concernant les questions communiquées à l'avance, Madagascar a indiqué qu'au titre des procédures spéciales, il a officialisé l'invitation permanente des titulaires de mandat le 26 août 2011 et a déjà reçu successivement la visite de 3 Rapporteurs Spéciaux depuis 2011. Suite à la tenue des élections en 2013, la visite du Rapporteur Spécial sur les exécutions sommaires et arbitraires a été reportée. Concernant l'acceptation de plaintes individuelles de toutes les conventions ratifiées, la recevabilité desdites plaintes étant conditionnée par l'épuisement des voies de recours internes, Madagascar a estimé qu'il y a lieu au préalable de porter à la connaissance du public les droits protégés par les conventions ratifiées qui peuvent être invoqués devant les tribunaux, tenus de les appliquer.

9. Sur la soumission des rapports périodiques en retard au Comité sur les Droits Economiques Sociaux et Culturels et au Comité pour l'Elimination de toutes les Formes de Discrimination Raciale, ces rapports sont en cours de rédaction et seront transmis avant la fin de cette année aux organes concernés.

10. Sur les violences contre les femmes, Madagascar envisage d'élaborer un plan national d'action de lutte contre les violences avec l'implication de toutes les parties prenantes. Par ailleurs, des mesures ont déjà été prises à l'instar d'un Bureau National de Suivi des violences sexuelles basées sur le Genre auprès du Ministère de la Population.

11. Sur l'accès des femmes à l'héritage foncier et en vue de l'abandon des pratiques coutumières empêchant les femmes d'accéder à l'héritage des terres, des séries d'ateliers de sensibilisation ont été effectués dans les zones concernées dont celle du Sud Est. Ces efforts seront maintenus et renforcés pour la mise en œuvre effective de la loi sur la propriété foncière afin d'éradiquer la discrimination de fait à l'égard des femmes.

12. Sur la liberté d'expression et de presse et à l'initiative du Ministère de la Communication, des consultations ont été menées depuis juillet 2014 avec l'appui du Haut-Commissariat aux Droits de l'Homme à l'intention de toutes les parties prenantes en vue de finaliser le projet de Code de Communication prévu pour être soumis à l'Assemblée Nationale en mai 2015. Ce nouveau Code tiendra compte des exigences des normes internationales afin de garantir que les journalistes exercent librement leur travail.

13. En ce qui concerne la pratique du Moletry, Madagascar a indiqué que le Gouvernement compte poursuivre la mise en œuvre et assurer le suivi de la Feuille de Route interdisant la pratique du Moletry à l'égard des mineurs.

14. Sur la dépendance économique des femmes et la pauvreté, outre les informations relatées dans le rapport, Madagascar a souligné qu'avec l'appui du PNUD, l'approche «Alphabétisation fonctionnelle intensive pour le développement» a abouti en 2013 à la mise en place de 18 centres d'alphabétisation ayant permis aux bénéficiaires d'acquérir les capacités de lecture, d'écriture et de calcul pour gérer leurs activités et suivre des formations techniques élémentaires. 150 personnes ressources de proximité ont été formées et déployées dans les communautés.

15. Concernant les mesures prises pour lutter contre la traite des êtres humains et l'évaluation de l'efficacité de ces mesures, Madagascar a informé que le projet de loi anti traite adopté en Conseils du Gouvernement et des Ministres sera inscrit à l'ordre du jour du Parlement. Ce projet de loi prévoit la responsabilité pénale des personnes morales impliquées dans la traite y compris celle des agences de placement, auteurs de traite. L'évaluation de l'efficacité des mesures prises se traduira entre autres par le nombre des cas de présumés auteurs de traite enquêtés, poursuivis, jugés et condamnés ainsi que le nombre de victimes ayant obtenu réparation effective.

16. Concernant la lutte contre la torture et les mauvais traitements, Madagascar a indiqué que le projet de loi prévoyant la pénalisation des traitements cruels, inhumains et dégradants est transmis au Gouvernement pour saisine du Parlement. Afin de faciliter leur application effective par les responsables de l'application des lois, les nouvelles lois contre la traite et celle interdisant la torture et les mauvais traitements seront insérées au Code Pénal. Quant au Protocole facultatif à la Convention contre la torture, sa ratification est en cours d'examen.

17. S'agissant de la réduction du délai de la détention préventive, Madagascar dispose de la loi 2007-021 du 30 juillet 2007 portant réduction de la durée de la détention préventive pour prévenir les longues détentions sans jugements. Dans ce cadre, les mesures ci-après ont été adoptées : accélération de l'élaboration d'un projet de loi sur les mesures alternatives à l'incarcération et aux peines de substitution à la détention dont le Travail d'Intérêt Général ; simplification de la procédure de libération conditionnelle et accélération du traitement des dossiers.

18. Concernant la réforme du système pénitentiaire et grâce à l'appui de l'Union européenne, Madagascar a obtenu depuis 2013 des résultats significatifs. Madagascar entend mener une réforme de son système pénitentiaire, laquelle sera basée sur le concept de la correction à la réhabilitation des détenus à travers la réorganisation du travail pénitentiaire et des camps pénaux.

19. Sur la réforme du système judiciaire, suite aux deux études menées sur les dysfonctionnements de la chaîne pénale et du dispositif anti-corruption, des propositions concrètes ont été formulées par tous les acteurs de la chaîne pénale pour l'élaboration du Plan national d'action en vue de la réforme du système pénal et du dispositif anticorruption.

20. Sur la promotion de l'égalité entre homme et femme, le projet de loi portant ratification du Protocole de la SADC sur le Genre et le Développement adopté en Conseil du Gouvernement sera soumis incessamment en Conseil des ministres. La ratification du Protocole de Maputo de l'Union Africaine sur la protection des femmes sera effectuée ultérieurement. Afin de promouvoir la participation féminine à la prise de décision dans les affaires publiques, le projet de loi relative à la représentation et la participation proportionnelle homme - femme aux postes de décision dans le secteur public, électif ou non est transmis au Gouvernement pour saisine du Parlement.

21. Sur l'état actuel du projet de réforme du Code de Nationalité, le projet de loi portant réforme du Code de la Nationalité, transmis en Conseils du Gouvernement et des Ministres pour saisine du Parlement, vise à éliminer la discrimination découlant du fait que l'enfant né d'une mère malgache mariée à un étranger n'a pas la nationalité malgache.

22. Concernant la mise en œuvre pratique de la loi relative à la protection des droits des personnes vivant avec handicap, l'Etat reconnaît ne pas disposer suffisamment d'infrastructures adaptées aux besoins des personnes vivant avec handicap. Toutefois, certains bâtiments ou espaces publics ou privés sont pourvus de parking, de toilettes ou de rampes.

23. En ce qui concerne les efforts entrepris pour se rapprocher de l'objectif d'Abuja et pour améliorer l'accès aux soins gratuits pour tous, des efforts seront entrepris par le Gouvernement ultérieurement. Des soins gratuits sont prodigués aux sinistrés des catastrophes, de cataclysmes et d'épidémies.

24. Sur le respect des droits de l'homme par les entreprises et conformément aux exigences des Principes directeurs des Nations Unies sur les entreprises et droits de l'homme, le Ministère de la Justice a effectué depuis 2012 avec l'appui du Haut-Commissariat aux Droits de l'Homme et en partenariat avec le Sherrit et le QMM, entreprises d'extractions minières, des séries de formations à l'intention de leurs personnels, des responsables de l'application des lois et des représentants des organisations de la société civile.

25. En ce qui concerne les enquêtes des cas d'exécutions extrajudiciaires et de punitions collectives des voleurs de bovidés qui auraient été perpétrés par les forces de sécurité, celles-ci se sont trouvées dans l'obligation de recourir à l'usage de la force afin de se protéger et de protéger la vie de la population sans défense. Cependant, certains éléments qui se sont livrés à des actes illégaux ont fait l'objet d'enquêtes.

26. Sur la lutte contre la corruption, le Ministère de la Justice, le BIANCO et le Comité pour la sauvegarde de l'Intégrité ont signé le 29 août 2014 une convention ayant pour objet la mise à jour du plan d'action conjoint de 10 ans des trois entités. Les signataires se sont engagés à le mettre en œuvre et renforcer la lutte contre la corruption.

27. Concernant les mesures prises pour lutter contre le travail des enfants et celles prises en faveur des enfants de rue, Madagascar a indiqué que depuis mars 2014 et avec l'appui du BIT, le Comité National de Lutte contre le Travail des Enfants a piloté des actions de prévention, de retrait et d'accompagnement des enfants victimes de l'Exploitation Sexuelle des Enfants à des fins Commerciales (ESEC) dans plusieurs régions de Madagascar. En plus des enfants, leurs parents bénéficieront d'un appui en vue de l'amélioration de leur condition de vie. En outre, le 3 mars 2014, avec l'appui du BIT et de l'UNICEF, le Ministère du Tourisme a adopté un Code de conduite pour la lutte contre l'ESEC incluant 155 opérateurs du secteur touristique.

28. Madagascar a déclaré qu'après l'incorporation de la Feuille de Route dans l'ordonnancement juridique interne, celle-ci est devenue une loi d'Etat applicable dès son entrée en vigueur. Dans le cadre de la mise en œuvre de cette loi, le Conseil de la Réconciliation Malagasy (CRM) a été mis en place en janvier 2013. Afin de réussir la réconciliation nationale, le Gouvernement a décidé d'envoyer en octobre 2014 avec l'appui du PNUD une délégation en mission d'exploration de bonnes pratiques en la matière en Afrique du Sud et au Togo. Les acquis de cette exploration seront mis à profit pour la réussite de la réconciliation nationale malagasy. La finalisation du processus de réconciliation nationale facilitera la mise en œuvre intégrale de la Feuille de Route.

29. En ce qui concerne l'application effective de la loi sur le commerce illégal des bois de rose, le Gouvernement a mis en place en juin 2014 un Comité interministériel en charge de l'assainissement des filières de bois de rose et des bois d'ébène, de proposer des lois prenant en compte l'approche basée sur les droits de l'homme notamment le droit à un environnement préservé et le droit au développement durable. La lutte contre le trafic est menée en partenariat avec les partenaires internationaux.

30. Madagascar a souligné que la situation d'extrême pauvreté touchant 60% de la population constitue un handicap majeur empêchant la réalisation des droits économiques, sociaux et culturels. Au titre des contraintes, elle a aussi cité l'insuffisance des ressources en moyen humain, financier, la corruption généralisée ainsi que la persistance des pratiques coutumières néfastes. Conformément à la Politique Générale de l'Etat, Madagascar entend restaurer l'Etat de droit et la bonne gouvernance, renforcer le respect des droits de l'homme et combattre la corruption en vue de créer un environnement favorable à un développement durable et inclusif.

31. En vue de la réalisation des défis de promotion et de protection de tous les droits de l'homme, Madagascar sollicite l'appui de la communauté internationale en termes de renforcement de capacité et d'assistance technique.

B. Interactive dialogue and responses by the State under review

32. During the interactive dialogue, 68 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

33. Ghana applauded signature of the road map towards political cohesion and the successful organisation of the presidential election by the Independent National Electoral Commission for the Transition and the Special Electoral Court. Ghana made recommendations.

34. Indonesia noted establishment of a national human rights institution and signature of international instruments, including ICRMW. It noted steps to combat trafficking in women and children, and related legislative reform and training. Indonesia made recommendations.

35. Ireland commended political progress and the standing invitation to special procedures; urging submission of overdue reports to treaty bodies. It expressed concern regarding freedom of expression, gender-based violence, marital rape and human trafficking. Ireland made recommendations.

36. Italy welcomed steps towards restoration of civil and political rights, facilitating the fight against poverty and protection of vulnerable population groups. Noting ratification of several international instruments, it encouraged ratification of others. Italy made recommendations.

37. Japan expressed concern regarding the deteriorating human rights situation; noting peaceful presidential and parliamentary elections and engagement with human rights mechanisms, notably the standing invitation to special procedures and cooperation with OHCHR. Japan made recommendations.

38. Kuwait welcomed Madagascar's efforts to raise awareness of human rights, and encouraged further progress in that regard, including the dissemination of the texts of human rights instruments and the implementation thereof. Kuwait made a recommendation.

39. Libya commended the establishment of the Independent National Human Rights Commission and the National Child Protection Committee, as well as the reform of laws against trafficking in persons. Libya made a recommendation.

40. Malaysia welcomed the restoration of democracy, recent elections and adoption of a new constitution, and commitment to combating corruption. It noted free primary education and steps towards children's re-enrolment in schools. Malaysia made recommendations.

41. Mali commended cooperation with human rights procedures and mechanisms; recent successful presidential elections; and the designation of the fight against torture and other forms of poor treatment as a national priority. Mali made recommendations.

42. Mauritania noted normative and legislative progress, including towards ratification of ICRMW and establishment of a national human rights institution; recognizing Madagascar's commitment to civil and political rights and the need for international support. Mauritania made recommendations.
43. Mexico recognized the establishment of the Independent National Human Rights Commission, which should ensure an inclusive dialogue with all sectors of the population. It commended the law authorizing ratification of ICRMW. Mexico made recommendations.
44. Montenegro noted the improved institutional and legislative framework, commending the standing invitation to special procedures. It asked about Madagascar's intentions to establish an official moratorium on the death penalty; and steps towards combating discrimination against children. Montenegro made recommendations.
45. Morocco welcomed establishment of national institutions, efforts to combat gender-based violence and the criminalization of torture under the new Constitution. Welcoming prison reform, Morocco asked about alternatives to imprisonment, and rehabilitation of detainees into society.
46. Mozambique applauded establishment of a national human rights institution in accordance with the Paris Principles, and steps towards ratification of OP-CAT. The international community should provide technical assistance to Madagascar. Mozambique made a recommendation.
47. Namibia welcomed the criminalization of torture under the Constitution, and establishment of a national human rights institution. It encouraged Madagascar to further protect women's rights and align domestic legislation with international instruments. Namibia made recommendations.
48. The Netherlands commended recent parliamentary and presidential elections, which it hoped would facilitate implementation of recommendations. It expressed concern regarding traditional practices which discriminated against women, particularly sexual exploitation and domestic violence. It made recommendations.
49. The Niger noted establishment of a national human rights institution, prison and judicial reform, provision of free health care for women and children under the age of five, and efforts to combat gender-based violence. Niger made recommendations.
50. Nigeria commended the national policy against gender-based violence, ending impunity for perpetrators. It urged Madagascar to improve detention conditions for prisoners, increase wages and resources for teachers and civil servants, and expedite the legal process.
51. Norway noted efforts to restore law and order, democratic elections, establishment of democratic institutions and signature of ICCPR-OP2; expressing concern about deteriorating conditions in the education sector and the degradation of rainforests. Norway made recommendations.
52. The Philippines welcomed legislative reform and establishment of a national human rights institution. It noted progress towards ratification of ICRMW, and urged protection of women's and children's rights and universal access to education. It made recommendations.
53. Portugal welcomed Madagascar's standing invitation to special procedures, signature of ICCPR-OP2, and creation of the Independent National Human Rights Commission. It asked for information regarding increasing violations of children's rights. Portugal made recommendations.
54. The Russian Federation welcomed the successful presidential elections and establishment of the government and parliament, concluding the transitional period. It noted

positive efforts towards social and economic development, and to improve democracy. It made recommendations.

55. Rwanda commended steps to alleviate poverty, promote gender equality, combat gender-based violence, and combat trafficking in persons, especially children; and Madagascar's signature of ICCPR-OP2. Rwanda made recommendations.

56. Senegal noted the challenges facing the eradication of poverty, promotion of education and enjoyment of some fundamental rights. It noted that Madagascar deserved the support of the international community to improve the human rights situation. Senegal made recommendations.

57. Sierra Leone commended efforts to restore democracy and provide education and health care; encouraging Madagascar to end child labour, prosecute all acts of torture, combat trafficking and promote gender equality and public-sector participation. It made recommendations.

58. Singapore noted establishment of a unity government and steps towards national reconciliation. It commended measures to facilitate the re-enrolment of children in school, and to combat gender-based violence. Singapore made recommendations.

59. Slovenia commended signature of ICCPR-OP2 and OP-CRC-IC. It welcomed efforts towards the inclusion of gender-based violence in the Criminal Code. It expressed concern regarding poor access to clean drinking water and sanitation. Slovenia made recommendations.

60. South Africa welcomed efforts towards ensuring food security and the right to health, and the implementation of social infrastructure and projects. It encouraged the international community to support Madagascar in its development. It made recommendations.

61. South Sudan commended democratic reform. It noted that despite measures to eradicate poverty, it was increasing; and further efforts were required. It noted establishment of a national human rights commission and measures against human trafficking. It made a recommendation.

62. Spain commended Madagascar's commitment to human rights, implementation of recommendations made during the first UPR cycle, signature of ICCPR-OP2 and measures to strengthen education. It expressed concern regarding domestic violence. Spain made recommendations.

63. The Sudan noted adoption of the Constitution; steps to protect women's and children's health, establishment of the National Child Protection Committee; and the 2013-2015 interim plan for education, to improve access to education. Sudan made recommendations.

64. Switzerland commended political reform, but expressed concern regarding prison conditions, allegations of torture, and impunity; as well as traditional practices that discriminated against women, including Moletry, forced marriage and the non-recognition of marital rape as a crime. Switzerland made recommendations.

65. Thailand welcomed establishment of a national human rights commission and the legislative precedence of ratified international agreements. Efforts to eradicate poverty and unemployment should be a priority. It welcomed progress in improving health and education. Thailand made recommendations.

66. Togo commended recent free elections, noting efforts to restore rule of law and combat corruption. It noted the establishment of a national human rights commission and measures to protect vulnerable women and children. Togo made recommendations.

67. Madagascar a indiqué que le processus de ratification du Second Protocole facultatif au Pacte international relatif aux droits civils et politiques visant à abolir la peine de mort, était déjà engagé et fera incessamment l'objet d'une adoption par le Gouvernement avant la saisine du Parlement.

68. Concernant la situation des enfants jumeaux, Madagascar a informé que si auparavant les enfants jumeaux n'étaient pas acceptés à résider dans leurs villages mais obligés d'être élevés dans d'autres districts ou régions, actuellement des avancées ont été constatées et cela grâce à l'appui du PNUD. Les enfants jumeaux sont acceptés au niveau des villages et participent même aux célébrations des journées internationales concernant les droits de l'homme. En outre, un centre a été construit grâce à l'appui du PNUD accueillant les parents qui acceptent d'élever ensemble au sein de la famille les jumeaux.

69. En ce qui concerne les conditions de détention, Madagascar a admis avoir connu des difficultés dans ce domaine à cause notamment de la crise politique mais que des efforts ont été accomplis notamment la diminution des taux de mortalité et de malnutrition en prison. Pour les cas de torture signalés, elle a informé que des enquêtes administratives ont été menées. Madagascar a aussi indiqué qu'elle collaborait étroitement avec des organismes internationaux, en particulier le CICR et des ONG, qui lui signalaient les imperfections constatées dans les prisons. Des efforts seront également fournis pour améliorer les infrastructures, l'alimentation et renforcer la sécurité des prisons.

70. Tunisia welcomed the new Constitution, road map, national human rights institution compliant with the Paris Principles and standing invitation to special procedures. It encouraged efforts regarding violence against women and children. Tunisia made recommendations.

71. Turkey commended the elections, adoption of the new Constitution, standing invitation to special procedures and establishment of a national human rights commission. It encouraged efforts regarding education and noted civil registration challenges. Turkey made recommendations.

72. The United Kingdom of Great Britain and Northern Ireland welcomed progress regarding trafficking and corruption measures. It noted failure to ratify regional instruments and urged efforts regarding corruption and gender-based violence. It made recommendations.

73. The United Republic of Tanzania commended the unity Government and the Independent National Electoral Commission, and urged political parties to fulfil pledges under the road map. It urged OHCHR to provide support. It made recommendations.

74. The United States of America welcomed the democratic election and commitments to a representative government. It expressed concern regarding corruption, abuses by security forces, and discrimination against women under the Nationality Code. It made recommendations.

75. Uruguay welcomed commitment to re-establishing the rule of law; efforts regarding education, corruption, vulnerable women and children; and constitutional measures against torture and ill-treatment. It expressed concern regarding poverty figures. Uruguay made recommendations.

76. The Bolivarian Republic of Venezuela noted progress regarding Act No. 2011-014, including a road map for the new legislative framework; the Independent Human Rights Commission; and measures to protect women and children. It made recommendations.

77. Viet Nam welcomed efforts to implement recommendations accepted during the first UPR cycle. It noted achievements regarding human rights, particularly women's and children's rights, in the face of economic difficulties. It made recommendations.

78. Algeria commended reforms, ratification of ICRMW, and efforts regarding poverty, and women's and children's rights. It urged further efforts against human trafficking and sex tourism, and called upon the international community for support. Algeria made recommendations.
79. Angola recognized efforts in favour of children's rights, and the rights of disabled persons. It commended measures to protect vulnerable women and children, the bill amending the Nationality Code, and literacy initiatives. Angola made recommendations.
80. Argentina commended the elections and adoption of the new Constitution. It expressed concern regarding discrimination against women and encouraged harmonization of domestic legislation with the international treaties ratified. Argentina made recommendations.
81. Armenia expressed concern regarding failure to ratify international instruments and poor school enrolment. It welcomed efforts regarding literacy, education for children with disabilities, and gender equality in schools. Armenia made recommendations.
82. Australia welcomed progress regarding elections and capital punishment. It expressed concern regarding child prostitution, sex tourism, human trafficking, gender-based violence, and the detention of the former President. It urged action on education. Australia made recommendations.
83. Bangladesh commended efforts made, despite many challenges. It welcomed the peaceful 2013 elections and political reform, noting that the new Constitution upheld women's rights. It commended progress towards ratification of ICRMW and encouraged further international cooperation.
84. Belgium acknowledged the answers provided to advance questions. It welcomed the creation of the Independent National Human Rights Commission and asked for additional information regarding the implementation of the land ownership law. Belgium made recommendations.
85. Botswana applauded progress regarding democracy and the rule of law, and constitutional and normative measures. It expressed concern regarding reports of human trafficking, detention without trial and poor detention conditions. Botswana made recommendations.
86. Brazil welcomed adoption of the new Constitution, signature of ICRMW, and establishment of national commissions to protect children and promote human rights. However, it acknowledged remaining challenges regarding political reconciliation and participation. Brazil made recommendations.
87. Burkina Faso commended progress regarding elections, and governmental and constitutional reform. It welcomed progress towards ratification of ICRMW, creation of a national human rights institution, and promotion of women's and children's rights, and encouraged judicial reform.
88. Burundi welcomed the 2013 elections; institutional, administrative and legislative reform; and measures regarding human rights education. It commended establishment of the Independent National Human Rights Commission and the National Inclusive Finance Strategy, encouraging further progress.
89. Canada asked how establishment of the Independent National Human Rights Commission would contribute to a more effective and less politicized human rights protection system. It welcomed progress, notably peaceful elections in 2013. Canada made recommendations.

90. The Central African Republic welcomed successful elections; legislative measures regarding primary education, sex tourism and commercial exploitation of children; and measures against gender-based violence. It called on the international community for support. It made recommendations.
91. Chad noted progress made since the first UPR cycle, noting creation of a national human rights institution, measures regarding economic, social and cultural rights, and efforts to protect women and children. Chad made a recommendation.
92. China appreciated institutional improvements and measures regarding domestic violence, trafficking in persons, prison conditions, human rights education, and the protection of vulnerable groups. It welcomed cooperation with OHCHR, treaty bodies and special procedures. China made a recommendation.
93. The Congo welcomed progress regarding ICRMW, a national human rights institution, the National Child Protection Committee, and reform of trafficking legislation. It encouraged implementation of recommendations from the first UPR cycle, calling for international assistance.
94. Costa Rica noted measures to guarantee universal access to education; as well as human rights education for public officials. It noted the de facto moratorium on the death penalty, and signature of ICCPR-OP2. It made recommendations.
95. Côte d'Ivoire noted reforms to align national policies with international standards, welcoming the democratic elections held. It encouraged efforts regarding international mechanisms, domestic violence, sexual exploitation and the rights of vulnerable groups. It made recommendations.
96. Cuba noted commitment to the UPR process, and collaboration with OHCHR. It highlighted judicial reform, progress in civil and political rights, and efforts to combat poverty, lent greater urgency by the crisis. Cuba made recommendations.
97. The Democratic Republic of the Congo commended progress made despite recent difficulties; particularly regarding the rights of women and children. Additionally, institutional reform would improve fundamental freedoms, and subsequently prison conditions. It made recommendations.
98. Djibouti was pleased to note the adoption of a new constitution, which would re-establish and strengthen human rights in Madagascar. It called on the international community to support Madagascar in its objectives. Djibouti made recommendations.
99. Egypt commended the comprehensive national dialogue towards lasting democracy; establishment of a national human rights commission; and measures to empower women, protect women's and children's health, and improve access to health care. Egypt made recommendations.
100. Ethiopia noted establishment of the Independent National Human Rights Commission, and commended the restoration of democracy. It welcomed efforts to combat trafficking and sexual exploitation; and support for women and children. Ethiopia made recommendations.
101. France encouraged further efforts towards improving human rights. It asked about the status of the draft law against human trafficking and any related measures; and whether prison reform was planned. France made recommendations.
102. Gabon welcomed Madagascar's cooperation with international human rights mechanisms, and steps taken to protect women's and children's health and ensure vaccine coverage. It urged the international community to support Madagascar's efforts. Gabon made recommendations.

103. Germany expressed concern regarding the human rights situation in Madagascar, and urged the country to accelerate its efforts to improve the implementation of recommendations made under the first UPR cycle. Germany made recommendations.

104. Concernant la situation de l'ancien Président Marc Ravalomanana, Madagascar a déclaré que la Feuille de Route avait prévu un retour sans condition mais ce retour devait être préparé. Toutefois, Marc Ravalomanana a fait un retour unilatéral qui a été condamné aussi par la communauté internationale. De plus, il a fait des actions subversives appelant à l'insurrection, ce qui a eu pour conséquence de provoquer un risque élevé de nouvelles crises alors que le pays avait besoin de stabilité pour son redressement et tous les efforts entrepris risquaient d'être anéantis. La décision d'assignation à résidence fixe était donc une mesure prise pour préserver l'ordre public.

105. En ce qui concerne la CNIDH, la nouvelle loi a apporté des changements significatifs. Auparavant, la désignation des membres de la Commission était confiée à l'Exécutif. Dans la nouvelle loi, elle est attribuée aux organes prévus par la loi. La nouvelle loi précise également que les membres de la Commission ne doivent appartenir à aucun parti politique et le contenu de cette loi reflète les exigences des Principes de Paris.

106. Concernant la lutte contre la corruption, Madagascar a indiqué qu'elle était une priorité et inscrite dans la politique générale du Gouvernement. Pour mettre en œuvre cette politique générale au niveau sectoriel, il y avait un programme de révision du cadre d'action concernant la lutte contre la corruption. Cette révision se basait sur les résultats du programme antérieur et devrait intégrer toutes les parties prenantes qui appuyaient Madagascar dans la lutte contre la corruption.

107. En conclusion, Madagascar a adressé ses sincères remerciements à tous les Etats qui ont participé au dialogue interactif dans un esprit coopératif et constructif. Madagascar a indiqué qu'elle espérait que son intervention avait permis d'apporter des éclaircissements sur l'évolution de la situation des droits de l'homme au pays depuis la présentation en 2010 de son premier rapport. A cet égard, la délégation a souligné que son Gouvernement prenait acte de toutes les observations et recommandations émises par tous les Etats et qu'elles seraient examinées avec la plus grande attention. S'agissant des questions qui n'ont pas été traitées faute de temps, elles feraient l'objet des réponses écrites. Madagascar a indiqué qu'elle était consciente des difficultés rencontrées qui empêchaient la pleine réalisation de tous les droits de l'homme dans le pays. Toutefois, le Président de la République et le Gouvernement sont déterminés à poursuivre la promotion de l'Etat de droit, son renforcement et son maintien pour une justice sociale et un développement durable et inclusif de la population malgache. Pour terminer, Madagascar a réitéré son appel à la communauté internationale de bien vouloir l'accompagner dans ses efforts d'améliorer la situation des droits de l'homme.

II. Conclusions and/or recommendations**

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

108.1 **Take the necessary steps to ratify the Convention on the Rights of Persons with Disabilities (CRPD), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW), the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Optional Protocol**

Conclusions and recommendations will not be edited

to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) (Ghana);

108.2. Consider timely ratification of the major international human rights instruments, including the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the Convention on the Rights of Persons with Disabilities (CRPD) (Japan);

108.3. Ratify the Optional Protocol to CAT (Mali);

108.4. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP2) (Montenegro);

108.5. Ratify the Optional Protocol to CEDAW (Netherlands);

108.6. Ratify the Second Optional Protocol to the ICCPR as a matter of priority (Norway);

108.7. Ratify the Optional Protocol of 1999 to CEDAW (Norway);

108.8. Accelerate efforts to accede to the ICRMW, and provide the Council with an update on its implementation at the next UPR reporting cycle (Philippines);

108.9. Ratify the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty (Portugal);

108.10. Ratify the Optional Protocol to CEDAW (Portugal);

108.11. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Optional Protocol to CAT; and the ICPPED (Portugal);

108.12. Consider ratifying the Convention on the Prevention and Punishment of the Crime of Genocide (Rwanda);

108.13. Ratify the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty (Rwanda);

108.14. Ratify all the International Conventions it has signed, as well as the ICPPED and the Optional Protocol to CEDAW (Sierra Leone);

108.15. Ratify the CRPD and its Optional Protocol (South Africa);

108.16. Ratify the Optional Protocol to the ICESCR, and also accept the enquiry mechanism and communication between States (Spain);

108.17. Promptly ratify and implement the Optional Protocol to CAT (Switzerland);

108.18. Promptly ratify and implement the Optional Protocol to CEDAW (Switzerland);

108.19. Ratify the Optional Protocol to CAT (Togo);

108.20. Ratify the CRPD, the ICPPED and the Optional Protocol to CAT (Tunisia);

108.21. Ratify the Second Optional Protocol to the ICCPR with a view to abolishing the death penalty (Turkey);

108.22. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to abolishing death penalty (Uruguay);

- 108.23. **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment (Uruguay);**
- 108.24. **Ratify without reservations the Agreement on Privileges and Immunities of the International Criminal Court ((Uruguay);**
- 108.25. **Ratify without reservations the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**
- 108.26. **Ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol (Uruguay);**
- 108.27. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 108.28. **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, and adopt measures to eliminate discriminatory practices (Argentina);**
- 108.29. **Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);**
- 108.30. **Continue to promote and protect the rights of vulnerable groups, especially through the ratification of the Convention on the Rights of Persons with Disabilities (Brazil);**
- 108.31. **Ratify the Optional Protocol to the Convention on the Elimination of All forms of Discrimination Against Women (Central African Republic);**
- 108.32. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, to eliminate the death penalty in national legislation (Costa Rica);**
- 108.33. **Ratify international instruments signed by Madagascar, particularly the International Convention for the Protection of All Persons from Enforced Disappearance; and transpose its provisions to national legislation (France);**
- 108.34. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with the view to abolishing the death penalty, signed in 2012; and also amend national criminal legislation on that basis as currently under discussion in the National Assembly (France);**
- 108.35. **Consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights with the view to abolishing the death penalty, as signed in 2012 (Gabon);**
- 108.36. **Consider ratification of the Convention on the Rights of Persons with Disabilities, signed in 2007 (Gabon);**
- 108.37. **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women and take effective legal and practical steps to combat gender-based violence, stereotypes and promote gender equality (Germany);**
- 108.38. **Ratify the Optional Protocol to the Convention Against Torture and ensure that all officials strictly observe the detention regulations defined by Malagasy law as well as the Standard Minimum Rules for the Treatment of Prisoners, in accordance with international human rights standards (Germany);**

- 108.39. Take appropriate measures to ensure that obligations under the ICRMW are incorporated into domestic laws (Indonesia);
- 108.40. Bring national legislation into line with the international instruments it has ratified (Senegal);
- 108.41. Work on the establishment of an institution concerned with the implementation of the Convention on the Rights of the Child (Libya);
- 108.42. Proceed with the accreditation of the NHRI with an A status in accordance with the Paris Principles (Portugal);
- 108.43. Continue its efforts to bring the NHRI in line with the Paris Principles (Venezuela);
- 108.44. Give enough resources for the good operation of the National Commission on Human Rights (Belgium);
- 108.45. Pursue cooperation with UNDP to lay foundations for human rights and learn from experience (Kuwait);
- 108.46. Endeavour to implement the remaining recommendations of the previous and present UPR review (Mozambique);
- 108.47. Consider developing Human Rights Indicators as suggested by the OHCHR as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);
- 108.48. Continue its efforts to empower women through its work with UNDP which will enable women to become financially independent and improve their managerial skills and productivity (Singapore);
- 108.49. Increase public awareness of human rights (Sudan);
- 108.50. Consider the elaboration of a national policy for the child, which encompasses health, culture and sports (Turkey);
- 108.51. Pursue social and economic development programmes to promote economic and social rights for the population (Viet Nam);
- 108.52. Give priority to implementing recommendations connected to economic, social and cultural rights, whose implementation was delayed because of the political crisis (Angola);
- 108.53. Continue to respect the terms of the SADC roadmap and that political leaders work together towards reconciliation (Australia);
- 108.54. Continue its efforts on reducing unemployment rate, eliminating poverty and emphasizing the protection and promotion of people's economic, social and cultural rights (China);
- 108.55. Incorporate human rights into the curriculum (Djibouti);
- 108.56. Promote efforts aimed at implementing the Convention on the Rights of the Child (Egypt);
- 108.57. Intensify its cooperation with the Treaty Bodies (Niger);
- 108.58. Take steps to eliminate traditional cultural practices that discriminate against women (Ghana);
- 108.59. Make further progress with the domestic implementation of international conventions it has ratified and adopt stringent measures,

including legislation and awareness-raising campaigns, with a view to eliminating traditional and cultural practices that discriminate against women and girls (Netherlands);

108.60. Step up its efforts to ensure that legislation combating gender-based discrimination is effectively implemented and that effective measures are adopted to strengthen gender equality (Spain);

108.61. Continue its efforts to adopt legislations to combat trafficking and protection of women's rights in particular nationality and gender equality (Sudan);

108.62. Step up efforts to improve the civil registration service so that all children will be registered at birth (Turkey);

108.63. Reform its nationality law to ensure that all citizens have equal right to confer nationality to their children and the children born to citizen mothers are no longer at risk of statelessness (United States of America);

108.64. Step up efforts to stop discrimination against twins (Angola);

108.65. Take a policy in order to guarantee effective application of the law on Real Estate ownership and overcome the customs which makes it impossible for women to inherit land (Belgium);

108.66. Step up efforts directed at fighting discrimination based on gender, particularly in order to end discriminatory treatment affecting children born to a foreign father married to a Malagasy women (Brazil);

108.67. Institute a framework for combating gender based violence and punishing perpetrators (Ghana);

108.68. Continue efforts to combat trafficking of women and children, including the establishment of a national plan of action to combat trafficking (Indonesia);

108.69. Adopt a national plan of action to combat sexual and gender based violence, criminalize marital rape as a matter of urgency and strengthen laws and their implementation on trafficking in persons (Ireland);

108.70. Adopt further measures to prevent and contrast those practices – such as early and forced marriages, and Molestry – which have a negative impact on women empowerment (Italy);

108.71. Approve – as a matter of priority – a bill punishing marital rape as an offence, and develop a national policy that may include an operative plan and indicators, aimed at implementing the legislation on gender-related violence (Italy);

108.72. Take into positive consideration the abolition of death penalty, or at least the adoption of a de jure moratorium on executions (Italy);

108.73. Step up measures taken at the national level to effectively combat violence against women (Mali);

108.74. Establish public policies to raise awareness for the elimination of cultural practices that are contrary to the rights of women, including premarital contract determined by a donation (Mexico);

- 108.75. Reinforce the National Committee for the Protection of the Child to enhance its ability to protect the rights of the child, especially street children (Mexico);
- 108.76. Consider the enactment of the moratorium on the death penalty under its domestic law (Namibia);
- 108.77. Make the implementation of anti-trafficking programs, particularly the intensification of preventive measures and the protection of trafficking victims, a priority (Philippines);
- 108.78. Adopt the necessary measures to address the issues of sexual exploitation of children and traditional practices of violence against children such as the abandonment of twins, as a matter of priority, including at the level of accountability (Portugal);
- 108.79. Adopt a National Plan on Security Council Resolution on Women, Peace and Security (1325) (Portugal);
- 108.80. Step up measures to combat trafficking in persons and sex tourism, including through rapid creation within the Government of a special body to deal with these issues (Russian Federation);
- 108.81. Adopt additional measures to eliminate violence against women and children and ensure gender equality in society (Russian Federation);
- 108.82. In collaboration with the International community, intensify efforts to combat trafficking of persons, particularly children (Rwanda);
- 108.83. Intensify efforts to ensure gender equality and eliminate Sexual and Gender Based Violence, including through considering development of a National Action Plan and implementation of Security Council Resolution 1325 (Rwanda);
- 108.84. Step up measures and actions to benefit vulnerable women and children by encouraging their access to credit, health and education (Senegal);
- 108.85. Establish a moratorium on the death penalty, with a view to its elimination (Sierra Leone);
- 108.86. Advance policies for the participation of girls beyond the primary school level and promote strategies and actions to eliminate Child Early and Forced Marriage, including Molestry (Sierra Leone);
- 108.87. Strengthen its efforts in making all forms of sexual violence against women and girls, including marital rape, criminal offences (Slovenia);
- 108.88. Combat violence against women and children, by implementing existing legislation and adopting comprehensive measures to address all forms of domestic violence (South Africa);
- 108.89. Establish a programme to effectively abolish the death penalty in its criminal law (Spain);
- 108.90. Strengthen the legal framework to combat and eradicate the worst forms of child labour, through legislative measures and awareness raising campaigns (Spain);
- 108.91. Take the necessary measures in order to improve conditions of detention (Switzerland);

- 108.92. **Adopt a moratorium on the death penalty with a view to its abolition (Togo);**
- 108.93. **Fight effectively gender-based violence and traditional practices which are discriminating against women (Togo);**
- 108.94. **Strengthen efforts to tackle gender-based violence by introducing specific measures to encourage more reporting by the public; increased transparency; and increased investigations, prosecutions, convictions and sentences, to deter offenders (United Kingdom of Great Britain and Northern Ireland);**
- 108.95. **Strengthen legislative measures and establish measures to combat discrimination and violence against women; bring to an end damaging cultural practices harmful to girls and to twins (Viet Nam);**
- 108.96. **Pursue efforts to combat sexual exploitation of children (Algeria);**
- 108.97. **Strengthen efforts to protect its most vulnerable populations, in accordance with obligations under the Convention on the Elimination of Discrimination Against Women and under the Convention on the Rights of the Child; and adopt specific legislation and programmes targeting gender based violence, including marital rape (Australia);**
- 108.98. **Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the ICCPR (Australia);**
- 108.99. **Strengthen existing legislation on sexual exploitation and human trafficking, and ensure its full implementation (Botswana);**
- 108.100. **Take specific measures to eliminate child marriage, early marriage and forced marriage, which remain widespread in a number of communities. These measures require new constitutional and legislative protection as well as commitments in terms of education and health for girls, and the protection against violence, as well as child protection services which must take account of the gender dimension and economic empowerment of women (Canada);**
- 108.101. **Step up legal protection to Malagasy women to protecting against violence, including by making marital rape a criminal offence (Canada);**
- 108.102. **Identify the root causes of trafficking in persons and sexual exploitation of children in order to provide appropriate solutions (Central African Republic);**
- 108.103. **Strengthen measures to protect women and children against harmful cultural practices such as Moletry and stigmatization of twins (Chad);**
- 108.104. **Develop a national plan to combat gender violence and allow effective implementation of the national and international legal framework; that also involves training of persons employed in the justice system (Costa Rica);**
- 108.105. **Continue and strengthen its fight against harmful traditional practices (Cote d'Ivoire);**
- 108.106. **Review the customary practices which are extensive and contrary to the efforts made to improve the situation of women, particularly the tradition of pre-engagement with minor girls (Democratic Republic of the Congo);**
- 108.107. **Seek to overcome obstacles that hinder the implementation of the act on trafficking, and expedite the current process of setting up a standing mechanism to combat trafficking (Egypt);**

- 108.108. Maintain efforts aimed at combating various forms of violence against women (Egypt);
- 108.109. Further intensify efforts to combat harmful traditional practices affecting children (Ethiopia);
- 108.110. Take concrete measures to eliminate discriminatory practices against women; and to combat domestic violence (France);
- 108.111. Develop child protection policies particularly in terms of combating sexual exploitation and child labour (France);
- 108.112. Review national legislation on the basis of current international standards in order to effectively criminalize acts of torture and cruel, inhuman and degrading treatment (France);
- 108.113. Abolish the death penalty and in the meantime, introduce a moratorium on the death penalty as quickly as possible and sign and ratify the 2nd Optional Protocol of the ICCPR (Germany);
- 108.114. Ensure that the new ten-year plan between the Ministry of Justice and the Anti-Corruption Office fully addresses corruption practices in all branches of the judiciary, civil service and armed forces (United Kingdom of Great Britain and Northern Ireland);
- 108.115. Undertake a comprehensive reform of the judicial system, including the establishment of a credible system of accountability for security force abuses (United States of America);
- 108.116. Follow through on recommendations articulated in the recent assessment of anti-corruption efforts undertaken by the Ministry of Justice and United Nations Development Programme, including ensuring the physical safety of anti-corruption officials and whistleblowers and encouraging civil society participation in the judicial reform process (United States of America);
- 108.117. Continue efforts in the field of judicial and penitentiary reforms (Algeria);
- 108.118. Ensure compliance with the Standard Minimum Rules for the Treatment of Prisoners and guarantee all detainees access to a fair and equitable trial within a reasonable time frame (Botswana);
- 108.119. Conduct a human rights education campaign among the law enforcement officials, to ensure permanent democratic freedoms in political life and in the work of the security forces; not just during electoral periods (Democratic Republic of the Congo);
- 108.120. Continue to increase the empowerment of women in the national institutions (South Sudan);
- 108.121. Strengthen efforts on the implementation of its national poverty strategy (South Africa);
- 108.122. Continue to intensify its efforts to combating poverty (United Republic of Tanzania);
- 108.123. Pursue the fight against poverty and to take policies which favor vulnerable people, and pursue economic cooperation which the country needs (Venezuela);
- 108.124. Make efforts to reduce the poverty rate (Angola);

- 108.125. Continue efforts to combat poverty (Cuba);
- 108.126. Combat the precarious situation of labour and poverty (Djibouti);
- 108.127. Redouble its efforts in providing free primary education for its citizens with a view to encouraging children who have been affected by the political crisis to attend primary school (Malaysia);
- 108.128. Intensify its awareness and campaign programmes to encourage school enrolment of children who have been excluded from the education system (Malaysia);
- 108.129. Continue adopting measures like the Temporary Plan for Education 2013-2015 guaranteeing education free of charges (Mexico);
- 108.130. Continue to maintain efforts towards ensuring free primary education for all Madagascan children and promote the right of the girl-child to education (Namibia);
- 108.131. Continue work in order to ensure universal free primary education and broadened access to education and health care (Russian Federation);
- 108.132. Continue working with UNICEF and other relevant partners to encourage school enrolment for children to maximise the potential of Madagascar's next generation (Singapore);
- 108.133. Enhance its efforts to raise school attendance rates, especially among girls, and reduce the drop-out rate (Thailand);
- 108.134. Take the necessary measures ~~towards a to ensure that~~ primary education ~~continues to be~~ fully free of charge (Turkey);
- 108.135. Ensure that primary education is entirely free, given the high number of children who do not attend school (Angola);
- 108.136. Ensure the access to education, including to primary education, particularly for the most vulnerable children (Armenia);
- 108.137. Promote broader access to education for all children (Côte d'Ivoire);
- 108.138. Take all necessary measures to achieve the objective of free primary education (Cuba);
- 108.139. Apply broadly the principles of governance set out in the Universal Declaration of Human Rights, as they are key to the sustainable management of natural resources, such as protection of rainforests, and essential to the realization of fundamental economic, social and cultural rights, as recommended previously (Norway).
109. The following recommendations will be examined by Madagascar which will provide responses in due time, but no later than the 28th session of the Human Rights Council in March 2015:
- 109.1. Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro);
- 109.2. Ratify the international human rights legal instruments to which Madagascar is not a party (Niger);
- 109.3. Further intensify efforts to ensure equitable access to health and education to all (Ethiopia);

- 109.4. Take urgent measures as necessary to overcome prisons overcrowding (Central African Republic);
- 109.5. Decriminalize defamation, abolish insult laws and take all additional measures to ensure, in law and in practice, a safe and enabling environment for journalists (Ireland);
- 109.6. Take concrete steps to protect and promote freedom of expression and press freedom as outlined in the road map for ending the crisis (Japan);
- 109.7. Have a regular dialogue with human rights defenders on an equal footing with them (Switzerland);
- 109.8. Step up its efforts in order to provide a safe environment for journalists, human rights defenders and other civil society actors (Tunisia);
- 109.9. Remove the restrictions on the capacity of journalists ~~to freely~~ **free to** criticize the Government without fearing reprisals by updating the law on communication of 1990, and the Special Commission on Audio-Visual Communication (Canada);
- 109.10. Take all the necessary measures, including material assistance and support programmes to families, to ensure that all persons, especially children, have an adequate standard of living, including access to clean drinking water and sanitation (Slovenia);
- 109.11. Provide greater resources to ensure universal access to drinking water and sanitation, particularly in rural areas (Spain);
- 109.12. Increase investments in its health system to ensure universal access to essential and affordable health services (Thailand);
- 109.13. Progressively realize the right to health to the maximum of its available resources by ensuring the equal and non-discriminatory access of all persons, including women and children to quality and low-cost community health care and the respect of this right by everybody; including “traditional leaders” and other stakeholders (Germany);
- 109.14. Raise the age of completion of compulsory schooling, with a view to properly address the issue of child labour, and ensure that primary education be free of charge for everyone (Italy);
- 109.15. Step up social measures to deal with children who are not attending school and promote their rights (Mauritania);
- 109.16. Take appropriate measures to ensure that primary education is totally free of charges (Mauritania);
- 109.17. Implement the National Development Plan including the revised Sector plan for Education that has budget allocations ensuring priority to free and qualitative education for all (Norway);
- 109.18. Continue reinforcing its efforts by supporting the most vulnerable and less privileged children to complete their studies (United Republic of Tanzania);
- 109.19. Allocate sufficient budget to the educational system so that all children, particularly the most vulnerable, have access to education (Costa Rica);

109.20. **Address the marginalization suffered by persons with disabilities in society, especially children and girls as regards employment, education, and the basic right of access to public buildings (Ghana);**

109.21 **Implement a national strategy on the rights of persons with disabilities (South Africa).**

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

Annex

Composition of the delegation

The delegation of Madagascar was headed by H.E. Ms. Noeline RAMANANTENASOA, Garde des sceaux, Ministre de la Justice and composed of the following members:

- Monsieur Honoré Parfait RAZAFINJATOVO, Directeur Général des Programmes et des Ressources, Ministère de la Justice;
- Monsieur Solofo RAZAFITRIMO, Chargé d'affaires a.i., Mission Permanente de Madagascar à Genève;
- Monsieur Lucien RAKOTONIAINA, Directeur des Droits Humains et des Relations Internationales, Ministère de la Justice;
- Monsieur M. Tsakorien Jaona Adolphe PILAZA, Directeur de la promotion du genre, Ministère de la Population, de la Protection sociale et de la Promotion de la Femme;
- Madame Fanja RAJOELISON, Chef du Service à l'appui de la promotion et de la protection des droits de l'homme, Ministère de la Justice;
- Madame Henintsoa ANDRIAMIARISOA, Chef du Service des Affaires Juridiques et des Droits de l'Homme, Ministère des Affaires étrangères;
- Docteur Louissette RAHANTANIRINA, Point Focal des droits de l'homme, Ministère de la Santé;
- Madame Harifera RABEMANANJARA, Conseiller, Mission Permanente de Madagascar à Genève;
- Madame Mialy RAMILISON, Conseiller, Mission Permanente de Madagascar à Genève.
