



In 2016, Madagascar made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government increased the number of child labor inspectors from 4 to 15, launched a study with UNICEF to assess violence and exploitation of children in Madagascar, and expanded the implementation of the Code of Conduct for the Protection of Children in the Tourism Industry. In addition, the Government continued to participate in a number of programs targeting the worst forms of child labor. However, children in Madagascar perform dangerous tasks in agriculture, including the production of vanilla. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. 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 perform dangerous tasks in agriculture, including the production of vanilla.(1-6) Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(4, 7-12) Table 1 provides key indicators on children’s work and education in Madagascar.

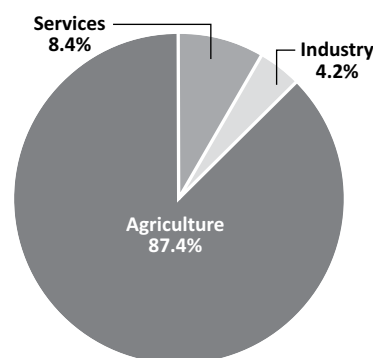
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.1 (1,206,992)
Attending School (%)	5 to 14	69.1
Combining Work and School (%)	7 to 14	15.4
Primary Completion Rate (%)		69.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(13)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from the National Survey of Child Labor (Enquête Nationale sur le Travail des Enfants), 2007.(14)

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, wine, coconut, hemp, rice, and peanuts (4, 15-17)
	Production of vanilla, including working in the drying process, and transporting vanilla beans (1, 3, 5, 6, 18-21)
	Fishing and deep-sea diving, including for crabs, lobster, and shrimp (4, 6, 16, 22, 23)
	Herding cattle (zebu) and goats (6, 16, 24, 25)
Industry	Mining† gold, sapphires, crystal, quartz, and tourmaline, and transporting† blocks and stones at mining sites (10, 16, 22, 26-29)
	Quarrying† and crushing stone and making gravel† (3, 10, 22-24, 26)
	Production of salt (6, 22, 24)
Services	Street work, including begging, market vending, transporting goods by rickshaw, and scavenging garbage (4, 6, 10, 22-25)
	Working in bars,† including as waitresses, maids, and masseuses (7, 8, 12, 25, 28, 30, 31)
	Domestic work† (4, 8, 10, 12, 24)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 7-12)
	Forced labor in mining, quarrying, begging, and domestic work (4, 8, 10, 12, 26, 31)

[†] 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.




Children in the mining sector suffer from respiratory problems and diseases such as diarrhea and malaria, and are also at risk of injury from collapsing mines. Children, as young as 10, dig pits up to 15 meters deep and carry plastic sacks filled with air to breathe.(4, 10, 23, 24, 26, 27) Most of the children involved in gold and sapphire mining are in the regions of Anlamanga, Anosy, Ilakaka, and Vakinankaratra.(4, 16, 27) In addition, children working in the production of vanilla in Madagascar are exposed to toxic substances, extreme temperatures, transport heavy loads, and work for long hours. (1-3, 5, 6, 18-21)

Although the Constitution guarantees free compulsory education, the lack of school infrastructure and qualified teachers, limited transportation services in rural areas with long distances to schools, cost of school fees and supplies, and reported school violence impede access to education in Madagascar, which leaves children vulnerable to the worst forms of child labor.(6, 23-25, 32-35)

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). However, gaps exist in Madagascar’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 100 of the Labor Code (36)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code; Articles 10 of Decree 2007-563 (36, 37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 101 of the Labor Code; Articles 10, 12 and 16-22 of Decree 2007-563 (36, 37)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 8 of Law 2014-040; Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 1 of Law 2014-040 (36-39)
Prohibition of Child Trafficking	Yes		Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Articles 1 and 8 of Law 2014-040 (37-39)
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 (37-39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11 and 14 of Decree 2007-563(37)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 11 of Ordinance No. 78-002 (40)
Non-state Compulsory	Yes	18	Articles 15 of Decree 2007-563(37)
Compulsory Education Age	Yes	16 [‡]	Article 24 of the Constitution; Article 39 of Law 2008-011 (34, 41)
Free Public Education	Yes		Article 24 of the Constitution (34)

* No conscription (42)

[‡]Age calculated based on available information(41)

Malagasy law prohibits hazardous occupations and activities for children; however, these prohibitions do not cover deep-sea diving and fishing, areas in which there is evidence that Malagasy children work in dangerous conditions. A revised law that contains a more specific list of hazardous child labor activities in all relevant sectors, including underwater work, was developed, but it was not approved during the reporting period.(6, 23, 43, 44)

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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Services and Labor Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE)	Enforce child labor laws and coordinate, train, and evaluate all activities in the context of the elimination of child labor.(6, 23, 33, 44)
Ministry of Justice	Enforce laws pertaining to violence against children, including human trafficking and commercial sexual exploitation.(12, 23)
National Police Force Morals and Minors Brigade (PMPM)	Investigate criminal cases involving minors, including issues pertaining to human trafficking and commercial sexual exploitation. Housed under the Ministry of Public Security. (4, 12, 23, 35, 45)
Department-level Courts	Prosecute child labor convictions.(23)
Ministry of Population, Social Protection and the Promotion of Women	Develop and implement programs to protect vulnerable children, including victims of the worst forms of child labor.(23) Manage 780 child protection networks to protect children from abuse and exploitation in all 22 regions of Madagascar. Approximately 450 of the networks are operational.(6, 12, 23, 35, 46)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Madagascar took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$41,000 (15, 47)	\$49,000(15, 47)
Number of Labor Inspectors	142 (15)	132 (23)
Number of Child Labor Dedicated Inspectors	4 (15)	15 (23, 44)
Inspectorate Authorized to Assess Penalties	Yes (48)	Yes (48)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (48)	Yes (23)
Training on New Laws Related to Child Labor	N/A (15)	N/A (23)
Refresher Courses Provided	Yes (48)	No (23)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Labor Inspections	Unknown (15)	Unknown (23)
Number Conducted at Worksite	Unknown (15)	Unknown (23)
Number Conducted by Desk Reviews	Unknown (15)	Unknown (23)
Number of Child Labor Violations Found	Unknown (15)	Unknown (23)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (15)	Unknown (23)
Number of Penalties Imposed that Were Collected	Unknown (15)	Unknown (23)
Routine Inspections Conducted	Unknown (15)	Yes (44)
Routine Inspections Targeted	Unknown (15)	Yes (44)
Unannounced Inspections Permitted	Yes (49)	Yes (23, 44)
Unannounced Inspections Conducted	Yes (48)	Yes (23, 44)
Complaint Mechanism Exists	Yes (48)	Yes (23, 44)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (48)	Yes (23, 44)

The number of labor inspectors is insufficient for the size of Madagascar's workforce, which includes over 12 million workers. According to the ILO's recommendation of one inspector for every 40,000 workers in less developed economies, Madagascar should employ roughly 325 labor inspectors in order to adequately enforce labor laws throughout the country.(50-52). In addition, half of the employed labor inspectors work in the capital hampering the Government's capacity to enforce child labor laws in rural areas, especially in the agricultural sector.(4, 6) During the reporting period, the Prevention, Abolition, and Monitoring of Child Labor (PACTE) conducted unannounced inspections of mines and quarries in four regions of the country; however the exact number of inspections is unknown.(4) In addition, PACTE trained civil society organizations in three regions to identify and report cases of child labor. However, reports indicate that PACTE lacked trained staff, equipment, and funding to manage existing child labor databases, and to conduct effective child labor inspections.(4, 23, 44)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Madagascar took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (48)	Unknown (48)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (48)	Yes (23)
Refresher Courses Provided	Yes (48)	Yes (23)
Number of Investigations	Unknown (48)	Unknown (48)
Number of Violations Found	60 (31)	41 (45)
Number of Prosecutions Initiated	Unknown (48)	Unknown (23)
Number of Convictions	Unknown (48)	Unknown (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (23, 44)

In 2016, the National Police Force's Morals and Minors Brigade (PMPM) had a headquarters and 15 regional units across Madagascar, employing a total of 118 agents.(23) In 2016, the National Police received a budget of approximately \$29,400; however, research did not determine what proportion of the budget was available to conduct investigations related to the worst forms of child labor.(23) During the reporting period, the PMPM investigated an estimated 777 complaints that children were victims of crimes such as rape and violence. Of these cases, 41 were determined to be related to child labor in domestic work, but authorities did not gather sufficient evidence to determine whether any of the cases involved domestic servitude. Some of these cases were reported through the national child protection hotline.(23, 35, 45) It is unclear, however, how many child labor violations were found in areas beyond domestic work, how many prosecutions were initiated and whether these cases led to convictions. (31) Reports indicate a lack of trained staff, equipment, and transportation to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(4, 23, 53, 54)

In 2016, the overall budget allocation for the Ministry of Population, Social Protection and the Promotion of Women increased to 0.4% of the national budget from the previous year.(45) During the reporting period, the Ministry worked with Child Protection Networks in five targeted regions (Diana, Atsimo Andrefana, Boeny, Atsinanana and Analamanga) to provide legal, social, and medical care to 9,949 child victims of violence and exploitation. Of these, 22 percent, or 2,170, were victims of child labor.(23) In addition, each of these five Child Protection Networks developed 3-year action plans to improve reintegration and enforcement efforts related to the worst forms of child labor.(23)

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 8).

Table 8. Key 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 implement the National Action Plan to Eliminate the Worst Forms of Child Labor. Led by the Ministry of Civil Services and Labor.(23, 55, 56) In 2016, appointed 11 labor inspectors to support CNLTE activities and implemented awareness-raising campaigns on commercial sexual exploitation of children in the tourism sector.(23, 44)
Regional Child Labor Committees (CRLTE)	Coordinate, monitor, and evaluate all regional activities relating to the elimination of child labor. Comprises 10 regional committees that identify activities to promote the elimination of child labor and to compile, analyze, and report child labor data to PACTE.(23, 44, 55, 57) In 2016, the committee in the Sava region organized workshops to raise awareness of child labor issues among vanilla producers, and the committees in the Atsimo-Andrefana and Diana regions conducted trainings on commercial sexual exploitation of children.(4, 20, 23, 44)
National Bureau to Combat Human Trafficking	Coordinate human anti-trafficking efforts in Madagascar and responsible for implementing the National Action Plan to Combat Trafficking in Persons.(12, 33, 38, 58) Chaired by the Office of the Prime Minister and includes representatives from the Ministries of Civil Services and Labor; Justice; and Population and Social Affairs.(15, 31, 58) Met twice during 2016.(35)
National Child Protection Committee (CNPE)	Guide and coordinate national child protection policy and programs. Chaired by the Minister of Population and Social Affairs and comprises a steering committee and a technical commission of specialists.(7, 59) In 2016, launched a study to assess violence and exploitation of children in Madagascar to be released in 2017.(23, 45)

In 2016, the National Committee on the Fight Against Child Labor (CNLTE) did not receive funding and the Regional Child Labor Committees (CRLTE) and the National Bureau to Combat Human Trafficking lacked sufficient funding to effectively operate and coordinate efforts to address child labor, including its worst forms.(12, 23, 33, 35, 45)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key 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, conducting awareness-raising campaigns, mobilizing funds for social programs, and updating databases on child labor. Led by the CNLTE. (4, 26, 44, 55) In 2016, received \$35,000 to implement the final phase of the plan, which aims to consolidate efforts to effectively remove children from exploitative labor conditions.(44)
National Action Plan to Combat Trafficking in Persons (2015–2019)	Seeks to enhance the legal framework to prevent human trafficking, effectively implement human trafficking laws, and provide protection and care for victims. Overseen by the National Bureau to Combat Human Trafficking.(8, 15, 58, 60) Reports indicated that the Government did not provide sufficient funding to implement the plan in 2016.(12, 23, 45)
Code of Conduct for the Protection of Children in the Tourism Industry	Aims to prevent commercial sexual exploitation of children in the tourism industry. Implemented by the Ministry of Tourism and supported by the ILO and UNICEF.(23, 61–64) As of 2016, over 900 tourism companies signed the code of conduct, and eight regional action plans have been developed to implement the provisions of the code.(23, 45)

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Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
National Social Protection Policy	Aims to protect children from abuse, violence, and exploitation and promotes improved access to education and livelihood services for vulnerable children. Led by the Ministry of Population, Social Protection and the Promotion of Women and supported by international donors.(33, 65-67) In 2016, implemented activities that benefitted over 500,000 individuals, mainly children.(68)
National Development Plan (2015–2019)	Aims to promote sustainable development and social equality. Overseen by the Ministry of Economy and Planning and supported by the ILO’s Decent Work Country Program.(33, 69, 70) Includes a budget of \$83,000 to specifically combat commercial sexual exploitation of children and child labor in domestic work, mining, quarrying, and other hazardous sectors. (8, 33, 69-71)

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor.(70, 72)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Madagascar funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. (Table 10)

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Project Supporting Sustainable, Child Labor Free Vanilla-Growing Communities in Sava (2016 – 2020)*	USDOL-funded \$4 million project implemented by the ILO that aims to reduce child labor in the vanilla-producing areas of the Sava region.(73) The project will build the capacity of the Government to enforce child labor laws and policies; work with the vanilla industry to implement the Code of Conduct of Vanilla Producers; raise community awareness on child rights and child labor; and promote livelihood services for households in the region.(73) For additional information about USDOL’s work, please visit our Web site.
UNICEF Country Program (2015 – 2019)	\$197,815 UNICEF funded program that supports the Government’s efforts to improve education, health, nutrition, and protection for children in Madagascar.(74) In 2016, implemented projects to prevent violence and commercial sexual exploitation of children in the regions of Atsimo-Andrefana, Diana, Nosy Be, and Toliara; increase birth registration and school enrollment for the most vulnerable children; and improve the national database managed by the Ministry of Population, Social Protection and the Promotion of Women to gather data from nine regional child protection networks.(44, 74-78)
Social Support and Reintegration Centers†	Government program that provides social and reintegration services for victims of child labor, including its worst forms. Includes the <i>Manjary Soa</i> Center, the <i>Vonjy</i> Center in Antananarivo, and a newly opened center in Toamasina*.(12, 23, 45, 79, 80) In 2016, the <i>Manjary Soa</i> Center removed 35 children from exploitative child labor, and the <i>Vonjy</i> Center provided assistance to 667 child victims of commercial sexual exploitation.(23, 45)
Public Investment Program for Social Action†	\$34,700 Ministry of Civil Services and Labor program that supports school attendance and training for street children. In 2016, the project removed 40 children from the worst forms of child labor.(10, 44)
Education for All Program (2015–2019)	\$15 million Government of Norway-funded project that aims to improve the quality of, and access to, primary education and provide school feeding programs in the southern regions of Androy, Anosy, and Atsimo Andrefana. Led by the Ministry of Education.(44, 81, 82) In 2016, provided assistance to 10,193 schools reaching approximately 238,014 students.(44)

* Program was launched during the reporting period.

† Program is funded by the Government of Madagascar.

‡The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(83-87)

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.(4, 12, 23) Although Madagascar has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in agriculture, commercial sexual exploitation, domestic work, and mining.(4, 10, 44)

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of work that children perform in Madagascar that fall into an R.190 category, such as work underwater, are prohibited to children under 18.	2014–2016
Enforcement	Ensure that the number of labor inspectors conforms to the ILO recommendation of one for every 40,000 workers in less developed economies, which is approximately 325 labor inspectors for Madagascar.	2015 – 2016
	Ensure that labor and criminal law enforcement officials receive adequate funding and training to enforce child labor laws effectively, including in rural areas.	2009–2016
	Publish enforcement information related to child labor, including the worst forms of child labor, including on the number of labor and criminal inspections conducted, violations found, prosecutions initiated, and convictions.	2013–2016
	Ensure that existing databases function to gather enforcement data on child labor, including by providing adequate funding.	2009–2016
Coordination	Ensure that the CNLTE, CRLTE, and National Bureau to Combat Human Trafficking receive adequate funding to effectively operate and coordinate to fulfill their missions.	2014–2016
Government Policies	Ensure that appropriate funding exists to effectively implement the National Action Plan to Combat Trafficking in Persons.	2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including those in rural communities, by removing supplies and school-related fees, increasing school infrastructure and transportation services, hiring sufficient qualified teachers, and ensuring children’s safety in schools.	2011–2016
	Ensure that social protection systems have adequate funding and staff to provide appropriate services to victims of the worst forms of child labor.	2014–2016
	Expand the scope of programs to address child labor in agriculture and the worst forms of child labor in commercial sexual exploitation, domestic work, and mining.	2014–2016

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