

## **ADVANCE QUESTIONS TO MADAGASCAR**

### **DENMARK**

- When will Madagascar follow up its signature to OPCAT with ratification?
- Which steps has been taken by the Malagasy Government to initiate investigations into all human rights violations committed during the current political crisis?
- Which steps have been taken to ensure freedom of expression?
- Which steps have been taken to protect women's rights, including amending the discriminatory practices of land ownership, property and succession management as well as preventing the high levels of domestic violence and trafficking of women? What is being done to ensure satisfactory reporting to CEDAW?

### **HUNGARY**

- The Constitution of Madagascar refers to the fulfillment of the principles of the Universal Declaration of Human Rights and of the African Charter of Human and People's Rights, furthermore to the application of measures regarding the rights of women and children. What measures have been taken in accordance with the recommendations of the Committee on Economic, Social and Cultural Rights in order to guarantee gender equality? Based on the recommendations of the Committee on the Elimination of Discrimination against Women, what reforms has been carried out in the legislation?
- We welcome that Madagascar signed the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2007. While noting Madagascar's commitment, CERD recommended that Madagascar should include a definition of torture in its legislation. Has the definition already been included in the legislation as proposed by the above treaty body.
- Hungary welcomes the efforts of the Government aimed at creating several units with the purpose of HR monitoring in the Ministry of Justice (e.g. Direction for Integrity Promotion, Direction for Jurisdictions Control, Direction for Communication and Direction for Human Rights and International Relations). Would you elaborate more on how these units contribute to the fulfillment of international human rights obligations?

## **LATVIA**

- According to the information by the Office of the UN High Commissioner for Human Rights, 65 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering request of Special Rapporteur on the right to food to visit Madagascar - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

## **SWEDEN**

- Madagascar has ratified all central UN human rights conventions including the International Convention on Civil and Political Rights (ICCPR). At the same time, recent political unrest and the political turmoil last year remain a source of concern, including with regard to the respect for the right according to the ICCPR of all persons to take part in the conduct of public affairs, directly or through freely chosen representatives.
- Could the Government of Madagascar elaborate on measures it is taking how this right is ensured?
- Since 1958, Madagascar has upheld a de facto moratorium on the death penalty. However, the Government of Madagascar has not adopted a law formally abolishing the death penalty and has not signed and ratified the Second Optional Protocol to the Convention on Civil and Political Rights, aiming at the abolition of the death penalty.
- Could the Government of Madagascar elaborate on the status of the death penalty in relation to the resolutions of the General Assembly (A/RES/62/149 and A/RES/63/168), including with regard to any plans to abolish the penalty de jure and to sign and ratify the Second Optional Protocol?

## **UNITED KINGDOM OF GREAT BRITAIN & NORTHERN IRELAND**

- Could you please provide information on how the High Transitional Authority (HTA) intends to comply with the Maputo Accord and Addis Additional Agreement, of 9 August and 7 November 2009 respectively, and return Madagascar to democracy through inclusive, free, fair and transparent elections?
- We are concerned by the increase in number of unlawful arrests and detentions of opposition figures in Madagascar. Please could you elaborate on what you are doing to limit the duration of police custody and remand detention, and how you are ensuring such detainees have a fair trial?

- We are concerned by the number of demonstrations and gatherings which have been broken up, often violently, by the security forces and military in Madagascar. Could you please tell us what you are doing to ensure that people can assemble freely and peacefully express their views?
- We are aware that the Communications Code has not yet been reformed and that several journalists have recently been arrested and detained. Could you please elaborate on what you are doing to ensure that freedom of expression and freedom of the press are respected?
- Could you please elaborate on the existence of a national human rights institution, in accordance with the Paris principles?

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