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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER  
FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF  
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Senegal**

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. BACKGROUND AND FRAMEWORK

### A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties</i> <sup>2</sup>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of Treaty bodies</i>
ICERD	19 April 1972	None	Individual complaints (art. 14): Yes
ICESCR	13 January 1978	None	-
ICCPR	13 January 1978	None	Inter-State complaints (art. 41): Yes
ICCPR-OP 1	13 January 1978	None	-
CEDAW	5 January 1985	None	-
OP-CEDAW	26 May 2000	None	Inquiry procedure (arts. 8 and 9) Yes/Yes
CAT	21 August 1986	None	Inter-State complaints (art. 21): Yes Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
OP-CAT	18 October 2006	None	-
CRC	31 July 1990	None	-
OP-CRC-AC	3 March 2004	Binding declaration under art 3: 20 years	-
OP-CRC-SC	5 November 2003	None	-
ICRMW	9 June 1999	None	Inter-State complaints (art.76)No Individual complaints (art.77)No

*Core treaties to which Senegal is not a party: ICCPR-OP 2, CPD (signature only, 2007), OP-CPD (signature only, 2007), CED (signature only, 2007).*

<i>Other relevant main instruments</i>	<i>Ratification, accession or succession</i>
Convention on the prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	Yes
Palermo Protocol <sup>3</sup>	Yes
Refugees and Stateless Persons <sup>4</sup>	Yes
Geneva Conventions and their Protocols <sup>5</sup>	Yes, except for Additional protocol III to the Geneva Conventions
ILO Fundamental Conventions Nos. 29, 105, 87, 98, 100, 111, 138 and 182 <sup>6</sup>	Yes
UNESCO Convention against Discrimination in Education	Yes

1. A 2007 UNHCR report noted as a positive development the accession of Senegal to the two international conventions relating to statelessness.<sup>7</sup> In 2006, the Committee on the Rights of the Child (CRC) recommended completing the ratification process of the 1993 Hague Convention on Protection of Children and Cooperation of Inter-country Adoption.<sup>8</sup>

2. In 2006, Senegal pledged to ratify international human rights instruments such as the Convention on Imprescriptibility of Crimes of War and Against Humanity, signed on 26 November 1968.<sup>9</sup>

3. The *Comité sénégalais des droits de l'homme* was granted "A" accreditation status as a National Human Rights Institution by the International Coordinating Committee of National

Institutions (ICC) in 2000. Its accreditation was revisited and confirmed in October 2007, and will be reviewed in October 2010.<sup>10</sup>

## **B. Constitutional and legislative framework**

4. A 2008 United Nations Office on Drugs and Crime (UNODC) report noted that it assisted Senegal in translating the provisions of the Protocol against the Smuggling of Migrants, by Land, Sea and Air into national legislation. It also noted that Senegal has the first law against the smuggling of migrants, providing a model for other West and Central African States.<sup>11</sup>

5. In 2006, CRC welcomed the incorporation of the Convention on the Rights of the Child into the Constitution of 2001, as well as the enactment of : the Labor Code of 1997, which fixes the minimum age of employment at 15; the Law No. 99-05 of 1999 prohibiting all forms of sexual mutilation, sexual violence and corruption of minors; the 2004 amendments to the Law No. 91-92 making education free and compulsory for children aged 6-16; the adoption in 2005 of the Law No. 2005-02 against human trafficking and for the protection of victims.<sup>12</sup> In December 2004, Senegal adopted Law No. 2004-38 abolishing death penalty.<sup>13</sup>

6. In 2001, the Committee on Economic, Social and Cultural Rights (CESCR) noted, as a positive aspect, that the status accorded by the Senegalese Constitution to international treaties ratified by Senegal is higher than that of domestic law.<sup>14</sup> It also noted the enactment of the Law No. 99-03 of January 1999 which criminalizes, inter alia, female genital mutilation, sexual harassment and domestic violence against women.<sup>15</sup>

## **C. Institutional and human rights infrastructure**

7. In 2006, CRC welcomed the establishment of an inter-ministerial Directorate on the rights of the child, as recommended in its previous concluding observations, to coordinate actions taken by all institutions dealing with the implementation of the Convention.<sup>16</sup> It also noted the establishment of the *Haut Commissariat aux Droits de l'Homme et à la Promotion de la Paix* within the office of the President, which is mandated to receive complaints from children.<sup>17</sup>

8. In 2002, the Committee on the Elimination of Racial Discrimination (CERD) noted Senegal's efforts to establish institutions for the protection of human rights, such as the Human Rights Committee, the Inter-Ministerial Committee on Human Rights and the Human Rights and Humanitarian Law Office.<sup>18</sup>

## **D. Policy measures**

9. In 2006, CRC took note of the overall policy environment such as various plans of action in favor of children, and the Poverty Reduction Strategy Paper (PRSP).<sup>19</sup> A 2005 International Monetary Fund (IMF) report noted that in 2003, the IMF's Executive Board approved a three-year Poverty Reduction and Growth Facility arrangement for Senegal covering 2003–05 to support implementation of the Government's PRSP.<sup>20</sup> CRC also welcomed the efforts made in the area of juvenile justice, especially the project entitled *Renforcement de la Protection Juridique des Mineurs au Sénégal*.<sup>21</sup> However, it regretted the absence of a comprehensive National Plan of Action for children covering all areas of the Convention.<sup>22</sup>

## II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty Body</i> <sup>23</sup>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CESCR	2000	September 2001	-	Third report overdue since 2003
HR Committee	1996	November 1997	-	Fifth report overdue since 2000
CERD	2001	November 2002	-	Sixteenth, seventeenth and eighteenth reports overdue since 2004
CRC	2006	October 2006	-	Consolidated third, fourth and fifth report to be submitted in 2011
CEDAW	1991	February 1994	-	Third, fourth, fifth, sixth, seventh and eighth reports to be submitted in 2010
CAT	1995	July 1996	-	Third, fourth, fifth and sixth reports overdue since 1996
OP-CRC- AC	-	-	-	Initial report overdue since 2006
OP-CRC- SC	-	-	-	Initial report overdue since 2005

10. In 2006, Senegal pledged to respect the deadlines for submitting periodic reports to the treaty body mechanisms.<sup>24</sup>

#### 2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	None
<i>Visits agreed upon in principle</i>	Special Representative of the Secretary-General on human rights defenders; Special Rapporteur on the right to education; Working Group on arbitrary detention; Special Rapporteur on the human rights of migrants; Special Rapporteur on trafficking in persons, especially in women and children.
<i>Visits requested and not yet agreed upon</i>	None
<i>Facilitation/cooperation during missions</i>	-
<i>Follow-up to visits</i>	None
<i>Responses to letters of allegations and urgent appeals</i>	Between 15 November 2004 and 14 November 2008, 6 communications concerning 7 individuals including 6 journalists were sent to the Government. During the same period, Senegal replied to two communications (33 per cent)
<i>Responses to questionnaires on thematic issues</i> <sup>25</sup>	Senegal replied to one of the 12 questionnaires sent by Special Procedures mandate holders <sup>26</sup> between 1 January 2004 and 31 December 2007, within the deadlines. <sup>27</sup>

11. In 2006, Senegal pledged to welcome the special procedures mandate holders and giving them the best conditions to accomplish their missions.<sup>28</sup>

### **3. Cooperation with the Office of the High Commissioner for Human Rights**

12. In 2006, Senegal pledged to support the United Nations High Commissioner for Human Rights.<sup>29</sup> In December 2007, the United Nations Office of the High Commissioner for Human Rights, represented by the Deputy High Commissioner, signed in Dakar an agreement with the Government of Senegal setting up a regional office for West Africa<sup>30</sup>. This regional office, based in Dakar, was established in 2008.<sup>31</sup>

#### **B. Implementation of international human rights obligations,**

##### **1. Equality and non discrimination**

13. The 2006 Common Country Assessment (CCA) noted that the Constitution of 2001 enshrines the principle of equality between sexes and refers expressly to the Convention on the Elimination of All Forms of Discrimination against Women. It also informed that, at the legislative level, in spite of significant efforts carried out in order to restore equity and gender equality, there are still discriminatory provisions with regard to women.<sup>32</sup> In 2001, CESCR expressed its concern about the de jure and de facto inequality that exists between men and women in Senegalese society. It was particularly concerned about the lack of progress in eradicating discriminatory practices against women and girls<sup>33</sup> and urged Senegal to take immediate measures to address the problem of discrimination against women in access to employment, and to monitor closely, both in the private and public sectors, the implementation of the law on maternity leave.<sup>34</sup>

14. In 2008, an ILO Committee of Experts recalled that section 105 of the Labour Code provides that, in equal working conditions, professional qualifications and output, the salary shall be equal for all workers irrespective of origin, sex, age or status. The Committee asked the Government to provide information on the practical application of section 105 of the Labour Code.<sup>35</sup>

15. In 2002, CERD noted with concern the continuing legacy of aspects of a caste-based system, despite its having been banned by law, and recommended that Senegal ensure that the existing provisions are effectively applied.<sup>36</sup>

16. In 2006, CRC expressed its concern at the fact that discrimination against certain groups of children still exists in practice, particularly towards children born out of wedlock, children with disabilities, children affected by HIV/AIDS, girls, street children and *talibés*.<sup>37</sup> It urged Senegal to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups of children.<sup>38</sup>

17. CRC recommended that measures be taken to further encourage the inclusion of children with disabilities into the regular educational system and into society. It also recommended that Senegal adopt an inclusive and right-based legal framework that addresses the specific needs of children with disabilities, implement all relevant provisions of existing legislation related to children with disabilities, and undertake awareness-raising campaigns with the involvement of children, which focus on children with disabilities.<sup>39</sup>

##### **2. Right to life, liberty and security of the person**

18. In 2006, CRC noted with appreciation the efforts made by Senegal in combating female genital mutilation. However, it remained concerned at the persistence of practices harmful to

girls, including female genital mutilation, early and forced marriages, and other emerging forms of violence such as infanticide.<sup>40</sup> UNICEF estimated that, in 2006, 28 percent of women between the ages of 15 and 49 had undergone genital mutilations<sup>41</sup>. CRC recommended that Senegal continue with awareness-raising campaigns to combat and eradicate female genital mutilation and other traditional practices harmful to the health, survival and development of children. It also recommended introducing education and awareness-raising programmes for practitioners and the general public to encourage change in traditional attitudes and discourage harmful practices. It further recommended that Senegal ensure the implementation of the Law No. 99-05 regarding, inter alia, the prohibition of all forms of sexual mutilation, and ensure that perpetrators are brought to justice.<sup>42</sup>

19. In 2006, while noting that corporal punishment is prohibited in schools, CRC was concerned that corporal punishment within the family is not prohibited by law and that corporal punishment is used in schools and other institutional settings.<sup>43</sup> It recommended that Senegal, taking into account its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, amend all relevant laws to ensure that corporal punishment is explicitly prohibited in all settings, and sensitize parents, guardians and professionals working with and for children.<sup>44</sup>

20. In 2008, the Integrated Regional Information Networks (IRIN) stated that one in four women suffers domestic assault and battery. It noted that despite awareness of the problem and commitment in the form of a national campaign a few years ago, no Government structure was in place to address these violent incidents and no shelter has yet been created for women who fled their homes.<sup>45</sup>

21. In 2001, CESCR called upon Senegal to take all effective measures, including the enforcement of existing legislation and the adoption of national awareness campaigns, to eliminate all forms of violence against women.<sup>46</sup>

22. In 2006, CRC recommended that Senegal ensure the application of the Law No. 2005-02 against human trafficking and other forms of exploitation and the implementation of the Penal Code law prohibiting sexual intercourse with a girl under the age of 12. It also recommended that Senegal reinforce legal measures protecting children victims of sexual exploitation, prioritize recovery assistance, and ensure that education and training as well as psychological assistance and counseling are provided to victims. It further recommended training law enforcement officials, social workers and prosecutors on how to receive, monitor and investigate complaints, and implementing appropriate policies and programmes in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the World Congress against Commercial Sexual Exploitation of Children.<sup>47</sup> In 2008, an ILO Committee of Experts indicated that, in its previous comments, it asked the Government to provide information on the application in practice of Law No. 2005-02. It also requested the Government to provide information on the measures taken or envisaged to combat trafficking, in terms of both prevention and repression.<sup>48</sup>

23. In 2006, CRC noted the measures taken by Senegal to prevent girls from being used as domestic servants (*petites bonnes*) and subjected to economic exploitation and sexual abuse.<sup>49</sup> It recommended taking all necessary measures to raise awareness on the threats a girl child is facing by being used as a domestic servant, and enacting laws to protect girls from economic exploitation.<sup>50</sup>

24. CRC recommended that Senegal strengthen its efforts to eliminate child labour, in particular by addressing the roots causes of child economic exploitation through poverty eradication and access to education, and take measures to ensure effective implementation of the ILO Conventions No. 138 concerning Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which Senegal had ratified.<sup>51</sup>

25. CRC was concerned by the large number of working children and in particular by the current practice of the Koranic schools, run by *marabouts* who use the *talibés* on a large scale for economic gain. It noted with appreciation the establishment of projects with a view to improving the curriculum of education of *talibés*.<sup>52</sup> CRC reiterated its previous concluding observations and recommended that Senegal adopt further measures to ensure the effective enjoyment of the fundamental rights of *talibés* and undertake efforts to ensure an effective monitoring system of their situation.<sup>53</sup>

26. While noting the steps taken by Senegal to address the rights and needs of street and begging children, CRC remained concerned about their increasing number.<sup>54</sup> It recommended addressing their rights and needs and facilitating their reintegration into society by undertaking a study and assessment of the situation, and developing a comprehensive policy, which should provide them with necessary protection and social reintegration services.<sup>55</sup>

### 3. Administration of justice, including impunity and the rule of law

27. In 2006, the Committee Against Torture (CAT) concluded in “*Suleymane Guengueng v. Senegal*”<sup>56</sup> that Senegal had violated article 5, paragraph 2, and article 7 of the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment and Punishment by failing to prosecute or to extradite former Chad President Hissène Habré. The complaint was brought before CAT by a group of individuals of Chadian nationality, who claimed to be subject to torture and other forms of ill-treatment committed by state agents directly answerable to Hissène Habré between 1982 and 1990, when he was President of Chad. They lodged a complaint against Hissène Habré in Senegal, where he had been residing since 1990. Senegalese judicial authorities refused to prosecute him on the allegation of torture and ill-treatment on the request of claimants, as the necessary amendments permitting to exercise universal jurisdiction for the acts of torture committed abroad had not been made. CAT pointed out that Senegal was obliged to adopt the necessary measures, including legislative measures, to establish its jurisdiction over the acts referred to or to extradite Hissène Habré<sup>57</sup>. In April 2008, the United Nations High Commissioner for Human Rights welcomed the change to Senegal’s Constitution, which made it possible for its court to try Hissène Habré. In her view, this was a very positive development in the struggle to strengthen accountability and an important step forward in the fight against impunity.<sup>58</sup>

28. In 2006, CRC was concerned by the lack of specialized juvenile judges, by the insufficient number of relevant juvenile courts and by the limited number of adequately trained social educators. It was also concerned by the fact that deprivation of liberty is not used as a last resort and by the fact that girls were detained in adult prisons.<sup>59</sup> It recommended, inter alia, that Senegal continue to provide training on relevant international standards to those responsible for administering the juvenile justice system. It also recommended to the Government to ensure that deprivation of liberty is used only as a measure of last resort and for the shortest appropriate period of time. It also recommended that Senegal ensure that persons below 18 years of age are detained in separate facilities from those of adults, and that they have access to appropriate legal

aid. It further recommended that Senegal ensure detained juveniles are provided with educational opportunities and social reintegration services, establish specialized juvenile courts throughout the country, and continue to seek technical assistance from the United Nations Inter-agency Panel on Juvenile Justice.<sup>60</sup>

#### **4. Right to privacy, marriage and family life**

29. While noting that domestic adoption is practiced at a large extent in conformity with tradition and customs, CRC remained concerned at the lack of proper regulations for this adoption in order to provide for proper registration.<sup>61</sup> It recommended that Senegal regulate domestic adoption within the extended family and community, in accordance with the Convention with a view to strengthening the protection of the rights of the adopted child.<sup>62</sup>

#### **5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

30. In 2006 and 2007, the Special Rapporteur on the Promotion and Protection of the right to freedom of opinion and expression sent two communications, one jointly with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, concerning journalists sentenced to prison terms for defamation. In this connection, the Government informed that, in 2004, the President of the Republic of Senegal had agreed that press offences should be de-criminalized.<sup>63</sup> In the period considered, the Special Rapporteur on the right to freedom of opinion and expression sent other communications concerning allegations of violence, arbitrary arrest, violence in detention and threats against journalists.<sup>64</sup>

31. In 2006, CRC remained concerned that traditional societal attitudes appear to limit children to freely express their views within the family, schools, communities, courts and other institutional settings,<sup>65</sup> and recommended that Senegal strengthen its efforts to ensure that children's views are given due consideration, and undertake awareness-raising campaigns among the public at large, including traditional communities through religious leaders.<sup>66</sup>

32. A 2008 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament increased from 19.2 per cent in 2005 to 22 per cent in 2008.<sup>67</sup>

#### **6. Right to work and to just and favourable conditions of work**

33. In 2008, an ILO Committee of Experts noted that, when ratifying Convention No. 138 (Convention Concerning Minimum Age for Admission to Employment), Senegal specified 15 years as the minimum age for admission to employment or work. However, it noted that this age does not apply "to unpaid traditional work in fields or rural work performed in the family context by children under 15 years of age intended to improve their integration into their social context and their environment". The Committee reminded the Government that, under the terms of Article 1 of the Convention Concerning Minimum Age (Agriculture - No. 10), children under the age of 14 years may not be employed or work in any public or private agricultural undertaking, or any branch thereof, save outside the hours fixed for school attendance, and that such work, where they are so employed, shall not be such as to prejudice their attendance at school.<sup>68</sup> The Committee indicated that it had previously noted that, according to the results of a study carried out by the ILO on child labour in Senegal, approximately 40 per cent of children between the ages of 5 and 14 are in work, of whom 75.3 per cent work in the agricultural sector.<sup>69</sup>



34. In 2001, CESCR was concerned that, while half of Senegalese workers are employed in the informal sector, most of them still lack access to basic social services, including social security and health insurance, and work long hours in unsafe conditions.<sup>70</sup> It recommended that Senegal take effective action to reduce the unemployment rate by, inter alia, providing training for young people in urban areas and by conducting regular reviews of the minimum wage levels in order to enable workers to attain an adequate standard of living for themselves and their families.<sup>71</sup>

## **7. Right to social security and to an adequate standard of living**

35. In 2006, CRC remained concerned at the disparities of access to health services between different regions and departments and the persistence of the high maternal and child mortality rate, the high rate of child malnutrition and prevalence of malaria. It was further concerned at the fees (*tickets modérateurs*) imposed, which may limit access to appropriate health services.<sup>72</sup>

36. CRC recommended that Senegal strengthen its efforts to ensure universal access to maternal and child health-care services and facilities, in particular in rural and remote areas, and take all the necessary measures to prevent malnutrition and malaria. It also recommended that Senegal reinforce its efforts to provide support and material assistance, with particular focus on the most marginalized and disadvantaged families, and to ensure to the extent possible the right of children to an adequate standard of living.<sup>73</sup>

37. The 2006 CCA report noted that under-five malnutrition continues to be a public health problem and that weight insufficiency continues to affect 16 per cent of the children in 2005. In rural areas, the rate of malnutrition is 23.3 per cent against 12.2 per cent in urban areas.<sup>74</sup> The CCA report also informed that the low level of schooling of women is one of the aggravating factors of malnutrition. Indeed, the malnutrition is much more frequent in the case of children born of non-educated women (21 per cent in contrast to less than 10 per cent among children born of educated women).<sup>75</sup>

38. A 2007 FAO report noted that Senegal agreed “to integrate the right to food into strategies against malnutrition and food insecurity, taking into account the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security, adopted in 2004”.<sup>76</sup> In the light of such an undertaking, Senegal requested FAO’s Right to Food Unit’s assistance in introducing right to food principles into its National Food Security Strategy, which is currently being developed by the National Council on Food Security.<sup>77</sup>

39. A 2008 United Nations Statistics Division source indicated that the proportion of people between 15-49 years old living with HIV, increased from 0.40 per cent in 2001 to 1.00 per cent in 2007.<sup>78</sup> CRC recommended, with reference to its general comment No. 3 (2003) on HIV/AIDS and the rights of the child and to the International Guidelines on HIV/AIDS and Human Rights, that Senegal involve children in the programme to fight against HIV/AIDS in particular by ensuring that more attention is given to the issue of children and HIV/AIDS. CRC also recommended that Senegal strengthen its efforts to combat HIV/AIDS, to prevent discrimination against children infected with and affected by HIV/AIDS, and to improve protection and support for AIDS orphans.<sup>79</sup>

40. A 2004 WHO report noted that Senegal, with the support of the National Alliance against AIDS, Society for Women and AIDS in Africa, provides school supplies for children affected by HIV/AIDS. It also noted that Senegal organizes income-generating activities for women,

participation in the national programme for the reduction of mother-to-child transmission, and provision of nutritional advice and other psychosocial support.<sup>80</sup>

### **8. Right to education and to participate in the cultural life of the community**

41. In 2006, CRC recommended that Senegal, while taking into account its general comment No. 1 (2001) on the aims of education, continue to take all necessary measures to ensure that teachers are adequately trained, and that girls and boys of urban, rural and least developed areas have equal access to educational opportunities. It also recommended that the Government strengthen its efforts to significantly increase the enrolment in primary education, pay special attention to urban and rural disparities, implement measures to reduce dropout rates, and cancel the administrative circular preventing pregnant girls to continue with their education on the basis of their individual ability, in accordance with article 11 (6) of the 1990 African Charter on the Rights and Welfare of the Children.<sup>81</sup>

42. According to UNESCO, 70 percent of girls and 71 percent of boys attend primary school, while 18 percent of girls and 23 percent of boys attend secondary school.<sup>82</sup> Poverty plays a role in gender disparity in education: parents will often show a preference for sending boys to school, or girls who begin school are forced to drop out to work, get married or care for other siblings.<sup>83</sup> A 2005 UNESCO report noted that the literacy gap between the poorest and wealthiest households is more than 40 percentage points.<sup>84</sup> It also noted that many literacy classes are taught orally and that the few books available are poorly designed and written.<sup>85</sup> A 2006 UNESCO report noted that Senegal plans to introduce literacy courses coupled with vocational training or income-generating activities to allow early school leavers to catch up with formal education at the lower-secondary level.<sup>86</sup>

### **9. Migrants, refugees and asylum-seekers**

43. A 2007 UNHCR report noted that armed confrontations in March and April 2006 on Guinea Bissau's border with Senegal led to the forced displacement of some 2,500 people into Senegal.<sup>87</sup>

44. The 2007 UNHCR report also noted that it would continue to negotiate with the Governments of Senegal and Mauritania to resolve the long-standing situation of undocumented Mauritanian refugees in Senegal as well as the eventual organized voluntary repatriation of those wishing to return.<sup>88</sup> Another 2007 UNHCR report noted that a recent profiling exercise conducted by UNHCR and Senegal Government agencies found that some 24,000 Mauritians in Senegal wish to return home.<sup>89</sup>

## **III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

45. A 2006 UN-HABITAT report noted that Senegal showed growing political support for slum upgrading and prevention, and is working with UN-HABITAT to adopt frameworks for the progressive realization of land and housing rights.<sup>90</sup> A 2008 United Nations Statistics Division source indicated that the total proportion of urban population living in slums decreased from 76.4 per cent in 2001 to 38.1 per cent in 2005.<sup>91</sup>

46. A 2004 UNESCO report noted that Senegal demonstrated strong commitment to "Education for All". It was successful in expanding access to primary education and made big efforts to increase the quality of education in terms of learning outcomes. The report noted that

the major challenge was to close the enrolment gap in primary education while at the same time addressing quality.<sup>92</sup>

#### IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

##### Pledges by the State

47. In 2006, Senegal pledged to pursue, with a view to reinforcing, active cooperation and consultation with non-governmental organizations at the national and international levels.<sup>93</sup>

#### V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

48. The 2007-2011 United Nations Development Assistance Framework (UNDAF) informed that the three strategic axes of cooperation are the following: creation of wealth and fight against poverty, basic social services, governance and promotion of the partnership for development.<sup>94</sup> The UNDAF also informed that the third strategy comprises: reinforcement of the capacities of national institutions and organizations of civil society, adoption of the human rights approach by the main decision-making public authorities and organizations of the civil society, improvement of the legislative and judicial environment, and introduction of judicial, ethical and legal dimensions in the fight against HIV/AIDS.<sup>95</sup>

#### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://untreaty.un.org/>.

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPD	Convention on the Rights of Persons with Disabilities
OP-CPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

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<sup>4</sup> 1951 Convention relating to the status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

<sup>5</sup> Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, Convention (III) relative to the Treatment of Prisoners of War; Convention (IV) relative to the Protection of Civilian Persons in Time of War; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflict (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III)

<sup>6</sup> International Labour Organization Convention No.29 Concerning Forced or Compulsory Labour; Convention No.105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize and to Bargain Collectively; Convention No.100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No.111 concerning Discrimination in Respect of Employment and Occupation; Convention No.138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

<sup>7</sup> UNHCR, *Global Appeal 2007, Strategies and programmes*, Geneva, 2007, p. 64, available at: <http://www.unhcr.org/static/publ/ga2007/ga2007toc.htm>.

<sup>8</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/SEN/CO/2), para. 35.

<sup>9</sup> Pledges and commitments undertaken by Senegal before the Human Rights Council, as contained in the letter dated April 26, 2006 sent by the Permanent Mission of Senegal to the United Nations addressed to the President of the General Assembly, p. 3, available at: <http://www.un.org/ga/60/elect/hrc/senegal.pdf>.

<sup>10</sup> A/HRC/7/70, annex 1, p. 6. For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/7/69, annex VIII, and A/HRC/7/70, annex I.

<sup>11</sup> UNODC, *Annual Report 2008*, Vienna, 2008, p. 35, available at [http://www.unodc.org/documents/about-unodc/AR08\\_WEB.pdf](http://www.unodc.org/documents/about-unodc/AR08_WEB.pdf).

<sup>12</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/SEN/CO/2), para. 3.

<sup>13</sup> Report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/2005/3), para. 23. See also pledges and commitments undertaken by Senegal before the Human Rights Council, as contained in the letter dated 26 April 2006 sent by the Permanent Mission of Senegal to the United Nations addressed to the President of the General Assembly, p. 2, available at: <http://www.un.org/ga/60/elect/hrc/senegal.pdf>.

<sup>14</sup> A/51/44, para. 105.

<sup>15</sup> Concluding Observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.62), para. 6.

<sup>16</sup> CRC/C/SEN/CO/2, para. 9.

<sup>17</sup> *Ibid.*, para. 13.

<sup>18</sup> A/57/18, para. 440.

<sup>19</sup> CRC/C/SEN/CO/2, para. 11.

<sup>20</sup> IMF, *Annual Report of the Executive Board, Financial Year 2005*, Washington D.C., 2005, p. 51, available at <http://www.imf.org/external/pubs/ft/ar/2005/eng/index.htm>.

<sup>21</sup> CRC/C/SEN/CO/2, para. 68.

<sup>22</sup> *Ibid.*, para. 11.

<sup>23</sup> The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee

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CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child

<sup>24</sup> Pledges and commitments undertaken by Senegal before the Human Rights Council, as contained in the letter dated April 26, 2006 sent by the Permanent Mission of Senegal to the United Nations addressed to the President of the General Assembly, p. 3, available at: <http://www.un.org/ga/60/elect/hrc/senegal.pdf>.

<sup>25</sup> The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate holder.

<sup>26</sup> See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004; (k) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2004/9), questionnaire on the prevention of child sexual exploitation sent in July 2003; (l) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices.

<sup>27</sup> Questionnaire on the right to education for girls.

<sup>28</sup> Pledges and commitments undertaken by Senegal before the Human Rights Council, as contained in the letter dated 26 April 2006 sent by the Permanent Mission of Senegal to the United Nations addressed to the President of the General Assembly, p. 3, available at: <http://www.un.org/ga/60/elect/hrc/senegal.pdf>.

<sup>29</sup> Ibid, p. 3.

<sup>30</sup> United Nations Press Release, *High Commissioner for Human Rights and Senegal sign Agreement for the Establishment of a regional office for West Africa*, 3 December 2007, available at: <http://www2.ohchr.org/english/press/newsFrameset-2.htm>.

<sup>31</sup> High Commissioner's Strategic Management Plan 2008-2009, pp. 50-51.

<sup>32</sup> See Bilan Commun de Pays (CCA), Sénégal, November 2006, p.38, available at: [http://www.undg.org/docs/6948/CCA\\_SEN\\_%202006.pdf](http://www.undg.org/docs/6948/CCA_SEN_%202006.pdf).

<sup>33</sup> E/C.12/1/Add.62, para. 15.

<sup>34</sup> Ibid., para. 40.

<sup>35</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, 2007, Geneva, Doc. No. 092007SEN100, para. 2.

<sup>36</sup> A/57/18, para. 445.

<sup>37</sup> CRC/C/SEN/CO/2, para. 23.

<sup>38</sup> Ibid., para. 24.

<sup>39</sup> Ibid., para. 43

<sup>40</sup> CRC/C/SEN/CO/2, para. 50.

<sup>41</sup> UNICEF Statistics, Senegal, available at [http://www.unicef.org/infobycountry/senegal\\_statistics.html](http://www.unicef.org/infobycountry/senegal_statistics.html).

<sup>42</sup> CRC/C/SEN/CO/2, para. 51.

<sup>43</sup> Ibid., para. 36.

<sup>44</sup> Ibid., para. 37.

<sup>45</sup> Integrated Regional Information Networks (IRIN) of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), available at: <http://www.irinnews.org/Report.aspx?ReportId=78743>.

<sup>46</sup> E/C.12/1/Add.62, para. 46.

<sup>47</sup> CRC/C/SEN/CO/2, para. 65.

<sup>48</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, 2008, Geneva, Doc. No. 092008SEN029, para. 6.

<sup>49</sup> CRC/C/SEN/CO/2, para. 62.

<sup>50</sup> Ibid., para. 63.

<sup>51</sup> Ibid., para. 63.

<sup>52</sup> Ibid., para. 60.

<sup>53</sup> Ibid., para. 61.

<sup>54</sup> Ibid., para. 58.

<sup>55</sup> Ibid., para. 59.

<sup>56</sup> Communication No. 181/2001, *Suleymane Guengueng v. Senegal*, Views adopted on 17 May 2006, U.N. Doc. (CAT/C/36/D/181/2001).

<sup>57</sup> Ibid., see in particular paras. 9 and 10.

<sup>58</sup> United Nations Press Release, *Senegal constitutional change paves way for Habré trial*, 11 April 2008, available at: <http://www2.ohchr.org/english/press/newsFrameset-2.htm>.

<sup>59</sup> CRC/C/SEN/CO/2, para. 68.

<sup>60</sup> Ibid., para. 69.

<sup>61</sup> Ibid., para. 34.

<sup>62</sup> Ibid., para. 35.

<sup>63</sup> A/HRC/7/14/Add.1 paras 589 and 590; A/HRC/4/27/Add.1 paras 567 and 568.

<sup>64</sup> A/HRC/4/27/Add.1 para. 566; A/HRC/7/14/Add.1 paras. 591 and 592.

<sup>65</sup> CRC/C/SEN/CO/2, para. 28.

<sup>66</sup> Ibid., para. 29.

<sup>67</sup> United Nations Statistics Division coordinated data and analyses, available at: <http://mdgs.un.org/unsd/mdg/SeriesDetail.aspx?srid=557&crd=686>.

<sup>68</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, 2008, Geneva, Doc. No. 092008SEN010, para. 1.

<sup>69</sup> Ibid., para. 2

<sup>70</sup> E/C.12/1/Add.62, para. 20.

<sup>71</sup> Ibid., para. 42.

<sup>72</sup> CRC/C/SEN/CO/2, para. 44.

<sup>73</sup> Ibid., para. 53.

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<sup>74</sup> See Bilan Commun de Pays (CCA) Sénégal, November 2006, pp. 35-36, available at: [http://www.undg.org/docs/6948/CCA\\_SEN\\_%202006.pdf](http://www.undg.org/docs/6948/CCA_SEN_%202006.pdf) .

<sup>75</sup> Ibid p. 36.

<sup>76</sup> FAO, *Right to Food in Action: Examples of how FAO Member Countries Make it Happen*, Rome, 2007, p. 5, available at: [http://www.fao.org/righttofood/wfd/pdf2007/rtf\\_in\\_action\\_en.pdf](http://www.fao.org/righttofood/wfd/pdf2007/rtf_in_action_en.pdf) .

<sup>77</sup> Ibid. .

<sup>78</sup> United Nations Statistics Division coordinated data and analyses, available at: <http://mdgs.un.org/unsd/mdg/Data.aspx?cr=686>.

<sup>79</sup> CRC/C/SEN/CO/2, para. 49.

<sup>80</sup> WHO, World Health report 2004, *Changing history*, Geneva, 2004, p. 45, available at: [http://www.who.int/whr/2004/en/report04\\_en.pdf](http://www.who.int/whr/2004/en/report04_en.pdf).

<sup>81</sup> CRC/C/SEN/CO/2, para. 55.

<sup>82</sup> UNESCO Institute for statistics, *Education in Senegal*, available at [http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=121&IF\\_Language=eng&BR\\_Country=6860](http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=121&IF_Language=eng&BR_Country=6860)

<sup>83</sup> Integrated Regional Information Networks (IRIN) of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), available at: <http://www.irinnews.org/country.aspx?CountryCode=SN&RegionCode=WA>.

<sup>84</sup> UNESCO, EFA Global Monitoring report 2006, *Literacy for life*, Paris, 2005, p. 173, available at <http://unesdoc.unesco.org/images/0014/001416/141639e.pdf>.

<sup>85</sup> Ibid., p. 220.

<sup>86</sup> UNESCO, EFA Global Monitoring Report 2007, *Strong foundations: early childhood care and education*, Education for All, Paris, 2006, p. 68, available at <http://unesdoc.unesco.org/images/0014/001477/147794E.pdf>.

<sup>87</sup> UNHCR, Global Appeal 2007, *Strategies and programmes*, Geneva, 2007, p. 147, available at <http://www.unhcr.org/cgi-bin/txis/vtx/publ/opensdoc.pdf> .

<sup>88</sup> Ibid., p. 149.

<sup>89</sup> UNHCR, Global Appeal 2008-2009, Geneva, 2007, p. 164, available at: <http://www.unhcr.org/publ/3b7b87e14.html>.

<sup>90</sup> UN-HABITAT, Annual Report 2006, Kenya, 2006, p. 15, available at <http://www.unhabitat.org/pmss/getPage.asp?page=periodView&period=2343>.

<sup>91</sup> United Nations Statistics Division coordinated data and analyses, available at: <http://mdgs.un.org/unsd/mdg/Data.aspx?cr=686>.

<sup>92</sup> UNESCO, EFA Global Monitoring Report 2005, *The quality imperative*, Paris, 2004, p. 49, available at: <http://unesdoc.unesco.org/images/0013/001373/137333e.pdf>.

<sup>93</sup> Pledges and commitments undertaken by Senegal before the Human Rights Council, as contained in the letter dated 26 April 2006 sent by the Permanent Mission of Senegal to the United Nations addressed to the President of the General Assembly, p. 3, available at: <http://www.un.org/ga/60/elect/hrc/senegal.pdf> .

<sup>94</sup> See UNDAF for Senegal, *Plan-cadre des Nations Unies pour l'Assistance au Développement, Sénégal 2007-2011*, p. 19, available at : [http://www.undg.org/docs/6949/UNDAF\\_SEN\\_2007\\_2011.pdf](http://www.undg.org/docs/6949/UNDAF_SEN_2007_2011.pdf)

<sup>95</sup> Ibid., p. 29.

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