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DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS:
PROPOSALS RELATING TO AN ARTICLE ON THE RIGHTS OF THE CHILD
Comments of Governments

The Secretary-General has received comments from the Government of the Malagasy Republic, which are submitted herewith to the Commission on Human Rights.

15 March 1963

"The Ministry of Foreign Affairs of the Malagasy Republic informs the Secretary-General of the United Nations that the Malagasy Government approves the inclusion of an article on the rights of the child.

The Malagasy delegation's position will be based on the provisions of Malagasy law on the protection of the child incorporated in a recent ordinance whose principal clauses are the following:

Article 1. The child occupies a privileged place in the family: he is entitled to the fullest possible material and moral security.

Article 2. Responsibility for the child's education rests primarily with the family, which shall ensure the harmonious development of his personality.

Article 3. If, however, the security, morals, health or education of a person less than eighteen years of age are in jeopardy, the State shall take steps either to aid and assist the family in its role as the child's natural educator, or to provide appropriate educational assistance and supervision or lastly, where circumstances and the child's personality may so require, to place the minor under the protection of special courts.

Article 4. Criminal responsibility shall continue to begin at the age of eighteen: the applicable age of the minor shall be that at which he has committed the offence.

As evidence of minority either a birth certificate or a court decision shall be accepted; in lieu thereof the result of a physical examination shall be accepted." (Ordinance No. 62-038 of 19 September 1962 repealing and superseding Ordinance No. 60-142 on the Protection of the Child.)