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

Madagascar

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

Introduction

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

I. Summary of the proceedings of the review process

[To be completed by 22 November 2019]

- A. Presentation by the State under review
- B. Interactive dialogue and responses by the State under review

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

II. Conclusions and/or recommendations

6. The recommendations formulated during the interactive dialogue/listed below have been examined by Madagascar and enjoy the support of Madagascar:
 - 6.1 Adopt an open, merit-based process when selecting national candidates for UN Treaty Body elections (United Kingdom of Great Britain and Northern Ireland);
 - 6.2 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Uruguay);
 - 6.3 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Croatia);
 - 6.4 Intensify efforts to implement the recommendations stemming from the mechanism of the Universal Periodic Review and from commitments undertaken in the framework of other mechanisms (Mauritania);

- 6.5 Provide sufficient resources to the Independent National Commission on Human Rights, in particular with regard to the promotion of women's rights and the promotion of equality between women and men (Serbia);
- 6.6 Guarantee the functioning of the National Independent Human Rights Commission in line with the Paris Principles and keep institutional and financial support to the High Council for the Defence of Democracy and the Rule of Law (Spain);
- 6.7 Develop a capacity building plan for public officials in the area of human rights (Sudan);
- 6.8 Ensure that the Independent National Human Rights Commission has sufficient resources to carry out its legal mandate (Costa Rica);
- 6.9 Continue to mobilise resources and seek necessary international support to enhance its capacity for the promotion and protection of human rights (Nigeria);
- 6.10 Continue strengthening the mandate of the Independent National Human Rights Commission in order to reach compliance with the Paris Principles (Georgia);
- 6.11 Strengthen the role and work of the Independent National Human Rights Commission in the monitoring of human rights, including collaboration with other states (Indonesia);
- 6.12 Encourage the Independent National Human Rights Commission to comply with the Paris Principles (Iraq);
- 6.13 Continue to further strengthen the role of the Independent National Human Rights Commission (Morocco);
- 6.14 Adopt a comprehensive legislation coupled with the relevant policies and programmes to combat all forms of racial discrimination (Uganda);
- 6.15 Continue consolidating its excellent policies for the protection of elderly persons against all forms of marginalization and stigmatization (Bolivarian Republic of Venezuela);
- 6.16 Continue to take positive measures to protect the rights of vulnerable groups (China);
- 6.17 Strengthen policies and legislative framework to fight against the stigmatization of persons living with HIV and of population at risk (India);
- 6.18 Combat racism and racial discrimination, including by raising awareness in order to prevent stigmatization of people living with HIV (Iraq);
- 6.19 Strengthen efforts to prevent and combat all forms of discrimination and violence against women, in particular by implementing the national strategy to combat gender-based violence (Italy);
- 6.20 Adopt legislation to prevent and eliminate racism and discrimination, and create necessary mechanisms for victims to access effective remedies for justice and reparation (Mexico);
- 6.21 Strengthen national legislation on environmental protection (Serbia);
- 6.22 Promote a sustainable exploitation of its natural resources, in line with 14 and 15 Sustainable Development Goals, especially by a sustainable managements of its forests (Switzerland);
- 6.23 Ensure that women, children, and persons with disabilities are meaningfully engaged in the development of legislation, policies and programs on climate change and disaster risk reduction (Fiji);
- 6.24 Draft specific and relevant policies and programmes, with specific timelines, to ensure that mining activities contribute to the sustainable, social and

economic development of the communities in which mining companies operate (Haiti);

6.25 Guarantee that bilateral fisheries agreements contain measures to protect the marine ecosystem and small fishing communities in Madagascar (Haiti);

6.26 Investigate, prosecute and punish abusive use of force and acts of torture and ill treatment by the police and security forces (Spain);

6.27 Accelerate the review process of Law 2008-008 against torture, with a view to bringing it in conformity with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and especially, ensure the inclusion of sanctions proportionate to the gravity of acts of torture, and provide for the removal of the statute of limitations for acts of torture (Togo);

6.28 Take all necessary legislative and administrative measures to investigate and punish the perpetrators of acts of torture and cruel, inhuman and degrading treatments, in particular in detention centres, and especially investigate reports of summary executions allegedly involving State security forces (Uruguay);

6.29 Thoroughly investigate alleged cases of torture and ill-treatment committed by the police or security forces and prosecute the perpetrators (Zambia);

6.30 Continue efforts to minimize prison overcrowding in line with the Nelson Mandela Rules (Angola);

6.31 Expedite alignment of the Anti-torture Act 2008-008 with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, incorporate it into national Criminal Codes and prosecute perpetrators of unlawful detention, torture and killings (Australia);

6.32 Intensify efforts to address acts of torture and ill-treatment by security forces, including conducting independent investigation on all allegations of abuses and ensure prosecution of perpetrators (Botswana);

6.33 Increase efforts to reduce prison overcrowding and improve living conditions in penitentiaries (Burundi);

6.34 Accelerate the process of revision of the law prohibiting torture, to harmonize it with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);

6.35 Redouble efforts to improve the living conditions and treatment of prisoners, including nutrition and medical care (Côte d'Ivoire);

6.36 Improve the conditions of detention by combating the excessive use of pre-trial detention to avoid overcrowding, in accordance with international standards (Croatia);

6.37 Bring its prisons and detention conditions in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (Denmark);

6.38 Accelerate the revision process of the 2008-008 Act, to ensure that the criminalization of torture and cruel, inhuman and degrading treatment is in line with international standards (France);

6.39 Reform the penitentiary system to ensure better conditions of detention, especially for children, as well as to avoid long-term preventive detention and ban extrajudicial executions (France);

6.40 Take effective measures to prevent arbitrary killings by police forces and to bring those found guilty of such actions to justice (Germany);

- 6.41 Strengthen efforts to prevent the use of torture, especially in law enforcement (Indonesia);
- 6.42 Investigate allegations of torture and prosecute the perpetrators (Iraq);
- 6.43 Adopt measures to tackle the phenomenon of extrajudicial executions, and ensuring that perpetrators are brought to justice (Italy);
- 6.44 Strengthen efforts to improve conditions in the penitentiary system, by addressing the problem of prison overcrowding, and amend the Criminal Procedural Code with the aim of reducing the duration of pre-trial detention (Italy);
- 6.45 Continue efforts to combat torture, both in law and practice, and launch awareness and training programs for police and security agencies (Lebanon);
- 6.46 Review the applicable national legislation to guarantee the inclusion of sanctions against ill-treatment, the removal of the statute of limitations on acts of torture, and the inadmissibility as evidence before the courts of confessions obtained under duress or torture (Mexico);
- 6.47 Rehabilitate detention centers and streamline judicial proceedings, in particular with regard to the enforcement of court decisions (Senegal);
- 6.48 Guarantee the independence of the judiciary, continue its efforts to establish an accessible and efficient system of justice, provided with resources, and limit the competence of the traditional justice (dina courts), ensuring the conformity of its decisions with international human rights standards (Spain);
- 6.49 Limit the use of pre-trial detention, by establishing reasonable terms and applying alternatives to pre-trial detention (Spain);
- 6.50 Limit the length of pre-trial detention, in law and practice, in conformity with international standards (Switzerland);
- 6.51 Integrate measures to identify and combat abusive pre-trial detention into national action plans on prison reform (United Kingdom of Great Britain and Northern Ireland);
- 6.52 Immediately end the pervasive practice of lengthy pre-trial detention and intensify efforts to provide appropriate nutritional and medical care for those detained (United States of America);
- 6.53 Ensure independent and impartial enquiries are conducted into corruption cases, including in natural resource management, in line with the National Anti-Corruption Strategy (2015-25) and that those found guilty face sanctions in accordance with the law (Australia);
- 6.54 Ensure accountability for cases of excessive use of force by security forces by effectively investigating all allegations, and bring suspected perpetrators to justice in fair trials that meet international standards (Netherlands);
- 6.55 Strengthen efforts in the fight against corruption (Central African Republic);
- 6.56 Work towards the full implementation of the ten-year National Anti-Corruption Strategy for 2015–2025 (Israel);
- 6.57 Continue efforts to guarantee the independence and effectiveness of the judiciary (Peru);
- 6.58 Continue measures for engaging in dialogue with civil society organizations (Azerbaijan);

- 6.59 Take measures to ensure that all individuals and political parties may fully enjoy the rights to peaceful assembly and freedom of association, and ensure that any restrictions on the exercise of these rights are in accordance with the conditions set forth in the International Covenant on Civil and Political Rights (Luxembourg);
- 6.60 Allocate sufficient funds and resources to effectively implement the National Action Plan on Trafficking in Persons and ensure the effective functioning of the National Office to combat human trafficking (Seychelles);
- 6.61 Guarantee access for all victims of trafficking in persons to legal, psychological, medical and social assistance and to shelters and reparation, regardless of their status (Uganda);
- 6.62 Strengthen existing legislation to ensure that all forms of modern slavery and human trafficking are criminalised in line with international conventions and standards, including the sexual exploitation of children (United Kingdom of Great Britain and Northern Ireland);
- 6.63 Redouble efforts to combat human trafficking (Congo);
- 6.64 Extend beyond 2019 the National Action Plan on trafficking in persons, and continue strengthening the actions of prevention, confrontation and prosecution of those responsible, as well as protection for the victims of this crime (Cuba);
- 6.65 Continue efforts to combat human trafficking (Egypt);
- 6.66 Implement the National Plan to Combat Human Trafficking and enforce legislation to strengthen the protection of migrant workers and prevent situations of slavery and trafficking faced by female migrant workers (Germany);
- 6.67 Further develop its international outreach in the context of the fight against human trafficking and forced labour (Israel);
- 6.68 Continue efforts to combat human trafficking and consider renewing the implementation of the national plan to combat human trafficking 2015–2019 (Lebanon);
- 6.69 Continue efforts in training and capacity-building programs for duty bearers on anti-human trafficking (Philippines);
- 6.70 Finalize the drafting of the second generation of the Decent Work Country Program, as well as its implementation (Gabon);
- 6.71 Provide for the implementation of the National Social Protection Strategy for 2019–2023 (Russian Federation);
- 6.72 Provide adequate financial resources for the effective implementation of the National Social Protection Policy (Namibia);
- 6.73 Consider to seek financial and capacity building assistance to eradicate poverty (United Republic of Tanzania);
- 6.74 Continue developing the 13 strategic axes of the General State Policy within the framework of the fight against poverty (Bolivarian Republic of Venezuela);
- 6.75 Take further measures to sustain and reinforce food security (Viet Nam);
- 6.76 Continue to implement poverty reduction policies with focus on reducing income inequality (Viet Nam);
- 6.77 Ensure access to safe drinking water and adequate sanitation for its population, particularly for the rural community, women and disabled people (Bangladesh);

- 6.78 Continue to promote sustainable economic and social development, advance poverty alleviation and improve people's living standards (China);
- 6.79 Do not relent in its poverty alleviation efforts, with a view to improving the general well-being of its people (Nigeria);
- 6.80 Strengthen the water, sanitation and hygiene sector plan, taking into account vulnerable groups and adopting a gender and equity approach (India);
- 6.81 Enhance bilateral and trilateral cooperation in improving access to food, water, health care and education (Indonesia);
- 6.82 Eliminate poverty by the exercise of the right to development, including through sustained economic growth, investment, and creating new job opportunity (Islamic Republic of Iran);
- 6.83 Intensify its efforts to improve access to drinking water and sanitation (Islamic Republic of Iran);
- 6.84 Further enhance activities aimed at giving effect to the right of access to health (Azerbaijan);
- 6.85 Continue strengthening the implementation of the National Strategy for Universal Health Coverage adopted in 2015, in order to guarantee quality healthcare services to the entire population, regardless of their economic or social situation (Cuba);
- 6.86 Continue its efforts to fight malaria and other related infectious diseases (Islamic Republic of Iran);
- 6.87 Support strategies aimed at developing the health sector and providing health care for all (Libya);
- 6.88 Increase the annual budget allocations for education section in order to guarantee free education in primary and secondary schools for all Madagascar's children and take action to decrease early school drop-out rate (United Republic of Tanzania);
- 6.89 Make efforts to fully implement the principle enshrined in the Constitution regarding free primary education for all children in the country (Uruguay);
- 6.90 Take new measures to provide for an inclusive and quality education (Armenia);
- 6.91 Accelerate efforts to reach the objectives on inclusive education in the national sector plan, especially with regard to children with disabilities and children in geographically isolated areas (Norway);
- 6.92 Continue efforts to achieve equal access to education for all (Libya);
- 6.93 Redouble efforts regarding access to education for children in rural areas, as well as access to an adequate health service for vulnerable sections of the population, in particular women, children, older people and persons with disabilities (Mauritius);
- 6.94 Strengthen measures to encourage women's participation in public affairs and representation in decision-making levels (Myanmar);
- 6.95 Step up efforts to implement the national strategy to fight against gender-based violence (Myanmar);
- 6.96 Continue measures to ensure woman and girl victims of violence have access to justice and provide adequate protection (Myanmar);
- 6.97 Continue its efforts to broaden the economic rights and opportunities of women (Russian Federation);

- 6.98 Strengthen measures to combat discrimination and violence against women including through the implementation of relevant laws, eliminating any loopholes in national legislation that might undermine the protection of women's rights and addressing discriminatory stereotypes that affect women (Rwanda);
- 6.99 Enact legislation to criminalize all acts of violence against women, specifically criminalizing domestic violence and all forms of sexual abuse (Seychelles);
- 6.100 Accelerate the adoption of the specific law on gender-based violence that will also define marital rape as a criminal offence (Slovenia);
- 6.101 Continue its efforts to combat discrimination and all forms of violence against women (Tunisia);
- 6.102 Adopt legislation to criminalize all acts of violence against women, specifically domestic violence, including marital rape, child and/or forced marriage and all forms of sexual abuse (Ukraine);
- 6.103 Ensure the equal rights of women and men in all matters relating to marriage and family relations (Ukraine);
- 6.104 Take further measures aimed to combat and eliminate violence against women and girls, in particular sexual violence and sexual and labour exploitation (Uruguay);
- 6.105 Continue moving towards the adoption of a specific law on gender violence which strengthens the “zero tolerance” culture and on the development of mechanisms of prevention and attention to victims of such violence (Bolivarian Republic of Venezuela);
- 6.106 Continue to strengthen measures aimed at eliminating discrimination against women and tackling gender-based violence (Nepal);
- 6.107 Adopt legislation to criminalize all acts of violence against women, specifically domestic violence (Zambia);
- 6.108 Ensure incorporation of the perspective of the empowerment of rural women into the initiatives taken to prepare adaptation to climate change and to mitigate its consequences (Algeria);
- 6.109 Gradually implement measures to ensure better representation of women in public affairs, aiming at achieving gender parity (Angola);
- 6.110 Deepen measures aimed at combating traditional stereotypes and gender inequality, in particular through investigating and punishing cases of violence as well as child marriage (Argentina);
- 6.111 Continue its efforts to promote gender equality, and continue to take the necessary measures to protect the rights of women in law and practice (Armenia);
- 6.112 Enact legislation to criminalise all aspects of gender based violence including marital rape, in line with the Convention on the Elimination of All Forms of Discrimination against Women (Australia);
- 6.113 Strengthen the fight against all acts of violence against women, such as domestic violence, marital rape, and all forms of sexual abuse, including through penal legislative reforms (Brazil);
- 6.114 Adopt the specific law on the fight against gender-based violence (Burkina Faso);
- 6.115 Ensure that women and girls who are victims of violence have access to effective remedies and that the perpetrators of such acts are prosecuted and convicted (Burkina Faso);

- 6.116 **Allocate adequate resources and implement the bill on fighting gender-based violence (Canada);**
- 6.117 **Ensure that all women and girls have access to information, services and education on sexual and reproductive health, including comprehensive sexuality education (Canada);**
- 6.118 **Pass laws to criminalize all acts of violence against women and take actions to ensure the protection of the rights of women in all fields, including through the elimination of the wage gap (Costa Rica);**
- 6.119 **Strengthen mechanisms for preventing and combating domestic violence in order to protect victims and provide them with justice and rehabilitation as well as all other forms of assistance (Djibouti);**
- 6.120 **Pursue the policy of eliminating inequalities between men and women by taking the necessary measures to increase the participation of women in political, economic and social life (Djibouti);**
- 6.121 **Pursue efforts to reinforce women's participation in political life (Egypt);**
- 6.122 **Give special attention to the rights of women living in rural areas (Gabon);**
- 6.123 **Ensure the equal rights of women and men in all matters. Adopt legislation to criminalize all acts of violence against women and enforce legislation aimed at eliminating discrimination against women (Germany);**
- 6.124 **Approve the proposed bill to combat gender-based violence, and ensure adequate resources for its implementation, including effective handling of marital rape as a criminal offence (Norway);**
- 6.125 **Continue its efforts to ensure gender equality, gender neutral policies, child rights related to access to education, health and social services (India);**
- 6.126 **Adopt the draft bill on gender-based violence establishing marital rape as a criminal offence, in line with recommendations of the Committee on the Elimination of All Forms of Discrimination against Women (Ireland);**
- 6.127 **Increase its efforts to empower women both in the economic and public spheres, and enhance women's representation in public offices (Israel);**
- 6.128 **Increase access for women and girls to basic health care services, giving priority to rural areas (Peru);**
- 6.129 **Continue ongoing efforts to combat violence against women (Libya);**
- 6.130 **Repeal all discriminatory provisions against women in the public and private spheres, as well as with regards to economic autonomy, including those contained in nationality, inheritance and marriage legislation (Luxembourg);**
- 6.131 **Ensure compliance with existing legislation to eliminate discrimination against women (Luxembourg);**
- 6.132 **Adopt the specific draft bill on combatting gender-based violence, whose process began in 2018 (Mali);**
- 6.133 **Encourage the participation of women in the economic life of the country and provide them with the means for their empowerment so that they may contribute to its socio-economic development (Mauritius);**
- 6.134 **Reduce maternal mortality by increasing the access of women and girls to basic health-care services, and ensure sufficient resources to promote and protect women's and girls' reproductive health (Montenegro);**
- 6.135 **Continue enhancing measures and programs to strengthen the protection of women and girls from gender-based violence (Philippines);**

- 6.136 Continue making efforts to promote the rights of children (Sudan);
- 6.137 Continue its efforts to protect the rights of children (Tunisia);
- 6.138 Intensify efforts to abolish child labour and combat all forms of exploitation of children (Nepal);
- 6.139 Adopt a specific national action plan to combat the sexual exploitation of children that takes into account all forms of sexual exploitation (Zambia);
- 6.140 Take practical steps, including through legislative measures, to put an end to corporal punishment in all settings (Zambia);
- 6.141 Intensify its efforts to ensure the progressive elimination of child labour, and take measures to raise the age of completion of compulsory education in a manner to align it with the minimum age of admission to employment (Algeria);
- 6.142 Take effective measures to ensure the implementation of the 2018–2024 National Strategy to Combat Child Marriages as a means of eradicating the high incidents of child marriages (Botswana);
- 6.143 Adopt laws prohibiting corporal punishment of children and redouble efforts against child, early and forced marriages (Brazil);
- 6.144 Allocate dedicated resources to projects to combat child marriage, and conduct public awareness raising campaigns in collaboration with religious and traditional authorities and civil society (Canada);
- 6.145 Continue efforts for the progressive elimination of child labor (Central African Republic);
- 6.146 Approve a national action plan to combat the sexual exploitation of children and adolescents, including preventive measures that contribute to raise the visibility of the problem and provide effective assistance to victims (Chile);
- 6.147 Fight effectively against child labor (Congo);
- 6.148 Intensify awareness campaigns and finalize the Bill regarding the rejection of twin children (Congo);
- 6.149 Take all necessary measures to combat child and forced marriages while addressing their root causes (Croatia);
- 6.150 Continue efforts to strengthen the rights of children (Egypt);
- 6.151 Continue the implementation of a strategic plan as aligned with the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics Systems (Ethiopia);
- 6.152 Implement and continue to strengthen initiatives aimed at preventing and protecting against child labour and child sexual exploitation (Fiji);
- 6.153 Continue its efforts to combat child labour in the vanilla production sector, by ensuring the enforceability of the legislation prohibiting child labour (Gabon);
- 6.154 Further implement vigorous measures against molestry and child marriages (Georgia);
- 6.155 Implement existing legislative and policy frameworks on child labour and child, early and forced marriage, respectively, and develop a national strategy to combat all forms of child sexual exploitation (Ireland);
- 6.156 Adopt all necessary measures, including awareness-raising campaigns, to prevent and combat child early and forced marriage (Italy);
- 6.157 Strengthen measures so that birth registration is universal, free and accessible to the entire population, including the daughters and sons of Malagasy migrant workers abroad and of foreign workers in Madagascar (Mexico);

- 6.158 **Redouble efforts in the fight against child labor (Mozambique);**
- 6.159 **Further intensify awareness-raising activities on human rights especially for children and youth (Philippines);**
- 6.160 **Intensify efforts to ensure the progressive elimination of child labour (Timor-Leste);**
- 6.161 **Take further measures to prevent child sex tourism in the country (Timor-Leste);**
- 6.162 **Enforce legal standards to protect the rights of all migrant workers and take necessary measures against networks of traffickers (Bangladesh);**
- 6.163 **Prosecute employers who exploit migrant workers (Central African Republic).**

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

- 7.1 **Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Rwanda); (Armenia); (Montenegro);**
- 7.2 **Accede to the Protocol relating to the Status of Refugees of 1967 (Namibia);**
- 7.3 **Ratify the UN Conventions on Statelessness (Namibia);**
- 7.4 **Accede to the Convention on the Reduction of Statelessness (Ukraine);**
- 7.5 **Ratify the Protocol relating to the Status of Refugees (Ukraine);**
- 7.6 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 7.7 **Continue its commitment to ratify international treaties (Armenia);**
- 7.8 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities establishing the individual communications procedure and the inquiry procedure (Bangladesh);**
- 7.9 **Consider ratifying the Protocol Relating to the Status of Refugees and acceding to the Convention on the Reduction of Statelessness (Côte d'Ivoire);**
- 7.10 **Consider the possibility of ratifying the conventions it had already signed, in particular the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Niger);**
- 7.11 **Take measures to continue the decentralization of the country (Germany);**
- 7.12 **Consider enacting a comprehensive legislation that provides full and effective protection against discrimination in all forms, and which contains a comprehensive list of prohibited offences that constitute grounds of discrimination (Ghana);**
- 7.13 **Launch a transparent, independent investigation into allegations of arbitrary or unlawful killings of criminal suspects by the security forces, especially during operations to combat cattle rustling (United States of America);**
- 7.14 **Create an independent mechanism to investigate reports of acts of torture and ill-treatment committed by members of the police and security forces (Costa Rica);**
- 7.15 **Implement a national reconciliation policy to combat impunity (Senegal);**

- 7.16 Strengthen, through financial and human resources, the Independent Anti-Corruption Bureau (BIANCO) and the Financial Intelligence Unit (SAMIFIN), in order to fight more effectively against corruption in the country (Haiti);
- 7.17 Cease the harassment, arbitrary detention and intimidation of human rights defenders exercising their right to freedom of expression, including environmental activists (United States of America);
- 7.18 Enhance the freedom of expression by amending all restrictive provisions of the Law ~~on~~ Communication and the Cyber Crimes Law, and to align these laws with the constitutional provisions and international human rights standards (Netherlands);
- 7.19 Ensure that laws on libel, contempt and slander fully respect the right to freedom of expression (Canada);
- 7.20 Repeal the offense of insulting public officials (Canada);
- 7.21 Revise the legislation related to the activities of the press and communication media to strictly comply with the provisions of article 19 of the International Covenant on Civil and Political Rights (Chile);
- 7.22 Take all the necessary measures to release all persons detained exclusively for exercising their right to expression, opinion, association and assembly (France);
- 7.23 Continue to enact and fully implement legislations that seek to promote and protect the rights to freedom of expression and religion (Ghana);
- 7.24 Amend legislation which unduly restricts freedom of expression in line with international and regional human rights law, including by decriminalizing defamation and abolishing insult laws (Iceland);
- 7.25 Decriminalize defamation and insult, and amend provisions related to these issues to ensure they are better in line with international standards on freedom of expression (Luxembourg);
- 7.26 Amend the Penal Code to decriminalize and eliminate all punitive measures related to termination of pregnancies in cases of rape, incest, severe foetal impairment and situations where the life of the mother is at risk (Denmark);
- 7.27 Ensure all women and girls can access sexual and reproductive health information, services and commodities, including emergency contraception and other modern methods of contraception, as well as comprehensive sexuality education both in and out of school (Iceland);
- 7.28 Ensure equitable, gender sensitive and functional access to early diagnosis and high quality treatment, as well as rehabilitation and reasonable accommodation for persons affected by leprosy-related physical impairments and disability (Portugal);
- 7.29 Strengthen the rights of girls and women through combatting early marriage, providing assistance for school attendance and legalizing abortion in all circumstances. Ensure that women and girls who resort to abortion, as well as doctors who perform them, are not subject to criminal sanctions (France).
8. The recommendations formulated during the interactive dialogue/listed below have been examined by Madagascar and have been noted by Madagascar:
- 8.1 Ratify the Optional Protocol to the Convention of the Rights of the Child on a communication procedure (Ukraine);
- 8.2 Improve resourcing available to bodies protecting the human rights of women, children and minorities, including LGBTI persons (Australia);

- 8.3 **Adopt comprehensive legislation to combat racism and discrimination, which includes a definition of discrimination based on sexual orientation and gender identity (Chile);**
- 8.4 **Adopt comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity (Iceland);**
- 8.5 **Decriminalize abortion in all circumstances and remove legal, administrative and practical barriers to accessing safe and legal abortion services (Iceland);**
- 8.6 **Continue the important reform of its nationality law in order to address the gender-discriminatory provisions that persist, which deny Malagasy women the ability to confer nationality to a non-national spouse upon marriage on an equal basis with Malagasy men (Portugal);**
- 8.7 **Take the necessary measures to provide psycho-social assistance to child soldiers with a view to their social reintegration (Senegal);**
- 8.8 **Make efforts to accelerate the process of national reconciliation and ensure the demobilization and treatment of minors in armed conflict as victims (Costa Rica);**
- 8.9 **Take all steps necessary to make appropriate assistance available to children who had been involved in armed conflict, including aiding their physical and psychological recovery and their social reintegration (Timor-Leste);**
- 8.10 **Recognize the legal personality of the Fokolonona indigenous peoples, as provided for in the preamble of the Constitution (Peru);**
- 8.11 **Take all measures likely to reduce the rate of stateless persons among the population, regardless of their ethnic or religious origin (Switzerland).**
9. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

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

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

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