

MADAGASCAR

MODERATE ADVANCEMENT

In 2023, Madagascar made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor targeted labor inspections in several regions and in the informal economy, resulting in the identification of 830 children working in stone quarries, domestic labor, vanilla farming, and mica mining. The Ministry of Education also provided school lunches to 1,262,000 children, helping to ensure children stay in school and reducing their vulnerability to child labor. In addition, the government in the Anosy region partnered with Pact Madagascar to conduct a survey on child labor in mica mining that found 780 children working in the sector. However, limited resources for the enforcement of child labor laws may impede government efforts to protect children from the worst forms of child labor, and Madagascar does not have a current national action plan for the elimination of child labor.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children's Work and Education

Children	Age	Percent of Population
Working	5 to 14	43.2% (Unavailable)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	68.8%
Combining Work and School	7 to 14	33.8%

Children in Madagascar are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor in domestic work. Children also perform dangerous tasks in the mica mining sector and in agriculture, including in the production of vanilla.

Overview of Children's Work by Sector and Activity



Agriculture

Farming vanilla and fishing.



Industry

Mining† mica, sapphires, and stones.



Services

Street work, including begging, washing cars, market vending, transporting goods, cleaning the marketplace, and scavenging garbage.



Categorical Worst Forms of Child Labor‡

Forced labor in mining, fishing, quarrying, begging, and domestic work; commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography.

† 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.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Madagascar's implementation of its international commitments to eliminate the worst forms of child labor.

Enforcement

Publish complete labor law enforcement information related to child labor, including the number and types of labor inspections conducted, the number of violations found, and the number of penalties imposed and collected during the reporting year.

Ensure that labor inspectors receive adequate training on child labor in the informal sector, the 2018 updated hazardous work list, and indicators of trafficking in persons, including child trafficking.

Increase the number of labor inspectors from 189 to 387 to ensure adequate coverage of the labor force of approximately 15.5 million workers.

Ensure that the labor inspectorate receives adequate funding, including for transportation, to conduct inspections in rural areas and the informal sector.

Develop, disseminate, and implement official standard operating procedures to identify and refer cases of human trafficking, and proactively screen vulnerable populations, including child laborers, for trafficking indicators.

Publish criminal law enforcement data on the number of investigations, prosecutions, and convictions, and whether penalties were imposed for violations concerning the worst forms of child labor.

Ensure that criminal law enforcement agencies have sufficient staff, equipment, and transportation to address the worst forms of child labor.

Ensure that criminal offenses related to the worst forms of child labor are investigated and prosecuted under the relevant laws.

Coordination

Ensure that the National Committee to Combat Child Labor and regional child labor committees receive adequate funding to carry out their mandates.

Government Policies

Adopt a national policy to address child labor, including its worst forms.

Social Programs

Enhance efforts to eliminate barriers and make education accessible for all children, including those in rural communities, by removing informal fees; improving school infrastructure, feeding programs, staffing, and transportation services; providing access to sanitation facilities and feminine hygiene products; and increasing birth registration rates.

Expand the scope of programs to address child labor in agriculture, domestic work, begging, mining, and the commercial sexual exploitation of children.



CHILDREN AT HIGHER RISK

Extreme weather events, including cyclones in early 2023 and several years of droughts in the southern region of Madagascar, have exacerbated food insecurity and poverty, increasing children's vulnerability to labor exploitation. Two cyclones displaced 88,000 people. In areas of southern Madagascar affected by drought, children were more vulnerable to food insecurity, malnutrition, and, interrelatedly, child labor. According to NGO reports, families made more vulnerable by climate change may attempt to supplement household income by exploiting their children in domestic servitude or sex trafficking.



BARRIERS TO EDUCATION ACCESS

Access to education is often limited for some children, which also increases their vulnerability to child labor. The birth registration system is not uniformly enforced, and unregistered children typically are not eligible to take official exams. While the constitution guarantees free compulsory education, some public schools require parents to pay informal fees to subsidize teacher salaries and operating costs. In addition, some girls face difficulties remaining in school due to a lack of appropriate hygiene facilities and menstrual hygiene products. Additional barriers to education include a lack of school infrastructure, insufficient numbers of teachers, food insecurity, and limited transportation to schools in rural areas.



LEGAL FRAMEWORK FOR CHILD LABOR

Madagascar has ratified all key international conventions concerning child labor. In addition, Madagascar's laws are in line with relevant international standards.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 16 Years	✓	Article 24 of the Constitution; Articles 100 and 261 of the Labor Code; Article 2 of Decree 2018-009
Minimum Age for Hazardous Work, 18 Years	✓	Article 101 of the Labor Code; Article 10 of Decree 2007-563
Identification of Hazardous Occupations or Activities Prohibited for Children	✓	Articles 101 and 261 of the Labor Code; Articles 10, 12, and 16–22 of Decree 2007-563; Article 19 of Decree 2018-009
Prohibition of Slavery, Debt Bondage, and Forced Labor	✓	Article 4 of the Labor Code; Articles 1, 8, and 18 of Law 2014-040; Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 19 of Decree 2018-009
Prohibition of Child Trafficking	✓	Articles 15 and 23 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Articles 1, 6, 8, 13, and 22 of Law 2014-040
Prohibition of Commercial Sexual Exploitation of Children	✓	Articles 13, 23, and 24 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040
Prohibition of Using Children in Illicit Activities	✓	Articles 11, 14, and 23 of Decree 2007-563
Minimum Age for Voluntary State Military Recruitment, 18 Years	✓	Article 11 of Ordinance No. 78-002
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	Article 11 of Ordinance No. 78-002
Prohibition of Military Recruitment by Non-state Armed Groups	✓	Articles 15 and 23 of Decree 2007-563
Compulsory Education Age, 16 Years‡	✓	Article 24 of the Constitution; Article 39 of Law 2008-011
Free Public Education	✓	Article 24 of the Constitution

* Country has no conscription

‡ Age calculated based on available information



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Madagascar took actions to address child labor. However, lack of staff, equipment, and transportation for both the labor inspectorate and criminal law enforcement agencies hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Civil Services and Labor's Division for the Prevention, Abolition, and Monitoring of Child Labor: Enforces child labor laws, coordinates and evaluates efforts to eliminate child labor, and oversees national and regional child labor coordination committees. In 2023, the labor inspectorate conducted target inspections in several regions specifically aimed at addressing child labor in the informal sector. However, research indicates that Madagascar does not have an adequate number of labor inspectors to carry out their mandated duties.

Ministry of Justice: Enforces laws pertaining to violence against children, including human trafficking and commercial sexual exploitation. During the reporting year, the cybercrime police unit investigated cases of online sexual exploitation involving 25 children, and the police investigated 33 criminal cases involving child domestic workers. However, due to lengthy judicial processes and lack of victim-witness assistance during criminal proceedings, families often choose to settle trafficking crimes through informal payment or conflict resolution arrangements outside of the formal court system.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Unknown
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, **189** labor inspectors conducted an **unknown** number of worksite inspections. The government conducted an **unknown** number of investigations and prosecutions, and it is **unknown** if perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

Key Mechanism to Coordinate Government Efforts on Child Labor

Madagascar established a mechanism to coordinate its efforts to address child labor. However, coordination efforts at the national and regional levels were hindered by insufficient financial resources.

National Committee to Combat Child Labor: Coordinates programs, advises on child labor legislation and regulations, and supports regional child labor committees. Regional committees also work to identify activities to promote the elimination of child labor and gather data, as well as coordinate, monitor, and evaluate efforts. During the reporting period, the regional child labor committee of Fort Dauphin established a new work plan, supported the creation of local child labor committees in four communes, and coordinated efforts to support vulnerable communities in mica mining areas. However, the National Committee and the regional committees continued to lack sufficient funding to operate effectively.

Coordination, Policies, and Programs (Cont.)

<p>Key Policies Related to Child Labor</p> <p>Madagascar established policies related to child labor. However, these policies do not include a comprehensive national child labor policy covering all worst forms of child labor in the country.</p>	<p>Joint Action Plan to Address Issues Affecting Children and Households in Mica Exploration in the Anosy Region: Aims to reduce child labor in the production of mica in the southern region. During the reporting year, the Regional Committee to Combat Child Labor of the Anosy region collaborated with Pact Madagascar for a survey on mica mining that led to the identification of 780 working children.</p> <p>National Action Plan on Trafficking in Persons: Outlines strategy and policy to address trafficking in persons in Madagascar. Emphasizes prevention; social and economic services for survivors; prosecution of traffickers, including through improving front line law enforcement; coordination between government ministries and partners; and bilateral and multilateral partnerships in the field of diplomatic, judicial, police, and economic cooperation. During the reporting period, the government began exploring the development of an implementation plan for this policy.</p> <p>Code of Conduct for the Protection of Children in the Tourism Industry: Implemented by the Ministry of Tourism and supported by ILO and UNICEF, aims to prevent the commercial sexual exploitation of children in the tourism sector. During the reporting period, the National Office of Tourism developed a training module for tourism operators on the code of conduct and trained 20 national trainers, including from the Ministry of Justice, the National Police, and the Gendarmerie.</p>
<p>Key Social Programs to Address Child Labor</p> <p>Madagascar funded and participated in programs that include the goal of eliminating child labor. However, these social programs are inadequate because they do not fully cover all sectors in which child labor is present.</p> <p><small>† Program is funded by the Government of Madagascar.</small></p>	<p>Social Support and Reintegration Programs:† Include government programs that provide social and reintegration services for survivors of child labor exploitation, such as the Ministry of Labor's Manjary Soa Center, which provides educational support and other services to survivors of child labor, and the Center for Emergency Shelter Service (<i>Centre d'Accueil d'Urgence</i>) in Antananarivo, which assists children referred by the police, including children exploited in domestic work and other urban sectors. In addition, the Ministry of Population's Child Protection Networks coordinate with NGOs to provide lodging and other services to survivors of trafficking in persons, including children. In 2023, the Center for Emergency Shelter Service received 43 child domestic workers who had survived child trafficking.</p> <p>Elimination of Child Labor in Madagascar's Mica Sector: Implemented by Terre des Hommes, targets child labor in the mica sector in southern Madagascar by removing children from mines, facilitating education access for survivors of child labor, improving the mica supply chain, and providing families with income-generating alternatives.</p> <p>Education and School Canteen Programs: Provide access to meals in school and reintegrate out-of-school children into the education system. Include school canteen programs coordinated with the Ministry of National Education and funded by partners, including the World Food Program and the World Bank; <i>Mavitrika Mianata</i>, a school canteen program run by Catholic Relief Services and Global Communities with funding from the U.S. Department of Agriculture; and remedial classes, run by the Ministry of Education with UNICEF support, to reintegrate out-of-school children into the public school system.</p>

For information about USDOL's projects to address child labor around the world, visit dol.gov/ILABprojects
 For references, please visit dol.gov/ChildLaborReports