

In 2014, Madagascar made a significant advancement in efforts to eliminate the worst forms of child labor. The newly elected Government adopted the Anti-Trafficking in Persons Law, which criminalizes all forms of human trafficking and contains provisions to prevent child trafficking and other worst forms of child labor. The Regional Child Labor Committees in the Sava region organized workshops and conducted activities to raise awareness of child labor in the production of vanilla. The Government also adopted a National Development Plan that includes activities to combat the worst forms of child labor. In addition, the National Police Force's Morals and Minors Brigade investigated an estimated 187 cases of child commercial sexual exploitation and referred them for prosecution. However, children in Madagascar are engaged in child labor, including in agriculture and particularly in the production of vanilla and in the worst forms of child labor, including in mining. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Madagascar are engaged in child labor, including in agriculture and particularly in the production of vanilla.(1-4) Children are also engaged in the worst forms of child labor, including in mining.(4-7) Table 1 provides key indicators on children's work and education in Madagascar.

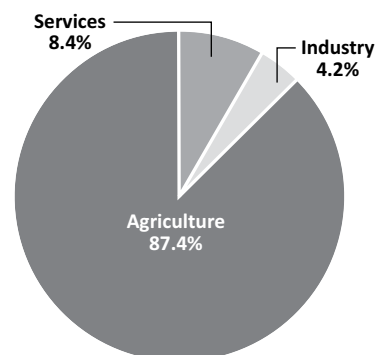
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	22.1 (1,206,992)
Attending School (%)	5-14 yrs.	69.1
Combining Work and School (%)	7-14 yrs.	15.4
Primary Completion Rate (%)		69.5

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the National Survey of Child Labor (Enquete Nationale sur le Travail des Enfants), 2007.(9)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of tea,* grapes,* wine,* cocoa,* sisal,* copra (dried meat of the coconut),* hemp,* and cotton* (10, 11)
	Production of vanilla, including hand-pollinating flowers, and working in the triage and drying process (1, 2, 10, 12, 13)
	Production of charcoal*(14)
	Fishing* and deep-sea diving,* including for crabs,* sea cucumbers,* shrimp,* and oysters* (3, 4, 7, 15)
	Herding cattle (zebu),* goats,* and sheep* (7, 10)
Industry	Mining† gold,* sapphires, crystal,* quartz,* and tourmaline* and transporting blocks,† stones,† and water at mining sites (3-5, 7, 15-19)
	Quarrying and crushing stone and making gravel*† (5, 10, 15, 18)
	Production of salt* (10, 15)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Street work,* including market vending,* transporting goods by rickshaw,* guarding vehicles,* and fetching water for restaurants* (3, 15)
	Working in bars,*† including as waitresses,* maids,* and masseuses*(6, 19-21)
	Domestic work*† (4, 22-24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* sometimes as a result of human trafficking* (4, 6, 7, 20, 21, 25)
	Forced labor* in mining,* quarrying,* begging,* and domestic work* (5, 6, 10, 18, 26)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Girls are trafficked from Madagascar to the Middle East and China for forced domestic work and commercial sexual exploitation.(6, 20, 27, 28) Informal employment agencies recruit children into domestic work, who are subsequently subjected to forced labor within Madagascar.(6) Human trafficking for the purpose of commercial sexual exploitation occurs in coastal cities, such as Antsiranana, Mahajanga, Nosy Be, Toamasina, and Toliara, as well as in the capital, Antananarivo.(6, 20, 28) Most child sex trafficking occurs with the involvement of family members, but friends, transport operators, tour guides, and hotel workers also facilitate the trafficking of children.(6, 28, 29) Parents may force their children into various forms of commercial sexual exploitation to earn money to support their families, in some cases, directly negotiating prices with clients.(6, 28, 29) Some children are fraudulently recruited for work in the capital as waitresses, maids, and masseuses before being coerced into commercial sexual exploitation.(6) In some cases, the traditional practice of girl markets (*tsenan’ampel*), in which girls are sent to markets to attract a husband and arrange marriages, has led girls into commercial sexual exploitation.(5, 20)




Children in the mining sector suffer from respiratory problems and diseases such as diarrhea and malaria. Children are also at risk of injury from collapsing mines.(5, 7) Children dig pits, up to 15 meters deep, and carry plastic sacks filled with air in order to be able to breathe. Boys as young as age 10 go down the pits to collect dirt that is sifted at nearby rivers.(5) Most of the children involved in gold mining are located in the regions of Anlamanga, Anosy, Ilakaka, and Vakinankaratra.(5, 7, 16, 30)

Children in Madagascar face significant barriers to education, including a lack of school infrastructure (especially in rural areas) and issuance of birth certificates needed for children to officially enroll in school.(5, 28, 31) While the right to free education is enshrined in the Constitution, the Government of Madagascar was unable to fully subsidize students’ school fees, food, and school supplies.(31-33) Families unable to pay these additional costs kept their children at home or sent them to work.(5, 31, 34)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Madagascar has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 100 of the Labor Code (35)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code (35)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 101 of the Labor Code; Articles 10 and 16–22 of Decree 2007-563 (19, 35)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 15 of Decree 2007-563; Article 8 of Law 2014-040 (19, 35, 36)
Prohibition of Child Trafficking	Yes		Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 1 of Law 2014-040 (19, 36, 37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (19, 36, 37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11 and 14 of Decree 2007-563(19)
Minimum Age for Compulsory Military Recruitment	N/A*†		
Minimum Age for Voluntary Military Service	Yes	18	Article 11 of Ordinance No. 78-002 of 1978 (38)
Compulsory Education Age	Yes	16	Article 24 of the Constitution; Article 39 of Law 2008-011 (39, 40)
Free Public Education	Yes		Article 24 of Constitution (39)

* No conscription (41)

† No standing military (41)

In December 2014, the Government adopted the Anti-Trafficking in Persons Law, which complements Law 2007-038 Against Trafficking in Persons and Sexual Tourism.(36) The Anti-Trafficking in Persons Law criminalizes all forms of human trafficking, including the trafficking of children, and imposes sufficiently stringent penalties for other forms of forced labor, including commercial sexual exploitation, labor trafficking, forced begging, forced domestic work, and debt bondage.(4, 36, 42) The law also provides for legal protection and social assistance to victims of human trafficking. Children identified as victims of human trafficking receive specialized assistance that address the needs of minors, including education support and family reintegration services.(4, 36, 42)

The law prohibits hazardous occupations and activities for children; however, the law does not prohibit hazardous occupations and activities in all relevant child labor sectors, including agriculture. A more specific list of hazardous child labor activities has been developed, but it was not approved during the reporting period.(4, 43)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Services and Labor's Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE)	Enforce child labor laws and coordinate, communicate, train, engage in research and development; administer, finance, and evaluate all activities in the context of the elimination of child labor.(3, 4, 44, 45)
Ministry of Justice	Enforce all laws pertaining to violence against children, including human trafficking and commercial sexual exploitation.(4, 45)
National Police Force's Morals and Minors Brigade (PMPM)	Investigate criminal cases involving minors, including issues of human trafficking and commercial sexual exploitation.(6, 10, 45)
Department-level courts	Prosecute child labor convictions.(10)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Population and Social Affairs	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor.(10) The Ministry manages more than 450 child protection networks, covering 22 regions throughout the country, to protect children from abuse and exploitation.(6)

Law enforcement agencies in Madagascar took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, the Ministry of Labor had approximately 100 inspectors in the field and 10 in training.(3, 4) Given the prevalence of child labor in the country, the number of labor inspectors is inadequate. Although labor inspectors are generalists, they receive training on child labor and can conduct child labor inspections.(3) The staff of the Ministry of Civil Services and Labor's Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE) includes three labor inspectors.(46) However, PACTE does not have program funding following budget cuts to the Ministry of Civil Services and Labor, whose total annual funding allocation in 2014 was 0.42 percent of the national budget.(4) Information is unavailable on the number, type, and quality of inspections; on the number of child labor law violations found; and on whether appropriate penalties were applied. Additionally, existing child labor databases managed by PACTE are not functional due to lack of funding.(10, 47) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to conduct effective child labor inspections and legal proceedings.(4, 47)

Criminal Law Enforcement

In 2014, the National Police Force's Morals and Minors Brigade (PMPM) had a headquarters and 15 regional units across Madagascar, employing a total of 145 agents.(28, 47) The Ministry of Justice trained criminal law enforcement officials on children's rights, including on a module on human trafficking.(4) The overall budget allocation for the National Police during 2014 was 2.4 percent of the national budget. However, it is unclear what proportion of the budget may have been available to conduct child labor related investigations.(4) In 2014, the PMPM investigated an estimated 187 cases of child commercial sexual exploitation and 53 cases of child labor in domestic work. All these cases were referred for prosecution; however, research did not determine whether these cases led to convictions, or whether appropriate penalties were applied.(48) The PMPM received 815 complaints through the national child protection hotline; however, the number of calls involving child labor is unknown.(48) Reports indicate there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(4, 28)

Research did not find a formal referral mechanism in place between law enforcement agencies and social welfare services; however, victims are generally referred to regional child protection networks managed by the Ministry of Population and Social Affairs, or to NGOs depending on the case and location.(4, 6) From 2013 to 2014, a total of 8,103 child victims of various forms of abuse were referred to the Ministry of Population and Social Affairs' 450 child protection networks, which provided protection and social services for children; however, the number of victims of the worst forms of child labor is unknown.(6, 47)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee on the Fight Against Child Labor (CNLTE)	Coordinate programs, advise on child labor legislation and regulations, and monitor and pursue the implementation of the National Action Plan to Eliminate the Worst Forms of Child Labor. Led by the Ministry of Civil Services and Labor, with representatives from the Ministries of Education; Health; Energy; Mining; Tourism; Population and Social Affairs; Education; Agriculture, Livestock and Fisheries; Decentralization; Justice and Public Security.(10, 17, 44, 48) In 2014, CNLTE membership was broadened to include representatives from the Ministries of Foreign Affairs; Interior; Communication; Youth and Sports; and Technical Education and Vocational Training.(48)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Regional Child Labor Committees (CRLTE)	Coordinate, monitor, and evaluate all activities relating to the elimination of child labor at the regional level. The 10 regional committees identify activities to promote the elimination of child labor, as well as compile, analyze, and report the data gathered to the PACTE.(4, 44)
National Child Protection Committee	Guide national child protection policy and programs, and coordinate child protection activities. Chaired by the Minister of Population and Social Affairs and made up of a steering committee and a technical commission of specialists.(10, 20)
Ad Hoc Inter-Ministerial Anti-Trafficking Committee	Coordinate anti-trafficking in persons efforts in Madagascar.(6, 10) Chaired by the Office of the Prime Minister and includes representatives from the Ministries of Foreign Affairs; Civil Services and Labor; Population and Social Affairs; Justice, Interior; Education; and Health.(49)
Commission on Child Policy Reform (CRDE)	Coordinate and review national legislation and programs relating to children's rights.(4) Co-chaired by the Ministry of Justice and the Ministry of Population and Social Affairs, and includes representatives from the Ministries of Education and Public Health.(48) Also includes nongovernmental stakeholders such as NGOs, international organizations, and social partners.(50)
National Independent Commission on Human Rights*	Promote and protect human rights and investigate human rights abuses, including those related to child labor. Chaired by the Office of the Prime Minister and includes representatives from the National Assembly, the Senate, and technical group of human rights specialists.(51)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the National Committee on the Fight Against Child Labor (CNLTE) met throughout the year to advise on child labor legislation and regulations, including working with the Commission on Child Policy Reform to revise the draft list of hazardous child labor activities.(4) Due to lack of funds, however, the CNLTE faced severe limits on its ability to follow the National Action Plan to Eliminate the Worst Forms of Child Labor during the reporting period.(10) The Regional Child Labor Committees (CRLTE) were active to various extents; for example, the Regional Committee in the Sava region organized workshops to raise awareness of child labor issues among vanilla producers, in collaboration with the National Vanilla Platform (PNV).(4) As a result of these workshops, a code of conduct for the vanilla industry to address child labor has been developed, but it was not adopted during the reporting period.(47, 52) The Inter-Ministerial Anti-Trafficking Committee met on an informal basis to coordinate the Government's anti-trafficking efforts; however, the Government did not provide any funding to support the Committee's activities during the reporting period.(6) The National Child Protection Committee met during the year to implement awareness-raising campaigns on child abuse and commercial sexual exploitation.(4)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Madagascar has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2004-2019)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, increasing awareness-raising campaigns, mobilizing funds for social program, and updating databases on child labor.(5, 17, 53)
Education for All Program (2013-2015)	Sets out a comprehensive map to improve the quality of, and access to, basic education and includes child labor concerns. Overseen by the Ministry of Education and supported by international donors.(5, 54)
Provisional Education Plan (2013-2015)	Integrates child labor issues into education policies. Developed by the Ministry of Education.(54)
UNDAF (2012-2014)	Includes strategies, such as promoting school attendance and training judges and police on child labor laws to protect children from human trafficking, commercial sexual exploitation, hazardous labor, and child domestic work.(31)
National Development Plan (2015-2016)†	Aims to promote sustainable development that reaches all regions and promotes social equality through access to quality education, technological innovation, and environmental sustainability. Overseen by the Ministry of Economy and Planning and includes a budget of \$83,000 to specifically combat child labor.(4, 55)

† Policy was approved during the reporting period.

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In 2014, the Government drafted a National Action Plan to Fight Against Trafficking in Persons; however it had not been approved by the end of the reporting period.(42, 47) In addition, the Ministry of Tourism promulgated a Code of Conduct to combat child sexual exploitation in the hotel industry.(49, 56)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Madagascar funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

Table 8. Social Programs to Address Child Labor

Program	Description
Tackling Child Labor Through Education (TACKLE) Project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states. Aims to strengthen institutional capacity to formulate and implement child labor strategies, including boosting family incomes through the provision of inputs to increase agricultural productivity in Madagascar.(57)
<i>Agir contre le travail domestique des enfants en Afrique et dans les pays de l'Union pour la Méditerranée</i> (2011-2015)	\$1.3 million, Government of France-funded, 3-year project that aims to combat child domestic labor in specific regions. In 2014, the project removed or prevented an estimated 125 children from engaging in domestic work in Amoron'i Mania region, and provided them with professional training and assistance in finding decent work.(4, 58)
<i>Manjary Soa</i> Center‡	Government program that provides support and services to child laborers in Antananarivo, reintegrates children under age 16 into the public education system, and provides tradecraft training to older children. In 2014, the Center removed 35 children from exploitative child labor.(4, 17, 45, 59)
UNICEF Education Support	\$30 million, UNICEF-funded program to support the Government's interim plan on education.(46) Supports data collection, building classrooms, distributing school kits and payments to teachers, training teachers (on how to reduce risk of child labor), and providing emergency response. In 2014, a total of 400 new classrooms were built across the country.(4, 60)
<i>Lutte pour la Protection des Droits des Enfants contre la Violence et les Pires Formes de travail des enfants, victimes de l'exploitation sexuelle des enfants à des fins commerciales</i> (2014-2015)†	\$150,000, UNICEF-funded program that aims to combat the worst forms of child labor, including commercial sexual exploitation, in the regions of Atsimo-Andrefana and Diana.(58)
National Database	UNICEF-funded, national database managed by the Ministry of Population and Social Affairs that gathers data from nine regional child protection networks.(28)
Awareness Raising in Sakaraha‡	Government program that raises awareness about the hazards children face while working in mines by using radio announcements and through talks with the local chief (fokontany).(5)
Public Investment Program for Social Action (PIP)‡	Government program that supports school attendance and training for street children and aims to remove 40 children a year from the worst forms of child labor.(17, 61)
Inclusive Education Support*‡	Government programs to provide back-to-school grants, awareness-raising activities, in-kind support to schools, and access to income-generating activities that target children traditionally excluded from schools.(31)
Center for Socioeconomic Promotion in Ambositra, Rakingaskara*‡	Vocational training in carpentry for young boys sponsored by the Ministry of Population and Social Affairs.(5)
Vocational Training and Agricultural Productivity Improvement Program*	\$35 million, International Fund for Agricultural Development-funded loan and grant program that provides vulnerable groups, including uneducated young people and young women who are heads of households, with professional and vocational training to improve productivity and the quality of agricultural products to increase household incomes. Estimated Government contribution of \$7.9 million.(62, 63)
UN WFP*	UN-implemented program that provides school feeding support.(64)

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Madagascar.

Some child labor-related programming was reinstated towards the middle of 2014 after the democratically-elected government took office in January 2014.(10) The Government does not have programs that promote awareness on the traditional practice of *tsenan'ampela*, which in some cases has led girls into commercial sexual exploitation.(20) Research found that basic health and social

services available to victims of the worst forms of child labor are not adequate to meet current needs.⁽¹⁰⁾ Although Madagascar has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem fully, particularly in agriculture, commercial sexual exploitation, and mining.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Madagascar (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that law prohibits hazardous occupations and activities in all relevant child labor sectors, including agriculture.	2014
Enforcement	Increase the funding, training and number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2009 – 2014
	Establish a referral mechanism between law enforcement agencies and the Ministry of Population and Social Affairs to ensure victims of child labor receive appropriate social services.	2014
	Collect and make publicly available information on the funding levels for law enforcement agencies, law violations and penalties assessed, as well as number of labor inspections and criminal convictions related to the worst forms of child labor.	2013 – 2014
	Disaggregate complaints made by child protection hotlines by number of children exploited in child labor.	2013 – 2014
	Fully fund existing child labor databases.	2009 – 2014
Coordination	Ensure that the various mechanisms have the appropriate funding to effectively coordinate efforts to address child labor, including its worst forms.	2014
Social Programs	Ensure that social protection systems are properly funded and adequate to meet the needs of victims of the worst forms of child labor.	2014
	Improve access to education, including by providing subsidies for school fees, food, school supplies, and implementing a program to address the lack of school infrastructure and birth registration.	2011 – 2014
	Assess the impact that existing programs may have on child labor.	2010 – 2014
	Expand programs to address child labor in agriculture and the worst forms of child labor in commercial sexual exploitation and mining.	2014
	Increase awareness of the possible use of traditional cultural practices that might lead to commercial sexual exploitation of children.	2013 – 2014

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