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# Public Administration Country Profile

Division for Public Administration and Development Management (DPADM) Department of Economic and Social Affairs (UNDESA) United Nations

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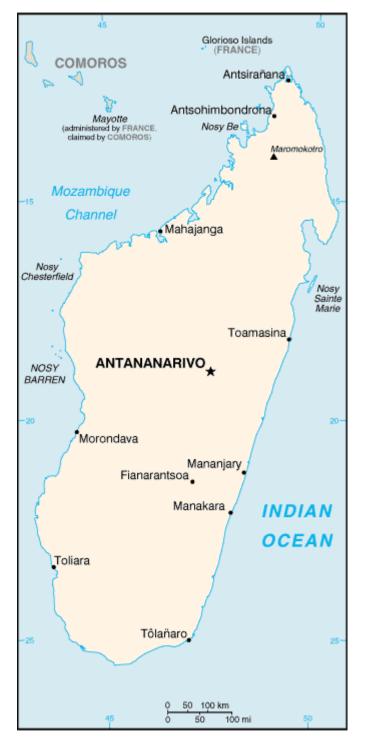
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# MADAGASCAR

Click here for map of Africa



Source: The World Factbook - Madagascar

Government type Republic

Independence 26 June 1960 (from France)

#### **Constitution**

19 August 1992 by national referendum; amended 1995 and 1998 (in brief)

#### Legal system

Based on French civil law system and traditional Malagasy law; has not accepted compulsory International Court of Justice jurisdiction

#### Administrative divisions

6 provinces Source: <u>The World Factbook</u> - <u>Madagascar</u>

A decade with occasions of political instability began in 1991, with seven months of national strikes that led to economic paralysis. The economic reform process was blocked until the mid-1990s due to tensions in the political system. Between 1997 and 2001, Madagascar experienced a period of robust growth.

The contested presidential elections (December 2001) led to a seven-month standoff which led to sharp reductions in trade and economic activity. GDP contracted by about 12 percent in 2002.

Source: World Bank (Madagascar) -Report (June 27, 2003) (edited)

# 1. General Information

1.1 People	Madagascar	Mozambique	Tanzania	1
Population				а
Total estimated population (,000), 2003	17,404	18,863	36,977	
Female estimated population (,000), 2003	8,746	9,778	18,661	
Male estimated population (,000), 2003	8,658	9,085	18,316	
Sex ratio (males per 100 females), 2003	99	93	98	
Average annual rate of change of pop. (%), 2000-2005	2.84	1.75	1.93	
Youth and Elderly Population		·		b
Total population under age 15 (%), 2003	45	44	45	
Female population aged 60+ (%), 2003	5	6	4	
Male population aged 60+ (%), 2003	4	5	4	
Human Settlements				с
Urban population (%), 2001	30	33	33	
Rural population (%), 2001	70	67	67	
Urban average annual rate of change in pop. (%), '00-'05	4.92	5.11	5.3	
Rural average annual rate of change in pop/ (%), '00-'05	1.89	-0.04	0.73	
Education				d
Total school life expectancy, 2000/2001	6.1 <sup>i</sup>	5.8	5	1
Female school life expectancy, 2000/2001	6 <sup>i</sup>	4.9	5	1
Male school life expectancy, 2000/2001	6.3 <sup>i</sup>	6.7	5.1	1
Female estimated adult (15+) illiteracy rate (%), 2000	40.3	71.3 <sup>ii</sup>	33.5	2
Male estimated adult (15+) illiteracy rate (%), 2000	26.4	40 <sup>ii</sup>	16.1	2
Employment				е
Unemployment rate (15+) (%), 2000				1
Female adult (+15) economic activity rate (%), 2000				2
Male adult (+15) economic activity rate (%), 2000				2

Notes: 1998/1999; 1997

1.2 Economy	Madagascar	Mozambique	Tanzania	2
GDP				а
GDP total (millions US\$), 2002	4,514	3,920	9,383 <sup>i</sup>	
GDP per capita (US\$), 2002	275	213	267 <sup>i</sup>	
PPP GDP total (millions int. US\$), 2002	12,073		19,589 <sup>ii</sup>	
PPP GDP per capita(int. US\$), 2002	735		557"	
Sectors	_			b
Value added in agriculture (% of GDP), 2003	29.2	23.5 <sup>iii</sup>	43.4	
Value added in industry (% of GDP), 2003	15.4	34.0 <sup>iii</sup>	16.9	
Value added in services (% of GDP), 2003	55.5	42.5 <sup>iii</sup>	39.8	
Miscellaneous	_			с
GDP implicit price deflator (annual % growth), 2003	2.8	12.6	5.7	
Private consumption (% of GDP), 2003	83.0	77.3	79.1	
Government consumption (% of GDP), 2003	9.2	11.5	11.4	

Notes: <sup>1</sup> Estimate is based on regression; other PPP figures are extrapolated from the latest International Comparison Programme benchmark estimates; <sup>II</sup> Data refer to mainland Tanzania only; <sup>III</sup> 2002

<sup>&</sup>lt;sup>1</sup> United Nations Statistics Division:

<sup>a <u>Statistics Division and Population Division of the UN Secretariat</u>; <sup>b</sup> <u>Statistics Division and Population Division of the UN Secretariat</u>; <sup>c</sup> <u>Population Division of the UN Secretariat</u>; <sup>d1</sup> <u>UNESCO</u>; <sup>d2</sup> <u>UNESCO</u>; <sup>e1</sup> <u>ILO</u>; <sup>e2</sup> <u>ILO/OECD</u></sup> <sup>2</sup> <u>World Bank</u> - <u>Data and Statistics</u>:
<sup>a</sup> <u>Ouick Reference Tables</u>; <sup>b</sup> <u>Data Profile Tables</u>; <sup>c</sup> <u>Country at a Glance</u>

1.3 Public Spending	Madagascar	Mozambique	Tanzania	-
Public expenditures				3
Education (% of GNP), 1985-1987	1.9 <sup>i</sup>	2.1		а
Education (% of GNP), 1995-1997	1.9			а
Health (% of GDP), 1990		3.6	1.6	
Health (% of GDP), 1998	1.1	2.8	1.3	
Military (% of GDP), 1990	1.2	10.1	2 <sup>ii</sup>	b
Military (% of GDP), 2000	1.2	2.5	1.3 <sup>iii</sup>	b
Total debt service (% of GDP), 1990	7.2	3.2	4.2	
Total debt service (% of GDP), 2000	2.4	2.3	2.4	

Notes: <sup>1</sup> Data do not include expenditure on tertiary education; <sup>ii</sup> 1991; <sup>iii</sup> 1999

1.4 Public Sector Employm	ent and Wag	es				-
Data from the latest year available		Madagascar 1991-1995	Madagascar 1996-2000	Sub-Saharan Africa average <sup>4</sup> 1996-2000	Non- Francophone Africa average <sup>4</sup> 1996-2000	Low income group average <sup>4</sup> 1996-2000
Employment						
Civilian Central Government <sup>5</sup>	(,000)	95.0	33.96			
Civilian Central Government	(% pop.)	0.74	0.23	0.30	0.38	0.46
Sub-national Government <sup>5</sup>	(,000)		0.00			
Sub-national Government	(% pop.)		0.00	0.30	0.38	0.46
Education employees	(,000)		61.19			
Education employees	(% pop.)		0.41	0.62	0.78	0.91
Health employees	(,000)		13.3			
health employees	(% pop.)		0.09	0.29	0.20	0.62
Police	(,000)		13.38			
Police	(% pop.)		0.09	0.07		0.30
Armed forces	(,000)	21.0	21.8			
Armed forces	(% pop.)	0.16	0.14	0.26	0.31	0.33
	(,000)	35.0				
SOE Employees	(% pop.)	0.27				13.10
Total Dublia Employment	(,000)					
Total Public Employment	(% pop.)					
Wages						
Total Central gov't wage bill	(% of GDP)		3.3	6.1	6.9	5.4
Total Central gov't wage bill	(% of exp)	18.3	18.2	28.9	26.4	24.7
Average gov't wage	(,000 LCU)		6,640			
Real ave. gov't wage ('97 price)	(,000 LCU)		5,688			
Average gov't wage to per capita	GDP ratio		4.3	4.8	2.8	4.4

Source: World Bank - Public Sector Employment and Wages

<sup>&</sup>lt;sup>3</sup> <u>UNDP</u> - <u>Human Development Report 2002</u> <sup>a</sup> Data refer to total public expenditure on education, including current and capital expenditures.

 <sup>&</sup>lt;sup>a</sup> Data refer to total public expenditure on education, including current and capital expenditures.
 <sup>b</sup> As a result of a number of limitations in the data, comparisons of military expenditure data over time and across countries should be made with caution. For detailed notes on the data see SIPRI (2001).
 <sup>4</sup> Averages for regions and sub regions are only generated if data is available for at least 35% of the countries in that region or sub region.
 <sup>5</sup> Excluding education, health and police – if available (view <u>Country Sources</u> for further explanations).

## 2. Legal Structure

The structure of the State includes:

- The legislative power, formed by the National Assembly and the Senate;
- The executive power, consisting of the President of the Republic and the Government;
- The judicial power, exercised by the Administrative and Financial Constitutional Court, the Supreme Court, Courts of Appeal, Tribunals, and the High Court of Justice.

Source: Constitution of the Republic of Madagascar (1992)<sup>fg</sup>

Fact box:

held 2006)

elections: National

Assembly - last held 15

December 2002 (next to be

election results: National Assembly - seats by party -

TIM 103, FP 22, AREMA 3,

LEADER/Fanilo 2, RPSD 5,

others 3, independents 22

#### 2.1 Legislative Branch

Bicameral Parliament; National Assembly or Assemblée Nationale (160 seats); Senate or Sénat (100 seats; two-thirds of the seats filled by regional assemblies whose members will be elected by popular vote; the remaining one-third of the seats appointed by the president; all members will serve four-year terms).<sup>h</sup> women in parliament: 6 out of 160 seats: (4%). 10 out of 90 seats (11%).<sup>i</sup>

The National Assembly and the Senate constitutes Parliament.

The members of the National Assembly have the title of Deputies of Madagascar. They are elected by direct universal suffrage for four-year terms.

Source: Constitution of the Republic of Madagascar (in French)

<u>Click here</u> for Organic Law No. 2000-025 on the organization and functions of the National Assembly.

The Law, dated 8 April 1998, on revision of the Constitution, provides for the creation of a Senate. The ordinance dated

December 28th, 2000 on the organic law in respect of the Senate, and the decree dated January 8th, 2001, have provided for the setting up of this Senate. The essential responsibility of the Senate is to represent the autonomous provinces. It also has been designed as an advisory body for the Government on economic, social and territorial issues.

The Senate consists of 90 Senators, of whom:

60 (two-thirds) elected, ten senators from each of the six autonomous provinces. The electoral college is composed of the provincial councilors, elected by direct universal suffrage, and mayors of the provinces;

30 (one-third) appointed by the President on the basis of their special expertise in legal, economic, social or cultural matters.

The term of office of senators is 6 years.

s, elec

<sup>&</sup>lt;sup>f</sup> The new Constitution was drafted by the multiparty conference National Front and received a 70 percent approval in the referendum on 19 Aug 1992 (ICL – Madagascar Index).

<sup>&</sup>lt;sup>g</sup> <u>Constitution of the Republic of Madagascar (in French)</u> with 1995 and 1998 amendments. Articles 53, 61, 74, 75, 90, 91, and 94 revised in 1995.

<sup>&</sup>lt;sup>h</sup> Source of fact boxes if nothing else stated: <u>The World Factbook</u> - <u>Madagascar</u>

Inter-Parliamentary Union - Women in National Parliaments

The Prime Minister, together with senators and deputies, has the right to propose legislation.

Source: Sénat (Sénats du Monde) - The Senate of Madagascar

#### 2.2 Executive Branch

*cabinet:* Council of Ministers appointed by the prime minister *elections:* President elected by popular vote for a five-year term; election last held 16 December 2001 (next to be held November 2006); prime minister appointed by the president

Madagascar's President is elected by direct, universal suffrage for a five-year term, which is renewable twice. The President is responsible for matters of national sovereignty such as foreign affairs and national defence.

The President appoints the Prime Minister, who in turn appoints his cabinet of ministers with the approval of, and in consultation with, the President. The Prime Minister and his Cabinet constitute the Council of Government. The President, the Prime Minister and the Cabinet together constitute the executive branch.

Fact box: chief of state: President Marc RAVALOMANANA (since 6 May 2002) head of government: Prime Minister Jacques SYLLA (27 May 2002) election results: Didier RATSIRAKA (AREMA) 37.7%, Marc RAVALOMANANA (TIM) 50.5%

The constitutional framework provides for the possibility for

the National Assembly, with the approval of the Senate, to impeach and remove the President. The President and the Council of Government can dissolve the National Assembly by decree.

Source: <u>European Commission (Development)</u> - <u>Madagascar</u> See also: <u>Constitution of the Republic of Madagascar (in French)</u>

#### 2.3 Judiciary Branch

Supreme Court or Cour Supreme; High Constitutional Court or Haute Cour Constitutionnelle.

Madagascar's judiciary is based on the French system<sup>i</sup>:

- Courts of First Instance hear civil cases and criminal cases carrying limited fines and sentences.
- The Court of Appeals (*Cours d'Appel*) includes a criminal court of first instance for cases carrying sentences greater than 5 years.
- The Supreme Court (*Cour Suprême*) consists of the Court of Cassation (*Cour de Cassation*), the Council of State (*Conseil d'Etat*) and the Court of Accounts (Cour des Comptes). The Supreme Court hears cases on appeal from the Court of Appeals.
- The High Constitutional Court (*Haute Cour Constitutionnelle*) reviews the constitutionality of laws, decrees, and ordinances and certified election results.
- High Court of Justice (*Haute Cour de Justice*).

The judiciary also includes specialized courts designed to handle specific matters such as cattle theft.

Source: U.S. Department of State (Human Rights) - Madagascar (2003) See also: <u>Constitution of the Republic of Madagascar (in French</u>)

<sup>&</sup>lt;sup>j</sup> European Commission (Development) - Madagascar

#### 2.4 Local Government

Malagasy territorial administration comprises five main levels: provinces (6), regions (28), districts (111), communes (1,392), and villages (app. 14,000). The establishment of decentralized governments at the commune level (1995) and at the provincial level (2001) challenged the dominant role of the central administration. The regions, although they were also granted constitutional status in 1998, have not been established yet. Districts, in contrast, are the key level of deconcentrated social service delivery; they represent the most important interface between the central administration and the service facility. Although these different levels have been defined in broad terms, the exact extent of their competencies and the nature of their inter-relations remain uncertain.

The 1998 constitution formally grants strong legal and political autonomy to provincial governments, including the right to establish "provincial constitutions" (*lois organiques*) covering the areas of finance and control. It also gives them the right to determine the functions as well as the fiscal, administrative, and control frameworks of lower level governments. In addition provinces were assigned the right to negotiate their competencies directly with central government in a negotiating forum, the *Conference Inter-Provinciale* (CIP).

Unlike communes and regions, which enjoy the status of "decentralized territorial entities" (*Collectivités territoriales décentralisées*) provinces are more broadly defined as regular "legal public entities"<sup>k</sup>. Competencies, control mechanisms, revenue assignments, and transfer systems to lower level governments are placed directly under the legislation and oversight of the province.

In the aftermath of the 2002 political crisis the new government de facto reversed the prevailing policy based on autonomous provinces.<sup>1</sup> Hence, Madagascar remains a very centralized country, both administratively and fiscally.

Source: World Bank (Madagascar) - Decentralization (November 5, 2003) (edited)

<sup>&</sup>lt;sup>k</sup> Article 126 of the Constitution

<sup>&</sup>lt;sup>1</sup> Communes today operate de facto under the laws of 1994-1995

# 3. The State and Civil Society

#### 3.1 Ombudsperson

Source: Institution - Title

#### 3.2 NGOs

A 1997 study for the Technical Centre for Agricultural and Rural Cooperation (CTA) calculated that in Madagascar there are more than 2,000 NGOs and associations, with more than 600 in the capital Antananarivo alone.

Source: CTA - SPORE: "Who owns civil society?" (February 1999)

#### 3.3 Civil Society

Source: Institution - Title

## 4. Civil Service

#### 4.1 Legal basis

#### Law No. 2003-011 of 3 September 2003 concerning the general status of civil servants.

Journal officiel, 2003-09-15, no 2858, pp. 2933-2944

Recognizes the right of civil servants to be affiliated with and to form unions [art. 9], as well as the right to strike [art. 11]. Contains provisions on remuneration.

Title I: General provision; Title II: Rights and obligations of civil servants; Title III: Recruitment; Title IV: Probation and establishment; Title V: Professional training; Title VI: Remuneration and benefits; Title VII: Consultative bodies, advancement, reward, discipline; Title VIII: Regulatory positions; Title IX: Termination; Title X: Transitional provisions; Title XI: Various provisions

The Act repealed Ordinance No. 93-019 of 30 April 1993 (click here).

Decree No. 2003-937 implements article 13 of the 2003 civil service law regarding the obligations of civil servants (i.e. punctuality, assiduity, honesty and neutrality). Source: International Labour Organization (NATLEX) - Madagascar: Public and Civil Servants

#### 4.2 Recruitment

Source: Institution - Title

#### 4.3 Promotion

Source: Institution - Title

#### 4.4 Remuneration

During most of the 1990s the wage bill declined about 16 percent and about 27 percent since the mid-1980s. The explanation for this deterioration lies with nominal wages not being able to keep up with inflation. In fact, the share of the wage bill in total government expenditures declined from about 34 percent in 1985 to 18 percent in 1994, only to recover to about 20 percent in 1997, denoting that the remuneration of civil servants was an important policy variable. In 1997 the wage bill rose in real terms by 5 percent.

Source: World Bank (Madagascar) - Country Economic Memorandum (October 14, 1998)

#### 4.5 Training

At the present stage (2003) the capacity of local training institutions to deliver professional training in particular in the areas of public finance management, general administration, monitoring & evaluation, legal and judicial reforms is limited. To reduce Madagascar's dependency on costly overseas training the Government has begun to upgrade some of the key institutions and to enhance their capacity. It has made available to the National School for Magistrates and Clerks of the Court (*Ecole Nationale de la Magistrature et des Greffes*, ENMG)<sup>m</sup> new facilities which would

<sup>&</sup>lt;sup>m</sup> See page 40 of the source for more information

enable the school to significantly enhance its training program. Similar plans exists for other institutions such as the National School of Administration (*Ecole Nationale & Administration de Madagascar*, ENAM) and the National Center for Administrative Training (*Centre National de Formation Administrative*, CNFA).

The ENAM was created 20 years ago as the key training institutions for the public servants. The school is focusing on professional training and development; different types of basic training and continuing education are provided for administrators and inspectors in the civil service. The school is organized as a public institution (*établissement public a caractère administratif, EPA*); it receives its funding from the Government budget.

The CNFA was founded in 1963. Its main objective is the basic training (two years) of middle level candidates for the civil service in Madagascar. It is the principle training institution for technical level staff of the administration. It is also involved in continuing education for the technical levels of the administration. Over the years, CNFA has trained more than 3,000 civil servants, mainly revenue agents, financial management specialist and administrators in all branches of Government. CNFA is organized as a public institution attached to the Civil Service Ministry.

Distance learning is a fairly recent concept for Madagascar. The first center to allow for such activities is the National Distance Learning Center of Madagascar (*Centre National de Tele-Enseignement de Madagascar*, CNTEMAD), founded in 1992 and affiliated with the University of Antananarivo, which offers multilevel correspondence courses to students located throughout the country.

Source: World Bank (Madagascar) - Project Appraisal Document (October 22, 2003)

#### 4.6 Gender

Article 5 of Act No. 2003-011 of 3 September 2003 stipulates that "in the implementation of these regulations, no discrimination shall be practiced on grounds of sex, religion, opinion, origin, kinship, financial situation, political beliefs or membership of a trade union."

Source: OHCHR - Eighteenth periodic reports of States parties due in 2002: Madagascar 01/04/2004

# 5. Ethics and Civil Service

#### 5.1 Corruption

2003 CPI Score relates to perceptions of the degree of corruption as seen by business people and country analysts and ranges between 10 (highly clean) and 0 (highly corrupt).

Corruption Perceptions Index							
		2003 CPI Score	Surveys Used	Standard Deviation	High-Low Range	Number Inst.	90 percent confidence range
Rank	Country						
1	Highly clean	9.7	8	0.3	9.2 - 10.0	4	9.5 - 9.9
88	Madagascar	2.6	3	1.8	1.2 – 4.7	3	1.2 – 3.7
133	Highly corrupt	1.3	8	0.7	0.3 - 2.2	6	0.9 - 1.7

Source: Transparency International - Corruption Perceptions Index 2003

**Surveys Used:** Refers to the number of surveys that were used to assess a country's performance. 17 surveys were used and at least 3 surveys were required for a country to be included in the CPI.

**Standard Deviation:** Indicates differences in the values of the sources. Values below 0.5 indicate agreement, values between 0.5 and c. 0.9 indicate some agreement, while values equal or larger than 1 indicate disagreement.

High-Low Range: Provides the highest and lowest values of the sources.

**Number Institutions:** Refers to the number of independent institutions that assessed a country's performance. Since some institutions provided more than one survey.

**90 percent confidence range:** Provides a range of possible values of the CPI score. With 5 percent probability the score is above this range and with another 5 percent it is below.

The Government of Madagascar has established an Anti-Corruption Commission (*Conseil Supkrieure de Lutte contre la Corruption*) which is placed under the authority of the President. The Commission will develop and coordinate the Government's program. In addition, the Government has passed a decree which requires public and elected officials to regularly declare all their assets and those of their close relatives, regardless of where these assets are held (decree 2002/1127). In response to the significant overspending of the President's special find under the old regime the new Government has mandated the Auditor General to conduct regular, semi-annual audits of all special funds.

Source: World Bank (Madagascar) - Project Appraisal Document (October 22, 2003) (edited)

An anti-corruption task force was created (decree 2002/1128) with clearly identified terms of reference as specified in the Amendment to the Development Credit Agreement and a free telephone line is available to the general public to report acts of corruption.

Source: World Bank (Madagascar) - Implementation Completion Report (June 20, 2003)

#### 5.2 Ethics

<u>Click here</u> for the Code of Ethics for civil servants (in French)

Source: Code de Déontologie des Agents Civils de l'Etat

## 6. e-Government

#### e-Government Readiness Index:

The index refers to the generic capacity or aptitude of the public sector to use ICT for encapsulating in public services and deploying to the public, high quality information (explicit knowledge) and effective communication tools that support human development.

The index is comprised of three sub-indexes: Web Measure Index, Telecommunications Infrastructure Index and Human Capital Index.

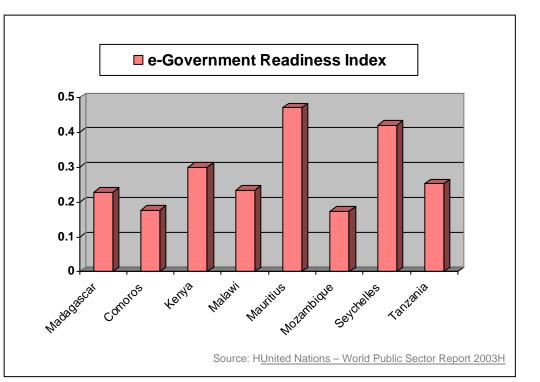
#### Web Measure Index:

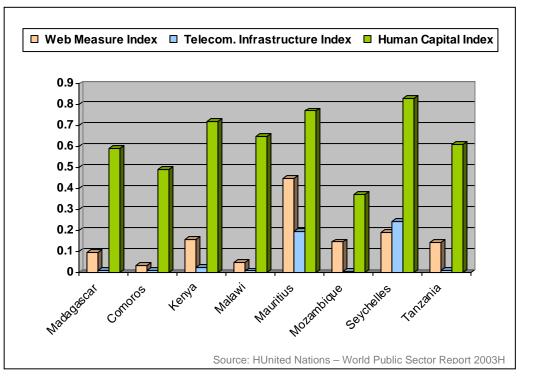
A scale based on progressively sophisticated web services present. Coverage and sophistication of stateprovided e-service and e-product availability correspond to a numerical classification.

#### Telecommunications Infrastructure Index:

A composite, weighted average index of six primary indices, based on basic infrastructural indicators that define a country's ICT infrastructure capacity.

Primary indicators are: PC's, Internet users, online population and Mobile phones. Secondary indicators are TVs and telephone lines.





#### Human Capital Index:

A composite of the adult literacy rate and the combined primary, secondary and tertiary gross enrolment ratio, with two thirds of the weight given to adult literacy and one third to the gross enrolment ratio.

#### e-Participation Index:

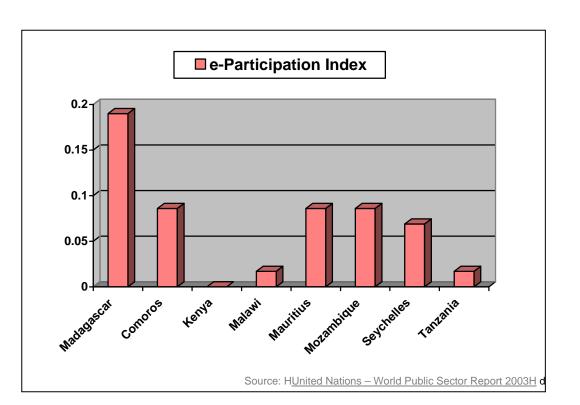
Refers to the willingness, on the part of the government, to use ICT to provide high quality information (explicit knowledge) and effective communication tools for the specific purpose of empowerring people for able participation in consultations and decision-making both in their capacity as consumers of public services and as citizens.

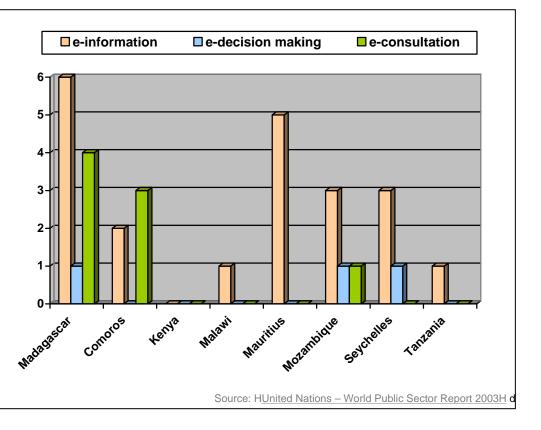
#### e-information:

The government websites offer information on policies and programs, budgets, laws and regulations, and other briefs of key public interest. Tools for disseminating of information exist for timely access and use of public information, including web forums, e-mail lists, newsgroups and chat rooms.

#### e-decision making:

The government indicates that it will take citizens input into account in decision making and provides actual feedback on the outcome of specific issues.





#### e-consultation:

The government website explains e-consultation mechanisms and tools. It offers a choice of public policy topics online for discussion with real time and archived access to audios and videos of public meetings. The government encourages citizens to participate in discussions.

# 7. Links

7.1 National sites	
Authority	Торіс
National Assembly	http://www.assemblee-nationale.mg/
Government	http://www.madagascar.gov.mg/
Ministry of Economy, Finance and Budget	http://www.mefb.gov.mg
Ministry of Justice	http://www.justice.gov.mg/
Constitutional Court	http://www.simicro.mg/hcc/
Laws adopted (1994-2003)	http://www.assemblee-nationale.mg/fr/index.htm

7.2 Miscellaneous sites	
Institution	Торіс
African Development Bank (ADB)	http://www.afdb.org/
African Training and Research Centre in Administration for Development (CAFRAD)	http://www.cafrad.org/
African Union (AU)	http://www.africa-union.org/
Droit Francophone	http://portail.droit.francophonie.org/index.epl
European Union (EU)	http://europa.eu.int/comm/development/ACP countries
International Labour Organization (ILO) - NATLEX	http://www.ilo.org/dyn/natlex/natlex_browse.home
New Partnership for Africa's Development (NEPAD)	http://www.nepad.org/
Observatoire des Fonctions Publiques Africaines (OFPA)	http://www.ofpa.net
United Nations Economic Commission for Africa (ECA)	http://www.uneca.org/
United Nations in Madagascar	http://www.onu.mg/
UNPAN	http://www.unpan.org/virtual_library-byregion.asp
USAID	http://www.usaid.gov/locations/madagascar/
World Bank (WB)	http://www.worldbank.org/mg