



# ID4D

## Country Diagnostic: Madagascar



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# Contents

<b>About ID4D .....</b>	<b>iii</b>
<b>Acknowledgments.....</b>	<b>iv</b>
<b>Abbreviations.....</b>	<b>v</b>
<b>Executive summary .....</b>	<b>viii</b>
<b>1. Introduction.....</b>	<b>1</b>
Objectives of the study.....	1
Economic and political context .....	1
<b>2. The status of identity management in Madagascar .....</b>	<b>3</b>
Institutional framework governing identity management .....	3
Legal framework.....	8
The civil registration process .....	8
Functional registers and other institutions that require proof of identity.....	20
Development partners.....	32
<b>3. Results and conclusions of the analysis .....</b>	<b>34</b>
Results .....	34
Conclusions.....	35
<b>4. Modernizing Madagascar's identity management system .....</b>	<b>37</b>
A framework for the modernization process.....	37
Roadmap scenarios .....	43
<b>Glossary .....</b>	<b>49</b>
<b>Annex A: Background information for Madagascar identity management systems analysis .....</b>	<b>51</b>
<b>Annex B: Table of Madagascar IMSA findings.....</b>	<b>52</b>
<b>Annex C: Participants in IMSA validation workshop, June 2016.....</b>	<b>54</b>
<b>Annex D: Documents reviewed .....</b>	<b>56</b>
<b>Annex E: Madagascar integrated ID-M model .....</b>	<b>57</b>
<b>Annex F: Legal framework report .....</b>	<b>58</b>
<b>Annex G: FID passport.....</b>	<b>80</b>
<b>Tables and figures</b>	
Table 1. Economic Data for Madagascar.....	2
Table 2. The Malagasy Identity Management System: Civil Registration and Identification .....	3
Table 3. Administrative, Judicial, and Electoral Structure in Madagascar .....	5
Table 4. Birth Registration of Children in Madagascar.....	13
Table 5. Documents Required for CIN Application .....	15
Table 6. Attributes of Different Types of Functional Register .....	20

Table 7. Services Delivered by the EDBM, 2015–2016.....	22
Table 8. Documents Required at the Time of Registration for a Fiscal Identifier.....	25
Table 9. Functional Registers Relying on Identity Credentials.....	34
Table 10. Possible Timeline for Scenario I.....	44
Table 11. Possible Timeline for Scenario III.....	47
Map 1: Madagascar and Its 22 Regions .....	4
Figure 1: Civil Registration Process in Madagascar .....	10
Figure 2: Birth Registration Process in Madagascar.....	11
Figure 3: CIN Application Process in Madagascar.....	16
Figure 4: Objectives of the Programme Nationale pour l'E-Gouvernance .....	18
Figure 5: Summary of the Number of Students in Education in Madagascar .....	30
Figure 6: The Legal and Collaborative Foundation for an Electronic Authentication and Verification System.....	36
Figure 7: The Legal Framework for Civil Registration and Identity .....	38
Figure 8: Upgrading the Administrative Capability of Agencies .....	39
Figure 9: From Paper-based to Smart e-ID Cards.....	39
Figure 10: Examples of Initial Steps to Improve Service Delivery.....	40
Figure 11: Potential Long-term Impact of Use of Unique Identity Numbers for Teachers.....	41
Figure 12: Potential Long-term Impact for Consolidated Use of Unique Identity Numbers by the Tax Administration .....	41
Figure 13: Illustration of Possible Linkage between the Civil Register and the MOF Database.....	42
Figure 14: Aligning the CIN with INSTAT and RCS ID Numbers into the Taxpayer Number .....	45
Figure 15: One-stop Shop for Access to Integrated Tax Information Management System .....	46
Figure 16: Linking Identification and Tax Payer Numbers .....	47

# About ID4D

The World Bank Group's Identification for Development (ID4D) initiative uses global knowledge and expertise across sectors to help countries realize the transformational potential of digital identification systems to achieve the Sustainable Development Goals. It operates across the World Bank Group with global practices and units working on digital development, social protection, health, financial inclusion, governance, gender, and legal, among others.

The mission of ID4D is to enable all people to access services and exercise their rights by increasing the number of people who have an official form of identification. ID4D makes this happen through its three pillars of work: thought leadership and analytics to generate evidence and fill knowledge gaps; global platforms and convening to amplify good practices, collaborate, and raise awareness; and country and regional engagement to provide financial and technical assistance for the implementation of robust, inclusive, and responsible digital identification systems that are integrated with civil registration.

The work of ID4D is made possible with support from World Bank Group, Bill & Melinda Gates Foundation, and Omidyar Network.

To find out more about ID4D, visit [worldbank.org/id4d](http://worldbank.org/id4d).

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The views expressed in this document are part of a deliberative process between Malagasy authorities and the World Bank team regarding the status quo of identity and identification systems in Madagascar and are not legal advice. Accordingly, no inference should be drawn as to the completeness, adequacy, accuracy, or suitability of the underlying assessment, or recommendations or any actions that might be undertaken resulting therefrom, regarding the enabling policy, legal or regulatory framework (including institutional aspects thereof) for reforming identity and identification systems in Madagascar. It is therefore recommended that, prior to undertaking any action to address any issue raised in the deliberative process, a formal legal due diligence be performed by competent, locally qualified legal counsel with relevant experience and knowledge of the subject matter.

# Abbreviations

AfDB	African Development Bank
AIMF	Association internationale des Maires francophones; International Association of Francophone Mayors
ANRE	Agence Nationale de Réalisation de l'E-Gouvernance; National Agency for the Realization of e-Governance
APAI-CRVS	Africa Programme for Accelerated Improvement of Civil Registration and Vital Statistics
AR	Malagasy Ariary (currency)
ARTEC	Autorité de Régulation des Technologies de Communication; Regulatory Authority for Technology and Communication
BDE	Banque des données de l'Etat; Bank of State Information
CI	Civil Identification
CIF	Cost, Insurance, and Freight (tax)
CIM	Centre Immatriculateur; Immatriculation Center for Driver's Licenses and cars
CIN	Carte d'Identité Nationale; National Identity Card
CNaPS	Caisse Nationale de Prévoyance Sociale; national social security system
COS	Comité d'Orientation et de Suivi; Monitoring and Orientation Committee
CR	Civil Registration
CRVS	Civil Registration and Vital Statistics
DNS	Domain Name System
EDBM	Economic Development Board of Madagascar
EDF	European Development Fund
EKA	Ezaka Kopia ho an'ny Ankizy; National Program for the Rehabilitation of Birth Registration
ENSONMD	Enquête Nationale sur le Suivi des Objectifs du Millénaire pour le Développement à Madagascar; National Survey on the Implementation of the Millennium Development Goals in Madagascar
FAD	Fonds Africain de Développement; African Development Fund
FID	Fonds d'Intervention pour le Développement; Intervention Fund for Development
GDP	Gross Domestic Product
GPEEC	Provisional Planning and Oversight of the Workforce, Posts, and Skills, EU funded reform project

HR	Human Resource
ICT	Information and Communications Technology
ID	Identity
Id-M	Identity Management
IMSA	Identity Management Systems Analysis
INSTAT	Institut national de la statistique; National Institute of Statistics
M&E	monitoring and evaluation
MAP	Madagascar Action Plan
MEN	Ministère de l'Education Nationale; Ministry of National Education
MEP	Ministère de l'Economie et du Plan; Ministry of the Economy and the Plan
MFPRA	Ministère de la Fonction Publique et de la Réforme de l'Administration; Ministry of Public Functions and Administrative Reforms
MFPTLS	Ministère de la Fonction Publique du Travail et des Lois Sociales; Ministry of Public Service, Labor Administration Reform, and Social Laws
MICS	Multiple Indicator Cluster Survey
MID	Ministry of Interior and Decentralization
MOF	Ministry of Finance
MPPSPF	Ministère de la Population, de la Protection Sociale, et de la Promotion de la Femme; Ministry of Population, Social Protection, and Women
NFD	Ny Fanjakana ho an'ny Daholobe; Public Sector Reform Project funded by the EU
NIF	Numéro d'Identification Fiscale; Fiscal Identification Number
NIP	National Indicative Programme for Madagascar
PFM	Public Financial Management
PGE	Politique Général de l'Etat
PMT	Proxy-Means Test
PND	Programme Nationale de Développement; National Development Program
PNEG	Programme Nationale pour l'E-Gouvernance; National e-Governance Program
POC	Proof of Concept
PREA	Programme de Réformes pour l'Efficacité de l'Administration; Reform Program for Efficiency of the Administration
RCS	Registre du Commerce et des Sociétés; national commercial register
RMA	Rapport Mensuel des Activités, Monthly Activity Report (UNICEF)
SDG	Sustainable Development Goals

SIGRHE	Integrated Public Human Resources Administration System, EU funded reform project
SIM	Subscriber Identity Module
SNISE	Système national intégré de suivi, Integrated National Monitoring and Evaluation System
SSN	Système Statistique National; National System of Statistics
UIN	Unique Identification Number
UNECA	United Nations Economic Commission for Africa
UNICEF	United Nations Children's Emergency Fund
USAID	United States Agency for International Development
USD	US Dollar (currency)
WBG	World Bank Group
WiMAX	Worldwide Interoperability for Microwave Access

# Executive summary

This report assesses the Malagasy identity management system in the context of the government's ongoing efforts to modernize the public sector, specifically pinpointing the challenges and needs of the functional registers for trusted verification of identities and analyzing the role and modus operandi of the civil register and civil identification agencies and processes.

Identity management is the combination of systems, rules, and procedures that are defined between an individual and organizations regarding the entitlement, use, and protection of personal information in order to authenticate individual identities and provide authorization and privileges within or across systems and enterprise boundaries.

While it is easy to conclude that the system for registering, authenticating, and verifying peoples' identities in Madagascar is complex and fraught with room for error, it has to be recognized that there is an expressed desire to improve and modernize the system. There is both recognition of the need to improve service delivery to citizens and acceptance that a well-functioning system of checks and balances will contribute to more efficient public sector management.

For example, the use of a unique identity number for both individuals and taxpaying entities is one factor that will make verification of identities and consequently service delivery more efficient. However, on the government's side, there is agreement that upgrading has to be done incrementally, and that it is sensible to start with activities and institutions that are both prepared and have the funding to undertake improvements immediately.

According to UNICEF, the registration rate for children between 0 and 4 years is 83 percent, and there are no data for issuance and coverage of identification cards (CIN's).

In order to address the need for coherence between civil registration, civil identification, and functional registers, one promising approach is to work with the tax administration. The tax administration authorities already have a system to identify taxpayers by a unique number and increasing the coverage will add value to the services they provide and facilitate tax collection.

What makes any modernization effort a challenge is the lack of reliable data to establish a sound baseline upon which to measure progress. For the tax administration, this can be mitigated by reenrollment of taxpayers, and by introducing the use of a unique identifying number.

Starting with civil registration and civil identification, there is a need to define, reduce, and formalize the roles and responsibilities of all the entities involved in this process. It is indispensable that the processes are trusted and trustworthy, but fewer checkpoints will make the process more efficient for all parties involved.

The collected data needs to be stored electronically for the authentication and verification processes to become efficient and more cost effective, and there is a need for a concerted effort between government agencies to develop a cost-sharing plan for investment in supporting technology.

# 1. Introduction

## Objectives of the study

The rationale for undertaking the analysis of the identity management system in Madagascar was a request from the Reform Program for Efficiency of the Administration (PREA), situated within the Office of the Presidency in Madagascar, to apply the World Bank Group's Identity Management System Analysis (IMSA) tool. The PREA is a key part of the government's effort to modernize the public sector, and the results of the IMSA will provide additional information toward strengthening the baseline for complementary activities necessary to improve its efficiency.

The methodology used for this analysis was a combination of desk research, web-based information collection, and meetings with stakeholders relevant to the identity management environment in Madagascar, based on the IMSA tool, to formulate a series of suggestions and recommendations for validation by the Malagasy authorities. A list of sources and documents that were reviewed as part of the analysis is shown in Annex E.

In addition to assessing the operation and institutional organization of the civil registration and civil identification agencies, the assessment also took into consideration the situation of the business register and tax payment scheme.

The information that was gathered from interviews undertaken between April 18 and 29, 2016, was compiled into a draft report that was presented to the stakeholders during a validation workshop on June 28 and 29, 2016. This final draft takes into account comments made by participants in the validation workshop (see Annex D).

## Economic and political context

Since its independence, Madagascar has experienced recurrent political crises, which have contributed to economic and social fragility and inhibited development. The country is still recovering from the latest such episode, which lasted between 2009 and 2014 and heavily affected its economy. The instability led to the closing of numerous businesses, resulting in considerable job losses, which in turn contributed to increased poverty. The public sector has been facing challenges to sustain the provision of basic services such as health care, with the closing of 10 percent of the local health centers (Centres de Santé de Base), and education, which has seen an increase in out-of-pocket expenditure for households, while at the same time trying to control public expenditure.

Between 2003 and 2009, enrollment in primary education increased from 3.4 million to 4.3 million. However, the number has stagnated since 2009, and the enrollment rate in primary education decreased from 73.4 percent in 2010 to 69.4 percent in 2012,<sup>1</sup> with less than half of students completing the primary cycle. While the infant mortality rate (ages 0-1) has improved since 1997, falling from 93 to 42 per 1,000 live births in 2013, it has since stagnated and has thus failed to reach the target of 31 per 1,000 live births by the end of 2015. Immunization coverage, a proxy indicator for the overall performance of the health care system, decreased rapidly from 80 percent in 2009 to 60 percent in 2013. Only 35 percent of the rural population currently has access to drinking water. Finally, poor childhood nutrition remains a concern. Almost half of all Malagasy children aged 5 and under suffer from chronic malnutrition, leading to a variety of public health problems, such as severe stunting.

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<sup>1</sup> INSTAT, Enquêtes nationales de suivi des OMD à Madagascar (2012-2013).

As part of the recovery efforts, the government made the “fight against poverty through inclusive growth” its primary objective and has developed a strategy focused on three pillars:

- Improving governance,
- Promoting economic recovery, and
- Expanding the access to basic social services.

This strategy was outlined in the Politique Général de l'Etat (PGE) and translated into a 2015–2019 National Development Program (Programme Nationale de Développement, PND) with an implementation plan.

The April 2016 economic update from the World Bank revealed a slow economic recovery in 2015, resulting from unexpectedly weak growth in the tourism and mining sectors. Catastrophic weather during the first half of 2015 also took its toll on the economy, leading to higher inflation and reduced household purchasing power. GDP growth is estimated at 3.0 percent in 2015, and annual inflation increased to 7.6 percent. Since 2014, annual foreign direct investment averaged around US\$250 million (or 2.3 percent of GDP). This is significantly below the average of the five years before 2014, which coincided with the investment phase of large mining installations. Economic data for Madagascar are shown in Table 1.

As a contribution to the government’s ongoing recovery efforts, there is a need to improve the demographic and statistical bases for decision making. Madagascar has not carried out a national census since 1983, and it is expected that the Identity Management Systems Analysis (IMSA) will provide insight into immediate actions to improve decision making. IMSA is not a substitute for a census, nor will it provide the vital statistics needed by Madagascar; nevertheless the results of the assessment may be used to help define the roadmap ahead.

**Table 1. Economic Data for Madagascar**

Population	23,571,713 hab (World Bank, 2014)
Density	40.52 hab/km <sup>2</sup> (World Bank, 2014)
Population growth	2.78% (World Bank, 2014)
Life expectancy	64 years (World Bank, 2014)
GDP per capita (USD)	444.96 (INSTAT, 2014)
Growth rate (%)	(INSTAT, 2014)
Primary sector	3.3
Secondary sector	9.2
Tertiary	2.3
Inflation rate (%)	7.4 (INSTAT, 2015)
Exports (billion USD FOB)	1.382 (INSTAT, 2015)
Imports (billion USD CIF)	1.922 (INSTAT, 2015)
FDI (billion USD)	(2014, Central Bank of Madagascar, INSTAT)
Flows	210.37
Stock	4,470.62
Ranking DBI 2016	164th

Source: Economic Development Board of Madagascar, 2016.

## 2. The status of identity management in Madagascar

### Institutional framework governing identity management

Identity management (Id-M) is the combination of systems, rules, and procedures that are defined between an individual and organizations regarding the entitlement, use, and protection of personal information in order to authenticate individual identities and provide authorization and privileges within or across systems and enterprise boundaries. An identity management system is understood as the technical and organizational infrastructure used to define, design, and administer the attributes of an identity.

In order to comply with the terms of reference for undertaking an assessment of Madagascar's identity management system, this report focuses on the information obtained from consultations with ministries and government agencies as well as development partners during the period of April 18–29, 2016, as well as from the validation exercise that took place on May 28 and 29, 2016.

The Id-M system in Madagascar is fragmented and complex and fails to take advantage of opportunities to facilitate citizens' or customers' interaction with the public sector in instances where authentication or verification of identities is required. The Malagasy identity management system encompasses the civil register that issues certificates and the civil identification register that issues national identity cards, both located within the Ministry of the Interior (see Table 2). Furthermore, the report examines the operational realities of other government stakeholders working with functional registries, such as business registration systems and beneficiary registers for social programs. Efforts to reform and streamline different aspects of the Id-M infrastructure are also addressed, including the role of international development partners that support specific public sector reform efforts.

The purpose of both registers is to maintain records that can attest to the legal identity of individuals in the population, and to issue a legal document that will give the bearer access to benefits and services. The benefits and services are provided by other agencies that will usually keep their own records of those who they service. These records are referred to as functional registers, for example, detailing those in the education or health care systems, databases of taxpayers and driver's licenses, and so on.

**Table 2. The Malagasy Identity Management System: Civil Registration and Identification**

Civil Registration		Civil Identification
Activity	Creates a record with an individual's biographic information	Aggregation of attributes that uniquely identifies the individual, such as the signature, a photograph, a unique number and/or biometrics
Output	A certificate of the vital event as proof of identity	An identification credential, such as an identity card

The rest of this section describes the institutional, administrative, and operational aspects of the identity management system:

- the overall institutional and administrative framework that supports and governs the identity management environment in Madagascar;
  - the operational context across a variety of different agencies and registries; and
  - the role of two key international development partners in the country.

## **Institutional and administrative aspects of civil registration and identification**

The foundation of Madagascar's current decentralized administration was established in the 1992 constitution but has undergone various changes over the past 25 years. As of 2016, public administration in Madagascar is organized in five different levels. The six autonomous provinces are at the highest level. At the second level, the provinces are subdivided into 22 regions. At a more local level, regions are comprised of 117 districts, 1,693 municipalities, and 18,251 fokontanys, an administrative subdivision closely related to the traditional Malagasy village administration. The fokontany chiefs are appointed by the chief of the district based on a list of candidates put forward by the fokontany residents themselves.<sup>2</sup>

## Map 1: Madagascar and Its 22 Regions



Source: World Bank.

<sup>2</sup> Decret 2015-592 and 2015-593, <http://www.mid.gov.mg/mid-archive-decret/2>. And decree 2009-890 of July 2, 2009.

**Table 3. Administrative, Judicial, and Electoral Structure in Madagascar<sup>3</sup>**

Administrative Structure	Judicial Structure	Electoral Structure
6 provinces	Supreme Court	6 provinces
22 regions	Military Court	87 single-member constituencies
117 districts	High Court of Justice	32 multi-member constituencies
1,693 municipalities	6 Courts of Appeal	
18,251 fokontany	40 Courts of First Instance	

Civil identification is handled at the district level, which issues the national ID card (Carte d'Identité Nationale, CIN) and keeps records of all CIN applicants. In rural settings and under exceptional circumstances, the district office may have the authority to delegate this responsibility to the municipal offices instead.

The role of the municipality is primarily within civil registration. Offices of the municipalities maintain birth, death, and marriage registers and issue the respective certificates to applicants.

The fokontany (neighborhood or local structure) subdivisions are closely aligned with more traditional ways of governance in Madagascar and hold great cultural significance, particularly in rural areas. A fokontany is a local structure that is smaller than a municipality and is both formal (existence of an administrative “Chef Fokontany”) and informal (neighborhoods), under which communities are organized. Fokontanys have an administrative mandate (keeping voters’ rosters, keeping community rosters, delivering verification of residency, and so on) while also organizing the community around resolution of neighborhood-related issues (local security and so on). Their executive power is rather limited, but they continue to play an important role in local dispute resolution, as well as in identity and residence verification (see page 7).

Regarding the registration processes, the role of these different administrative entities differ. According to the legal framework pertaining to civil registration and civil identification, the municipalities are charged with the civil registration process (see page 7), while civil identification is formally handled by the districts—with the possibility, nonetheless, of delegating this task to the municipalities (see page 9). The courts of first instance, or local tribunals, play an important role in both the civil registration and identification processes. They rule on the enrollment of birth after the legal deadline for registering births has passed (12 days); provide arbitration and rulings regarding disputed adoptions, marriage, or divorces; revise and verify records; and store duplicate copies of the registration books.

In practice, the fokontany plays a pivotal role in the registration process. As the lowest administrative structure, it registers citizens in an informal, local population register, which eventually forms the basis for the residence certificates required at the time of registration with the civil identification system as well as the electoral roll. This role, however, is a customary role that developed out of national practice; there is no legally defined role within the registration process for the fokontany at any point.

## National development plan

The dual political and economic crisis that hit the country in 2008–2009 severely hampered Madagascar’s economic growth and development progress. To address the country’s development challenges, the government developed a national development plan (Plan National de Development, PND), which was approved by the parliament in December 2014.

<sup>3</sup> The High Court of Justice and the Military Court govern specific jurisdictions outside of the regular court system.

One of the main priorities “is to increase tax revenue, which is among the lowest in the world as a share of GDP,” according to the WBG’s Country Diagnostic from 2015.<sup>4</sup> The report goes on to state that “Madagascar’s revenues are not adequate for supporting the ambitious strategy outlined in the National Development Plan (PND) 2015–2019. There is scope for improving the efficiency of expenditure as well, but most of the challenges and constraints arise from insufficient revenue. On the plus side, the authorities have a track record of maintaining macroeconomic stability and conducting prudent debt management.”

The focus of the PND revolves around five strategic themes:

1. Governance, the rule of law, security, decentralization, democracy, and national solidarity;
2. Preservation of macroeconomic stability and support for development;
3. Inclusive growth and territorial roots of development;
4. Building adequate human capital for the development process; and
5. Valorization of natural capital and resilience to disaster risks.

In particular, the PND confirms the government’s commitment to maintain sound macroeconomic and public financial management (PFM), to support the provision of better services to citizens across the country, and to promote economic development building on local potentialities.

## The Integrated National Monitoring and Evaluation System

The Integrated National Monitoring and Evaluation System (“Système national intégré de suivi,” SNISE) is the principal framework for monitoring and evaluation of development programs within the country. It was originally developed in 2007 as a tool to ensure regular follow-up of the Madagascar Action Plan (MAP), a development policy platform for the country similarly launched in 2007. The SNISE framework was comprised of 69 overall indicators and 470 subindicators relating to various development outcomes envisioned in the MAP document. The first SNISE-based report was published in 2008 on the basis of national surveys and administrative sources.

The political crisis of 2009 led to the suspension of the MAP as well the SNISE monitoring and evaluation (M&E) mechanism. With the approval of the PND in 2014, a revised SNISE framework was introduced, following the five areas of the PND through 20 framework goals, 22 global indicators, and 433 subindicators. It is important that the registration and identification goals and progress align with the relevant goals set out in the PND and that their respective indicators are introduced in the updated SNISE framework.

## Programme de Réforme pour l’Efficacité de l’Administration

The Programme de Réforme pour l’Efficacité de l’Administration (Program of Reform for the Efficiency of the Administration—PREA) is the coordinating entity for public sector and governance reforms in Madagascar. The PREA is anchored in the Office of the President and works with different ministries and sectors to coordinate all reform efforts on the operational side. The Comité d’Orientation et de Suivi (Monitoring and Orientation Committee—COS) of the PREA is the strategic steering committee for public sector reforms and includes high-level representatives (Executive Secretary) from all ministries and representatives of donors and partners. The PREA has a crosscutting role to supervise and monitor reforms while also coordinating donor funded government projects on public sector reform, including World Bank, African Development Bank, and European Union funded projects.<sup>5</sup>

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4 <http://documents.worldbank.org/curated/en/743291468188936832/Madagascar-Systematic-country-diagnostic>

5 The PREA was instituted by decree N.2005-803 of November 23, 2005, and revised by decree N.2012-661 of June 28, 2012.

## Institut National de Statistique

The National Institute of Statistics (Institut national de la statistique, INSTAT) is the government entity charged with collecting, analyzing, and producing statistics and information on social, economic, and demographic indicators in Madagascar. Situated in the Ministry of the Economy and Planification, INSTAT's mission is to make available these statistics in order to measure Madagascar's progress in areas of economic and social development, to coordinate and combine the data collection efforts of other agencies, and to produce analytical and descriptive reports in order to help shape public policies in a variety of sectors.

In its current form, INSTAT was established in 1995 by public decree (95-596, 12 September 1995). Prior to 1995, the entity was known as the "Bank of State Information" (Banque des données de l'Etat, BDE) and formally placed under the Office of the President.

Part of INSTAT's mandate is the collection and analysis of vital statistics delivered by the civil registration system. To the extent possible, the institute publishes updates on vital statistics. Given the relatively low coverage of reliable data, however, these publications are made available on an irregular basis and usually only provide data for a small selection of urban centers or regions. A fully operational civil registration system would be able to provide profiles on the demographic and socioeconomic characteristics of the population. The incompleteness of vital statistics generated by the current system has been acknowledged by INSTAT and is one of the factors currently under review in the realm of the Africa Programme for Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS) comprehensive assessment.

INSTAT's main body of work comes in the form of indicator surveys, dealing with all topics relevant to the economic, social, and demographic development of the country. The institute carried out a multiple indicator cluster survey (MICS) for the south of the country in 2012, as well as a comprehensive set of surveys aimed at tracking Madagascar's progress toward the Millennium Development Goals in 2012–2013 (Enquête Nationale sur le Suivi des Objectifs du Millénaire pour le Développement à Madagascar—ENSOMD). As far as death registration and health data are concerned, INSTAT makes the information collected available to the Ministry of Health. However, no official rules or guidelines exist regarding the collection, storing, and handling of health data on behalf of the institute. Since cause of death data is not officially collected by the civil registration mechanism, there is little informative value for national public health policy, such as antidisease campaigns, in official vital statistics data.

The institute also tracks information regarding fiscal policies and economic activity in Madagascar. Companies wishing to do business in the country have to register with the institute, and tax data as well as revenue figures have to be reported on a regular basis. Upon registration, businesses are registered in an internal database with an INSTAT-specific identifier. A discussion to merge the INSTAT identifier with other business-related identifiers used by other agencies is currently under way (see page 17).

INSTAT is also responsible for censuses. A population census is planned for 2017, and recently a national census committee was established to co-coordinate the design and planning for the census that will be executed by INSTAT. The last census in the country was held in 1993 and predates the creation of the institute.

## Civil Registration and Vital Statistics Assessment

Madagascar is part of APAI-CRVS, a joint initiative by the African Union Commission (AUC), the African Development Bank (AfDB), and the United Nations Economic Commission for Africa (UNECA), aimed at assessing and improving civil registration and vital statistics (CRVS) systems across the continent through targeted multilateral interventions. The goal of the program is to ensure that CRVS programs across the continent are designed and perform to international standards. In order to do so, the program eventually aims to provide managerial support to countries wishing to participate in this regional effort, with the option of undergoing a standardized comprehensive assessment before developing a national CRVS reform plan.

The current Malagasy government has requested such a national assessment within the APAI-CRVS framework and hosted a team of experts from the above-mentioned institutions for a comprehensive evaluation between May and October 2016. The assessment, according to APAI-CRVS documents, “aims to identify strengths and weaknesses in the current system, draw lessons from what has worked over time, and how improvements have been made and sustained.”<sup>6</sup>

The strengths and weaknesses of the civil registration system identified during this IMSA assessment will undoubtedly contribute to the APAI-CRVS assessment. The IMSA assessment, with its holistic focus on identity systems management and functional registries, should therefore be regarded as a different exercise with complementary outcomes rather than a competing effort.

## Legal framework

Madagascar has a longstanding tradition of anchoring civil registration and identification in a legal framework. The first legal guidelines governing the registration of Malagasy go back to precolonial times and the Malagasy monarchy of the nineteenth century. The country has since seen various revisions of its legal framework with regard to civil registration and identification, but remains committed to continuous legal improvement and clarification.

A detailed analysis of the legal framework governing identity management in its current state can be found in Annex H.

In addition to updating current laws and regulations, Madagascar needs to draft and approve new legislation in order to correspond to twenty-first century technological, institutional, and legal challenges that concern civil registration, civil identification, and the management of functional databases.

A point of concern is the uncertainty surrounding the data protection law of 2014, which aims to legally protect personal data stored in functional registries of the state, whether submitted through paper-based or electronic channels, including online e-governance services that may not yet exist. While the text of the law follows international best practice, there is reasonable doubt that it can be adequately implemented at this point, risking the exposure of citizen's personal information in an administrative environment that does not currently have the infrastructure required to rigorously protect personal data.

Another cause for concern is the outdated framework regarding civil registration. The current time period allowed for parents to register the live birth of a child is 12 days. International best practice asks for at least 30 days for birth registration, allowing the parents to make the necessary arrangement in cases where the registration office is far away. Other nations in Sub-Saharan Africa have extended the registration deadline even further. Madagascar itself aimed to extend the registration to 45 days in the early 2000s, but implementation of a civil registration reform was stalled in the aftermath of the 2009 crisis. Given the significant disadvantage unregistered children will find themselves in for the rest of their lives, a review of the civil registration law at this point is not only desirable but imperative for any modernization activities that the government will undertake with respect to identity management.

## The civil registration process

Civil registration is defined as “the continuous, permanent, compulsory recording of the occurrence and characteristics of vital events”<sup>7</sup> (live births, deaths, fetal deaths, marriages, and divorces) and other civil

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6 Strategy for Conducting Assessment of and Planning for National Civil Registration and Vital Statistics Systems. UNECA document E/ECA/CMR/CR/2/EXP/15. 30 July 2012.

7 *Handbook on Civil Registration and Vital Statistics Systems*. UNSD. 1998. [http://unstats.un.org/unsd/publication/SeriesF/SeriesF\\_73E.pdf](http://unstats.un.org/unsd/publication/SeriesF/SeriesF_73E.pdf)

status events pertaining to the population as provided by decree, law, or regulation, in accordance with the legal requirements in each country. The information in the civil register is an essential source of vital statistics.

The responsibility for civil registration in Madagascar is divided between the Ministry of the Interior and the Ministry of Justice. Registration tasks are generally carried out by the municipalities, which have designated staff working in their registration offices to deliver the service to citizens. Madagascar uses a two-book system for any registration of a vital event, that is, each type of event has a separate book. Local trial courts (*Tribunaux de Premier Instance*) receive a copy of all registry records from within their jurisdiction. In addition, if a child's birth is not registered within the legally mandated 12 days, the registration must be processed through the trial courts, which adds costs and incurs further delays. The acts of birth and death registration, as well as the original copy of the respective certificates, are supposed to be free of charge. However, a fee is being leveraged once birth registration is being handled by the local trial court, or if a citizen requires extra copies of certificates. This fee varies depending on the municipality or court and could be anywhere between AR 100 and 1,600 (about USD 0.03-0.52).

The civil registration system ("Etat Civil") includes the following acts of registration (see Figure 1):

- Birth
- Marriage
- Divorce
- Simple adoption
- Juridical adoption
- Recognition of parental responsibility
- Rejection of paternity
- Death

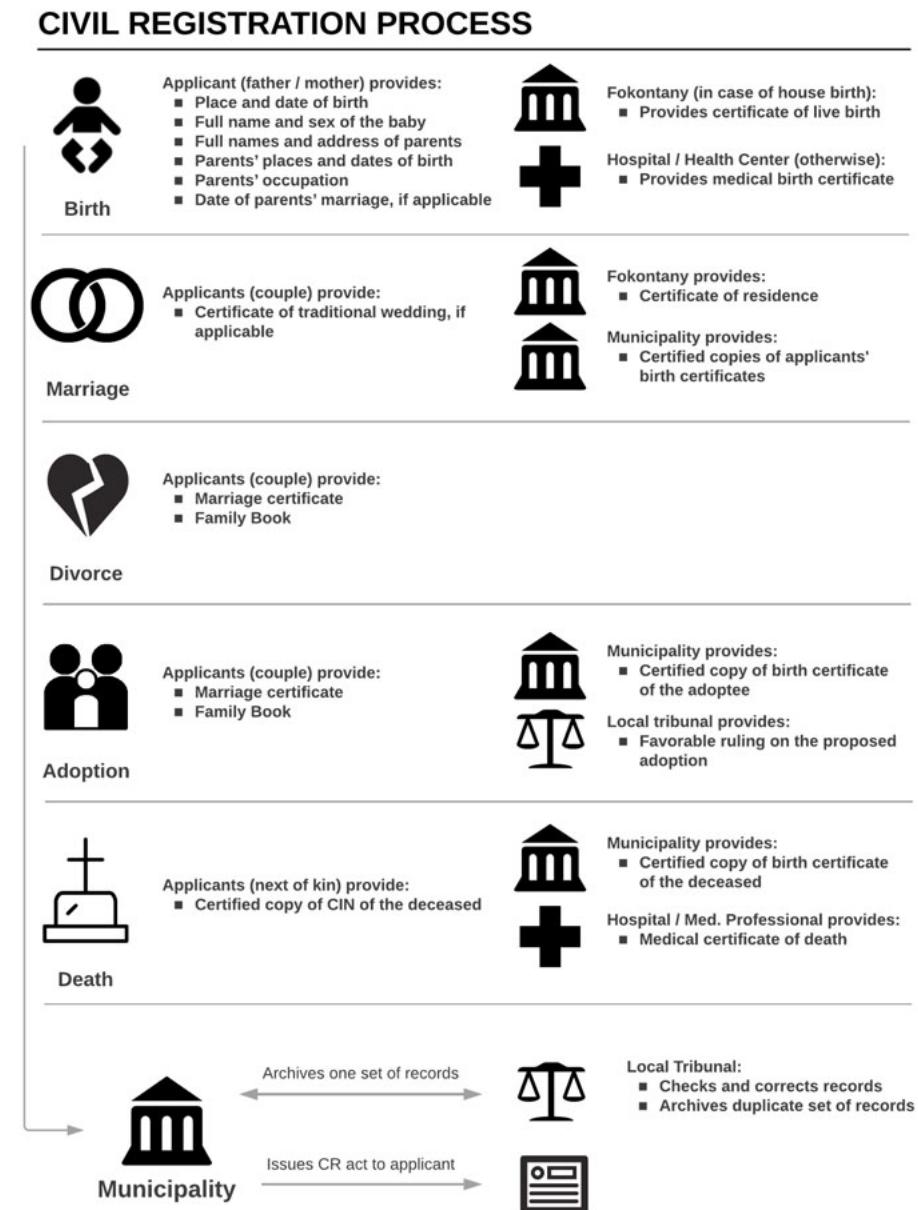
Within the Malagasy context, it is possible to adopt a child officially, as well as to adopt another person of any age semi-officially for legal and cultural purposes. These "simple adoptions" are recorded by the civil registration service and require the presence of two witnesses as well as a written statement by the fokontany attesting to the residency status of the parties in question.

Simple adoption is rooted in customary traditions, but legally inscribed in Art. 18 of Law 2005-014 governing adoption. Its purposes, according to the legal text, is to create between two persons a virtual parental link, either to tighten existing family relations or to establish them where desired. Acts of simple adoption can only be granted to two people of Malagasy citizenship and residency. Both children and adults can be adopted through this procedure. However, whereas the more formal adoption process results in the full integration of an adopted child into a new family, a minor adopted through the less-restrictive simple adoption procedure continues to be part, legally, of their original family. Further details regarding the legal and customary origins of this procedure may be found in Annex F.

The civil registration process is a two-book registration, with handwritten entries in rural areas and by typewriter in most urban settings. There are a few instances in Antananarivo where pilot projects involving computer-based civil registration have been carried out, such as in the municipal offices of the IVth arrondissement. UNICEF donated computers for the pilot project, while standardized software for civil registration processes was supplied by the International Association of Francophone Mayors (AIMF). Despite the potential for more efficient work streams with computerized registration and digitalization of old records, these initiatives suffer from lack of adequate infrastructure, funding for sustained use, and insufficient capacity to train staff.

Both registration books, once filled, are supposed to be delivered to the local trial court at the end of the year for revisions and checks. Ultimately, one set of records remains in the trial court's archives, while the other one is returned to the municipality to be archived accordingly.

**Figure 1: Civil Registration Process in Madagascar**



Source: Authors' elaboration.

## Birth registration

In order to register (enroll) a birth and obtain a birth certificate, the mother or father of the child must declare the birth to the municipality within 12 days and provide the following information:

- Place and date of birth
- Full name and sex of the baby
- Full names and address of parents
- Parents' places and dates of birth

- Parents' occupation
- Date of parents' marriage, if applicable
- Family book, if parents are married by the state

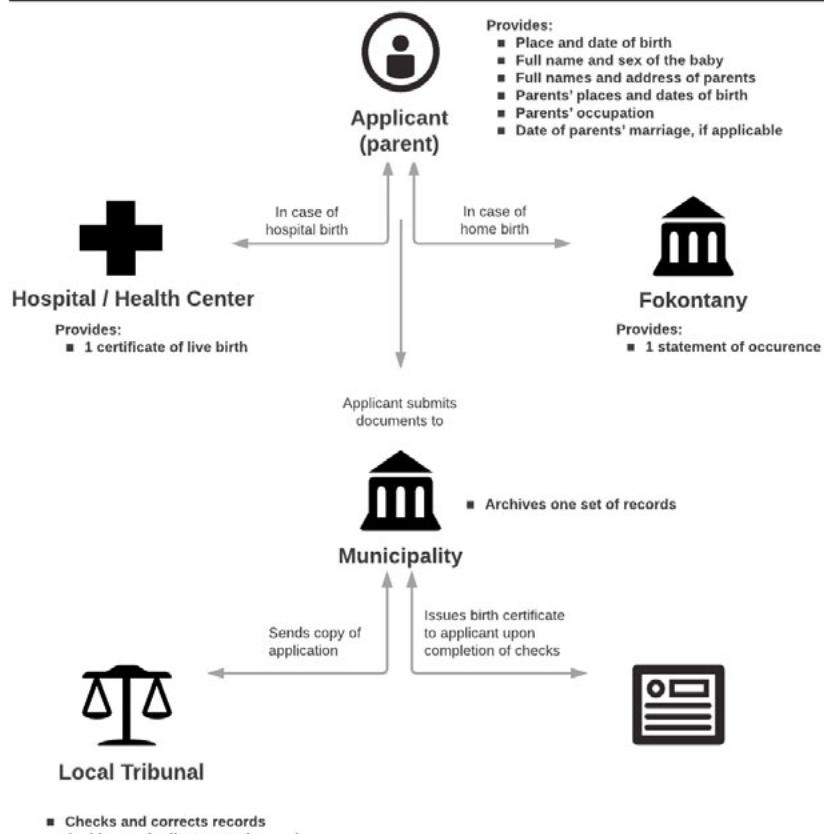
The above details must be verified by a medical notification of live birth if the child was born in a health facility. In cases of home birth in the absence of trained medical personnel, a certified live birth notification issued by the local fokontany will also be accepted.

If the parents are married by the state or in a civil partnership, details regarding their civil status will be taken from the “family book,” a booklet containing a family’s civil registration details that is issued to couples upon registration of their marriage. The child’s biographical information will also be added to the family book.

Birth registration completeness is reported at 83 percent. In the absence of reliable countrywide vital statistics taken from the civil registration system, this figure is based on INSTAT’s 2012–2013 ENSOMD survey, measuring Madagascar’s progress at the time toward fulfilling the Millennium Development Goals (see Table 4). However, regarding policy decision in regard to registration and vital statistics, there are a few problems associated with this figure. The data from the ENSOMD survey only concerns children under the age of 5 and does not give an indication regarding registration status of adults and children aged 5–18. Additionally, the figure includes respondents claiming to have registered their child who are not in possession of a birth certificate. The number of children aged 0–5 that have been registered with a valid birth certificate lies at 61.8 percent. Most services and processes in question require a valid birth certificate as a form of identification.

**Figure 2: Birth Registration Process in Madagascar**

## BIRTH REGISTRATION PROCESS



Source: Authors’ elaboration.

## Identification

Registering with the civil identification authorities and obtaining a national identity card (“carte d’identité nationale,” CIN) is required by law for all Malagasy citizens older than 18 years of age. Much like birth registration, civil identification falls under the auspices of the Ministry of Interior and is carried out by the relevant office at the district level, except in areas where the district has delegated this authority to the municipalities. Other agencies, such as the national police, are involved in the process as well.

The registration process follows a manual two-book approach. Details of the application are collected and stored in paper-based archives, which makes retrieving previous information difficult and severely impedes applications for a new copy of an existing ID card in cases of loss or theft.

There are three different categories for ID applicants, all of which require a similar, but slightly different procedure.

### Procedure A: Applicants under the age of 18

A CIN will be issued to citizens under the age of 18 only under exceptional circumstances relating to university enrollment, taking examinations, or other educational purposes. The copy of the CIN issued in this case will clearly state that it is to be used for education-related purposes only, and its validity expires once the cardholder turns 18. In order to apply for such a card, the applicant must submit the following documents:

- 3 photos/headshots
- 1 certificate of residence with photo/headshot
- 1 certificate of residence without photo/headshot
- 1 certified copy of the birth certificate, not to be older than one year
- 1 declaration of family status from parents or legal guardians
- 1 certified copy of the parents' or guardians' CINs
- 1 proof of admittance from institution of higher education

### Procedure B: Applicants between the ages of 18 and 20

Malagasy citizens are required to obtain a CIN at the age of 18. There is a two-year grace period within which applicants may apply for their first CIN without having to submit additional documents or pay a late fee. A card issued to such applicants is a fully valid CIN that has none of the restrictions of the card described in procedure A. The documents required during the application process are the same as above, in addition to the following:

- 3 photos/headshots
- 1 certificate of residence with photo/headshot
- 1 certified copy of the birth certificate, not to be older than one year
- 1 declaration of family status from parents
- 1 certified copy of the parents' CINs
- 1 certificate of existence and conduct, to be supplied by the applicant's fokontany

**Table 4. Birth Registration of Children in Madagascar**

Sociodemographic Characteristics	Percentage of Children Whose Birth Has Been Registered			Total Number of Children Aged 0-4
	In Possession of a Birth Certificate	Not in Possession of a Birth Certificate	Total	
<b>Age</b>				
<2	55.4	24.6	79.9	4,858
2-4	66	19	85.1	7,392
<b>Sex</b>				
Male	62.4	20.8	83.2	6,089
Female	61.3	21.6	82.9	6,161
<b>Environment of Residence</b>				
Capital city	92.8	5.2	97.9	548
Other city	85.9	11.2	97.1	1,039
All cities combined	88.3	9.1	97.4	1,587
Rural	57.9	23	80.9	10,663
<b>Socioeconomic Quintile</b>				
Poorest	45.8	26.3	72.1	3,206
Poor	56.1	23.3	79.4	2,729
Median	64.8	21.5	86.3	2,514
Rich	72.9	18.6	91.5	2,245
Richest	83.8	10.6	94.4	1,552
<b>Total</b>	61.8	21.2	83	12,250

Source: INSTAT/ENSO MD 2012-2013.

### Procedure C: Applicants over the age of 20

An applicant applying for their first CIN at the age of 21 or older will have to submit additional information to justify their omission and prove that they are not attempting to obtain a false identity. In addition to a varying fee, applicants must submit the following documents:

- 3 photos/headshots
- 1 certificate of residence with photo/headshot
- 1 certified copy of the birth certificate, not to be older than one year
- 1 declaration of family status from parents
- 1 certified copy of the parents' CINs
- 1 certificate of existence and conduct, to be supplied by the applicant's fokontany
- 1 declaration, written and signed by the fokontany, that the applicant has been registered in the electoral roll

For all three procedures, upon presenting the necessary documents, the applicant will be assigned a unique CIN number that is issued either directly at the municipal level or at the district level, depending on the authority given to the respective civil identification office by the district. The applicant has to be physically present for the application, and a civil servant will verify that all required documents have been submitted. Subsequently, the documents will be sent to the Ministry of Justice's central filing office in order to verify the uniqueness of the assigned number. Finally, the dossier is sent to the police for a "moral inquiry," aimed primarily at crosschecking the veracity of the applicant's identity and their criminal record. Upon receiving their final CIN, the applicant must register the card with their local fokontany.

Every CIN includes a 12-digit unique identifier for the holder. This number stays the same even when the CIN is renewed. It is a manually aggregated number, and this opens up the possibility for clerical errors and duplicate numbers. It includes geographical keys and is composed as follows:

District			Municipality		Sex	Chronological					
X	X	X	Y	Y	Z	N	N	N	N	N	N

The validity of the CIN is 20 years. In practice, however, in order to comply with fraud prevention best practice and know-your-customer requirements, many Malagasy banks, as well as the Ministry of Finance, will require citizens to renew their CINs after 10 years in order to access their services.

In order to replace a lost, stolen, or expired card, applicants must pay AR 500 (about USD 0.16) and submit the following:

- 3 photos/headshots
- 1 certificate of residence with photo/headshot
- 1 photocopy of the old CIN (if lost/stolen) or the original (if up for renewal)
- 1 certified copy of the application file from the authority that issued the original CIN
- 1 declaration of loss from the police (if lost/stolen)
- 1 declaration of loss from the fokontany (if lost/stolen).

Some districts or municipalities will impose further requirements, such as the presence of two witnesses who can attest to the identity of the applicant, as well as certified photocopies of the witnesses' CINs.

A summary of the documents required in these different circumstances is shown in Table 5.

During the enrollment process, fingerprints of the applicant are placed onto the paper-based ID card as well as the application form. In the absence of digital fingerprint databases or well-organized archives, the quality and storage of fingerprint records represents both security and administrative challenges.

The procedures and the time involved in applying for and obtaining a CIN are extensive, providing a real barrier to unique, timely, and secure identification on several levels. The time and cost associated with producing various declarations and statements from the fokontany, rather than just one standardized document including all information that is necessary for validating the applicant's identity, puts an unnecessary financial and time burden on the citizen. The added value of a parental declaration for applicants older than 18 years, and thus of full legal age, is questionable. Similarly, the added benefit of an additional verification step involving the national police during initial application is not entirely clear. It also appears as if certain rules and regulations for obtaining a new CIN in cases of theft or loss are not properly streamlined and left to the arbitration of local officials, as there is no structured and formalized approach to the role of additional witnesses among different districts.

**Table 5. Documents Required for CIN Application**

Documents Required at Application	First CIN, Age < 18	First CIN, Age 18–20	First CIN, Age > 20	Renewal/ Replacement
3 photos/headshots	✓	✓	✓	✓
1 certificate of residence with photo/headshot	✓	✓	✓	✓
1 certificate of residence without photo/headshot	✓			
1 certified copy of the birth certificate, not to be older than one year	✓	✓	✓	
1 declaration of family status from parents or legal guardians	✓	✓	✓	
1 certified copy of the parents' or guardians' CINs	✓	✓		
1 proof of admittance from institution of higher education	✓			
1 certificate of existence and conduct, to be supplied by the applicant's fokontany		✓	✓	
1 declaration, written and signed by the fokontany, that the applicant has been registered in the voter rolls				✓
1 photocopy of the old CIN (if lost/stolen) or the original (if up for renewal)				✓
1 certified copy of the application file from the authority that issued the original CIN				✓
1 declaration of loss from the police (if lost/stolen)				✓
1 declaration of loss from the fokontany (if lost/stolen)				✓
2 witnesses attesting the applicant's identity				
Certified copies of the witnesses' CINs				(✓)
Certified copies of the witnesses' CINs				(✓)

Source: Authors elaboration, based on interviews.

## Identity and identification documents

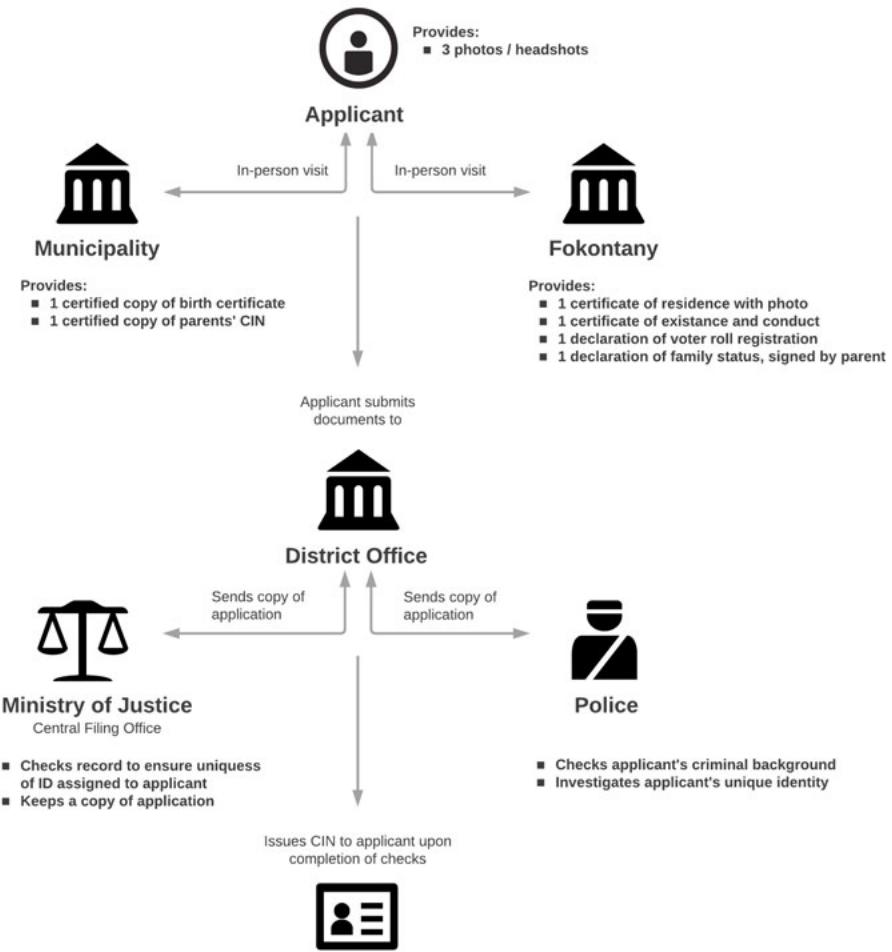
The civil register issues certificates for vital events such as births, deaths, and marriage, and the information is entered onto preprinted forms delivered by the Imprimerie Nationale, the official printing agency of the Malagasy state. The information on the certificates is biographical and the certificates contain only minimal security features, such as light watermarks, and are vulnerable to falsification.

Identity documents issued by municipalities and districts contain largely biographical data, such as date of birth, name, sex, and, in case of the CIN, address. The national ID card also contains limited biometric data in the form of ink-printed fingerprints. In accordance with international best practice, the first copies of all civil registration and identification documents are provided free of charge, with the exception of the family book issued in combination with a marriage certificate. Costs for the family book, as well as subsequent copies of identification documents, are not legally set and vary according to the respective offices.

The CIN document is a paper-based card printed at the national press on guilloche paper. Every preprinted CIN comes with a serial number; the applicant's unique ID and personal details are filled in by hand at the registration office. Once the paperwork has been completed and the applicant's signature and fingerprints have been added to the CIN, it is plasticized and cut to size by hand.

**Figure 3: CIN Application Process in Madagascar**

### CIN APPLICATION PROCESS



Source: Authors' elaboration.

As issuance of the CIN is linked to Malagasy nationality, potential problems arise when it comes to registration and identification of children born to a Malagasy mother and a foreign father, since citizenship is patrilineal. Malagasy nationality law is not aligned with international standards and does not automatically award citizenship to children born to non-Malagasy fathers, even if the mother holds Malagasy citizenship and the place of birth is within the country of Madagascar. In such an instance, mothers could apply for Malagasy citizenship for their children, but the corresponding administrative process is lengthy and prohibitive. While not common, such scenarios carry the risk of statelessness and a lack of social protection for children born to foreign fathers whose countries of origin also refuse to bestow citizenship onto the newborn. Obtaining Malagasy citizenship through naturalization is a cumbersome and complex process as well—since independence from France in 1961, only some 1,000 individuals have obtained Malagasy citizenship through this process.

Another important document in Madagascar is the family book, which is issued by the municipality when a couple gets married, and will contain records of all vital events taking place within a particular family unit.

## Databases in relevant ministries

Biographical and biometric data collected during civil registration or identification enrollment is stored and archived on a decentralized basis, meaning that no central and comprehensive register of people's identity or identification records exists. One copy of all registration records is kept at the municipality or district offering the registration service, while a second copy is stored in the archives of the local trial court. In the overwhelming majority of cases, these archives are paper based and not electronically searchable. Some districts, such as the IVth arrondissement in Antananarivo, have begun electronic civil registration procedures with the support of development partners (see page 7); however, this is an isolated effort and an exception to the rule.

Vital statistics and demographic and population data for statistical and policy purposes, therefore, cannot be generated from the civil register. Instead, demographic data comes from specialized surveys carried out by INSTAT, in cooperation with other government agencies and international and national development partners. Given that the last census in Madagascar took place in 1993, data based on best-estimate projections at this point are unreliable and in dire need of updating. A national census committee, comprised of representatives from various government agencies, has been formed to discuss the design and organization of a new census in the near future, and the international donor community has pledged financial and technical support. The census questionnaire and timetable had not been finalized at the time of the publication of this report.

## Barriers to universal registration

Multiple cultural and practical barriers to timely and universal birth registration exist. Outside of urban centers, most prominently Antananarivo, Madagascar suffers from the same barriers to timely registration as many of its peers in Sub-Saharan Africa.

The key barriers to timely registration are physical and economical, particularly outside of Madagascar's urban centers:

- Distance to registration point
- Indirect costs of registration
- Parents may not be registered themselves
- Fear of authorities
- Lack of understanding of importance
- Short timeframe for birth registration
- Lack of resources to do the registration
- Lack of resources to issue the birth certificate

As birth registration takes place at the municipality, the distance that citizens in rural areas have to travel can pose a significant obstacle. Even if birth registration is free, the time and money involved in traveling medium to long distances in order to register a child's birth constitute a significant opportunity cost for subsistence farmers and other rural dwellers. The current time limit of 12 days for registration further complicates the process in rural areas. The registration process becomes a judiciary procedure once the 12 days expire and needs to be taken to the local trial court, which involves even greater administrative and travel-related costs to the parents.

In addition to the amount of time and physical barriers to registration, a lack of understanding of the laws, procedures, and benefits relating to civil registration poses further barriers to universal registration in rural areas. This knowledge gap not only covers birth registration, but also the relationship between traditional wedding ceremonies and civil acts of marriage.

Before the 2009 political crisis, the Malagasy government had issued a review process concerning the civil registration process, including the establishment of local committees for birth registration monitoring, a legal reform project extending the 12 day registration deadline to 45 days, additional training for registration officers at the municipal level, and the potential introduction of alternative birth registration procedures in remote areas. While receiving support from international and national development partners, the program was put on hold during the crisis. The government is currently conducting a new analytical review of the country's CRVS system, with support from UNICEF and the African Development Bank.

## Use and management of information technology

In 2006, the Government of Madagascar launched a national e-governance program (“Programme Nationale pour l’E-Gouvernance,” PNEG). It was an ambitious program envisioning a wide-ranging e-governance structure, including fast and transparent service delivery to citizens via online and mobile platforms, as well as wide-ranging interconnectivity among government agencies both in the capital and in the provinces. The e-governance approach was a core part of a good governance development plan and aimed to achieve rapid and sustainable results in streamlined public administration, reduction of wasteful spending, and strengthening the democratic process in the country (see Figure 4).

**Figure 4: Objectives of the Programme Nationale pour l’E-Gouvernance**

Domain	Objective
e-administration	<ul style="list-style-type: none"> <li>Fight against corruption</li> <li>Implementation of rule of law</li> <li>Reinforcement of the pillars of integrity</li> </ul>
e-services	
e-democracy	



Domain	Objective
e-administration	<ul style="list-style-type: none"> <li>Citizen participation</li> <li>Accountability of the state</li> <li>Reinforcement of democracy</li> </ul>
e-services	
e-democracy	

Domain	Objective
e-administration	<ul style="list-style-type: none"> <li>Rational administration of public finances</li> <li>Reevaluation of cultural and natural heritage</li> <li>Improvement of public services and civil service motivation</li> </ul>
e-services	
e-democracy	

The program laid out three strategic objectives for the PNEG:

- Strengthening of administrative efficiency (e-administration)
- Improving public service performance (e-service)
- Revitalization of citizen participation (e-democracy)

The main deliverables set out in the program plan included:

- A general overhaul of the government's information, communication and technology (ICT) policy and technology platform, including improved hardware for government offices and ICT training for public employees (e-administration)
- Development of online and mobile service delivery platforms (e-service)
- Citizen awareness campaigns, public discourse, and online town hall initiatives to increase citizen participation (e-democracy)

The National Agency for the Realization of e-governance ("Agence Nationale de Réalisation de l'E-Gouvernance," ANRE) was created as part of the plan in order to carry out this ambitious agenda. However, owing to funding issues and a deprioritization of the e-governance agenda following the 2009 political crisis, implementation of the PNEG was put on hold.

ANRE resumed its operations again in 2015, and consultations regarding a potential PNEG2 are currently under way (see next section), but the operation of ANRE is still suffering from resource limitations, both with respect to budgetary and human resources (HR).

In the absence of an integrated and functional e-governance platform, other initiatives have been undertaken independently from ANRE. The tax administration, for instance, uses three different systems in order to offer services online and to manage its records electronically:

- the Standard Integrated Government Tax Administration System (SIGTAS), an integrated information system that enables governments to automate the administration of taxes and licenses;<sup>8</sup>
- the Unified System for Fiscal Receipts (Système Unifié de Recouvrement Fiscale, SURF), an information system allowing for integrated management of fiscal receipts;<sup>9</sup> and
- the Fiscal Identification Number (Numéro d'Identification Fiscale, NIF), the online taxpayer registration system.

For more info on the tax administration's use of online services, see the next section.

## The National Agency for the Realization of e-Governance

ANRE is an entity under the supervision of the Office of the President, which is in charge of implementing the national e-governance strategy (PNEG). Originally established in 2006, its functions were put on hold after the 2009 crisis, when e-governance was temporarily deprioritized. ANRE continued working under a new statute, laid out by decree No. 2015-1203, in August of 2015. It has an annual operating budget of AR 200 million (about USD 65,000), in addition to paying an annual AR 600 million (about USD 196,000) to mobile operators Orange and Telma in usage fees.

ANRE's mission has primarily been in the digitalization of administrative infrastructures for all government entities. The agency hosts a Domain Name System (DNS) and a mail server, facilitating the intranet services of different ministries as well as the official e-mail addresses associated with the ".gov.mg" domain. Furthermore, it ensures connectivity to regional government offices and has started offering selected

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<sup>8</sup> [http://www.mefb.gov.mg/index.php?option=com\\_content&view=article&id=442&Itemid=332](http://www.mefb.gov.mg/index.php?option=com_content&view=article&id=442&Itemid=332)

<sup>9</sup> [http://www.mefb.gov.mg/index.php?option=com\\_content&view=article&id=443&Itemid=332](http://www.mefb.gov.mg/index.php?option=com_content&view=article&id=443&Itemid=332)

internal services through mobile devices, although these still appear to be at an experimental stage. Given ANRE's recent history, it should be noted that a number of agencies have undertaken e-governance initiatives independently from ANRE, for instance, the tax administration and the customs agency.

The intra- and interministerial network is run via a WiMAX (Worldwide Interoperability for Microwave Access) system and has been in place since 2008. The network connects all principal buildings of the different government entities in Antananarivo and runs the government e-mail server, shared agendas, and an internal file-sharing system among 8,500 individual users. However, given the age of the system, its connectivity strength is limited. Ministries with available resources have started setting up their own parallel ICT systems. As a result, agencies like the Customs Department, the Ministry of Education, and the Ministry of Finance run their principal operations on independent networks that are completely isolated from each other.

Discussions are under way to launch a new version of the national e-government program. Tentatively named PNEG2, the initiative is set to extend intra-administration networks to regional levels outside of the capital, and to interconnect network-based applications among ministries. The project also aims to put in place standardized cybersecurity protocols for all agencies and provide further ICT training to government staff. For the time being, ANRE and the government of Madagascar, through PNEG, seem to use the term "e-government" primarily in reference to ICT infrastructure and connectivity of public administration systems. This is further underlined by the unclear definition of the term "e-signature" in national legislation, as it mostly seems to refer to the validity of e-mails in written intragovernmental interactions. It is unclear at this stage whether PNEG2 aims to open up service delivery to citizens through the Internet and mobile channels.

## Functional registers and other institutions that require proof of identity

It is in the nature of large administrations to employ functional registries for a variety of purposes. A functional register is set up to fulfill a particular purpose or for a particular group of people, and can be formal (for example, electoral rolls, banking, professional association, social program) or informal (for example, associations based on likes or interests). A functional register will typically give the enrollee access to a benefit, right, or obligation whether in the public or private sector. Generally, formal registers in the public sector are established and regulated by law. The information stored in the records in a formal functional register depends on the type of register, such as in the examples in Table 6, and requires the enrollee to authenticate their identity to gain access to the specific service, right, or obligation.

**Table 6. Attributes of Different Types of Functional Register**

Type of Functional Register	Verification of Identity When Enrolling	Which Attributes Are Verified?	Uniqueness Required?
Electoral roll	Yes	Citizenship, name, age, address	Yes
Social protection programs	Yes for most programs	Name, age, family composition, income level, home address	Preferred
Private banking	Yes	Name, address, employment situation	Yes
Public sector salaries	Yes	Name, age, education, employment situation, CIN number	Yes

Source: Authors' elaboration.

Companies and government entities require such registers in order to adequately manage payrolls, employee records, and insurance schemes. Social programs require proof of identification from potential beneficiaries to ensure they reach the appropriate segment of the population. While it is no longer a requirement to present a birth certificate to enroll in state run primary schools, proof of identification is required in order to sit final examinations and graduate from the school system.

Different ministries and agencies operate different social protection programs without any communication or cross-referencing between or among them. The Ministry of Population, Social Protection, and Women, traditionally more involved in postemergency response, is determined to implement more traditional social protection policies and programs in order to more closely align with its vision. At the same time, the Intervention Fund for Development (IFD) has been managing a social safety net program for the poorest quintile of the population since 1993. Both agencies employ their own beneficiary register, and there is little to no effort to coordinate the delivery of social services.

Business and commercial enterprises wishing to do business in the country have to register with a variety of different agencies and entities, each running an independent database and storing different sets of information. For a new business to become operational, it needs to be issued with a taxpayer identification number from the Ministry of Finance, a unique identifier within the commercial register, and a statistical identifier for the National Institute of Statistics. These registers function independently from each other and are not linked in any way, thus impeding coordination and cooperation efforts among the different agencies involved when it comes to due diligence, tax fraud prevention, and auditing. The Economic Development Board of Madagascar (EDBM), created in 2006 in order to facilitate business registration and promote direct investment in Madagascar, has taken the first steps to simplify and streamline the system, but the overall framework remains unnecessarily complicated.

The EDBM offers a one-stop shop that includes 10 ministries: MAE (Ministere Affaires étrangères); MID (Intérieur et décentralisation); MSP (Santé Publique); MINTOUR (Tourisme); MFB (Fiscalité) (Finances et Budget); MFPRATLS (Fonction Publique, Réforme de l'Administration, Travail et Lois Sociales); M2PATE (Ministère Auprès de la Présidence en charge des projets préidentiels, de l'aménagement du territoire et de l'équipement); MINJUS (TPI/Greffé commercial) (Justice); MEP (INSTAT) (Économie et Planification); and MIDSP (ZEF) (Industrie et Développement du Secteur Privé).

The international development community is involved in assisting Madagascar with a variety of projects aimed at supporting the government's efforts toward a more efficient and responsive public sector. The European Union is financing a multiyear, large-scale public administration reform program aimed at streamlining functional registries for the civil service and facilitating human resource administration for government agencies. UNICEF is supporting efforts by the African Union, UNECA, and the African Development Bank to assess the civil registration and vital statistics system of the country. A variety of donors, including the World Bank, have expressed their willingness to support the organization and execution of the next countrywide census.

## Economic development board of Madagascar

The EDBM is a public entity under the supervision of the Office of the President. Created in 2006 with the intention to promote private domestic and foreign direct investment in Madagascar, the institution's main tasks are to uphold a positive business climate in the country and to formulate medium- and long-term investment promotion policies. Previously, the tasks now carried out by the EDBM had been spread over 11 different ministerial offices.

As a public entity with commercial freedom and a semiprivate institutional setup, the EDBM is a government entity legally able to generate and use its own sources of funding, either through targeted donations or through direct services provided. These may include business advisory services to investors interested in investing in Madagascar, the issuance of necessary authorizations and permits relating to the tourism industry or environmental regulations, and assistance with business and tax registration for start-up companies (see Table 7).

**Table 7. Services Delivered by the EDBM, 2015–2016**

Service	2015	2016	Percentage Change
	Trim. I	Trim. I	
Newly registered companies	252	297	18
Work authorizations	714	739	4
Taxpayer matriculation numbers (CIF) delivered	—	295	—
ZEF attestation	12	3	-75
Morality investigation/certificate of conduct (FAD)	67	128	91
Morality investigation/certificate of conduct (visa)	32	142	344
Prior notice (avis préalable)	—	35	—
Authorization to operate	—	56	—
Investment visas	26	25	-4
Traveling visas	303	149	-51
Family reunification visas	71	89	25
Entry permit	88	92	5
Residence permit	241	495	105
Flex visa	76	67	-12

Source: Economic Development Board of Madagascar, 2015–2016.

Acting as a one-stop shop for investors, the EDBM also facilitates registration in the national commercial register (Registre Commercial et Social, RCS), which is stored at the commercial tribunal and comprises all economic entities engaged in commercial activities in Madagascar. When a new business is registered, the biographic information of the investors, including details such as name and surname of their parents, is registered. The EDBM has registered about 1,000 new companies annually over the past four years.

The database for the commercial register has been electronic since 2006 and is run on an internal server. While online registration is envisioned for the future, the registration process remains offline, albeit computerized, at this point. The EDBM charges the same fees for electronic and paper-based registration, and in both cases investors or their legal representatives are asked to present key documents in person at the EDBM offices in Antananarivo. The commercial register has been available to the public since 2003 and may be accessed in Antananarivo's commercial tribunal; however, all personal data related to individuals is not available for public access.

Other than a link with the RCS, there are no electronic linkages with other government entities that compile a business register, such as the Ministry of Finance, the customs agency, or INSTAT. As such, there are no opportunities for real-time cross-referencing between them. Furthermore, as different identifiers are used for every database, inquiries into a specific company across different databases are cumbersome and time intensive. In this context, the EDBM has been lobbying for a combined, unique identifier for commercial entities in Madagascar across all functional registries related to commerce and economic activity.

The EDBM has identified this problem in the context of a large-scale investigative effort into straw companies set up for the purpose of visa fraud or tax avoidance on imports. Acting upon a request by the customs department, the EDBM found that some of the country's largest importers could not be located at the physical address where they were registered. Additionally, while many companies were present at their registered address, the only staff found at the location was often a security guard. With reference to the 254 entities registered in economic free zones, which benefit from import tax exemptions and other economic advantages, the investigation found that the vast majority were not physically located at their registered address, while customs records showed continued importing activities at tax-exempt levels. A detailed report of the investigation into straw firms will be presented shortly in cooperation with the customs department, including recommendations on how to proceed in regard to companies that are no longer active but still registered in the commercial register.

## Ministry of Finance

The Ministry of Finance maintains a variety of different functional registries, both for individuals and for commercial enterprises, depending on the department in question and their specific duties.

### Payments and pensions to civil servants

Employees that are officially designated as civil servants throughout the Government of Madagascar receive their salary through the Ministry of Finance, which employs a database for civil servants based on an enrollment number and the employee's CIN number. It is an electronic database running on Oracle and has been operational for several years. The issuance of the enrollment number for civil servants was originally led and managed by INSTAT, but was passed to the Ministry of Finance in 2000 after a recommendation by the World Bank.

A variety of problems regarding the setup and execution of both the registry and the payout structure exist. Payments to civil servants are executed on a monthly basis, either through a bank account linked to the enrollment number, or in cash. Designated representatives can collect the salary on behalf of the civil servant in question, opening the possibility of document fraud and underreporting of death and retirement among civil servants and their families. As payments are linked principally to the enrollment number assigned to a civil servant in the internal database, dual recording and payment of employees has been reported in the past as well. Anecdotal evidence of fraud detection collected by the Ministry of Finance includes civil servants registering twice with CIN cards of close relatives, such as twin brothers. As both enrollment numbers and CIN numbers are usually issued manually in places other than Antananarivo, there is no reliable guarantee that numbers will not be issued more than once, resulting in multiple payouts to the same person.

The link between the employment database and the pension database poses additional challenges. Pensions are paid out to retired civil servants based on a different database, which has no clear or direct link to the database of active employees and therefore leaves little room for efficient auditing and cross-checking of the employment pool.

The identifier assigned to retired civil servants in the pension database is different from the enrollment number previously assigned to them during active service, and no clear link between the numbers has been established. Furthermore, outside of the Ministry of Finance's central office, the burden of reporting either retirement of employees or death of retired civil servants lies with regional and local agencies of

public administration. A lack of understanding and will on behalf of the recipient agencies and agents leaves the system fundamentally vulnerable to pension fraud, underreporting of retiree deaths, and the creation of a significant number of ghost employees and retirees, leading to a considerable financial loss through the ministry's payout structure.

The total cost of payroll and pension fraud is difficult to estimate. When the Ministry of Finance recently introduced a “pensioner card” needed to pick up cash payments of monthly pensions, more than 8,000 registered pensioners never collected the card and were therefore removed from the system. Regarding active employees, a 2007 census of civil servants, financed by the World Bank, never led to an update and maintenance of the payroll database, largely because of the advent of the 2009 political crisis.

## Fiscal identification and taxpayer registration

The Directorate-General for Taxes administers the national taxpayer's register for companies and individuals, both for “personnes physiques” and “personnes morales.” Taxpayers are registered in a centralized database and receive a fiscal identification number (“Numéro d'Identification Fiscale,” NIF) and can register or reregister through an online interface.<sup>10</sup> Alternatively, the registration process may be paper based—the taxpayer registration form is the same online and offline, and PDF versions are also available for download. The completed paper-based registration forms have to be presented to the regional entity in charge of fiscal affairs (that is, DRI, DGE, SSIF, Centre fiscal) in order to be entered into the database and for the NIF enrollment to be completed. Copies of the forms may be found on the website of the tax administration.<sup>11</sup>

Depending on annual revenue, the fiscal registration system differentiates between large, medium, and small amount taxpayers; there is, however, no difference in the registration and matriculation process. The documents required during registration are shown in Table 8. Upon completion of the form, the NIF online system automatically generates a 10-digit fiscal identification number that will henceforth be used to track economic activities and tax payments by the registered entity or person. In the case of companies and organizations, the CIN numbers required during registration will be those of the primary responsible executives; however, no backtracking of these individuals is possible for those knowing only the entity's fiscal identification number.

Control keys at the beginning and the end of the number frame an 8-digit, randomized numerical sequence. The system in place could technically be used to create longer, 12-digit unique identifiers and store them in the database; however, no plans to change or expand the current 10-digit system are currently considered since, from a security perspective, random numbers are considered to be stronger than numbers that explicitly contain information about the person or entity.

The numerical composition of the number is as follows:

Control	Random	Control
C	12345678	C

Despite requiring copies of applicants' CIN numbers, INSTAT numbers, and other details pertaining to their registration in additional functional registers of the state, no functional link between these numbers exists. As part of the discussions with INSTAT and the EDBM, a fusion of the different identifiers for better coordination of economic activity records was discussed, but no tangible actions or recommendations have yet been formulated.

10 <http://www.impots.mg>

11 <https://entreprises.impots.mg/nifonline/>

**Table 8. Documents Required at the Time of Registration for a Fiscal Identifier**

<b>Documents Required at the Time of Registration for a Fiscal Identifier</b>	
<b>Personne Physique</b>	<b>Personne Morale</b>
<ol style="list-style-type: none"> <li>1. Copy of the CIN</li> <li>2. Residence permit (for foreign nationals)</li> <li>3. Residence certification or utility bill not older than three months (for Malagasy citizens)</li> <li>4. Copy and payment receipt of initial tax declaration</li> <li>5. Statistical identification card</li> <li>6. Certified previous taxpayer card</li> <li>7. Proof of physical address (lease or homeowner's certificate)</li> <li>8. Other documents as required (e.g., ministerial authorization, professional licenses, etc.)</li> <li>9. Notarized power of attorney, if necessary</li> <li>10. Reference number of original request</li> </ol>	<ul style="list-style-type: none"> <li>▪ Founding documents of the organization</li> <li>▪ Copy of the CIN</li> <li>▪ Residence permit (for foreign nationals)</li> <li>▪ Residence certification or utility bill not older than three months (for Malagasy citizens)</li> <li>▪ Certificate of existence</li> <li>▪ Statistical identification card</li> <li>▪ Certified previous taxpayer card</li> <li>▪ Proof of physical address (lease or homeowner's certificate)</li> <li>▪ Other documents as required (e.g., ministerial authorization, professional licenses, etc.)</li> <li>▪ Notarized power of attorney, if necessary</li> <li>▪ Reference number of original request</li> </ul>

Source: Ministry of Finance and Budget, NIFonline, <http://www.impots.mg>.

## Ministère de la Fonction Publique du Travail et des Lois Sociales

The Ministry of Public Service, Labor Administration Reform, and Social Laws (MFPTLS) is the government entity officially in charge of public service administration and record keeping. As part of this task, the ministry oversees all work-related records of the civil service workforce, and is responsible for all human resource related activities regarding civil servants with the exception of wage and pension payments, which fall under the jurisdiction of the Ministry of Finance.

The main archives of the civil service held by the Ministry of Public Service are not digitalized and are in a poor physical state. The designated building housing the archives suffered from structural damage in 2014. As financing for securing and reconstructing the damaged building is not available, ministry staff have been unable to access the records for an extended period of time. Digitalization and archive reconstruction efforts are high on the list of potential public administration reforms, and the ministry is currently working with external donors such as the European Union to draw up detailed reform efforts in this regard (see page 33).

As already mentioned, the issue of ghost workers and duplicate records is another concern for the Malagasy civil service. In this regard, the Ministry of Public Service undertook a pilot census project aiming to identify ghost workers within its internal workforce. With a minuscule budget of just over USD 1,500, the ministry managed to complete the census by engaging field workers sent to the ministry's outposts and manually double-checking the results of these efforts with the digital database of ministry personnel. The ministry concluded that out of 1,964 registered employees, 151 were either no longer active or were dual records and could therefore be classified as ghost workers. Ministry officials agreed that a more thorough census methodology could provide even more detailed results, but acknowledged that a lack of financial resources would make such an effort unrealistic at this time.

The disconnect between the Ministry of Finance and the Ministry of Public Service has created discrepancies when accounting for civil servants and ghost workers in the past as well. The databases of the two

ministries are separate from each other and not connected, even though, in theory, they should contain the same workforce. Furthermore, a portion of civil servants benefiting from special status is directly covered by the Ministry of Finance, meaning their records do not appear in the Ministry of Public Service's database at all. Finally, when budgeting for civil service expenses, additional discrepancies between the ministries arise—while the Ministry of Finance budgets for positions, whether they are filled or not, the Ministry of Public Service budgets for actual civil service headcounts. All in all, these discrepancies and the resulting administrative and budgetary confusion have been the subject of ongoing discussions within the government for quite some time.<sup>12</sup>

## Caisse Nationale de Prévoyance Sociale

The CNAPS (Caisse Nationale de Prévoyance Sociale) is the national social security and insurance system for employees employed by private or public entities other than the government or the public administration. It specifically provides social security and insurance services regarding work accidents, occupational hazards, and retirement plans.

Originally created in 1956, but undergoing varying reforms between 1958 and 1969, the CNAPS' current legal status is anchored in law No. 68-023, dating from December 1968. Administratively, the CNAPS falls under the jurisdiction of both the Ministry of Public Service and the Ministry of Finance.

Businesses and private companies are required to register all initial employees with CNAPS at the time of business registration, and subsequently at the time of hiring of new workers. Workers are registered with biographical details and their CIN numbers, but inconsistencies with the CIN numbering system have led to duplication of records within CNAPS' database and the need for deduplication. All workers registered with CNAPS are assigned their own identifier; this number is exclusively internal and not cross-linked to any other government registry or database.

Overall, the current CIN identifiers pose a variety of problems for the administration and payout structure of a large social security and insurance system. CNAPS has identified the need for a secure legal identity as fundamental for administering a stable and secure social security system. A general unique identifier could help avoid duplicate records and facilitate the registration of employees and their dependents in the benefits system.

## Tribunal de Commerce

The Commercial Tribunal (Tribunal de Commerce) maintains the national commercial and social register (Registre Commercial et Social, RCS), a publicly available database of all legal entities pursuing commercial activities in Madagascar. Upon registration, entities are issued an alphanumeric identifier that includes keys regarding geolocation, year of application, a classifier between A and D depending on the type of entity, and a chronologic number.

Geolocation	Year	Classifier	Chronologic Number
Alphabetic characters	AAAA	Alphabetic character	NNNNN

The process was put in place in 2008 by decree 2008-440 and follows a two-book approach: one set of records remain at the place of registration, while a second set is transmitted to the Chief of the RCS every

<sup>12</sup> For further details, refer to World Bank Policy Notes 2014, <http://documents.worldbank.org/curated/en/130911468086644653/Opportunities-et-defis-pour-une-croissance-inclusive-et-resiliente-recueil-de-notes-de-politique-pour-Madagascar;jsessionid=V5KsQKErKJ3dSyV7AD2wPUY+>

15 days for digitalization and archiving purposes. Since this is a manual system at the “root level,” there is room for clerical errors in the numbering system. It is also a numbering system that can easily be breached if the some of the alphanumeric characters are known.

Equally since 2008, RCS registration may be done by the EDBM as part of their one-stop shop approach to setting up a business within the country. For more details on the EDBM’s procedures, see page 21.

## Ministère de l’Economie et de la Planification

The Ministry of the Economy and the Plan (Ministère de l’Economie et du Plan, MEP) is the Malagasy government entity formally in charge of economic development and statistics. The national government’s official policy strategy document (Politique Generale de l’Etat, PGE), defines the four main tasks of the ministry as follows:

- Regarding the economy: design, management, monitoring, and analysis of the government’s policy concerning economic administration and development.
- Regarding the plan: planning and coordination of the country’s development programs, both medium and long term, at the national, sectoral, regional, and local levels.
- Regarding development support: design of development support mechanisms and management tools as well as monitoring and evaluation of development programs at the national, sectoral, regional, and local levels.
- Regarding official statistics: design, piloting, coordination, and monitoring and evaluation of the state policy on development of the National System of (Statistical Système Statistique National, SSN).

INSTAT also falls under the auspices of the Ministry of the Economy and the Plan, but enjoys wide-ranging autonomy in terms of survey design and operations. For more details on INSTAT, see page 7.

As the ministry officially in charge of supporting economic development, the MEP is also the main government actor tasked with overseeing the implementation of the national development program (Programme Nationale de Developpement, PND—see page 5).

Considering its role in the analysis and development of public policy regarding both economic development and statistics, the MEP holds a role of considerable importance in the planning and, eventually, the execution of the upcoming national census. As previously mentioned, the last census in Madagascar took place in 1993, which considerably hampers the working conditions of the MEP, as it makes adequate data analysis and policy development a great deal more difficult.

## Ministère de la Population, de la Protection Sociale, et de la Promotion de la Femme

The Ministry of Population, Social Protection, and Women (MPPSPF) is the entity in charge of the centralization, application, execution, and evaluation of all government-run programs relating to social development, the protection of vulnerable populations, and social protection and equity. As part of this mission, the ministry is tasked to design policies and programs aimed at combating social exclusion and creating national solidarity among different population groups.

Originally limited to post-emergency intervention programs, for example in the case of drought or flooding, the ministry has been aiming to move into prevention and long-term social programming, including the implementation of sustainable social protection policies and a social security net for vulnerable populations. Besides budgetary challenges, the greatest problem encountered by the ministry is a lack of identity documents among poor beneficiaries in rural areas. The social security projects, as well as conditional cash transfer projects designed to help bridge postemergency situations, require the verification of the identities of the beneficiaries by the presentation of a birth certificate or a CIN in order to officially receive

any sort of financial support from the program. However, in rural areas, the most vulnerable populations are the ones who tend to lack civil registration and identification documents.

According to MPPSFP, the numbers in the ENSOMD's 2013 survey results, which puts the birth registration rate in Madagascar at about 83 percent, are not consistent with their observations, and it is suspected that the national average for birth registration may be lower. As these figures only measure the percentage of the population aged under five officially registered with the civil registration authorities, they fail to account for the significant number of Malagasy citizens over the age of five that are not in possession of any proof of identity whatsoever. The problem of nonidentification proves a formidable obstacle to the execution of social protection projects and the establishment of a registry of social beneficiaries.

## Fonds d'Intervention pour le Développement

The Intervention Fund for Development (Fonds d'Intervention pour le Développement, FID) is an association created in 1993 by decree No. 9344 of 27 January 1993 and governed by public ordinance No. 60-133 on the general scheme of associations.

According to its statutes, its corporate purpose is to mobilize funding in order to promote, fund, and implement community projects of economic and social character, as well as to strengthen the capacity of various local development actors. With funding from the World Bank, the FID has established a social safety net program aimed to support the poorest quintile of the Malagasy population along two primary lines of activity: (i) monetary/cash transfers for human development purposes; and (ii) monetary support to community development projects.

The FID employs two methodologies to identify potential beneficiaries:

- Community-level identification schemes; and
- Proxy-means tests (PMT).

The institution aims to abandon PMT identification procedures for future cash-for-work programs, however.

The enrollment process for social safety net participation, carried out at the level of the fokontany, is as follows:

1. A meeting is held at the fokontany level to which all residents are invited.
2. An initial list of households potentially eligible for the FID is created.
3. All households are given an identifying number.
4. A general assembly is held to define and decide the list of eligible candidates.
5. A PMT of the households from this list is carried out.
6. The preselected households have to present CINs for the adults and birth certificates for the children; however, the absence of a CIN is not an obstacle for initial enrollment in the FID.

The requirement to present an identity or identification document poses a considerable obstacle to beneficiary identification. According to FID estimates, more than half of eligible households do not have the identity documents required. The FID encourages beneficiaries to register with the civil registration and identification authorities by facilitating contact with the municipalities, and they have included campaigns into their rural outreach work in order to spread awareness on the importance of having identification documents. The FID is currently undertaking a study to determine the feasibility of organizing the transport of magistrates to remote communities in order to facilitate registration campaigns. Overall, however, the FID has neither the funding nor the institutional mandate to cover indirect costs for registration procedures among potential beneficiaries.

In order to allow potential beneficiaries to profit from social safety programs they have been selected for, the FID has negotiated a six-month grace period with financial service providers, beginning upon the start of the payout, at the end of which beneficiaries must be able to prove their identity through official documents. In the meantime, an FID-internal passport book is used to identify participants for benefit payouts. The document includes a photo and biographical information on the head of household as well as dependents. In most cases, a female household member is designated as the official receiver of the financial support. Each household is issued a beneficiary number containing 16 digits and consisting of a geographic code and a unique household identifier. The number is issued for the entire household, not on an individual basis—the head of household, his or her spouse, and the designated receiver must be present for the delivery of the passport booklet. CIN numbers are not taken into consideration in the creation of the number.

Payout of benefits is structured in bimonthly intervals. The payout consists of a base payment of AR 20,000 (about USD 6.60) and bonus payments of AR 10,000 (about USD 3.30) for up to two children aged 6–10. The head of the household can claim the payment either as a cash handout at a licensed mobile money vendor or through a microfinance institution. If the money is paid out through a registered microfinance institution, the recipient must be in possession of a valid CIN. If the money is paid out by a mobile money vendor, other arrangements are possible, such as bringing two witnesses to the cash register. The FID will act as a guarantor of the recipient's identity up until the expiration of the six month grace period. Alternatively, the FID and households not in possession of a CIN may ask a designated member of the recipient's community to collect the payment on their behalf, provided they are not a beneficiary of the social support program themselves.

The database of social beneficiaries is stored on a web-based platform that is open for consultation by authorized persons equipped with a password. This includes staff from the FID, relevant ministries, donor staff from the World Bank, or third-party staff involved in the setup of the social programs. FID technical staff alone are authorized to make changes to the database.

The FID system underlines the challenges of effective and fraud secure social protection programming in areas where the majority of the population does not have any form of legal identification document. Grace periods, designated receivers, and witness systems are stopgap solutions that complicate and prolong the payment process and leave beneficiaries vulnerable to abuse and discrimination and social safety programs vulnerable to fraud.

## Ministère de l'Education Nationale

The education sector accounts for 21 percent of the public budget. The Ministry of National Education (Ministère de l'Education Nationale, MEN) employs about 175,000 teachers. The Malagasy school system accounts for about 6.1 million students, 4.6 million of whom are in the elementary cycle and 1.5 million in the secondary cycle.<sup>13</sup> Close to 80 percent of the budget of the Ministry of Education (MEN) (publicly funded) is allocated to salaries and little to no budget is allocated for sectoral investment.

The MEN's activities are related to identity management in the following ways:

**Enabling the hire of 10,000 additional teachers as civil servants:** The Ministry of Education responded to a severe shortcoming of teachers in rural areas by launching a program aimed at the hiring of an additional 10,000 teachers within the country's civil service. The new hires will be recruited from the communities they are expected to serve, and their assignments will largely be at the elementary and secondary school level. However, as teachers within the civil servants are paid through the Ministry of Finance's payroll system linked to primary bank accounts, individuals need to be in possession of a CIN in order to be eligible for hire. Of the 10,000 community members selected for the program, about 10 percent were not in possession of a legal form of identification at the correct time. In order to rectify the situation, the Ministry

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<sup>13</sup> UNESCO Institute for Statistics, 2014.

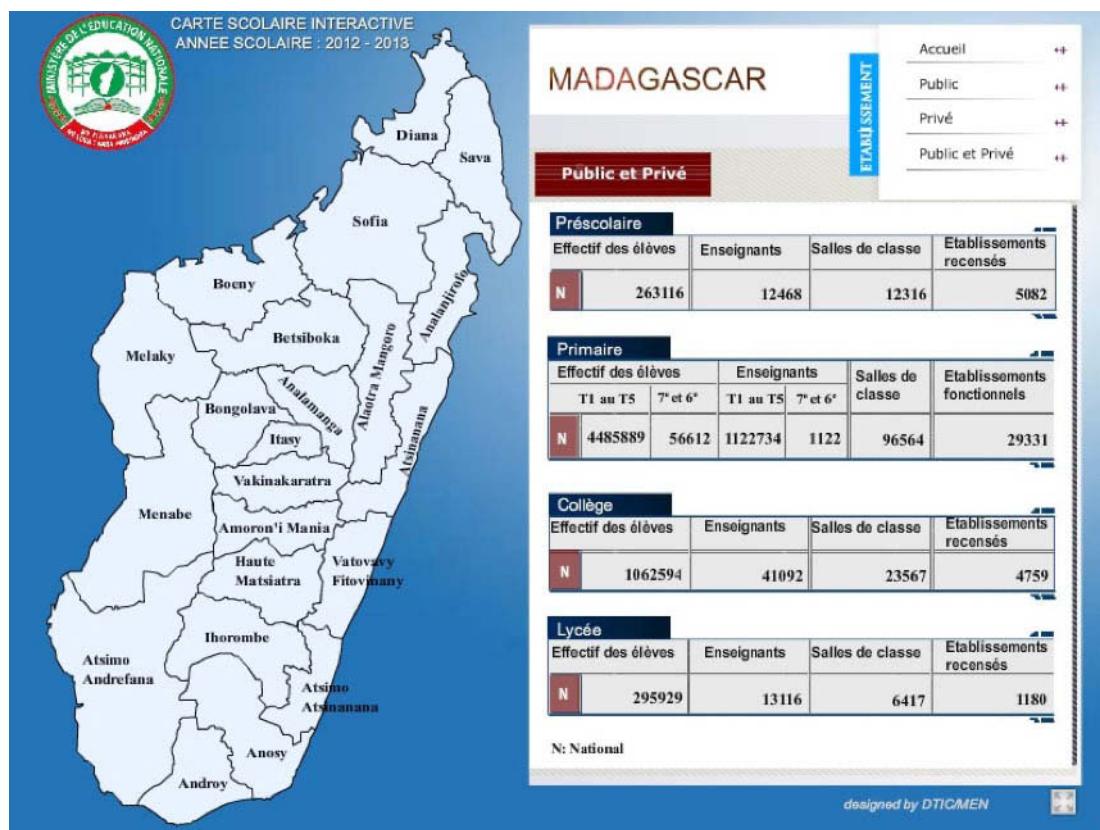
of Education is currently working with the Ministry of Interior and the Ministry of Decentralization to regularize the situation for the new hires and allow for their timely registration with the civil identification system.

**The national student register:** Madagascar has about 23,000 primary schools for about 4.5 million primary students. The completion ratio for primary education lies at about 60 percent. The average age at graduation from primary school is between 9 and 10 years. While the school year officially lasts from October until July, high rates of absence can be witnesses among students in rural areas during both the harvest and rainy seasons. Of the students continuing their education at one of the only 200 secondary schools in the country, only about half will attend to completion.

Students no longer need a birth certificate to enter primary school, but must present one in order to sit the national examination. The instruction that birth certificates are no longer required for enrollment was issued in 2002; however, not all schools and stakeholders across the country are aware of this change.

At the beginning of each school year, schools across the country carry out a matriculation survey, collecting information on enrollment numbers in order to track education completion rates as well as growth of the student body. However, as these surveys are paper based, their results arrive at the ministerial level on an irregular basis, making the production of timely statistics for policy purposes difficult. The latest complete data available is for the 2012–2013 school year (see Figure 5).

**Figure 5: Summary of the Number of Students in Education in Madagascar**



Source: Ministry of Education.

## Registration of SIM cards

As of April 2016, SIM-card registration is mandatory in Madagascar. The Regulatory Authority for Technology and Communication (Autorité de Regulation des Technologies de Communication, ARTEC), the relevant government entity overseeing the mobile communications sector, had been asking mobile operations in the country to register the details of their subscribers and clients as early as 2003. In early 2016, ARTEC officially demanded that all SIM-card holders register their cards by supplying their full name and address, as well as a copy of an official identification document, such as a CIN or a passport, to the operator.<sup>14</sup> All SIM-cards not officially registered by 30 April 2016 were deactivated.

The measure follows international practice and officially aims to target problems such as money laundering, cybercrime, and identity fraud. User data is stored with the mobile operators. While ARTEC officially insisted on proof of identity for registration purposes, not all mobile operators complied with the agency's demand, relying instead on self-reporting of registration data by SIM-card users themselves.<sup>15</sup>

## Centre d'Immatriculation—biometric driver's license

In November 2015, the Malagasy Ministry of Transport started issuing new biometric driver's licenses in order to replace the old, paper-based system. The new license cards, which offer a considerably higher amount of protection against fraud and falsification, are intended to support the fight against corruption at the matriculation office (Centre d'Immatriculation, CIM), the public administration entity officially in charge of issuing driver's licenses.

Apart from issuing biometric licenses, the ministry aims to equip national police stations and traffic agents with card readers able to authenticate the veracity of licenses. While rollout of the biometric licenses has already begun, equipping traffic police and police stations with the relevant technology is still lagging behind.<sup>16</sup>

Holders of a valid, paper-based driver's license can apply for the new biometric license by submitting a copy of their CIN, a certificate of residence, and their existing license. In order to apply for a new license, applicants not currently in possession of a valid license must submit the following documents to the CIM.<sup>17</sup>

- Signed application form
- Certificate of residence
- Certified copy of the birth certificate
- 3 photos/headshots
- Certified copy of the CIN
- Certified record of having passed two driving tests

After submitting these documents, applicants' biometric information is recorded and stored on-site. According to CIM estimates, 15 designated operators at the Antananarivo offices deliver between 150 and 200 new driver's licenses per day.

The new license costs AR 38,000 (about USD \$12.50), and takes about five business days to be delivered. Applicant information is stored electronically, allowing for authentication via card readers from across the country rendering the old paper-based archives obsolete.

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<sup>14</sup> [http://www.omert.mg/pdf/conf\\_press\\_20160301.pdf](http://www.omert.mg/pdf/conf_press_20160301.pdf)

<sup>15</sup> <http://fr.allafrica.com/stories/201605031019.html>

<sup>16</sup> <http://www.orange.mg/actualite/permis-biometrique-4-points>

<sup>17</sup> <http://www.transport.gov.mg/passage-aux-examens-de-permis-de-conduire/>

In addition to driver's licenses, the CIM also provides the national vehicle registration card, called "carte grise," or grey card. The registration process for vehicles does not require the applicant's biometric information or physical presence. Nonetheless, before receiving a grey card, vehicle owners must submit the following documents:

- Certified record of having passed driving test
- Application form from customs
- Certified copy of CIN
- Copy of driver's license
- Fiscal form attesting payment of import tax
- Customs receipt of payment
- Technical specifications of the vehicle, as recorded by the customs department
- Customs record of vehicle owner
- Customs bill of lading

According to CIM estimates, 25 designated operators at the Antananarivo offices deliver between 150 and 200 new grey cards per day.

Both grey cards and driver's licenses are issued on preprinted paper and plastic cards made in Slovenia, using the Perseus registration software and Securion card printing systems. Data are stored on a local secured server on-site at the Antananarivo offices. The database of driver's licenses and grey card holders has a searchable software interface and can easily be accessed by agents with a connection to the local server.

## Development partners

### UNICEF

UNICEF has been active in Madagascar since 1984, supporting a variety of sectors ranging from child and maternal health to social inclusion, nutrition, education, and emergency response. As part of the organization's child protection activities, supporting children's birth registration efforts in Madagascar has traditionally been an item of particular interest, and support to the Malagasy authorities in this regard has evolved over the years. Technical and financial support were initially focused on supporting design and implementation efforts of the national rehabilitation program regarding birth registration, both in terms of increased registration at the time of birth as well as retroactive registration of previously unregistered children. UNICEF subsequently refocused its strategy in 2010-2011 on the implementation of an equity-based approach, including retroactive registration campaigns, to reach children in the southern regions of the country, which had a high rate of under-registration. At the same time, in an effort involving various ministries, attempts were made to support the establishment of a systematic birth registration mechanism that would produce demographic data and vital statistics. In this context, the Malagasy Ministry of Health now includes birth registration of children in its monthly activity reports (RMA). In rural areas, the Ministry of Health relies on community health workers, supported by USAID, to carry out this work.

The right to an identity remains a strategic priority for UNICEF's child protection agenda in the country. The organization credits the country's rising rate of officially registered children aged under five (83 percent in 2013, compared to 75 percent in 2003) largely to the efforts of the National Program for the Rehabilitation of Birth Registration (EKA), an initiative launched in 2006 with financial support from UNICEF and the French Embassy to retroactively register previously unregistered children. Presently, UNICEF is supporting the comprehensive assessment of Madagascar's CRVS system within the framework of the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS). See page 7 for more details on APAI-CRVS.

## European Union

Relations between the European Union and Madagascar were adversely affected by the political crisis of 2009. Deeming the shift in power unconstitutional, the European Union suspended its development assistance under the Cotonou agreement until 2014, when the country successfully held democratic elections and transitioned to a new government.

The lifting of the development assistance ban coincided with the launch of the eleventh European Development Fund (EDF) and led to the signing of a National Indicative Programme for Madagascar (NIP) governing the strategic objectives of the eleventh FED in the country. The following sectors were identified as priority areas of intervention:

- Governance and strengthening of public policy: “Strengthening the capacity of the State to consolidate economic development, stability, and basic public services delivery;”
- Infrastructure in support of economic development: “Reinforcing the infrastructure capital (roads, energy, water) to sustain economic development of areas with a strong potential;” and
- Rural Development: “Promoting a sustainable and competitive agricultural sector and strengthening the resilience of vulnerable people.”<sup>18</sup>

The first of these areas in particular touches upon public administration reform and streamlining of the administrative processes of the civil service. Under the auspices of PREA, the European Union is supporting a public sector reform project titled “an administration serving all” (Ny Fanjakana ho an’ny Daholobe, NFD). The project has a component focusing on the design and implementation of two essential reform packages within the Ministry of Public Functions and Administrative Reforms (Ministère des Fonctions Publiques, MFPRA), the Ministry of Finance (MOF), and the relevant directorates dealing with HR administration in other ministries:

- **SIGRHE:** Integrated Public Human Resources Administration System; aiming to digitalize and standardize HR record keeping for civil servants among all government entities. Successful implementation of the system would result in a central electronic database holding all relevant records regarding employees of the civil service, including payment or pension information, job descriptions, relevant budget lines, and all additional documents and transcripts. Civil servants would be assigned a unique identifier, tracing them among agencies and staying with them through retirement.
- **GPEEC:** Provisional Planning and Oversight of the Workforce, Posts, and Skills; a comprehensive analysis and assessment, based on a model French approach, of the public sector’s roles and responsibilities, resulting in a strategic realignment of necessary posts and functions within the public administration as well as of internal training, career advancement, and motivation techniques.

The factor included in the EU’s NFD project most relevant to identity management is certainly the introduction of a unique identifier for the civil service. In addition to efforts already undertaken by MFPRA to identify and eliminate ghost workers within the workforce (see page 25), the introduction of a unified system for identifying and administering civil servants among different ministries signifies a crucial step toward reducing wasteful spending and improving the public workforce.

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<sup>18</sup> [https://ec.europa.eu/europeaid/countries/madagascar\\_en](https://ec.europa.eu/europeaid/countries/madagascar_en)

# 3. Results and conclusions of the analysis

## Results

The methodology used for this analysis was a combination of desk research, web-based information collection, and meetings with stakeholders relevant to the identity management environment in Madagascar, based on the IMSA tool, to formulate a series of suggestions and recommendations for validation by the Malagasy authorities. The key findings from the analysis are shown in Annex C. What was particularly striking during the information-gathering phase for this assessment was people's frankness, openness, and desire to discuss options to find workable solutions for Madagascar's identity management system. It is therefore of utmost importance to discuss the results, not with a view to what has been, but to what can be.

At the core of an identity management system is the establishment of a person's identity, a responsibility that lies with the civil register. The person's unique identity is further strengthened by the civil identification agency issuance of a national identity card, with additional attributes such as a unique personal number, a photograph, capturing of biometrics (for example, fingerprints), and the person's signature.

Ideally, the system would be integrated and fluid, for instance by a "one-stop shop" for all registration services and an issued identity token, whether it is a certificate issued by the civil register or an identity card issued by the civil identification agency, and would be valid and trusted for interacting with institutions that require proof of identity, or authentication of identity.

The identity management system in Madagascar is fragmented and complex and makes interaction with the different "windows" time consuming for citizens. Given the fragmentation, it is also difficult for government agencies to ensure timely verification of identities and service delivery. One example is the lack of timely interaction between the civil register and vital statistics for the purpose of obtaining opportune vital and demographic information for policy decision making.

A functional register is set up to fulfill a particular purpose or for a particular group of people, and may be formal (for example, electoral rolls, professional associations, social benefits programs) or informal (that is, associations based on likes or interests, for example, girl scouts, choirs, and so on). When an organization set up a register, the objective is to grant access to benefits or privileges based on a known identity, but it also makes possible the tracking of user access and participation. For verification purposes, it would be sufficient for functional registers to rely on the primary identity credentials (see Table 9.)

Reconfiguring a civil register, or a civil identification register, and making the issued identity token (that is, a certificate or card) fully interoperable with other sectors is a challenge under the best of circumstances.

**Table 9. Functional Registers Relying on Identity Credentials**

Primary Identity Credential (establishes legal identity)	Secondary Identity Credential (privileges)	Tertiary Identity Credential (entitlements)
Certificates issued by the CR	Voter card	Social security card
Identity credential issued by the CI	Driver's license	Health service card
	Student id	Membership card
	Bank (account) card	Employee badge

Countries with fragile institutions face particular challenges such as competing priorities, capacity constraints, pressure for rapid delivery of results, and lack of resources for effective monitoring, to mention a few. One contribution toward the strengthening of the institutions that make up the government is a trusted and transparent tax revenue system. This is a matter of both consolidating and protecting the taxpayer base to ensure an efficiently functioning taxpayer and tax revenue management system.

The objective of a unique identifying number, whether it is for tax payment or other purposes, is to verify eligibility to access a service or benefit, or comply with an obligation. The Ministry of Finance has designed a 10-digit taxpayer identification number, with the assignment of an 8-digit random identification number with digits from 0-9 with one check digit in front of the number, and one check digit after it. For the 8-digit random numbers, there are 100,000,000 combination possibilities (repetitions permitted). If the 10-digit number were to be randomly assigned with repetitions permitted there would be 10,000,000,000 (1010) combination options.

Control	Random	Control
C	12345678	C

While we do not know which algorithm on which the calculation of the check digit is based, 1010 combination options would be sufficient for the foreseeable future.

Another sector that could benefit from early reform is the social protection system, which is currently divided among different agencies. Quickly identifying and reaching the most vulnerable groups and individuals of the population is a prerequisite for successful social protection projects and positive development outcomes in this particular sector. Consolidating records and establishing an efficient administrative register for potential beneficiaries of the social security and protection program based on validated civil registration records could greatly facilitate the work currently being carried out by the agencies in question, as well as facilitate future social protection efforts in severely underdeveloped parts of the country.

Improving the management of records in the education sector could underpin the efforts and investments of the government in primary and secondary education. This would entail both a consolidated register of teachers, as well as students. Reaching universal birth registration and having a unique identity number from birth will facilitate the tracking of students through the education system, and contribute to the planning exercises of the Ministry of Education because the size and composition of each cohort will be known.

## Conclusions

The conclusions draw upon information obtained during the field visit, and the findings presented in the report, as well as the input from the participants at the validation workshop held in Antananarivo on June 28 and 29, 2016 (see Annex D).

The key conclusion is that there appears to be a willingness and desire to move forward with improvements to the authentication and verification options and to make the civil registration systems more trusted and trustworthy.

The ideal course would be to reform the civil registration and identification system so that they become fully electronic and interoperable, to allow for automatic and electronic verification of identities for service delivery. At this stage, it is impossible to provide an accurate estimate of the cost of achieving this objective, but experience suggests that a full upgrade could cost between USD 7 and USD 15 per citizen. A high rate of return could be expected on the investment, but a full cost-benefit analysis would be required.

Other data that is necessary to determine the scale and scope of reform of Madagascar's identity management system is the exact size of the population, how many people currently possess a birth

certificate, and how many have a CIN. With the upcoming census, INSTAT could include questions on birth registration and identity documents, as this would give a baseline not only for the size of the population, but also how many will need to be enrolled in the civil register and how many are in need of an identity card. This information is needed to estimate more accurately the cost of upgrading the Id-M system.

In the context of the African Union's initiative to promote visa free travel for all holders of African passports, Madagascar needs to be in a position to guarantee the veracity of the information in every passport according to International Civil Aviation Organization (ICAO) standards.

Political decisions are needed on what ought to be the next steps, but an urgent priority is the need to establish a coordinating body to oversee identity management as a whole, including civil registration and vital statistics, in an effort to coordinate and harmonize the support of the development partners in this area to the maximum benefit of the Malagasy people.

While a full-scale modernization effort of the Id-M system may not be feasible at this time, Madagascar must address identity management with a long-term view, mindful of the need to develop the sector in a modular, step-by-step fashion.

Any electronic authentication and verification system has to be built on a solid foundation of a modern legal framework, with effective interinstitutional collaboration supported by memoranda of understanding (MoUs). The ICT structure that will allow for secure and efficient electronic and digital management of registers and databases for the unique identification of individuals should only be designed and procured once the other layers of the pyramid have been defined, agreed on, and put in place (see Figure 6). This process to achieve this does not have to be linearly but activities could happen in parallel in the different layers.

Public sector governance depends on good decision-making instruments, and one of these is dependable demographic data. Another is knowing who is who for the distribution of benefits, and ensuring access to services and civic obligations and rights, such as voting. Having a unique personal number from birth is both an advantage for the person, and for the government. For the individual, it is an easy way to authenticate their identity; for governments, it is a tool that helps them deliver designated benefits to those who are eligible or ensure foundational education for every child by “tracking and tracing” students through school. Another advantage of a unique identity number from birth is in facilitating vaccines and health services.

**Figure 6: The Legal and Collaborative Foundation for an Electronic Authentication and Verification System**



# 4. Modernizing Madagascar's identity management system

## A framework for the modernization process

A modern and integrated, if not interoperable, identity management system has the potential to be a valuable tool for public sector decision making, and will contribute to a more efficient method for citizens to access and receive public services. In addition, it may also be a cost-effective measure if services can be bundled together or streamlined.

With the African Union's decision to proceed with visa free travel for holders of African passports it is imperative that identities are validated to the highest international standards so that authentication of the same identity is an easy task during a border crossing. A modernized identity management system will also put Madagascar in a better position to comply with the Sustainable Development Goals (SDGs), because 39 of the indicators depend on civil registration.

Any modernization effort needs a solid baseline upon which to measure progress, and a recommendation has been made to use the upcoming census to establish that baseline by introducing questions pertaining to birth registration, possession of birth certificates, and/or identification documents in the household.

The present systems for registration are paper based, and in order to preserve the already existing records, the system would benefit from digitalization and deduplication of entries to ensure a set of one-person, one-identity, one-core records.

However, rolling out a fully redesigned and upgraded system will come at considerable cost, and it would be sensible to build up a modern identity management system by addressing concrete and discrete sectoral needs for identification of beneficiaries or taxpayers.

Whichever approach the Government of Madagascar decides to take, it would be advisable to be done within the framework of a national identity management policy. This would, ideally, not be solely a top-down exercise, but include a gradual buildup of capacities from the operational level.

Whether upgrading will be done by total redesign or sector by sector, it would profit from being done in a modular fashion, focusing on what can be achieved quickly, and how each improvement can be sustainable on its own. Only what can be measured can be improved, and having a solid baseline for going forward is crucial. It would be necessary to improve institutional and administrative accountability and to improve trust among stakeholders, including citizens. This can best be achieved by taking the time to develop the necessary skills and planning capacity rather than rushing through the process to try to meet unrealistic deadlines.

In practical terms, the modernization of the identity management system would be addressed at three levels—policy, strategic, and operational—with consideration given to the cost of the action.

### Policy Level

At the policy level, it is necessary to define the regulatory framework for identity management with the objective of supporting the administrative and institutional capacity of governmental agencies, and encourage active citizenship. The two key tasks would be:

- Undertake a detailed mapping of need for evidence of identity and authentication across the public and private sectors.
- Develop a national identity management policy.

## Strategic level

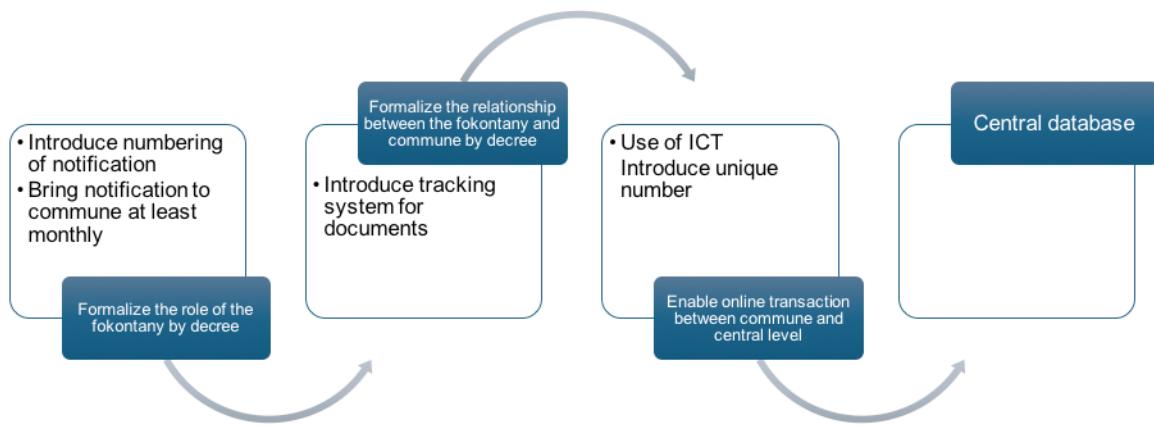
In order to implement a national identity policy that will allow for the strengthening of the administrative and institutional capacity of governmental agencies and encouragement of active citizenship, it would be necessary to undertake the following strategic tasks:

1. Undertake a revision of the existing legal framework (see Figure 7).
2. Upgrade the framework to reflect best practice with respect to universal birth registration, identification, protection of personal data, cybersecurity, electronic signature, and so on.
3. Undertake an efficiency analysis of the existing institutional arrangements for civil registration and civil identification and the capacity for verification and authentication of identities.
4. Streamline procedures with a view to creating a one-stop shop for citizens, and further link registration and enrollment to benefits.
5. Upgrade the administrative capability of the civil registration and civil identification agencies (see Figure 8).
6. Gradual transformation from paper-based to electronic registers.
7. Strengthen e-governance platform to allow for electronic verification and authentication of identities.
8. Gradual transformation from paper-based identity credential to smart e-ID cards (see Figure 9).
9. Define the role of the private sector, both as a user with respect to the need for verification and authentication of identities, and as a contributor of resources. For instance, can the recent experiences with the registration of SIM cards and new driver licenses benefit the public sector?

**Figure 7: The Legal Framework for Civil Registration and Identity**



**Figure 8: Upgrading the Administrative Capability of Agencies**



**Figure 9: From Paper-based to Smart e-ID Cards**

Paper-based	New ID card	e-ID card
<ul style="list-style-type: none"> <li>Authentication: weak</li> <li>Lifespan: ?</li> <li>Verification: V</li> <li>Trustworthy: N</li> </ul>	<ul style="list-style-type: none"> <li>Authentication: must improve</li> <li>Plastic (PVC, PET)</li> <li>Lifespan: 4-5 years</li> <li>Verification: V + MR</li> <li>Trustworthy: Y</li> </ul>	<ul style="list-style-type: none"> <li>Authentication: must be strong</li> <li>Polycarbonate</li> <li>Lifespan: 8-10 years</li> <li>Verification: V+MR+digital</li> <li>Trustworthy: absolutely</li> </ul>

V = Visual, MR = Machine Readable; Y = Yes, N = No

## Operational level

At the program or operational level, a number of immediate steps can be taken, and ideally these would reflect decisions already made at the policy or program level. The common objective of the operational actions is to improve service delivery to citizens, and make service delivery more streamlined, efficient, and economically sustainable. Among the expected outcomes will be cost savings for both government agencies and citizens.

The education, social protection, and tax payment sectors have been selected as schematic examples, but the results-based framework can be applied to other areas as needed (see Figure 10).

The necessary steps that have to be taken in each sector would have to be defined in detail. With the World Bank's ongoing strong engagement in Madagascar, this detail should be defined in conjunction with the relevant authority. What is key in any of the sectors will be the government's decision to move forward with upgrading and modernizing the identity management system. The present model is not apt for tomorrow ICT solutions that are already being introduced through mobile technology and communications. Also, in an economy where people are trying to break out of the poverty cycle, individuals deserve to spend less time dealing with bureaucracy and receive better and more effective customer service from the public sector.

**Figure 10: Examples of Initial Steps to Improve Service Delivery**



With respect to what could be done immediately, the following examples consider improving governance mechanisms in the education sector, and improving revenue management in tax administration. In both examples it is assumed that records have been or can be digitized and digitalized into a searchable database that can be accessed not only at the central level, but also at the district level. It is also assumed that there will be data protection barriers in place, and differentiated access to the database, that is, read-only versus management/correction access and privileges.

### Improving governance mechanisms in the education sector

In order to improve budget planning and execution, including payments of community teachers, and support the school-based management structures, MEN could use a personal identification number as an option to track and trace teachers, including community teachers, in the system. The records for each individual will have to be digitalized for a system for tracing and tracking to be fully operational. The CIN number could be used as a placeholder in the database, but it is recommended that slots are assigned to a future unique identity number when the database is designed.

Attainment of Sustainable Development Goal (SDG) 4.1, “By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes” was used as an example to show the potential impact of the use of a unique identification number for teachers in the results-based matrix shown in Figure 11.

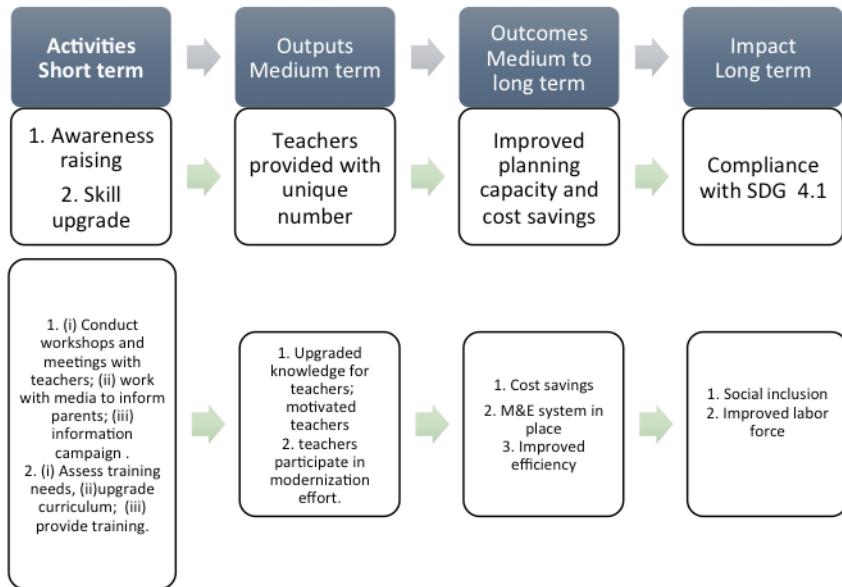
### Improving revenue management in the tax administration

The need to increase public revenues is one of the critical constraints facing Madagascar. One of the factors that can contribute toward better revenue mobilization and management, and its use toward promoting better service delivery to the population, is a better M&E system based on consolidated use of a tax ID number based on, or at the minimum linked to, a national civil identification number.

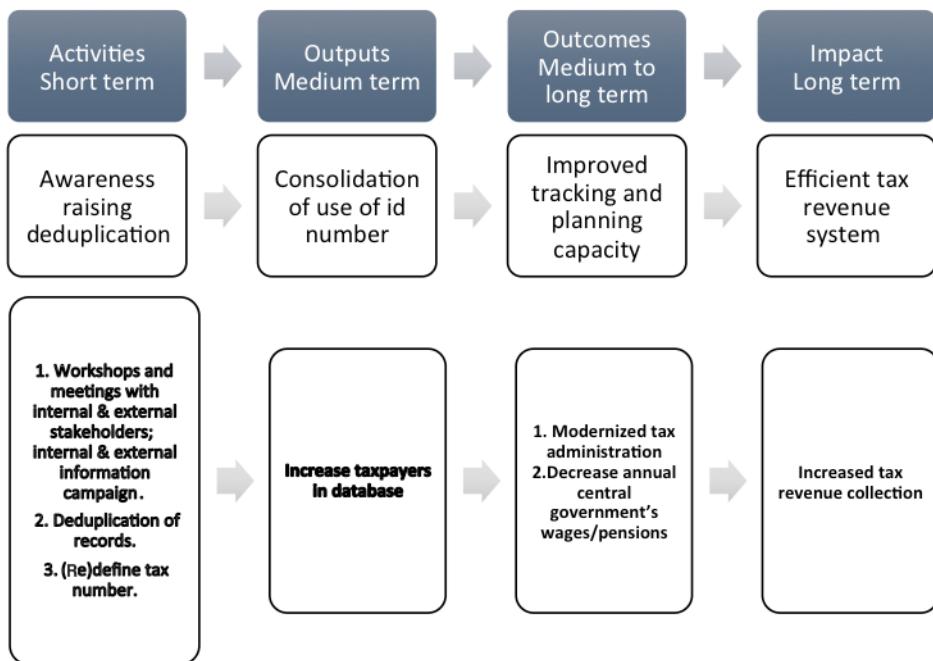
Improved identity management systems are advantageous to the government itself, and the tax administration is one area where this can bring almost immediate improved efficiency and effectiveness as well as cost savings and a predictable revenue stream by improving taxpayer registration procedures with better authentication practices and consolidating the numbering system. Improving the taxpayer numbering system and offering mobile or online access for taxpayers for filing and tracking services can also increase trust in the system by ensuring taxpayers' rights and support compliance with obligations.

**Figure 11: Potential Long-term Impact of Use of Unique Identity Numbers for Teachers**

EDUCATION : use of unique personal identity number for teachers.



**Figure 12: Potential Long-term Impact for Consolidated Use of Unique Identity Numbers by the Tax Administration**



One recommendation is to assess whether the taxpayer number in the future could be used as a unique identifying number from birth. The advantage would be that Madagascar already has a system for the issuance of a unique, random number in place, and the present system has the capacity to generate 10 billion individual numbers. However, a way would have to be found to distinguish between firms (moral taxpayers) and individuals. It would also be necessary to revise the legal framework and the interinstitutional arrangements and responsibilities for such a redefinition of the use of tax numbers.

## Improving baseline data in other agencies

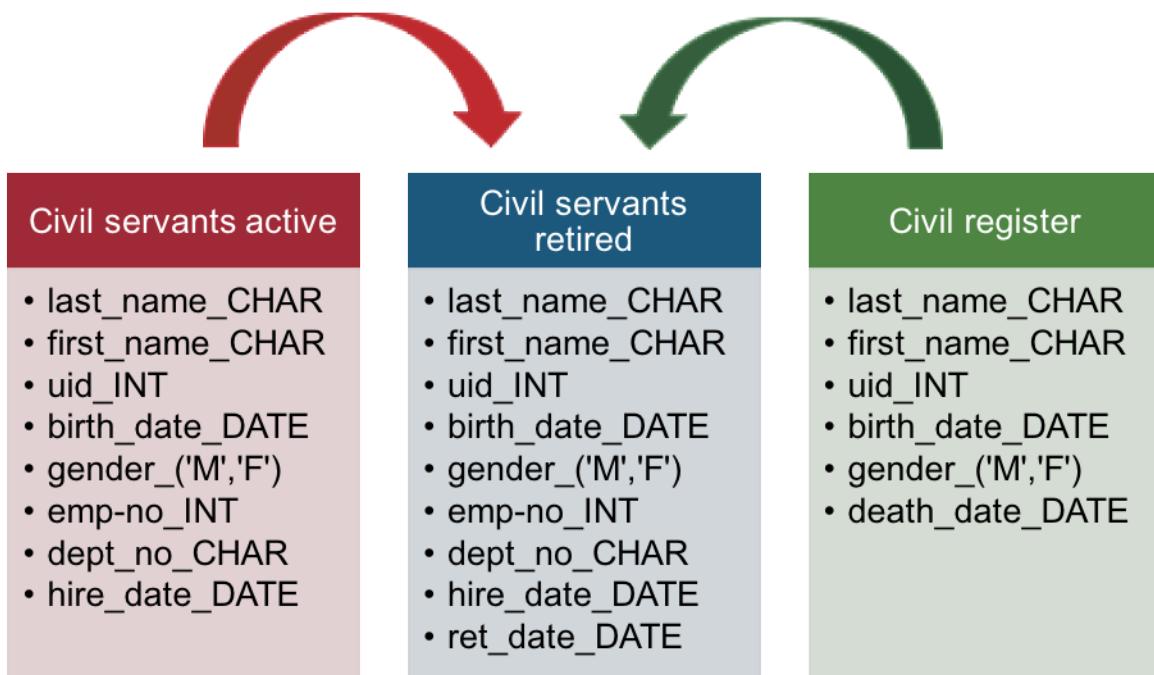
In order to manage the conception, application, execution, and evaluation of all government-run programs relating to social development, the protection of vulnerable populations, and social protection and equity, a strong baseline, or foundation is needed. As part of the mission of the Ministry of Population, Social Protection, and Women (MPPSPF), the ministry is tasked with designing programs aimed at combatting social exclusion and creating national solidarity among different population groups. One of the factors that needs to be in place is a common denominator such as a unique identification number (UIN), both to establish a baseline and to measure progress.

Similarly, in order for the Ministry of Finance to have a clear picture of the actual number of active and retired public sector civil servants, there is an urgent need for a general cleanup of existing records. This has to be done through the deduplication of the existing database, and digitalization of all relevant records with the introduction of relevant search parameters. For example, the main archives of the civil service held by the (Ministry of Public Service, Labor Administration Reform, and Social Laws (MFPTLS) need to be digitalized, and there needs to be an exercise of reenrollment, or a “census” of public civil servants to ensure full accountability and integrity of the database. Adequate infrastructure needs to be facilitated to house the physical archives of the MFPTLS. This database has to be confronted and reconciled with the MOF’s database for retired civil servants, and in order to do this, the structure of the database has to be agreed upon.

Not only do the databases of the MFPTLS and MOF need to be linked, but also it is important to have a strong relationship between the MOF database for retirees and the civil register to ensure a timely registration of deaths and pursuant removal from the MOF database (see Figure 13).

As Madagascar moves forward with modernization efforts in the public sector to ensure standardization of database structures inside and between ministries, the strengthening of the national Agency for the Realization of e-Governance (ANRE) has to be considered and implemented.

**Figure 13: Illustration of Possible Linkage between the Civil Register and the MOF Database**



Database conceptualization, modeling, and design is critical for the success of digital identity management for the purpose of establishing a unique identity, and the ensuing processes of verification of this identity in interactions with the public and private sector. This will require:

1. Definition of logical design of data
2. Organization of data fields
3. Definition of primary keys to define the characteristics of each record
4. Database indexing
5. Definition of verification, whether this is 1:1 or 1:N
6. Time stamping
7. Operation and maintenance procedure
8. Software and operating system

## Roadmap scenarios

Since there is wide and general agreement that the Id-M system in Madagascar needs to improve the experience for its citizens, but also make the system more trusted, three different scenarios have been drawn up as contributions to the ongoing national dialogue. Fundamental to any approach is the methodology of breaking the overarching goal into implementable modules. These could, perhaps, be implemented by different agencies with funding from different sources. However, for this to happen there needs to be a national agreement with high-level political support because the modular approach requires extensive coordination between the key stakeholders.

In order for Madagascar to initiate a modernization effort, consideration should be given to the enabling legal framework. However, many of the procedural improvements could be done by presidential or ministerial decrees to kickstart the process. Also, before any modernization activities begin, it is necessary to clarify roles and responsibilities of each of the key stakeholders. Another key consideration is to ensure standardization of software and ensure that an e-government platform is in place for an integrated Id-M system.

Whatever the starting point, the overarching goal for all the scenarios is to attain and maintain a trusted and trustworthy identity management system.

### Scenario I: Integrating civil registration and identification

Scenario I is the optimal scenario that would provide a complete overhaul, upgrade, and linking of the civil register and civil identification from birth until death. It would require strong political will and commitment as well as substantial investment over an extended period. Note that the timeline shown in Table 10 is based on best estimates assuming unconditional political support for modernization of the Id-M system in Madagascar. Rapid solutions would also require parallel investment efforts in ICT and a comprehensive communication strategy for voluntary uptake by citizens. Additionally there has to be a linkage with both social programs for the uptake of a new national identity number as part of the identity verification procedures.

**Table 10. Possible Timeline for Scenario I**

Activity	2016		2017		2018		2019		2020		2021		2022		2023		2024		
	Semester	I	II	I	II														
1. National coordinating committee																			
2. National Id-M policy																			
3. National Population Census to establish baseline for targeted interventions																			
4. Results of National Population Census																			
5. Revision and adjustment of legal frameworks for CR and CI																			
6. Strategy for records management																			
7. Procedure for records management																			
8. Technical specs and procurement of digitalization software and hardware																			
9. Digitalization of civil register and CIN records																			
10. Definition of national ID number																			
11. Strategy for interoperability of CR and CI																			
12. Streamlining of registration procedures for CR and CI																			
13. Database design for CR and CI																			
14. POC																			
15. Upgrading of CR certificates																			
16. Rollout of new certificates																			
17. Definition and technical specs for new ID cards																			
18. Procurement																			
19. POC for new ID cards																			
20. Rollout of new ID cards																			
21. Fully operational digital linkage with functional registers and databases																			

## Scenario II: Improving registration procedures

Scenario I may prove to be overly ambitious given the current situation in Madagascar, and a more prudent approach may be to address the concrete challenge of improving the registration procedures for private sector businesses and entities (*personne morale*) and individuals (*personne physique*) to become taxpayers.

Unifying the numbering systems for individuals and private sector entities would allow the MoF to manage the “challenge of revenue authorities is to be responsive to the individual circumstances of taxpayers while at the same time being consistent”<sup>19</sup> by “having policies and procedures that are transparent and that conform to domestic tax laws and international tax treaties and norms.”<sup>20</sup>

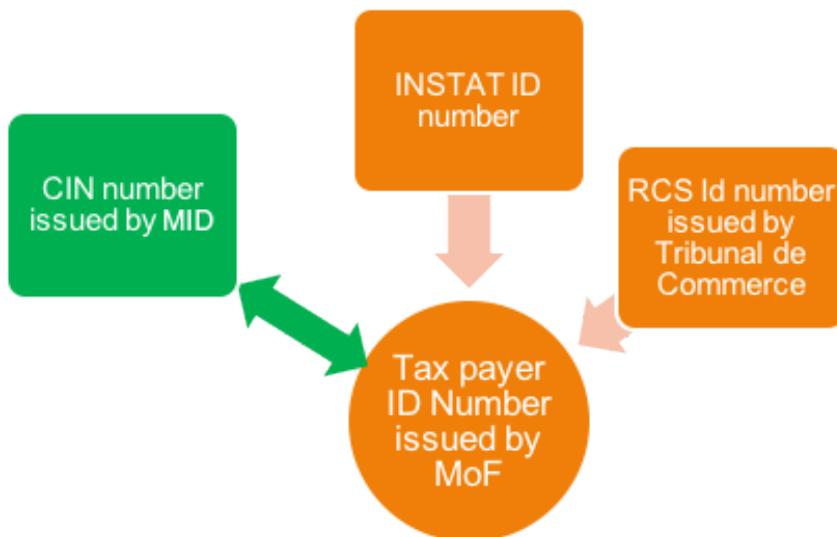
As a starting point, the INSTAT and RCS number could be replaced by the Tax Payer Number (TPN). There is also the question of whether an INSTAT number is appropriate given that statistics are supposed to be anonymous. At the same time, while it is appropriate for the Tribunal de Commerce to maintain records of companies and other private entities, it might be sensible if it restructured its register based on the TPN.

In this scenario, Madagascar could start a serious discussion regarding the CIN number, and in this regard further analysis would be needed on the strengthening of the CIN number with a randomly aggregated number, and whether the tax authority’s systems could be used for this purpose.

The unification of numbers could be a precursor for Activity 10 in Scenario I, which calls for “Definition of national ID number.” Although the CIN is a national identity number, nevertheless, it is weak with scope for errors and duplications. From a security perspective, a randomly generated number would be preferable.

The first step would be to merge the numbers pertaining to companies from the institutions outlined in orange in Figure 14 into the Tax Payer Number.

**Figure 14: Aligning the CIN with INSTAT and RCS ID Numbers into the Taxpayer Number**



19 Principles of Good Tax Administration—Practice Note. OECD.2001. <http://www.oecd.org/tax/administration/1907918.pdf>

20 *Idem.*

Since both companies and individuals have Tax Payer Numbers, Step 2 would be to strengthen the link between the TPN and the CIN for individuals.

The process for the user, whether personne physique or personne morale, could be along the following lines:  
The user:

1. Establishes their eligibility to enroll.
2. Provides proof to enroll (for example, SIM card, e-mail address, CIN, and so on).
3. Once enrollment is complete, receives a TPN, and a PIN is issued by the tax administration.
4. Creates their own online user profile, to give access to an integrated tax information management system (see Figure 15).

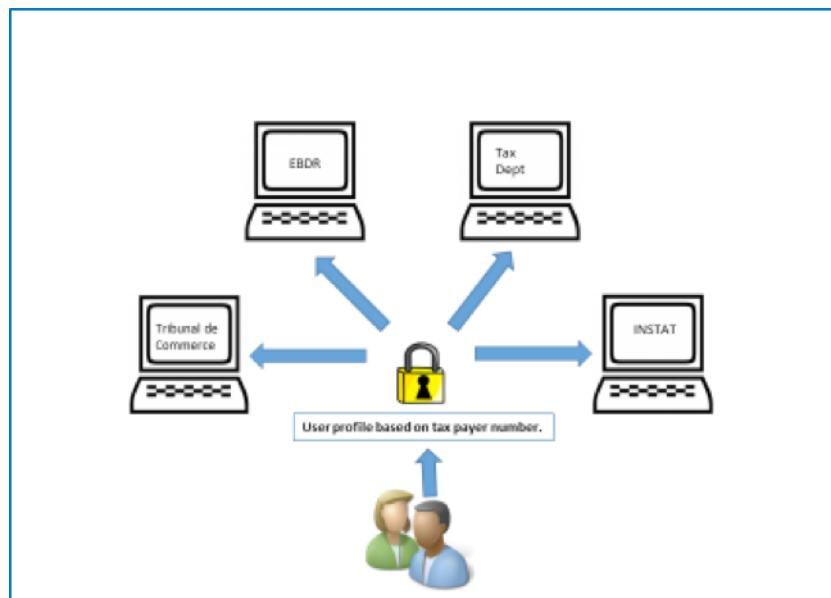
## Scenario III: Managing taxpayer identification for companies

If the RCS and INSTAT numbers were merged with the TPN into one trusted identity number for taxpayers, this could provide an excellent opportunity to manage and link identities of taxpayers, both personnes physiques and personnes morales.

If Madagascar decided to upgrade from a manually assigned identity number to an electronically generated identification number for all citizens, whether random or “intelligent,” it could be linked to the taxpayer identity number to further strengthen the validity of that number as an authentication factor. It could be seen as a process of reverse engineering (see Figure 16).

A possible timeline for the steps in Scenario III is shown in Table 11.

**Figure 15: One-stop Shop for Access to Integrated Tax Information Management System**



**Figure 16: Linking Identification and Tax Payer Numbers**



**Table 11. Possible Timeline for Scenario III**

Activity		2017	2018	2019	2020	2021	2022	2023	2024	2025
Semester		I	II	I	II	I	II	I	II	I
<b>Unified Tax Payer Number in place</b>										
1.	National coordinating committee									
2.	National Id-M policy									
3.	National Population Census to establish baseline for targeted interventions									
4.	Results of National Population Census									
5.	Revision and adjustment of legal frameworks for CR and CI									
6.	Agreement on UIN system									
7.	Design and procurement of database for CIN records									
8.	Digitalization of CIN records in a centralized database									
9.	Integration with taxpayer database for authentication purposes									
10.	New ID cards?					?	?	?	?	
11.	Upgrade administration of civil register									
12.	Digitalization of all civil records in a central database									
13.	Linking civil register with civil identification									
14.	Fully operation personal ID management									

## Next Steps

Whichever scenario is chosen as the way forward, the following next steps apply:

1. Technical assistance to develop an algorithm for unifying numbers into the TPN.
2. Coalition building toward understanding and streamlining the integration process.
3. Audit of needs, resources, and capacity of key stakeholders for standardization of ICT needs toward implementation of an upgraded Id-M system.
4. Introduce questions on birth registration and identity documents into the population census questionnaire.
5. Continued support for national dialogue around the topic.

# Glossary

Authentication	(a) The process of establishing confidence in the truth of a claim, which could be any declarative statement; (b) The process by which a user conveys data into a system in order to be recognized and to be able to interact with the system; (c) In biometrics, sometimes used as a generic synonym for certification.
Autonomous	(a) Having the right or power of self-government; (b) Existing or capable of existing independently (Merriam-Webster). For a registry, an entity legally entitled to administrative and budgetary self-rule within the executive branch of the government, but outside of the line ministries.
Certificate	An original document or certified extract, usually issued by a government authority, stating when and where a civil event occurred (birth, adoption, marriage, divorce, death).
Civil identification	The verification, registration, management, and conservation of personal data of citizens, with the goal of establishing a unique civil identity. Civil identification includes all of the data from the civil registration on that particular citizen as well as other attributes such as a unique number and/or biometric data. The civil identification serves as a basis for the verification of identity (i.e., passport or national identification documents).
Civil register	The repository of loose-leaf file, ledger book, electronic file, or any other official file set up for the universal, continuous, and permanent recording, in accordance with established procedures, of each type of vital event and its associated data of the population of a defined area (e.g., county, district, municipality, or parish).
Data deduplication	A specialized data compression technique for eliminating duplicate copies of repeating data. Related and somewhat synonymous terms are intelligent (data) compression and single-instance (data) storage.
Digital identity	A set of features that individualize a person in a computer based environment.
Electronic identification (e-ID)	A token that proves an individual's identity and is used to identify, authenticate, and act as an electronic signature. Generally, a smart card that contains a contact or contactless chip.
Electronic identity	A set of data or attributes that enables persons to prove electronically who they are to access services or reserved information.
Hash function	Any function that can be used to map digital data of arbitrary size to digital data of fixed size, with slight differences in input data producing very big differences in output data. The values returned by a hash function are called hash values. The main uses of the cryptographic hash function are in verifying the integrity of files or messages and digital signatures.
Identification	The determination of identity and recognition of who a person is; the action or process of determining what a thing is; or the recognition of a thing as being what it is.

Identification credential	Information (electronic, token, or paper) that seeks to uniquely identify or provide qualifications or attributes that define the individual identity.
Identity	A unique set of features and characteristics that individualize a person, including the name and other biographical data of the individual.
Identity management	A combination of systems, rules, and procedures that are defined between an individual and organizations regarding the entitlement, use, and protection of personal information in order to authenticate individual identities and provide authorization and privileges within or across systems and enterprise boundaries.
Identity Management System	The technical and organizational infrastructure used to define, design, and administer the attributes of an identity.
Identity token	A portable piece of hardware that a user carries and uses to access a network. The token enables the user to prove his or her identity and authentication for the use of a service.
Interconnection	In computing, communication between two or more points to create a bond between them, even temporarily, to make a punctual or fixed transmission, with the permanent connection of two machines.
Interoperability	The ability of information systems and procedures to share or authenticate data and enable the exchange of information and knowledge among them. This exchange is necessary to ensure cooperation, development, integration, and delivery of joint services by public institutions. It is also necessary to implement various public policies, principles, and rights; transfer technology; and use applications that enable new services and result in better efficiency and cooperation among different applications. All of this facilitates the development of an e-government and information society.
Population register	A government data collection system in which the demographic and socio-economic characteristics of all or part of the population are continuously recorded. Norway, Denmark, Sweden, and Israel are among the countries that maintain universal registers for demographic purposes, recording vital events (birth, marriage, moves, and death) so that up-to-date information on the whole population is readily available.
Source deduplication	Takes place in the file by using cryptographic hash functions to identify duplicate segments of data.
Target deduplication	The process of removing duplicates when the data was generated at a different location.
Verification	A task in which a biometric system attempts to confirm an individual's claimed identity by comparing a submitted sample to one or more previously enrolled templates.

# Annex A: Background information for Madagascar identity management systems analysis

## IMSA short data sheet

<b>Country:</b> Madagascar	<b>Dates of IMSA field work:</b> 18 April 2016–29 April 2016
<b>Name of IMSA responsible:</b> Anne-Lucie Lefebvre	<b>Name of person filling the questionnaire:</b> Mia Harbitz
<b>E-mail:</b> alefvbre @worldbank.org	<b>E-mail:</b> mharbitz@worldbank.org
<b>Phone:</b> +261-20-22-560-00 (53396035)	<b>Phone:</b> +1-202-458-6025

## Online resources for the IMSA

**Population (indicate year):** 23,571,713 (2014)

**Last population census (year):** 1993

**Birth registration rate:** 83% (2013)

**Estimated number of unregistered population:**

- unregistered births (0-1):
- unregistered births (0-4): 17% (2013)
- age group 0-14 years:
- age group 15-n years:

**Did the population census ask questions about birth registration, birth certificate, or identity docs? Yes/No**

If Yes > Please reflect the results in the analysis, and list URL if the results have been published.

**Has the country carried out a Demographic Health Survey (DHS)? Yes/No**

If Yes > Last DHS (year): 2013

**List key websites of CR, CI, and PR agencies relevant to Id-M, and other websites:**

Civil Registration (CD) URL: <http://www.mid.gov.mg/>

Civil Identification (CI) URL: <http://www.mid.gov.mg/>

Population Registry (PR) URL: <http://www.mid.gov.mg/>

Other (please specify) URL:

**Which organizations, international and/or national, are active in the field of identity management in the country?:** UNICEF, WB, EU

**World Bank ID4D Global Data Set (URL):** <http://data.worldbank.org/data-catalog/id4d-dataset>

# Annex B: Table of Madagascar IMSA findings

#	Evaluation Criteria	1	2	3	4	Score (max 12)
<b>Part I: Legal and regulatory framework for CR and CI</b>						
1	Is there legislation enacted for CR	Outdated	New legislation is being drafted	New legislation drafted and in process of approval	Recent update (0-5 years old) enacted.	1
2	Is there national legislation enacted for CI	Outdated or nonexistent	New legislation is being drafted	New legislation drafted and in process of approval	Recent update (0-5 years old) enacted. Brought into force in 2001	1
3	Is there national legislation on privacy and protection of personal data?	Outdated or non existent	New legislation is being drafted	New legislation drafted and in process of approval	Recent update (0-5 years old) enacted.	2
						<b>4</b>
<b>Part II: Barriers and obstacles to timely and universal registration (accessibility)</b>						
4	What is the estimated rate of birth registration (0-5 years)	<50%	50-80%	81-94%	Ø 95%	3
5	Has a CR & VS assessment been carried out?	No	Planned	To be carried out	Has been carried out	2
6	If the country is multi ethnic or multilingual, are there provisions to ensure CR and CI for traditionally excluded groups	No	Planned	Has been partially implemented	Provisions/ accommodations are in place	1
						<b>6</b>
<b>Part III: Institutional and administrative framework</b>						
7	Are there clearly defined lines of administrative responsibility?	No	Organogram in preparation and operational manuals under preparation	Organogram and manuals prepared and implemented centrally (or mostly?)	Organogram and operation manuals implemented and functioning	3

#	Evaluation Criteria	1	2	3	4	Score (max 12)
8	Timeliness for issuing identity credential (CR certificate, or CI ID token) after citizen applied/registered (assuming all documents presented were accepted as verification)	4-8 weeks	1-4 weeks	1-7 days	5-60 minutes	2
9	Does the agency have ISO certifications for any of the processes?	0	1	2	>3	0
<b>Part IV: Use and management of information and communication technology (ICT)</b>						
10	Has ICT been introduced for the management and administration of the register?	No	Planned. Specification defined, will be procured.	In the process of implementing	Implemented and functioning	1
11	Has ICT been introduced for the registration processes?	No	Planned. Specification defined, will be procured.	In the process of implementing	Implemented and functioning	1
12	Does the certificate or identity token have security features that can prevent document fraud?	No	Weak	Strong	Very strong	2
						<b>4</b>
<b>Part V: Interconnectivity and interoperability between legal and administrative registries</b>						
13	Does the register have formal agreements with other agencies or institutions for the purpose of authenticating identities?	No	In the planning phase	Robust interconnected on-line protocol with ≥ 1 other agency	Robust interconnected on-line protocol with ≥ 4 other agencies	1
14	Are there explicit protocols on authentication of identity based on an identity token/card?	No	In planning phase	Protocol developed and established with ≥ 1 agency	Protocol developed and established with ≥ 4 agencies	?
15	Is the passport agency interconnected with the CI agency?	No	In planning phase	In testing phase	Fully operational	1
						<b>2 + ?</b>

# Annex C: Participants in IMSA validation workshop, June 2016

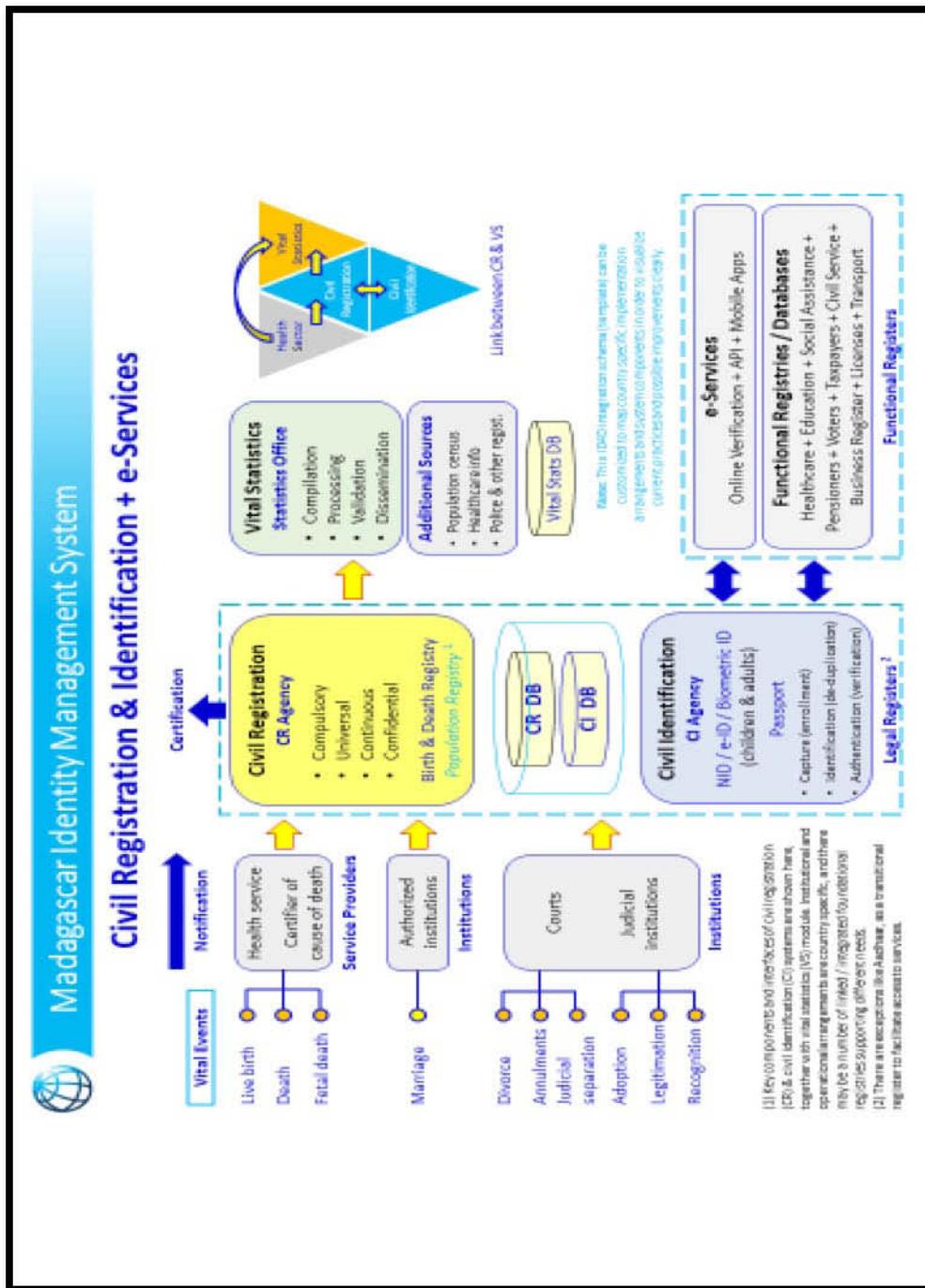
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# Annex D: Documents reviewed

- Agence Nationale de Réalisation de l'E-gouvernance (ANRE). <http://www.anre.gov.mg>
- APAI-CRVS—United Nations Economic Commission for Africa. <http://www.uneca.org/crmc2>
- ARTEC (Autorité de Régulation des Technologies de Communication). <http://www.omert.mg/>
- Direction Générale des Impôts de Madagascar. <http://www.impots.mg>
- Economic Development Board of Madagascar (EDBM). <http://www.edbm.gov.mg>
- European Commission. Madagascar Partnership Profile. [https://ec.europa.eu/europeaid/countries/madagascar\\_en](https://ec.europa.eu/europeaid/countries/madagascar_en)
- Fonds d'intervention pour le développement (FID). <http://www.fid.mg>
- Handbook on Civil Registration and Vital Statistics Systems. UNSD. 1998. [http://unstats.un.org/unsd/publication/SeriesF/SeriesF\\_73E.pdf](http://unstats.un.org/unsd/publication/SeriesF/SeriesF_73E.pdf)
- Harbitz, Mia. Dictionary for civil registration and identification/Mia Harbitz, Kristo Kentala. p. cm.—(IDB Monograph; 164) I. Kentala, Kristo. II. Inter-American Development Bank. IDB-MG-164.
- Institut National de la Statistique de Madagascar (INSTAT). <http://www.instat.mg>
- Madagascar: Systematic Country Diagnostic. August 2015. [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/08/28/090224b0830a1a4f/1\\_0/Rendered/PDF/Madagascar000S0c0country0diagnostic.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/08/28/090224b0830a1a4f/1_0/Rendered/PDF/Madagascar000S0c0country0diagnostic.pdf)
- Ministère des Finances et du Budget (MEFB). <http://www.mefb.gov.mg>
- Ministère de l'Intérieur et de la décentralisation (MID). <http://www.mid.gov.mg>
- Ministère des Transports et de la Météorologie. <http://www.transport.gov.mg>
- Orange. "Le permis biometrique en 4 points." <http://www.orange.mg/actualite/permis-biometrique-4-points>
- Principles of Good Tax Administration—Practice Note. OECD. 2001. <http://www.oecd.org/tax/administration/1907918.pdf>
- Rafidiarisoa, Lova. "Madagascar: Télécommunication — Fin d'enregistrement des cartes SIM." All Africa. <http://fr.allafrica.com/stories/201605031019.html>
- UNESCO Institute for Statistics. <http://www.uis.unesco.org>
- World Bank Madagascar—Systematic country diagnostic. <http://documents.worldbank.org/curated/en/743291468188936832/Madagascar-Systematic-country-diagnostic>
- World Bank Policy Notes Madagascar 2014. <http://documents.worldbank.org/curated/en/130911468086644653/Opportunities-et-defis-pour-une-croissance-inclusive-et-resiliente-recueil-de-notes-de-politique-pour-Madagascar;jsessionid=V5KsQKErKJ3dSyV7AD2wPUY>

# Annex E: Madagascar integrated ID-M model



# Annex F: Legal framework report

A Madagascar, les principaux documents administratifs qui permettent de prouver l'identité d'un individu sont le certificat de naissance et la carte d'identité nationale pour les personnes majeures. Ces documents ont donc une valeur probatoire très importante, mais leur force probatoire est aujourd'hui fragilisée par plusieurs facteurs.

Le registre d'état civil est l'instrument juridique qui permet l'enregistrement de tous les faits d'état civil : il est à la base de la délivrance de tous les actes d'état civils, notamment le certificat de naissance, de mariage et de décès. Le cadre légal qui réglemente la tenue de ce registre est aujourd'hui complètement dépassé.

Le cadre juridique en vigueur aujourd'hui est un cadre qui a été hérité de la monarchie, du temps de Ranavalona II qui voulait avoir une « visibilité » aussi aboutie que possible sur la démographie de son royaume pour une meilleure organisation judiciaire et administrative du pays.

Ce système qui a assez bien fonctionné malgré tout, a été repris par la colonisation, des améliorations substantielles ont cependant dû être apportées pour les besoins de l'administration judiciaire et administrative du pays. Et le délai a été rallongé à 12 jours. Ce sera finalement ce délai qui sera définitivement adopté par la loi n° 61-025 qui encadre aujourd'hui l'institution de l'état civil à Madagascar.

Le sujet présente toujours un intérêt indéniable pour l'Etat malgache aujourd'hui et cela pour trois principales raisons :

- Les besoins de l'administration judiciaire et administrative de la République
- Les besoins de l'orientation de la politique générale de l'Etat et la gestion des dépenses publiques
- Le respect des droits de l'homme : surtout le droit des populations vulnérables et des enfants

Le chantier dans lequel se trouve l'institution de l'état civil à Madagascar ne permet pas d'en faire un instrument de développement efficace, alors qu'il se trouve à la base du fonctionnement de l'appareil administratif dans son ensemble : tous les registres fonctionnels qui fonctionnent dans les différents Ministères et autres émanations de l'Etat sont basés sur ce registre et le système d'identification des individus qui en est la « continuation ».

Le registre d'état civil est l'instrument juridique qui permet l'enregistrement de tous les faits d'état civil : il est à la base de la délivrance de tous les actes d'état civils, notamment le certificat de naissance, de mariage et de décès. Le cadre légal qui réglemente la tenue de ce registre est aujourd'hui complètement dépassé. Ce qui influe beaucoup sur la fiabilité du registre : il ne relate plus de manière fiable les faits d'état civil à cause notamment du fait que le délai imparti aux parents pour enregistrer leurs enfants est trop court et exclue de facto une couche de la population : celle dans les zones enclavées.

Il y a aussi la lourdeur administrative qui décourage d'emblée les gens à entamer les démarches nécessaires pour obtenir ou renouveler leur carte d'identité nationale.

Enfin vient le problème de la méthode de collecte et de stockage des données qui ne permet pas de les protéger de manière suffisamment efficace pour empêcher les vols d'identité ou la falsification des documents.

# Panorama du cadre légal régissant l'enregistrement et l'identification de l'individu à Madagascar

Faire le panorama du cadre juridique qui régit l'enregistrement et de l'identification à Madagascar devra nous conduire à étudier de façon assez générale, ainsi que le commande cette évaluation les textes en vigueur. Il convient cependant de souligner que le temps qui nous a été imparti pour cette évaluation préliminaire ne nous permet pas de parler en détail de tous les textes ayant une relation avec la question du registre de l'état civil ou de l'identification des personnes. Nous devons donc nous contenter des grandes lignes.

## La Constitution

La Constitution ne prévoit rien en ce qui concerne l'enregistrement et l'identification de l'individu à Madagascar. Ce qui correspond à la « norme » étant donné qu'il n'est pas obligé que la Constitution fasse état de cette question.

Elle rappelle juste l'engagement de Madagascar dans la protection du droit de l'enfant en ratifiant la convention relative aux droits de l'enfant, or l'article 7 de ladite convention prévoit que l'enfant droit être enregistré aussitôt sa naissance et a dès celle-ci le droit à un nom, le droit d'acquérir une nationalité.

Donner un nom à l'enfant dès la naissance lui permet d'être identifiable et ainsi d'exister juridiquement ce qui lui permettra de jouir pleinement de toutes les formes de protection et de droit dont doivent jouir les citoyens malgaches.

S'il n'est pas expressément prévu dans la Constitution que l'enregistrement et l'identification des individus sont obligatoires, le texte fondamental exprime la protection de certains droits. Une protection dont le bénéfice nécessite forcément de prouver son existence du point de vue juridique.

Enfin, la Constitution garantit à ses citoyens l'égalité en droit et interdit toute forme de discrimination basée sur fondée sur le sexe, le degré d'instruction, la fortune, l'origine, la croyance religieuse ou l'opinion. Théoriquement, tout semble avoir été fait pour effacer toute forme de discrimination. Dans les faits, nous verrons que certaines dispositions législatives, même si elles ne sont pas ouvertement discriminatoires contribuent à écarter une certaine catégorie d'individu du système de protection des droits fondamentaux.

## Les Conventions internationales

Pour les Conventions internationales, Madagascar a ratifié la Convention internationale sur l'élimination de toutes les formes de discrimination raciale, adoptée le 21 décembre 1965, entrée en vigueur le 4 janvier 1969. Cette Convention est officiellement entrée dans le droit positif malgache le 7 Février 1969. Madagascar est donc entièrement liée par ses obligations conformément à cette Convention qui rappelle l'importance des « principes de la dignité et de l'égalité de tous les êtres humains », et le fait « que tous les Etats Membres se sont engagés à agir, tant conjointement que séparément, en coopération avec l'Organisation, en vue d'atteindre l'un des buts des Nations Unies, à savoir : développer et encourager le respect universel et effectif des droits de l'homme et des libertés fondamentales pour tous, sans distinction de race, de sexe, de langue ou de religion»<sup>21</sup>.

Madagascar fait également partie de la Convention sur le droit des enfants de 1989 en 1991. Le pays s'engage donc à donner à tous les enfants une identité dès la naissance, une identité et une existence officielle qui permettra de protéger ses droits. « Avoir une identité permet de lutter contre la traite, les

<sup>21</sup> Convention internationale sur l'élimination de toutes les formes de discrimination raciale, adoptée le 21 décembre 1965, entrée en vigueur le 4 janvier 1969, [http://democratie.francophonie.org/article.php3?id\\_article=1180&id\\_rubrique=66](http://democratie.francophonie.org/article.php3?id_article=1180&id_rubrique=66)

enlèvements, les mariages précoces, l'exploitation sexuelle, l'enrôlement des enfants dans l'armée, le travail forcé . . . De plus, un extrait d'acte de naissance est souvent nécessaire pour s'inscrire à l'école et avoir accès aux services de santé»<sup>22</sup>.

Si aucune refonte de la loi sur le registre d'état civil et les actes d'état civil n'a été effectuée après la ratification de cette convention pour mettre le droit national à niveau. Des efforts ont été faits pour permettre un enregistrement rétroactif des enfants qui n'ont pas encore leurs actes de naissance.

Ça a été le cas depuis 1997 dans les opérations «l'opération carte nationale d'identité», ainsi que dans le cadre de l'opération «ezaka copie ho an'ny ankizy».

## Les différents textes en vigueur

Sur la question de l'état civil et de l'identification des personnes, Madagascar a un cadre juridique qui ne coïncide pas du tout avec la réalité et qui en même temps présente un paradoxe qui peut être très handicapant, autant pour l'administration que pour les administrés.

D'une part, les textes qui encadrent la question sont largement dépassés depuis longtemps par les réalités démographiques, géographiques et même technologiques. Et d'autre part, les réformes les plus importantes qui ont été entreprises récemment sont trop «en avance» par rapport à la réalité malgache du point de vue de la technicité s'entend. Il y a ainsi le risque que les praticiens qui auront à travailler avec cet arsenal législatif ne puissent les appliquer convenablement : ils pourraient avoir du mal à trouver l'articulation adéquate avec la jurisprudence actuelle et les autres textes qui constituent l'armature juridique. Mais il faut aussi reconnaître que les praticiens (autant les juges que les avocats) auront besoin d'une période d'acclimatation pour pouvoir apprêhender convenablement la technicité de ces textes sur le plan pratique. Ne serait-ce que le «langage» de l'informatique.

Thème	Textes	URL	Année de Promulgation	Entrée en Vigueur
Registre d'état civil	loi n° 61.025 du 09 octobre 1961 relative aux actes de l'état civil		1961	1961
	Loi n° 66-017 du 5 juillet 1966 portant modification de certaines dispositions de la loi sur les actes d'état civil		1966	1966
	Loi n° 67-027 du 18 décembre 1967 modifiant et complétant les dispositions de l'article 3 de la loi n° 66-017 du 5 juillet 1966 relative aux actes de l'état civil		1967	1968
	Loi n° 90-015 du 20 juillet 1990 portant abrogation des articles 38 à 41 de la loi n° 61-025 du 9 octobre 1961 sur les actes de l'état civil		1990	1990

22 Convention relative aux droits de l'enfant, Les principes de la CDE, [https://www.google.mg/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwjxsKqWgtrMAhVGYpoKHCZkD1IQFggiMAE&url=http%3A%2F%2Fwww.unicef.org%2Fmadagascar%2Frfr%2Fchild\\_friendly.pdf&usg=AFQjCNH8CPYgw1bsBXSaNdRhVEfk\\_zwscw&sig2=b8Yi1bLtBk7AVk7DSjFNlw](https://www.google.mg/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwjxsKqWgtrMAhVGYpoKHCZkD1IQFggiMAE&url=http%3A%2F%2Fwww.unicef.org%2Fmadagascar%2Frfr%2Fchild_friendly.pdf&usg=AFQjCNH8CPYgw1bsBXSaNdRhVEfk_zwscw&sig2=b8Yi1bLtBk7AVk7DSjFNlw)

Thème	Textes	URL	Année de Promulgation	Entrée en Vigueur
	Loi n° 97-013 du 3 juillet 1997 relative à la délivrance des jugements supplétifs d'actes de naissance, dans le cadre de « l'opération carte nationale d'identité »		1997	1997
	Loi n° 2002-02 Modifiant et complétant certaines dispositions de la loi n°97-013 du 3 juillet 1997 relative à la délivrance des jugements supplétifs d'acte de naissance dans le cadre de « l'opération carte nationale d'identité »		2002	2002
	Loi n° 2007-040 du 14 janvier 2008 relative à la délivrance des jugements supplétifs d'acte de naissance dans le cadre du Programme National de Réhabilitation de l'Enregistrement des Naissances « Ezaka Kopia ho an'ny Ankizy »		2007	2007
	Loi n°2012-019 modifiant et complétant certaines dispositions de la loi n°2007-040 du 14 janvier 2008 relative à la délivrance des jugements supplétifs d'acte de naissance dans le cadre du Programme National de Réhabilitation de l'Enregistrement des Naissances « Ezaka Kopia ho an'ny Ankizy »	<a href="http://www.assemblee-nationale.mg/?loi=loi-n2012-019">http://www.assemblee-nationale.mg/?loi=loi-n2012-019</a>	2012	2012
	Décret n° 65-433 du 3 juin 1965 portant simplification des formalités administratives en matière d'état civil			
	CIRCULAIRE EN MALGACHE N° 1103-DGI/AT DU 1ER FÉVRIER 1961 fixant les règles générales relatives au service de l'état civil applicables dans toutes les communes de la République Malgache			1961
	Circulaire n° 788-MJ/CAB du 29 décembre 1961 relative à la tenue de l'état civil			1961
	Instruction N° 001-MJ/KAB du 18 janvier 1964 concernant la tenue de l'état civil			1964
L'identification civile				
Textes régissant les permis de conduire biométriques	Arrêté interministériel n° 5781/2006 du 14 avril 2006 portant création du Comité interministériel chargé de procéder à la refonte des textes de délivrance des cartes grises		2006	2006

(continued)

## Continued

Thème	Textes	URL	Année de Promulgation	Entrée en Vigueur
	Circulaire d'application n° 2992 de l'arrêté interministériel n° 5781/2006 du 14 avril 2006		2006	2006
L'identification fiscale	Article 20. 05. 01 et 20. 05. 02 Article Article 20.06.09 du code général des impôts	<a href="http://www.sim.mg/images/documents/textes_lois/fiscalite/CGI_2015.pdf">http://www.sim.mg/images/documents/textes_lois/fiscalite/CGI_2015.pdf</a>		
E-Government	Loi n°2014-026 fixant les principes généraux relatifs à la dématérialisation des procédures administratives	<a href="http://www.anre.gov.mg/wp-content/uploads/2016/04/loi2014026_05112014.pdf">http://www.anre.gov.mg/wp-content/uploads/2016/04/loi2014026_05112014.pdf</a>	2015	2015
Protection des données personnelles	Loi N° 2014-038 Sur la protection des données à caractère personnel	<a href="http://www.afapdp.org/wp-content/uploads/2015/01/Madagascar-L-2014-038-du-09-01-15-sur-la-protection-des-donn%C3%A9es-%C3%A0-caract%C3%A8re-personnel.pdf">http://www.afapdp.org/wp-content/uploads/2015/01/Madagascar-L-2014-038-du-09-01-15-sur-la-protection-des-donn%C3%A9es-%C3%A0-caract%C3%A8re-personnel.pdf</a>	2015	2015
Signature électronique	Loi n°2014-025 sur la signature électronique	<a href="http://www.assemblee-nationale.mg/wp-content/uploads/2014/11/Loi-n%C2%B02014-025_fr.pdf">http://www.assemblee-nationale.mg/wp-content/uploads/2014/11/Loi-n%C2%B02014-025_fr.pdf</a>	2015	2015
Lutte contre la cybercriminalité	Loi n°2014-006 sur la lutte contre la cybercriminalité	<a href="http://www.afapdp.org/wp-content/uploads/2015/01/Loi-n%C2%B02014-006_fr.pdf">http://www.afapdp.org/wp-content/uploads/2015/01/Loi-n%C2%B02014-006_fr.pdf</a>	2015	2015
Système de décentralisation	Décret n° 96-250 du 27 mars 1996 portant création des Circonscriptions administratives de l'Administration territoriale à Madagascar	<a href="http://jwf-legal2.fr.gd/D-e2-crets-370.htm">http://jwf-legal2.fr.gd/D-e2-crets-370.htm</a>		
	Décret n° 97-1257 du 30 octobre 1997 portant création de la structure administrative de base dénommée « Fokontany » et fixant son organisation (J.O. n° du ) modifié par décret n° 98-172 du 19 février 1998	<a href="http://jwf-legal2.fr.gd/D-e2-crets-350.htm">http://jwf-legal2.fr.gd/D-e2-crets-350.htm</a>	1998	1998

Thème	Textes	URL	Année de Promulgation	Entrée en Vigueur
	DECRET N° 2005-012 du 11 janvier 2005 portant création des Districts et des Arrondissements administratifs (JO n°2957 du 28.02.05, p.2693)	<a href="https://www.google.mg/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=0ahUKEwilksifme3NAhXKVRoKHaBmCQ4QFggcMAA&amp;url=http%3A%2F%2Fwww.justice.gov.mg%2Fwp-content%2Fuploads%2Ftextes%2F1TEXTES%2520NATIONAUX%2FDROIT%2520PUBLIC%2FOrganisation%2520administrative%2FNiveaux%2520de%2520deconcentration%2FD2005-012.pdf&amp;usg=AFQjCNHrVO3mDKhdB8Oss-hCPfkAN4R4tw&amp;sig2=gO-izOCqJsOEW5q7kbnZkw">https://www.google.mg/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;cad=rja&amp;uact=8&amp;ved=0ahUKEwilksifme3NAhXKVRoKHaBmCQ4QFggcMAA&amp;url=http%3A%2F%2Fwww.justice.gov.mg%2Fwp-content%2Fuploads%2Ftextes%2F1TEXTES%2520NATIONAUX%2FDROIT%2520PUBLIC%2FOrganisation%2520administrative%2FNiveaux%2520de%2520deconcentration%2FD2005-012.pdf&amp;usg=AFQjCNHrVO3mDKhdB8Oss-hCPfkAN4R4tw&amp;sig2=gO-izOCqJsOEW5q7kbnZkw</a>	2005	2005
	DECRET N° 2007-620 du 10 juillet 2007, Complétant certaines dispositions de l'article 5 du décret n° 2007-151 du 19 février 2007, modifiant certaines dispositions du décret n° 2004-299 du 9 mars 2004 fixant l'organisation, le fonctionnement et les attributions du Fokontany (J.O. n° 3 148 du 19/11/07, pages 6176 à 6177)		2007	2007
Autres	Convention du droit des enfants	<a href="http://www.unicef.org/madagascar/fr/child_friendly.pdf">http://www.unicef.org/madagascar/fr/child_friendly.pdf</a>	1991	1991

Pour ce qui est de l'accessibilité des textes de loi pour les citoyens, des efforts ont été entrepris pour les rendre disponibles en ligne. Mais seuls les textes les plus récents ont bénéficié de ces efforts. Les textes qui n'ont bénéficié que de peu de réforme sur le fond demeurent largement très difficilement accessibles. C'est par exemple le cas des textes réglementaires qui encadrent l'identification de l'individu.

Or nous considérons que l'information des sujets de droits quant à leurs droits et devoirs constitue un pan important dans la facilitation de la relation entre les administrés et les administrations, entre les usagers et les services publics, entre l'administration judiciaire et les justiciables. Cela facilitera également les démarches pour les administrés.

## **La loi n° 61.025 du 09 octobre 1961 relative aux actes de l'état civil**

C'est le texte « fondamental » en matière de registre d'état civil. C'est ce texte qui définit les actes de l'état civil qui détermine les attributions de l'officier de l'état civil et qui précise ensuite la tenue et les modes de vérification des registres d'état civil. La compétence territoriale de l'officier de l'état civil étant la règle, l'article 23 désigne minutieusement l'officier public compétent pour chaque acte de l'état civil.

C'est aussi ce texte qui posa en premier le principe selon lequel c'est désormais la résidence habituelle qui sera le critère de compétence en matière de registre d'état civil « La compétence territoriale de l'officier de l'état civil étant la règle, l'article 23 désigne minutieusement l'officier public compétent pour chaque acte de l'état civil »<sup>23</sup>.

La loi procède ensuite à la réglementation minutieuse de chaque acte de l'état civil.

## **Les lois n° 66-017 du 5 juillet 1966, n° 67-027 du 18 décembre 1967**

Ces deux textes ont permis de simplifier les procédures en matière de jugement supplétif. Le premier en ce qui concerne la compétence des magistrats de l'administration centrale et des cours pour tenir des audiences foraines spéciales sur toute l'étendue du territoire de la République. En matière de jugement supplétif, désormais les procédures à fin de jugement supplétif d'acte de naissance ne sont pas soumises à la communication préalable; la présence d'un magistrat du ministère public aux audiences foraines spéciales n'est pas obligatoire.

La loi de 1968 quant à elle prévoit que la transcription des jugements supplétifs devra se faire aux registres du centre d'état civil du lieu de naissance et du lieu où s'est tenue l'audience.

## **Les lois n° 2002-02, n° 2007-040 et n°2012-019**

Ces lois quant à elles n'apportent aucune refonte majeure et concernent surtout la simplification temporaire de l'obtention et de la délivrance du jugement supplétif.

## **Discussion**

### **L'enregistrement**

La loi n°61-025 rend obligatoire l'enregistrement de la naissance : l'article 24 de la loi n° 61.025 du 09 octobre 1961 « Les déclarations de naissance doivent être faites dans les douze jours de la naissance ». Cette loi est une réception du système colonial qui a été lui-même une adaptation de la règle en vigueur pendant la monarchie. Ce qui explique d'une certaine manière les délais trop courts impartis aux parents de nouveaux nés pour les enregistrer (8 jours durant la monarchie, 12 jours durant la colonisation et 12 jours depuis 1962). Même si les autorités publiques compétentes ont écarté les sanctions anciennement prévues (droit coutumier et droit colonial) pour pousser les gens à enregistrer leurs enfants et à s'enregistrer quand même en cas de retard.

Ce délai de 12 jours est ce qui pose le plus problème dans cette loi : il est vraiment trop court. Madagascar est une très grande île, les infrastructures ne se sont pas développées de la même manière pour toutes les régions du pays : dans pratiquement toutes les régions de la Grande Ile, dès qu'on sort des grandes agglomérations, les routes ne sont des routes que de nom et tiennent plus de « sentiers » sauvages qui

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23 Préambule I, de la Loi n°61 025.

sont impraticables lors des saisons de pluies. Et il y a encore des endroits qui sont complètement isolés, loin de tout et surtout de l'administration.

C'est dans ce contexte que le choix de ce délai des 12 jours interpelle le plus. Pourquoi avoir gardé un délai aussi court ?

L'explication se trouve dans l'origine du texte. Comme nous l'avons souligné à plusieurs reprises déjà, les textes sur l'institution de l'état civil remontent à la période monarchique. Le système mis en place aujourd'hui a été largement hérité de celui qui a été adopté progressivement sous le gouvernement de Rainilaiarivony (1861-1896).

La règlementation de l'état civil a été intégrée dans trois grands textes sous la monarchie : les Instructions aux Sakaizambohitra de 1878, le Code des 305 articles de 1881, et les Règlements des Gouverneurs de l'Imerina en 1889.

Ainsi l'Instruction aux Sakaizambohitra comprend particulièrement deux articles sur la question :

- Art. 34 : vous dresserez un relevé de tous mes sujets, sauf les esclaves, selon la caste à laquelle ils appartiennent et le ferez parvenir tous les ans à Tananarive. Vous séparerez les hommes et les femmes. Vous relèverez aussi le nombre des naissances en indiquant le jour où elles ont eu lieu, les noms des parents, le sexe des enfants ; ceux dont la naissance ne sera pas enregistrée ne seront pas considérés comme des enfants légitimes. Les parents doivent payer 20 centimes pour l'enregistrement.
- Art. 108 : les naissances doivent être déclarées dans les 8 jours qui suivent l'accouchement afin que la date soit portée aux registres ainsi que le nom du père et de la mère et de leur domicile ; les parents qui ne rempliront pas cette formalité seront punis d'une amende d'un bœuf et d'un piastre et s'ils ne peuvent payer, ils seront mis en prison à raison de 60 centimes jusqu'à concurrence du montant de l'amende.

Ces textes posent un certain nombre de problèmes, le premier étant la discrimination qu'il fait, ne pouvant être considérés comme « sujets » de l'Etat que la population « libre », l'esclavage n'ayant pas encore été aboli. Ensuite vient le fait que cela concernait surtout les populations dans les environs immédiat d'Antananarivo, centre du royaume de l'Imerina et ne prenait pas en compte la situation des populations dans les provinces qui n'étaient pas suffisamment intégrées à l'Etat unitaire et étaient encore « en voie d'assimilation »<sup>24</sup>.

Les textes ont donc été adoptés sans considération aucune des difficultés de déplacement liées à l'absence d'infrastructures nécessaires qui ne laissaient guère de marge à la population. D'autres problèmes ont rapidement surgit ; notamment les problèmes logistiques (la constitution, la tenue, l'acheminement vers Antananarivo et la conservation des registres), les problèmes liés au manque de personnel et l'incompétence des agents de l'Etat (la plupart étant illétrés), l'incohérence des mesures pour un fonctionnement effectif de l'institution.

Mais surtout la méfiance de la population qui se sentait écrasée par une administration caractérisée par l'oppression et l'arbitraire qui voyait dans l'institution de l'état civil un autre moyen détourné de leur prélever des biens et de l'argent. Cette méfiance est encore très présente dans l'imaginaire collectif des citoyens malgaches jusqu'à maintenant.

Sous le régime colonial, c'est le même système qui a été appliqué. A ceci près qu'il s'applique désormais à tous les malgaches sans exception, l'esclavage ayant été aboli, et les provinces considérées par les colons comme faisant partie intégrante de la nouvelle colonie.

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24 « les sources démographiques à Madagascar : sources démographiques en friche », Dahy RAINIBE, Omaly sy anio, n°28, 1988-2. [http://madarevues.recherches.gov.mg/IMG/pdf/omaly28\\_1\\_.pdf](http://madarevues.recherches.gov.mg/IMG/pdf/omaly28_1_.pdf)

C'est en 1902<sup>25</sup> que l'institution de l'état civil devient définitivement impérative, c'est également à cette période que les modalités de l'enregistrement ainsi que le contenu des actes se précisent : un registre unique côté et paraphé, la mise en place du système du double exemplaire avec la conservation à la fois auprès du chef-lieu du district et le siège du Tribunal indigène de premier degré . . . mais il y a toujours des lacunes quant aux aspects fondamentaux qui conditionnent la fiabilité de l'état civil, la déclaration, enregistrement et conservation des registres malgré tout.

Il est presque inutile de souligner à quel point la population « indigène » était réfractaire à cette institution obligatoire de l'état civil étant donné le sentiment de défiance envers la puissance coloniale. Il est à la fois intéressant et très inquiétant de constater que ce sentiment de méfiance persiste encore aujourd'hui. Le rôle d'opresseur attribué par l'imaginaire collectif malgache au gouvernement est loin d'avoir disparu. Et les lois sont toujours considérées comme des instruments d'oppression au service des puissants et des riches. Et non un instrument de libération des populations vulnérables, au service de la protection de leurs droits les plus fondamentaux.

Il est aussi préoccupant de constater que les difficultés des différentes administrations qui se sont succédées (monarchie, colonisation) n'ont pas été prises en compte jusqu'à maintenant pour réformer l'institution de l'état civil à Madagascar, hypothéquant très gravement sa fiabilité.

Ce petit rappel historique nous semble ainsi indispensable pour comprendre pourquoi aujourd'hui encore, certaines couches de la population ne se sentent pas concernées par l'institution du registre de l'état civil à Madagascar.

Ainsi donc, dans les zones en dehors des grands centres (les capitales des 22 Régions), l'accès à l'administration peut encore s'avérer difficile.

Pour les populations qui vivent dans ces endroits, il est difficile de se déplacer à cause du mauvais état ou de l'absence des routes et moyens de transport. Les déplacements sont généralement programmés pour que les villageois puissent rejoindre les villes en groupe pour des raisons de sécurité. Et la seule raison vraiment valable pour organiser ce genre de déplacement est généralement le commerce. Les enregistrements de naissance ou de mariage (souvent coutumiers) n'entrent pas dans leurs priorités. D'autant plus qu'ils ont la crainte de toute forme de représentation de l'autorité publique et que les bureaux administratifs leurs font généralement peur.

Il est ainsi apparu dans nos recherches que moins les populations sont éduquées et plus elles évitent autant que possible les autorités.

Outre les oppressions et arbitraires qui ont caractérisé les deux formes d'administrations qui ont précédées la République et qui ont profondément marqué l'imaginaire collectif jusqu'à maintenant, la crainte des autorités est également liée à plusieurs facteurs : il y a tout d'abord le problème de la corruption, mais il y a aussi les problèmes sociologiques. Les grands propriétaires terriens des zones les plus reculées ont souvent recours à l'intimidation pour assurer leur domination sur la population locale. Parmi les moyens d'intimidation, il y a la menace de recours aux forces de l'ordre, d'emprisonnement pour une raison ou pour une autre.

A côté des difficultés liées au déplacement, de la crainte de l'administration, il y a également les problèmes sociaux : ainsi, même pour les personnes qui habitent en ville, déclarer la naissance dans le délai imparti

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25 Pour l'année 1901 deux circulaires se rapportent à l'état civil malgache:

Celui au sujet l'organisation du service de l'état indigène (JO n°601 du 11 mai 1901)

Celui du 21 novembre 1901 au sujet de l'enregistrement obligatoire des actes d'état civil des indigènes et de leur transcription dans les registres de leur origine (JO n° 659 du 30 novembre 1901).

n'est pas toujours possible, surtout pour les mères célibataires. Ce genre de situation est très courant dans la couche la plus vulnérable de la population, mais aussi dans la classe moyenne. Avoir un enfant hors mariage est encore assez mal vu dans la société malgache, pour montrer leur désapprobation, les membres de la famille de la mère peuvent refuser de l'assister dans les démarches.

Il y a ensuite la lourdeur administrative qui ne facilite pas l'enregistrement. La loi prévoit quand même que « toute personne qui voudra faire suppléer à l'inexistence d'un acte de naissance ou de décès par un jugement peut introduire à cette fin une action devant le tribunal de première instance, de section, de sous-préfecture ou d'arrondissement. Le ministère public peut également agir d'office »<sup>26</sup>.

Cependant, obtenir le jugement supplétif est très difficile si la démarche est entreprise individuellement. D'abord parce que les tribunaux de première instance sont encore plus éloignés que les bureaux communaux. Ensuite parce que rassembler les documents nécessaires prend beaucoup de temps et occasionne beaucoup de frais : déplacements, hébergements, nourriture. . . . Tous ces coûts indirects peuvent décourager les meilleures volontés.

Pour pouvoir déclarer la naissance de l'enfant il faut fournir la copie de certificat de naissance de la mère et l'obtention de cette copie nécessite en moyenne une semaine dans les plus grandes agglomérations. Si les nouveaux parents ne sont pas vigilants ou sont préoccupés par des complications, ils n'auront pas les documents nécessaires à temps et ne pourront enregistrer leur enfant à temps.

## Les documents nécessaires pour l'enregistrement de la naissance

- Si la naissance s'est faite dans un centre hospitalier
  - La déclaration est effectuée par le médecin
  - Il doit fournir une copie de l'acte de naissance de la mère
  - La carte d'identité de la mère
- Si la naissance s'est faite ailleurs
  - La déclaration peut être effectuée par le père ou toute autre personne
  - Il faut la copie de la mère
  - Sa carte d'identité

## Les démarches nécessaires pour le jugement supplétif

- Il faut une déclaration de recherche infructueuse délivrée par la commune. Il faut noter que la délivrance de ce certificat nécessite également d'autres documents qui varient selon les communes.
- Introduction de l'action auprès du tribunal de première instance qui va faire l'instruction et peut demander encore d'autres pièces qu'il juge utile
- Transcription du jugement supplétif aux registres du centre d'état civil du lieu de naissance et du lieu où s'est tenue l'audience.

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26 Article 68 loi n°61-025.

## Le délai moyen pour effectuer toutes ces démarches

### Pour les personnes résidant dans les grandes agglomérations

- Si la naissance s'est faite dans un centre hospitalier
  - La déclaration du médecin : immédiatement au moment de la naissance
  - Une copie de l'acte de naissance de la mère : au minimum 3 jours, au maximum une semaine (un jour pour l'enregistrement de la demande, le reste pour le traitement des dossiers, l'intéressée doit effectuer deux déplacement, mais frais de dossier généralement faibles presque symboliques)
  - La carte d'identité de la mère
- Si la naissance s'est faite ailleurs : même démarches

### Pour les personnes résidant dans les campagnes et zones enclavées

Ici il n'y a pas de « difficultés insurmontables » pour ceux qui ont eu les moyens d'approcher les centres de santé de base ou les hôpitaux.

- Si la naissance s'est faite dans un centre hospitalier
  - La déclaration du médecin : immédiatement au moment de la naissance
  - Une copie de l'acte de naissance de la mère : peut être obtenu le jour de la demande (en un jour donc) mais les frais de déplacements peuvent être très élevés. Et s'il y a un problème avec le registre : perte, déchirure, l'intéressée peut être encore plus incommodée par les démarches et les dépenses supplémentaires. Le frais de traitement du dossier peut être considéré comme élevé : la délivrance de la copie peut coûter jusqu'à 2000ar pour l'intéressé, cela peut correspondre aux frais de déplacement pour atteindre la mairie de délivrance)
  - La carte d'identité de la mère
- Si la naissance s'est faite ailleurs
  - La déclaration peut être effectuée par le père ou toute autre personne
  - Copie de la mère : rien que le déplacement peut faire perdre plusieurs jours, sans parler du frais de déplacement. Par exemple dans la région Alaotra-Mangoro, dans la localité d'Antanifotsy qui se trouve environ à 70 km d'Ambatondrazaka l'Administration la plus proche, les habitants doivent faire un trajet d'environ 35km à pied soit 12h de marche, puis faire le reste du trajet par taxi-brousse et dépenser 5 000 ar pour le frais, et prévoir ensuite de l'argent pour l'hébergement s'ils n'ont pas de la famille proche sur place.
  - Sa carte d'identité

## L'identification

Il n'y a pas de texte de loi qui rend clairement obligatoire pour chaque personne l'obtention de la carte d'identité nationale dès son 18<sup>e</sup> anniversaire. Contrairement à l'enregistrement à l'Etat civil. La réglementation de l'octroi de la CIN fait partie du domaine réglementaire. Cela signifie que la réglementation des conditions de délivrance de la CIN : les documents nécessaires, les frais, le lieu où demander la CIN ; tout cela a été laissé à l'entière discrétion de l'appareil administratif : l'Etat.

Les textes en vigueurs sont donc difficilement accessibles pour les citoyens, et cela complique d'autant plus les démarches qu'ils ne savent pas toujours ce qu'il faut faire ni quel services approcher : c'est un poids de plus dans la lourdeur administrative.

## Pour la primata (la première carte d'identité nationale)

### La CIN à 18 ans

L'obtention de la Carte d'identité nationale est obligatoire à partir de 18 ans. A cet âge les démarches et les documents à fournir sont relativement simples : il faut fournir les pièces suivantes :

- Certificat de résidence avec photo
- Copie d'acte de naissance de moins de 1 an
- Déclaration des parents attestant de la minorité de leur enfant et du fait qu'il n'a jamais eu de CIN auparavant
- Photocopie certifiée de la CIN des parents
- Et pour les mineurs qui ont moins de 18 ans mais qui ont besoin d'une CIN pour des raisons pédagogiques : un certificat de scolarité de l'établissement scolaire ou universitaire

Il est important de souligner ici que l'administration en charge de la délivrance de CIN ne délivre pas de carte pour les mineurs (moins de 18 ans) même s'ils sont émancipés. Il y a ici cependant une zone d'incertitude. En effet, lors de notre entrevue avec le Ministère de l'intérieur, ministère de tutelle de tout ce qui concerne état civil et identification des personnes, nous avons été informés de la possibilité pour les mineurs de 16 ans et plus d'obtenir une CIN qui devra porter la mention pour usage professionnel et qui devra être conservé par l'employeur.

Les services en charge de la délivrance eux par contre ont été catégoriques : il n'y a aucune délivrance possible pour raison professionnelle. Parce que la loi l'interdit. Il est vrai que la loi malgache interdit le travail des enfants. Cependant le code du travail malgache en son article 102 prévoit que « Les enfants ne peuvent être employés dans aucune entreprise, même comme apprentis, avant l'âge de quinze (15) ans sans l'autorisation de l'Inspecteur du Travail, compte tenu des circonstances locales, des tâches qui peuvent leur être demandées et à la condition que les travaux ne soient pas nuisibles à leur santé et à leur développement normal »<sup>27</sup>.

Cela signifie qu'à partir de quinze ans mais dans des circonstances strictement réglementées, ils peuvent quand même travailler en tant qu'employés. Il y a une contradiction évidente entre la loi et les pratiques. Malheureusement cette contradiction permet tous les abus : les employeurs sans scrupules peuvent s'abriter sous la protection de cette loi et prétexter la responsabilité de l'administration en cas de problème dans le paiement du salaire de son jeune employé. Il en va de même pour les parents peu scrupuleux qui obligeront impunément leurs enfants à travailler tout en encaissant le salaire mensuel à leur place.

### La CIN à partir de 20 ans

L'obtention de la carte d'identité nationale devient plus compliquée si l'on a dépassé les 18 ans. A partir de 20 ans en effet, le demandeur doit fournir des documents supplémentaires

- Certificat de résidence avec photo
- Copie d'acte de naissance de moins de 1 an
- Déclaration sur l'honneur du demandeur qu'il n'a jamais eu de CIN auparavant
- Déclaration des parents attestant de la minorité de leur enfant et du fait qu'il n'a jamais eu de CIN auparavant
- Vérification auprès du district
- Envoie vers le Fichier central pour contrôle

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27 LOI N° 2003-044 Portant Code du Travail [http://www.cnaps.mg/FR/fichiers/codu\\_du\\_travail.pdf](http://www.cnaps.mg/FR/fichiers/codu_du_travail.pdf)

- Enquête de moralité effectuée au niveau du commissariat de police
- Dépôt et enregistrement du dossier au niveau du district

C'est une procédure très lourde qui est censée protéger le système contre les fraudes. Cependant, il nous semble au contraire que la démultiplication des démarches et des acteurs qui interviennent facilitent la fraude car le contrôle est rendu plus difficile.

D'autant plus que les différents services n'ont pas les moyens de recouper les informations qu'ils recueillent. En effet, la procédure de traitement des dossiers en vue de la délivrance de la Carte Nationale d'Identité est longue et guidé par le principe de la « responsabilité partagée » dans le sens où chaque service mis à contribution et l'individu qui est aussi très impliqué dans les démarches pour l'obtention de sa carte portent chacun la responsabilité de la véracité des informations qui leur sont transmises et qu'ils transmettent.

Personne ne se porte donc garant de la transparence de l'ensemble du processus et il y a un cloisonnement entre les différentes étapes et les différents services qui sont en charge. Cette situation favorise les fraudes et les manipulations des informations qui circulent. Et fragilise en même temps l'ensemble du système. Ajouté à cela la corruption ambiante, la force probante de la CIN est grandement remise en cause.

Pour la Primata (la première CIN), il est constitué une fiche de renseignement produite en trois exemplaires pour le demandeur : le premier exemplaire est archivé auprès du district, le deuxième auprès de la commune et le troisième fichier central qui est rattaché à la police national.

## **Pour le duplicata**

En cas de perte ou d'usure de la carte d'identité, le propriétaire peut obtenir un duplicata :

Pour l'usure, les documents nécessaires sont :

- Certificat de résidence avec photo
- Carte usée
- Copie fiche individuelle pour les cartes qui ont été délivrée dans un autre district ou commune que celle de la demande de duplicata (la demande de communication de la copie est envoyée par lettre officielle)

Pour la perte :

- Certificat de résidence avec photo
- Déclaration de perte
- Deux témoins

Copie fiche individuelle pour les cartes qui ont été délivrée dans un autre district ou commune que celle de la demande de duplicata (la demande de communication de la copie est envoyée par lettre officielle).

## **Le délai moyen pour effectuer toutes les démarches**

### **Pour les personnes résidant dans les grandes agglomérations**

Pour la CIN à 18 ans

- Certificat de résidence avec photo : une demi-journée
- Copie d'acte de naissance de moins de 1 an : il faut faire deux déplacements pour en registrer la demande et récupérer la copie d'acte de naissance ensuite, pour un employé de bureau il lui faudra s'absenter au moins une fois de son travail. Le délai d'attente va de 3 jours à une semaine

- Déclaration des parents attestant de la minorité de leur enfant et du fait qu'il n'a jamais eu de CIN auparavant : demi-journée avec des frais de traitement du dossier entre 2000 ar et 5000 ar
- Photocopie certifiée de la CIN des parents : une demi-journée les Communes peuvent ne recevoir les demandes de certification que la matinée, de 8h à 10h
- Et pour les mineurs qui ont moins de 18 ans mais qui ont besoin d'une CIN pour des raisons pédagogiques : un certificat de scolarité de l'établissement scolaire ou universitaire

La contrainte de temps est assez importante, d'autant plus que pour avoir la réception de la demande de copie d'acte de naissance et de certification sont reçues en même temps, la matinée de 8h à 10h ou 11h.

Pour la CIN à 20 ans

- Certificat de résidence avec photo : une demi-journée
- Copie d'acte de naissance de moins de 1 an : même démarche que cité supra
- Déclaration sur l'honneur du demandeur qu'il n'a jamais eu de CIN auparavant : une demi-journée avec des frais de traitement du dossier entre 2000 ar et 5000 ar
- Déclaration des parents attestant de la minorité de leur enfant et du fait qu'il n'a jamais eu de CIN auparavant : demi-journée avec des frais de traitement du dossier entre 2000 ar et 5000 ar
- Vérification auprès du district : peut prendre une journée si les archives ne sont pas bien tenus
- Envoie vers le Fichier central pour contrôle : c'est l'intéressé qui doit se déplacer et cela peut prendre une journée, il faut aussi prévoir l'engorgement de l'administration
- Enquête de moralité effectuée au niveau du commissariat de police : une demi-journée en y ajoutant aussi le stress, faire des démarches auprès de la police n'est jamais anodin
- Dépôt et enregistrement du dossier au niveau du district : une autre journée, en prenant aussi en considération le fait que la réception des dossiers peut intervenir seulement deux jours dans la semaine : par exemple au niveau de certains districts, la réception des dossiers intervient seulement le mardi matin, la récupération de la carte le jeudi après-midi

Les délais sont sensiblement les mêmes pour les duplicates.

### **Pour les personnes résidant dans les campagnes et zones enclavées**

Le temps nécessaires pour effectuer chaque démarche est sensiblement le même que pour les personnes vivant dans les grandes agglomérations, ce qui aggrave leur situation c'est la distance qu'il leur faut en plus couvrir. Comme leurs déplacements sont limités, ils ont intérêt à finaliser toutes les démarches en un seul déplacement. Or pour finaliser toutes les démarches, il leur faudrait au minimum (en étant très optimistes et qu'aucun contretemps ne survienne) 10 jours ouvrables. Cela occasionne des dépenses considérables pour ceux qui n'ont pas de famille sur place, sans oublier que cela fera deux semaines de travail de perdu pour ceux qui doivent cultiver leur terrain. . . On peut, dès lors, comprendre pourquoi ces démarches ne font partie de leurs priorités.

Pour conclure cette première discussion, nous pouvons faire le premier constat que le registre d'état civil et le système d'identification actuellement en vigueur est fragile dans le sens où leur valeur probatoire n'est pas infaillible. Les différents services concernés travaillent en parallèle mais pas vraiment ensemble. Les différentes informations qui circulent ne font l'objet d'aucun véritable recouvrement et aucun des instruments utilisés par les services concernés ne peuvent certifier la véracité des autres.

Et pourtant certificat de naissance et la CIN sont des documents indispensables pour l'individu, pour pouvoir étudier, avoir droit aux services de santé, travailler, voter . . . pour prouver son existence. Mais le système en vigueur aujourd'hui exclut de facto un trop grand nombre de personnes.

Et même si des mesures ont été mises en place pour régulariser les situations des enfants et adultes non enregistrés, les difficultés qu'ils doivent affronter pour cette régularisation et les coûts indirects qui en découlent ne permettent pas d'avoir un résultat satisfaisant.

Ce qui empêche ces personnes de jouir pleinement de leurs droits d'un côté, et engendre des coûts faramineux pour l'Etat qui doit mettre en place des opérations périodiques de régularisation (surtout à l'approche des élections). Mais surtout, cela facilite les abus et corruptions en tout genre :

- Accaparement des terrains par les gros propriétaires terriens qui peuvent plus facilement acquérir et enregistrer les terrains cultivables, au détriment des paysans propriétaires qui eux ne peuvent pas s'inscrire car n'ont pas de document d'identité.
- Au niveau de l'éducation nationale, les problèmes des documents d'identifications permet d'écartier les maîtres FRAM (enseignants communautaires engagés par les parents d'élèves) expérimentés et qui ont travaillé depuis de très nombreuses années au profit d'opportunistes qui n'ont pas d'expérience ni les aptitudes requis mais qui ont les documents nécessaires qui leur permettent d'être embauchés comme fonctionnaires de l'Etat.
- L'absence de documents d'identité combinée avec l'illettrisme permet à des employés, bénévoles, d'usurper les personnes les plus vulnérables de leurs droits les plus élémentaires : aides sociales sous formes de sommes d'argent, facilitation de l'accès aux soins.
- Et surtout l'absence de certificat de naissance prive les enfants de leur droit à l'éducation et à s'assurer un avenir convenable : les actes de naissances ne sont plus indispensables pour pouvoir aller à l'école pour le niveau primaire, mais cette règle n'est pas appliquée par tous les établissements scolaires, généralement par manque d'information. Le deuxième problème que pose cette règle c'est que même si ces documents ne sont plus indispensables pour s'inscrire à l'école, ils le sont pour passer les examens officiels. Les enfants ne pourront pas passer les examens officiels qui leur permettront de passer en secondaire ou au niveau supérieur: ils sont poussés à l'abandon scolaire très tôt.

## Les réformes déjà entreprises

### L'identification des personnes au niveau de l'administration fiscale

Nous avons décidé de consacrer une partie pour la question de l'identification des contribuables car des avancées vraiment significatives ont déjà été entreprises pour mettre en place le NIF on line. L'article 20.05.01 prévoit qu'un « numéro d'immatriculation fiscale en ligne est attribué à toute personne physique ou morale dont les activités, les biens ou les revenus sont imposables à Madagascar, au titre d'un impôt, droit ou taxes prévues par le présent code ». C'est un numéro qui est « personnel, unique et permanent pour un contribuable ».

Ce numéro est « attribué par le Service de l'Administration fiscale chargée d'identifier et de répertorier les contribuables : — soit au vu d'une déclaration souscrite par le contribuable ; — soit d'office pour les contribuables répertoriés à l'occasion d'opération fiscale décelée par l'Administration. Une carte fiscale lui est délivrée au moment de la validation de la demande »<sup>28</sup>.

La mise en place du système du numéro d'identification fiscal unique pour les contribuables s'inscrit dans la réforme des procédures et informatisation de la gestion des finances publiques qui a commencé en 1997.

La mise en place de la dématérialisation des procédures est très avancée au niveau de ce ministère, et il semble avoir un effet d'entraînement sur les autres ministères mais également en ce qui concerne les autres secteurs d'activités.

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28 Art. 20. 05. 02 CGI.

En effet, « Les agents des impôts ont le droit général d'obtenir, des personnes physiques ou morales, publiques ou privées, communications de toutes pièces ou documents ainsi que tous renseignements, quel que soit leur support, de saisir tous les documents et matériels informatiques, et d'accéder à toutes les données disponibles sur tous serveurs, terminaux ainsi que tous les supports nécessaires à l'établissement et au contrôle des impôts prévus par le présent Code »<sup>29</sup>.

A ce jour, le ministère des finances est sans doute le seul ministère qui ait la capacité de retracer l'existence d'un individu contribuable, les évolutions de ses activités et cela dans un souci de transparence pour éviter les fraudes et les soustractions des contribuables à leurs devoirs. Le but ultime étant de pouvoir combler enfin les manques à gagner de l'Etat en matière de recettes fiscales.

La dernière évolution en date et qui est vraiment notable concerne l'obligation pour les établissements bancaires de communiquer au ministère des finances de l'ouverture de comptes bancaires au sein de leur établissement. Cette communication ne permet pas à l'administration de connaître les informations telles que le solde du client, juste d'identifier la personne qui a ouvert le compte<sup>30</sup>.

Les efforts du ministère des finances sont cependant entravés par la « faiblesse » des autres ministères. Ainsi dans le cadre du contrôle fiscal, le fait que la majorité des autorités administratives et judiciaires amenées à travailler avec le fisc (notamment le tribunal de commerce et son registre de commerce et de l'industrie) d'un système informatisé peut ralentir les démarches de contrôle.

Il y a aussi le problème posé par la méfiance des contribuables qui préfèrent évoluer dans le secteur informel. C'est un problème qui s'explique toujours par la méfiance vis-à-vis de l'administration considérée comme caractérisée par l'oppression et l'arbitraire. La notion de consentement à l'impôt est parfaitement étrangère aux contribuables qui de toute façon ont du mal à s'identifier dans ses gouvernants. La fragilité de la démocratie est donc pour beaucoup dans l'alimentation de cet imaginaire collectif.

### **La dématérialisation des procédures et de l'administration**

La dématérialisation des procédures et de l'administration est l'une des réformes les plus importantes dans la recherche de la modernisation et de la simplification des démarches administratives.

« La dématérialisation des procédures administratives consiste à mettre en œuvre des procédés électroniques pour effectuer les opérations de traitement, d'échange et de stockage d'informations, réalisées jusque-là sur support papier. Elle remplace ainsi les supports d'informations physiques et les procédures matérielles par des fichiers informatiques et des procédures numériques »<sup>31</sup>.

La démarche n'est pas vraiment nouvelle, en tout cas en ce qui concerne le stockage. Ainsi par exemple pour le ministère des finances, l'informatisation du stockage des données a commencé dès les années 1970. Dans un souci de commodité pour éviter les risques de doublons.

Au niveau de l'état civil, les communes urbaines, notamment dans la capitale ont commencé la dématérialisation de stockage. Pour le IVè arrondissement (MAHAMASINA), elle a commencé en 2006.

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29 Article 20. 06. 01 code général des impôts. [http://www.sim.mg/images/documents/textes\\_lois/fiscalite/CGI\\_2015.pdf](http://www.sim.mg/images/documents/textes_lois/fiscalite/CGI_2015.pdf)

30 Loi de finances 2016, art. Article 20.06.15 : « Sous peine des sanctions prévues dans le présent Code, tout organisme et établissement de crédit et/ou financier, ainsi que les personnes qui reçoivent habituellement en dépôt des valeurs mobilières, titres ou espèces, sont tenus de remettre avant le 1er mai de chaque année, auprès du service chargé des Recouvrements, la liste de tous les comptes bancaires ouverts, ainsi que les comptes assimilés (comptes d'épargne, comptes-titres, etc).

Aux fins de mise à jour de la base des données de l'Administration fiscale, toute opération d'ouverture, de modification ou de clôture des comptes de toute nature au cours d'un mois doit être déclarée au plus tard le 15 du mois suivant auprès du service chargé des Recouvrements. Les conditions d'application des dispositions des deux derniers alinéas du présent article sont fixées par voie réglementaire.» [http://www.mefb.gov.mg/textes\\_lois/LF2016/CORPS%20LFI%202016%20-%20Parlement.pdf](http://www.mefb.gov.mg/textes_lois/LF2016/CORPS%20LFI%202016%20-%20Parlement.pdf).

31 Préambule de la Loi n°2014-026 fixant les principes généraux relatifs à la dématérialisation des procédures administratives, [http://www.anre.gov.mg/wp-content/uploads/2016/04/loi2014026\\_05112014.pdf](http://www.anre.gov.mg/wp-content/uploads/2016/04/loi2014026_05112014.pdf)

Au niveau du Tribunal de première instance, le tribunal de commerce d'Antananarivo s'est pourvu d'un logiciel qui lui permet d'informatiser l'enregistrement des personnes morales et physiques qui sont concerné par le RCS.

Au niveau du Ministère de la fonction publique la mise en place du système intégré de la gestion des ressources humaines (qui permettra à termes d'identifier les fonctionnaires de l'Etat) a été entamée même s'il en est encore à ses balbutiements : le ministères entame l'étape de la collecte des données et leur assainissement pour permettre d'avoir une base de données fiable qui permettra de mettre en place un système transparent et fiable, qui ne soit plus sujet à caution.

Mais c'est surtout au niveau du ministère des finances que la dématérialisation est la plus aboutie, non seulement au niveau du stockage, mais aussi au niveau de la centralisation des bases de données et surtout avec la mise en place de la téléprocédure : l'obtention d'un numéro d'identification fiscal en ligne (cf supra).

### **La mise place du commerce électronique : la signature électronique**

Madagascar s'est dotée de deux textes de lois très importantes dans la mise en place du commerce électronique : la loi sur la signature électronique et la loi contre la cybercriminalité.

« La signature électronique est un mécanisme permettant de garantir l'intégrité d'un document électronique et d'en authentifier l'auteur, par analogie avec la signature manuscrite d'un document papier. Elle se différencie de la signature manuscrite par le fait qu'elle n'est pas visuelle, mais correspond à une suite de nombres. Elle peut revêtir plusieurs formes qui peuvent être classées en six catégories: celles qui sont fondées sur la connaissance de l'utilisateur ou du destinataire (par exemple, mot de passe, les signatures numériques dans le cadre d'une infrastructure à clef publique numéro d'identification personnel), celles qui sont fondées sur les caractéristiques physiques de l'utilisateur (par exemple, la biométrie), celles qui sont fondées sur la possession d'un objet par l'utilisateur (par exemple, codes ou autres renseignements stockés sur une carte magnétique), les signatures manuscrites scannées, la signature au moyen d'un stylo numérique et, le fait de cliquer sur une case « OK » ou « J'accepte » »<sup>32</sup>.

Il y a ensuite la loi sur la cybercriminalité, « Le terme cybercriminalité désigne tout fait illégal commis au moyen d'un système ou d'un réseau informatique ou de tout autre réseau physique connexe ou en relation avec un système d'information »<sup>33</sup>.

Ainsi donc, l'octroi d'un numéro d'identification unique et personnel (au niveau du ministère des finances), ainsi que la mise en place de la dématérialisation des procédures (pour tous les ministères) sont des efforts très importants et indispensables pour alléger les démarches administratives, mais surtout pour rendre plus transparentes lesdites démarches, et répondre aux exigences de la transparence qui est un principe directeur de la bonne gouvernance.

Il s'avère que tous les ministères en sont très conscients et désirent d'ailleurs s'intégrer dans la réforme. Mais force est de constater que si les efforts de dématérialisation ont commencé à peu près au même moment : à partir de 2004 (sauf pour le ministère des finance qui a commencé presque dix ans plus tôt), ils sont très épars il n'y a aucune articulation entre les différents ministères dans leur réformes.

Ce qui a pour effet de rendre les communications entre eux assez difficiles, voire impossible car il y a beaucoup de méfiance quant à la fiabilité des données des uns et des autres. Au final, leurs bases de données ne peuvent toujours pas se recouper et il n'y a aucun moyen de réellement attester de la véracité des données de tel ou tel ministère par celles des autres ministères.

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<sup>32</sup> Loi n°2014-025 sur la signature électronique, [http://www.assemblee-nationale.mg/wp-content/uploads/2014/11/Loi-n%C2%AB02014-025\\_fr.pdf](http://www.assemblee-nationale.mg/wp-content/uploads/2014/11/Loi-n%C2%AB02014-025_fr.pdf)

<sup>33</sup> Loi n°2014-006 sur la lutte contre la cybercriminalité [http://www.afapdp.org/wp-content/uploads/2015/01/Loi-n%C2%AB02014-006\\_fr.pdf](http://www.afapdp.org/wp-content/uploads/2015/01/Loi-n%C2%AB02014-006_fr.pdf)

Cela rend donc le « travailler ensemble » très compliqué, mais les premières victimes ce sont quand même les personnes dont on a recueilli les données personnelles en vue de la constitution de leurs dossiers.

Depuis l'indépendance, aucune loi n'a permis une protection particulière de ces données personnelles. Dans le cadre de l'enregistrement des faits d'états civils par exemple, la loi n° 61-025, la seule garantie de protection dont bénéficient les citoyens sont les devoirs qui incombent aux officiers d'état civil<sup>34</sup>, ainsi que l'article 17 qui prévoit que « Les registres de l'état civil ne peuvent être communiqués au public, mais le procureur de la République et le président du tribunal ainsi que certaines autorités administratives déterminées par décret peuvent en requérir communication ».

Quid alors en cas de divulgation autre que par la communication du registre desdites informations ? Et cela d'autant plus que le mode de transcription des informations (manuel) laisse des possibilités de divulgation assez importante : le système actuel ne permet pas d'éliminer les risques de fuites.

Il y a aussi le problème du stockage et de l'archivage. Les différentes administrations qui ont été approchées dans le cadre de cette évaluation n'avaient pas les structures nécessaires pour garantir la sécurité des données personnelles des citoyens. Le résultat est que les fiches d'informations (au niveau du district) n'étaient pas trop difficilement accessibles au public. Aucune protection pour les cas d'incendie ou d'inondation ou autres catastrophes pouvant altérer irrémédiablement ces fiches.

Il y a aussi les préoccupations engendrées par les nouvelles réformes de dématérialisations : les informations personnelles sont plus facilement accessibles aujourd'hui et sont vouées à le devenir avec la centralisation des bases de données, les risques de fuite sont d'autant plus grandes que les secret professionnel<sup>35</sup> et les codes de déontologies ne constituent pas des verrous suffisants pour éviter qu'il ne soit exigée communication des données personnelles par des agents de l'administration trop zélés. La tentation est toujours forte dans un souci de bien faire de dépasser les limites du raisonnable dans la recherche de l'information. Ce ne sont pas non plus des protections suffisantes contre les risques de piratages informatiques.

C'est en considération de ces lacunes et de ces risques qu'a été adoptée puis promulguée la loi N° 2014 - 038 Sur la protection des données à caractère personnel . Le préambule de cette loi est très prometteur en ce qui concerne la qualité de la loi. Il reconnaît en effet que « l'informatique, les technologies de l'information ou l'e-technologie constituent aujourd'hui un facteur important du développement. Ces technologies à l'inverse des autres technologies industrielles s'exportent rapidement et leur zone de propagation traverse sans difficulté les frontières sans véritable considération des structures physiques. Elles présentent donc l'avantage d'être facilement utilisable dans les pays en voie de développement, les infrastructures nécessaires à son utilisation étant réduites. L'utilisation de l'informatique permet des gains de temps et de productivité sans précédent ainsi que plus de rigueur dans la gestion quotidienne. Elle permet également d'offrir à distance des services nouveaux, aussi bien sur le plan national que sur le plan international. En un mot, le développement économique et la consolidation ou la modernisation de l'Etat ne se conçoivent plus sans l'usage des technologies de traitement de l'information. Il convient cependant, à côté de ces bénéfices attendus de l'usage de ces technologies, de considérer dans toute démocratie tournée vers le progrès et le développement, les risques que ces technologies font peser sur les libertés des personnes concernées si elles ne sont pas encadrées par l'établissement de principes directeurs et de droits individuels nouveaux. En effet, tout usage de l'informatique et des réseaux de communication à des

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34 Article 8. « Les officiers de l'état civil et dépositaires des registres sont civilement responsables des fautes et négligences commises à l'occasion ou dans l'exercice de leurs fonctions sans préjudice, le cas échéant, de poursuites pénales ou disciplinaires. Il en sera de même pour les dépositaires des registres en cas d'altérations, même commises par les tiers, sauf le recours contre ceux-ci. »

Article 10 : « Le procureur de la République près le tribunal de première instance ou le magistrat par lui délégué est spécialement chargé de la surveillance du service de l'état civil dans le ressort de son tribunal; il doit vérifier la tenue des registres, leur conservation et dresser tous les ans un procès-verbal sommaire des vérifications faites par lui ; il dressera procès-verbal des contraventions et délits commis par les officiers de l'état civil et en poursuivra la répression; il a le droit de correspondance directe avec les officiers de l'état civil. ».

35 Article 20. 06. 09 du code général des impôts.

fins de recherche, d'information, à des fins de communication interpersonnelle, à des fins commerciales ou administratives, implique le traitement des données à caractère personnel par des tiers. Les informations relatives aux personnes contenues dans un fichier peuvent être conservées pour de longues durées et lorsqu'elles sont informatisées ou numérisées, elles peuvent être aisément rapprochées avec d'autres, être l'objet de détournement de la finalité pour laquelle elles ont été collectées, copiées ou manipulées à l'insu des personnes concernées. Le droit à la protection des données à caractère personnel est reconnu à toute personne. Il s'agit d'un droit autonome qui fait partie intégrante des droits humains ».

La nouvelle loi protège « toute information relative à une personne physique identifiée ou qui peut être identifiée, directement ou indirectement, par référence à un nom, un numéro d'identification ou à un ou plusieurs éléments qui lui sont propres. Ces éléments sont notamment physiques, physiologiques, psychiques, économiques, culturels ou sociaux ».

Mais c'est une loi qui est trop récente et qui ne peut être effective dans la mesure où l'autorité administrative chargée d'en sanctionner le respect n'est pas encore mise en place. Et dans la mesure surtout où les il faudra encore que les différentes autorités administratives et judiciaires qui sont chargée de veiller à son application, au respect de son esprit doivent encore se familiariser aux technicités qu'elles vont engendrer et qui vont forcément rendre compliquée la compréhension de ces textes. Notamment au niveau de l'administration judiciaire.

## Recommandations

### Concernant les réformes du cadre juridiques

#### Le registre d'état civil

La première recommandation concerne l'actualisation de la loi sur le registre d'état civil. La loi de 1961 ne permet pas d'effectuer l'enregistrement des enfants dans les temps. Il faut rallonger le délai de 12 jours qui est beaucoup trop court. Tant que la loi 61-025 permettra d'écartier de facto certaines catégories de personnes, généralement les plus vulnérables, l'Etat sera amené à faire des opérations « carte d'identité », « acte de naissance » qui continueront de peser très lourdement sur le budget de l'Etat. Et tant que la loi 61-025 sera la seule applicable en la matière, un nombre très important d'enfants continueront à être exclus du système scolaire, mais aussi du système de santé. Madagascar a aujourd'hui besoin d'une loi qui tienne compte des contraintes démographiques, géographique et technologiques.

Lors des séances de travail dans le cadre de la mission d'évaluation, des propositions intéressantes ont été par les contributeurs.

Il a été ainsi question de rallonger le délai d'enregistrement de 60 jours, un délai raisonnable selon les contributeurs et selon nous également étant donné les difficultés et les contraintes très pesantes que nous avons évoqué plus haut.

Des propositions ont aussi été avancées concernant l'enregistrement des informations, il était question de raccourcir les étapes de la circulation des informations. Ainsi pour les naissances qui ont eu lieu dans un centre de santé, comme la déclaration est de toute façon une obligation qui échoit aux médecins et aux infirmières, pourquoi ne pas permettre la tenue d'un registre de naissance au niveau des centres de santé à charge pour eux de transmettre à chaque fin de mois le registre à l'officier de l'état civil.

Les questions de la logistique devront sérieusement discutée si l'on envisage cette possibilité. Ne serait-ce que sur la question du personnel qui devra se charger de l'enregistrement des naissances dans le registre laissé aux soins des établissements de santé : et cela non seulement au niveau du nombre mais surtout des compétences et de la formation.

Pour ce qui est des cas de naissance à domicile, il a été question de renforcer les capacités du Fokontany, qui est l'administration la plus proche de la population. Il s'agirait donc de renforcer les capacités et compétences du chef fokontany qui pourrait aussi tenir un registre d'état civil à charge pour lui de le transmettre à l'officier de l'Etat civil à chaque fin de mois.

Cette deuxième proposition est beaucoup plus facile à envisager. En effet, le Chef fokontany peut recevoir délégation du pouvoir du Maire conformément à l'article 8, alinéa 11, du Décret n° 97-125 du 30 octobre 1997 portant création de la structure administrative de base dénommée « Fokontany » et fixant son organisation. Il est ainsi envisageable, quoique très prudemment, que le Chef fokontany puisse recevoir, sous la surveillance et la responsabilité du Maire, des fonctions d'officier d'état civil.

Il a enfin été soulevé la question de la pénalisation du défaut d'enregistrement des naissances. Un parallèle avait été fait avec le cas de l'obligation d'enregistrement des bovidés auquel les propriétaires se prêtent volontiers. Il faut aussi savoir que l'enregistrement des bovidés est une condition sine qua non pour que le propriétaire puisse exploiter son bien comme il l'entend. Car le zébu est avant tout un bien économique et nous avons vu que pour les malgaches en général et les paysans en particulier les seules raisons vraiment valables pour qu'ils se déplacent et fassent les démarches administratives sont économiques.

Cette constatation amène deux observations, d'une part, ce n'est pas seulement la menace d'une sanction pénale qui les encourage à procéder à l'enregistrement de leurs bovidés c'est avant tout la menace de ne pas pouvoir en jouir comme ils l'entendent.

D'autre part, instaurer un régime de sanction en cas de défaut d'enregistrement des naissances ne serait pas très productif dans le cas d'un pays comme Madagascar.

En effet, cela ne fera que renforcer le sentiment d'oppression des populations vulnérables (les premières cibles qui bénéficieraient d'une éventuelle réforme) et pourraient les pousser à dissimuler les naissances, ou pire à effectuer une sélection. Nous avons vu que les démarches peuvent être très couteuse, dans l'état actuel de la législation et vu l'état des infrastructures, la pénalisation du défaut d'enregistrement pourrait inciter les parents à « miser » sur les enfants qu'ils jugeront plus « productif » en terme d'avenir. Donc cette solution nous pousserait dans la direction opposée à toutes les politiques que nous avons déjà menées jusque-là en termes de lutte contre la discrimination basée sur le sexe notamment.

## La capitalisation des acquis

Il faut ensuite capitaliser les réformes assez importantes effectuées jusqu'à maintenant en mettant en place une armature juridique suffisamment forte pour encadrer efficacement le déploiement de la dématérialisation administrative et la mise en place d'identifiants qui permettront l'identifier les personnes de manière certaine. Les réformes qui ont été menées jusqu'ici sont essentiellement techniques, il faut maintenant inclure de manière permanente le législateur dans toutes les étapes de la mise en place de la réforme.

En effet, aujourd'hui les réformes juridiques semblent être menées à postériori quand le système est déjà en place. Le plus grand problème est alors que la pratique dépasse de trop loin la réglementation. C'est par exemple le cas en matière de protection des données à caractères personnelles dans le cadre de la dématérialisation des démarches administratives : la loi y afférant vient à peine d'être promulguée alors que la dématérialisation a été enclenchée depuis la fin des années 90.

L'autre problème est que les praticiens du droit chargé de veiller à l'application des lois risquent de ne pas pouvoir suivre la technicité des nouvelles technologies dans les faits qu'ils seront amenés à trancher.

L'armature juridique dont il est question ici devra également mettre en place une harmonisation des réformes déjà effectuées et celles qui seront mises en place dans l'avenir. Le but étant de rationaliser le système d'enregistrement et d'identification. Il faut désormais effectuer une articulation entre ces différentes réformes.

Une articulation qui devra évidemment passer par la mise en place d'une structure officielle qui serait chargée de coordonner tous les efforts entrepris individuellement par les Ministère. Une proposition a été faite dans le cadre de l'atelier de validation de la présente évaluation concernant la mise en place d'un Comité interministériel qui ferait participer tous les ministères de la Justice, de l'Intérieur, de la Fonction publique, du Finance et des Budgets, de la Population, mais aussi l'INSTAT.

Le but de ce Comité sera d'accélérer l'enregistrement, mais surtout de permettre le recouvrement des informations recueillies, ceci deviendra alors un garant de fiabilité en ce qui concerne la véracité et la transparence des différents registres fonctionnels.

Il est aussi important de mettre en place et le plus rapidement possible les autorités administratives qui sont chargées de sanctionner le non-respect des lois : l'organisme d'accréditation et des prestataires de service de certification pour la signature électronique ; l'autorité indépendante dénommée Commission Malagasy de l'Informatique et des Libertés (CMIL) pour la protection des données personnelles.

#### **Pour ce qui est de la réforme institutionnelle**

Pour la réforme institutionnelle, la première chose qui a été soulevée ici est le rôle du Fokontany. Le fokontany est une structure administrative de base créée par le Décret n° 97-1257 du 30 octobre 1997. Il s'agit d'une circonscription administrative de base qui comprend soit un ou plusieurs quartiers, soit un ou plusieurs villages. Il constitue également une subdivision du territoire de la Commune. Pour l'essentiel, les responsabilités au niveau du fokontany sont les suivantes : le fokontany est aujourd'hui l'auxiliaire au Délégué Administratif d'Arrondissement dans ses attributions administratives et fiscales, et l'agent d'exécution du Maire pour les services de proximité .

Auxiliaire du Délégué Administratif d'Arrondissement dans le sens où il veille à l'exécution des lois et règlements ; il assiste le Chef d'Arrondissement pour le recouvrement des impôts ou toutes autres ressources fiscales ; il assure la transmission des plis ou convocations officiels aux habitants, ainsi que la distribution des imprimés officiels ; il renseigne le Chef d'Arrondissement sur les événements de tous ordres intéressant le Fokontany ; il exerce d'une manière générale les attributions qui lui sont confiés par le Chef d'Arrondissement.

Agent d'exécution du Maire pour les services de proximité dans le sens où il veille à l'exécution des délibérations, arrêtés et décisions municipaux ou communaux ; il maintient un contact permanent avec la population à qu'il transmet les instructions du Maire ; il renseigne le Maire sur les événements de tous ordres intéressant la vie du Fokontany ; il prend part aux mesures de sécurité générale ; il aide les responsables chargés du recouvrement des recettes publiques ; il assure le recensement de la population ; il assiste le Maire dans l'établissement des passeports de bovidés et tient un exemplaire du bokin'omby ; il assiste le Maire dans l'établissement de la liste électorale selon le cas ; il délivre le certificat de résidence, de célibat, de non séparation de corps, de non remariage et le certificat de vie individuel ou collectif par délégation du Maire ; il peut recevoir délégation du pouvoir du Maire ; il exerce d'une manière générale les attributions d'ordre particulier qui lui sont confiées par le Maire.

A notre avis, il serait possible de renforcer le rôle et le statut des fokontany dans l'institution d'un état civil et d'une identification de l'individu transparents et fiables, en l'érigent au titre de collectivité sous la tutelle de la Commune et non plus en simple circonscription administrative sous la tutelle du District (depuis le Décret du ° 2007 620 du 10 juillet 2007).

## Autres : explication du mécanisme de l'adoption à Madagascar

### Adoption judiciaire ou adoption plénière

L'adoption plénière est une institution juridique ayant pour objet de créer entre deux personnes, l'adoptant et l'adopté, un lien de filiation conférant à ce dernier la qualité d'enfant légitime (Art. 30). En raison de sa gravité et de ses conséquences, cette adoption est soumise à certaines conditions :

- L'adoptant doit être âgé de plus de trente ans et ne pas avoir plus de trois enfants vivants (Art. 34);
- L'adopté doit être âgé de moins de douze ans et être parents de l'adoptant ou être un enfant orphelin ou abandonné (Art. 36).
- Si l'adopté n'est ni abandonné, ni orphelin, le consentement de ses parents à l'adoption est requis (Art. 41);
- L'adoption ne peut être prononcée qu'en justice.

### Adoption simple

L'adoption est une démarche qui est déjà présente dans la coutume malgache, l'adoption simple est la forme d'adoption traditionnelle qui a été réceptionnée dans la loi régissant l'adoption à Madagascar. Cette adoption « est un acte juridique destiné, soit à créer entre deux personnes étrangères l'une à l'autre un lien de parenté fictif, soit à resserrer entre deux personnes d'une même famille le lien de parenté ou d'alliance déjà existant » (Art. 18 loi n° 2005-014 du 07 Septembre 2005 relative à l'Adoption). Elle ne peut intervenir qu'entre deux personnes de nationalités malgaches et résidantes à Madagascar. Elle peut concerner les enfants comme les adultes, mais alors que l'enfant adopté en justice cesse d'appartenir à sa famille d'origine, l'adopté simple conserve dans sa famille d'origine tous ses droits et reste tenu de toutes ses obligations (Art. 25).

L'adoption simple est un acte juridique qui est utilisé le plus souvent pour contourner les règles très strictes de succession à Madagascar. Ainsi par exemple, le conjoint se trouve à la huitième classe après les enfants et tous les parents du de cujus. Autant dire qu'il risque de n'hériter de rien du tout si le couple n'a pas eu d'enfant. L'adoption simple leur permettrait de contourner cette disposition légale. En effet, les personnes ayant fait l'objet d'une adoption simple succèdent à l'adoptant pour la moitié de la part à laquelle ils auraient pu prétendre s'ils avaient été adopté judiciairement étant entendu que les enfants adoptés en justice ont les mêmes droits successoraux que les enfants nés du défunt ; c'est-à dire à la totalité des biens.

Notons que l'adoption est dite simple car elle ne doit faire l'objet que d'une déclaration devant l'officier d'état civil de la résidence habituelle de l'adoptant conformément aux articles 3 et 36 de la loi n° 61-025 du 9 octobre 1961 relative aux actes d'état civil.

# Annex G: FID passport

 <p><b>VATSIN'ANKOHONANA</b> ANKOHONANA SY ZARA ANDRAIKITRA</p> <p>► <b>PEPETRA AHAZOANA NY VATSIN'ANKOHONANA</b></p> <ul style="list-style-type: none"> <li>• Fananana ankizy 0-10 taona miampy ny famanterehana ireo <b>Zara Andraikitra</b></li> <li>• Fanarenana ny <b>Zara Andraikitra</b> tsy vita.</li> </ul> <p>► <b>FANAMARHANA</b></p> <p>Miova ny anjara vatsy araka ny fiovan'ny pepetra mahakasika ny zaza : tonga taoma hianatra, tsy andraikit'hay ankohonanana intsony ny zaza na sanatra nodimandry. Afaka manao taratasy fialana ireo ankohonana tsy te-handray intsony ny <b>Vatsin'Ankohonana</b>.</p> <p>Ny tsy fananterehana ny zara-andraikitra na ny tsy fahatongavana in-telo (3) misesy maka ny anjara <b>Vatsin'Ankohonana</b> dia mitarika fanapahanana izany tanteraka.</p> <p>► <b>FITARAINANA</b></p> <p></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">TOMPON'ANDRAIKITRA MIVANTANA</td> <td style="width: 50%;">ANTSOSY TSY ANDOOAVAM-BOLA</td> </tr> <tr> <td> </td> <td> </td> </tr> </table> <p>Ny fitarainana rehetra na voavaha na tsy voavaha eo an-toerana dia alefa any amin'ny FID avokou. Anjara'ny FID no mirakitra izany ao amin'ny rejista manokana momba ny fitarainana ary manoratra amin'ny mpanao fitarainana milaza amin'ny fomba ofisialy ny valiny. Ity takefaka ity dia natao mba hanoratana ny anaran'ny ankohonana mpisitraka miaraka amin'ny Zony sy ny Zara Andraikitra tandrify azy.</p> <p>Iaraha-mamaky ary larahana manao sonia cto amby ho fanamarihana ny fanekena.</p> <p>Ny Ioham-pianakaviana Ny Reny na ny Mpiahy</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Ny Komity Mpiahy ny Mpiaira-belona</td> <td style="width: 50%;">Ny FID</td> </tr> <tr> <td> </td> <td> </td> </tr> </table> <p>Ny Karapondrom-pirenenena, laharana : .....    Vohitra : .....    Fokontany : .....    Kaominina : .....    Distrika : .....    Faritra : .....    Daty nanaovana sonia : .....    Loham-pianakaviana : .....    Karapanondrom-pirenenena, laharana : .....    Natao tao ..... tamin'ny .....    Mpandray ny vola : .....    Natao tao ..... tamin'ny .....    Karapanondrom-pirenenena, laharana : .....    Natao tao ..... tamin'ny .....  </p> <p>   </p>	TOMPON'ANDRAIKITRA MIVANTANA	ANTSOSY TSY ANDOOAVAM-BOLA			Ny Komity Mpiahy ny Mpiaira-belona	Ny FID			 <p><b>VATSIN'ANKOHONANA</b> ANKOHONANA SY ZARA ANDRAIKITRA</p>  <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <p>SARY TAPAKY NY LOHAM- PIANAKAVIANA</p> </div> <div style="text-align: center;"> <p>SARY TAPAKY NY MPANDRAY NY VOLA</p> </div> </div>
TOMPON'ANDRAIKITRA MIVANTANA	ANTSOSY TSY ANDOOAVAM-BOLA								
Ny Komity Mpiahy ny Mpiaira-belona	Ny FID								

 <p><b>VATSIN'ANKOHONANA</b> ANKOHONANA SY ZARA ANDRAIKITRA</p> <p><b>Vatsin'Ankohonana VOARAY</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">OKTOBRA 2015</td> <td style="width: 10%;">NOVAMBRA 2015</td> <td style="width: 10%;">DESEMBRA 2015</td> <td style="width: 10%;"></td> </tr> <tr> <td>2016</td> <td>2017</td> <td>2018</td> <td>2019</td> </tr> <tr> <td>FEBROARY</td> <td></td> <td></td> <td></td> </tr> <tr> <td>APRILY</td> <td></td> <td></td> <td></td> </tr> <tr> <td>JONA</td> <td></td> <td></td> <td></td> </tr> <tr> <td>AOGOSITRA</td> <td></td> <td></td> <td></td> </tr> <tr> <td>SEPTAMBRA</td> <td></td> <td></td> <td></td> </tr> <tr> <td>OKTOBRA</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DESAMBRA</td> <td></td> <td></td> <td></td> </tr> </table>	OKTOBRA 2015	NOVAMBRA 2015	DESEMBRA 2015		2016	2017	2018	2019	FEBROARY				APRILY				JONA				AOGOSITRA				SEPTAMBRA				OKTOBRA				DESAMBRA				<p>► <b>Ireo Ankizy voakasiky ny Vatsin'Ankohonana</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">N°</th> <th style="width: 45%;">Anaran'ny Zaza</th> <th style="width: 15%;">Taona sy daty nahaterhana</th> <th style="width: 15%;">Lahy / Vavy</th> <th style="width: 20%;">Sekoly sy Kilasy</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>7</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>8</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>► <b>Zara Andraikitra</b></p> <ul style="list-style-type: none"> <li>• Ireo zaza tonga taona hianatra (6-10 taona) dia mandeha tsy tapaka any an-tsokoly (fara-fahakely 80% ny fotoam-pianarana)</li> <li>• Micraka koa ny ray aman-dreny hitondra ireo zaza madinika (0-5 taona hamony ny toby fiahianu ara-tsakaflo</li> <li>• Mamony ny tobim-pahasalamana koa ny ray aman-dreny hitondra ny zaza sy ny ankizy tralaty ny arcetina, na hanao vaksiny</li> <li>• Mandray anjara amin'ireo hetsiky ny tetik'asa rehetra</li> </ul>	N°	Anaran'ny Zaza	Taona sy daty nahaterhana	Lahy / Vavy	Sekoly sy Kilasy	1					2					3					4					5					6					7					8				
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