

MADAGASCAR 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Madagascar is a semipresidential democratic republic with a popularly elected president, a bicameral legislature (Senate and National Assembly), prime minister, and cabinet. A presidential election was held in November 2018, with a two-candidate run-off in December 2018. The winner, Andry Rajoelina, took office in January 2019. Independent observers judged the election to be generally free and fair, despite several candidates' allegations of irregularities in the electoral process, including voter suppression. Legislative elections took place in late May 2019. Observers judged these elections to be generally free and fair, with some irregularities. In December, Senate elections, the governing parties won all seats since opposition parties boycotted. Observers judged the Senate elections to be generally free and fair.

National police, under the authority of the Ministry of Public Security, are responsible for maintaining law and order in urban areas. The gendarmerie and military report to the Ministry of National Defense. The gendarmerie is responsible for maintaining law and order in rural areas at the village level, protecting government facilities, and operating a maritime police contingent. The military is also active in rural areas, particularly in maintaining order in areas affected by cattle rustling and banditry. Civilian authorities at times did not maintain effective control over the security forces. Members of the security forces committed numerous abuses.

Significant human rights issues included: unlawful or arbitrary killings, including extrajudicial killings by government agents; torture and cases of cruel, inhuman, or degrading treatment or punishment by government agents; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; serious restrictions on free expression and the press, including unjustified arrests or prosecutions against journalists, censorship, and the existence of criminal libel laws; substantial interference with the freedom of peaceful assembly; serious acts of corruption; and lack of investigation of and accountability for violence against

MADAGASCAR

minimum wage, high unemployment and widespread poverty, exacerbated by the COVID-19 pandemic, led workers to accept lower wages.

During the COVID-19 crisis, workers from various sectors complained of lack of protections and disrespect of sanitary rules in the workplace. Employees of private companies, such as call centers, reported their employers failed to provide appropriate face masks and hand sanitizer while many of them were working in crowded conditions, making social distancing impossible. Agents of the public-health sector, including doctors and paramedics, demanded adequate training and more appropriate protection. In July, one union leader reported 100 health workers had been infected and that 10 had died from COVID-19. He complained that as they needed to change their protective equipment at least three times a day; some of them had to disinfect, wash, and reuse their equipment.

Media and labor unions repeatedly raised the problem that employers were increasingly violating labor rights during the COVID-19 health crisis. During suspension of public transportation, some employers failed to provide transportation services as instructed by the government. Employees who did not have personal means to commute to work had to walk long distances.

In July labor unions reported that when the government limited working hours from 6 a.m. to 1 p.m. as part of its response to the COVID-19 pandemic some employers required their workers to work from 6 a.m. to 1 p.m. with no break. Some workers were required to work during weekends to complete their weekly 40 hours.

Ministry of Labor officials carried out surprise visits to several private companies before and at the beginning of the COVID-19 emergency period to enforce sanitary rules. They reported a number of infringements after those visits, but with no known measures taken against the employers. On June 30, the ministry announced the launch of a campaign in collaboration with the ILO to encourage compliance with OSH standards in private enterprises. Labor unions reported, however, that by the end of July labor inspections were uncommon due to continued COVID-19 restriction measures and insufficient efforts by labor inspectors.

On June 25, the Ministry of Labor issued an official notice allowing vulnerable

