



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Eighth periodic report submitted by Senegal under  
article 18 of the Convention, due in 2019\***

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\* The present document is being issued without formal editing.



## **Introduction**

1. The present report follows the presentation of the seventh periodic report of Senegal to the Committee on the Elimination of Discrimination against Women on 7 July 2015. Submitted pursuant to article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, the report outlines the efforts of Senegal to implement the recommendations made during its previous appearance before the Committee.

2. The National Advisory Council on Human Rights and International Humanitarian Law prepared the report, and its Directorate of Human Rights serves as the permanent secretariat with technical support from the Ministry of Women, Family, Gender and Child Protection.

3. The Ministry of Justice, through the National Advisory Council, and with technical and financial support from the West Africa Regional Office of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), led the preparation of the report. The Council is a standing government body made up of representatives of all ministerial departments and a large number of the most representative civil society organizations, as well as the Senegalese Human Rights Committee, which is the national human rights institution, and Parliament.

4. The report was drawn up on the basis of information that was gathered and was then considered at a dissemination and validation workshop with the participation of national institutions and civil society. The final document is being submitted to the OHCHR West Africa Regional Office and the Senegalese Human Rights Committee.

5. The methodology for the preparation of the report was based on a participatory approach conducive to creating genuine consensus between the State and civil society, ensuring that the report was national in character. The report is divided into two parts: part one focuses on the implementation of the provisions of parts I to IV of the Convention; and part two on the progress made in, and challenges and obstacles to, the implementation of the Committee's recommendations, as well as measures taken to implement the provisions of the Convention.

## **Part one Implementation of the provisions of parts I to IV of the Convention on the Elimination of All Forms of Discrimination against Women**

### **I. Protection of women's rights**

#### **A. Legal and institutional protection**

##### **1. Definition of discrimination against women**

6. There is no definition of discrimination against women in any existing national legislation. However, the committee for the review of laws and regulations that discriminate against women, established by Order No. 00936 of 27 January 2016 of the Minister of Justice and Keeper of the Seals, has proposed a reform of legislation relating to women's rights. As part of the proposed reform, the definition of discrimination against women as set out in the Convention will be included in Act No. 81-77 of 10 December 1981 on the punishment of acts of racial, ethnic or religious discrimination. The report on this work submitted to the authorities will be

widely disseminated among different State and non-State stakeholders, in particular parliamentarians, civil society and financial and technical partners.

## 2. Safeguards and measures for the protection of women's rights

7. The development policies pursued by Senegal have been consistently conducive to the promotion and protection of women's rights and gender equality.

8. To guarantee equality between men and women, the Constitution of Senegal reaffirms the principle of prohibiting all forms of discrimination, in particular gender-based discrimination. The Constitution gives women the right of access to land, the right to less burdensome living conditions, access to health and welfare, the right to have their own assets in the same way as their husbands and the right to personal management of their property. It prohibits the forced marriage of young girls and women and all forms of discrimination between men and women regarding employment and pay.

9. To ensure that these rights and freedoms are fulfilled and to strengthen their guarantees, the following laws have been adopted:

- Act No. 2015-15 of 16 July 2015 authorizing the President of the Republic to ratify the International Labour Organization (ILO) Maternity Protection Convention, 2000 (No. 183)
- Act No. 2016-32 of 8 November 2016 on the Mining Code, article 109 of which provides that: "Owners of mining securities and their subcontractors shall:
  - Comply with general conditions of employment in accordance with current regulations;
  - Give preference, in a fair manner, to Senegalese personnel;
  - Implement a plan for the training and promotion of Senegalese company personnel in all phases of mining activity;
  - Promote equal employment opportunities between women and men in the occupational sphere;
  - Guarantee equal pay to men and women who are equally qualified;
  - Train Senegalese company personnel."
- Decree No. 2017-313 of 15 February 2017 on the establishment of gender units in the general secretariats of ministries

10. Senegal also has a national action plan for the eradication of gender-based violence and the promotion of human rights. This multisectoral document, covering the period 2017–2021, is now being implemented and has led, among its initial results, to the formulation of regional action plans. Senegalese legislation has been guided by two concerns:

- The first is to protect pregnant women from arduous or dangerous working conditions and to give them equal rights with men. Pregnant women have the right to stop work for 14 consecutive weeks, including 8 after childbirth. This period may be extended for a further three weeks in the event of duly certified illness. Full pay is provided during this period.
- The second is to eliminate all gender-based wage discrimination. It is expressly stated in the Employment Code that employed women shall receive their full salary during maternity leave. Employers may not dismiss women during this period. Women are entitled to a maximum of one hour's rest per working day for breastfeeding over a period of 15 months from the time of the child's birth.

The provisions of articles 300 and 305 of the Criminal Code that discriminate against women have been factored into the proposed revision of discriminatory laws.

### **Recognition of civil and political rights<sup>1</sup>**

11. Senegal has always paid attention to the situation of women in the country, as demonstrated, in particular, by its gradual adoption of a protective legislative framework and its development of policies designed to eliminate gender inequality. In that context, a law on parity between men and women in entirely or partially elective bodies was adopted on 28 May 2010.

12. Compliance with this law has been subject to a judicial review, as reflected in Supreme Court Order No. 2 of 8 January 2015, in which the Administrative Chamber ordered a rerun of the election of the Kaolack municipal council elections on the grounds that the parity principle had not been observed during the election of the second deputy as mayor of the municipality.

### **Capacity of women to enjoy and exercise their rights<sup>2</sup>**

13. The rights of women to equal enjoyment of natural resources and to access to credit have been strengthened. Constitutional Act No. 2016-10 of 5 April 2016 amending the 2001 Constitution introduced innovations by recognizing new rights of citizens. These include the right of citizens to a healthy environment and the right to enjoy their natural resources and land heritage.

14. Article 25-1 of the new Constitution states: “Natural resources belong to the people. They shall be used to improve their living conditions. The exploitation and management of natural resources shall take place transparently and in such a way as to generate economic growth, promote the welfare of the population as a whole and be ecologically sustainable. The State and the local authorities have a duty to ensure preservation of land assets.”

15. Regarding equality and access to land, article 15 of the Constitution expressly states: “Men and women have equal right of access to possession and ownership of land. The law shall determine the conditions thereof.”

16. Act No. 2004-16 of 4 June 2004 on agriculture, forestry and animal husbandry policy establishes the framework for agricultural development in Senegal. Article 54 provides that: “The State shall ensure equal rights to women and men in rural areas, in particular in farming. Moreover, women shall be accorded facilitated access to land and credit.”

17. A National Land Reform Commission responsible for analysing existing legislation and regulations and identifying institutional constraints on optimal land management was established by Decree No. 2012-1419 of 6 December 2012.

18. The State is committed to improving land management in order to respond to the needs of development and social cohesion. Land reform is based on the principles of participation, decentralization, encouraging family and commercial agriculture, and respect for human rights and the rights of women and minorities.

19. In addition, policies on credits and advantageous subsidies have been adopted by national banking institutions such as the National Economic Development Bank and the National Agricultural Credit Fund of Senegal.

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<sup>1</sup> Part II, articles 7 to 9.

<sup>2</sup> Part IV, articles 15 and 16.

20. Senegal has taken significant steps in the implementation of its gender policy, including:

- Adoption of the second phase of the National Strategy for Gender Equity and Equality for the period 2016–2026, as outlined in the Emerging Senegal Plan.
- Provision of training sessions for women parliamentarians and women electoral candidates in advocacy and negotiation skills. These training measures have focused on such key concepts as gender-responsive planning and budgeting, leadership, advocacy and lobbying, and raising awareness of the challenges of gender mainstreaming in public policies.
- Establishment, in 2016, of a committee for the review of laws and regulations that discriminate against women, by order of the Minister of Justice. The report on the campaign to permit safe abortion and to incorporate in law the definition of discrimination against women is now being widely disseminated.

21. The legislative elections of 2017 boosted the representation of women to 41.8 per cent, reflecting significant progress.

## **B. Strategic protection**

22. The budget for legal aid to help those who do not have sufficient means to legally defend their rights was increased from 350 million to 500 million CFA francs in 2017, leading to a significant increase in the number of defendants receiving partial or total coverage of legal fees and costs (lawyers, bailiffs, witnesses, experts, etc.). Despite the efforts made by the State in this area, difficulties in access to the law and justice remain an undeniable reality because a large part of the female population cannot afford the cost of services provided by court officials (deposits, bailiffs' fees, lawyers' fees).

23. Legal aid may be granted to any defendant who meets the conditions. There is no discrimination in the provision of access to justice. All men and women are equal before the law, and no funds are reserved exclusively for women.

24. In addition to legal aid, certain categories of defendants, including women, do not have to pay certain legal fees. Article 34-2 of Organic Act No. 2017-09 of 17 January 2017 on the Supreme Court states: "The petitioner of a cassation appeal shall be required to submit a deposit to cover the payment of fixed stamp and registration duties. Failure to do so shall result in the petitioner being barred and, consequently, forfeiting the appeal. Except in cases provided for in other laws, legal persons, persons entitled to legal aid and persons initiating legal proceedings relating to family law, labour and social security law and administrative matters shall be exempt from the requirement to submit a deposit."

25. In addition, as part of the strategic protection of women, incarcerated women – who currently make up 3.6 per cent of the total prison population and only 1.5 per cent of whom have been convicted for the crime of battery – are given special quarters in detention and correction centres and are provided with reintegration tools and practical training under the Prison Administration Directorate.

## II. Effective enjoyment of women's rights

### A. Enjoyment of civil and political rights

#### 1. Participation of women in political and public life

26. The involvement of women in decision-making bodies has resulted in major progress, including, most notably:

- The representation of women in the current legislature rose from 24 to 41.8 per cent, or from 33 to 69 women out of 150 members in total in the National Assembly.
- More generally, the representation of women in the public sector has improved, rising from 15,584 women (18.40 per cent) to 16,346 women (19.09 per cent) between 2009 and 2010. In 2010, women accounted for 17.29 per cent of the judiciary and 1.58 per cent of the territorial administration.
- Women are occupying an increasing number of command posts in the territorial administration; a female regional governor (Fatick) and female departmental prefects (Guinguinéo and Saint-Louis) have been appointed.
- The representation of women in the local administration has risen from 11 to 47.2 per cent. Fifty members of the High Council for Territorial Units – 33.3 per cent of the total number of members – are women. Meanwhile, the Economic, Social and Environmental Council is chaired by a woman and its bureau is gender-balanced, with six women and six men, like that of the High Council for Territorial Units.
- Significant progress has been made in the representation of women in local authorities, which stands at 47.6 per cent.
- Women began to have access to the Senegalese army in 1984, and significant measures have been taken in recent years to incorporate gender mainstreaming in the defence and security forces into training programmes and professional practice policies. In that regard, provisions relating to access to the national army have been amended to open military service to female citizens.

27. Furthermore, to ensure that gender is better taken into account in the armed forces, several laws governing the socioprofessional conditions of the military have been revised. These laws relate to the special status of the staff of the National Gendarmerie, the regulations on general discipline in the armed forces, the conditions for the allocation of housing to the military, the terms of payment of the housing allowance and the conditions under which members of the military may be allowed to enter into marriage. These developments have resulted in the needs and rights of women being taken into account for their promotion and legal protection in everyday life and in the exercise of military duties.<sup>3</sup>

#### 2. Equal enjoyment of civil rights

28. Article 25 of the International Covenant on Civil and Political Rights states: "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

<sup>3</sup> Second phase of the National Strategy for Gender Equity and Equality.

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.”

29. The Senegalese political system is pluralist and the exercise of electoral rights is guaranteed. The creation of political parties is free and without discrimination. Political parties are considered as associations governed by the common law of associations.

30. The Republic of Senegal guarantees all citizens, both women and men, fundamental individual freedoms. These rights and freedoms include, in particular, civil and political rights such as freedom of opinion, freedom of expression, freedom of the press, freedom of association, freedom of assembly, freedom of movement and freedom of demonstration.

## **B. Enjoyment of economic and social rights**

### **1. Education**

31. In accordance with State guidelines, the Ministry of National Education has launched, under the Programme for Quality, Equity and Transparency Improvements in Education and Training, and with the support of the Priority Solidarity Fund, a project to combat gender-based violence in school settings, implemented following a multisectoral, interministerial and multilevel approach, both in and out of school. The aim of the project is to increase access to education for girls and reduce school dropout among girls by:

- Creating safe learning environments that are gender-sensitive and conducive to reducing gender inequalities relating to access to education and school dropout, especially among girls
- Raising awareness of the impact of gender-based violence on school enrolment and the quality of education among ministerial officials, teaching staff and community members, including both women and men

32. The policy of promoting girls’ education under the Framework for the Coordination of Girls’ Education Interventions has improved their rate of access to education at all levels.

33. The following steps have been taken under the support programme for female education and women’s empowerment for inclusive local development phase (PAEF-Plus), which complements the Framework and is carried out in 149 schools, including 27 high and middle schools:

- Promotion of awareness-raising campaigns on reducing the burden of domestic work, gender-based violence, and early marriages and pregnancies through the implementation of a national and community-level communication plan
- Provision of support to 166 school mothers’ associations, in the amount of between 2.5 million and 3 million CFA francs per association, for the development of income-generating activities, with the transfer of 50 per cent of the profits to the account of the school management committee to care for girls in difficulty
- Allocation of kits, educational materials and sanitary pads

- Organization of female leadership camps for women teachers with additional training in communication, education and the law, information and communications technology in education, and other areas
  - Support for the organization of the “Miss Mathematics” and “Miss Science” competitions
  - Preparation of a guide for the training of trainers in gender and a teacher’s manual on gender mainstreaming in teacher training materials
  - Gender training for the authors of teaching materials and for management and disciplinary staff
  - Preparation of a training manual on gender-based violence in schools and conduct of a socio-anthropological study on factors that impede the access of girls to education
  - Provision of uniforms to all girls and boys in the 122 schools sponsored by PAEF-Plus – 74,000 uniforms provided between 2015 and 2017
  - Allocation of grants to girls at a rate of 30,000 CFA francs per girl in primary school and 50,000 CFA francs per girl in middle or secondary school, as follows: 942 in 2015, 4,025 in 2016, 5,720 in 2017 and 5,195 in 2018, in addition to 205 science grants
  - Distribution of prizes to the best girls and organization of remedial classes for girls with learning difficulties (an initiative that has been institutionalized)
  - Organization of science summer camps to promote the access of girls to science education
34. Additional steps have been taken by the State to support the access of girls to, and their retention and performance in, education since 2006:
- Institutionalization of national girls’ education day, celebrated on 11 November each year
  - Establishment, in June 2016, of a network of head teachers of private schools to support the efforts of the Ministry of National Education to promote girls’ education
  - Adaptation of school construction standards to the specific needs of girls, including in the area of hygiene
  - Training of those working in education to deal effectively with issues of violence in schools
  - Development of a module on violence
  - Development of a framework for teachers and managers to detect and manage situations of violence or abuse towards a male or female pupil
  - Mainstreaming of gender-based violence in schools into the collection of statistical data
  - Provision of free primary school textbooks
  - Implementation of the Promotion of Women Teachers Plan (including a “gender bonus” to promote their access to positions of authority and the creation of a network of women teachers to support the Ministry’s policy of promoting girls’ education)
35. Some of the key laws in force, such as the General Principles Act No. 91-22 as amended in 2004, are still relevant, while others have been either rewritten or

amended to better address the interests of pupils, in particular those of girls, including:

- Decree No. 79 1165 on primary school curricula, to prohibit corporal punishment
- Decree No. 2017-604 of 24 April 2017 amending Decree No. 2012-1276 of 13 November 2012
- Decree No. 2014-904 of 23 July 2014 on the organization and functioning of school management committee unions, to enable the direct transfer of school credits
- Ministerial Order No. 010229 of 23 June 2014, regarding the selection method and the number of places available at the Maison d'Education Mariama Bâ in Gorée. This Order enhances fairness in access to this excellent all-girls institution

36. To contain opportunity costs, there are no primary school enrolment fees, and middle and secondary school fees are capped at 10,000 CFA francs per pupil, with the option to spread payment over several months. Failure to pay can under no circumstances lead to the expulsion of a pupil, because Senegal is striving to create schools of fairness and equal opportunities. Through the PAEF-Plus project, Senegal sought to test certain initiatives with a view to duplicating them if they were successful.

37. These efforts have yielded positive results. The current graduation, repetition and dropout rates are all in favour of girls: in a reception class of 100 pupils, 86.7 per cent of girls graduate, which is slightly more than boys (85.9 per cent); the rate of girls' enrolment in primary school increased from 88.6 per cent in 2008 to 93.86 per cent in 2017, with a gender parity index of 1.15 in favour of girls; the number of girls newly enrolled in reception classes increased from 220,258 in 2016 to 229,179 in 2017, or by 8,921; the gender parity index is 1.16 in favour of girls in primary and middle schools and 1.05 in favour of girls in secondary schools; and in preschools, the gross enrolment ratio in preschool education was 17.80 per cent in 2016, with a ratio of 19.20 per cent for girls and 16.50 per cent for boys. The national completion rate is 61.82 per cent. Compared with 2016, this marks an increase of 1.92 percentage points. There is a significant gap between regions in terms of completion rates. Nationally, more girls (65.8 per cent) complete primary school than boys (54.3 per cent). The middle school completion rate has varied as follows: from 2008 to 2014, it rose from 27.20 to 40.80 per cent, an increase of 13.60 percentage points; and in 2017 it was higher for girls (40.09 per cent) than for boys (34.18 per cent). Given its level, strategies to combat school wastage (repetition and dropout) need to be strengthened. The percentage of women with access to positions of authority in the education sector increased from 0.1 per cent of staff in 2013 to 13 per cent in 2018.

## 2. Employment

38. The principle of equal treatment is laid down in article 25 of the Constitution, while article 1 guarantees equal opportunities and treatment without discrimination. The guaranteed minimum interprofessional wage has existed in Senegalese legislation for several years. On 30 April 2018, in order to guarantee workers better pay, the social partners concluded a memorandum of understanding and asked the competent authority, in accordance with article L.109 of the Employment Code, to fix by decree the said guaranteed minimum interprofessional wages as follows:

- An hourly guaranteed minimum interprofessional wage for workers in occupations subject to the legal working week of 40 hours:

- 302.890 CFA francs from 1 June 2018;
- 317.313 CFA francs from 1 January 2019;
- 333.808 CFA francs from 1 December 2019.

- A flat hourly guaranteed minimum interprofessional wage rate for workers in agricultural and similar enterprises: 213.392 CFA francs from 1 June 2018. The draft decree is in the process of adoption.

39. In addition, female workers have enjoyed the same tax advantages as men under the same conditions since the adoption of Act No. 2008-01 of 8 January 2008 amending certain provisions of the General Tax Code. In Senegalese legislation, conditions and rates for overtime for daytime or night work, on working days and on Sundays, public holidays and paid holiday are set out in article L.86 of the Employment Code.

40. Regarding non-discrimination at work and equal pay for men and women, article L.105 of the Employment Code expressly states: “Where working conditions, vocational qualifications and productivity are equal, pay shall be equal for all workers regardless of their origin, gender, age or status. No pay is due in the event of absence except on the grounds established by law, collective agreements or agreements between the parties.”

### **3. Health**

41. The health policy envisions a Senegal in which every individual, household and community enjoys universal access to high-quality promotional, preventive and curative health services with no form of exclusion. The Government has therefore taken measures to facilitate the access of all to health partly or completely free of charge.

42. Universal access to health services and facilities and the promotion of the right of women and children to health are taken into account in the framework of the universal health-care programme. To achieve the objectives, key actions concern the development of basic health insurance through health cooperatives and the strengthening of initiatives to provide free health care. Initiatives to provide free health care for children under 5 years of age and free caesarean births in public health facilities are helping to improve the health of these target groups and reduce household health expenditure. Free caesarean births are guaranteed in every region of the country. With regard to reproductive and sexual health and combating maternal and child mortality, many measures are being taken to ensure that pregnant women have access to health services. These include improving the quality of care, strengthening infrastructure and equipment at health facilities, building up high-quality human resources and increasing the availability of vital products for the health of mothers and children.

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

44. Measures to prevent early pregnancies include:

- Awareness-raising in order to prevent child marriages
- Behaviour change communication for adolescents and young people
- Improved access to reproductive health services

45. Lastly, the Expanded Programme on Immunization has been widened to include the new pneumococcal and Rotavirus vaccines for rubella. The pilot phase of the

human papillomavirus vaccination programme for girls to combat cervical cancer is ongoing.

46. The State has taken important steps in the areas of policy, human resources, infrastructure, equipment and logistics, as follows:

- Policy: free caesarean sections, promotion of membership in health cooperatives to improve the access of women to health facilities, integrated guidance and training for providers, implementation of the response plan in vulnerable regions (Louga, Matam, Diourbel, Tambacounda and Saint-Louis), refocused prenatal consultations, monitoring of emergency obstetric and neonatal care, the mobile midwives initiative, implementation of “freestyle” (humanized) childbirth in some regions
- Human resources: the “winning pair” (head nurse and State midwife at each health centre), mobile midwives
- Equipment: enhancement of surgical theatres, increase in the availability of inputs, implementation of flowcharts and therapeutic data sheets
- Infrastructure: construction of new maternity wards and operating theatres
- Logistics: provision of ambulances to health facilities
- Awareness-raising: primarily the *Mooytu nef* campaign, awareness-raising with the *Badjjenu Gox* for the promotion of health and, in particular, birth spacing, establishment of adolescent corners
- *Jegesi naa/Yeksi naa* strategy: contributes to the availability of family planning medicines and products as part of the objectives of the Ouagadougou partnership for family planning
- Contribution of non-governmental organizations such as Marie Stopes International through advanced communications strategies and the provision of family planning methods

47. An excessively high number of women are living with HIV/AIDS: HIV prevalence among women is 0.8 per cent, compared with 0.5 per cent among the general population. To address this, the following steps have been taken:

- A catch-up plan for the elimination of mother-to-child transmission of HIV; testing of all women seen in prenatal consultations and couples testing
- Development of a guide for care and follow-up among sex workers
- Training of health-care providers in syndromic management and follow-up among sex workers
- Establishment of official centres for follow-up among sex workers at the central, intermediate and operational levels
- Awareness-raising sessions for occasional sex workers
- Distribution of male and female condoms at all centres for the treatment of sexually transmitted infections
- Distribution of HIV self-tests to sex workers for screening and treatment
- Decentralization of care at 118 health centres, implementation of a tutoring strategy for children living with HIV at 14 centres (904 child beneficiaries and 632 tutors trained), implementation of a rapid testing system called DUO (syphilis and HIV screening) for pregnant women in 10 regions and availability of molecular biology devices for viral load testing

**Part two**  
**Progress made in, and challenges and obstacles to, the**  
**implementation of the Committee’s recommendations, as**  
**well as measures taken**

**I. Progress made in implementing the Committee’s**  
**recommendations**

**A. Access to justice**

48. In Senegal, access to justice has been considered a fundamental right at least since the Universal Declaration of Human Rights of 1948 (articles 7 to 10). The Ministry of Justice has made access to justice one of the strategic areas of focus of the Justice Sector Programme; this has involved the establishment of a community justice mechanism, aimed at bringing the justice system closer to the general public.

49. This policy has been incorporated into area III of the Emerging Senegal Plan, an area which is focused on strengthening security, stability, governance, protection of rights and freedoms and consolidation of the rule of law, in order to create the conditions for sustainable social harmony and thereby help all citizens to achieve their full potential.

50. The legal aid budget has increased from 350 million CFA francs to 500 million CFA francs.

51. Senegal has not yet granted legal standing to civil society organizations, except as provided for in rare special laws such as the one on combating trafficking, in particular of women and children and the smuggling of migrants. Article 17 of Act No. 2005-06 of 10 May 2005 provides that “for the purpose of bringing civil proceedings, the Public Prosecutor’s Office may request the guardianship or legal administration of minor victims who do not have a known legal representative or who do not provide guarantees to safeguard the rights and well-being of the child. The guardian or designated administrator shall be responsible for defending the victim’s interests as a good father. Associations or public services which provide care for victims may, at their request or ex officio, represent them in court respectively”.

52. Basic training does not include a specific training module on racial discrimination. However, as part of continuing learning, special sessions are held for actors in the criminal justice system and civil society.

**B. National machinery for the advancement of women**

53. In Senegal, national machinery for the advancement of women has been in place since 1975, International Women’s Year, and is responsible for ensuring the political and operational implementation of the public authorities’ commitment to equality between women and men and the advancement of women.

54. The Directorate for Gender Equity and Equality was created by Decree No. 2008-1045 of 15 September 2008 to provide the National Strategy for Gender Equity and Equality with an institutional framework to guide its implementation. The Directorate has been operational since 2009. At the institutional level, the Directorate falls under the jurisdiction of the Ministry of Women, Family, Gender and Child Protection.

55. The creation of a directorate specifically responsible for promoting gender equity and equality has:

- Increased the visibility of gender issues among the actions taken by the public authorities for the advancement of women
- Led to a reduction in gender inequalities

56. In this context, the Directorate guides and coordinates the promotion of gender issues in a cross-cutting manner for all development sectors. For the implementation of actions to promote gender equity and equality, the Directorate has developed an implementation plan for the National Strategy for Gender Equity and Equality in accordance with the principles of a results-based management approach. In addition to the programmatic tools for steering and coordinating actions to promote gender equity and equality, the Directorate has developed information and communication tools, such as a website on which basic publications and technical guides are periodically published to promote a better understanding of how to apply a gender approach. However, it should be noted that the monitoring and evaluation plan developed subsequent to the implementation plan, for the regular collection and documentation of implementation data on the National Strategy, has not been sufficiently operationalized to gather together the information required or report on progress made in the various sectors.

57. To achieve its objectives, in addition to the budget allocated by the Government, the Directorate has received support from partners. These include the United Nations Population Fund, the United Nations Development Programme, OHCHR, the European Centre for International Cooperation, UN-Women, the overseas development agency of Italy, the non-governmental organization Plan Senegal and the overseas development agency of Luxembourg, which provided the Directorate with a technical adviser to support the institutional framework of its partner ministries.<sup>4</sup> The Directorate has had to initiate important capacity-building measures to develop the gender sensitivity of actors, to combat gender-based violence and to provide technical support to Ministry officials for the gender-sensitive planning and budgeting of their activities. It has also helped to establish 21 gender units within ministries in order to implement the recommendations of the National Strategy. The ministries have had to develop, to varying degrees, actions to promote internal gender mainstreaming at the various levels of their departments, including gender technical audits that have led to gender institutionalization plans being implemented.

58. The National Parity Observatory saw an increase in its staff in 2019. However, the budget allocated by the Senegalese State remains unchanged. The Ministry of Finance and Budget has since provided technical support in assessing the level of gender mainstreaming in public policies.

59. In 2019, the National Parity Observatory benefited from a programme, provided by the Government of Spain, to support producers and users of gender statistics. The aim of the programme is to set up a national database of gender indicators in areas of public life. The data involved are current statistical outputs of line ministries as well as periodic and specific data from the National Statistics and Demography Agency. In that respect, in 2019 and 2020 a major capacity-building programme will be carried out for gender units and research and planning units on the production and dissemination of gender statistics. In addition, the participatory development of the National Gender Equality Index has been under way since 2016 and is currently undergoing technical validation. The Index is a multidimensional indicator that measures overall performance in terms of gender equality. It makes it possible to

<sup>4</sup> Source: National Strategy for Gender Equity and Equality (2016–2026) p.101.

identify inequalities and their sources, the analysis of which will help to inform decision-making for more effective public policies.

### C. Stereotypes and harmful practices

60. The socioeconomic policy framework of the Government of Senegal includes the Emerging Senegal Plan and provisions for a reduction in the prevalence rate of female genital mutilation (FGM) from 14 percent to 10 per cent in 2019, and to 2 per cent by 2023, as set out in the priority action plan in 2018.

61. A number of measures have been taken by the Senegalese State to eliminate stereotypes. These include:

- Evaluation of the second national action plan to accelerate the elimination of female genital mutilation/cutting (FGM/C) in 2018
- Ongoing development of the third strategy to combat FGM/C
- Engagement of parliamentarians in this political movement through advocacy activities since 2014
- Annual allocation of a budget line of 50 million CFA francs by the Government of Senegal to support action to eliminate FGM in 2014
- From 1997 to 2018 there were 6,809 community declarations on the elimination of female circumcision, with increasing involvement from traditional and religious leaders, including the Islam and Population Network.
- 108,958 people participated in exchange and information activities on social networks for the elimination of FGM through the campaign #TouchePasAMaSoeur
- 240 young girls were trained in the “do no harm” principle (awareness-raising techniques) in Dakar, Mbour, Tambacounda and Kédougou
- 2,803 girls and 368 boys (12 to 18 years old) acquired knowledge about the holistic development of girls to ensure their commitment to work towards the elimination of FGM
- 2,338 girls and women received health services related to FGM
- 33,167 girls and women received social services related to FGM
- Three girls received legal services related to FGM
- 80,839 young people – 45,635 girls and 35,204 boys – participated in educational sessions and life lessons on adolescent reproductive health and FGM
- Updating of the 2019–2023 national strategy and action plan for the elimination of female circumcision

62. The process for the adoption of the third action plan for the elimination of FGM was initiated in 2019 and is being coordinated by the Ministry of Women, Family, Gender and Child Protection. This process is being carried out with the participation and consultation of several other line ministries.

63. Various government sectors and their partners are involved in national efforts to eliminate FGM/C and enforce the law against this harmful practice.

64. The health sector has been working since 2011 to integrate FGM/C into health policies, standards and protocols. In 2016, new tools for the continuous training of health personnel were developed. The Ministry of Health has also initiated a process to formulate and integrate indicators on FGM/C into the national information system.

65. In the education sector, training modules on FGM/C have been developed for teachers and students through a project to support curriculum renewal. These are in the official validation phase.

66. In the justice sector, the Ministry has developed a comprehensive training and awareness-raising programme for magistrates and judicial police officers on the content of the law prohibiting female circumcision. One of the major recommendations of these meetings is a proposal to reform the Criminal Code in order to criminalize the practice of female circumcision and extend the statute of limitations to the victim's age of majority to allow her to file a complaint.

67. The youth sector has carried out information and awareness-raising activities at adolescent counselling centres and has supported the establishment of a youth network to promote the elimination of FGM and harmful practices. This network has run a national campaign in the 14 regions of our country to accelerate the process of eliminating female circumcision and child marriage.

#### **D. Violence against women**

68. In Senegal, combating violence against women has always been a priority for legislators, who have made all forms of violence against women's physical or moral integrity an offence under criminal law.

69. To combat violence against women, the State has implemented several measures. These include:

- Development of an advocacy document to support the process of reforming discriminatory laws, such as the age of marriage for girls
- Development of standard operational procedures to prevent and address gender-based violence. These detail the minimum steps to be followed by actors involved in preventing and responding to gender-based violence. They also specify the steps that governmental and non-governmental actors and community groups must take in order to provide a coordinated response in their four main sectors of responsibility (health, psychosocial support, legal and juridical assistance, and security and reintegration)
- Mapping the actors involved in preventing and addressing gender-based violence in each region
- Establishment of regional committees to combat gender-based violence in all regions. These platforms, chaired by regional governors, are frameworks for coordinating and strengthening synergies to achieve a greater impact. They are composed of State actors (such as line ministry officials, local government officials or local elected representatives) and non-State actors (such as civil society organizations, associations and religious or community leaders) that are involved in preventing and addressing gender-based violence
- Development and validation of the first national action plan to combat gender-based violence and promote human rights for the period 2017–2021. This framework document, the implementation of which is underpinned by a multisectoral and holistic approach, was developed with a view to eradicating gender-based violence in accordance with the State's multiple international, regional and national commitments
- Development of regional action plans to combat gender-based violence in each region. These strategies are developed by the main members of the regional committees to combat gender-based violence, taking into account their

respective specificities and sociocultural realities, in order to ensure a better understanding of the issue

- Development of a practical guide for police officers and gendarmes on how to support victims of gender-based violence
- Training the security forces how to deal with gender-based violence
- Establishment of a national technical committee for the eradication of gender-based violence and the promotion of human rights under the authority of the Minister of Women, Family and Gender
- Development of a web and text messaging platform for collecting data on gender-based violence with the support of the Study and Research Group on Gender and Society at the Gaston Berger University in Saint Louis
- Conducting in-depth studies on gender-based violence with the support of UN-Women in 2015
- In 2016, the Study and Research Group on Gender Studies worked on the following aspects:
  - Gender-based violence: representation and perception; knowledge and risk factors; and forms and prevalence;
  - Causes and consequences of gender-based violence;
  - Strategy for prevention and action by institutions;
  - Communication about gender-based violence.

70. In 2017, for the first time, a gender-based violence module was integrated into the Demographic and Health Multiple Indicator Cluster Survey. With this study, Senegal could have indicators on violence in households every year.

71. In addition, there are special events to promote the rights of women and girls (International Women's Day, International Day of Rural Women, International Day of the Girl Child, and the international campaign for 16 days of activism against violence against women).

72. In addition, support for the creation of new rights shops provides legal, judicial and psychosocial assistance to victims of gender-based violence. Free legal services are provided to vulnerable groups, including rape victims. In 2018, 4,777 people benefited from counselling, guidance and psychological support, 85 per cent of whom were women, compared to 2,157 in 2017, and several training sessions were conducted for actors to ensure that rape victims' issues were dealt with effectively. A reception, referral and socioeconomic reintegration office for survivors of gender-based violence has been set up at the Departmental Centre for Assistance and Training for Women in Koussanar, in the central east of the country.

73. In order to better protect women victims of violence, the Senegalese State has introduced a bill to criminalize rape in all its forms. It should be stressed in this respect that some aggravated rapes, such as rape followed by the victim's death, were already considered crimes. With the imminent adoption of the bill, rapists will be punished with more severe penalties.

## **E. Trafficking and exploitation of prostitution**

74. After more than 10 years of enforcing Act No. 2005-06 and in view of the persistence of the phenomenon, it was important to take stock of the situation and assess achievements and shortcomings in order to draw useful lessons.

75. It is in this context that the National Unit to Combat Trafficking in Persons, concerned with improving the effectiveness of the Act, commissioned a study to review the specific normative framework on trafficking in persons in order to better address the new challenges of organized crime. This study provided an opportunity to review the literature on trafficking in persons, smuggling of migrants and the protection of victims, analyse data on the phenomenon and formulate recommendations. The study proposes a new Act more in line with the Palermo Protocol that incorporates the definition enshrined in article 3 on combating trafficking in persons, especially women and children.

76. Development of the knowledge base, particularly research on the phenomenon of trafficking in women and young people, is a major focus of the work of the National Unit to Combat Trafficking in Persons. Thanks to the follow-up of trafficking cases known to the police and the courts and following the numerous training courses provided by the Unit, trafficking networks have been dismantled. Firm convictions for trafficking cases have also been recorded.

77. As part of the fight against organized crime, Interpol has launched a project to combat human trafficking in six countries of the Sahel region (Burkina Faso, Chad, Mali, Mauritania, the Niger and Senegal). This project made it possible to carry out “Operation Sparrowhawk”, during which the following results were recorded:

- Out of 91 individuals detained, 53 were victims, all boys from 6 to 9 years old, some of whom were Senegalese nationals and others were foreigners. They were placed in reception centres (Empire des enfants, Centre Guindi, Yakaru xaley) with the support of the United Nations Office on Drugs and Crime
- Seven traffickers were arrested in connection with this operation

78. The National Unit to Combat Trafficking in Persons has also set up a data collection system called “Systraité”, the experimental phase of which concerns legal action. It will help to collect and store data and to draw up reports. The system will be deployed on a secure online server accessible to all authorized users. With the support of partners, five pilot regions will be tested in 2019. These are the regions of Dakar, Thiès, Saint-Louis, Tambacounda and Kédougou.

79. Awareness-raising activities organized with the support of partners reached hundreds of people. Among these preventive measures, it is important to note the following:

- Between January 2018 and April 2019, 306 decentralized actors received awareness-raising training about the trafficking and smuggling of migrants (Pikine, Thiès, Guédiawaye, Saint-Louis, Tambacounda, Kédougou)
- 64 judicial actors (police officers, gendarmes, magistrates) were trained in the identification and protection of trafficked persons and smuggled migrants
- Awareness-raising at the University of Saint-Louis, with a course on organized crime
- Visits to gold-panning sites where trafficking through sexual exploitation occurs (Kédougou region)
- Visits to the border crossings of Gouloumbou and Moussala (Tamba and Kédougou regions)
- Interactive round tables through community radio stations
- Film screenings (“The Broken Dream”, “Chainless Migration”)
- Hosting of television shows, etc.

80. The submission of the annual report to the Prime Minister on 25 January 2018, in accordance with article 5 of the Unit's founding text, is an opportunity for advocacy. The report reviews the situation of trafficking in Senegal and provides recommendations on policies to be implemented.

81. The study on trafficking in persons through domestic servitude, commissioned by the National Unit, contributed to a better understanding of this phenomenon. Information provided by this study revealed:

- The economic impact of the huge influx of girls
- The invisible nature of trafficking, resulting from findings on the low rate of complaints filed
- The mistreatment sometimes suffered in homes
- Hardship, abuse, the delegation of parental responsibility to other family members and issues related to recruitment agencies
- The rise in the use of personal networks as a means of recruitment (and the fall in the use of media advertising)

82. Article L.145 of the Senegalese Labour Code sets the minimum age for employment at 15 years. This is being raised to 16 years, in accordance with Act No. 2004-37 of 15 December 2004 (the National Education Guidance Act), which establishes the age for the end of compulsory schooling at 16 years, and with the ILO Minimum Age Convention, 1973 (No. 138), which provides that the age for employment must not be lower than the age at which compulsory schooling ends. However, pursuant to article L. 145, Decree No. 3723 of 17 September 1954 on exemption from the age of employment, fixed at 12 years, the nature of domestic work and light seasonal work that may be performed by children is defined alongside the worst forms of work and heavy physical labour prohibited for this category of vulnerable person.

83. In other words, any exploitation of children, especially girls (trafficking, forced labour, sexual exploitation) is punishable by law, and victims or their guardians may refer the matter to the competent authorities, such as the Labour Inspectorate and the courts, to put an end to such abuses, punish the perpetrators and compensate the victim for the damage. Legislators also regulate domestic work, although Senegal has not yet ratified the ILO Domestic Workers Convention, 2011 (No. 189). Indeed, in order to better protect this category of workers, the Ministry of Labour has carried out a comparative study of national legislation and practice with the provisions of ILO Convention No. 189 and has developed a road map for improving national regulations on domestic workers and promoting decent work for this category of workers.

84. Forced or compulsory labour is also totally prohibited by the Senegalese Labour Code, and the competent services of the Administration of Labour and Justice ensure the enforcement of the law. Under article L.4 of the Labour Code, forced or compulsory labour is prohibited. Forced or compulsory labour means any work or service imposed on an individual under the threat of punishment of any kind or for which that individual has not volunteered.

85. With regard to the decision to ratify ILO Convention No. 189, the Government of Senegal would like to recall that it is currently studying the text and its level of compliance with national legislation before starting the ratification process itself.

## **F. Participation in political and public life**

86. Under the laws and regulations in force in Senegal, there should be no discrimination preventing women from accessing such posts. Women and men have equal access to senior positions in public service.

87. Currently, women hold nearly one of every four ambassador posts (12 out of 52). A variety of posts are held by women: four Foreign Affairs Advisors; one civil administrator; one Police Commissioner; one Financial Analyst; and one academic, among others.

88. Women are appointed to major embassies (including those of Algeria, Brazil, Canada, South African and Spain). Women and men have equal access to senior positions in public service.

89. Female advisers for foreign affairs become ambassadors under the same conditions as male advisers. Access to employment in the international system remains governed by the procedures specific to the international organization in question.

90. There is a Diaspora Women's Financing line aimed at promoting women's entrepreneurship in host countries. Projects are submitted by diplomatic and consular offices.

91. Senegal has 127,130 civil servants, 29,761 of whom, or 23.4 per cent, are women.

92. At the national level, there are no training or mentoring programmes to enhance training and negotiation skills for candidates of either gender in the public service.

## **G. Vocational training and employment**

93. To raise public awareness of the importance of educating women and girls, a national gender and vocational training day has been established. In the same vein, religious and traditional leaders have organized a gender-sensitive career day in their regions to advocate for girls' education and training.

94. In this area, Senegal has taken the following measures:

- Focusing 30 per cent of primary education on vocational and technical training in 2030, thus seeking to increase the percentage of general education students in this track
- Developing options for vocational training focused on the needs of the labour market
- Enhancing the competitiveness and productivity of economic sectors with significant potential for growth
- Strengthening the technical and managerial capabilities of women (200,000 women were trained during the period from 2012 to 2016)
- Increasing women's access to credit (more than 15,000 projects funded, for a total of approximately 20 billion)
- Distribution of 5,000 production units for women
- The number of learners enrolled in vocational and technical training per 100,000 inhabitants increased from 402 in 2015 to 600 in 2016, representing an increase of 198 learners. Compared to the 2016 target (560), there is an increase of 40 learners

95. In order to encourage women and men to move into non-traditional sectors and careers, the State has taken the following measures:

- Increasing the resources allocated to vocational training and technical education, from \$20 billion in 2012 to \$31.8 billion in 2016, to enhance women's and girls' skills to enable them to make the most of all employment opportunities
- Construction and rehabilitation of vocational training infrastructure with a gender perspective, including ramps, separate toilet facilities for girls and boys, and equipped infirmaries
- Provision of dignity kits to girls from poor families
- Awarding of excellence scholarships to the best-performing girls enrolled in technical and industrial fields each year
- Holding of a yearly "female technician" competition to encourage the three best-performing girls in the sectors and professions traditionally reserved for boys
- Building of various centres of excellence
- Overall, girls and women represent 54 per cent of total vocational and technical training attendees
- Construction of new community training centres, enabling many girls to enter such centres
- Increase in the number of girls enrolled in technical and industrial courses (from 5 per cent in 2013 to 13 per cent of total learners in 2016)
- 100 per cent of new construction and renovations are carried out with a gender perspective (ramps, separate toilet facilities)
- Awarding of scholarships to girls excelling in technical and industrial courses, enabling them to complete their training

96. Vocational training opens its doors to all segments of Senegalese society without discrimination. Violence in all its forms is prohibited and punishable by law.

97. Sexual violence committed within or in transit to training centres is a crime that can result in fines and imprisonment as criminal sanctions and, in disciplinary terms, removal if the perpetrator is a teacher.

98. A bonus of 5 points is granted to all women who aspire to leadership positions. The number of women in leadership positions between 2014 and 2018 has increased.

99. School diplomas commonly referred to as "certified" diplomas allow girls and women who have never been to school or who have a low level of education to obtain qualifications. In addition, a literacy module has been integrated into teaching and learning.

100. Senegalese labour law guarantees equal pay for men and women and does not provide for any possibility of a gender pay gap. The principle of equal remuneration is enshrined in article L.105 of the Labour Code, which provides that, under equal conditions of work, professional qualification and performance, pay is equal for all workers, regardless of their origin, sex, age or status. No salary is due in the event of absence except as provided by regulations, collective agreements or agreements between the parties.

101. This equality of opportunity and treatment in terms of remuneration is reaffirmed in all collective agreements governing the various professional sectors.

102. In addition, the public authorities have strengthened legislation to combat discrimination at work in all its forms, with new draft texts and the future establishment of a national tripartite body to combat discrimination.

103. Any person, male or female, who is discriminated against in respect of remuneration on the grounds of gender and who has evidence of those allegations may freely apply to the competent national authorities, namely the Inspectorate and the labour courts, for the restoration of their rights.

104. To strengthen the fight against discrimination, the following legislative reforms are under way:

- Launching of the process of amending article 1 of the Labour Code in order to further clarify the principle of non-discrimination
- Increase in the minimum wage and agricultural minimum wage (see 1.8 on the enjoyment of economic and social rights)
- Launch of the renegotiation process of the National Interprofessional Collective Convention

105. To promote women's access to employment and significantly reduce unemployment, the following measures have been taken:

- Creation of a General Delegation for Rapid Entrepreneurship for Women and Youth in September 2017
- Implementation of the project to support the promotion of youth and women's employment
- Launching of women's projects and women's groups by the National Fund for the Promotion of Female Entrepreneurship

106. The fight against harassment and all forms of discrimination at work has always been a concern for Senegalese legislators and the labour authorities services responsible for ensuring respect for workers' rights and social regulation.

107. The principle of equality of opportunity and non-discrimination at work, which includes the issue of harassment and violence at work, is enshrined in national legislation, in particular in article L.1 of the Labour Code, which states that "the right to work is recognized for every citizen as a sacred right. The State shall do everything in its power to help workers to find a job and to keep it once they have obtained it. 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 and religion."

108. In order to better address the fight against all forms of harassment or discrimination at work, particularly against women, the public authorities have opted to strengthen the law in this area, taking into account the requirements of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of ILO, which Senegal has ratified. In the text of the law, it is clearly stated that "discrimination means any distinction, exclusion or preference based on, inter alia, race, colour, age, sex, trade union activity, membership in a religion, brotherhood or sect, political opinion, national extraction, ethnicity, social origin, disability, pregnancy, family status, state of health, HIV status or physical appearance, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. Discrimination is a prohibited practice in all its forms, whether direct or indirect."

109. Article 319 bis of the Criminal Code states: "Any person abusing the authority conferred on them by their position to harass others through orders, gestures, threats,

words, writings or coercion to obtain sexual favours shall be liable to between six months' and three years' imprisonment and a fine of 50,000 to 500,000 CFA francs. If the victim of the offence is under 16 years of age, the maximum prison sentence shall be imposed.”

110. The judicial courts are thus competent to hear facts related to harassment or violence, in particular against women at work, and these facts are punishable as crimes under Senegalese law.

111. However, it is necessary to recognize the complexity and practical difficulties faced by victims in providing formal evidence of harassment or discrimination because of the subjective or intangible nature of such acts.

112. It should also be stressed that, in order to enhance efforts to counter harassment and violence at work, ILO initiated, in 2018, the adoption of special international labour standards (a convention supplemented by a recommendation) to effectively combat harassment and violence at work. These legal instruments are expected to be finalized and adopted at the 108th session of the International Labour Conference in June 2019.

113. The adoption of these international labour standards will undoubtedly give Member States the opportunity to better strengthen their legal framework to counter harassment at work against women.

114. With regard to this recommendation, there is clearly confusion as to the meaning of the two provisions of the Social Security Code referred to (articles 21 and 87), which do not have the same purpose and are, in their application, in no way linked. It should be noted that the question of retirement benefits does not fall within the scope of the Social Security Code but rather of other texts relevant to the Retirement Planning Institution in Senegal, which are not covered by these recommendations.

115. It should be noted that the legal regime applying to family allowances provided for in article 21 of the Social Security Code is different from that provided for in article 87 of the Code, which governs pensions allocated to the dependants of a worker who has died as a result of a work accident, and not retirement pensions as indicated in the recommendation.

116. In this respect, it must be strongly emphasized that the provisions in question do not contain any elements that discriminate against women. Both articles 21 and 87 of the Social Security Code refer to “workers” without any other form of distinction. The term “worker” within the meaning of Senegalese labour law refers to both men and women. In view of the above, it is impossible to deduce from the above-mentioned article 21 that “family allowances are granted only to the father”. They are paid to any worker (male or female) with dependent children under the conditions provided for by the laws and regulations in force.

117. As regards article 87 of the aforementioned Code governing pensions for the beneficiaries of workers who die as a result of an accident at work, the children or descendants of the victim are indeed provided for among the beneficiaries in the event of the death of the worker (art. 87, second paragraph).

118. Finally, it should be noted that the process of revising the social security system has begun through the drafting of a single Social Security Code for Senegal.

## H. Rural women

119. Rural women play a major role in development. Aware of this, the State of Senegal has taken a number of measures and is implementing projects to strengthen their participation in the management and governance of natural resources.<sup>5</sup>

### **Supporting women's participation and leadership in the management and governance of environmental and natural resources**

120. It is important to note that strengthening normative, legal and policy frameworks encourages women to assume roles of responsibility and participate fully and equally in decision-making in all areas of forest development. For example, the following achievements should be highlighted:

- The presence of women in the water and forestry corps, at all ranks and position levels
- Gender mainstreaming and women's empowerment in the following thematic areas for forest development

### **Protection of forests and the fight against wildfires**

- Systematic inclusion of women in wildfire prevention committees
- Women's access to training and equipment to prevent and fight fires
- Women's access to land and other resources in forests classified as under management to develop empowerment activities (market gardening, beekeeping, etc.)

### **Development and sustainable use of forests**

121. Systematic inclusion of women in local forest management structures, in particular the Inter-village Forest Management Committees, the statutes and internal regulations of which are based on Act No. 2010-11 of 28 May 2011, which enshrines absolute parity between women and men in organizations for which the membership is elected or semi-elected.

### **Improvement and monitoring of women's access to land, water, energy and other natural resources**

122. In order to correct inequalities in access to agricultural assets and enhance the positioning of women in the agricultural sector, Senegal has taken the following measures:

- Allocating at least 15 per cent of future development projects for surface water and 20 per cent of future development projects for groundwater to women
- Allocating at least 20 per cent of subsidized fertilizers to women
- Allocating at least 20 per cent of certified rice and groundnut seed stocks to women
- Allocating at least 10 per cent of subsidized tractors to women
- Allocating 40 per cent of agricultural financing to women
- Providing 20 per cent of funding for agricultural research projects to women

<sup>5</sup> Source: Beijing +25 report.

- Increasing the representation of women in agricultural decision-making bodies to 20 per cent

123. Indeed, circular No. 0989 of 5 June 2018 of the Ministry of Agriculture and Rural Equipment on the reduction of gender inequalities in agricultural activities was aimed at allocating a quota of at least 15 per cent of the development of surface water and 20 per cent of the development of groundwater to women. An allocation of 40 per cent of related funding to women is also envisaged. From 2014 to 2017, women's access to land increased from 13.8 per cent to 28.8 per cent.

**Improving women's access to sustainable time-saving and labour-saving infrastructure (for example, access to safe drinking water and to energy) and to climate-friendly agricultural technologies**

124. Several measures have been taken, but the most significant one remains the Emergency Community Development Programme, launched in 2015 by the Senegalese Government with the support of the United Nations Development Programme, which aims to improve the living conditions of the population and lay the foundations for a flourishing rural economy. After an assessment (National Parity Observatory, 2019), it led to: (a) improved access to basic social services (drinking water, health centres and schools); (b) improved access to energy (electricity and biogas); (c) improved market access for the sale or purchase of products. Indeed, the average distance to a water supply, which before the Programme was almost 2 km (1.74 km), has been reduced to less than 1 km (0.93 km). Similarly, the average time required to fetch water has decreased from three hours to one hour, representing a gain of two hours or, over the course of a year, 30 days of additional free time for women.

125. The rural electrification component has enabled women for instance to carry out income-generating activities and improve schooling for their children, who can now study at night. Finally, the Programme's processing equipment has lightened women's workload in activities such as the threshing of grains and their processing into flour.

## I. Legislative and regulatory reforms

126. By ratifying the Convention on the Elimination of All Forms of Discrimination against Women, Senegal had decided to rectify the gaps in its national legislation in relation to the provisions of the Convention. Some legal provisions remain discriminatory, particularly in the area of the family.

127. Indeed, according to article 152 of the Family Code, the status of head of family and power over the household and children belongs to the husband. According to article 277: "In a marriage, parental authority is exercised by the father as head of the family".

128. It also states that choice of residence for the household belongs to the husband, the wife being obliged to live there with him (article 153).

129. In the context of marriage, women are subject to many forms of discrimination, including discrimination with regard to the minimum age for marriage, which, according to article 111, "may only be entered into between a man of over 18 years of age and a woman of over 16 years of age".

130. According to article 375, the husband has the primary responsibility for supporting the household.

131. With respect to matrimonial property, if the dowry system is applied pursuant to article 385, property given to the woman at the time of her marriage by persons

other than her spouse and subject to the dowry system (real estate, securities deposited with the bank or animals) will be handed over to the husband. He will then administer them during the marriage, as a good family man.

132. Bearing that in mind, the Ministry of Justice, in collaboration with the Ministry of Women, Family and Gender, and as part of the project to support the national strategy for gender equity and equality, has begun the process of reviewing national legislation in order to eliminate laws and regulations that discriminate against women and harmonize its domestic legislation with the provisions of international and regional legal texts.

133. In this context, a technical committee to review legislative and regulatory provisions that discriminate against women has been set up under the authority of the Minister of Justice and Keeper of the Seals. The technical committee was set up in accordance with order No. 00936 of 27 January 2016. The work of this committee has enabled a review of all the provisions that do not comply with Senegal's commitments to protecting women's rights.

134. At the end of the work, proposals were made to amend certain provisions of the Family Code, the Criminal Code, the Code of Medical Ethics and Act No. 2005-18 of 5 August 2005 on reproductive health, which were considered discriminatory against women. They concern, in particular, amendments to the provisions of the Family Code relating to the age of marriage (article 111), paternal authority (article 152), causes of divorce (article 166), residence of the household (article 153), responsibility for the household (article 375) and prohibition of inquiries into paternity (article 196).

135. In addition, a decree implementing the Reproductive Health Act has been adopted to supplement the provisions of the Act.

## **II. Challenges and obstacles to the implementation of the Committee's recommendations, and measures taken**

### **A. Challenges and obstacles**

136. The struggle for absolute equality between men and women faces challenges in the economic, social and cultural fields related to equal exercise of the rights guaranteed by the Convention on the Elimination of All Forms of Discrimination against Women and other legal instruments, such as the African Charter on Human and Peoples' Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. These challenges include the following:

- Inadequate resource mobilization for activities that benefit women
- Women continue to suffer from stereotypes, inequalities and discrimination in Senegalese society
- Efforts to integrate the Millennium Development Goals into national policies that must be implemented by structures housed in the sectors themselves face a lack of resources allocated by the national budget and, by extension, a weakness in the legal regulatory framework which produces gender statistics

137. Efforts in the field of women's rights have focused on empowering women and combating sexual and marital violence. The Government has therefore set up gender units within the various ministries in order to develop a culture of women's rights within the Administration. However, obstacles remain, in the form of cultural, religious and economic pressures, including the following:

- High proportion of women in the sector in question
- Scattered initiatives
- Lack of legislation to guide initiatives that are already successful but need to be consolidated
- Lack of insurance policy in the informal sector
- Late reimbursements for care services
- Social, cultural and religious constraints
- Insufficient representation of women in community consultation frameworks involving decision-making
- Access to information for women
- Lack of information on land purchases and the relevant notary procedures
- Inadequate funding in relation to needs
- Demand exceeds supply for project financing
- Low levels of representation in the diplomatic sector
- Insufficient programmes specifically encouraging women to access international positions
- Absence of women candidates during the most recent presidential elections, held in February 2019
- Slow adoption process
- Sociocultural burdens
- Persistent sociocultural and religious constraints that resulted in a slight decrease in the prevalence rate of FGM for girls up to 14 years of age. This rate once again decreased slightly between 2012 (18 per cent) and 2017 (14 per cent), before stabilizing at 14 per cent in the past two years (2016 and 2017)
- Lack of in-depth study on the sociocultural elements that lead to the practice of female circumcision outside the Demographic and Health Survey data
- Insufficient follow-up when communities declare that they have abandoned the practice of FGM, owing to the absence of follow-up mechanisms and processes, and reinforced by a culture of silence
- Low reporting and punishment rates in FGM cases
- Insufficient or unavailable reliable information and statistical data on gender-based violence

138. In Senegal, information and statistical data on gender-based violence are not always available, and even when they exist, they are not integrated through a system that allows them to be shared with and accessible to the general public and other interested stakeholders (decision makers, researchers and consultants, inter alia).

139. In addition, existing statistical data on gender-based violence is sometimes difficult to use, as it is insufficient and fragmented and, in most cases, is not disaggregated according to certain variables such as gender, age, ethnicity, place of residence and type of violence:

- There are inadequate prevention and care mechanisms for survivors, including the absence of a fund to assist gender-based violence victims, lack of integrated and holistic gender-based violence centres (one-stop centre), the high cost of

care (inter alia, medical, legal and psychological) and persistent sociocultural obstacles.

- There is insufficient coordination and harmonization of the work of stakeholders involved in gender-based violence prevention and management strategies (inter alia, civil society organizations, non-governmental organizations and technical and financial partners).
- Contingencies and constraints (long stays abroad, the possibility of family separation, relocation) make the diplomatic career less attractive to women.

## **B. Measures taken**

140. The following steps were taken in Senegal during the period under review for the implementation of the Convention and the accepted recommendations:

- Development of an advocacy document to support the process of reforming discriminatory domestic laws, such as the age of marriage for girls
- Development of standard operational procedures to prevent and address gender-based violence. These detail the minimum steps to be followed by actors involved in preventing and responding to gender-based violence. They also specify the steps that governmental and non-governmental actors and community groups must take in order to provide a coordinated response in their four main sectors of responsibility (health, psychosocial support, legal and juridical assistance, and security and reintegration)
- Mapping the actors involved in preventing and addressing gender-based violence in each region
- Establishment of regional committees to combat gender-based violence in all regions of Senegal. These platforms, chaired by regional governors, are frameworks for coordinating and strengthening synergies to achieve a greater impact. These pilot efforts are composed of State actors (such as line ministry officials, local government officials or local elected representatives) and non-State actors (such as civil society organizations, associations and religious or community leaders) that are involved in preventing and addressing gender-based violence
- Development and validation of the first national action plan to combat gender-based violence and promote human rights for the period 2017–2021. This framework document, the implementation of which is underpinned by a multisectoral and holistic approach, was developed with a view to eradicating the phenomenon of gender-based violence in accordance with the State's multiple international, regional and national commitments
- Development of regional action plans to combat gender-based violence in each region. These strategies are developed by the main members of the regional committees to combat gender-based violence, taking into account their respective specificities and sociocultural realities, in order to ensure a better understanding of the issue
- Development of a practical guide for police officers and gendarmes on how to support victims of gender-based violence
- Training for 72 police officers and gendarmes on how to deal with gender-based violence

- Awareness-raising for five brigade commanders and 10 police commissioners on the challenges faced by the security forces in addressing gender-based violence
- Establishment of a national technical committee for the eradication of gender-based violence and the promotion of human rights under the authority of the Minister of Women, Family and Gender
- Development of a web and text messaging platform for collecting data on gender-based violence with the support of the Study and Research Group on Gender and Society at the Gaston Berger University in Saint Louis

141. It is important to highlight the support of UN-Women, during the period of 2015 to 2016, which enabled the Study and Research Group on Gender and Society to conduct in-depth studies on gender-based violence in the following areas:

- Representation and perception of gender-based violence
- Knowledge of and risk factors for gender-based violence
- Types and prevalence of gender-based violence
- Causes and consequences of gender-based violence
- Strategy for prevention and action by institutions
- Communication about gender-based violence

142. In 2017, for the first time, a gender-based violence module was integrated into the Demographic and Health Multiple Indicator Cluster Survey. With this study, Senegal could have indicators on violence in households every year.

143. Finally, it is worth noting the regular holding of special events to promote the rights of women and girls in Senegal. This is the case for International Women's Day, the International Day of Rural Women, International Girls' Day and the 16 Days of Activism against Gender-based Violence campaign.

## Conclusion

144. Senegal is more concerned than ever about the need to strengthen the promotion and protection of women's rights, as evidenced by all the achievements described and despite the difficulties and obstacles identified in an economically unfavourable context. This concern is a cross-cutting issue for all of the country's national development programmes.

145. The protection of women's rights is enshrined in the country's public policies, the most important of which is the Emerging Senegal Plan. Among its strategic objectives are "strengthening sanctions for violations of women's and children's rights" and "combating gender-based violence and strengthening social dialogue".<sup>6</sup>

146. In the context of promoting gender equity and equality, emphasis is placed on including women's issues in public policies adopted as strategies to combat all forms of inequality and ensuring women's equitable participation in the development process.

147. Ongoing and future policies, projects and programmes take into account the needs, rights and contributions of women, following an integrated approach. The strategic objective is to empower and advance the status of women and girls through capacity-building for institutions and local authorities, to improve the legal

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<sup>6</sup> Emerging Senegal Plan, paras. 389 and 390, page 103.

framework for the protection of women and girls and to strengthen women's leadership and entrepreneurial capacities to enable inclusive growth.

148. In conclusion, the Government of Senegal reiterates its firm commitment to continuing the constructive dialogue with the Committee and renews its commitment to the international community's social ideals to ensure that the rights of women and girls are better taken into account at the national and global levels.

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