



MADAGASCAR

Women, Business and the Law (WBL), in collaboration with the Global Financing Facility (GFF), has collected data on laws affecting women's and girls' access to sexual and reproductive health (SRH), as well as frameworks supporting their implementation. Data were collected through desk research and a questionnaire administered to country experts. The analysis is organized around five indicators. For each indicator, the legal framework is assessed based on domestic laws and regulations. The supportive framework is assessed based on instruments—such as national policies, strategies, and guidelines—that are currently in effect and support the implementation of these laws.

INDICATOR		WHAT DOES IT MEASURE?	
		<i>Legal Frameworks</i>	<i>Supportive Frameworks</i>
	SRH rights	Right to SRH; guaranteed access to free SRH services without discrimination	Existence and contents of an operational SRH policy or strategy
	Violence against women and girls (VAWG)	Prohibition of female genital mutilations (FGM)	Adoption of measures to eradicate FGM
	Family planning	Absence of legal restrictions on SRH services, such as the need for consent from a husband, male guardian, parent or third party	Family planning guidelines or protocols
	Comprehensive sexuality education (CSE)	Legal mandates for CSE in schools	Guidelines for delivery of CSE in schools
	Right to education	Girls' legal right to attend school during pregnancy and after childbirth	Policies to keep girls in school and allow pregnant and parenting students to attend school

LEGAL AND SUPPORTIVE FRAMEWORKS

Madagascar has a comprehensive and defined framework for:

SRH RIGHTS

The legal right to SRH is guaranteed under *Loi N° 2017-043 fixant les règles générales régissant la santé de la reproduction et la planification familiale*, which also guarantees access to SRH services. Additionally, the law prohibits discrimination in access to SRH services based on sex or gender, age, or marital status.

The *Plan d'Action National Budgétisé en Planification Familiale à Madagascar 2021-2025* outlines measures for implementing, monitoring, and advocating for family

planning services. The plan includes the provision of SRH services and awareness campaigns among its strategic, budgeted actions.

FAMILY PLANNING

No provisions in the law require women to obtain consent from their husband or male guardian, or adolescents to obtain parental or a legal guardian's consent to access SRH services. Similarly, the law does not require any third-party consent that may restrict access to SRH.

The *Normes et Procédures en Santé de la Reproduction* set out standards for providing family planning services to women, men, and youth.

POLICY OPPORTUNITIES

The data reveal gaps in Madagascar's legal and supportive frameworks across the five indicators assessed. Strengthening these frameworks can help accelerate the country's progress toward gender equality and to improve health outcomes for women, children, and adolescents.

Madagascar may wish to consider translating the following gaps into policy opportunities:

SRH RIGHTS

Although the law guarantees access to SRH services, it does not guarantee free provision.

VIOLENCE AGAINST WOMEN AND GIRLS

FGM and cross-border FGM are not criminalized under the law, and the government has not adopted any measures aimed at eradicating FGM.

FAMILY PLANNING

The law does not guarantee access to SRH services in case practitioners raise conscientious objections.

COMPREHENSIVE SEXUALITY EDUCATION

The law does not mandate the provision of CSE in schools and the government has not published any guidelines for the delivery of CSE in schools.

RIGHT TO EDUCATION

Girls do not have the legal right to attend school during pregnancy and after childbirth. Similarly, the government has not adopted any policies to keep girls in school, to allow pregnant students to attend school, or to allow adolescent parenting students to attend school.

WBL SRH LEGAL FRAMEWORKS DATA

	QUESTION	ANSWER	LEGAL BASIS
SRH Rights	1.1 Does the law provide for the right to sexual and reproductive health?	Yes	Loi N° 2017-043 fixant les règles générales régissant la santé de la reproduction et la planification familiale, Art. 3
	1.2 Does the law guarantee access to sexual and reproductive health services?	Yes	Loi N° 2017-043 fixant les règles générales régissant la santé de la reproduction et la planification familiale, Art. 5
	1.2.1 If the answer to question 1.2 is Yes, does the law guarantee access to sexual and reproductive health services free of cost?	No	No applicable provisions could be located
	1.3 Does the law prohibit discrimination in access to sexual and reproductive health services based on sex/gender?	Yes	Loi N° 2017-043 fixant les règles générales régissant la santé de la reproduction et la planification familiale, Art. 3
	1.4 Does the law prohibit discrimination in access to sexual and reproductive health services based on age?	Yes	Loi N° 2017-043 fixant les règles générales régissant la santé de la reproduction et la planification familiale, Art. 3
	1.5 Does the law prohibit discrimination in access to sexual and reproductive health services based on marital status?	Yes	Loi N° 2017-043 fixant les règles générales régissant la santé de la reproduction et la planification familiale, Art. 3
VAWG	2.1 Does the law criminalize FGM?	No	No applicable provisions could be located
	2.1.1 If the answer to question 2.1 is Yes, is the individual performing the FGM procedure criminally responsible?	N/A	
	2.1.2 Is a parent or legal guardian criminally responsible for allowing FGM to be performed on a minor under their legal custody?	N/A	
	2.2 Does the law criminalize cross-border FGM?	No	No applicable provisions could be located
Family Planning	3.1 Is the law free of provisions requiring a husband or male guardian to consent for a woman to access sexual and reproductive health services?	Yes	Loi N° 2017-043 fixant les règles générales régissant la santé de la reproduction et la planification familiale, Art. 4
	3.2. Is the law free of provisions requiring parental or a legal guardian's consent for an adolescent to access sexual and reproductive health services?	Yes	No applicable provisions could be located
	3.3 Is the law free of provisions requiring any other form of third-party consent to access sexual and reproductive health services?	Yes	No applicable provisions could be located
	3.4 Does the law guarantee sexual and reproductive service delivery in case practitioners raise conscientious objections?	No	No applicable provisions could be located
CSE	4.1 Does the law mandate comprehensive sexuality education (CSE) in schools?	No	No applicable provisions could be located
Right to Education	5.1 Does the law provide for the right of pregnant girls to attend school?	No	No applicable provisions could be located
	5.2 Does the law provide for the right of adolescent girls to attend school after childbirth?	No	No applicable provisions could be located

WBL SRH SUPPORTIVE FRAMEWORKS DATA

	QUESTION	ANSWER	SOURCE
SRH Rights	1.1 Has the government adopted a sexual and reproductive health policy or strategy?	Yes	Plan d'Action National Budgétisé en Planification Familiale à Madagascar 2021-2025
	1.1.1 If the answer to question 1.1 is Yes, does the policy or strategy include the provision of sexual and reproductive health services among its targets/strategic actions?	Yes	Plan d'Action National Budgétisé en Planification Familiale à Madagascar 2021-2025
	1.1.2 If the answer to question 1.1 is Yes, does the policy or strategy include awareness campaigns among its targets/strategic actions?	Yes	Plan d'Action National Budgétisé en Planification Familiale à Madagascar 2021-2025
VAWG	2.1 Has the government adopted measures aimed at eradicating FGM?	No	Insufficient evidence located
Family Planning	3.1. Has the government published guidelines on family planning?	Yes	Normes et Procédures en Santé de la Reproduction
CSE	4.1 Has the government published guidelines for the delivery of CSE in schools?	No	Insufficient evidence located
Right to Education	5.1 Has the government adopted policies to keep girls in schools?	No	Insufficient evidence located
	5.2 Has the government adopted policies to allow pregnant students to attend school?	No	Insufficient evidence located
	5.3 Has the government adopted policies to allow adolescent parenting students to attend school?	No	Insufficient evidence located

