

ADVANCE QUESTIONS TO MADAGASCAR- ADD.1

ARGENTINA

- En virtud de lo expresado por el Secretario General al instar al Gobierno de Madagascar a dar prioridad absoluta a la protección de la población, luego que decenas de personas murieran como consecuencia de graves disturbios que se desarrollaron en la ciudad de Antananarivo y otros lugares, la Argentina desea preguntar qué medidas adoptó el gobierno para poner fin a ello y si los responsables de las muertes han sido debidamente detenidos y juzgados.
- En virtud del llamamiento realizado por el Secretario General al gobierno de Madagascar en respetar los derechos humanos y el estado de derecho, la Argentina se permite preguntar qué medidas adoptó el gobierno para dar respuesta al mismo, que efectos causó y que acciones restan tomar. Ello, a fin de extremar los esfuerzos para que el gobierno malgache pueda garantizar el goce de los más elementales derechos humanos.
- A fin de resolver la situación política que atraviesa Madagascar, y siguiendo las recomendaciones que el gobierno actual recibió de organismos internacionales, la Argentina se permite preguntar que medidas se adoptaron o se piensan adoptar para lograr la unidad nacional, garantizar elecciones democráticas y así obtener la restauración de la democracia y restaurar el estado de derecho.
- De acuerdo al reconocimiento manifestado por el CEDAW en cuanto a la cuestión de género, la Argentina desea preguntar que medidas o normas jurídicas han sido elaboradas para luchar contra la discriminación hacia la mujer y promover la igualdad de género especialmente con relación al combate contra la violencia y la trata con fines de explotación sexual, el acceso a puestos de decisión, al mercado laboral y la seguridad social.

[informal translation provided by Argentina]

- The Secretary General have urged the Government of Madagascar to give absolute priority to the protection of the population, after dozens of people died as a result of serious riots that took place in the city of Antananarivo and other places. In this regard, Argentina wishes to ask what has done the government in order to stop this situation, and if those responsible for the deaths have been duly arrested and tried.
- Considering the appeal made by the Secretary General to the Government of Madagascar to respect human rights and the rule of law, Argentina would like to ask what measures have been taken by the government to respond to it, which are the effects of that measures and what actions remain to be taken in order to ensure the enjoyment of basic human rights.

- Argentina would like to ask what measures have been adopted or the government is planning to adopt, in order to achieve national unity, to ensure democratic elections and to obtain the restoration of democracy and the rule of law.
- According to what have been expressed by the CEDAW, Argentina would like to ask what legal measures or standards have been developed to combat discrimination against women and promote gender equality, especially regarding the trafficking for sexual exploitation, access to positions of decision, labor market and social security.

CZECH REPUBLIC

- How far is the process of ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment? How will be ensured on national level monitoring of conditions in prison and detention facilities?
- How is in its national legislation defined torture, does the definition comply with that in art 1 of the CAT?
- Does Madagascar consider issuing a standing invitation to human rights special procedures?
- How is on national level ensured comprehensive protection against discrimination with regard to women, persons of minority sexual orientation or gender identity and descendants of slaves? What measures are being adopted to fight violence against women, are there e.g. any shelters or restraining orders to assist victims and does the government use awareness raising campaigns against violence against women?
- How is ensured implementation of CRC in national legislation and practice? How is ensured birth registration of children? What specific measures have been adopted to eliminate child labour and fight sex tourism? What measures are being adopted to ensure protection of rights of children born as twins in south-eastern region, HIV/AIDS orphans, street children and girls – in particular in their effective access to education?

GERMANY

- Concerns have been raised by CEDAW and the Human Rights Committee on the high prevalence of violence against women and girls and that such violence is accompanied by a culture of silence and impunity. /What has the

government done to address all forms of violence against women? Has this been made a criminal offence as recommended by CEDAW? Do victims have access to redress and protection?

- In 2008, a law has established the National Human Rights Council, apparently to replace the National Human Rights Commission -- an institution that itself has not been in accordance with the Paris Principles. This new Council has not yet taken up function. What does the government plan to do to re-establish a national human rights institution in accordance with the Paris Principle as an important cornerstone to promote and protect human rights?
- According to stakeholders, access of young girls to education is still limited inter alia as a result of early pregnancies and extreme poverty as well as certain customs and traditional attitudes. What measures will the government undertake to address this issue?
- Treaty bodies and stakeholders have raised concern over the harsh conditions in prisons, including overcrowding, malnutrition and lack of hygiene. What measures does the government envisage to address this situation.

NORWAY

- How did Madagascar involve civil society organisations in the elaboration of its national report?
- What steps will Madagascar take to follow up and implement the recommendations of the Human Rights Council? How will the civil society and the UN be involved in this process?
- The establishment of the National Human Rights Committee has been severely delayed, partially due to the dissolution of the National Assembly following the coup in March 2009. What steps is Madagascar taking to ensure that the establishment of the Committee will take priority once a democratically elected parliament is in place?
- How is the work on the amendment of the Code of Communication progressing, and how will the amendment of this law improve the situation for media and press freedom in Madagascar?
- The Malagasy Constitution guarantees the rights to freedom of expression, association and assembly. However, interpretation of the laws concerning national security seems to make disproportionate restrictions on citizens' rights to freedom of expression, association and assembly. Will the government conduct constitutional reviews of these regulations and how they are implemented?

- The events of 7 February 2009 led to a high number of persons being killed. When will Madagascar set up an independent and impartial investigation of this event?
- What specific measures will Madagascar apply to improve conditions in Malagasy prisons, especially with regards to the disproportionately high ratio of prisoners on remand?
- How is the work on the law abolishing the death penalty progressing?
- Norway takes note of the national report where Madagascar states its determination in addressing remaining problems such as discrimination, maltreatment and violence against women, including those issues arising from cultural traditions and stereotypes. Beyond seeking financial and technical assistance from the international community, how can Madagascar ensure that sufficient human capacity and resources are available to implement its international and national commitments to promote gender equality and bring about changes in traditional attitudes and in gender stereotyping?
- What steps will Madagascar take to increase the participation of women in political life?

SWITZERLAND

- Quelles sont les mesures prévues par les différents partis afin de surmonter la crise politique actuelle ?
- En ce qui concerne les principaux instruments universels relatifs aux droits de l'homme, Madagascar considère-t-il ratifier davantage de protocoles facultatifs ? (à savoir le deuxième protocole facultatif au Pacte international relatif aux droits civils et politiques ainsi que le protocole facultatif à la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes ?)
- Par rapport à la liberté d'expression et les événements de février 2009, quelles sont les mesures prévues par le Gouvernement malgache pour assurer le plein respect des normes juridiques internationales aux fins de mettre un terme à l'impunité des agents de l'Etat auteurs de violations des droits de l'homme ?
- Nous apprécierions toute information sur les mesures prévues en vue d'améliorer les conditions générales de détention.
