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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Forty-third session**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Concluding Observations: Senegal**

1. The Committee considered the second periodic report of Senegal (CRC/C/SEN/2) at its 1174th and 1176th meetings (see CRC/C/SR.1174 and 1176), held on 18 September 2006, and adopted at the 1199th meeting, held on 29 September 2006, the following concluding observations.

**A. Introduction**

2. The Committee welcomes the submission of the second periodic report as well as the written replies to its list of issues (CRC/C/SEN/Q/2), which gave a clear understanding on the implementation of the Convention in the State party. It further appreciates the open, frank and constructive dialogue with the multi-sectoral delegation.

**B. Follow-up measures undertaken and progress  
achieved by the State party**

3. The Committee welcomes the incorporation of the Convention into the Constitution of 2001 as well as the enactment of the following legislation:

- (a) The Labour Code of 1997, which fixes the minimum age of employment at 15;
- (b) The Law No.99-05 of 1999 prohibiting excision, sexual harassment, paedophilia and sexual assault and all forms of sexual mutilation, sexual violence and corruption of minors;
- (c) The adoption in 2005 of the Law No.2005-02 against human trafficking and for the protection of victims; and
- (d) The 2004 amendments to the Law No.91-92 to make education free and compulsory for children aged 6-16.

4. The Committee also notes with appreciation the ratifications of the following international human rights instruments:

- (a) The Optional Protocol on the involvement of children in armed conflicts in 2004;
- (b) The Optional Protocol on the sale of children, child prostitution and child pornography in 2003;
- (c) The ILO Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in 2000;
- (d) The ILO Convention No.138 concerning Minimum Age for Admission to Employment in 1999;
- (e) The Rome Statute of the International Criminal Court in 1999; and
- (f) The Ottawa Treaty on Antipersonnel-mines in 1998.

## **C. Principal areas of concern and recommendations**

### **1. General Measures of Implementation (arts. 4, 42 and 44 para. 6 of the Convention)**

#### **The Committee's previous recommendations**

5. The Committee notes with satisfaction the State Party's efforts to address various concerns and recommendations (CRC/C/15/Add.44 of 27 November 1995) made upon the consideration of the State party's initial report (CRC/C/3/Add.31) through legislative measures and policies. However, some of the concerns it had expressed and recommendations it had made regarding, inter alia, the problem of Talibé children, the continuous practice of female genital mutilation, the unequal age of marriage for girls and boys and juvenile justice - particularly the deprivation of liberty not as last resort - have not been sufficiently addressed. The Committee notes that those concerns and recommendations are reiterated in the present document.

**6. The Committee urges the State party to make every effort to address the recommendations issued in the previous concluding observations (CRC/C/15/Add.44) that have not yet been implemented and to provide adequate follow-up to the recommendations contained in the present concluding observations.**

#### **Legislation**

7. The Committee takes notes of the progress made by the State party in the effort to bring domestic law into compliance with the Convention, e.g. prohibiting female genital mutilation and criminalizing human trafficking. However the Committee remains concerned by the continuous impact of traditional and customary attitudes and practices which hamper the implementation of the Convention. The Committee is further concerned at contradictions in legislations, such as Art. 245 of the Code of Criminal Procedure, related to vagrancy and by the lack of enforcement of legislation in remote and rural areas.

**8. The Committee recommends that the State party strengthen its efforts to:  
(a) Implement the Labour Code, give effect to the law prohibiting female genital mutilation and ensure the implementation of the law against human trafficking;**

- (b) **Work with the different administrative regions in order to ensure that customary and traditional practices do not prevent children from enjoying the rights contained in the Convention;**
- (c) **Eliminate all ambiguous and contradictory legal provisions that are not in conformity with the Convention; and**
- (d) **Speedup the process for the enactment of the Children Code (Code de l'Enfant).**

### **Coordination**

9. The Committee welcomes the establishment of an inter-ministerial Directorate of the rights of the child, as recommended in its previous recommendations, to coordinate actions taken by all institutions dealing with the implementation of the Convention. However, the Committee remains concerned by insufficient precisions on its mission and by the lack of adequately trained personnel.

**10. The Committee recommends that the State party further enhances the capacity of the inter-ministerial Direction of the rights of the child by defining its exact mission and role and by providing this institution with adequately trained personnel.**

### **National Plan of Action**

11. The Committee takes note of the overall policy environment such as various plans of action in favour of children and the Poverty reduction strategy paper. However, the Committee regrets the absence of a comprehensive National Plan of action for children covering all areas of the Convention.

**12. The Committee recommends that the State party develop a comprehensive, rights-based National Plan of action, that covers all areas of the Convention and takes into account the objectives and goals of the outcome document entitled “A World Fit for Children” of the 2002 United Nations General Assembly Special Session for Children, as well as the Millennium Development Goals. In this exercise, the Committee urges the State party to allocate sufficient human and economic resources for its implementation and to use a participatory approach, involving children and NGOs.**

### **Independent Monitoring**

13. The Committee appreciates the State party's efforts towards the creation of a national independent observatory on the rights of women and children. It also notes with appreciation the establishment of the “Haut Commissariat au Droit de l'Homme et à la Promotion de la Paix” within the office of the President, which has the mandate to receive complaints from children. However, the Committee remains concerned about the independence of this institution.

**14. The Committee recommends that the State party continues and completes as soon as possible its efforts to establish an independent national institution (National Observatory for the rights of women and children) with a clear mandate to monitor children's rights and implement the Convention at national,**

**regional and local level in accordance with the Paris Principles (annexed to General Assembly Resolution 48/134 of December 1993). It further recommends that the State party take into account the Committee's general comment No. 2 (2002) on the role of independent national human rights institutions (CRC/GC/2002/2). Such an institution should have a mandate to receive, investigate and address complaints from the public, including individual children and be provided with adequate financial, human and material resources.**

#### **Allocation of Resources**

15. The Committee notes with appreciation the increased budget allocation for education and health, however it is concerned that the resources for the implementation of the different plans of action within the Poverty reduction strategy are still insufficient in order to effectively improve the promotion and protection of children's rights.

**16. In light of Article 4 of the Convention the Committee urges the State party to prioritize and increase budgetary allocations for children at both national and local level to improve the implementation of the right of the child throughout the country and particularly to pay attention to the protection of the rights of children belonging to vulnerable groups including children with disabilities, children affected and/or infected with HIV/AIDS and children living in poverty and remote areas.**

#### **Data collection**

17. The Committee welcomes the progress made by the State party in developing the data collection system. However, the Committee is concerned that the current data collection mechanism is insufficient to ensure the systematic and comprehensive collection of data disaggregated for all areas covered by the Convention in relation to all groups of children and by paying particular attention to the disparities between rural and urban areas, in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

**18. The Committee recommends that the State Party take measures to improve the system of collecting statistical and other data in all areas covered by the Convention and on the basis of appropriate indicators at the national, regional and local levels. Such a system should include all groups of children, while paying particular attention to the most vulnerable groups, including children living in poverty, girls, disabled children, Talibé children and children affected by the armed conflict in Casamance.**

#### **Dissemination of the Convention**

19. The Committee appreciates the translation into certain languages and dissemination of the Convention on the Rights of the Child. However, the Committee regrets that the Convention is not available in other languages such as Pulaar, Serer, Mandinka, Soninke and Jola and that programmes for awareness raising and training on the Convention for professionals working with and for children are lacking.

**20. The Committee reiterates its previous recommendation (CRC/C/15/Add.44, paragraph 18) and recommends that the State Party continue to raise awareness and understanding of the provisions and principles of the Convention, particularly in close cooperation with community and religious leaders, and translate the Convention in all major languages of the country and disseminate to children, their parents and other caregivers, professionals working with and for children and to the general public, paying particular attention to people living in rural areas. The Committee further recommends that the State party promote and support the ongoing and systematic training of all professionals working for and with children such community and religious leaders.**

#### **Cooperation with civil society**

21. The Committee welcomes the information in the State party report on the active participation of civil society in the preparation of the second periodic report to the Committee. However, the Committee remains concerned that consultation and cooperation with civil society is not yet formalized and does not reach all sectors of society.

**22. The Committee encourages the State party to further strengthen and institutionalize collaboration with civil society, including NGOs in the promotion and implementation of children's rights.**

### **2. General principles (arts. 2, 3, 6 and 12 of the Convention)**

#### **Non-Discrimination**

23. The Committee expresses its concern at the fact that discrimination against certain groups of children still exists in practice, particularly towards children born out of wedlock, children with disabilities, children affected by HIV/AIDS, girls, street children and Talibé children.

**24. The Committee urges the State party to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups of children.**

**25. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention undertaken by the State party to follow up on the Durban Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking into account the Committee's general comment No. 1 (2001) on article 29, paragraph 1, of the Convention (aims of education) (CRC/GC/2001/1).**

#### **Best interests of the child**

26. The Committee notes that steps have been taken in some areas in order to better respect the principle of the best interests of the child. Nevertheless, the Committee

remains concerned that the principle is still insufficiently addressed in schools, courts and other institutional settings.

**27. The Committee recommends that the State party:**

- (a) Ensure that the general principle of the best interests of the child is a primary consideration, without any distinction, and is fully integrated into all legislation relevant to children; and**
- (b) Ensure that this principle is also applied in all political, judicial and administrative decisions, as well as projects, programmes and services that have an impact on children.**

**Respect for the views of the child**

28. While noting with appreciation the efforts made by the State party to implement the principal of respect for the views of the child, such as the child parliament, the Committee remains concerned that traditional societal attitudes appear to limit children to freely express their views within the family, schools, communities, courts and other institutional settings.

**29. The Committee recommends that the State party strengthen its efforts to ensure that children's views are given due consideration in the family, schools, communities, courts and relevant administrative proceedings and in society in general. As regards the implementation of Article 12, the Committee also recommends to undertake awareness raising among the public at large, including traditional communities through religious leaders, using the media and traditional ways of communication. Furthermore, the Committee draws the attention of the State party to the recommendations adopted on the Committee's day of general discussion on the right of the child to be heard (September 2006).**

**3. Civil rights and freedoms  
(arts. 7, 8, 13-17 and 37(a) of the Convention)**

**Birth registration**

30. The Committee welcomes the efforts made to promote birth registration, such as the Birth registration campaign and the involvement of municipal authorities, religious and community leaders in the birth registration process. However, the Committee is concerned at the persistent disparities between urban and rural areas in this respect.

**31. The Committee recommends that the State party continues its efforts of systematic birth registration for all children born within the national territory especially in rural and remote areas. The Committee further urges the State party to proceed with the registration of those children who have not thus far been registered.**

**4. Family environment and alternative care**  
**(arts. 5, 18 paras.1-2, 9-11, 19-21, 25, 27 para.4 and 39 of the Convention)**

**Alternative care**

32. The Committee notes that the State party is in the process of developing care-centres for children without parental care - mainly for orphans and abandoned children - throughout the regions. However, the Committee remains concerned by the insufficient resources allocated to this project in order to effectively create these centres and to provide them with appropriate and adequate facilities and trained personnel.

**33. The Committee recommends that the State party continue its efforts towards the establishment throughout the country, in particular in rural and remote areas, of care-centres for children without parental care and provide the financial and adequate human resources for such projects.**

**Adoption**

34. While noting that domestic adoption is practiced at a large extent within the extended family and the community in conformity with tradition and customs, the Committee remains concerned at the lack of proper regulations for this adoption in order to provide for proper registration.

**35. The Committee recommends that the State party take all necessary measures to ensure that the best interests of the child be the primary consideration in all stages of adoption proceedings and that the State party:**

**(a) Regulate domestic adoption e.g. within the extended family and community, in accordance with the Convention with view to strengthen the protection of the rights of adopted child; and**

**(b) Complete the ratification process of the 1993 Hague Convention on Protection of Children and Cooperation of Inter-country Adoption.**

**Corporal Punishment**

36. While noting that corporal punishment is prohibited in schools, the Committee is concerned that corporal punishment within the family is not prohibited by law and that corporal punishment is used in schools and other institutional settings.

**37. The Committee recommends that the State party, taking into account its general comment No. 8 (2006) on the Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment:**

**(a) Amend all relevant laws to ensure that corporal punishment is explicitly prohibited in all settings, including the family, penal institutions, and alternative care settings, and ensure the effective implementation of these laws – including in schools; and**

**(b) To sensitize and educate parents, guardians and professionals working with and for children, by carrying out public educational campaigns about the**

**harmful impact of corporal punishment and to promote positive, non-violent forms of discipline as an alternative to corporal punishment.**

### **Child abuse and neglect**

38. The Committee welcomes the efforts made to protect children against sexual abuse and ill treatment. However, it is concerned at the lack of preventive measures and psychological and social support as well as at the lack of legal and material assistance for victims.

**39. The Committee recommends that the State party:**

- (a) Develop awareness raising campaigns, with the involvement of children, in order to prevent and combat child abuse and neglect;**
- (b) Ensure that there is an effective system for receiving, monitoring and investigating reports on sexual abuse and ill-treatment, in a manner which is child-sensitive and that the privacy of victims is well protected and that perpetrators are brought to justice; and**
- (c) Ensure the psychological and legal support for children victims of abuse or neglect.**

**40. In the context of the Secretary-General's study on the question of violence against children the Committee acknowledges with appreciation the State party's participation in the Regional Consultation for West and Central Africa, held in Mali from 23 to 25 May 2005. The Committee recommends that the State party use the outcome of this regional consultation as a tool for taking action, in partnership with civil society, to ensure that every child is protected from all forms of physical, sexual and mental violence and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.**

**41. Furthermore, the Committee would like to draw the States party's attention to the report of the independent expert for the United Nations study on violence against children (A/61/299) and to encourage the State party to take all appropriate measures to implement overarching recommendations as well as setting-specific recommendations contained in this report.**

## **5. Basic health and welfare**

**(arts. 6, 18 para. 3, 23, 24, 26, 27 paras. 1-3 of the Convention)**

### **Children with disabilities**

42. While welcoming the development and increase in programmes related to disabilities, the Committee is concerned at the lack of information and statistical data that accurately reflects the status of children with disabilities in the State party. The Committee is further concerned at the information that services for children with disabilities may be insufficient and that the legal framework to address the specific needs of children with disabilities is lacking.

**43. The Committee recommends that the State party, while taking into account the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras.310-339), take all necessary measures to:**

**(a) Further encourage the inclusion of children with disabilities into the regular educational system and into society, inter alia by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;**

**(b) Adopt an inclusive and right based legal framework, that addresses the specific needs of children with disabilities;**

**(c) Implement all relevant provisions of existing legislation related to children with disabilities; and**

**(d) Undertake awareness raising campaigns with the involvement of children and which focuses on children with disabilities.**

#### **Health and health services**

44. The Committee welcomes the increase of GDP allocated to health as well as the national nutrition enhancement programme and the priority of the national health plan to reduce child and maternal mortality rates. However, the Committee remains concerned at the disparities of access to health services between different regions and departments and the persistence of the high maternal and child mortality rate, the high rate of child malnutrition and prevalence of malaria. The Committee is further concerned at the fees (moderate tickets) imposed, which may limit access to appropriate health service.

**45. The Committee recommends that the State party:**

**(a) Strengthen its efforts to ensure universal access to maternal and child health care services and facilities, in particular in rural and remote areas;**

**(b) Take all the necessary measures to prevent malnutrition and malaria and increase immunization coverage for as many children and mothers as possible;**

**(c) Continue to promote and encourage exclusive breastfeeding for an infant's first 6 months; and**

**(d) Review the practice of moderate tickets with the view of cancelling it.**

#### **Adolescent Health**

46. The Committee welcomes the project "Promotion des Jeunes" and the establishment of counselling centres. However it remains concerned at the high level of teenage pregnancies, the inadequate reproductive health services and at the lack of mental health services for adolescents.

**47. The Committee recommends that the State Party:**

**(a) Strengthen sex and reproductive health education for adolescents, especially in schools, with a view to reducing the incidence of teenage pregnancies and to**

- provide teenage girls with the necessary assistance and access to health care and education;
- (b) Strengthen adolescent-sensitive mental health counselling services and make them known and accessible to adolescents; and
  - (c) Take into account the general comment No. 4 on adolescent health and development in the context of the Convention on the Rights of the Child (CRC/GC/2003/4) of 2003.

#### **HIV/AIDS**

48. The Committee acknowledges the efforts of the State party to increase the budget allocated to combat HIV/AIDS and welcomes the President's decision to provide free Anti Retroviral Therapy treatment to all those in need. However, the Committee remains concerned at the insufficient awareness raising campaigns and the lack of HIV/AIDS centres, for the counselling and treatment of HIV/AIDS in the main regions and rural areas to provide assistance to infected and/or affected children.

49. The Committee recommends, with reference to the Committee's general comment No. 3 (2003) on HIV/AIDS and the rights of the child and to the international Guidelines on HIV/AIDS and Human Rights, that the State Party:

- (a) Involve children in the programme of fight against HIV/AIDS in particular by ensuring that more attention is given to the issue of children and HIV/AIDS;
- (b) Strengthen its efforts to prevent mother-to-child transmission of HIV;
- (c) Strengthen its efforts to combat HIV/AIDS, including through ensuring availability of contraceptives throughout the country and through awareness raising campaigns;
- (d) Prevent discrimination against children infected with and affected by HIV/AIDS; and
- (e) Improve protection and support for AIDS orphans.

#### **Harmful traditional practices**

50. The Committee notes with appreciation the efforts made by the State party in combating female genital mutilation. In particular, it welcomes the promulgation of the Law No. 99-05 prohibiting this practice. However, the Committee remains concerned at the persistence of practices harmful to girls, including female genital mutilation of girls and early and forced marriages and other emerging forms of violence such as infanticide.

51. The Committee recommends that the State party:

- (a) Continue with awareness raising campaigns to combat and eradicate female genital mutilation and other traditional practices harmful to the health, survival and development of children, especially girls;
- (b) Introduce education and awareness raising programmes for practitioners and the general public to encourage change in traditional attitudes and discourage harmful practices, engaging with the extended family and the traditional and religious leaders and support practitioners of female genital mutilation to find alternative sources of income; and

**(c) Ensure the implementation of the law 99-05 regarding, inter alia, the prohibition of female genital mutilation and all forms of sexual mutilation and ensure that perpetrators are brought to justice.**

### **Standard of living**

52. The Committee notes the efforts made by the State party to reduce the impact of poverty by introducing national and regional Plans of economic action and development programmes, however the Committee remains concerned at vulnerable groups of children from low-income families and the very poor living conditions of especially those living in the remote and rural areas.

**53. The Committee recommends that the State Party reinforce its efforts to provide support and material assistance, with particular focus to the most marginalized and disadvantaged families and to ensure to the extent possible the right of children to an adequate standard of living.**

## **6. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)**

54. The Committee acknowledges the significant improvements made in the field of education and the development of the early childhood initiative (Cases des tout petits). The Committee also notes with appreciation the increase in the enrolment rate particularly for girls and the efforts undertaken by the State party to improve the qualification of teachers. The Committee further appreciates the government project aiming at modernising and improving the teaching quality of koranic schools. However, the Committee is concerned at the still low level of enrolment in primary education, particularly in rural areas, at the persistence of a high illiteracy rate among children, the low level of qualification and number of teachers, the high drop out rate of school children, the insufficient support for children with disabilities and the exclusion of pregnant girls from school in application of an internal administrative circular from the board of education.

**55. The Committee recommends that the State party, while taking into account the Committee's general comment No. 1 (2001) on the Aims of Education:**

**(a) Continue to take all necessary measures to ensure that teachers are adequately trained;**

**(b) Ensure that girls and boys of urban, rural and least developed areas, all have equal access to educational opportunities and strengthen its efforts to significantly increase the enrolment in primary education and pay special attention to urban and rural disparities;**

**(c) Implement measures to reduce drop out rates; and**

**(d) Cancel the administrative circular preventing pregnant girls to continue with their education on the basis of their individual ability, in accordance with Article 11 (6) of the African Charter on the Rights and Welfare of the Children.**

**7. Special protection measures**  
**(arts. 22, 38, 39, 40, 37 (b)-(d), 30, 32-36 of the Convention)**

**Children affected by armed conflict**

56. The Committee welcomes the information on the improvement of the situation of children affected by the armed conflict in Casamance. However, it remains concerned that physical, psychological and social needs of the displaced children are not addressed sufficiently and that landmines from the conflict are still a threat for the physical safety of children living in the area.

**57. The Committee recommends that the State party take all appropriate measures, including through international cooperation, if necessary to address the physical, psychological and social reintegration needs of children affected by the conflict and for demining former conflict areas.**

**Street children**

58. While noting the steps undertaken by the State party to address the rights and needs of street children, the Committee remains concerned about the increasing number of street children and begging children in the State Party.

**59. The Committee recommends that the State Party address the rights and needs of street children and begging children and facilitate their reintegration into society by:**

- (a) Undertaking a study and assessment of the situation of these children in order to get an accurate picture of the causes and magnitude; and**
- (b) Developing and implementing with the active involvement of street and begging children and NGOs a comprehensive policy which should address the root causes, in order to discourage, prevent and reduce child begging, and which should provide them and street children with necessary protection, adequate health-care services, education and other social reintegration services.**

**Economic exploitation, including child labour**

60. The Committee notes with appreciation the establishment of projects with a view to improve the curriculum of education of Talibé children. However, the Committee is concerned by the large number of working children and in particular by current practice of the koranic schools run by Marabouts, who use the Talibé children at a large scale for economic gain by sending them to agricultural fields or to the streets, for begging and other illicit work that provides money, thus preventing them from having access to health, education and good living conditions.

**61. The Committee reiterates its previous concluding observations and recommends that the State party:**

- (a) Adopt further measures to ensure the effective enjoyment of the fundamental rights of Talibé children, including children coming from neighbouring countries and to protect them against any form of exploitation and discrimination;**

- (b) To undertake efforts to ensure an effective monitoring system of their situation by the State party, in close cooperation with religious and community leaders; and**
- (c) To set up family support programs, including awareness raising campaigns with a view to their reinsertion in the family unit.**

62. The Committee notes the measures taken by the State party to prevent girls from being used as domestic servants (*petites bonnes*) and subjected to economic exploitation and sexual abuse. However, the Committee is concerned by the growing extent of this reality which threatens the health, physical integrity and education of the girl child.

**63. The Committee recommends that the State party:**

- (a) Take all necessary measures to raise awareness on the threats a girl child is facing by being used as a domestic servant;**
- (b) Enact laws to protect girls from economic exploitation;**
- (c) Strengthen its efforts to eliminate child labour, in particular by addressing the roots causes of child economic exploitation through poverty eradication and access to education;**
- (d) Take measures to ensure effective implementation of the ILO Conventions No. 138 and No. 182, which the State party has ratified; and**
- (e) Seek technical cooperation from ILO and UNICEF.**

#### **Sexual exploitation and trafficking**

64. The Committee welcomes the efforts made to sensitize and protect children against sexual exploitation. However, the Committee is concerned at the lack of:

- (a) Data on sexual exploitation, including sex tourism and trafficking of children to the State party;
- (b) Protection and/or recovery assistance for children victims of sexual exploitation;
- (c) Legislation to protect children from sexual exploitation including sex tourism; and
- (d) Implementation of existing legislation e.g. the rule prohibiting sexual intercourse with a girl under the age of 12 (Penal Code Article 300).

**65. The Committee recommends that the State party:**

- (a) Ensure the application of the Law No.2005-02 against Human trafficking and other forms of exploitation and the implementation of the Penal Code law prohibiting sexual intercourse with a girl under the age of 12;**
- (b) Reinforce legal measures protecting children victims of sexual exploitation, including trafficking, pornography, prostitution and sex tourism;**
- (c) Prioritize recovery assistance and ensure that education and training as well as psychological assistance and counselling are provided to victims, and avoid that victims who cannot return to their families are institutionalized;**
- (d) Train law enforcement officials, social workers and prosecutors on how to receive, monitor and investigate complaints, in a child-sensitive manner that respects confidentiality; and**
- (e) Implement appropriate policies and programmes for the prevention, recovery and reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congress against Commercial Sexual Exploitation of Children.**

## **Drug abuse**

66. The Committee notes that drug abuse is an emerging social problem among the youth and regrets the lack of data and information on the existing legislation and actions to curb drug consumption and drug abuse among the youth.

**67. The Committee recommends that the State party take measures to prevent and reduce alcohol and drug abuse among children and to support recovery and social reintegration programmes for child victims of drug and alcohol abuse. The Committee further recommends that the State party seek technical cooperation from, inter alia, the World Health Organization (WHO) and UNICEF.**

## **Juvenile Justice**

68. The Committee welcomes the efforts made in the domain of Juvenile Justice, especially the project “Renforcement de la Protection Juridique des Mineurs au Sénégal”. However, the Committee remains concerned by the lack of specialised juvenile judges, by the insufficient number of juvenile specialised jurisdiction and by the limited number of adequately trained social educators. It is also concerned by the fact that deprivation of liberty is not used as a last resort and by the fact that girls were detained in adult prisons.

**69. The Committee urges the State party to ensure, in the context of legal reform, juvenile justice standards are fully implemented, in particular article 37(b), article 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (the Havana Rules) and the Vienna Guidelines for Action on Children in the Criminal Justice System in the light of the Committee’s day of general discussion on the administration of juvenile justice(CRC/C/46, paras. 203-238). In particular the Committee recommends that the State party:**

- (a) Continue to provide training on relevant international standards to those responsible for administering the juvenile justice system;**
- (b) Ensure that deprivation of liberty is used only as a measure of last resort and for the shortest appropriate period of time;**
- (c) In cases where deprivation of liberty is unavoidable and used as a last resort improve conditions of detention and ensure that persons below 18 years are detained in separate facilities from those of adults;**
- (d) Ensure that persons below 18 years have access to appropriate legal aid and defence and an independent, child-sensitive and effective complaint mechanism;**
- (e) Ensure both sentenced and released persons below 18 years are provided with educational opportunities, including vocational and life-skills training, recovery and social reintegration services;**
- (f) Establish specialised juvenile courts throughout the country; and**
- (g) Continue to seek technical assistance from the United Nations Interagency Panel on Juvenile Justice.**

## **8. Optional Protocols to the Convention on the Rights of the Child**

**70. The Committee encourages the State party to submit its initial reports under the Optional Protocols to the Convention on the Rights of the Child, due in December 2005 and April 2006 respectively.**

## **9. Follow-up and dissemination**

### **Follow-up**

**71. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or State Governments and Parliaments, when applicable, for appropriate consideration and further action.**

### **Dissemination**

**72. The Committee further recommends that the second periodic report and written replies submitted by the State party and related recommendations (concluding observations) it adopted be made widely available in the languages of the country, to the public at large, civil society organizations, youth groups, professional groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.**

## **10. Next report**

**73. The Committee invites the State Party to submit a consolidated third, fourth and fifth report, by 1st March 2011. This is an exceptional measure due to the large number of reports received by the Committee every year. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report thereafter every five years, as foreseen by the Convention.**