



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

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**Committee on the Elimination of Discrimination
against Women
Sixty-second session**

Summary record of the 1355th meeting*

Held at the Palais des Nations, Geneva, on Tuesday, 10 November 2015, at 10 a.m.

Chairperson: Ms. Hayashi

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Combined sixth and seventh periodic reports of Madagascar

* No summary records were issued for the 1353rd or 1354th meetings.

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined sixth and seventh periodic reports of Madagascar (CEDAW/C/MDG/6-7; CEDAW/C/MDG/Q/6-7 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Madagascar took places at the Committee table.*

2. **Ms. Ramanantenaso** (Madagascar), introducing her country's combined sixth and seventh periodic reports (CEDAW/C/MDG/6-7), said that, shortly after the presentation of its last report in October 2008, Madagascar had been hit by a political and institutional crisis that had prevented it from implementing some of the Committee's recommendations. Following the election of Hery Rajaonarimampianina as President of the Republic and the restoration of the constitutional order, the Government had drafted a national development plan, one of whose priorities was to provide social protection to vulnerable groups, including women.

3. Between 2012 and 2015 Madagascar had signed or ratified several international human rights instruments and had presented reports to the Committee on the Rights of the Child and the Human Rights Council. In 2010, article 6 of the Constitution had been amended to provide for equality between men and women in political, economic and social life and in 2014 the Government had adopted Act No. 2014-040 on combating human trafficking. The Act covered a much broader range of national and transnational offences than previous anti-trafficking laws and enhanced the protection afforded to Malagasy women employed abroad. It also criminalized forced marriage and laid down harsh penalties to deter potential offenders.

4. In order to implement the Act, the Government had set up the National Office to Combat Human Trafficking, an interministerial body comprising representatives of civil society that was responsible for harmonizing and coordinating all actions to combat human trafficking, particularly trafficking in women and children. In addition, a national plan to combat human trafficking had been adopted in partnership with the International Organization for Migration (IOM) and the United Nations Children's Fund (UNICEF).

5. In October 2015 a manual had been published to help law enforcement officers and civil society organizations identify and assist trafficking victims. In addition, a database had been set up by the Southern African Development Community (SADC) to track victims and suspected perpetrators, with the aim of preventing the spread of trafficking and strengthening regional cooperation.

6. In response to a recommendation from the Committee, the National Independent Human Rights Commission had been established pursuant to Act No. 2014-007. The Commission, which was in conformity with the Paris Principles, had the power to visit detention facilities, investigate all human rights violations and question the Government in that regard. In accordance with article 6, paragraph 4, of the Act, at least one member of the Commission had to be a representative of a women's organization. In November 2015, five new members had been elected, of whom two had been women.

7. The Government had run large-scale campaigns including television films, to raise awareness of violence against women and girls. Article 312 bis of the Criminal Code set forth punishments, which were aggravated if the victim was pregnant. Among the measures that had been taken to combat violence against women and girls, she noted the establishment of: a national office to monitor gender-based sexual

violence under the Ministry of Population; three regional platforms to combat gender-based violence; a team of lawyers to provide free legal representation to women and child victims; and legal clinics to offer support and guidance. The Ministry of Justice had drafted a text establishing the legal status, organization and functioning of the clinics and had reached an agreement with local councils for office space to be made available to them.

8. In 2008, to combat “*moletry*”, or child marriage, the Ministry had commissioned a study to identify its root causes. Since June 2015, a series of campaigns had been organized to raise awareness of the practice and community dialogues had been held in four regions of the country. As a result of the dialogues, which had drawn the participation of the administrative, judicial and police authorities, traditional and religious leaders, teachers and representatives of civil society, pledges had been signed to combat child marriage.

9. In August 2015 the Government had adopted a land policy with the aim of facilitating access to land, land rights and housing for all persons without discrimination. In 2013 it had carried out a programme for the economic empowerment of women, which had resulted in the creation of 18 literacy centres enabling students to take basic technical training courses. A total of 453 women and 417 men had been able to find work through income-generating activities and 323 newly literate women had received support to that end from technical and financial service providers. Moreover, with the help of international partners, over 20,000 vulnerable women had been able to benefit from the Credit with Education scheme and an additional 3,000 rural microenterprises had obtained credit.

10. The new Constitution stipulated that all persons were equal before the law, regardless of sex. Act No. 2007-022 of 20 August 2007 had set the marriageable age at 18 for both sexes and had granted women equal rights with regard to, inter alia, parental authority and the administration of assets. Men and women were entitled to the same level of protection in court at all stages of proceedings.

11. Steps had been taken to promote the participation of women in political life and, since 2008, there had been an increase in the number of women members of the National Assembly, and of women mayors. A total of 635 women were currently serving as city councillors. Although women remained underrepresented in State institutions, the figures showed that significant progress was being made.

12. In an attempt to foster girls’ education, the Government had introduced study grants, developed a school mentoring programme, taken measures to combat child marriage and built toilets for girls in schools. Thanks in part to those efforts, gender parity had almost been achieved in primary and secondary education, where 49 per cent of pupils were girls. On university and vocational training courses, however, the percentage of women stood at 46 and 40 per cent, respectively.

13. The principle of equal access was applied in the civil service and improvements had been noted with regard to the recruitment of women in the police force and military. In the public and private sectors, there had been no complaints of unequal pay for equal work. In the informal sector, meanwhile, the risk of unequal treatment remained. The Government had therefore increased the number of labour inspectors to remedy shortfalls in the detection of cases of discrimination against women. In terms of social protection, civil servants and workers enrolled in the National Social Security Fund enjoyed equal rights to health coverage, family allowances, leave and pensions, while Decree No. 2013-337 had set the standard retirement age at 60 for both sexes.

14. In September 2015 the National Social Protection Policy had been adopted. Its aim was to ensure that 50 per cent of citizens belonging to vulnerable groups had

access to effective social protection by 2030 and to reduce the number of people living in extreme poverty by 15 per cent. The groups targeted by the policy included girls, women with disabilities, older women and pregnant and breastfeeding women.

15. To improve rural women's access to health-care information and emergency obstetric care, training had been provided to traditional midwives in rural areas and pregnant women had been informed of the importance of prenatal visits and of giving birth in the presence of qualified health professionals. In a study conducted by the Ministry of Health, 27 per cent of women in a relationship had stated that they used contraception. Measures had also been adopted to promote the reproductive health of adolescents, particularly through capacity-building, the provision of guidance and the expansion of youth-friendly services.

16. In June 2015 the Ministry of Justice had organized a workshop with the ultimate aim of putting in place a mechanism to collect and process reliable data, disaggregated by age and sex, on criminal cases and access to justice.

Articles 1 to 6

17. **Ms. Schulz** said that, while noting the challenges that the country had faced and the progress that it had made, she wished to know when the Government would ratify the Optional Protocol to the Convention, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the Southern African Development Community Protocol on Gender and Development. It would also be useful to know when the Government planned to adopt a definition of discrimination in line with article 1 of the Convention, to put forward bills on gender equality, family planning, violence against women — including marital rape — and proportional representation, and to carry out a review of discriminatory laws, which was long overdue.

18. Drawing the delegation's attention to the Committee's general recommendation No. 33, she asked what would be done to enhance women's access to justice, which was disproportionately affected by police and judicial corruption, and to rebuild their trust in the authorities. Any information on cooperation with civil society in that respect would be particularly appreciated.

19. She wished to know whether the process of conciliation that was used in legal clinics enabled women to obtain justice or whether there was a risk of it being biased towards men. Lastly, she asked whether the Government intended to set up a free legal aid system covering all six provinces of the country and to allow civil society organizations to assist women in court or to institute criminal proceedings on their behalf.

20. **Ms. Ramanantenaso** (Madagascar) said that the legal clinics were the main structure guaranteeing access to justice for women, especially women victims of violence. She accepted that conciliation could be biased but, in all the cases of which she was aware, the process had been successful. The men involved in such cases were generally anxious to avoid court proceedings and, at the end of the process, were fully aware of the injury they had caused. When cases were pursued in the lower courts, the women involved received support and guidance and often had NGO assistance throughout the process.

21. **Mr. Rakotonirina** (Madagascar) said that the Government had adopted an implementation plan for the recommendations made in the universal periodic review process, including those related to the ratification of human rights treaties and related optional protocols, and for the concluding observations issued by international treaty bodies. Many of the recommendations were expected to be implemented in 2016. The Government planned to consult extensively, including with civil society, prior to

drafting an anti-discrimination bill and agreeing a definition of discrimination in line with the Convention. A review of all discriminatory provisions contained in other laws should be completed before the end of the next reporting cycle.

22. **Ms. Schulz** said that, to ensure effective monitoring, the State party should consider extending its statistical data collection system to include cases of discrimination under civil, social, labour and administrative law as well as criminal cases. She suggested that extensive consultation was unnecessary to agree a definition of discrimination; the State party had a monist legal system and, ipso facto, the Convention was already part of domestic law and it should be possible to enact a simple law based on its provisions relatively quickly. Expressing concern about the huge gap between de jure and de facto equality, which meant that many women were denied their legally protected rights and often had no knowledge of them, she asked what long-term measures were envisaged to increase women's legal literacy and strengthen the capacity of all elements of the legal apparatus.

23. **Ms. Hofmeister** said she was concerned about reports that women with disabilities were often hidden from society, subjected to domestic violence, denied the specialist medical treatment that might alleviate their condition, and excluded from any possibility of earning a living. She would like to know whether the State party had a national strategy for inclusion; whether it had finalized its plan to integrate women and girls with disabilities into Government policies and programmes; and, if so, what timetable and budget were envisaged for the implementation of those activities.

24. **Mr. Rakotonirina** (Madagascar) said that Ms. Schulz's suggestion for accelerated adoption of anti-discrimination legislation would be given due consideration. The Government acknowledged the gap between de jure and de facto equality and planned to step up its efforts to raise public awareness of the legal framework and procedures for pursuing grievances. It also acknowledged the problems faced by women living with disabilities; it had begun the process of ratifying the Convention on the Rights of Persons with Disabilities and had implemented an inclusive education system. Legislation to guarantee access to employment was also in place but awareness of its provisions was not yet sufficient. The State party was conscious of the need to address that deficiency and to provide an adequate budget that would improve the lives of all persons living with disability.

25. **Ms. Ramanantenasoa** (Madagascar) said that the Ministry of Population had adopted a national plan for persons with disabilities and that the associated budget formed part of the public investment plan. Women with disabilities were represented on the Independent Human Rights Commission, which articulated their concerns.

26. **Ms. Ameline** asked whether an intergovernmental framework had been established to implement the Committee's concluding observations; how parliament and relevant stakeholders would be engaged in developing the related legislative and operational agenda; and how the implementation strategy would fit in with existing gender and development strategies, including the State party's sustainable development goals. An indication of the international and national funds available for implementation would be useful, as would details of any plan to establish a dedicated parliamentary body to monitor progress towards the realization of women's rights. She would like to know in that connection whether the Independent Human Rights Commission had the right to review legislative drafts affecting women's rights.

27. She would also like to know whether the national reconciliation process was progressing effectively; whether the State party was applying United Nations Security Council resolution 1325 (2000) on women, peace and security; and whether the amnesty law took account of women's rights. Referring lastly to the country's ethnic and territorial diversity, she asked whether the State party had plans for further

administrative decentralization and increased regional powers, particularly in the South where there were persistent security problems, and, if so, whether central Government representatives would be appointed to the regions or local representatives would be elected directly.

28. **Ms. Nwankwo**, noting with regret the failure of legislative proposals for temporary special measures including a minimum 30 per cent quota for women in elected and appointed office and alternating lists for municipal elections, said that the lack of a clear policy or any sense of a culture of parity would perpetuate gender imbalances in politics. The State party should therefore revive its attempts to introduce such measures. In particular, it might consider using the Senate elections scheduled for December 2015 as an opportunity to introduce the previously proposed quota of a minimum 40 per cent for women's representation on electoral lists. The country's complex electoral system, which allowed the President to fill certain seats directly, might also be used to the advantage of women candidates. She would also like to know whether women were adequately represented in the national reconciliation process.

29. **Ms. Ramanantenasoa** (Madagascar) said that the reconciliation process overseen by the Malagasy Reconciliation Council (FFM) made no distinction between male and female applicants for amnesty but that, to date, nearly all applicants had been men; very few women faced punishment for acts committed during the political crisis. Administrative decentralization was ongoing. In early 2015 the first lady and all women ministers had been involved in an awareness-raising campaign to encourage women to stand as candidates in communal elections; the Ministry of the Interior was funding local development plans to bring the benefits of progress to isolated areas; literacy campaigns and credit programmes were in place to help rural women; and, by the end of 2016, the Government hoped to have increased the number of legal clinics in operation from 9 to 17.

30. Although the proposals to introduce quotas had failed, with support from its financial and technical partners the Government would continue its efforts to raise awareness of women's rights. A training workshop to follow up on the recommendations resulting from the universal periodic review had been organized a week previously, and similar attention would be given to the dissemination and implementation of the Committee's recommendations. Women's underrepresentation in elected office was to an extent attributable to lack of awareness, which prevented them from standing as candidates. However, the Government would address that shortcoming, while the President and ministers would be encouraged to appoint women to those Senate seats which could be filled at their discretion.

31. **Ms. Nwankwo**, repeating her suggestion that the upcoming Senate elections be used as an opportunity to incorporate quotas into electoral law, asked for more precise information on what the Government planned to do to get temporary special measures back on the agenda.

32. **Ms. Ameline** asked how the State party would prevent overlap and ensure consistency, given that it would be using the same operational framework to implement both the Committee's recommendations and the recommendations resulting from the universal periodic review. She would like to know whether a specific share of funds received from international donors was set aside for women's projects and whether the long-term commitment and support needed to help the country emerge from the crisis had been secured.

33. **Ms. Schulz** asked whether the Independent Human Rights Commission would be empowered to intervene in court proceedings so that it was better equipped to address cases of multiple discrimination. With regard to the amnesty process, she would like to

know how many applications had been accepted and whether any from men had been accepted even if the applicants might have been involved in acts of violence against women. Information about steps taken to alleviate the security situation in the South of the country, including measures to protect women from violence and prevent the burning of villages, would be appreciated.

34. **Mr. Rakotoniaina** (Madagascar) said that, upon returning to Madagascar, the delegation would meet with representatives of the Government and the country's international partners to discuss the Committee's recommendations and incorporate them into the existing implementation plan. Timetables, responsibilities and the distribution of national and international funding would be agreed at those meetings. The Independent Human Rights Commission was empowered to conduct enquiries, to refer its findings to the competent judicial or police authority, to monitor action taken on a case and to intervene in support of the victim where appropriate. There had been conflict between the police authorities and certain groups in the South, but there had been no complaints of sexual abuse or violence against women perpetrated by either side, although property violations had been reported.

35. **Ms. Ramanantenasoa** (Madagascar) said that three villages in the South had been set alight and that operations to restore peace had therefore included the provision of food, assistance and other support for affected families. She wished to highlight that, although no offences of sexual violence had come to light, under the terms of the reconciliation process, amnesty would never be granted to a person who had committed a violent crime.

36. **Ms. Arocha Domínguez** said that the State party report indicated that women continued to be regarded as inferior, particularly in rural areas. What steps was the Human Rights Commission taking to eliminate harmful and discriminatory practices? The Government seemed to lack a sustainable overall strategy. Its approach appeared piecemeal, with a limited impact. It would be useful to know what permanent mechanism existed to coordinate efforts to protect women's rights, and how the impact of measures would be evaluated. What was the role played by civil society?

37. Given that a large proportion of the population were illiterate and lived in rural or remote areas, without access to schooling or mass media, how did the Government plan to reach out to its citizens and raise awareness of stereotypes and harmful practices, taking care to involve both men and women in the debate?

38. **Ms. Hofmeister** said that she would welcome further information on the legal framework to address violence against women and girls, and on how the legislation was enforced. Did the Government plan to adopt legislation on domestic violence, including provisions on protection and redress for victims, particularly pregnant women? She wondered how many women's shelters there were and where they were located.

39. She would appreciate further information on measures taken to prevent violence against women, prosecute perpetrators, enforce sanctions and award reparations to victims, and on the budgetary resources allocated. She asked why cases of violence against women were not reported. What was the role of the judiciary in that regard? She wished to know whether the Government planned to prohibit the corporal punishment of girls, and when legislation to criminalize and prosecute marital rape would be adopted. Were there plans to establish a monitoring mechanism? She requested age-disaggregated data on violence against women. What awareness-raising programmes had been implemented to address gender stereotyping, particularly in remote areas, and what role did the media play in those programmes?

40. **Ms. Gabr** said that the large number of women and girls recruited for domestic work in foreign countries were vulnerable to exploitation and abuse, including at the

hands of recruitment agencies. For example, some women had been sent to China with falsified identity documents that gave them to be older than they were, to be sold as so-called fiancées or wives. What was the Government doing to tackle the problem? Was the Government's moratorium on agencies recruiting women to work as domestic staff in certain high-risk countries still in force? It would be interesting to know how the Government was monitoring the work of recruitment agencies. She asked whether further information could be provided on the case of an official involved in trafficking offences. What steps was the Government taking to monitor the activities of its officials?

41. Many of the women recruited as domestic workers ended up in the sex trade — either in Madagascar itself, or abroad. She asked whether the State party could provide statistics on the number of women exploited in the illegal sex industry. Was the Government cooperating with host countries, and what steps was it taking to address demand for sexual services? She asked what the Government was doing to ensure proper border management and control.

42. She requested further information on the measures and sanctions in place to combat human trafficking, and on the number of shelters for trafficking victims.

43. **Mr. Rakotonirina** (Madagascar) said that collaborative measures had been taken to combat harmful practices, and some progress had been made with regard to discrimination against twins in the Mananjary region.

44. **Ms. Ramanantenaso** (Madagascar) said that marital rape was not yet defined in domestic legislation and a bill on that issue had been rejected by parliament. Nevertheless, efforts to move forward continued. The Government had indeed suspended the recruitment of women for domestic work abroad and planned to engage in judicial and bilateral cooperation with host countries to ensure that a liaison officer could monitor the situation of female domestic workers employed abroad. A bill on judicial cooperation was currently being drafted. Agencies were no longer permitted to send women to China, and the Government was not aware of any new cases. In the case of the false identity documents, the Chinese authorities themselves had drawn the Government's attention to the problem.

45. The former civil servant involved in human trafficking had been prosecuted and severely punished. Although domestic legislation punished sex tourism, real international judicial cooperation in that area was lacking. The Government was in negotiation with China, and it was hoped that such cooperation could be extended to other countries. Sexual exploitation, including pimping, was defined as an offence in the Penal Code. Statistics on the sexual exploitation of women were not currently available. The process of computerizing court records had begun, and it was hoped that further progress would be made with support from international partners.

46. **Mr. Rakotonirina** (Madagascar) said that legislation on sex tourism and trafficking placed a legal obligation on individuals to report offences. However, further efforts were required to disseminate knowledge of those provisions. Once sufficient awareness-raising measures had been implemented, it was possible that more cases would come before the courts, leading to more convictions, and also yielding more data on victims of trafficking.

47. **Ms. Arocha Domínguez** said that several practices, such as early marriage and the sale of child brides, persisted in Madagascar, even though they violated domestic legislative provisions which set the legal age for marriage at 18. The State party needed to be more proactive in combating those practices. She encouraged the Government to develop an action plan to prevent and eradicate early marriage and other harmful practices. She asked what measures were taken against persons involved

in procuring family members for the purposes of prostitution, and whether the authorities considered such cases as pimping offences.

48. **Ms. Gabr** said that it would be useful to obtain more information on the protection provided to victims and witnesses, including measures to protect their identities. She suggested that the State party could seek international assistance, including from the United Nations system, to set up shelters for victims. She asked what training was provided to border guards to tackle cross-border trafficking.

49. **Ms. Halperin-Kaddari** said that it would be helpful if the delegation would clarify the legal provisions on the minimum age for marriage. The legislation adopted in 2007 set the minimum age for marriage at 18. She wondered whether the same minimum age applied to customary marriage, and whether underage marriage was criminalized and punished. Noting that the provisions of the 2007 legislation designated the husband as the head of the family, she suggested that such terms could perpetuate negative stereotypes. She invited the delegation to comment.

50. **Ms. Schulz** said that there was a lack of data on pimping and trafficking offences. It would be useful if the delegation could provide further information on the code of conduct drawn up by the Government and its partners in the tourism industry. How was that instrument evaluated? She noted that reports indicated a recent rise in the number of minors involved in the sex tourism industry. She asked whether the State party could provide further information on the universal jurisdiction of the courts and on any cases that had been tried under that jurisdiction. She asked whether the National Office to Combat Human Trafficking was operational and what human and financial resources it had at its disposal. Did the Government plan to evaluate the mechanisms used to raise awareness of discrimination against twins or the practice of early marriage?

51. **Ms. Ramanantenasoa** (Madagascar) said that marriages involving children under 18 were permitted only if authorized by a judge. The minimum age also applied to customary marriages. A range of awareness-raising campaigns had been implemented to eradicate forced and early marriage. All reported cases of pimping, irrespective of the identity of the perpetrators, were prosecuted. No cases dealt with by the courts under the principle of universal jurisdiction had yet been identified. The National Office to Combat Human Trafficking was not yet operational. However, a budget for its activities had already been allocated.

52. **Mr. Rakotonirina** (Madagascar) said that the country's weak economy meant that adequate protection could not yet be provided to victims and witnesses. However, it was hoped that international cooperation would ensure such protection in the future. Where it was found, after the fact, that a party to a legal marriage was in fact under age, the marriage could be annulled as contrary to the law. The law did not distinguish between procurement by a family member and procurement by any other person. Forced marriage was classed as a trafficking offence under the newly adopted legislation.

53. **Ms. Schulz** asked the delegation to clarify the legal situation with regard to marriage. In Madagascar, a large proportion of girls were already married and had children by the age of 19. Many were in what were considered to be de facto unions rather than marriages. The information provided indicated that only civil unions conducted in accordance with Act No. 2007-022 of August 2007 were recognized as marriages, and that the sanction of annulment of a marriage could apply only to marriages of that kind. For marriages that had not followed that procedure, the persons involved were never officially regarded as a married couple. That had implications in respect of forced marriage.

54. **Ms. Ramanantenaso** (Madagascar) said that the legal age at which persons could contract a customary marriage was 18, as for a civil marriage. Couples who formed de facto unions, which had no legal standing, could not be considered legally married.

55. **Ms. Schulz** asked whether Act No. 2014-040 of 20 January 2015, on combating human trafficking, applied to such de facto unions.

56. **Mr. Rakotoniaina** (Madagascar) said that Act No. 2014-040 could be applied in cases where a union had been contracted under duress.

Articles 7 to 9

57. **Ms. Nwankwo** asked why the State party's report had not contained more data on the representation of women. Additional information on the key points of the gender and elections strategy recently launched by the State party and on any measures — in particular temporary special measures — aimed at achieving equal representation in decision-making roles would be welcome.

58. She asked whether steps taken to include women in the reconciliation process had been successful. She asked what measures had been put in place to support women's recruitment to and promotion within the diplomatic and consular services, how staff were recruited for posts at Malagasy missions abroad and within international organizations, how transparent and woman-friendly that procedure was, what support structures existed for women in decision-making positions and what plans had been drawn up to change women's perception of politics as a male-only sphere. Had programmes been put in place to encourage women to join political parties and to stand for election?

59. **Ms. Schulz** said that the Malagasy Nationality Code was in breach of article 9, paragraphs 1 and 2, of the Convention and article 6, paragraph 2, of the Constitution. She asked why the Government had not made the amendment of the Code a priority, given the consequences of statelessness for the children concerned, and what was holding up the adoption of the bill taking into account the Committee's recommendations in paragraph 25 of its 2008 concluding observations (CEDAW/C/MDG/CO/5). She asked whether all those children who were currently stateless would be granted Malagasy nationality under the bill. She asked what steps had been taken to simplify the birth registration procedure, including retroactive registration, and when nationwide coverage would be achieved.

60. **Ms. Ramanantenaso** (Madagascar) said that the bill amending the Malagasy Nationality Code was currently being considered by the various ministries, with a view to adoption. There were plans to allow mothers living in remote areas more time to travel to the offices of the relevant local authority in order to register births. In cases where the deadline was not met, a court order was issued in lieu of a birth certificate.

61. **Mr. Rakotoniaina** (Madagascar) said that the State party had failed to meet its equal representation goals because, among women at the local and regional levels, there was not as yet a real culture of participation in decision-making processes. The electoral code for the December 2015 Senate elections had been adopted in January 2015 but set no quotas for women's representation. As to the reconciliation process, a special amnesty commission had been set up, most of whose members were women.

62. **Ms. Schulz** asked when the bill amending the Malagasy Nationality Code would be presented to parliament for adoption. Was it possible for births to be registered by mobile phone? Quotas for the representation of women in political life had proved

effective in a number of countries. As a first step, the authorities could identify highly qualified women capable of filling political posts at the national level.

63. **Ms. Nwankwo** asked for an update on the status of a bill on gender equality and electoral quotas that had been drafted by civil society organizations in cooperation with the United Nations Development Programme (UNDP) in 2012.

64. **Ms. Ramanantenasoa** (Madagascar) said that it was hoped that the bill amending the Malagasy Nationality Code would be adopted by the Council of Ministers and submitted to parliament in the near future.

65. **Mr. Rakotoniaina** (Madagascar) said that the authorities had no knowledge of any bill prepared by civil society organizations in cooperation with UNDP.

Articles 10 to 14

66. **Ms. Bailey** said that the Committee had learnt that many girls of primary and secondary school age did not have access to education owing to a number of factors, including early and forced marriage and adolescent pregnancy. She asked what action had been taken in that regard to help girls in rural and remote areas and from poor families, what the impact of those initiatives had been and what measures would be taken to ensure that all girls of primary and secondary school age attended school. She asked whether the State party intended to put an end to the practice of expelling pregnant girls from school and preventing them from re-enrolling after giving birth. She asked for more information on the current situation in terms of sexual violence in schools, any measures taken to address the issue, in particular in cases involving male teaching staff, and the incorporation of the gender perspective into age-appropriate sex education.

67. **Ms. Gbedemah** said that a number of companies continued to discriminate against women on grounds of pregnancy or risk of pregnancy. She asked what plans there were to regulate the informal sector and provide women in that sector with access to social protection and benefits, in line with the recommendations contained in paragraph 29 of the Committee's previous concluding observations. She asked for information on the implementation of the National Social Security Fund and on any steps taken to carry out a study on the gender wage gap and to introduce gender-specific measures to further develop the workforce and create well-paid jobs. The State party's report did not contain any disaggregated data on the employment situation of women in the formal and informal sectors. She asked for information on measures taken to protect Malagasy women working in countries where there was a high risk of them being abused by their employers, any sanctions taken against employment agencies which had failed to comply with the moratorium on sending Malagasy women as domestic workers overseas, measures taken to ensure that children remained in school rather than entering domestic service and the situation in terms of the ratification of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).

68. Turning to the issue of sexual harassment, she asked whether article 333 bis of the Penal Code took precedence over article 5 of Act No. 2003-044, whether sexual harassment by peers and subordinates was penalized under the law and whether measures had been taken to prevent such conduct, raise awareness of the issue, encourage women victims to report instances of sexual harassment and force employers to pay civil damages where lack of due diligence was found on their part. What types of labour law violations had been uncovered by Malagasy labour inspectors, what had been the outcome of their work and how had the issues identified by them been addressed?

69. **Ms. Arocha Domínguez** asked what measures had been taken to improve the quality and increase the scope of care provided under the National Community Health Policy, increase the budget for the training and recruitment of medical staff, train midwives to provide prenatal and natal care, reduce the maternal mortality rate, notably through the provision of prenatal and emergency obstetric care, and tackle the issue of early motherhood. Information on the extent of abortion in Madagascar and any plans to decriminalize the practice, and details of health care provided to women who had had abortions, would be welcome. Legalization should perhaps be considered in cases of rape, incest and risk to the life of the mother or the foetus. There was a need to extend and improve the quality of family planning services and to further facilitate access to contraception. She asked for information on the content and current status of the family planning bill and any obstacles to its adoption. The State party's report did not contain any information on measures to prevent the spread of sexually transmitted infections through the dissemination of appropriate information, to tackle the stigmatization of women living with HIV/AIDS or to extend relevant early detection programmes and the provision of health care for women living with the condition.

The meeting rose at 1 p.m.