

## Madagascar

All businesses operating in or sourcing from Madagascar impact children. Children make up over half of Madagascar's [12.8 million population](#).

### Workplace

According to the [Children's Rights in Workplace Index](#), companies operating in, or sourcing from, Madagascar should exercise enhanced [due diligence](#). Madagascar scores 5.9 out of 10 in the Index, due to high rates of child labour and challenging working conditions for parents and caregivers. To respect and support children's rights in the workplace, businesses should:

- **Contribute to the elimination of child labour**

According to law N° 2007-563 on child labour, the minimum age of employment is 15 and those under 18 are protected from hazardous work. In some circumstances, children may be permitted to work at 14 with authorisation of a labour inspector and where compulsory schooling is completed. The government has ratified [ILO Convention No. 138 on Minimum Age](#) and [No. 182 on the Worst Forms of Child Labour](#).

Nevertheless, a significant proportion of children in Madagascar work. [Government and UNICEF statistics](#) indicate that 23% of children aged 5-14 are engaged in child labour. Child labour is most common in rural areas (25%) where children most often work in agriculture and fishing.

Root causes of child labour in Madagascar include poverty and lack of birth registration. According to [World Bank data](#), over 77% of Madagascar's population lives below \$1.90 per day. Although birth registration rates are improving, [17% of children under five do not have their births registered](#). Children without birth certificates may face difficulties in accessing basic services such as education and healthcare, making them more vulnerable to child labour and other forms of exploitation. Children in remote, rural areas are more likely to not have their birth registered due to a lack of awareness of the importance of registration, and difficulties in accessing registration services from more remote areas.

Companies should exercise enhanced [due diligence](#), and put in place comprehensive child safeguarding and child labour remediation policies to ensure they are contributing to the elimination of child labour.

- **Provide decent work for parents and caregivers**

Working conditions for parents and caregivers have a direct impact on the health, development and survival of children. Without living wages, parents and caregivers may be unable to afford basic necessities for their children, including health and education expenses. Although Madagascar has a legally mandated minimum wage (approx. USD\$41 per month), over [93% of workers are in the informal economy](#), the vast majority of whom work for informal agricultural enterprises. Wages in the informal economy are less likely to comply with the legal minimum.

Women are entitled to 14 weeks of paid maternity leave, and fathers are entitled to 10 days of paid family leave. Parental leave is paid at 100% of wages for workers covered by the labour law. However, [less than 10% of employed women are entitled to maternity cash benefits](#), particularly those in Madagascar's large informal economy.

Without an adequate length of maternity leave, paid at a level that allows for an adequate standard of living, working mothers are less likely to provide basic necessities for their children. An adequate period of maternity leave is also crucial for recovery from child birth, mother-infant bonding, and exclusive breastfeeding for the first six months of life (as recommended by [UNICEF and WHO guidelines](#)). Madagascar has [132 labour inspectors](#) tasked with overseeing a workforce of roughly 12 million. This figure is only 47% of the number recommended for ILO for a lesser developed economy. Limited capacity and the large informal economy limit the inspectorate's ability to monitor and enforce labour regulations. As a result, businesses should strengthen their approach due diligence (HYPERLINK) and regularly conduct audits of their operating sites and suppliers to ensure compliance with local and international standards.

## Marketplace

According to the [Children's Rights in the Marketplace Index](#) companies operating in, or sourcing from, Madagascar should exercise enhanced [due diligence](#). Madagascar scores 3.6 out of 10 in the index, primarily due to children's vulnerability to sexual exploitation, including online exploitation, and enforcement challenges. To respect and support children's rights in the marketplace, businesses should:

- **Ensure that products and services are safe**

Sexual exploitation of children tends to go hand to hand with an influx of money into a given location due to, for example, tourism or the establishment of new mining operations. According to the ILO, sexual exploitation of children including child pornography has increased since 2009, although reliable statistics on sexual exploitation of children are difficult to find. In 2017, about a quarter of child protection violations reported to the police, gendarmerie and child protection networks in nine regions related to sexual offences.

Law N°2007-023 related to child protection requires anyone with knowledge of any forms of violence and exploitation of children, to report it to the authorities. Therefore, there is a legal obligation on internet service providers (ISPs) to report any cases of violence, including sexual exploitation. The government is stepping up efforts to protect children from online sexual abuse and exploitation in partnership with UNICEF through the [Global Partnership to End Violence Against Children](#).

- **Ensure marketing and advertising respect and support children's rights**

Madagascar has ratified both the [WHO Framework Convention on Tobacco Control](#) and the [Protocol to Eliminate the Illicit Trade in Tobacco Products](#). The Madagascan government is making significant efforts to decrease tobacco use, and the country is one of only nine African states to have instituted comprehensive bans on all forms of direct and indirect tobacco advertising. Nonetheless, it is estimated that [30% of boys between 13 and 15 use tobacco, as do 10% of girls](#) from the same age group.

Although the law prohibits the advertising of alcohol within a 150-metre radius of religious buildings, schools and hospitals, there are reports that retailers and bars regularly break this law. [According to the WHO](#), the government has placed an excise tax on all alcoholic beverages, but has yet to implement a national action plan for reducing alcohol related illnesses and deaths. As such, [food and](#)

[beverage](#) companies should strengthen their [due diligence](#) procedures to ensure their products are marketed in compliance with national laws and in an age appropriate manner.

## **Community and Environment**

According to the [Children's Rights in the Community and Environment Index](#) companies operating in, or sourcing from, Madagascar should exercise enhanced [due diligence](#). Madagascar scores 6.3 out of 10 in the index, due to limited access to basic services, including education, high rates of poverty, and vulnerability to natural disasters. Madagascan laws require social and environmental impact assessments, although implementation is not always effective and child rights issues are not always considered. To respect and support children's rights in the community and environment, businesses should:

- **Ensure children's rights are respected in relation to the environment**

Children in Madagascar are significantly impacted by natural disasters and climate change phenomena. The country has recorded 50 natural disasters (cyclones, droughts, epidemics, floods, locust infestations) cumulatively affecting more than 11.5 million people in the last 36 years, causing damage estimated at USD \$1 billion. According to the [National Office of Risk Management and Disasters \(BNGRC\)](#), cyclones, droughts and floods are the most threatening to communities with an average of 1.5 cyclones a year which affect two thirds of the country. Madagascar scores [5.9/10 for natural disaster risk in the Index for Risk Management \(INFORM\)](#), a risk index for humanitarian crises and disasters, including scores over 7/10 for flood, tsunami and cyclone risk. According to the Internal Displacement Monitoring Centre, in 2016 there were [51,000 people displaced](#) by natural disasters, including children.

Businesses operating in Madagascar can prepare for natural disasters by developing emergency response plans. These plans should consider the vulnerabilities of the children of employees, as well as children in local communities. To help in due diligence efforts, companies can participate in the [Private Sector Humanitarian Platform](#).

- **Respect and support children's rights in relation to land acquisition and use**

Although changes to the land reform process introduced in 2005 allow local communities to secure land titles, some uncertainty remains regarding vast areas used for grazing. Therefore, local communities are vulnerable to potential land grabs where private investors secure land that has been traditionally used for subsistence farming or grazing. Displacement of children can result in food and water insecurity, negative impacts on physical and psychological health, and a disrupted education. Therefore, businesses should strengthen their due diligence procedures to ensure that children are not adversely impacted by land acquisition deals.

- **Reinforce community and government efforts to protect and fulfil children's rights**

[According to UNICEF](#), access to universal education has been declining in Madagascar since the political crisis in 2009. This is due to a lack of infrastructure and financial resources, particularly in remote parts of the country. Likewise, the adherence of many communities to traditional belief systems often acts as

a barrier to formal education. [Current data shows](#) that 31% of primary school age children are not in formal education, while only 38% of those who begin primary school will reach grade five. It is estimated that the average Malagasy adult has only completed 4.4 years of formal education.

Therefore, companies operating in, or sourcing from, Madagascar may consider investing in educational and training programmes to ensure that local communities have access to education. Companies will also need robust due diligence measures to ensure that out of school children are not engaged in child labour in direct operations or in the supply chain.

#### **Further reading**

UNICEF, 2017, State of the World's Children, available at: <https://data.unicef.org/>

UNICEF Madagascar, 2017, Country site, available at: <https://www.unicef.org/madagascar/fr/>