Madagascar: Strengthening the rights of persons in police custody

Friday, October 26, 2018

Procedural safeguards within hours of arrest are essential to prevent the risk of torture and other ill-treatment. The APT continues and formalizes its cooperation with the Madagascar’s Ministry of Public Security in order to strengthen the rights of persons in police custody and contribute to the professionalisation of police forces.

Anyone in custody should be able to benefit from fundamental safeguards, such as the right to a lawyer, the right to see a doctor, or the right to notify a relative of his or her arrest, so that he or she is not subject to ill-treatment or enforced disappearance. The APT is working with various partners in Madagascar, including the Ministry of Public Security, to operationalise the existing provisions in the law. These joint efforts aim in particular to ensure that any person deprived of his or her liberty by the police is notified of his or her rights, a prerequisite for exercising them.

To this end, the APT and the Ministry started, in early 2018, a joint project that will be divided into several phases, which will last until 2020. On 25 October, a Memorandum of Understanding was signed in Antananarivo with the Minister of Public Security, thus sealing this cooperation and establishing its main milestones. Working meetings with project referents – identified among police officers – who will supervise the implementation of the project, have led to progress in the development of tools, including the optimisation of the police custody registers. In addition, a meeting with representatives of the Bar, the Public Ministry, the Ministry of Justice, civil society and the police forces has made it possible to clarify certain essential points of the procedure. The coming months will be devoted to the finalisation of the tools that will then be used in pilot police services in 2019, before being finalised and then generalised to the entire police force of the Malagasy territory in 2020.