



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

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

Summary record of the 863rd meeting (Chamber B)

Held at the Palais des Nations, Geneva, on Friday, 31 October 2008, at 3 p.m.

Chairperson: Ms. Gaspard (Vice-Chairperson)

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In the absence of the Chairperson, Ms. Gaspard (Vice-Chairperson) took the Chair.

The meeting was called to order at 3 p.m.

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

*Combined second, third, fourth and fifth periodic reports of Madagascar (continued)
(CEDAW/C/MDG/5, CEDAW/C/MDG/Q/5 and Add.1)*

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

Articles 7 to 9

2. **Ms. Ramanandraibe** (Madagascar), responding to questions posed by Committee members at the 862nd meeting on articles 7 to 9 of the Convention, said that women in Madagascar had the right to vote and to participate in political life on an equal basis with men; the President had publicly urged their participation. Few women were involved in political parties, however, and the proportion of women in the civil service was lower than that of men.

3. **Ms. Rabenoro** (Madagascar) said that women were admitted to the National School of Administration on an equal basis with men; indeed, the number of women passing the entrance exam was usually higher than the number of men. Women graduates, however, were rarely placed in such high-level civil service posts as Chief of a province or prefecture. In recent years, more women had been appointed as regional or district chiefs.

4. **Ms. Fida Cyrille** (Madagascar) said that parity in numbers of women and men in the diplomatic service had been achieved and even exceeded in some areas. Of the seven directorates in the Ministry of Foreign Affairs, four were headed by women. The first woman ambassador had been appointed in 2002; several more had been named since that date. More women than men represented Madagascar in international organizations, for example the Secretary-General of the Indian Ocean Commission, the International Organization of la Francophonie, the International Criminal Tribunal for Rwanda and the African Union mission in Darfur. The State encouraged and supported women's candidacies for such international posts.

5. **Ms. Rahantanirina** (Madagascar) said that local radio stations were one of the most common tools used to provide access for the rural population to information, especially on such topics as HIV/AIDS and reproductive health. Free radios were provided to rural communities as part of the integration strategy aimed at decreasing their marginalization.

6. **Ms. Safara Ralimanana** (Madagascar) said that few women ran for elective office: just two women had been elected regional chiefs out of 22; there were 74 women among the 159 mayors of municipalities. Leadership training had been provided to 3,250 women with the cooperation of the Government of Norway, which had resulted in the establishment of 22 women's networks. Some 200 women had received further training in political organizing, and civil society organizations were actively involved in the African Network for the Promotion of Women Parliamentarians.

Articles 10 to 14

7. **Ms. Neubauer**, referring to measures regarding equality between boys and girls in access to education, said that she regretted that Madagascar's responses to the Committee's list of issues (CEDAW/C/MDG/Q/5/Add.1) contained no mention of the Beijing Platform for Action, the Convention or the Convention on the Rights of the Child. She wondered whether the human rights treaties and programme documents to which Madagascar was party were considered part of national policies for ensuring women's full enjoyment of their human rights. She also asked how non-discrimination and gender equality were included in training on civics education for teachers and what progress had been made in changing school curriculums and textbooks to eliminate gender stereotypes.

8. **The Chairperson**, speaking as a member of the Committee, urged the delegation to include more information on images of gender roles in textbooks and women's access to higher education in its next report.

9. **Ms. Patten**, posing questions under article 11 of the Convention concerning employment, said that she was concerned about the serious disadvantage of women in the labour market, their concentration in low-wage sectors of employment and the wage gap between women and men. She disagreed that temporary special measures were not needed in the public sector because 40 per cent of its employees were

women; most women were employed in low-level administrative jobs rather than high-level and technical positions. She asked how the Labour Code adopted in 2003 was enforced, especially the provisions regarding equal pay for work of equal value, and what maternity protections were provided for public sector employees. It was also important to know how many complaints of sexual harassment had been received and how they were addressed. Lastly, she asked if there was an overall State policy covering the informal sector.

10. **Ms. Pimentel**, turning to article 12 concerning health, said that the average age of first-time mothers was quite young, and she wondered what was being done to discourage early pregnancy and provide contraception to adolescents. The information provided in the report concerning the maternal mortality rate should be clarified. She would also like to know the amount of the budget allocation for the health sector between 2006 and 2008, and whether it had increased or decreased over previous budgets.

11. **Ms. Begum** asked about the Government strategy to address the spread of HIV/AIDS infection and sexually transmitted diseases (STDs) and to provide education on reproductive health among adolescent girls forced into sexual exploitation and prostitution. Were there any efforts to train birth attendants in rural areas? Lastly, she asked whether safe abortions were available to women in rural areas.

12. **Ms. Dairiam**, referring to article 13, said that many women in rural areas were part of the informal economy, and as such, requiring guarantees for bank loans could constitute a form of indirect discrimination against women. She therefore asked for gender-disaggregated data on bank loans. Salaries for women were reported to be lower in the private sector, and she wondered if the Convention could be used to address that issue. She asked for more information on neighbourhood micro-lenders, how they were regulated and whether there were any plans to expand the mutual benefit financial institution established with the help of UNDP. Lastly, regarding discrimination under the law, she asked which laws gave women access to justice and remedies when their rights were violated.

13. **Ms. Gabr**, turning to article 14 on rural women, asked how the Government was dealing with cases where women were prevented from owning agricultural land, the complaints mechanism available in such cases and how complaints were expedited. More information

was also needed on elderly women in rural areas. Although the extended family took responsibility for caring for the elderly, she wondered if any additional services were offered to them.

14. **Ms. Schöpp-Schilling** said that from the report, she was unable to get a clear picture of the situation of women in rural areas. She asked whether a study had ever been conducted on rural women that had collected concrete data to be used as a basis for policy planning. Temporary special measures also had to do with resource allocation, and such a study would show where resources must be directed to bring women up to the level of men. She asked if quotas existed for women's access to land, and if any preference was given to female-headed households in land acquisition.

15. **Ms. Rabenoro** (Madagascar), responding to questions on education, said that the National Action Plan for Girls' Education (PANEF) had been adopted in 1995 as a result of the Jomtien Declaration on Education for All. More recently, the Madagascar Action Plan had incorporated Millennium Development Goal 2, promotion of universal primary education for boys and girls, and Goal 3, empowerment of women, among its priorities. The Office for Mass Education and Civics was established in 2002 to train teachers, especially at the primary and secondary school levels, in human rights. As for curriculums and textbooks, she had participated in a study in 2007 of equality between boys and girls in education with the assistance of the United Nations Girls' Education Initiative. The study had revealed that boys and girls did not experience discrimination in the classroom, but that the gender stereotypes and discrimination portrayed in textbooks were deplorable. New textbooks and materials had been developed which presented an equal image of men's and women's roles which were in use in 20 out of 110 school districts on an experimental basis, with 46 more districts to be added in the coming school year. In 2008, the Scientific Council had also made efforts to promote respect for the environment through the educational system.

16. **Mr. Rakotoniaina** (Madagascar), referring to the disparities between the public and private sectors in Madagascar, said that because of the country's low level of economic development, the private sector was quite small. Accordingly, the private sector job market was also small and offered no guarantees to its employees. The Government accepted the informal sector of the economy as a reality, and was attempting

to establish a programme of basic guarantees that would extend to workers in that sector and to the private sector as well.

17. Women whose rights under the Convention had been violated could take action in court for discrimination; such cases had indeed been brought before the courts. Training in laws on discrimination had been provided to judges and magistrates. As for women's right to inherit land, the law made no distinction between women and men with regard to inheritance rights. The management of the national land distribution plan had been decentralized to offices in the communes, in order to simplify the legal process for establishing ownership.

18. On the subject of sexual harassment in the workplace, fewer than a dozen harassment complaints had been brought to court because of the shame the victims experienced and their reluctance to come forward. Perpetrators convicted of sexual harassment had received prison sentences.

19. **Ms. Fida Cyrille** (Madagascar) said that secure land ownership in rural areas was among the priorities in the Madagascar Action Plan. There was no banking system as such in rural areas, so the 2005 land programme had included measures to facilitate land transactions. The Government encouraged a microfinance system which allowed citizens in rural areas to have access to credit.

20. The 2003 Labour Code, which covered the public as well as the private sector, enshrined non-discrimination in its provisions. Its articles 93 to 99 provided protections for women from discrimination and established provisions for maternity leave. Article 53 of the Code also addressed the issue of horizontal job segregation between men and women.

21. **Ms. Safara Ralimanana** (Madagascar) said that as part of its measures to combat discrimination against girls in education, Government programmes provided funding for school supplies, fees and uniforms to prevent girls from dropping out of school.

22. With regard to women's access to credit, banks usually required a down payment of 30 per cent on loans to buy property. Some micro-credit associations were providing the down payment to women to enable them to secure the loans. As beneficiaries of the land redistribution programme, 120 families had been given 300 hectares of land along with seeds and tools; 100

families had been given land on which to raise cattle. Concerning statistics on rural women, women represented 52 per cent of the country's total population; therefore they were in the majority in rural areas as well. The Federation of Rural Women's Associations had been represented at the Fourth World Conference on Women, and rural women's associations were active in combating climate change.

23. **Ms. Ramanandraibe** (Madagascar), referring to the salary gap between the public and private sectors, said that the minimum wage for each sector had been established by different legislation. The system of family benefits was in the process of being reviewed by a tripartite commission. Women had the right to take their claims to court if they felt their rights to inherit land had been violated, and they did not hesitate to press their claims. On the subject of abortion, a national dialogue to examine the question was in process.

24. **Ms. Rahantanirina** (Madagascar), responding to questions posed concerning women's health, said that improving health-care services and the overall health of the population, including maternal and child health, was another among the priorities of the Madagascar Action Plan. Contraceptive use in Madagascar had risen from 9.2 per cent in 1992 to 18 per cent in 1997; it currently stood at 25 per cent, with a goal of 30 per cent by 2012. All public health centres offered contraception free of charge.

25. With regard to reproductive health education for adolescents, 5 per cent of high schools had programmes for public health services and education. In collaboration with the Ministry of Education, youth centres had been established to provide advice on such public health issues as family planning, reproductive health and drug abuse, in addition to recreational and cultural activities.

26. The maternal mortality rate of 34.2 per 100,000 live births due to complications of pregnancy and abortion was a major concern. Efforts were being made to strengthen the awareness of the importance of prenatal care and to provide universal access. As of July 2008, women could deliver in health centres free of charge and could also receive free treatment for complications of pregnancy.

27. The financial resources allocated for the health sector had not yet reached the target of 15 per cent of the State budget; in 2008 the allocation was 8 per cent

and would rise to 12 per cent in 2009. There were plans to develop a single set of indicators and a basket of measures to reach that goal by 2012. In May 2008, Madagascar had signed an agreement with the International Health Partnership.

Articles 15 and 16

28. **Ms. Belmihoub-Zerdani** said that she encouraged the Government to continue its efforts to end the system of customary marriage existing alongside the formal system; it lacked rights and protections for wives and children. During the colonial era, many countries, including hers, had defended such systems as a way of asserting their national identity, but since independence, the need for that customary system no longer existed. The Committee stood ready to offer advice and assistance in that regard.

29. **Ms. Hayashi** said that more information was needed about equal rights within the family. She wondered if the six-month waiting period before remarriage after divorce, imposed only on women, had been removed. She would also be interested to hear the Government's position regarding polygamous marriage. It would be helpful to hear more about the impact of divorce on women and children in terms of division of marital assets, alimony and maintenance payments and how any such provisions could be enforced.

30. **Ms. Ramanandraibe** (Madagascar) said that polygamous marriage was forbidden by law in Madagascar; the polygamous unions that existed were informal customary unions. There was no provision for alimony after divorce, which led many women to remain in their marriages. Child support was required, however, and women could sue their former spouses for damages. Marital property was divided equally between spouses. Women victims of domestic violence who left their homes could be awarded material and monetary compensation, and a wife whose husband did not contribute to the household expenses could sue for support in court.

31. **Ms. Patten** asked if the Government planned to review the discriminatory provisions in the law regarding marriage and the family, including child custody. She would also like to know the rights of women and children in polygamous unions, and whether any form of free legal aid was offered.

32. **Ms. Ramanandraibe** (Madagascar) said that both parents had equal rights to custody of children. The law did not govern polygamous unions, but the children of such unions could be recognized by the father, who had an obligation to support them, as did parents in other de facto unions. The laws covering legal aid were being reformed, but currently free legal advice could be obtained from legal clinics and recent law graduates.

33. **Ms. Rahantanirina** (Madagascar) said that, while the extended family generally cared for its elderly members, a bill on the rights of the elderly had been submitted to Parliament. Madagascar has also signed the Convention on the Rights of Persons with Disabilities, in order to help protect the rights of its disabled citizens to education and employment.

34. **The Chairperson** commended the Government of Madagascar for the progress achieved and expressed the hope that the constructive dialogue with the Committee had highlighted areas for further effort in ensuring women's full enjoyment of their human rights.

The meeting rose at 5 p.m.