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CHILDREN'S RIGHTS IN MADAGASCAR

Joint report by:

Plateforme de la Société Civile pour l'Enfance
(PFSCE)

Apprentis d'Auteuil

and

Fondation Apprentis d'Auteuil International

With the support of :



I. PRESENTATION OF THE AUTHORS

1. The **Plateforme de la Société Civile pour l'Enfance (PFSCE)** is one of the largest national networks dedicated to the promotion and respect of children's rights in Madagascar. The PFSCE currently has 62 members from civil society, listed in the appendix, who are involved in child protection and work together to address children's rights issues in a cross-cutting and specific manner. Its mission has four (4) main components: (I) to promote the rights of the child, (II) to strengthen the capacities of civil society actors and encourage their complementarity, (III) to encourage collaboration between child protection actors, and (IV) to influence public and private strategic orientations.
2. Founded in 1866, **Apprentis d'Auteuil** is a Catholic charitable foundation. It supports children and young people in difficulty through programmes of care, education, training and integration in France and internationally. Apprentis d'Auteuil has had special consultative status with the United Nations Economic and Social Council (ECOSOC) since 2014 and supports its local partners in international advocacy work. The Foundation has been working in Madagascar since 1994 in partnership with local associations, particularly those involved in the "SANDRATRA Project", which aims to improve the living conditions of children in street situations and of which the PFSCE is a partner.
3. Based in Geneva, the **Fondation Apprentis d'Auteuil International (FAAI)** is a charitable foundation created in 2013, which supports the international projects of Apprentis d'Auteuil in partnership with local actors and defends the rights of children and young people, particularly those in street situations, with the international institutions of the United Nations in Geneva.

II. INTRODUCTION

4. This report aims to highlight issues relating to childhood. It will address the civil rights and freedoms of the child, the right to health and education, issues relating to child labour, child marriage, violence, abuse and protection, with a particular focus on children, in street situations, children with disabilities and children in conflict with the law.

III. METHODOLOGY

5. This report was written with the members of the PFSCE, including the organisation Un enfant par la main, the Sandratra project team and the child members of the Children's Committee. Between June and July 2024, the PFSCE administered online surveys via KoboToolbox to Civil Society Organisations (CSOs) working for children to collect data. The purpose of the survey was to gather data on the actual situation of children's civil rights and freedoms, the right to health and education, child labour, child marriage, violence, abuse and protection, children in street situations, children with disabilities and children in conflict with the law. Twenty CSOs responded and an extensive literature review was carried out to complete the analysis.

IV. REVIEW OF CHILD PROTECTION RECOMMENDATIONS RECEIVED

6. During the last cycle of the UPR (2019), the Malagasy government received 34 recommendations relating to the rights of the child, and Madagascar accepted 27 of them. A large proportion of past recommendations called on the government to develop a national child protection strategy. Several of these recommendations focused on the fight against child labour, child marriage, discrimination and violence against children. In addition, several accepted recommendations called on the State to take action to ensure that children have access to healthcare and education.

V. CHILDREN'S RIGHTS IN MADAGASCAR

A. CIVIL RIGHTS AND FREEDOMS OF THE CHILD

a) Identity

7. During the last UPR cycle, Madagascar accepted the recommendation that the State should continue to implement a strategic plan in line with the African Programme for Accelerated Improvement of Vital Registration and Vital Statistics¹. It also accepted a recommendation to strengthen measures to ensure that birth registration is universal, free and accessible to the entire population, including the daughters and sons of Malagasy migrant workers abroad and foreign workers in Madagascar². The PFSCCE notes that the state has since launched a civil registration reform strategy, established a partnership with the World Bank to digitise civil registration and improve the birth registration rate³, signed a grant agreement with the Organisation Internationale de la Francophonie on civil registration reform⁴, and set up a national civil registration and identity centre⁵. A bill to correct discrimination in nationality matters has also emerged from Parliament⁶, awaiting debate in plenary session.
8. However, the members of the PFSCCE note that some of the State's commitments have not been honoured. The national action plan on the reduction and elimination of statelessness proposed for 2019 is still awaiting validation by the relevant ministry⁷. Similarly, the absence of an implementing decree for Law No. 2018-027 on civil status makes the law inapplicable in practice, making the reforms adopted ineffective.

¹ Ethiopia 121.151

² Mexico 121.157

³ "Madagascar: the World Bank supports digital transformation and the upgrading of the identity management system": <https://www.banquemonde.org/fr/news/press-release/2020/09/30/world-bank-supports-madagascars-digital-transformation-and-identity-management-system-upgrades>

⁴ "Civil status: IOF grant to the Ministry of Justice": https://midi-madagasikara.mg/etat-civil-subvention-de-loif-au-ministere-de-la-justice/#google_vignette

⁵ "Increasing inclusive access to Malagasy identity for all Malagasy citizens": <https://digital.gov.mg/prodigy/>

⁶ "Elaboration of the draft bill on the Malagasy Nationality Code: <https://assemblee-nationale.mg/elaboration-de-lavant-proposition-de-loi-portant-code-de-nationalite-malagasy/>

⁷ "Statelessness and Refugees: The implementation of Madagascar's commitments at the heart of a consultation": https://midi-madagasikara.mg/apatrie-et-refugies-la-mise-en-oeuvre-des-engagements-de-madagascar-au-coeur-dune-consultation/#google_vignette

9. There are gaps in communication and awareness-raising about civil status, leading to a lack of understanding of the issue by the public and the relevant stakeholders. Although a guide to birth registration has been published to help people better understand the steps involved in registering a birth, these gaps are still present. All this, plus the fact that Decree No. 2018-027 has not yet been adopted, is limiting the support and mobilisation of the stakeholders needed to combat non-registration of births.

We recommend to:

10. Adopt the Decree implementing Law No. 2018-027, as soon as possible, to put in place birth registration measures that are appropriate and accessible to the entire population, with sufficient resources to obtain identity and nationality documents.

b) Freedom of expression and opinion, access to appropriate information

11. During the last UPR cycle, Madagascar accepted the recommendations calling on the State to strengthen and promote children's rights⁸. The government shows its commitment to respecting freedom of expression through one-off projects that highlight the opinions of children⁹.
12. The members of the PFSCCE note a lack of mechanisms for participation, whether formal or informal, and for taking children's opinions into account, except in the case of one-off government projects. As a result, they have little influence over the decisions that affect their lives.
13. Access to appropriate information is not yet a concern in public policy, and many children still do not have access to the information that concerns them, especially in rural areas and disadvantaged environments. Little information is available in dialects and formats adapted to different groups of children. As a result, most children are uninformed about their fundamental rights and the situation of children in the country, making them more vulnerable to abuse, exploitation and injustice.

We recommend to:

14. Take concrete measures by increasing awareness-raising and education campaigns on children's rights at national level, using appropriate media and targeting children, parents, teachers and communities, while taking into account geographical and socio-economic disparities, and ratify the Third Optional Protocol to the International Convention on the Rights of the Child (CRC) in order to guarantee children's participation.

⁸ Sudan 121.136, Egypt 121.150.

⁹ UNICEF. 2020. "Madagascar puts children back at the heart of the agenda".

B. ECONOMIC, SOCIAL AND CULTURAL RIGHTS OF THE CHILD

a) Education

15. Following the last UPR cycle, Madagascar accepted a recommendation to increase annual budget allocations for the education sector in order to ensure free primary and secondary school education for all children in Madagascar and to take measures to reduce the early school leaving rate¹⁰. This commitment has not yet been fulfilled, but it is being implemented.
16. The members of the PFSCE congratulate the government for recognising its commitments at the *Transformation Education Summit* (TES) and in the Partnership Pact prioritising teacher-related reforms. The government has made efforts, but these remain insufficient, as the budget allocated to education remains well below the sector's needs. For 2024, the budget allocated to education has increased very slightly compared with 2023, but it should be noted that only 12% of the State budget is devoted to education, whereas the Jomtien agreement recommends a proportion of 20%.
17. As a result, the government has recruited many unqualified, poorly trained community teachers to cover all the districts. This has had a negative impact on the quality of teaching in state schools.
18. Regarding free education, the country was recommended to strive to fully apply the principle enshrined in the Constitution concerning free primary education for all children in the country¹¹. Some progress has been made, such as the adoption of Law No. 2022-018 on the general orientation of the education system in Madagascar, but more needs to be done to make it effective.
19. Article 15 of law no. 2022-018 underlines the Malagasy State's commitment to free and compulsory primary education in the public education sector, with the aim of ensuring access for all citizens, regardless of their socio-economic background. In conceptual terms, the desire for free education is clear, but in practice, public primary schooling is far from cost-free. The decree implementing this law has been slow in coming, and parents must contribute to the payment of community teachers' salaries in addition to school fees and school supplies. In the most vulnerable households, many parents are unable to send their children to school.
20. Poor inclusion and marginalisation of disabled children as well as children living in geographically isolated areas in terms of access to education have also been noted by CSOs¹². Infrastructure and equipment in public schools are not adapted or designed to accommodate disabled children, especially as very few teachers in public schools have been trained to accommodate and educate them. The PFSCE also insists on the principle of adaptability of education, and that the inclusion of children with disabilities must take

¹⁰ United Republic of Tanzania 121.88

¹¹ Uruguay 121.89

¹² Malagasy Civil Society Coalition, *Mid-term alternative report of the 3rd cycle of the Universal Periodic Review of Madagascar of November 2019*.

account of all types of accessibility, not just physical accessibility and the related infrastructure.

21. The PFSCE also notes that non-formal and informal education is not a government priority. These forms of education are mainly aimed at vulnerable children, but they do not receive the same level of attention as formal education. There is a clear distinction between technical and general education, but there is a lack of specific recognition for non-formal and informal education, such as that provided by associations and NGOs for children in street situations, support and capacity-building courses, and other similar initiatives.

We recommend to:

22. Step up efforts to improve the quality of education in Madagascar by increasing the budget allocated to this sector and the implementation of the national policy of inclusive education where free and accessible education will be effective and the case of community education will be considered.

b) Health

23. Madagascar has received a recommendation to increase women's and girls' access to basic healthcare services, prioritizing rural areas¹³. To improve access to basic healthcare services and children's health in general, the budget allocated to this sector needs to be increased.
24. Considering children's health is a sign of respect for the best interests of the child. Nevertheless, the Abuja Agreement, to which Madagascar acceded in 2014, stipulates that at least 15% of the State budget must be allocated to the health sector. The budget allocated to health remains relatively low (5% to 7% of the general State budget in 2021). Between 2020-2024, allocations from the Ministry of Public Health (MINSAN) have stagnated at around 7% of the general State budget¹⁴. Efforts have been made to build basic health centres, but maternal and child health services remain insufficient in relation to needs, especially in rural areas.
25. Neonatal and infant mortality rates remain a cause for concern: the risk of infant mortality is estimated at 47 deaths per 1,000 live births and the risk of juvenile mortality at 30%¹⁵. The neonatal and post-neonatal mortality quotients are estimated at 26% and 21% respectively¹⁶. Overall, the risk of infant-juvenile mortality, i.e. the risk of death before the age of 5, is 75%¹⁷.
26. Regarding nutrition and food security, the State has taken action through the National Nutrition Office and programmes with technical and financial partners. School canteens in public establishments are being maintained, which is welcomed by the PFSCE. However,

¹³ Peru 121.128

¹⁴ Collectif des citoyens et des organisations citoyennes, *Rapport d'analyse du budget de la santé et du financement de la vaccination dans la LFI 2024*, 2024.

¹⁵ *Demographic and Health Survey*, Madagascar, 2021

¹⁶ Ibid.

¹⁷ Ibid.

the scope of these initiatives remains limited, while the nutritional situation of Malagasy children is very precarious, requiring much greater efforts and additional measures. What's more, malnutrition is one of the most frequent reasons why children drop out of school.

27. Malnutrition is a widespread problem throughout the country, but children in the Grand Sud and Grand Sud-Est are in a critical situation, as these areas are classified in phase 4 of the IPC¹⁸, i.e. in an emergency situation in terms of malnutrition. Today, less than 10% of Malagasy pupils receive meals at school, and in rural areas, school canteens are almost non-existent¹⁹.
28. About the sexual and reproductive health of young girls, the members of the PFSCE note the difficulty of access to basic health centres due to the distance from home and areas frequently affected by natural hazards, particularly for those living in remote areas. This situation limits access to essential healthcare, in particular contraception, screening and advice on sexual health.

We recommend to:

29. Intensify efforts to improve children's health by increasing the budget allocated to Health to at least 15% of the general State budget by 2028 and by extending access to a quality school canteen throughout the school year in all 24 regions, thereby improving school retention.

C. CHILD LABOUR

30. During the last UPR cycle, Madagascar accepted the recommendations inviting the State to intensify its efforts to abolish child labour²⁰. Since then, the National Plan to Combat Child Labour has come to an end and no evaluation has been published. Work has been carried out to include stricter provisions prohibiting child labour and strengthening control and sanction mechanisms. A new Labour Code is currently²¹ undergoing constitutional review and will soon be promulgated, representing a significant step forward in protecting children from exploitation, subject to its real applicability in the field.
31. With regard to monitoring compliance with legal and regulatory standards, the members of the PFSCE note that the number of labour inspectors is insufficient for effective monitoring²².
32. The survey carried out by the PFSCE among CSOs working for children's rights indicates that the persistence of child labour is mainly due to their precarious situation or that of their families, making it difficult to put in place reintegration and rehabilitation measures for child labour victims, particularly in rural and isolated areas. In addition, the fight against

¹⁸ IPC or Integrated Food Security Phase Classification is a set of tools and protocols used to determine the severity of food insecurity in a given region.

¹⁹ Helpsimus. «Soutenir les cantines scolaires ». <https://www.helpsimus.org/soutenir-les-cantines-scolaires/>

²⁰ Nepal 121.138, Zambia 121.139, Algeria 121.141, Central African Republic 121.145, Chile 121.146, Fiji 121.152, Timor-Leste 121.161, Gabon 121.153, Congo 121.147, Mozambique 121.158, Timor-Leste 121.160.

²¹ July 2024

²² United States Department of Labor, "Conclusions 2022 on the worst forms of child labour in Madagascar", <https://mg.usembassy.gov/fr/travail-des-enfants/>

domestic work is not yet a public policy concern, even though in 2019, more than 1,950,000 children were already working as domestic workers²³. The United States of America did not fail to recommend the Malagasy government to adopt a national policy to combat child labour in the "government policies" section of the Conclusions of the 2022 report on the worst forms of child labour in Madagascar, but nothing has yet been done²⁴.

We recommend to:

33. Develop a specific national policy, building on the achievements of the last national strategic plan to combat child labour in all its forms, including the worst forms, ensuring close collaboration with the relevant stakeholders, and setting up a monitoring and control structure.

D. CHILD MARRIAGE

34. During the last UPR cycle, Madagascar accepted the recommendations calling on the State to adopt all necessary measures to prevent and combat child marriages²⁵. Madagascar has had a national strategy to combat this phenomenon since 2017, supposed to run until 2024. First, its implementation plan was not launched until 2022. Secondly, to date, no information has been gathered on the evaluation of this strategy, or on the new strategic direction for continuing the fight against this phenomenon. In addition, a recommendation for the adoption of a specific law on early and forced marriage of children and the implementation of investigations and repression in the context of this practice was accepted²⁶. However, the mid-term evaluation report published by the CSOs²⁷ noted that the State, as part of the 2019-2023 operationalisation plan, has not provided for any action to implement these recommendations.
35. However, it is important to emphasise that neither the latest law on gender-based violence, which only briefly addresses the issue, nor Article 3 of Law No. 2007-022, which authorises the marriage of minors on serious grounds, are sufficient to prevent and punish this practice effectively and efficiently. It should also be noted that under Malagasy law, authorisation to marry a minor remains valid on "serious grounds", one of which is pregnancy²⁸.
36. The PFSCE is also concerned about the lack of dissemination of the national strategy to combat child marriage. Information mechanisms on the dissemination and appropriation of the national strategy to combat child marriage among the relevant actors involved and the population in general are inadequate. One (1) CSO working for children's rights out of 2 of those interviewed stated that they had not been informed of this national strategy.

²³<https://www.malina.mg/fr/article/deux-millions-d-esclaves-domestiques-a-madagascar>

²⁴ "Conclusions 2022 on the worst forms of child labour in Madagascar, <https://mg.usembassy.gov/fr/travail-des-enfants/>

²⁵ Ukraine 121.102, Botswana 121.142, Canada 121.144, Croatia 121.149, Georgia 121.154, Italy 121.156, Ireland 121.155, Brazil 121.143.

²⁶ Argentina 121.110

²⁷ Malagasy Civil Society Coalition. 2019. "Mid-term alternative report of the 3rd cycle of the Universal Periodic Review of Madagascar of November 2019".

²⁸ Ibid.

37. Moreover, to date, the government has not allocated any resources to projects aimed at combating early and forced child marriage.
38. The PFSCE also notes the persistence of child marriage, particularly in the south, where early customary marriages are still common. According to data from the mid-term evaluation report²⁹, Madagascar is one of the countries most affected by child marriage, ranking 14th with a prevalence rate of 41.2% throughout Madagascar and 63% in the South and South-West Regions, and 3rd in terms of early marriage of boys, with a rate of 13%. No data has been published on the achievement of the target set in the national strategy to combat child marriage, which is to reduce the prevalence rate to 21.2%.
39. In addition, access to information on the dangers of child marriage, to protection services and to alternatives to early marriage remains problematic, particularly for people living in rural and isolated areas. This situation exacerbates the vulnerability of the most at-risk children and impedes efforts to address and combat child marriage.
40. Finally, the PFSCE warns of the persistence of the practice of "Moletry", a matrimonial alliance that is culturally specific to the Sofia region. The pressure to collect a dowry often pushes young girls into marriage as soon as they have their first menstruation, depriving them of their schooling and personal development. Once married, the young girl is often confined to a domestic role, with little opportunity to pursue her dreams or continue her education. Yet there are still few initiatives to stimulate open dialogue and awareness-raising within communities to change mentalities and promote fairer and more equitable marriage practices.

We recommend to:

41. Adopt a new national strategy to combat child marriage, building on the achievements of the previous strategy (2017-2024) and ensuring that it becomes operational as soon as possible.

E. VIOLENCE, ABUSE AND PROTECTION

42. During the last UPR cycle, the country received several recommendations concerning the adoption of legislative measures to put an end to corporal punishment³⁰. To date, no relevant legislation has been adopted.
Several countries have also recommended Madagascar to step up efforts to prevent and abolish child labour and combat all forms of exploitation of children³¹. These commitments are currently being implemented.
It was also recommended that the State should adopt a national action plan specifically aimed at combating sexual exploitation of children and taking into account all forms of sexual exploitation³², efforts have been made to implement this recommendation.

²⁹ Ibid.

³⁰ Zambia 121.140

³¹ Nepal 121.138, Central African Republic 121.145

³² Chilli 121.146

43. The PFSCE stresses the importance of adopting and implementing the National Child Protection Policy, which is currently being developed but is struggling to become concrete. The Children's Department at the Ministry of Population and Solidarity is not yet operational, as its members have not yet been appointed. Nevertheless, the PFSCE welcomes the government's proposed agenda, stating that the policy will be adopted by January 2025.
44. Corporal punishment is still a regular method of discipline for the Malagasy, and violence against children is part of everyday life, with 9 out of 10 children subjected to violent discipline in the form of corporal punishment within their family³³. According to the report on the annual review (2023) of the Ministry of Population and UNICEF's child protection programme, 86% of children aged 10 to 14 are subjected to violent discipline³⁴.
45. The commercial sexual exploitation of children is categorised as the worst form of child labour in Article 10 of Decree No. 2018-009 on child labour. The CSOs congratulate the State on the adoption of severe repression mechanisms, but prevention and awareness-raising actions against this phenomenon remain to be carried out.
46. According to a report by Ecpat France in Madagascar, child prostitution is rarely perceived as sexual violence by the people interviewed, who believe that since the minor consents, the act of prostitution cannot be considered as violence. Raising awareness to protect children remains a major challenge for the Malagasy State. The CSOs consulted point to an increase in the number of cases of sexual violence, but many of these cases are not reported, registered or addressed. All the CSOs interviewed also stated that citizens are unaware of the legal procedures to follow in the event of sexual violence.
47. There has been an alarming increase in cases of abduction and torture of children with albinism: 44 cases of abduction and murder of children with albinism in 2021-2022 in Ikongo³⁵. Between November 2023 and June 2024, in the south-east of the island, a dozen minors with depigmented skin - aged between 6 months and 17 years - were abducted, some raped, raped or killed³⁶. The kidnappers believe that rituals involving people with albinism confer magical powers on them and protect them. As a result, the safety of these children is severely threatened, which is why urgent and effective measures need to be taken by the State. These children are also victims of discrimination within their community.
48. The CSOs that responded to the questionnaires administered by the PFSCE stated that the situation of twin children in Mananjary has changed since the last UPR cycle. Indeed, a gradual change in the local population's behaviour towards the taboo on twin children has been observed, thanks to the actions undertaken by the State and the awareness-raising campaigns carried out by CSOs and organisations. CSOs and local care centres

³³ UNICEF. 2018. La violence envers les enfants à Madagascar.

³⁴ UNICEF, Ministry of Population and Solidarity, Report on the annual review of the child protection programme, 2023.

³⁵ <https://www.iwfm.org/reporting/trafic-des-enfants-atteints-dalbinisme-les-vierges-comme-premier-cible/>

³⁶ [Linfo. 2023. « Hausse inquiétante des attaques contre les albinos dans le sud-est de Madagascar ».](https://www.linfo.re/ocean-indien/madagascar/hausse-inquietante-des-attaques-contre-les-albinos-dans-le-sud-est-de-madagascar)
<https://www.linfo.re/ocean-indien/madagascar/hausse-inquietante-des-attaques-contre-les-albinos-dans-le-sud-est-de-madagascar>

have noted that certain social groups have now adopted cultural solutions enabling parents to keep their twins. In addition, the PFSCE points out that the taboo surrounding twins creates a breach facilitating to child trafficking due to the lack of traceability of abandoned children.

49. In 2023, 48,070 pornographic images of minors from Madagascar were circulating in the country and around the world³⁷. Until the Optional Protocol on the sale of children, child prostitution and child pornography is signed and ratified, Madagascar does not yet have the mechanisms to identify child pornography content or to combat cybercrime effectively.
50. The PFSCE notes that the mechanisms for protecting children are dysfunctional and not well defined, which makes them ineffective. There are few facilities for caring for child victims of violence (only in a third of the 24 regions, and none in rural areas), and the public is not very well informed of their existence. In addition, local communities are not very informed of the importance of these centres, which reduces their use and their potential impact.

We recommend to:

51. Develop and implement the national child protection policy, incorporating concrete solutions for protecting children from violence, by increasing the number of care centres and conducting awareness-raising campaigns, and by adopting a legal framework to put an end to corporal punishment of children.
52. Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

F. CHILDREN IN STREET SITUATIONS

53. The case of children in street situations was not mentioned in the last UPR. Moreover, the most recent official statistics on them date from 2006. As a result, the PFSCE draws attention to the fact that this phenomenon is on the increase throughout the country.
54. The impoverishment of families is the main cause of this situation. Indeed, once families are no longer able to bear the cost of housing, education or even the most basic needs of their members, children soon find themselves in street situations. Rape, attempted rape, sexual abuse, extortion, theft, assault and battery are the typical forms of violence suffered by children in street situations. They are also victims of severe marginalisation and stigmatisation, feeling demeaned, despised and excluded from the community.
55. Their vulnerability is alarming: their right to identity is compromised by lack of access to civil status, their right to education by dropping out of school, their right to health by precarious nutrition and care, their right to security by being forced to work and/or beg and/or live on the streets every day. The situation is particularly serious for those in conflict with the law, as they are often hardly ever granted probation on the grounds that it is

³⁷ National Center for Missing & Exploited Children (NCMEC), 2023 CyberTipline Reports by Country, 2024

difficult to ensure follow-up, due to the lack of a place of residence and the absence of a civilly responsible person³⁸.

56. There are still gaps in the State's provision for children in street situations, because apart from isolated measures, often taken in response to weather fluctuations or specific emergencies in a particular district, or special events, nothing is done to help them.

We recommend to:

57. Take account of the specific needs of children in street situations in national child protection policy.

G. CHILDREN IN CONFLICT WITH THE LAW

58. The PFSCE notes the importance of the recommendations accepted concerning the reduction of the prison population and the improvement of conditions of detention in accordance with the United Nations Standard Minimum Rules³⁹. Indeed, despite the projects undertaken by the Ministry of Justice with technical and financial partners, detention conditions in the country are often considered disastrous: overcrowding, lack of infrastructure and medical staff, detention conditions that do not take account of social and criminal cases, malnutrition, failure to comply with hygiene standards, deterioration in family ties, and even abuse and violence. These situations are exacerbated by corruption at every stage of the judicial process and within the prison facilities.
59. As regards the implementation of alternatives to detention provided for by Law 2016-018 on measures and procedure applicable to children in conflict with the law, only judicial supervision remains practically applicable in all Madagascar's jurisdictions. Detention, which is supposed to be a measure of last resort for minors, is still very common. Probation is still limited in four (4) out of forty-two (42) jurisdictions and is difficult to access for children in street situations. Community service provision, as well as the placement of children in a state-approved centre, with a foster family or with a trustworthy person, remain major challenges due to the lack of resources and, above all, the precision of their application from a textual point of view.
60. CSOs working for children observe that there are insufficient government initiatives aimed at promoting and effectively implementing the educational and social reintegration of children in conflict with the law. Yet this action is crucial in order to avoid increasing the risk of recidivism and to improve their living conditions.

We recommend to:

61. Promote and guarantee the application of alternatives to detention, in particular the development of probation and the adoption of the law on community service, as well as the improvement of detention conditions.

³⁸ Grandir dignement. 2019. La liberté surveillée : Guide pratique pour les enfants en conflit avec la loi à Madagascar

³⁹ France 121.39, Angola 121.30

VI. LIST OF RECOMMENDATIONS

62. Adopt the Decree implementing Law No. 2018-027, as soon as possible, to put in place birth registration measures that are appropriate and accessible to the entire population, with sufficient resources to obtain identity and nationality documents.
63. Take concrete measures by increasing awareness-raising and education campaigns on children's rights at national level, using appropriate media and targeting children, parents, teachers and communities, while taking into account geographical and socio-economic disparities, and ratify the Third Optional Protocol to the International Convention on the Rights of the Child (CRC) in order to guarantee children's participation.
64. Step up efforts to improve the quality of education in Madagascar by increasing the budget allocated to this sector and the implementation of the national policy of inclusive education where free and accessible education will be effective and the case of community education will be considered.
65. Intensify efforts to improve children's health by increasing the budget allocated to Health to at least 15% of the general State budget by 2028 and by extending access to a quality school canteen throughout the school year in all 24 regions, thereby improving school retention.
66. Develop a specific national policy, building on the achievements of the last national strategic plan to combat child labour in all its forms, including the worst forms, ensuring close collaboration with the relevant stakeholders, and setting up a monitoring and control structure.
67. Adopt a new national strategy to combat child marriage, building on the achievements of the previous strategy (2017-2024) and ensuring that it becomes operational as soon as possible.
68. Develop and implement the national child protection policy, incorporating concrete solutions for protecting children from violence, by increasing the number of care centres and conducting awareness-raising campaigns, and by adopting a legal framework to put an end to corporal punishment of children.
69. Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
70. Take account of the specific needs of children in street situations in national child protection policy.
71. Promote and guarantee the application of alternatives to detention, in particular the development of probation and the adoption of the law on community service, as well as the improvement of detention conditions.

ANNEX I. LIST OF PFSCE MEMBER ORGANISATIONS

- ACCESS MAD
- ACTION CONTRE LA FAIM
- AIDE ET EDUCATION
- AINA - Enfance et avenir
- AKANY AVOKO FARAVOHITRA
- Akany Fiezahana
- AKANY FITIAVANA IKIANJA
- Ank'lzy
- ASEFFEMA
- ASMAE
- Association Save Zoé
- ASSOCIATION AT HOME
- Association des Jeunes acteurs pour la Communauté
- ASSOCIATION DIAVOLANA
- ASSOCIATION ENFANTS D'ANTANANARIVO
- Association FITAFI
- Association Gazela pour le Développement Social
- ASSOCIATION INTERNATIONALE DE LA CHARITE
- Association Mihary Soa
- Association MSA
- Association OHATRA
- Association pour la Promotion de la Lecture chez les Enfants à Madagascar
- Association Sahia
- Association Tsaramasay - Centre Mahereza
- ASSOCIATION VANONA
- Association Young Efficient for Success
- ATD Quart Monde
- AVOTRA FFF
- Centre Betania Ankasina
- Centre NRJ
- Ecole de Rugby, Ecole de la Vie
- ECPAT France
- Enda Madagascar
- Enfant du soleil
- FMA
- GRAINES DE BITUME
- GRANDIR DIGNEMENT
- HARDI
- Hay Kanto
- KOLO AINA
- KOZAMA
- La Chaîne de 'Espoir

- La Cometa
- LA RUCHE
- ManaoDE - Manao Droits de l'Enfant
- MANDA
- Mentor ECCE
- ONG HAFA
- ONG MERCI
- ONG Ny Aiko Wealthy
- ONG TSINJO
- SEED Madagascar (Sustainable Environnement Education Development)
- SIF
- SOMBINIAINA
- SOS VLLAGE D'ENFANTS
- Tia Hina
- Un Enfant par la Main
- ZARA AINA
- Zova an'Kids
- Association AVANA
- ONG Ketsa
- Zazakely Sambatra