



REPUBLIC OF SENEGAL

ONE PEOPLE- ONE PURPOSE-ONE FAITH

12th to 15th CUMULATIVE PERIODIC REPORT

**ON THE IMPLEMENTATION OF
THE AFRICAN CHARTER
OF HUMAN AND PEOPLES' RIGHTS**

SUBMITTED BY THE REPUBLIC OF SENEGAL

August 2022

ACRONYMS AND ABBREVIATIONS

AECID: Spanish Agency for International Development Cooperation

AJS: Association des Juristes Sénégalaises

ANB National Biosafety Authority

ARV: Antiretroviral

ANIDA: National Agricultural Development and Integration Agency

ANPEJ: National Youth Employment Agency

APC: Skills-based approach

APJ: Criminal Investigation Police Officers

ARTP: Telecommunications and Postal Regulatory Authority

IDB: Islamic Development Bank

CCNDH-DIH: National Advisory Council on Human Rights and International Humanitarian Law

CEC: Equal Opportunities Map

CECS: Civil Registry-Health Spots

ECOWAS: Economic Community of West African States

CICAD: Abdou Diouf International Conference Centre

CMU: Universal Health Coverage

CNEC: National Civil Registry Centre

CNGRA: National Refugees and Stateless Persons Management Commission

CNLTP: National Unit for Combating Human Trafficking

CNRA: National Audiovisual Regulation Council

COCC: Code of Civil and Commercial Obligations

CORED: Council for the Respect of Rules-based Ethics

CONFESJES: Conference of Ministers of Youth and Sports of the Francophonie

CNGRA: National Refugees and Stateless Persons Management Commission

CNIEJ: National Youth Employment and Integration Council

PC: Penal Code

ICC International Criminal Court

CCP: Code of Criminal
Procedure

CRDH: Convention on the Rights of Persons with Disabilities

CRS: Social Reintegration Centres

CRE: Educational Resources Centres

CS: Specialist Certificates

CSDH: Senegalese Human Rights Commission

CCIEF: Girl-child Education Intervention Coordination

CREPA: Multipurpose Adult Education Resources Centres

CAP: Pedagogical Facilitation Unit

CRFPE: Regional Training Centre for Education and Teaching Personnel

CTNIEFP: National Intersectoral Technical Committee on Employment and
Training

DAC: Community-based Agricultural
Areas

DCMS: School Medical Monitoring
Division

DDH: Human Rights Directorate

DEC: Civil Status Directorate

DEEG: Gender Equity and Equality Directorate

DER: Rapid Entrepreneurship Delegation

PBG: Good Governance Promotion Directorate

UDHR: Universal Declaration of Human
Rights

ECB: Community Basic Schools

ENAP: National School of Public Administration

ENP: National Police Training School

EOGN: National Gendarmerie Officers' Training School

FADCL: Local Content Development Support Fund

FAISE: Senegalese in the Diaspora Investment Support Fund

FONAMIF: National Microfinance Fund

FSE: Senegalese External Fund

FPT: Vocational and Technical Training

FPEC: Vocational Training for Employment and Competitiveness

HCA: High Audiovisual Council

HCCT: High Council of Territorial Communities

HCDS: High Council for Social Dialogue

IAF: Women's Empowerment Index

ICS: Senegalese Chemical Industries

IPRES: Social Welfare Institutions

- LOLF: Guidance Letter on the Finance Law

DOJ: Department of Justice

MBGPE: Ministry of Good Governance and Child Protection

MDCEST: Ministry of Community Development, Social and Territorial Equity

MEN: Ministry of National Education

MEPC: Ministry of the Economy, Planning and Cooperation

MFFGPE: Ministry of Women, Family, Gender and Child Protection

FGM: Female Genital Mutilation

NEPAD: New Partnership for Africa's Development

SDGs: Sustainable Development Goals

ODF: Women's Development Organization

ILO: International Labour Organization

ONES: National Order of Valuation Experts of Senegal

NGO: Non-governmental organization

ONLPL: National Monitoring Centre for Places of Deprivation of Liberty

ONP: National Parity Observatory

OPJ : Criminal Investigation Police Officer

CSO: Civil Society Organization

PEJA: Non-Formal Learning Youth Employability Project

- PEEJF: Youth and Women's Entrepreneurship School Training Project

PF2E: School-Enterprise Training Project

PAAS: Literacy Acceleration Plan in Senegal

ICP: Indicative Cooperation Programme

PDCEJ: Youth Skills and Entrepreneurship Development Support Project

PMD: Migration Development Programme

WSSP: Water and Sanitation Sector Project

PEAMU: Urban Water and Sanitation Project

PEAMIR: Rural Water and Sanitation Project

PAGIRE: Action Plan for Integrated Water Resources Management

PMTCT: Prevention of Mother-to-Child Transmission

PADEFJ: Women and Youth Entrepreneurship Development Support Programme

PADEPA: Sustainable Access to Water and Sanitation Project

PADESS: Economic and Social Development Support Programme of Senegal

PDCEJ: Youth Skills and Entrepreneurship Development Support Project

PAEF: Girl-Child Education Support Project

PAMEC; Civil Registry Modernisation Support Project

PAMOD: Daaras Modernisation Support Programme

PAP2A: Adjusted and Accelerated Priority Action Plan

PAPA: Older Persons Development Support Programme

PALAM: Literacy and Trade Apprenticeship Programme

PASNEEG: National Equity and Equality Strategy Support Project

PASEMEPP: Gender-Sensitive Public Policy Formulation, Monitoring and Evaluation System Support Project

APEJF: Promotion of Youth and Women's Employment Development Support Project

PAQEEB: Basic Education Quality and Equity Improvement Project

PAQUET-EF: Quality, Equity and Transparency - Education/Training Improvement Programme

CP: Child Protection

EPI: Expanded Programme on Immunization

OGP: Open Government Partnership

PIDES: Integrated Programme for Economic and Social Development

PIPADHS: Early Years for Human Development Investment Project in Senegal

PLASEPRI: Private Sector Support Platform and Valorisation of Senegalese in the Diaspora in Italy

PAECF: Action Plan for the Elimination of Female Circumcision

PANEME: National Action Plan for the Elimination of Child Marriages

SMEs: Small and Medium Enterprises

PNBSF: National Family Security Scholarship Programme

PNDS: National Health Development Plan

PNE: National Employment Policy

PNE: National Children's Parliament

PNLT: National Tuberculosis Control Programme

PNRBC: National Community-Based Rehabilitation Programme

PNSST: National Occupational Safety and Health Policy

DWCP: Decent Work Country Programme

PRODAC: Agricultural Communities Areas Programme
PSE: Senegal Emergent Plan

PSMN: Multisectoral Nutrition Strategic Plan
TFP: Technical and Financial Partners

PUMA: Emergency Modernisation Programme of Border and Regional Areas
PUDC: Emergency Community Development Programme

PPS: Social Protection Programme

PADEPA: Sustainable Access to Drinking Water and
Sanitation Project

RADDHO: African Meeting for the Defence of Human Rights
RAP: Strengthening Support for Protection

REG: Explosive Remnants of War

RNU: Single National Register

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Introduction

This periodic report has been prepared in accordance with Article 62 of the African Charter on Human and Peoples' Rights adopted by the 18th Assembly of Heads of State and Government of the OAU on 27 June, 1981 in Nairobi, Kenya, which entered into force on 21 October 1986.

In accordance with this Article, "each State Party shall undertake to submit every two years, from the date of entry into force of this Charter, a report on the legislative or other measures taken to give effect to the rights and freedoms recognised and guaranteed in this Charter".

In order to give substance to this commitment, the Republic of Senegal is submitting this periodic report which combines the 12th, 13th, 14th and 15th periodic reports into a single document and it outlines the progress made in implementing the provisions of the African Charter on Human and Peoples' Rights and the recommendations made by the Commission following the review of the previous periodic report submitted by the State of Senegal at the 56th Ordinary Session held in Banjul from 21 April to 7 May, 2015.

This document was prepared by the Government in close cooperation with the National Advisory Council on Human Rights and International Humanitarian Law (CCNDH-DIH), a permanent governmental body composed of representatives of all ministerial departments, Parliament, the Senegalese Human Rights Commission (CSDH), the National Agency for Statistics and Demography (ANSD) and a large number of the most representative civil society organizations.

This document was further examined through drafting and validation workshops that brought together members of the CCNDH-DIH and all the actors concerned with human rights issues.

It should also be noted that this document has been prepared in accordance with the guidelines for State Party Reporting on Civil and Political Rights, Economic, Social and Cultural Rights and the Additional Protocol to the Charter on the Rights of Women in Africa.

The report includes a first part devoted to general information on the legal and institutional framework and other major parts dealing respectively with the Additional Protocol to the ACHPR on the Rights of Women in Africa and the status of implementation of the recommendations made to the Government of Senegal by the African Commission on Human and Peoples' Rights during the last review of our country.

PART ONE: GENERAL INFORMATION ON THE LEGAL AND INSTITUTIONAL FRAMEWORK FOR STRENGTHENING THE RULE OF LAW AND RESPECT FOR HUMAN RIGHTS

A. NATIONAL AND INTERNATIONAL LEGAL FRAMEWORK

1. National Legal Framework

-In an effort to provide a better living environment for its people, a favourable milieu conducive to the respect of human rights, several laws and decrees have been adopted by the Government from 2014 to 2022.

In the first place, the Constitution of Senegal has by Constitution Law No. 2016-10 of 5 April, 2016, undergone a major reform by referendum. One of the main points of this reform is the inviolability of the provisions relating to the mode of election, the term and the number of terms of office of the President of the Republic. This reform also improved democracy and the rule of law by consolidating political rights. It has laid down new rights relating to a healthy environment and an improved distribution of natural resources and land holdings among the citizens

c) Legislative measures

- Organic Law No. 2016-23 of 14 July 2016 on the Constitutional Council,
- Organic Law No. 2016-24 of 14 July 2016 on the organisation and functioning of the High Council for Local Government Authorities;
- Law No. 2016-30 of 8 November 2016 on the Mining Code;
- Law No. 2016-31 of November 8, 2016, providing for the Social Housing Orientation Law,
- Law No. 2016-29 of 8 November 2016 amending Law No. 65-60 of 21 July 1965 on the Criminal Code
- Law No. 2016-30 of 8 November 2016 amending Law No. 65-61 of 21 July 1965 on the Code of Criminal Procedure,
- Organic Law No. 2017-09 of 17 January, 2017 repealing and replacing Organic Law No. 2008-35 of 8 August, 2008 on the Supreme Court,
- Organic Law No. 2017-11 of 17 January, 2017 on the organisation and functioning of the High Council of the Judiciary;
- Organic Law No. 2017-10 of 17 January 2017 on the Statute governing Members of the Judiciary,

- " Law No. 2017-23 of 28 June 2017 amending Law No. 2014-26 of 3 November 2014 establishing the organisation of the Judiciary and integrating the Commercial Courts;
- Law No. 2017-27 of 28 June 2017 on the establishment, organisation and operationalisation of the Commercial Chambers and Commercial Chambers of Appeal;
- " Law No. 2017-16 of 17 February 2017 establishing the National Association of Valuation Experts of Senegal (ONES),
- Law No.2018-28 of 12 December 2018 on the Electronic Communications Code;
- Law No. 2019-03 of 01 February 2019 on the Petroleum Code;
- Law No. 2020-05 of 10 January 2020 amending Law No. 65-60 of 21 July 1965 on the Criminal Code criminalizing acts of rape and paedophilia,
- " Law No.2020-28 of July 7, 2020 amending the penal code and establishing the placement under electronic surveillance as an alternative form of detention;
- Law No. 2020-29 of 7 July 2020 amending the Code of Criminal Procedure introducing house arrest with electronic surveillance;
- Law No. 2021-25 of 12 April 2021 on prices and consumer protection;
- Law No. 2021-04 of January 12, 2021 on the Framework Law on Sustainable Land Use Planning and Development;
- Law No. 2022-01 of 14 April 2022 on the status of refugees and stateless persons;
- Law No. 2022-02 supplementing certain provisions of Law No. 97-17 of 1 December 1997 on the Labour Code and the protection of women during pregnancy,
- Law No. 2022-03 revising and supplementing certain provisions of Law No. 97-17 of 1st December on non-discrimination at workplace.

d) Regulatory Measures

- Circular No. 09012/MJ/DACG/MN of December 8, 2016 on the crackdown on bloodshed crimes;
Circular No. 4322/MFPAA/SG/DFPT/ms of 23 December, 2016 on incentives targeting a number of training institutions focused on training people with disabilities;
- Circular No. 04377/MJ/DACG/MN of 14 June, 2017 on the release of persons discharged, sentenced to an offence punishable by detention;
- Circular No. 03319/MJ/DACG/MN of 8 May, 2017 on the operation of sentencing adjustment committees;
- Circular No. 00179/MJ/DACG/MN of 11 January 2018 on the modalities of application of Article 5 of Regulation No. 05/CM/ UEMOA and the provisions of the Code of Criminal Procedure, relating to the presence of a legal counsel, as soon as an arrest is made;
- Decree No. 2014-633 of 7 May, 2014 establishing the modalities for the evaluation of learning in the junior and general secondary schools;
- Decree No. 2017-313 of 15 February, 2017 institutionalizing Gender Units within the General Secretariats of the Ministries;
- Decree No. 2018 1070 of June 30, 2018 on the organization of the Ministry of Justice, which designates, in its Article 22, the Directorate of Correctional Education and Social Protection as the central competent authority in international adoption;
- Decree No. 2018-1236 of 5 July, 2018 approving the National Programme of Community-Based Rehabilitation (PNRBC) 2017-2021 which recommends and supervises the process of setting up 557 Community-Based Rehabilitation Committees for Disability Management;
- Decree No. 2021-1469 of 3 November 2021 on the work of pregnant women.

2. International Legal Framework

Senegal has ratified or acceded to several regional and international legal instruments for the promotion and protection of human rights, the most salient of which are:

- o Law No. 2015-15 of 16 July 2015 authorising the President of the Republic to ratify ILO Convention No. 183 on the Protection of Maternity;
- o Law No. 2018-17 of June 14, 2018 authorising the President of the Republic to ratify ILO Convention No. 188 on work in fishing;
- o Law No. 25/2021 authorising the President of the Republic to ratify the African Charter on Maritime Safety and Security and the Development of Africa (Lomé Charter) adopted in Lomé, on 15 October 2016;
- o Law No. 40-2020 authorising the President of the Republic to ratify ILO Convention 155 on the Safety and Health of Workers of 22 June 1981;
- o Law No. 41-2020 authorising the President of the Republic to ratify ILO Convention 161 on occupational health services of 25 June 1985;
- o Law No. 2018-18 of 14 June 2018 authorising the President of the Republic to ratify the ILO Maritime Labour Convention, 2006 (MLC) No. 185.

B. INSTITUTIONAL FRAMEWORK

The Republic of Senegal is a unitary State in which the executive, legislative and judicial powers co-exist with each branch of government carrying out the tasks assigned to it in accordance with the Constitution. Parliament has evolved in terms of oversight and evaluation of public policies. This reform paved the way for the allocation of five seats to Senegalese in the diaspora.

In addition to these three powers, there are other Government structures that contribute to the proper functioning of the rule of law and the promotion of human rights.

- **High Council of Local Government Authorities (HCCT)**

The HCCT is a consultative assembly that complements the institutional architecture in order to support the development process of the local governments. It intervenes in the area of sharing opinions that reflect the concerns of the people. Its missions are defined by the Organic Law No. 2016-24 of 14 July 2016 on its organization and functioning. According to this law, the role of the HCCT is to strengthen the active participation of local and regional stakeholders in defining, implementing and assessing the local and regional public policies. It expands the spaces for dialogue, consultation and discussions in the decision-making processes concerning the life of local communities for a better inclusion of citizens in the identification of needs and priorities and in the design and implementation of decentralisation policies.

- High Council for Social Dialogue (HCDS)

The High Council for Social Dialogue (HCDS) is a national tripartite body for social dialogue. It was established in the spirit of the International Labour Organization (ILO) Convention No. 44 on Tripartite Consultations regarding International Labour Standards and on the recommendation of the Trade Union Action Unit (TUA). It replaced the National Committee for Social Dialogue.

Its role is to:

- Facilitate and mediate between social actors;
- Support and train actors in the prevention, management and resolution of social conflicts,
- Set up appropriate mechanisms for Social Dialogue at national and sectoral level, particularly at branch and company level;
- Conduct or commission any useful study on the situation and prospects of social dialogue;
- Prepare the annual report on the state of Social Dialogue and submit it to the President of the Republic;

- Manage the Executive Secretariat of the National Stability Pact and Economic Emergence Technical Committee and to drive the pact as well as the coordination of its overall monitoring and evaluation system.

- **Senegalese Human Rights Commission (CSDR)**

Established by Law No. 97-04 of 10 March 1997, the Senegalese Human Rights Commission is an independent institution for consultation, observation, evaluation, dialogue and proposals concerning respect for human rights.

Between 2014 and 2022, the Government has taken significant steps to enable the Senegalese Human Rights Commission to comply with the Paris Principles, including:

- ✓ the drafting of a bill to reform the CSDH, which has been submitted to the SGG and is awaiting adoption;
- ✓ the increase in the budget, initially set at 36 million CFA francs, to 50 million in 2014 and to 100 million in 2021;
- ✓ the provision of a new functional and suitable Head Office,
- ✓ the partial resolution of the human resources deficit and their status by regularizing the permanent staff and strengthening the technical team and support staff.

- **National Unit for Combating Human Trafficking (CNLTP)**

The National Unit for Combating Human Trafficking, especially the trafficking of women and children, was established by Prime Ministerial Order No.09051 of August 8, 2010.

An electronic data collection system called SYSTRAITE has been validated since 2016 and the actors of the judicial system have been trained to familiarise themselves with its use.

- **National Observatory of Places of Deprivation of Liberty (ONLPL)**

Established by Law No. 2009-13 of 2 March 2009, the ONLPL is an independent administrative authority whose mission is to carry out unannounced visits to all places of custody where people are deprived of their freedom, to issue opinions, to make recommendations to the public authorities and to propose to the Government any amendment to the legislative and regulatory provisions in order to prevent acts of torture or inhuman or degrading treatment of persons deprived of their liberty.

Since its establishment, its budget has increased significantly, from 25 million in 2014 to 95 million CFA francs in 2022. The structure currently has focal points in 5 regions (Ziguinchor, Matam, Kédougou, Kaolack and Thiès). The staff strength has been increased by four clerks, an assistant and an outside observer, including a psychiatrist, a prison inspector, a police commissioner and a gendarmerie colonel.

- **National Observatory on Parity (ONP)**

The ONP is an independent administrative authority established by Decree No. 2001-819 of 16 May 2011. It is an important mechanism for the promotion of gender equality and women's empowerment. Its budget has increased between 2014 and 2022, from 75 to 125 million CFA francs, accounting for an increase of 50 million CFA francs.

- **Human Rights Directorate (HRD)**

Decree No. 2018-1070 of 31 May 2018 on the organization of the Ministry of Justice, established the HRD as the main organ for the promotion and protection of human rights.

- It is also responsible for monitoring the implementation of Senegal's international human rights commitments and its relations with national, sub-regional, regional and international organisations.

It participates in the adoption of any law or reform that may have an impact on the enjoyment of human rights.

- Its budget for the year 2022 stands at 32 million CFA francs.

- **National Human Rights and International Humanitarian Law Consultative Council (CNDH-DIH),**

Established by Decree No. 2018-1969 of November 2018, it is a body with its own budget and therefore can hold its own periodic meetings. It also depends on technical and financial partners (TFPs) to carry out other activities, such as capacity building of its members whose number has increased with the expansion of the institutions represented. Its permanent Secretariat is provided by the HRD.

- **Directorate for the Promotion of Good Governance (DPBG)**

Located within the Ministry of Justice, the Directorate for the Promotion of Good Governance ensures the implementation of the policy of "promoting good governance",

through the appropriation and application of the principles and rules of good governance by all stakeholders, in accordance with Pillar 3 of the "Senegal Emerging Plan" entitled

"Governance, Institutions, Peace and Security". This pillar ensures the strengthening of the institutional mechanism, with the key objective of improving public governance, for greater transparency, effectiveness and efficiency in the conduct of State actions.

Regarding the management of the year 2022, appropriations totalling 101,991 022

CFA francs were allocated for the operations of the DPBG,

- **Directorate of Gender Equity and Equality (DEEG)**

Created by Decree No. 2008-1045, this Directorate is under the authority of the Ministry of Women, Family, Gender and Child Protection. Its mandate is to ensure political and operational support in respect of the commitment of public authorities to equality between men and women and women's development.

In this regard, it is in charge of implementing the Senegalese government's flagship programme, dubbed, the National Gender Equity and Equality Strategy (SNEEG). This Programme, which is in its second phase, aims to create the conditions for the attainment of equality between men and women in Senegal to the extent that in matters of public policy, women and men are treated equally.

PART TWO: IMPLEMENTATION OF THE RIGHTS PROVIDED FOR IN THE CHARTER

The general provisions of the Charter (Articles 1-18)

A. IMPLEMENTATION OF CIVIL AND POLITICAL RIGHTS:

I. Compliance with the rules of non-discrimination (Articles 2 and 3):

The State of Senegal has ratified all the Conventions prohibiting discrimination, including the following at both the international and regional levels.

At the international level, Senegal has acceded to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD).

At the regional level, it is a signatory to the African Charter on the Rights and Welfare of the Child. and the Protocol to the Charter on the Rights of Women in Africa.

At the national level, the Senegalese Constitution enshrines the principle of the elimination and condemnation of all forms of discrimination. Furthermore, other relevant provisions (Articles 3, 4, 5 and 7) are devoted to the elimination and condemnation of all forms of discrimination. Article 1 of the Constitution provides that "the Republic of Senegal is a secular, democratic and social Republic. It ensures the equality of all citizens before the law, without distinction as to origin, race, sex or religion. It respects all beliefs. No section of the people, nor any individual, may claim to exercise sovereignty.

At the legislative level, the implementation of these constitutional provisions called for the formulation, promulgation and review of several laws, among which are the following:

- Law No. 81-77 of 10 December 1981 on the suppression of acts of racial, ethnic or religious discrimination, with the inclusion in the Criminal Code of Articles 166 (a), 236 (a) and 257 (a);
- Law 2010-11 of 28 May 2010 instituting absolute equality between men and women in all institutions that are wholly or partially elected,
- Law No. 2013-05 of 8 July 2013 amending Law No. 61-10 of 7 March 1961 determining Senegalese nationality, which, provides for in Article 5, as follows, "*any child of a first-degree ascendant who is Senegalese is Senegalese*".
- The 2016 Mining Code in its Article 109 paragraph 1 which requires mining title holders and their subcontractors to: "promote equal employment opportunities between men and women

in the professional sphere; ensure pay equity between female and male employees with equal qualifications”;

- Law No. 2022-03 revising and supplementing certain provisions of Law No. 97-17 of 1st December 1997 on the Labour Code, relating to non-discrimination in employment.

With regard to social security and social welfare institutions (IPRES), the law is flexible in that it provides that no distinction shall be made between men and women.

II. The right to respect for human dignity and the prohibition of torture (Articles 4 and 5):

a) Respect for human dignity

According to the first paragraph of Article 7 of the Constitution, "The human person is sacred. He/she is inviolable. The State has the obligation to respect and protect them. Every individual shall have the right to life, liberty, security, and the free development of his or her personality; to bodily integrity, and in particular to protection against all forms of physical mutilations"

These requirements of the Basic Charter are strictly adhered to and have resulted in the following measures:

- Law 2004-38 of 28 December 2004 abolishing the death penalty;
- Ratification of the Convention on the Elimination of All Forms of Discrimination against Women of 28 November 2008;
- Inclusion in Law No. 96-15 of 28 August, 1996 of a definition of torture through Article 295-1 of the Criminal Code.

Moreover, in view of the awareness of the magnitude of the phenomenon of trafficking in persons in the West African sub-region and in the country, the Senegalese government has ratified and acceded to most of the Conventions and programmes relating to this issue, more particularly:

- the United Nations Convention on the Rights of the Child of 1989 and its Optional Protocol relating to the sale of children, prostitution and child pornography ratified in 2000;
 - Convention No. 138 on the minimum age of admission to employment of 1973;
 - The Hague Convention on the Protection of Children and Cooperation in matters of international adoption of 1993;
 - Convention No.182 of the International Labour Organisation (ILO) of 1999 on the worst forms of child labour and immediate action towards their elimination;
 - United Nations Convention against transnational organised crime adopted in 2000 and its Additional Protocols, particularly the Protocol relating to the Prevention and Punishment of Persons engaged in human trafficking, especially, the trafficking of women and children and the Protocol relating to the fight against illicit trafficking of migrants by land, by air or by sea;
 - The Regional Strategy for Combating Trafficking in Persons and Illicit Trafficking of Migrants (2015-2020);
 - The Multilateral Regional Cooperation Agreement in the Fight against human trafficking, particularly, that of women and children in West and Central Africa;
 - The Banjul Declaration of 26 May 2022 of Ministers in charge of the Protection of Children of ECOWAS Member countries on the protection of Children Victims of Trafficking and Transnational Movement.
- All these efforts are part of the objective of eliminating the worst forms of child labour and eradication of trafficking in Senegal.

b) Fight against Torture

- Senegal, in the wake of the ratification of the United Nations Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment of 21st August 1986, initiated a number of actions aimed at consolidating its Treaty commitments.
- Accordingly, in line with the requirements of Article 4 of this Convention, Senegal has adopted Law No. 96-15 of 28 August 1996 revising the Criminal Code to include Article 295 (1) which, based on the definition contained in Article 1 of the Convention, criminalises torture. Under this provision, attempted torture is a completed offence. Thus, the persons are guilty of torture or attempted torture and are punishable by 5 to 10 years imprisonment and a fine of 100,000 to 500,000 CFA francs.
- The Senegalese legislator has even gone farther by holding that under no circumstances whatsoever, whether under a state of war or a threat of war, internal political instability or any other act of emergency, torture should not be invoked as a justification.

- The legislator went farther to indicate that an order from a superior officer or a public authority could not be cited to justify torture.
- In Senegal, the repression of torture does not pose any difficulty in law.
- Members of the security agencies have been prosecuted, tried, arrested or convicted for acts of torture and ill-treatment under the legislation in force.
- Senegal was the first State to ratify the Rome Statute establishing the International Criminal Court (ICC) on 1 February 1999. It has actively supported this Court by conducting a vast campaign of signatures and ratifications among African countries and paid a voluntary contribution of fifty (50) million CFA francs to the Victims' Fund of the aforementioned Court.

Senegal is also bound by the ICC through a judicial cooperation agreement to facilitate the execution of its warrants.

In order to better prevent torture and strengthen the rights of the defence, Senegal has also amended Article 55 of the Code of Criminal Procedure (CCP) by virtue of Law No. 2016-30 of 8 November, 2016 and issued a Circular No. 00179/MJ/DACG/MN of 11 January 2018 relating to the modalities of application of Article 5 of Regulation No. 05/CM/UEMOA relating to assistance of the lawyer as soon as the arrest is made.

In this regard, convictions have been handed down against law enforcement officers for abuse, and judicial proceedings have also been annulled by the courts for violation of Article 55.

Awareness-raising and training of state officials on the prohibition of torture are provided through seminars and workshops organized by State forums, including by the ONPL and the DDH. Similarly, the initial training programmes of ENAP, ENP, EOGN have included a module on human rights.

- *The Hissène Habré Case*

As mentioned above, Senegal is a party to the New York Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It

ratified the Convention on 21 August, 1986 and made the declaration provided for in Article 22, recognizing the competence of the Committee against Torture to rule on cases of violations of Articles 5 and 7 of the Convention. Under these provisions, Senegal, as a State Party, was required first to take the necessary steps to establish its jurisdiction over such acts and to prosecute the alleged perpetrators under its jurisdiction or to extradite them.

By the aforementioned Law No. 96-15 of 26 August 1996, Senegal incorporated into its Criminal Code, Article 295-1 criminalizing torture.

This new introduction of Article 295-1 into our legal arsenal was to be supplemented by the revision of the Code of Criminal Procedure in order to establish the effectiveness of the universal jurisdiction of Senegalese courts in this subject matter. This is what emerged from the decision of the Court of Cassation of 20 March 2001, which terminated the proceedings against Mr. Hissène Habré following the complaint filed as a civil party by the victims on 25 January 2000. The Court had held that "no procedural text recognizes the universal jurisdiction of Senegalese courts to deal with the prosecution and trial, if found in the territory of the Republic, the alleged perpetrators or accomplices of acts of torture when such acts have been committed outside Senegal by foreigners; that the presence in Senegal of Hissène Habré cannot in itself justify his prosecution"

The United Nations Committee against Torture was seized on 18 April, 2001 by the victims of Hissène Habré, accusing Senegal of violating the Convention against Torture. It concluded in its decision of 17 May, 2006 that Senegal as a State Party, had failed in its obligations set out in Articles 5 and 7 of the said Convention and also requested information on the measures taken to give effect to its recommendations to prosecute or extradite Hissène Habré.

In order to comply with its international commitments, Senegal, through Law No. 2007-03 of 12 February 2007, amended Article 669 of its Code of Criminal Procedure by extending the jurisdiction of its courts to torture, crimes against humanity, war crimes and genocide committed by any foreigner outside the territory of the Republic if he or she is arrested in Senegal or if a victim resides in the territory of the Republic of Senegal, or if the Government obtains his or her extradition.

To ensure the prosecution of these international crimes, Senegal, based on the provisions of Article 15 of the International Covenant on Civil and Political Rights, has reaffirmed in Article 9 of its Constitution, as amended on 7 August 2008, making it clear that the principle of non-retroactivity does not contradict the judgment and conviction of any individual for acts or omissions, which, at the time they were committed, were considered criminal under the rules of international law relating to the commission of genocide, crimes against humanity and war crimes.

The adoption of all these texts enabled Senegal to respect its commitments under international Conventions and the judgment of the International Court of Justice of 20 July 2012, which enjoined our country to submit, without further delay, the case of Mr. Hissène Habré to its competent authorities for the exercise of his rights under criminal proceedings, if it does not extradite him.

On 22 August 2012, one month after the ruling of the International Court of Justice, an Agreement was signed between the Government of the Republic of Senegal and the African Union (AU) on the establishment of the Extraordinary African Chambers within the Senegalese courts to prosecute the person or persons most responsible for the crimes and serious violations of international law, international customs and international conventions ratified by Chad and Senegal committed in Chadian territory between 7 June 1982 and 1 December 1990. The Statutes of the said Chambers were also adopted and annexed to the Agreement, a ratification law was passed and the judicial organization of Senegal was amended.

Officially installed on 8 February, 2013, the Public Prosecutor's Office referred to the Commission of the Assize Court after the execution of two requests for mutual assistance in Brussels (Belgium) and in Chad. The judicial investigation which opened on 2 July, 2013, finally concluded on 13 July, 2015, with a committal order for Hissène Habré to stand trial before the Extraordinary African Court of Assizes.

In the first instance, the Assize Court, by judgment dated 30 May 2016, found Hissène Habré guilty of acts of torture, war crimes and crimes against humanity and sentenced him to life imprisonment. On appeal by Hissène Habré's defence

lawyers, the Appeals Chamber of the Court of Cassation, on 27 April, 2017, confirmed the sentence of life imprisonment.

At the end of the trial, approximately 82 billion CFA francs were to be paid to 17,396 identified victims through an African Union Trust Fund. This remains the largest amount of compensation awarded by an International Criminal Court. The African Union Commission is working hard to make this Fund operational as soon as possible for the victims. It is important to note that after the abolition of the Extraordinary African Chambers, the State of Senegal transferred the remainder of the budget to the African Union Trust Fund.

III. The right to a fair trial (Articles 7 and 26)

Unimpeded access to impartial and independent justice with guarantees of the independence of the judiciary is a constant concern of the State of Senegal. Article 91 of the Constitution makes the judiciary the custodian of rights and freedoms, and the principle of its independence is laid down in Article 88 of the same Constitution.

To reinforce this independence, the new Organic Law No. 2017-10 of 17 January, 2017 on the status of the judiciary, instituted a right of appeal against a ruling made by the immediate superior in the context of the assessment of the judge's professional activity. This right is in addition to the right of appeal for each judge subject to a disciplinary punishment. The number of elected members of the High Council of the Judiciary has been increased and the Disciplinary Council, which is composed exclusively of judges, can only remove a judge from office by a majority of its members.

Furthermore, the Constitution guarantees everyone the right to have their case heard and recognizes the principle of the legality of offences and

penalties and the right of defence, which is absolute at all stages of the judicial process.

These provisions are supplemented by two important texts, namely the Criminal Code (CC) and the Code of Criminal Procedure (CCP). The former guarantees the legality of offences and penalties and the latter specifies in its various provisions the ways and means by which the victims must make every effort by accessing the public service of justice.

Senegalese courts give their rulings impartially and independently and in case one of the parties to a lawsuit is not satisfied, he may appeal before a higher substantive court and, if need be, appeal to the Supreme Court.

Senegalese law provides for the mechanism of the exception of unconstitutionality which allows a party to raise before the Supreme Court the unconstitutionality of a law or an International Convention ratified by Senegal.

In order to guarantee the protection of the rights and freedoms of the citizens against arbitrariness of the administrative authorities, Article 92 of the Constitution provides as follows:

- The Court of Appeal has also established a system of "remedies for excess of power", which allows any person who has an interest in the annulment of a decision of an administrative authority to apply to the Administrative Chamber of the Supreme Court for the annulment of that decision;
- "The right of citizens to seek redress for the damage they have suffered at the hands of the Government.

(a) Procedural guarantees in criminal matters

One of the main principles underlying criminal procedure is that any restriction on the exercise of a freedom can only be ordered by an authority empowered by law, namely the body of judges and the criminal investigation police officers. Thus, the CCP has put in place several procedural guarantees through very strict measures concerning home searches, home visits, enquiries, oral hearings, investigations and custodial measures.

These guarantees include the obligation to comply with the decree and the rights of the defence provided for in Article 49 of the CCP. Thus, in the case of a search, the above-mentioned Article requires that it be conducted in the presence of the person suspected to have taken part in the offence and the person in whose residence the search takes place"

In order to ensure that procedural guarantees in criminal matters are complied with, the legislature provides that, if this is not possible, the criminal investigation police officer (CIPO) must summon each of them to appoint a representative of their choice; failing that, the CIPO shall choose two witnesses required for that purpose, apart from people from his own administrative authority.

Still on the subject of searches and home visits, Article 51 of the CCP provides that unless a complaint is made from inside the house or exceptions are provided for by law, they may not be carried out before 5 a.m. and after 11 p.m., failing which the proceedings shall be null and void.

With regard to the hearings of all persons in custody, it is provided that they must mention the day and time on which the person was placed in custody, the duration of the interrogations, the duration of the rest periods, as well as the day and time on which the person was either released or brought before the competent judge.

Article 57 of the CCP adds that this entry must be specially signed by the person in custody and in case of refusal, this shall be noted in the police report, under pain of absolute nullity.

Also, as part of the preliminary investigations, the searches, home visits and seizure of exhibits cannot be carried out without the express consent of the person in whose residence the operation takes place; this consent must take the form of a written statement under the hand of the interested party. In case the latter cannot write, the police report must mention that as well as his consent.

1. Rules governing police custody

For purposes of investigations, the criminal investigation police officer (CIPO), is compelled to keep a person or persons in custody for a period of not more than 24 hours. This period is extended by 24 hours if there is serious and corroborating evidence against the said person or persons, such as to justify his (their) indictment, at the end of which the criminal investigation police officer (CIPO) must bring him (them) before the Public Prosecutor (PP) or his representative. And in the event of material difficulties relating to the transfer, the Public Prosecutor must immediately be informed of the conditions and transfer times.

In both cases, the CIPO must immediately inform the Public Prosecutor, his representative or, if necessary, the President of the Court of First Instance vested with the powers of the Public Prosecutor of the proceedings he has initiated and inform the person arrested of the grounds for keeping him in custody.

According to Article 55, paragraph 5, of the Code of Criminal Procedure, in all places where it shall be applied, the criminal investigation police officers are required to keep a custody register marked and initialled by the Public Prosecutor's Office, which is to be produced at the request of the magistrates responsible for supervising the proceeding.

In the event of an extension of the period of custody, the criminal investigation police officer shall inform the person in custody of the reasons for the extension and the provisions of Article 56 of the CCP. He shall notify him right from the time of arrest about his right to have a defence counsel from among the registered lawyers or those on practicum. A mention of these

formalities shall be made as a matter of obligation in the report of the hearing, otherwise it will be null and void.

Pursuant to Article 55 (a) of the CCP, the appointed lawyer is contacted by the person in custody or any other person designated by him, failing that, by the criminal investigation police officer. He can communicate, including by telephone, if he cannot move within the shortest possible time with the person in custody under conditions which ensure confidentiality of the interview.

If the lawyer chosen cannot be contacted, the crime investigation police officer shall indicate it in the report of the hearing of the person in custody. The lawyer is informed by the crime investigation officer, or under the control of the latter, by a crime officer of the nature of the offence sought.

In this case, the lawyer can discuss with the person kept in custody for a period not exceeding 30 minutes. At the end of this discussion, the lawyer shall present, if need be, his written comments which are attached to the procedure. The lawyer shall not disclose the interview to anyone during the whole period of custody. The investigations officer shall indicate in the hearing report all the persons kept in custody, the information provided and the requests made pursuant to the law. These statements must be specially marked by and initialled by the interested party, and in the event of refusal, it shall be written in the report on pain of nullity.

Furthermore, the lawyer may be authorised to attend the investigation and adversarial stages without making any interventions concerning the person in custody, in particular interrogations and interventions

2. Measures to prevent torture in police custody

Under Article 56 of the CCP, if the Prosecutor or his delegated representative deems it necessary, he can have the person in custody examined by a physician designated by him or her, at any legal time limits of custody. He may also be seized for the same purpose by the person in custody, under the leading

of the investigating police officer, or any person or his counsel, within the same time span; in this case, the police investigating officer shall order the requested medical examination in the same location of the custody where it is not requested ex officio by the Prosecutor, at the costs previously deposited by the applicant. In the latter case, the instrument of appointment shall mention the existence of this deposit.

In bodies or departments where the crime investigation officers are required to keep a statement book, the entries and signatures must be entered in the book. Only the entries are reproduced in the report transmitted to the judicial authority.

Police custody is therefore regulated by the Senegalese legislature and, when abuses are observed on the part of police officers in the application of police custody measures, Article 59 of the Code of Criminal Procedure provides that the State prosecutor or his representative shall inform the Attorney-General, who shall refer the matter to the Indictment Division.

The victim of such abuse may also apply to the Trial Chamber. The latter, by virtue of its powers under Articles 213, 216 and 217 of the CCP, may either temporarily or permanently withdraw the status of criminal police officer from the alleged perpetrator of the abuses, or return the file to the Public Prosecutor for prosecution, if it finds that an offence against the criminal law has been committed.

In addition to these provisions, Articles 213 et seq of the same Code make reference to the control by the Indictment Division of the activities of police investigation officers.

b) Guarantees in matters of pre-trial detention

It should be noted that in Senegal, there is no provision in the CCP that explicitly sets out the circumstances that may justify pre-trial detention. However, this is not automatic, nor is it the principle. When it is taken, the pre-trial detention is strictly regulated and limited in time. For instance:

- In criminal cases, where the maximum penalty is lower than the maximum sentence.
- or it is equal to three years, an accused person domiciled in Senegal may not be kept in pre-trial detention for more than five (5) days.
- In the same types of cases, the defendant who is regularly domiciled in the jurisdiction of the court seized may not be kept in pre-trial detention;
- the court shall not issue a warrant of arrest for a criminal offence unless it has been issued by the examining magistrate for a period of up to 6 months;
- “a Court Committee shall be created within the Supreme Court”
 - to decide on claims for compensation from persons who have been remanded in custody and who have subsequently received compensation for a decision to dismiss, discharge or acquit”.
 - House arrest has been incorporated into the CCP with electronic surveillance, under Law No. 2020-29 of 17 July 2020, which constitutes an alternative to pre-trial detention.

In short, it should be noted that in Senegal, pre-trial detention is used only when it appears to be the only means of guaranteeing the proper conduct of the proceedings.

c) Access to justice

Access to justice and to the law is one of the important areas defined in the Senegal Emerging Plan, the implementation of which is ensured by the Ministry of Justice through several measures. These measures include the establishment of a new judicial map, the development of local justice with the establishment of 30 houses of justice throughout the country, the recruitment of

judges and court clerks, the regular organisation of bar competitions, the strengthening of the legal aid fund, and access to civil status documents.

Indeed, the State's desire to reform and modernise the judicial institution took shape with the definition of a new judicial map through the adoption of Law No. 2014- 26 of November 03, 2014 establishing the organisation of the judiciary.

— The innovations that have been introduced include the following:

- renaming of regional courts as high courts and departmental courts as magistrates' courts;
- raising the jurisdictional thresholds;
- creating administrative chambers;
- creating criminal chambers.
- Creating new courts

The judicial map includes, to date, one (1) Supreme Court, six (6) Courts of Appeal, nineteen (19) High Courts, nineteen (19) Labour Courts and forty-five (45) magistrate courts (TI). The new High Court (TGI) of Pikine-Guediawaye, TGI of Mbour, TGI of Kédougou, TGI of Kafine and the Magistrate Courts of Salémata, Saraya, Kounghœil have been established.

Furthermore, access to justice is one of the strategic pillars of the Justice Sector Programme of the Ministry of Justice; this has resulted in the establishment of a “Local Justice Scheme”, the aim of which is to bring justice closer to the people.

This policy is part of the Pillar III of the Senegal Emerging Plan (PSE) which is structured around the strengthening of security, stability, governance, the protection of rights and freedoms and the consolidation of the rule of law, with

the view to establishing conditions for lasting social peace and thus promote the full development of the potential of every citizen.

In the area of capacity building of actors, several training sessions were organised. These sessions have reached the various actors of the houses of justice throughout the nation. They provided more than 175 actors with specific knowledge to enable them to better carry out the missions assigned to them. The feedback sessions were organised by each House of Justice for the benefit of the members of its coordination committee.

Conflict resolution through mediation, conciliation and guidance is the main activity of these Houses of Justice. In 2021, the thirty (30) houses of justice established throughout the nation received nine hundred and forty-three thousand four hundred and seventy-four (943,474) users. In fact, they provided information to two hundred and twelve thousand six hundred and sixty-eight (212,668) people about their rights and handled one hundred and seventy-five thousand two hundred and sixty-eight (175,268) mediation files with an overall conciliation success rate of around 75%. From 2015 to 2021, they assisted one hundred and six thousand five hundred and four (106,504) to obtain various draft deeds.

With respect to "small claims", from 2010 to 2021, they have assisted in the recovery of debts with a total value of three billion four hundred and eighty-seven million six hundred and twenty-seven thousand six hundred and thirty-six (3,487,627,636 CFA francs).

Regarding access to legal assistance by the most deprived persons, it is the main objective for the establishment of a Legal Assistance Fund in 2005. The management of this fund has been entrusted to the President of the Bar Association under the control of an Ad hoc Committee, as provided for in the protocol signed on 7 March 2005 between the Ministers of Justice and Finance on the one hand, and the President of the Bar Association on the other. This is a provisional solution until a law on legal assistance is passed. A draft law has been validated at the Ministry of

Justice and submitted to the Government's General Secretariat. It contains provisions ensuring that all persons seeking justice have access to a counsel with a more transparent management of assistance and a possible diversification of the sources of funding. While waiting for its adoption, the Government has not stopped increasing the yearly budgetary outlay meant for legal assistance. It has been increased to eight hundred million (800,000,000) CFA francs in 2022.

IV) Freedom of conscience and religion (Article 8)

Senegal's compliance with its international and regional commitments is reflected in the incorporation of the right to religious freedom in its domestic legal system. This right is established as a constitutional principle by Article 8 of the Constitution, which lists fundamental individual freedoms. Religious freedom, by virtue of Article 24 of the aforementioned text, is guaranteed to all subject only to public order. This implies that the State shall not take any action or omission which impedes the exercise of this freedom.

Through the principle of secularism of the Republic, laid down in Article 1 of the Constitution, the State establishes a certain neutrality in relation to religions.

This enables it to guarantee the equal exercise of religious freedom to all citizens as established by Article 8 of the same Constitution according to which the "Republic guarantees to all its citizens individual fundamental freedoms, economic and social rights as well as collective rights". The obligation to guarantee the exercise of equal religious freedom is the corollary of the principle of prohibition of discrimination enshrined in Article 5 of the Constitution according to which, "any act of racial, ethnic or religious discrimination shall be prohibited by law".

V) **On Freedom of Expression (Article 9)**

On its accession to independence, Senegal, conscious of the importance and role that freedom of opinion would play in the building and consolidation of the rule of law, acceded to the principles of the Declaration of Human and Peoples' Rights (UDHR) and established the foundations of the right to freedom of communication in its Constitution. The 1963 Constitution laid down the principle of the freedom of expression in Article 8. This principle is restated in the Constitution of 22 January 2001 provided the exercise of these rights of January 2001.

Indeed, this Constitution enshrines in Article 8, "individual fundamental freedoms", "civil and political rights" among which freedom of opinion and freedom of expression appear prominently. It affirms in Article 10 that "every person has the right to express himself/herself and to freely disseminate their opinions through speech, writing, image, peaceful march provided the exercise of these rights does not jeopardise the honour and dignity of another person, nor public order". This affirmation is consolidated and supplemented by Article 11 which provides that (the creation of a media organisation for political, economic, cultural, sporting, social, recreational or scientific information is free and not subject to any prior authorisation". Thus, freedom of the press is a constitutional freedom in Senegal, a fundamental one, so much so that its existence is one of the key safeguards of respect for the other rights and freedoms. The freedom of expression is a condition and guarantee of democracy.

Today, this freedom has been reinforced by the new press Code adopted on 20 June 2017 which promotes the audio-visual business and the freedom of expression. However, conscious of the excesses that the freedom of the press can cause, the State has put in place independent administrative authorities to regulate the communication sector, among which are:

- The Posts and Telecommunications Regulatory Authority (ARTP), established by Law No. 2006-04 of 4th January 2006;
- National Audiovisual Regulatory Council (CNRA)

Besides these public bodies, there is also The Council for Respect of Ethical and Moral Standards (CORED), which was established in 2014 and it is a Media Professionals' Self-Regulatory Body.

In Senegal, thanks to the liberalisation of the sector, there is a conducive environment which provides a very high level of freedom of expression for the media organisations. The media landscape is especially rich and diversified. A survey carried out identified about twenty dailies, about twelve weekly and monthly magazines and about a hundred private and community private radio stations.

The private radio stations play an critical role not only in providing information to the citizens but also in the development of a genuine public debate within the society thanks to interactive broadcasts offering the public the opportunity to phone in directly to take part in the discussions.

For its part, the television sector has grown exponentially since 2003, from the 2sTV, the first private television station. To date, Senegal has more than fifteen public and private television stations. Apart from these traditional media networks, the online media is also growing steadily and rapidly with about more than twenty information sites.

Furthermore, Senegal adopted a law on personal data information and a law to counter cybercrime in order to contribute to the global strategy in the fight against cybercrime to ensure cybersecurity.

Recently, the State of Senegal also adopted a new Code on Electronic Communications. This was Law No. 2018-28 of 12 December 2018. It governs all the electronic communication activities, whether they originate from the Republic of Senegal or externally, according to the terms of Article 1 of the aforementioned Law. Furthermore, from the objectives of this text according to Article 5, it helps, "to promote the development and modernisation of electronic communications networks and services in Senegal by establishing an effective, flexible and transparent legal framework"

VI) Freedom of Association and Assembly (Article 10 and 11)

Freedom of assembly and freedom of association are guaranteed by the Constitution, and Articles 811 et seq of Law No.68-98 of 26 March, 1968 on the Code of Civil and Commercial Obligations and Article 7 of Law No. 97-17 of 1st December 1997 on the Labour Code. In Senegal, the right to demonstrate through a peaceful march is not subject to prior authorisation, but a simple prior declaration. However, in order to safeguard public order and safety, the administrative authority empowered to supervise public meetings by virtue of its policing powers may restrict the route of the demonstrators or postpone the demonstration by means of a duly substantiated decision subject to administrative and judicial review.

To illustrate this free exercise of the right to demonstrate, for the year 2021, out of 6256 declarations received by the Ministry of the Interior, only 119 were banned, i.e. a rejection rate of 1.95 across the entire nation.

VI. Freedom of movement and travel (Article 12)

The free movement of people and goods has always been an important concern for the Government of Senegal.

In this regard, Article 14 of the Constitution enshrines freedom of movement both within and beyond the country's borders, stating: "All citizens of the Republic have the right to move and settle freely both within the national territory and abroad.

These freedoms shall be exercised under the conditions laid down by law". This freedom of movement is reinforced by the Economic Community of West African States (ECOWAS) Convention, to which Senegal is a party. Indeed, while guaranteeing the free movement of persons, goods and freedom of establishment, ECOWAS constitutes a legal framework that has enabled the realization and effective enjoyment of freedom of movement, establishment and residence within member countries, particularly within and at the borders of Senegal. To this end, an ECOWAS identity card has been introduced.

VII. Equal participation of citizens in the management of public affairs and political life (Article 13)

The Senegalese Constitution guarantees the equality of all citizens before the law, without distinction as to origin, race, sex or religion. Indeed, according to Article 3, "No section of the people, nor any individual, may claim sovereignty for themselves/himself/herself.

The same Article specifies that: "National sovereignty belongs to the people, who exercise it through their representatives or by means of a referendum".

The same Constitution ensures the equal participation of citizens in the conduct of public affairs and in political life as evidenced by the relevant provisions of

Article 4 of the Constitution which provides that: "Political parties and coalitions of political parties shall contribute to the expression of the will of the people under conditions laid down by the Constitution and the Law. They shall work to educate citizens and promote their participation in national life and in the management of public affairs".

Likewise, the Constitution guarantees independent candidates' participation in all types of elections under the conditions laid down by law.

In the same vein, the International Covenant on Civil and Political Rights, which has been ratified by Senegal, provides in Article 25 that: "Every citizen shall have the right and the opportunity, without any of the discriminations referred to in Article 2 and without unreasonable restrictions, to

- Take part in the conduct of public affairs, either directly or through freely chosen representatives,
- Vote and to be elected, in periodic and genuine elections, by universal and equal suffrage and by secret ballot, guaranteeing the free expression of the will of the electors;
- Access, on general terms of equality, to public service in his country".

In order to give full effect to this provision of the Covenant, the establishment of political parties in Senegal is free and they are regarded as associations governed by ordinary law. Senegal is a country where the culture of democracy has been established for a long time. In fact, since 1981, Senegal has returned to a full multiparty system. Today, there are more than one hundred political organizations.

A. IMPLEMENTATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

I. The right to property (Article. 14 of the Charter)

Article 15 of the Constitution of Senegal provides that the right to property is guaranteed to all, and no one may be deprived of his or her property except in the public interest and subject to fair and prior compensation.

According to this text, "Men and women shall have equal access to the possession and ownership of land under the conditions determined by law".

This guarantee of the right to property is included in various pieces of legislation to give it effect, including:

- Law No. 69-30 of 29 April 1969 on the requisition of persons and property, which makes this procedure subject to one of expropriation for public utility;

- Law No. 2005-20 of 5 August 2005 repealing and replacing Article 4 of Act No. 76-67 of 2 July 1976 on expropriation in the public interest and other land transactions in the public interest.

II. The right to work (Article 15)

The Labour Code, promulgated by Law No. 97-17 of 1 December 1997 as amended on several occasions, aims to guarantee satisfactory working conditions, including the right to a salary, weekly rest and paid leave.

The Code incorporates the constitutional provisions on the right to work in Article L.1, which states that: "The right to work is recognized as a sacred right of every citizen. The State shall do everything in its power to help him or her to find a job and to keep it once he or she has obtained it. According to the last paragraph of Article L.1, "The State shall ensure equality of opportunity and treatment of citizens with regard to access to vocational training and employment, without distinction as to origin, race, sex or religion".

In this respect, Senegal has provided the means for a real integration policy, thanks to the creation of a national public employment and training service.

However, like developing countries, it is facing a crisis of

— employment, which mainly affects women and young graduates.

Faced with this situation, the authorities have put in place strategies to address the phenomenon, and they include:

The Emerging Senegal Plan (PSE) with a priority action plan called PAP2A 2019-2023; its ambition is to create 1,000,000 jobs. This guideline is the condensation of several inclusive and complementary sectoral policies, plans, programmes and projects. They include, among others

- the national employment policy for 2019, was technically validated in 2015 and accompanied by an operational action plan for youth employment with the support of ECOWAS in partnership with AECID,
- the national migration policy, technically validated in 2018 by all stakeholders and it is in the process of being adopted by the Council of Ministers;
- The Country Programme for Decent Work (PPTD) 2018-2023 was technically validated in 2018 with two main components oriented towards social protection and job creation;
- The National Occupational Safety and Health Policy (PNSST) adopted by the Council of Ministers in March 2017 - 2021.

Several texts, projects and structures have been initiated for the implementation of the PSE, including:

- Law No. 2015-01 of 6 January 2015 on the guideline law on vocational and technical training;

The National Employment Policy which was technically validated in 2015 is based on six (6) key strategies, among which are:

- the development of specific public programmes to create decent jobs;
- the development of local employment programmes;
- improving and developing the relationship between training and employment;
- improving the organisation of the labour market and social dialogue;
- Capacity building of the Ministry of Employment.

With regard to the socio-economic integration of young people, the State of Senegal has set up a number of actions, programmes and legal mechanisms to promote the socio-economic integration of young people.

The assessment of programmes and actions developed by the State and its partners for the socio-economic integration of young people highlights various initiatives

-The creation of community agricultural estates (DAC) has made it possible to participate in the integration of young people into agriculture, fishing, market gardening, etc. The aim of PRODAC is to contribute to the reduction of social insecurity in rural areas by promoting agricultural entrepreneurship among young people and women. To this end, large areas of land are being developed and equipped with structuring infrastructure, enabling beneficiaries to produce continuously. The major innovation is the development of a sectoral approach, both plant and animal, along the entire value chain and related trades, in order to create many more jobs and wealth. The achievements of the DACs have mainly focused on the development of production infrastructure and incubation in the trades and the development of agricultural entrepreneurship.

In the field of production of development infrastructure, in 2021, the following can be noted:

Note: the work on the Keur Momar Sarr (6,271,300,000 CFA francs), Keur Samba Kane (6,271,300,000 CFA francs) and Sangalkam (6,271,300,000 CFA francs) have been finalized and the Séfa DAC is in operation.

It is projected that in the near future 4 DACs will be set up in partnership with the IDB in the departments of Kaffrine, Linguère, Médina Yoro Fouta and Foundiougne at a cost of more than 59 billion CFA francs.

In the field of incubation for agricultural trades and support for rural entrepreneurship:

- 400 young people have been trained as agricultural entrepreneurs in Séfa, with as many temporary jobs created;
- 400 ha of corn and miscellaneous products have also been cultivated in Séfa.

- National Youth Employment Promotion Agency:

The achievements of ANPEJ, which is responsible for the integration and financing of youth projects, can be assessed in the light of the three strategic areas of intervention identified to establish a viable policy for the promotion of youth employment, namely:

- access to labour market information,
- enhancing the employability of young people;
- the development of entrepreneurship.

In these different areas, the following were noted:

- the design and implementation of a market information system for employment;
- the implementation of a digital platform for the management of demand and supply regarding employment, referred to as "Guichet Unique" or "One Stop Shop",
- logistical deployment of the Entrepreneurship Employment Hubs for youth and women;
- the recruitment of 100 employment counsellors to participate in the facilitation of the Employment and Entrepreneurship Hubs for young people and women,
- the design of the job seeker's card;
- training and capacity building for 1,602 young people through youth entrepreneurship training programmes.

In order to address the constraints related to access to financing for young people, the ANPEJ has kept the focus on two instruments: the grant under the Migration Programme Development, funding through the DER/FJ windows and CONFEJES funds.

A total of 264 projects were financed for a total amount of **572 458 415 CFA** francs, generating 787 direct jobs.

Furthermore, within the framework of the projects inherited from the former dissolved structures, several actions have been carried out during the year 2021. In this regard, the following can be mentioned:

- the start of the construction of the incubation centre in Ziguinchor and the rehabilitation of those in Ylbou for the processing of fish products and in Sédhiou and Kaolack for wood;
- the effective re-launch of the Silane, Mbilor and Léona farms, with 80 direct jobs created;
- the launching of the activities of the bakery units of Birkelane, Keur Madiabel, Goudiry, Pikine and Guédiawaye and the reception of the bakery units of Fatick and Kanel.

For the project to support the integration of the local population and returning migrants, implemented by the Migration for Development Programme of the German Technical Cooperation, 60 migrants and potential migrants have been trained and 45 financed with material kits for a total of 195 million CFA francs. A contract for the training of 100 young people in driving skills in the regions of Fatick, Tambacounda and Kédougou has been launched.

At the level of the Diaspora, the Senegalese Abroad Investment Support Fund (FAISE) was established by Decree No. 2008-635 of 11 June 2008 and the objective is to promote productive investments by Senegalese abroad who wish to carry out their projects throughout the country. In 2021, this fund helped to finance one hundred (100) projects of Senegalese living abroad for an amount of five hundred million (500,000,000) CFA francs, intended exclusively for the financing of projects of Senegalese abroad located in Senegal.

For the year 2022, FAISE had a budgetary provision of five hundred million (500,000,000) CFA francs for the Senegalese External Fund (ESF), which was committed in two (2) equal instalments of two hundred and fifty million (250,000,000) CFA francs.

Within this same framework, we can also mention the Private Sector Support Platform and the Valorisation of the Senegalese Diaspora in Italy (PLASEPRI) which is a programme aimed particularly at creating and strengthening local SMEs by Senegalese living in Italy and encouraging investment in their country of origin.

- **The emergency programme for the employment and socio-economic integration of young people, "XÈYU NDAW Ñi"**, approved on 22 April 2021 at CICAD by the President of the Republic, is based on new guidelines founded on the territorialization approach and on the principles of participation, inclusion and social equity. The Ministry of Youth is contributing to the implementation of the "Xeyu Ndaw ni" programme and to solving the problem of the socio-economic integration of young people in general.
- **The adoption of the Framework Law No. 2021-30 of 7 July 2021 relating to Volunteerism.**

It has made it possible to enhance and harmonise volunteering practices through the development of the status of volunteers.

- **The implementation of the PSE Priority Youth 2035**

It is a component **of the Emerging Senegal Plan (PSE)** exclusively devoted to meeting the needs and aspirations of young people.

With regard to persons with disabilities, the equal opportunities card enables them to enjoy rights of access to employment and to any other benefit likely to contribute to their promotion and protection as part of a multisectoral approach. Thus, a quota of 15 per cent is reserved for them concerning recruitment into the civil service. Similarly, they are recruited by the national transport company "Dakar Dem Dik".

(a) Social protection

The Social Protection Programme is part of the Government's overall strategy to establish a social protection base, in accordance with the guidelines and priorities of the PSE. In this regard, it contributes to the development of a social protection system accessible to all workers in both the formal and informal economies. It thus aims to ensure greater social inclusion by strengthening the social security of workers and facilitating access to social protection for workers in the informal economy in accordance with the guidelines and priorities of the Decent Work Country Programme (DWCP 2018-2022).

To achieve its objectives, the Social Protection programme has focused on two levers:

- the strengthening and extension of social protection;
- the promotion of Occupational Health and Safety in the workplace.

These two actions aim to provide, in addition to the social protection policies implemented by the Government, coverage of family benefits, medical care, old age, disability, death, work-related accidents and occupational diseases, while guaranteeing workers safety and health in the workplace.

As part of the implementation of this social protection policy, 5,528 economic scholarships were financed for a total amount of 515,537,137 CFA francs in the regions of Louga, Matam, Saint Louis, Thiès, Diourbel, Dakar, Sédhiou and Kaolack through the social cash transfer programme commonly known as the economic scholarship. These grants are linked to the family security grant for households benefiting from the Single National Register (RNU).

III. The right to health (Article 16)

The health policy is defined in the National Health Development Plan (PNDS 2019/2028), the implementation of which is in line with the national objectives set out in the PSE and with international standards as far as health and social action are concerned. The Government's policy is to ensure that all individuals, households and communities benefit from universal access to quality promotional, preventive and curative health services without any form of exclusion. Thus, the Government has taken important steps to facilitate access to health care for all citizens with partial or total exemption of costs.

a) Universal access to health services and facilities

Universal access to health services and facilities and the promotion of women's and children's right to health are taken into account within the framework of the CMU. This programme is piloted by the National Agency for Universal Health Coverage created by Decree No. 2015-21 of 7 January 2015, attached to the Ministry of

Community Development, Social and Territorial Equity. The Universal Health Coverage system, through its Assistance branch, has made it possible to improve the policy of free health care for certain age groups (children under 5, pregnant women, people over 60, haemodialysis patients) and for certain diseases. As of December 31, 2021, the following results had been recorded.

- 644 functional mutual health insurance companies;
- 44 departmental unions of functional mutual health insurance companies;
- 2 Departmental Health Insurance Unions (UDAM);
- 3,989,524 of insured persons of which:

➤ 1,918,840 "contributing" beneficiaries including: 1,405,473 traditional beneficiaries, 409,379 pupils, 39,277 ndongo daara (Koranic pupils),

- 35,489 children under the age of 5 enrolled in mutual health insurance schemes (as part of a pilot project to integrate free health care into mutual health insurance schemes),
- 22,122 other needy people supported by local authorities, sponsors, etc.

7,100 pregnant women enrolled in mutual health insurance schemes

➤ 2,046,365 beneficiaries of the National Family Security Programme (PNBSF) effectively enrolled and benefiting from services in the community mutual health insurance schemes, i.e. 290,359 households; 24,319 CEC holders enrolled in the community mutual health insurance schemes.

b) Tuberculosis programme

In Senegal, tuberculosis continues to claim lives even though the Government has taken key anti-tuberculosis measures. Thanks to the National Tuberculosis Control Programme (PNLT), 300 to 500 cases of death per year have been recorded and more than 12,000 people saved from imminent death.

The PNLT aims at reducing the incidence of tuberculosis by 95% by 2035. Towards this end, the health technical services have been upgraded, with the availability of new tools such as the Genexpert, a device that allows for the rapid detection of multi-resistant cases and all forms and all forms of tuberculosis. The Government has also set up a mobile radiology unit that travels all over the country for mass campaigns.

The Ministry of Health has also set up more than 13 free rapid tests machines to detect multi-drug resistance, and has provided financial, human and material resources, free anti-tuberculosis drugs and the basic diagnostic examination. The departments of the Ministry of Health and Social Action and the PNLT have opted for the **"End TB" or "Zero cases of tuberculosis"** strategy.

c) Prevention of alcohol, tobacco and drug abuse

In addition to the establishment of the National Committee for Tobacco Control, the following legal and policy measures have been adopted to combat the use of drugs and tobacco by minors

- Law No. 97-18 of 1 December 1997 on the Drugs Code;
- Law No. 2014-14 of 28 March 2014 on the manufacture, packaging, labelling, sale and use of tobacco, which establishes the ban on smoking in places open to the public in its Article 18 and its implementing decree No. 2016-1008 of 26 July 2016;
- Circular No 3097/MINT/DAGAT/DEL of 21 May 1997 on the policing of drinking establishments with reference to Law No 94-14 of 4 January 1994 and Decree No 97-338 of 1 April 1997, which prohibits the sale of alcohol to minors,

"Ministerial Order No.15.347 dated 28 July 2015 establishing and laying down the rules of organization and operation of the National Tobacco Control Programme (PNLT);

The missions of the programme are as follows:

- preparing and implementing the department's strategic plan for tobacco control;
- ensuring the application of laws and regulations relating to tobacco control;
- promoting by all available means the fight against tobacco;
- providing information, awareness and communication on tobacco control;

- providing the permanent secretariat of the National Tobacco Control Committee,
- collecting and ensuring the implementation of the recommendations of the National Tobacco Control Committee.

It supports and partners the various ministerial departments and other public administrative bodies in the fight against tobacco.

Furthermore, Senegal has a university hospital at Fann, which has an integrated addiction treatment centre that provides comprehensive care for drug addicts.

IV. The right to education (article 17)

In accordance with its missions, the Government, through the Ministry of Education, is committed to the development and adoption of a General Policy Letter (2018-2030), with the Programme for the Improvement of Quality, Equity and

Transparency-Education/Training (PAQUET-EF) in the education and training sector.

This programme aims to make the right to education for all effective through:

a) Free education

Through Law No. 2004-37 of 15 December 2004, which supplements and amends Law No. 91-22 of 16 February 1991, Senegal introduced compulsory education for children aged 6 to 16 years. The circular letter No. 004463 MEPMSLN/SG/DEE of 15 September 2010 aims to operationalize this free education.

b) Direct and indirect costs of education

At the elementary level, there are no registration fees and at the middle level, the fees are limited to 10,000 CFA francs per student. Payment can be spread over several months and failure to register financially can under no circumstances lead to the exclusion of the pupil. The Government aims to create a school of equity and equal opportunity.

At the elementary level, textbooks for pupils are free. Some initiatives have also been made by the government, including the provision of uniforms, school kits and scholarships for pupils, especially girls in economically vulnerable situations who have good school results and those from disadvantaged families, regardless of their school results.

At the middle and high school levels, students have the right to take part in teaching/learning even if they do not pay the school fees on time. The examination fee is 1,000 CFA francs. Each elementary school has a fund for quality improvement. There is no provision for students to contribute to district fees.

In Senegal, free middle and secondary education is gradually being introduced. The payment of registration fees ranging from 3,000 to 10,000 CFA francs is intended to support the operation of schools.

Each high school or college has an operating budget based on the size of the school and the number of students.

In line with the objectives of the PAQUET-EF (2018-2030), which consist in integrating the gender dimension at all levels of the education system, the following performances have been achieved in the sector

At the **pre-school** level, the gross enrolment rate is 16.1% for boys and 18.5% for girls, i.e., a parity index in favour of the latter.

At the **elementary level**, for boys, the completion rate varies between 54.6% and 55.0% from 2016 to 2020. On the other hand, among girls, there is a clear increase in the rate from 65.0% in 2016 to 69.5% in 2020.

At the level of **general secondary education**, in 2020, the completion rate for general secondary education is 36.6%. According to gender, the proportions show that completion is more effective for girls (40.8%) than for boys (32.6%). This situation shows a parity index of 1.25 in favour of girls. The Gross Enrolment Rate (GER) for the general average is 50.7% with a parity index of 1.21 in favour of girls.

In 2020, the success rate for the Brevet de Fin d'Etudes Moyennes (BFEM) is higher for girls (74.57%) than for boys (74.43%).

For **secondary education**, the gross enrolment rate in general secondary education, at national level in 2020, is 32.9%. The GER for girls (35.1%) is higher

than for boys (30.8%). The GER parity index for general secondary education of 1.14 is in favour of girls.

As regards **access to scientific subjects in general secondary education**, 23.7% of boys enrolled in general secondary education are in science option classes, whereas this proportion is 19.9% for girls

(c) Measures taken to reduce the dropout rate and illiteracy among children and young people, in particular girls

The dropout rate in the elementary school cycle has seen a slight decline in recent years. Overall, the dropout rate is 7.90% nationally according to 2019 statistical data. It has dropped from 8.7% among boys and 7.2% among girls.

In Senegal, the factors hindering girls' schooling relate to the main problems identified, namely access and retention of girls in school, success and integration into the professional environment.

The academies with the highest dropout rates are found in Thiès, Fatick, Saint-Louis, Kédougou, Kolda, Louga, Sedhiou, Matam, Tambacounda and Kaffrine.

At the junior cycle level, in 2019, the dropout rate at the national level is 8.4% and is slightly higher among boys (9.1%) and girls (7.7%). The highest dropout rates are recorded in Kolda (18%), Matam (15.3%) and Kédougou (15.2%).

With regard to the training of learners in the 150 Basic Community Schools (ECB), the activities of the first year began in 2021 in temporary shelters. This programme has enabled the enrolment of 5215 children out of the 6000 targeted, 58% of whom are girls.

With regard to functional literacy classes for young people and women, 2,000 young people and 5,000 women have benefited from training programmes. The activities carried out in the ECBs and CAFs were carried out by 39 literacy and technical operators.

In addition, 264 field actors were trained, including 150 volunteers, 30 supervisors and 84 technical facilitators

The constraints to promoting youth and adult literacy are mainly related to

- the late start of construction of the 150 ECBs,
- difficulties in mobilizing resources.

C. PROVISIONS SPECIFIC TO THE CHARTER (Articles 19 to 24)

I. Article 19 - All peoples are equal.

Senegal advocates the equal treatment of peoples in accordance with the provisions of the United Nations Charter, which enshrine the sovereign equality of all Member States of the United Nations. No consideration of any kind should justify undermining the honour and dignity of peoples.

H. Article 20 - Right to Self-determination

The Republic of Senegal, committed to its fundamental cultural values which constitute the bedrock of national unity, is convinced of the will of all citizens to build a common destiny through solidarity, work and patriotic commitment.

The right to self-determination is a fundamental principle recognized by Senegal in accordance with its commitments under the African Charter on Human and Peoples' Rights. As such, it works tirelessly to ensure that its people have the free and sovereign choice to determine the form of its political regime independently of any foreign influence.

III. Articles 21 - 22 - All peoples have the right to freely dispose of their natural wealth and resources. (Rights to development)

The right of peoples to the free disposal of their resources and wealth is based on the principles of independence and sovereignty of States. The State of Senegal has recognized this independence and sovereignty in its Constitution of January 7, 2001 amended by referendum Law No. 2016-10 of April 5, 2016 in its Article 25-1 provides that: "natural resources belong to the people, they are used to improve living conditions. The exploitation and management of natural resources must be done in a transparent manner and in such a way as to generate economic growth, promote the well-being of the population in general and be ecologically sustainable. The State and the

local authorities have an obligation to ensure the preservation of the land heritage".

In order to give effect to this desire, Senegal has adopted a Mining Code, a Land Tenure Code, a Forestry Code, an Environmental Code, a Fisheries Code and a Water Code for the management of all its mining, wildlife, fisheries and mineral resources.

Additionally, since 2013, with Act 3 of decentralisation, it has been resolutely committed to an ambitious decentralisation policy that allows local authorities to freely administer local resources and wealth for the benefit of their communities.

IV. Article 23 - Right of peoples to national and international peace and security

The Senegalese Constitution has assigned to its diplomacy the mission of working to "strengthen international cooperation and develop friendly relations between States on the basis of equality, mutual interest and non-interference in internal affairs". In this regard, Senegalese diplomacy has never ceased to work for the appeasement and resolution of crisis situations, the peaceful resolution of disputes and the promotion of the values of peace and national reconciliation. At the regional level, it has always supported the efforts of the African Union to resolve regional conflicts and to conduct peace, mediation and good offices missions aimed at establishing a climate of stability and promoting good-neighbourly relations, which are fundamental to the success of development efforts on the continent.

V. Article 24 - The right of peoples to a healthy environment

In the same way as certain rights and freedoms, a value such as the environment has been constitutionalized through Article 25 paragraph 1 and 2 which became Article 25-2 with Law No. 2016-10 of 5 April 2016 revising the Constitution, reinforced by reference in its preamble, to the African Charter on Human and Peoples' Rights, Article 24 of which enshrines the right to a healthy environment for peoples. In the same vein,

the Environmental Code also provides for general principles of environmental management.

This Code, adopted on 15 January 2001, takes into account the enhancement of international standards and principles subscribed to in respect of the national environmental protection policy.

On June 29, 2022, Senegal examined and adopted a draft law on the new Environment Code.

In addition to these texts, other legal instruments regulate the environment and natural resources, the most significant of which are:

- the new Forestry Code adopted by the National Assembly on Friday, 2 November, 2018, through the Law on the Forestry Code of Senegal. This code better defines the concept of timber trafficking by adding the notion of sponsor and a new indictment, criminal association. The penalties for timber traffickers will now increase from four to ten years with monetary penalties of up to 30 million CFA francs "
- Law No. 2016-32 of 8 November 2016 on the mining code and its implementing decree;
- Law No. 2015-09 of 4 May 2015 on the prohibition of the use of plastic waste.

In addition to these texts, there are various bodies and commissions operating at different levels of the State administration and decentralised services (local authorities, public enterprises, etc.). For example:

- Economic, Social and Environmental Council,
- High Water Council,
- Supreme Council for Natural Resources and the Environment,
- Environmental Directorate.

D. SPECIAL CASES OF THE PROTECTION OF WOMEN'S RIGHTS

I. Articles 2,3,13, 15, 16 and 18 of the African Charter and the Protocol relating to the Rights of Women

a) The positive evolution of the normative protection framework,

1. Improving the status of women in the Constitution ;

Several provisions of the Constitution reinforce the equal enjoyment of women's rights, including

- Equality between the two sexes, particularly in access to mandates and elective offices (Articles 1 and 7),
- The right to education, literacy, work, health and a healthy environment (Article 8),
- The right to have access to the possession and ownership of land (Article 15, paragraph 2) - The right to the alleviation of the living conditions of rural women (Article 17),
- Prohibition of forced marriage (Article 18),
- The right of a married woman to have her own property like her husband and to manage her property personally (Article 19),
- The right of children of both sexes to have access to school (Article 22, paragraph 2),
- Prohibition of discrimination between men and women in respect of employment, wages and taxes (Article 25, paragraph 2).

2. Efforts to harmonize legislation with international commitments

In order to give substance to women's rights and freedoms in accordance with international, regional and sub-regional commitments and to strengthen their guarantees, the following texts have been adopted

- Law No. 2015-15 of 16 July 2015 authorizing the President of the Republic to ratify ILO Convention No. 183 on Maternity Protection;
- Law No. 2016-32 of 8 November 2016 on the Mining Code in its Article 109 which states that "The holders of mining titles and their subcontractors are required to

- promote equal employment opportunities for women and men in the workplace;
- ensure pay equity between female and male employees with equal qualifications;

Decree No. 2017-313 of 15 February, 2017 instituting gender cells at the level of the General Secretariats of Ministries;

- Law No. 2020-05 of 10 January 2020, which criminalizes acts of rape and paedophilia.
- Law on parity domesticated under Law No. 2018-22 of 4 July 2018 revising the Electoral Code;
- Law No. 2022-02 supplementing certain provisions of Law No. 97-17 of 1 December 1997 on the Labour Code and on the protection of pregnant women,
- Law No. 2022-03 revising and supplementing certain provisions of Law No. 97-17 of 1st December 1997 on the Labour Code relating to non-discrimination in the workplace,
- Decree No. 2021-1469 of 3rd November, 2021 relating to the work of pregnant women;
- Circular No. 09-89 of June 5, 2018, toby the eliminate barriers impeding access to land by women.

b) Policies initiated by the State to strengthen women's rights

- The Government has initiated technical, managerial and financial capacity-building programmes to raise the level of women's participation in public spheres and decision-making bodies.
 - The implementation of the National Strategy for Gender Equity and Equality SNEEG 2 (2016-2026) which has the vision of contributing to the Senegal emergence by 2035 with a society based on solidarity, in a State governed by the rule of law and without discrimination, where men and women will have the same opportunities to participate in the development process and to enjoy the benefits of its growth;

- The adoption of the 2nd National Action Plan for the implementation of the United Nations Security Council Resolution 1325 (2021-2025),
- The implementation of the Support Project to the National Strategy for Gender Equity and Equality (PASNEEG II 2020-2023), which has the overall objective of contributing to the achievement of MDG 5 through the reduction of gender inequalities in Senegal, in accordance with national policies guidelines, in particular the PSE and the SNEEG II,
- the institutionalization of gender in public administrations, which has made significant progress with the creation of Gender and Equity Units, the proportion of which has risen from 78.12% in 2019 to 90.62% in 2020, thus facilitating the taking into account of gender in the administrations with a view to correcting inequalities;
- the Support Project for the System for the Development, Monitoring and Evaluation of Gender-Sensitive Public Policies (PASEMEPP 2018-2021), the objective of which is to contribute to the achievement of MDG5. The PASEMEPP has enabled the experimentation of the Women's Empowerment Index (IAF) at the level of the Ministry of Agriculture and Rural Infrastructure and at the Ministry of Employment, Vocational Training, Apprenticeship and Integration;
- The Literacy and Trade Apprenticeship Programme for Poverty Alleviation (PALAM 2017-2021), the objective of which is to contribute to poverty reduction among rural populations and women, primarily through access to the skills-based functional literacy,
- The deployment of a programme to disseminate the report on texts that discriminate against women to women parliamentarians (2nd and 3rd legislatures), public authorities and civil society organisations,
- The women's digital entrepreneurship development programme, which aims to contribute to the economic and financial autonomy of

women entrepreneurs through information and communication technologies (ICT),

- The Emergency Community Development Programme (PUDC), which aims to contribute to improving rural populations' access to basic social services through the establishment of socio-economic infrastructure. Its objective is to transform the living conditions of the population and to fight against social inequalities,

- The National Action Plan for the Eradication of Gender-Based Violence and the Promotion of Human Rights (2017 - 2021),

+the adoption of the National Strategy for Women's Economic Empowerment for a temporary timeframe (2020 -2035);

- The operationalization of the National Strategy for the Digital Economy (2016-2025), has contributed to the development of the digital economy.
- The "Senegal Girl" Agenda (2022-2025);
- The National Action Plan for the Elimination of Child Marriage 2022-2025;
- The National FGM Strategy 2022-2030 and its Action Plan for the elimination of female circumcision (2022-2026).
- The design of the National Health Development Plan (PNDS) for the reduction of maternal and infant morbidity and mortality (2018-2023),
- The National Family Planning Strategy Implementation (2016-2020);
- The existence of a National Platform for the reintegration of women victims of fistula since 2016 with a goal of zero cases by 2030;
- The National Strategy for the "Ecole des Maris" (EDM 2020-2025).

PART THREE: ELEMENTS OF RESPONSE TO THE FINAL COMMENTS OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLE'S RIGHTS ON THE ACHPR

- ***On the ratification of the Kampala Convention, the African Charter on Democracy, Elections and Governance and the acceleration and harmonization of national legislation with the requirements of the Maputo Protocol***

The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) was signed on July 12, 2011 but has not yet been ratified by Senegal, however advocacy continues to bring our country to go in this direction.

Similarly, the African Charter on Democracy, Elections and Governance was signed by Senegal on 15 December 2008 but has not yet been ratified.

With regard to the harmonization of Senegalese legislation with the provisions of the Maputo Protocol, the Ministry of Justice, in collaboration with the Ministry of Women, the Family, Gender and Child Protection, under the project to support the national strategy for gender equity and equality (PASNEEG), had begun a process of reviewing national legislation in order to eliminate laws and regulations that discriminate against women and to harmonize domestic legislation with the provisions of international and regional legal texts. To this end, a technical committee on the review of legislative and regulatory provisions that discriminate against women has been established under the authority of the Minister of Justice. This Technical Committee, which includes members of civil society in addition to the sectoral ministries, was set up pursuant to Order No. 00936 of 27 January 2016. The work of the said committee has made it possible to revisit all provisions that do not comply with Senegal's commitments in terms of the protection of women's rights. It proposed reforms of certain provisions, in particular Article 305, paragraph 1, of the Criminal Code, ***which states: "Anyone who, by means of food, drink, trickery, manoeuvring, violence or any other means, procures or attempts to procure an abortion for a pregnant woman, whether or not she has consented to it, shall be punished by imprisonment for a period of one to five years and a fine of 20,000 to 100,000 francs."***

The Committee proposed adding the following subparagraph to enable Senegal to comply with its commitments under the Maputo Protocol: ***"However, there shall be no offence if there is a recourse to a medical abortion when the pregnancy***

is the result of sexual assault, rape, incest or when it endangers the mental or physical health of the mother or the life of the mother or the foetus.

- ***On the adoption of the bill on the status of refugees and stateless persons***

In order to provide better protection for refugees and stateless persons, Law No. 2022-01 of 14 April 2022 on the status of refugees and stateless persons was unanimously adopted by the National Assembly. This Law, which repealed Law No. 68-027 of 24 July 1968 on the status of refugees, contains important innovations designed to bring the refugee regime into line with the 1951 Convention, including

- the creation of a National Commission for the Management of Refugees and Stateless Persons (CNGRA) whose role is to provide legal and administrative protection to asylum seekers, refugees and stateless persons;
- the protection of applicants for refugee status who could not be subject to criminal prosecution by entering the national territory without authorization, provided that they present themselves within a reasonable time to the authorities responsible for refugees;
- the admission of refugees to the benefit of family reunification with the possibility for their family members to also benefit from refugee status;
- the prohibition of expulsion or return of the refugee to the borders of a territory where his life would be threatened;
- the benefit of the educational assistance provided for in the Code of Criminal Procedure for minors applying for refugee status and their placement under the protection of the National Commission for the Management of Refugees and Stateless Persons.
- the establishment of an administrative body to ensure the efficient legal and administrative protection of refugees and stateless persons,
- the status of stateless persons;
- the recognition and establishment of a right of appeal against decisions to grant or reject refugee or stateless status;
- the enshrinement of the right to family reunification if one of the members has been granted asylum.

- ***With regard to taking the necessary measures to enable the Senegalese Human Rights Commission obtain “A” status in accordance with the Paris Principles***

To enable the CSDH to regain its “A” status, the State of Senegal has taken important steps, including:

- ✓ The draft law on the reform of the CSDH submitted to the SGG and awaiting adoption;
 - ✓ The budget increase, initially of 36 million CFA francs, to 50 million in 2014 and 100 million in 2021,
 - ✓ The provision of a new functional and adapted headquarters,
 - ✓ Partial resolution of the human resources deficit and their status by regularizing the permanent staff and strengthening the technical team and support staff.
- ***On the acceleration of the procedure of adaptation and promulgation of laws***

revising the family code and other reforms currently being adopted

In addition to the Technical Committee on the Review of Legislative and Regulatory Provisions that Discriminate against Women, which has completed its report, it should be noted that the project to review the provisions relating to children's and women's rights is part of the overall reform of the Family Code, which is still in progress.

- ***On the finalization, modernization and generalization of the management of the civil status registry.***

The process of modernizing the civil registry is taking shape with the support programme for strengthening the civil registry information system and consolidating the national biometric identity file, financed by the European Union (EU). The Ministry of Local Government, in collaboration with other partners, is improving the operation of civil registry centres by providing birth registration tools, building the capacity of the various civil registry actors and setting up data collection systems to obtain the relevant statistics.

It also established the National Centre for Civil Status as a Directorate of Civil Status (DEC) in 2018. The initial declaration is free of charge from birth to one year of age, but beyond that, the procedure may generate fees. The continuous DHS-2018 reveals an increase in the percentage of registered births (77% compared to 68% in 2015) and of children with birth certificates (68% as against 52%). The number of births registered is higher in urban areas (91%) than in rural areas (68%). Civil registration is a competence transferred to the communes, but the central level supports the centres with equipment and training.

The MFFGPE, through the PIPADHS, intends to facilitate the registration of 606,000 children aged 0-5 years in the Civil Registry during these 5 years of implementation (2019-2024). To this end, 135,000 printed birth certificates, 1,500 registers and 24,200

notebooks were distributed to civil registry centres, village chiefs and neighbourhood delegates in 151 communes in four regions. Civil registrars, village chiefs (504) and neighbourhood delegates (3,470) have been trained in the use of these tools.

The MSAS and the Ministry of Local Authorities developed, in 2019, a standardized National Guide for the installation and operation of "Civil Status-Health Centres" (CECS), revised the tools used for their publication and distribution at the health facilities. Thus, there is a health-civil status interoperability component to bring the service offer closer in some areas.

In 2018, a national communication campaign, supported by UNICEF, resulted in the

dissemination of communication materials and broadcast radio and TV adverts to improve people's knowledge of the importance of civil registration procedures. Awareness-raising campaigns have also been carried out on the importance and procedures for registering births (image box), mobile courts (especially in peri-urban and rural areas), and the extension of the time limit for declaring births from 0 to 12 months to enable children to be registered with the civil registry. Actions carried out with civil society made it possible, in 2019, to register 557 pupils (from CI to CM2) in families and schools and to obtain the birth certificates of 102 pupils. An awareness-raising programme is being conducted with local elected officials and local administrative authorities to address this crucial issue. Furthermore, the DEC has launched the Rapidpro civil status application, a platform for collecting

and transmitting data on birth registration in the Kolda region. The Ministry of National Education (MEN) is developing, in conjunction with stakeholders (the Directorate of Civil Status, mayors, parents of pupils and NGOs), a strategy for taking care of children without birth certificates that has resulted in the registration of 14,813 CM2 pupils in 2019-2020.

The process of modernizing civil status is continuing with the adoption by Senegal of the National Civil Status Strategy (SNEC) for the implementation of the modernization programme known as "Nékkal". This document was validated on 27 June 2022. Financed by the European Union to the tune of 18 billion francs for a period of 42 months, the process of developing this strategy was launched on 7 May 2021. Senegal is at 29% of digitization of its civil status system thanks to this strategy

In addition to the national census, combined with the general population census planned for 2023, Senegal will have quality population statistics. Furthermore, the National Centre for Civil Status has been transformed into a Directorate for Civil Status (DEC).

- ***On implementing measures to ensure that all people benefit sustainably and equitably from the availability and accessibility of ARVs and other effective medicines for HIV and related infections and conditions.***

Senegal has developed the fourth national strategic plan to combat AIDS for the period 2018-2022, a document that sets out the framework for facilitating access for all Senegalese to prevention, treatment, care and support services with the aim of ending the AIDS epidemic by 2030.

Considerable efforts have been made by the actors to achieve these results, which however, need to be improved. The results obtained are very satisfactory with the proportion of pregnant women screened increasing from 51% to 76% between 2017 and 2018. The proportion of HIV-positive pregnant women who received ARVs increased from 53% to 64%. However, efforts still need to be made on the early diagnosis of children and putting them on prophylaxis.

A total of 26,625 patients (male and female) were regularly monitored in 2018, of which 24,0464 were on ARV treatment. The majority were patients over 15 years

of age, thus representing 94.8% of the active file under ARV; and only 1% of regularly monitored patients were not put on ARV treatment.

Free antiretroviral treatment for women and men living with HIV

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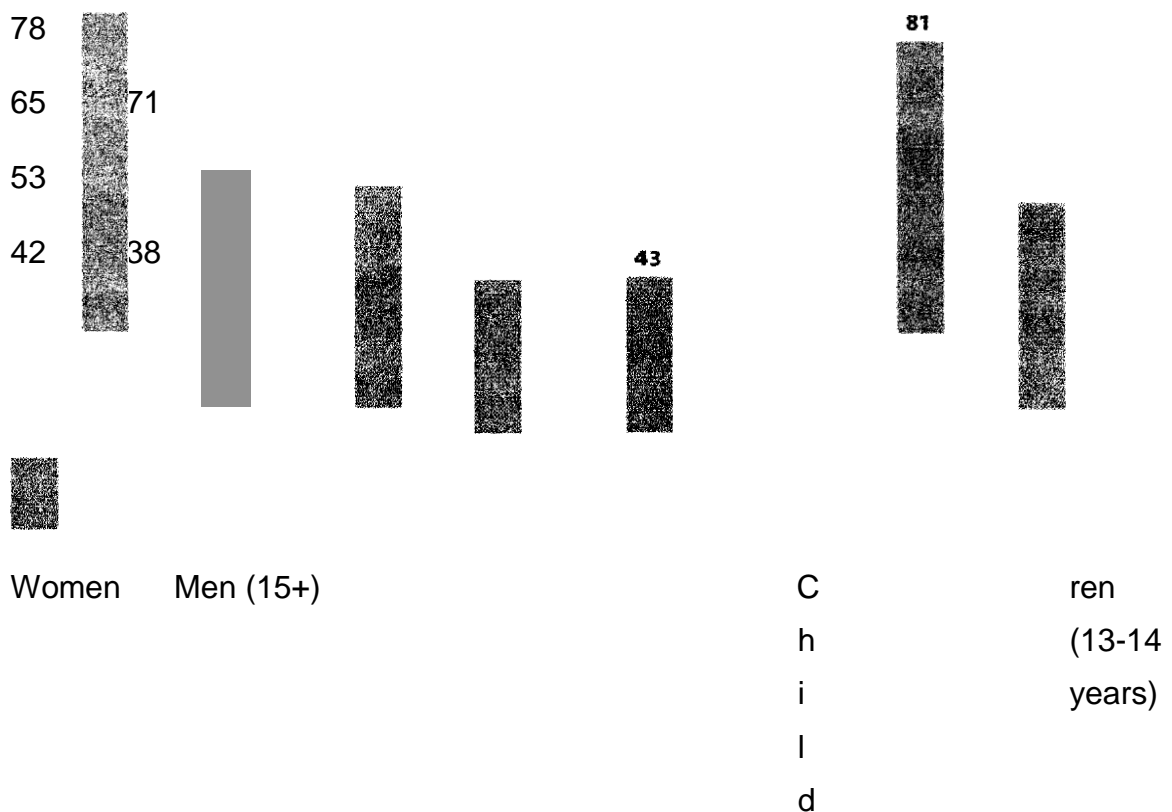
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ART active file

The number of patients regularly monitored on ARVs has been steadily increasing from 13,716 in 2013 to 30,431 in 2020. ARV coverage has changed significantly during the 2013-2019 period, rising from 31.2% to 71.0%.

Of the estimated 39,400 people living with HIV (PLHIV), a total of 30,431 or 77.2% were regularly monitored and on ARV treatment in 2020.

Results in 2019 from the "90-90-90" perspective, show that about 81.0% of all PLHIV were diagnosed, 87.0% of them received ART and 81.0% of those on ART had suppressed their viral load. In 2020, about 87% were diagnosed, 89% received ART and 84% of those on ART had suppressed their viral load.



Set

% PLHIV who are able to change their status ARV coverage
% PLHIV with suppressed VL

Management by gender and age

Disaggregated analysis of the care cascade by gender and age for the year 2019, shows higher coverage for women than for men. This same

trend is observed in HIV diagnosis and viral suppression. Men and children are less likely to use HIV testing and treatment.

(Sources: CNLS Annual Report 2019, 2020)

- Prevention of Mother-to-Child Transmission (PMTCT)

Results from the implementation of the Accelerated Plan for the Elimination of Mother-to-Child Transmission of HIV (ETME), which began in 2018, show an increase in the proportion of pregnant women screened from 76 per cent in 2018, 81 per cent in 2019 and 83.4 per cent in 2020,

Coverage of HIV-positive pregnant women who received ARVs increased from 64

per cent to 74 per cent during the same period. Early diagnosis and initiation of ARV prophylaxis for children have increased, but more needs to be done to reach the targets.

The progress noted in PMTCT is significant but still falls short of the target of eliminating mother-to-child transmission of HIV. An acceleration plan will be implemented by the AIDS Division of the Ministry of Health and Social Action and community organizations to close the gaps.

Evolution of PMTCT indicators 2018-2020

INDICATORS						
Number of pregnant women tested for HIV who received their results						
Number of HIV-positive pregnant women who received ARVs to reduce mother-to-child transmission						
Number of children born to HIV-positive women receiving ARV prophylaxis for MTCT reduction						

(Sources: CNLS 2020 Annual Report)

On setting up a system similar to the "equal opportunities card" for people with disabilities and to combat poverty among older people

The Equal Opportunity Card Programme specifically targets people with disabilities. As part of the implementation of the card's benefits, the presidential directive of April 30, 2015 promoted the linkage of the Equal Opportunity Card with social safety net programmes related to Universal Health Coverage (CMU) and Family Security Scholarships. Thus, between 2014 and 2020, 64,728 people with disabilities are beneficiaries of CECs. Of this number, 21,975 were enrolled in mutual health insurance schemes, 25,507 obtained Family Security Grants and 633 have free access to the Dakar and Senegal "dem dikk" public transport network. Furthermore, access to essential services for persons with disabilities has also been facilitated through the implementation of the National Action Plan on Disability 2017-2021. These initiatives are complemented by the allocation of relief to certain categories of indigent persons by the DGAS as part of an inclusive approach.

In addition to these programmes, the Government has built and equipped four social rehabilitation centres (CRS) for the specialized care for persons with disabilities, including children. These are

1. The CRS in Bambey in the Diourbel region, which specializes in socio-economic rehabilitation, has targeted professional training for persons with disabilities,
2. The CRS of Kaolack, specialized in the medical and social rehabilitation of persons with mental illnesses,
3. The CRS of Bignona in the Ziguinchor region for the intellectually disabled
4. The Darou Mousty CRS in the Louga region is for social misfits and drug users.

Furthermore, Social Action is structured into programmes to combat poverty in vulnerable groups, including the elderly, who benefit from the

Support Programme for the Development of Older Persons (PAPA). The objective of this programme is to:

- ensure the socio-economic development of older persons;
- to strengthen the managerial capacities of older persons;

- to value the experience and expertise of older persons in society;
- to improve knowledge of aging.
- ***On strengthening the implementation of public health policies for low-income families and increasing the number of health infrastructural facilities and health care personnel while ensuring their equitable distribution throughout the country***

In this regard, the State has taken important measures in various areas, including policy, human resources, infrastructure, equipment and logistics. These measures are as follows:

- Policy measures: free caesarean sections, promotion of membership in mutual health insurance funds to improve women's access to health facilities, integrated supervision and training of providers, implementation of the response plan in vulnerable regions (Louga, Matam, Diourbel, Tambacounda and Saint Louis), refocused ANC, monitoring of EmONCs, the SAFI strategy (itinerant midwifery strategy), and implementation of free-style (humanized) deliveries in certain regions;
- Human resources: the winning couplet (ICP+SFE in each health post), itinerant midwives;

Recruitment of health care personnel between 2017 and 2020

- Doctors 485
 - Dental surgeons: 70
 - nurses: 448
 - State midwives: 434
 - Nursing assistants: 430
 - Nursing Auxiliaries, 119
 - Equipment: reinforcement of surgical blocks, improvement of the availability of inputs, setting up of flowcharts, therapeutic technical sheets;
- "Infrastructure: the construction of new maternity wards and operating theatres,
- Logistics: provision of ambulances within the health facilities;

- Awareness-raising: This was done through the '*Mooytu ne/*' campaign, essentially awareness-raising with the '*Badjjenu Goo*': for the promotion of reproductive health, in particular spacing of birth, and the setting up of adolescent care sections.

- *Jegesi naa'¥eksi naa* **strategy**: it contributes to the availability of family planning drugs and products within the framework of the objectives of the Ouagadougou Partnership for FP.
- **Contribution** of NGOs like Marie Stopes International with advanced communication strategies and provision of FP methods.
- **Public supply of health care services (health structures)**

This offer is made through several types of structures, including

1. The Public Health Establishments (PHEs) which are forty in number (40) of which 36 hospital and 4 non-hospital.

The hospital PHEs are structured at three levels: (i) Level 1 PHCs, of which there are ten (10), (ii) Level 2 PHEs, which have increased from 15 to 18 with the inauguration in 2021 of the PHEs of Kédougou, Sédhiou and Kaffrine, and (iii) Level 3 PHEs, of which there are twelve (12), with the new construction of a Level 3 hospital PHE in the region of Diourbel, precisely in Touba.

2. The Health Districts

Senegal is divided into 79 health districts comprising

- 103 health centres,
- 1,415 health posts including 2,676 health huts.

With regard to the equitable distribution of public health policies throughout the country, the Ministry of Health and Social Action has a Health and Social Map Unit, a Digital Health Unit and a Health Observatory (Decree No. 7 of 2006).

— The Ministry of Health and Social Action is responsible for the coordination and management of the health and social map. This health map is a tool for regulation, planning and monitoring for an equitable spatial distribution of health services. It ensures that the supply of health care is in line with the needs and demands of the population. As such, it constitutes the basis of the policy of territorial equity in terms of access to health care. It contributes to the operationalization of the National Health Financing Strategy, the National Development Plan, and the National Health Plan.

by proposing improvements in the geographic accessibility of populations to a quality service offer, and also helps to:

- Define the imperative standards for the establishment of new health structures, the creation of services and/or units, the delivery of service packages, the provision of equipment, human resources and infrastructure (wards, operating theatres);
 - Establish and monitor current and projected needs for health structures, by human resources, equipment and health infrastructure;
 - Establish the health map development plan as the main reference framework for investments in health care provision (health structures and infrastructure, human resources and health equipment);
 - Organize the national landscape into functional homogeneous health territories (health division) in order to increase the level of geographical access.
- ***On adoption of appropriate measures to extend free health care to children under 5 years of age and to pregnant women for other diseases than HIV/AIDS, in order to reduce the maternal and infant mortality rate.***

The vision of the health policy is built around the principle of a Senegal where all individuals, all households and all communities have universal access to quality promotional, preventive and curative health services without any form of exclusion.

Universal access to health services and facilities and promotion of the right of women and children to health care are taken into account in the CMU. In this context, key actions focus on the development of basic health insurance through mutual health insurance schemes and the strengthening of free-of-charge initiatives with a view to achieving the defined objectives.

The initiatives to provide free care for children under five and Caesarean sections in public health facilities contribute considerably to the improvement of health of these target groups and to reduce household health expenditures. Free Caesarean sections are guaranteed in all regions of Senegal. With regard to the fight against maternal and infant mortality, many measures have been taken to ensure that pregnant women have access to health services. These include improving the quality of care, strengthening the infrastructure and equipment of health facilities, increasing the number of quality human resources and improving the availability of products of vital importance to the health of mothers and children.

Furthermore, it should be noted that the universal health coverage programme initiated by the Government of Senegal does not only cover malaria but a whole range of prevention, consultation, care and hospitalization services.

- ***On protecting women's reproductive health and their access to adequate and affordable health services***

The Government of Senegal has made maternal, new born, child and adolescent/youth health a priority. As such, an integrated strategic plan SRMNIA 2016- 2020, an investment file for the improvement of Maternal and Child Health (MCH) and an Emergency Plan for Maternal and New-born Health have been developed.

Pillar 5 of this strategic plan, one of whose targets is HIV, includes a component that deals with strengthening the availability of quality, low-cost MNCHI products and equipment at service delivery points.

Other efforts have been made through the following:

- Bajenu Gox programme, which aims to improve access to, demand for, and utilization of health services;
- Improved communication/advocacy to mobilize authorities and communities in support of the SRMNIA;
- improved governance at all levels.

Efforts have also been made to ensure access to safe contraceptive methods, education, information on contraception and sexual and reproductive health throughout the country.

These include:

- The YEKSINA strategy, which consists of taking contraceptives to the last kilometre of the health post and making contraceptive products available to the population,
- the implementation of the Family Planning (FP) communication plan

with topics on early antenatal care, skilled birth attendance and use of postnatal care services;

- Training of FP personnel (IUD PP, DMPA s/c...), supply of contraceptives at community level;
- of contraceptive supply in the private sector.

There are also initiatives to strengthen the quality of care, including

- o antenatal consultations refocused on the needs of the woman,
- o humanized childbirth;
- o Midwifery Outreach Initiative;
- o Establishment of a network of reference maternity hospitals for emergency obstetrical and neonatal care (EONC);
- o Availability of Maternity and Neonatal Care at home;
- o Maternal and Neonatal Deaths Surveillance and Response (MNDS).

- ***On the applicability of laws relating to violence against women, including domestic violence, and ensuring that perpetrators are brought before the competent courts***

Senegalese law, particularly the Criminal Code, contains relevant provisions that protect women in particular against all forms of violence.

For example, Articles 294, paragraph 2, 299 bis, 319, 320, 320 bis, 323 and 350, which punish, respectively, violence and assault on women, female genital mutilation, sexual harassment, rape, indecent assault, paedophilia, procuring,

and abandoning a pregnant woman for more than two months without serious reason.

Law No. 2005-06 of 10 May 2005 also severely punishes sexual exploitation, forced labour or services, slavery, practices similar to slavery and servitude, particularly when these acts are linked to an abuse of authority or a situation of vulnerability, which naturally includes female domestic servants (Article 1).

The Government of Senegal has regularly strengthened the capacity of actors in the judicial chain through the Ministry of Women, the Family, Gender and Child Protection:

- The development and implementation of a strategy to disseminate the law criminalizing rape and paedophilia and its translation into 14 languages. In partnership with the AJS within the framework of PASNEEG in 2020, the Ministry supports the provision of judicial, legal and psycho-social services to GBV victims through law shops. To this effect, 3,253 consultations were recorded by four AJS shops.
- the creation of reception and care centres for women victims of violence

violence.

In the same vein, the Ministry of the Armed Forces, in partnership with the AJS, through the rights shops, is conducting training and awareness-raising activities for student gendarmes.

— In general, CSOs are involved in efforts to strengthen the applicability of standards in this area with initiatives from structures such as the "Siggil djigueen"

Furthermore, it should be emphasized that the prosecution of violence against women may be initiated on the basis of a complaint or a denunciation. Withdrawal of the complaint, let alone the withdrawal of the prosecution, does not constitute an end to the prosecution. In most cases, the trial courts are prohibited from suspending the execution of the sentence, which is an excellent guarantee of the applicability of the criminal laws concerned.

- ***On strengthening the operational and institutional capacities of structures responsible for combating female genital mutilation***

The Ministry of Women, Family, Gender and Child Protection is the authority responsible for combating FGM in Senegal, and coordination is ensured by the National Technical Committee to Combat FGM (composed of representatives of the Ministry of Women, Family, Gender and Child Protection).

The goal was to eradicate FGM in Senegal by 2015, with the support of the government, strategic partners such as international and national non-governmental organizations, and technical and financial partners such as UNICEF, UNFPA and USAID.) The goal was to eradicate FGM in Senegal by 2015. In 2009, in partnership with the Government, a second National Action Plan (NAP) was launched, for the period 2010-2015. The NAP included a budget for activities to popularize national legislation, including training and awareness-raising.

Additionally, policy documents and action plans on FGM have been drawn up and are being implemented. These include the National Strategy for the Abandonment of FGM (2022-2030) and the third national action plan based on this strategy.

- ***On the valorisation of women in the informal sector***

Senegal now aims to achieve a structural transformation of its economy in order to promote sustainable and inclusive growth and to provide decent jobs to all persons including women. In this regard, the economic and social policy framework document, the Senegal Emerging Plan (PSE), identifies the informal sector as one of the major constraints that must be removed in order to build a fabric of formal businesses and modernize the economy.

In this context, the Plan Sénégal Émergent promotes a smooth transition to a formal economy. The second PAP2A action plan of the PSE thus aims at strengthening the formalization of the economy through strong actions in favour of the handicraft, trade, micro-tourism and transport sectors as well as access to decent work for all workers whether they are in the formal or informal sector, in formal or informal employment.

Sectoral ministries are working to operationalize the national policy in

the relevant area. These include:

The Ministry of Women's Affairs has put in place measures and mechanisms to mitigate the shock of the Covid situation. The following measures have been taken:

- Purchase of all rice stocks from women farmers in the north (23 tonnes), the local granaries (102 tonnes),
- Livelihood grants to 10,566 women in vulnerable situation (women, head of household economically vulnerable women, women living with HIV/AIDS, women victims of GBV, women suffering from chronic diseases, displaced women victims of mines, widows, women in prison, women affected by obstetric fistula
- Support to 890 women working in the informal sector in high-prevalence areas (Dakar, Thiès, Mbacké) at the rate of 500,000 CFA francs, 50% of which is non-refundable
- 110 women from the fishing quays of Soumbédioune, Yoff, Hann, Ndéppé, Bargny, Yenne and Mbour, and 890 women market vendors (14 markets) received a subsidy of 250,000 CFA francs each
- Under the heading of technical, productive and managerial capacity building, 2,237 women and girls have been trained in agri-food, livestock, fishing, handicrafts, audio-visual, information technology, managerial management, etc.

In terms of allocations, the following pieces of equipment have been awarded:

- 22 production, processing and storage units for local products;
- 7 computers with software, 27 Good Hygiene Practices (GHP) kits, 15 mobile labs, 35 solar

equipment for 9 women's businesses, 8 solar freezers and 20 solar refill kits, 60 small agro-food processing materials to promote women's digital entrepreneurship;

- 460 pieces of production equipment acquired;
- In addition, the implementation of the Project for the Development of Industrial Units for the Processing of Agricultural Products, with a budget of 500,000,000 CFA francs, has made it possible to acquire more important production and processing equipment for local products.

With regard to the infrastructure of community-based agricultural value chains, the following constructions are being carried out:

- 3 cereal product processing units for a total amount of 173,607,750 CFA francs in Bokidiawe, Matam and Orkadiere, with those of Matam and Bokidiawe inaugurated;
- 3 storage warehouses at a total cost of 101,982,762 CFA francs in Gaé, Diama and Médina Ndiathbé,

3 rice mill complexes costing 344,818,500 CFA francs in Médina Ndiathbé, Niandane and Agnam, of which those in Médina Ndiathbé and Agnam have been completed

- 1 onion grouping centre in Dembanané for an amount of 182,291,100 CFA francs which is at 90% completion.
- Construction work on an onion grouping centre in Léona, costing 182,291,100 CFA francs, and on a commercial centre for agricultural products and a local cereal processing unit, costing 111,865,400 CFA francs, is continuing in the Louga commune.

The ILO is supporting this formalisation process undertaken by Senegal through various initiatives, including awareness-raising sessions on the transition framework provided by ILO Recommendation 204 (2015), popularization of the SME Development Law, a study on gender inequalities in the informal economy and support for the formalisation of the economic activities of women tanners in Guédiawaye. In 2017, the ILO undertook a mapping of the informal economy and a quantitative diagnosis of the enterprises and jobs involved within 8 families among the informal economic units.

- ***On the adoption of legislative and other measures to promote the reduction of unemployment, particularly among women and young people".***

In response to this recommendation, the government's achievements include

- Law No. 2015-01 of 6 January 2015 on the orientation law of vocational and technical training, which makes training and qualification of human resources a priority in public policies. Having educational, integration and economic and social development purposes, vocational and technical training (VTT) contributes in particular to the social and professional advancement of the youth and women.
- The National Convention State Employer (CNEE), adopted to ensure an active and regular promotion of employment on the market, operates through the signing of 3,573 internship and apprenticeship contracts for a period of six months to two years and 39 companies signatories of partnership agreements over the period from 1 January 2018 to 31 March 2019.

The Delegation for Rapid Entrepreneurship (DER), with a line of credit dedicated exclusively to women and youth, promotes youth employment through

- Decree No. 2021-172 of 27 January 2021 establishing and laying down the rules for the organisation and operation of the National Council for the Integration and Employment of Young People (CNIEJ). This body, which is chaired by the President of the Republic, is responsible for coordinating, monitoring and evaluating policies on youth employment and integration. A standing committee for monitoring employment and vocational integration policies has been set up within the CNIEJ to implement and monitor the Council's guidelines.
- Decree No. 2021-675 of 25 May 2021 establishing the Employment and Entrepreneurship Centres for Young People and Women (PEEJF) in the departments. These are one-stop shops for guidance, support and information on employment, integration, training, supervision, entrepreneurship and obtaining financing. These platforms for pooling support and supervision structures for young people are currently being finalized.

In addition to these legislative and regulatory measures, the National Strategy for Professional Integration (SNIP) has been validated. With a view to contributing to a significant reduction in unemployment and poverty, FPT and employment development projects have also been initiated

"The project aims to strengthen the Technical Education and Vocational Training system for good quality and more relevant training in order to improve the employment prospects of the youth in the selected priority sectors of the economy. In terms of targets, the project has planned to train 3,500 youths in the three sectors of horticulture, poultry farming and tourism and 10,000 youths in specialty certificates (SC).

- Non-Formal Youth Apprenticeship Employability Project (PEJA), whose objective is to strengthen the apprenticeship system and improve the employability of selected apprentices. This project targets 8,000 workshops in 12 trades in the 18 programme intervention areas.

- School-Business Training Project (PF2E) which aims to promote the professional development, employability and integration of young people through the involvement of companies in the installation and acquisition of skills. It targets at least 25,000 youth over a period of five (5) years using the dual training model.
- Youth Skills Development and Entrepreneurship Support Project in promising sectors (PDCEJ), whose objective is to contribute to growth and employment through the improvement of the quality of the workforce, the competitiveness of companies and youth entrepreneurship in the promising sectors of industry and agriculture. Ultimately, the project will make it possible to:
 - Upgrade 250 companies;
 - Train 2,000 young people in oil and gas-related occupations;
 - Implement an incubation programme for 3000 young people;
 - Build/rehabilitate and equip 3 training centres for oil and gas, leather and agribusiness
 - Ensure the financing of the business plans of 250 companies and 700 start-ups (credit line of 2 billion CFA francs).
- The Vocational and Technical Training and Employability Project SEN 032 of the Senegal-Luxembourg Indicative Cooperation Programme (ICP) IV contributes, in the area of operational concentration, to the achievement of Sustainable Development Goal No. 4 "to ensure equitable, inclusive and quality education and lifelong learning opportunities for all", and indirectly to the achievement of Sustainable Development Goal No. 8 "to promote sustained, shared and sustainable economic growth, full and productive employment and decent work for all".
- The Youth and Women's Employment Development Support Project (PAPEJF) 2014-2019, was intended which aimed to generate 15,000 jobs for women and youth. The objective of this project is to promote the emergence of micro, small and medium enterprises;

- The National Microfinance Fund (FONAMIF), which aims to support the microfinance and SSE sector by setting up financing and mentoring arrangements to facilitate entrepreneurship and micro-entrepreneurs, social and solidarity enterprises, access to financing, to information and technical and financial support of the SFD for the benefit of young people, women and particularly vulnerable populations;

- On continuing efforts to ensure free and compulsory primary education, especially for girls and children under 15, and the inclusion of human rights in the curriculum

Education in Senegal has been elevated to the priority scale for the building of an inclusive and quality education system. That is why, in line with achieving the MDG 4 targets, our country has put in place a holistic **strategy** for the promotion of education in general, and girls' education in particular.

This strategy takes a comprehensive and integrated view of the social, cultural, economic and educational factors related to the access and retention of girls and boys in school.

For the implementation of this strategy, actions are planned according to a collegial approach involving institutional education actors, civil society, technical partners and grassroots communities in the development of programmes at all levels.

This approach has brought Senegal convincing results with a gross enrolment rate (GER) of 91.2 per cent for girls and a parity index of 1.14 in favour of girls.

These positive trends in attendance are also noted in the academic performance of girls, with a success rate of over 70% in all school examinations. We also note a strong push of young girls in the general competition with the designation of girls as best students in recent years.

These results are the outcome of **actions and measures implemented** with the support and guidance of all our partners (Technical Partners, Civil Society and communities).

Actions to promote quality education for girls include:

- Institutionalization of gender through the creation of gender offices in the decentralized structures and a Gender and Equity Unit at the Ministry level;
- The introduction of social and health measures: allowances for girls from disadvantaged families, support for Associations of School Mothers, provision of uniforms, school materials and hygiene kits;
- The creation of institutions of excellence for young girls;
- Support for girls' access to science courses (Miss Mathematics/ Miss Science);
- The revision of construction standards for school buildings, taking into account the specificity of girls and people with disabilities, and ;
- Increase the representation of women in positions of responsibility in the education sector (based on a quota).

Between 2018 and 2022 Several interventions are being carried out in the education system to strengthen student performance on the one hand, and to establish a system of capitalization of the achievements of projects (ALMA, USAID Gateways, MOHEIBS, PASEB, Faire l'Ecole, PAQEEB, PADES, PNEBJA), in addition to the State's investment. In this connection, substantial funds are being invested to overcome the various obstacles to access and retention of pupils.

Thus, the PAQUET-EF in its 2nd phase 2018 - 2030 seeks to strengthen:

- accessibility of education and training opportunities for all people,
- the adaptability of the system to the different needs and contexts of the learners;
- adequate resourcing in response to actual needs.

In terms of content, curricular reforms have systematized citizenship education in the elementary school curriculum and timetable through the "**Education for Science and Social Life (ESVS)**", whose sub-domain 2 "**Education for Sustainable Development**" includes the activity "*living together*" with gender, peace, citizenship and human rights as cross-cutting themes.

However, education on the rights of the child has not yet been integrated into school curricula, although training sessions are provided to teaching staff.

- ***On increasing the number of school facilities to cope with enrolment, while improving the quality of education and ensuring the training of trainers, curriculum revision and continuous programmes***

With regard to the increase in the number of school infrastructural facilities, between 2014 and 2020, thanks to targeted programmes, the school network has been densified for all levels of education. The development of the educational map has been centred on proximity to the learner through numerous construction projects/programmes involving the reinforcement of rooms in existing structures, rehabilitation and the creation of new structures (schools, colleges and high schools). These infrastructural facilities are constructed as a matter of priority in disadvantaged areas in order to better strengthen equity in access to education services.

Thus, over the period, the number of classrooms increased from 76,291 to 94,235, i.e. 17,944 additional classrooms, including 2,964 for pre-school, 9,412 for elementary and 5,568 for middle-secondary education.

The number of schools at all levels increased from 14,035 in 2014 to 16,563, an increase of 2,528. Most of the school construction programmes include, in addition to classrooms, hygiene blocks, administrative blocks and boundary walls.

These take into account the environmental dimension and integrate

Adapted facilities for girls and children living with a disability.

Regarding the training of trainers, it should be noted that in order to have a quality teaching staff, a regional centre for the training of education and training personnel (CRFPE) has been set up in each region, which provides initial and in-service training for preschool and elementary school teachers and eventually for middle school teachers. In addition, since 2014, by Ministerial Order No. 18077 of 4 December, 2014, the level of recruitment of Preschool and Elementary teachers is raised to the Baccalaureate. The latter is now the minimum academic qualification required to teach in Senegal.

In the framework of in-service teacher training, the repositioning of the pedagogical facilitation units (CAP) by providing them with computer equipment to better promote self and inter-training of teachers at school level and the use of

digital technology is a key measure to promote the professionalization of all teachers.

— Furthermore, between 2000 and 2013, Senegal reformed its Basic Education Curriculum (CEB) to bring it more in line with pedagogical standards

— The reform also included the adoption of the competency-based approach (CBA). These skills are transferable by the learners and they allow for the solution of everyday problems instead of the content-based approach which, until then, favoured the accumulation of knowledge often out of step with reality.

Other equally important aspects of the reform are the updating of all elementary school textbooks, training plans for teachers and supervisory staff, and assessments to adapt them to the new pedagogical approach.

- ***On taking appropriate measures for the implementation of the reform of Koranic schools (Daaras).***

With regard to the reform of the Daaras, Senegal adopted a bill on the status of the Daaras in the Council of Ministers on June 6, 2018 and initiated the process of its five implementing decrees, to date, two decrees out of the five have been validated.

This new regulatory framework has encouraged the promotion of modern Daara models

that meet educational standards.

In this regard, projects/programmes are underway to support and strengthen this policy.

This involves the modernization of several Daara schools with interventions carried out by projects/programmes such as the Project to Support the Modernization of Daara Schools (PAMOD) and the Project to Improve the Quality and Equity of Basic Education (PAQEED).

- Support for 531 Daara schools, including 32 non-public ones in the PAMOD, which receive funding based on performance contracts (CBP) for

the introduction of reading in French, numeracy and introduction to science and technology (IST);

- Construction/rehabilitation of Daaras targeted by the PAMOD,
- Training of Koranic teachers;
- Provision of suitable textbooks and teaching aids and,
- Establishment of management bodies involving the communities in each

Daara.

In this same vein, the MEN has built

- 100 daaras (PAQEEB) (classrooms, water points, toilets) at a cost of 2 860 000 000. CFA francs
- 14 public pre-school daaras (PIPADHS) being built/equipped for an amount of 1,171,648,650 CFA francs in order to stimulate children's early learning;
 - ✓ Support Component, Grant
- 1,311,000,000 CFA francs invested in the operation of the daara in terms of nutrition, health and school canteen, motivation of monitors and borom daara;
- 527 new daara supported for an amount of 1,862,000,000 CFA francs, including 600,000,000 CFA francs support for Covid-19 for 1,043 daara;
 - ✓ Recruitment Component:
- in the public service of 100 Koranic teachers trained and assigned to the modern public daara;
- creation of jobs within the framework of the PAQEEB.

The Government of Senegal has also developed a programme on the withdrawal and socio-economic reintegration of street children.

- ***On the strengthening of in-service training in human rights for law enforcement officials and the introduction of human rights education at all levels of the school curriculum***

With regard to the first point, the teaching of human rights occupies a fundamental place in the training curricula of the National Police College. At present, human rights education is provided for all ranks (commissioners, officers, non-commissioned officers and police officers).

The content of this course is specific in that it is oriented towards the activities of the National Police.

Furthermore, the number of hours of the modules, initially fixed at 30 hours per semester, has been increased to 40 hours per semester.

Additionally, the integration of a specific subject on the rights and protection of the child into the training programmes is being studied.

The national police take into account in criminal proceedings, among others, the following texts

- Declaration of the Rights of Man and the Citizen of 1789
- Universal Declaration of Human Rights of 1948
- African Charter on Human and Peoples' Rights of 1981
- International Covenant on Civil and Political Rights of 1966
- WAEMU Regulation 05
- Criminal Code and Code of Criminal Procedure

Besides, the training curricula for police cadets, officers, non-commissioned officers and police officers include criminal law, special criminal law and police criminal procedure.

It should be noted that police criminal procedure refers to the practical techniques of criminal procedure in police investigation departments. It is involved in the effective application of the rules governing measures involving deprivation of

liberty, in particular arrest, police custody, identity checks and the safeguarding of the rights of the defence, such as the presence of a lawyer.

In terms of continuing education, police officers working in criminal investigation units benefit from capacity-building sessions in the Judicial Police, in connection with the National Police College or the international partners.

With regard to **the introduction of human rights education at all levels of the school curriculum**, it is important to point out that educational policies must contribute to the development of understanding, solidarity and tolerance among individuals as well as ethnic, social, cultural and religious groups and sovereign nations. This strong conviction is enshrined in the commitments contained in the World Programme on Human Rights Education. Through this consideration, the teaching and popularization of human rights are taken care of in Senegal in different forms with the active involvement of human rights organizations.

- ***On the continuation of the prison modernization and construction programme*** To combat prison overcrowding, construction and rehabilitation work was carried out from 2013 to 2017 in the following prisons
- Rebeuss Prison (2014-2015),
- Freedom VI Penal Camp (2017);
- Freedom VI Women's Prison (2016);
- Thiès Prison and Correctional Centre (construction of two new rooms, a juvenile section and a women's section in 2017, those imprisoned with their children);
- Foundiougne House of Arrest and Correction (rehabilitation of three (3) rooms in 2017),
- Fatick Prison and Correctional Facility (construction of a ward for women in 2017);
- Sébikotane Correctional Facility to be completed in 2021 (construction of a 500-inmates prison underway),
- Koutal penal camp (Construction of eight (8) rooms with a total capacity of 480 inmates, the work of which started at the end of 2017). As a result of

these measures, the capacity of penitentiary facilities increased from 3,815 square meters in 2014 to 4,224 square meters in 2017. The measures taken in the area of sentence adjustment contribute to the decongestion of prisons. Thus, from 2013 to 2017, 1,274 convicted prisoners were released on parole and 8,205 on parole grace.

Between 2016 and 2017, the prison occupancy rate decreased by 6% from 244% to 238%.

With a view to modernizing the prison administration, the Senegalese government has allocated 250 billion to improve the conditions of prisoners, in particular by

- the construction of two (02) prison complexes with a capacity of 2500 inmates each in Thiès and Kaolack;
- the construction of nine (09) new penitentiary establishments within the framework of the Ministry of Justice Infrastructure Modernization Project (PMIMJ);
- the reinforcement of the equipment of the infirmaries of the penitentiary institutions.
- recruitment and training of personnel;
- increase of the daily maintenance allowance for prisoners to 1200 francs per prisoner in 2022;
- increase in the budget line for maintenance materials and products;

- ***On the adoption of adequate measures to reduce the imbalance in access to safe drinking water between urban and rural areas by allocating a substantial budget to the issue***

To reduce the imbalance in access to water between urban and rural areas, and to enable all Senegalese to have access to safe drinking water, the government has provided the Ministry of Water and Sanitation with significant resources and has put in place national policies and plans for the supply of sufficient quantity and quality of water, in order to meet the Sustainable Development Goals. Among others, we can mention

- the new MDGs Agenda which continues the MDGs with a view to eradicating poverty, in particular through Goal 6 dedicated to water and sanitation,
- the African Water Vision 2025 for universal access,
- the New Partnership for Africa's Economic Development (NEPAD) programme, in particular its infrastructure development, human resources development and private sector participation components;
- The 2011 Letter of Orientation of the Finance Law (LOLF) which domesticates the WAEMU directives for the implementation of the programme budget;
- The Emerging Senegal Plan (PSE), a new national reference framework, through its Pillars II and III, specifically aims to
 - promote good governance through virtuous management, promotion of ethics, transparency;
 - improve the quality of public service;
- the Action Plan for Integrated Water Resources Management (PAGIRE), whose first action plan, implemented until 2015, is being evaluated for updating;
- The improvement of water quality which can be a serious challenge in accordance with the principles of the human right to water enshrined by the UN;
- research and protection of water resources;
- surface water monitoring and flood control;
- Water infrastructure maintenance;
- Development of local capacity in the management of water or wastewater facilities of sanitation;
- Promotion of public-private partnerships;
- Appropriate investments to support the financing of rural water projects;

- The reforms of urban water supply with the contracting of a new contractor (SUEZ) and of rural water supply with the advent of the Rural Boreholes Board and the implementation of public service delegations in rural areas,

All these policies are accompanied by the implementation of large-scale programmes, such as:

- The Urban Water and Sanitation Project (UWSP), whose main objectives are
 - Access to drinking water for an additional 180,000 people
 - Improved access to drinking water for 560,000 people
 - Access to an improved sanitation service for 80,000 people.

This project, financed by the World Bank to the tune of 55,000,000,000 CFA francs, ended on 31 December 2021

- The **PEAMIR** rural water and sanitation project, also financed by the World Bank to the tune of 70,000,000,000 CFA francs which aims to guarantee access to water and sanitation services for 1,500,000 people.
- The Sustainable Access to Safe Drinking Water and Sanitation Project (PADEPA) is financed under the G2G mechanism between the US and Senegalese governments through USAID, which is supporting about 5,800,000,000 CFA francs and the State of Senegal about 1,700,000,000 CFA francs. The project covers the regions of Tambacounda, Matam, Ziguinchor, Kolda, Kédougou and Sédhiou. The overall objective of this project is to contribute to the improvement of the quality of drinking water service in the southern regions of the country, through improving the accessibility of water points for users in accordance with the principles enacted in the framework of the Agenda SDG 1; reducing water drudgery suffered by women and children of school age; increasing the level of specific consumption with the provision of other domestic needs; and supporting the process of setting up viable public service delegations in this part of the territory.

- The Water and Sanitation Sector Project (PSEA), which operates in the regions of Louga, Kaffrine, Tambacounda, Dakar and Ziguinchor, has the following objectives
 - improve the rate of access to drinking water and sanitation in the project area;
 - reduce health-related expenditures and at least 50% of malaria cases;
 - create more than 5,000 temporary jobs and 500 permanent jobs for the youth and women.

It is financed to the tune of about 14,900,000,000 CFA francs by the AfDB, CFAF 3,960,000,000 by Rwssi, a counterpart from the State of Senegal of CFAF 10,118,000,000 and a beneficiary contribution of CFAF 363,000,000. PASEPAR is financed to the tune of £8,850,000 and operates in the groundnut basin and in the Department of Linguère.

- Rural populations in the six regions of the intervention zone have sustainable access to a public drinking water service that meets the quality standards in force in Senegal (20,000 people benefit from the service via new networks and 30,000 via an improvement in water quality),
- rural populations in the four regions of the intervention area have sustainable access to improved sanitation and hygiene is improved (40,000 people benefit from improved sanitation);
- water resources are better known and managed in a rational manner, respecting the interests of the various user groups.
- The Community Development Programme (PUDC), attached to the Ministry of Community Development and Social and Territorial Equity, has the mission of "contributing to improving access of rural populations to basic social services through the establishment of socio-economic infrastructures for territorial equity",

The implementation of the PUDC, which allowed the installation of 252 hydraulic systems providing access to drinking water for 469,000 people in 1,480 villages, was carried out in two phases

- Phase 1 "2015-2019", executed by UNDP for a total amount of 123,907,327,531 CFA francs financed from the Consolidated Investment Budget (CIB), the remaining work on which is currently being finalized.
- Phase 2, for a total amount of 300 462 413 511, CFA francs consolidates the achievements of the first phase while proceeding to their expansion and emphasizes the response to the demand for health infrastructure, the promotion of aggregation projects targeted on high value-added chains in the field of agriculture and livestock.

All of these programmes implemented contribute effectively and efficiently to improving access to water and sanitation services for the Senegalese population. The current rates are 99% in urban areas and 96% in rural areas.

- ***On the adoption of measures to control the activities of the extractive industries and to ensure compliance with the Land and Mining Policy Law***

The extractive industries in Senegal are mainly governed by Law No. 2016-32

- of 8 November 2016 on the Mining Code of Senegal and Law No. 2019-03 of 1st February 2019 on the Petroleum Code. Moreover, other texts in force are intended to apply, in particular, the Environmental, Water and Merchant Marine Codes, etc.

As for land and mining laws/policies, they are well applied and respected in the context of mining activities. In this regard, Article 91 of the Mining Code makes the declaration of public utility of installation projects subject to the conditions set out in the relevant legislation.

The policies and strategies developed for the development of the mining sector also fully integrate land issues and problems.

In the context of the implementation of mining, gas and oil projects, the economic, social and cultural rights of the citizens affected by major development projects are well regulated and respected.

With regard to mining projects, Article 102 of Law No. 2016-32 of 8 November 2016 on the Mining Code of Senegal in its first paragraph, makes it mandatory to carry out an environmental impact assessment for certain categories of applications for mining titles in accordance with the Environmental Code and the related decrees and orders. Furthermore, Ministerial Order No. 9,468 MJEHP-DEEC of 28 November 2001, which regulates public participation in environmental impact assessment, sets out in detail the procedures for public consultation and project validation in its first Article. According to this decree, public consultation and prior information of the citizens concerned is a constituent element of the environmental impact assessment.

The production of an environmental impact study validated by the citizens concerned is a condition for the granting of mining titles and the Ministry of Mines and Geology, in relation with the technical structures concerned, is a player in the design of this study (cf. the decree cited above).

- ***On strengthening the structures in charge of environmental management, the appointment of qualified personnel and the means necessary for the performance of their tasks***

Regarding the strengthening of structures in charge of the environment, some services under the technical supervision of the ministerial department benefited from institutional strengthening between 2017 and 2019. These are the National Great Green Wall Agency and the National Biosafety Authority.

The National Great Green Wall Agency has evolved into the Senegalese Reforestation Agency to better address issues related to reforestation, the creation of ecological villages and green jobs. The Agency has broadened its scope of action and carries out interventions across the nation, contrary to its original mandate. The National Biosafety Authority has changed its status in order to ensure a safer use of genetically modified organisms and derived products for the population. The NBA currently operates under the rules of an executive agency.

The Ministry of Environment has started a process of institutional reform with the objective of putting in place stronger structures that best meet the new

requirements of environmental protection. The reflection is still ongoing in order to reach a coherent and adequate organizational scheme.

For a better conservation of biodiversity, the Minister of Environment, is strengthening the staff of the Directorate of Water and Forestry, through the recruitment of six hundred agents over a period of three years (2020 to 2022), on special authorization of the President of the Republic.

Finally, concerning resources, it should be noted that the budget allocated to the sector for 2021 is 25.6 billion CFA francs. In terms of logistics and techniques, the Ministry of Environment has acquired several pieces of equipment, including air quality measurement stations, vehicles, boats for monitoring marine protected areas, reforestation equipment and tools for monitoring receiving environments.

- ***On prior and adequate compensation to victims of forced displacement for the economic and social impacts of the extractive industries on their rights***

To ensure that victims of forced displacement receive prior and adequate compensation

for the economic and social impacts of extractive industries on their rights, Article 93 of Law No. 2016-32 of 8 November 2016 on the Mining Code of Senegal in its first paragraph, sets out the principle of fair compensation to landowners or land occupants for any material damage caused in the context of a mining operation. To this end, an inter-ministerial committee in charge of these issues is set up to ensure the effective payment of compensation to the right holders and their conformity with the legislation in force and the Conventions ratified by Senegal.

It is in this sense that, within the framework of the compensation procedure for the populations of the village of Tobéne who were victims of displacement during the establishment of the Industries Chimiques du Sénégal (ICS), the compensation scales applied have been revised upwards following the intervention of a judicial decision.

- ***On the guarantee for citizens affected by major economic development projects, such as in mining operations, to enjoy the right to be consulted and informed in advance and given adequate notice before***

being evicted, while taking into account their economic, social and cultural rights impacted by the exploitation of minerals

Ministerial Order No. 9,468 MJEHP-DEEC of 28 November 2001, which regulates public participation in the environmental impact assessment, makes the granting of mining permits by the Ministry of Mines and Geology conditional on the validation of the environmental impact assessment by the populations concerned. Moreover, the prior public consultation and information of the citizens concerned is a constituent element of the environmental impact study.

Similarly, according to Article 5 of the above-mentioned order, the technical committee must, upon receipt of the environmental impact study reports, deposit a copy of the report at the level of the community concerned, which has ten days to make its observations and remarks.

This means that consultation and information of the citizens concerned is an important prerequisite without which no permit can be issued.

This consultation and information procedure was scrupulously complied with by the State of Senegal in the case of the displacement of the populations of Méouane, Diogo and the displacement of 5,000 people from the Mboro area at the beginning of phosphate mining activities.

- ***Protection of human rights defenders***

Upon gaining independence, Senegal, aware of the importance and role of the protection and defence of human rights in the building and consolidation of a State governed by the rule of law, acceded to the principles of the Universal Declaration of Human Rights (UDHR).

Article 8 of the Senegalese Constitution recognises "fundamental individual freedoms" and "civil and political freedoms", which include freedom of opinion and expression, and states in Article 10 that "everyone has the right to express and disseminate his or her opinions freely by speech, writing, image, and peaceful march, provided that the exercise of these rights does not undermine the honour and consideration of others, or public order". Furthermore, international human rights law protects the right to defend human rights and specifies that it is the responsibility of States to protect those who defend human rights so that their rights are not violated as a result of their activities. Aware of this need to protect

the rights of human rights defenders and in accordance with its international commitments, Senegal has since 2018 initiated a process of drafting a law on the protection of human rights defenders,

It is within this framework that a workshop was organized on 15 June 2021 to share the preliminary draft of the above-mentioned law, which brought together State authorities and CSOs to present the text.

Pending the adoption of this law, it should be noted that human rights defenders in Senegal are not subject to any persecution in connection with their activities.

- ***Take adequate measures to ensure the safety and physical integrity of all persons regardless of their sexual orientation and maintain a climate of tolerance towards all minorities in the country***

All individuals, regardless of their sexual orientation, enjoy the same criminal protection that any other citizen or person enjoys in the country concerning their safety and physical integrity.

With regard to the issue of sexual orientation, the State of Senegal considers that this is a societal issue which it intends to address in accordance with the realities of the country, while ensuring that fundamental freedoms are preserved including the moral and physical integrity of persons.

Freedom of sexual orientation is certainly an individual freedom that must be recognized,

— but whether or not it is fundamental must be assessed in the light of the cultural realities of each society. As such, its legal recognition or otherwise must be made with regard to the position of the group in holistic cultures. In this situation, the State cannot, at the risk of breaking the social fabric that holds the national unity together, ignore the general interest to the benefit of individual interests.

It should also be pointed out that the prohibition of unnatural or indecent acts, which in no way corresponds to a prohibition of freedom of sexual orientation in

our positive law cannot in any way be equated with discrimination against a particular group.

CONCLUSION

Senegal is firmly committed to protecting and promoting fundamental human rights in general, and is particularly determined to implement the relevant provisions of the African Charter on Human and Peoples' Rights. Convinced that the promotion and protection of human rights are achieved, inter alia, by improving the standard of living of citizens, the Senegalese Government has undertaken a large number of measures to ensure that the rule of law, democracy and good governance take root.

Furthermore, Senegal is endeavouring to strengthen the process initiated in promoting and protecting human rights, in collaboration with civil society and with the enhancement of all their rich contributions collected within the framework of the preparation of this report.

The Government of Senegal intends to continue its constructive dialogue and cooperation with all human rights mechanisms, in all transparency and sincerity. It is aware that much has been done, but that a dynamic process is needed for the promotion and protection of human rights. It hopes to be able to benefit from the effective assistance of the African Commission on Human and Peoples' Rights and of all the international institutions for the promotion and protection of human rights, in order to successfully complete the work of building a strong nation and anchoring a culture of human rights in Senegal.