











# Madagascar

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>50.0</b>	<b>11.7</b>	<b>54.4</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Madagascar, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Antananarivo). The scores for Madagascar are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	25.0	75.0	50.0	25.0	75.0	50.0	25.0	25.0	50.0	100.0
Supportive frameworks score	50.0	33.3	0.0	0.0	0.0	0.0	0.0	33.3	0.0	0.0
Expert opinions score	25.0	75.0	37.5	37.5	75.0	56.3	25.0	62.5	75.0	75.0

In summary, the **WBL 2.0 legal frameworks score** for Madagascar (50.0 out of 100.0) is lower than the global average (64.2) and lower than the Sub-Saharan Africa regional average (57.4). When it comes to laws affecting the size of a woman's pension, Madagascar obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Madagascar is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Madagascar may wish to consider introducing legislation on femicide, adopting comprehensive legislation on sexual harassment and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Madagascar (11.7 out of 100.0) is lower than the global average (39.5) and lower than the Sub-Saharan Africa regional average (24.5). Madagascar does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Madagascar is on the indicator measuring supportive frameworks affecting women's decisions to work. To improve on the Workplace indicator, Madagascar may wish to consider publishing guidelines on non-discrimination

based on gender in recruitment, publishing guidelines on flexible work arrangements and establishing a specialized body that receives complaints about gender discrimination in employment.

The **WBL 2.0 expert opinions score** for Madagascar (54.4 out of 100.0) is lower than the global average (65.7) and lower than the Sub-Saharan Africa regional average (54.6). Madagascar does not attain a perfect score on any of the WBL 2.0 expert opinion indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Madagascar is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Loi No. 2019-008 relative à la lutte contre les violences basées sur le genre, Arts. 2, 6, 12 et 17; Code Pénal, Art. 312
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	No	No applicable provisions could be located
Is there legislation on child marriage?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Loi no. 96-017 du 13 août 1996 modifiant la loi portant organisation et contrôle de la circulation; Décret no. 2013-349 du 22 mai 2013 relatif à la création de passeport électronique
Can a woman choose where to live in the same way as a man?	Yes	Loi no. 2007-022 du 20 août 2007 relative au mariage et aux régimes matrimoniaux, Art. 50
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do women and men have equal rights to confer citizenship to their spouses and their children?	No	Code de la nationalité malgache, Arts. 9, 22 and 29
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Code du Travail, Art. 261
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	No	Code du Travail, Arts. 85 et 93; Décret No. 62-152 du 28 Mars 1962, Arts. 7, 10 et 11
Can a woman work in a job deemed dangerous in the same way as a man?	No	Code du Travail, Art. 99; Décret No. 62-152 du 28 Mars 1962, Arts. 1 et 3
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	No	Loi no. 2007-022 du 20 août 2007 relative au mariage et aux régimes matrimoniaux, Art. 54
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Loi no. 2007-022 du 20 août 2007 relative au mariage et aux régimes matrimoniaux, Arts. 54 et 55
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Code du Travail, Art. 97
Are leave benefits for mothers paid solely by the government?	No	Code du Travail, Art. 97; Code de Prévoyance Sociale, Art. 157

Is there paid leave available to fathers?	No	No applicable provisions could be located
Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Arts. 95 and 97
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Loi No. 2004-004 du 26 juillet 2004, Art. 28; Décret No. 2008-532, Arts. 18, 23 et 24
Does the law establish any form of support to families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support to non-state childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Loi no. 2007-022 du 20 août 2007 relative au mariage et aux régimes matrimoniaux, Art. 59
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Loi no. 2007-022 du 20 août 2007 relative au mariage et aux régimes matrimoniaux, Arts. 117 et 118
Do sons and daughters have equal rights to inherit assets from their parents?	No	Loi no. 68-012 du 4 juillet 1968 relative aux successions, testaments et donations, Art. 83
Do male and female surviving spouses have equal rights to inherit assets?	No	Loi no. 68-012 du 4 juillet 1968 relative aux successions, testaments et donations, Art. 16 et 83
Does the law provide for the valuation of nonmonetary contributions?	Yes	Loi no. 2007-022 du 20 août 2007 relative au mariage et aux régimes matrimoniaux, Arts. 111, 112 et 116
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Loi no. 94-026 du 17 novembre 1994 Code de Prévoyance Sociale, Art. 268; Décret No. 2013-337 du 02 juillet 2013, Art. 1
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Loi no. 94-026 du 17 novembre 1994 Code de Prévoyance Sociale, Art. 268 et 287; Décret No. 2013-337 du 02 juillet 2013, Art. 1
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Code de Prévoyance Sociale, Arts. 36 et 269

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Stratégie Nationale de Lutte contre le Mariage d'Enfants 2017-2024; Centres d'Ecoute et de Conseils Juridiques (CECJ); Guide de Prise en Charge des Victimes des Violences Basées sur le Genre par la Police Judiciaire
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Ministère de la Population, de la Protection Sociale et de la Promotion de la Femme (MPPSPF)
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	No	Insufficient evidence located
<b>Mobility</b>		

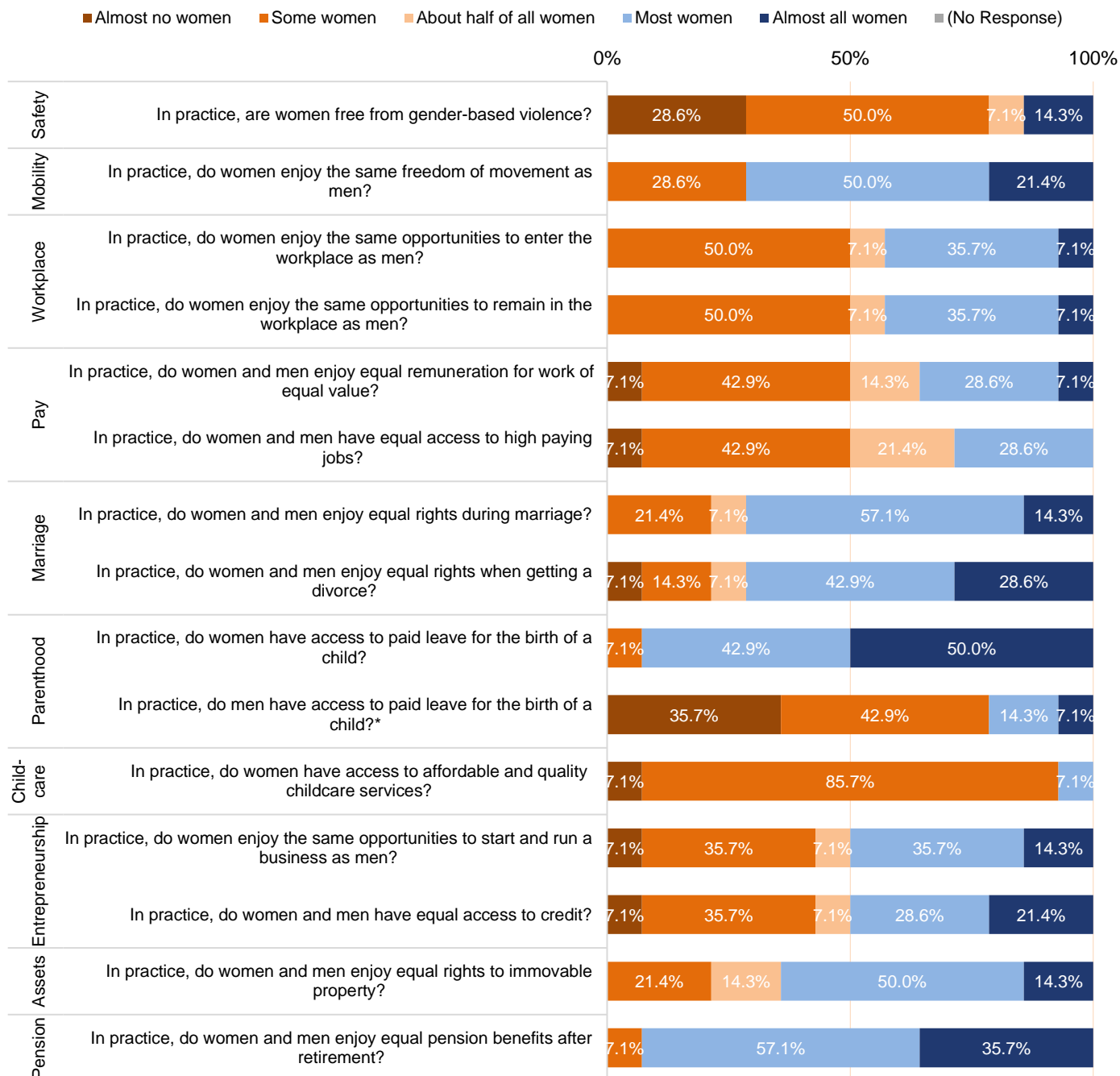
Are passport application processes the same for women and men?	No	Procédures de demande de passeport
Are the application processes for official identity documents the same for women and men?	Yes	Procédures de demande de carte nationale d'identité
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	No	Insufficient evidence located
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	No	Insufficient evidence located
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	No	Insufficient evidence located
Is legal aid available for family law disputes?	No	Insufficient evidence located
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	No	Insufficient evidence located
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	National Institute of Statistics, the Association GERA, the Groupement des Entreprises de Madagascar
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	No	Insufficient evidence located
Is there a current national government plan or strategy with a focus on women's access to financial services?	No	Insufficient evidence located
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	No	Insufficient evidence located
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
<b>Pension</b>		



Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	No	Insufficient evidence located

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.