



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Seventy-first session

11-29 January 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined third to fifth periodic reports of Senegal

**The State party is requested to submit in writing additional, updated information, if possible before 15 October 2015 (10,700 words maximum).**

*The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. Please indicate whether the State party intends to expedite the process for the preparation and adoption of the Children's Code.
2. Please describe the progress made towards the implementation of the national child protection strategy and national action plan 2012-2016.
3. In the light of the Committee's previous recommendation (CRC/C/SEN/CO/2, para. 14), please indicate whether the State party intends to establish an independent Children's Ombudsman.
4. Please describe the efforts made to combat all forms of discrimination based on social status or caste.
5. Please indicate what measures have been adopted to ensure full implementation of the provisions of the new Nationality Code allowing children to acquire Senegalese nationality through their father as well as their mother, and to eliminate discrimination in the area of naturalization of foreign children with disabilities.
6. In the light of the Committee's previous recommendation (CRC/C/SEN/CO/2, para. 30) and the information provided in paragraphs 151, 152 and 153 of the report, please indicate what measures were implemented following the validation in 2010 of the National Birth Registration Centre's strategy aimed at reducing regional disparities in birth registration and ensuring that children without birth certificates have access to educational and social services without discrimination. Please also inform the Committee about the processing time and costs for late birth registration procedures as



well as measures adopted to ensure that in such cases the individuals in question actually take receipt of the certificate.

7. Please provide detailed information on the progress made by the State party towards enacting legislation to criminalize corporal punishment and all forms of violence against children. Please indicate if the State party intends to amend article 285 of the Family Code to expressly prohibit corporal punishment in the family.

8. Given the prevalence of female genital mutilation and excision in the State party, especially in certain regions, please provide detailed information on:

(a) Efforts made to fully implement the legislation prohibiting and criminalizing those practices;

(b) Measures adopted to prosecute those responsible, including traditional and religious leaders;

(c) Initiatives and awareness campaigns launched by the State party and aimed at practitioners, traditional and religious leaders and the general public in order to change attitudes and eliminate those harmful practices.

9. Please provide detailed information on the 2010-2015 plan to coordinate efforts to eliminate excision, mentioned in paragraph 92 of the report, as well as on its results.

10. Given the high incidence of child marriage, in particular in isolated and rural areas, please indicate what measures have been adopted to eliminate that practice. In that context, please describe measures to:

(a) Amend article 111 of the Family Code to make 18 the minimum age of marriage for girls;

(b) Repeal article 300 of the Criminal Code, which legalizes customary marriage and sexual relations with girls over 13.

11. The Committee has information according to which half of children with disabilities do not have access to school. Please provide detailed information on the efforts made to ensure full implementation of the Social Policy Orientation Act, eliminate discrimination against such children and guarantee them effective access to inclusive education, health care and social and rehabilitation services.

12. Please describe in detail the measures adopted to:

(a) Reduce regional disparities in access to quality health services for mothers and children;

(b) Prevent and eliminate malnutrition and infant mortality;

(c) Prevent and eliminate maternal mortality.

13. Please indicate whether the State party intends to amend the legislative framework relating to reproductive health, which expressly prohibits and criminalizes voluntary abortions (Criminal Code, arts. 305 and 305 bis). The Committee would also like to know how many girls have been imprisoned for having an illegal abortion.

14. Given that Act No. 2004-37 made schooling compulsory and free for children between 6 and 16 years of age, please indicate what measures the State party has adopted to:

(a) Ensure full application of the Act by eliminating direct and indirect costs for education;

(b) Reduce regional disparities in access to education;

- (c) Reduce dropout rates;
- (d) Strengthen the school inspection system;
- (e) Train teachers, in particular women teachers.

15. Please provide information on the efforts made to deal with the problem of schools in rural areas without complete programmes, mentioned in paragraph 172 of the report, and on the alternative models of education referred to in paragraph 174. Please provide detailed information on the programmes and initiatives implemented to facilitate access to education for disadvantaged children, including orphans, children from single-parent families, street children, children in conflict with the law, children from ethnic minorities, and child refugees and asylum seekers.

16. Please indicate whether the State party intends to revise the provisions of ministerial Decree No. 3750/MFPTEOP/DTSS (2003), according to which boys under 16 may work in underground mine and quarry galleries, as well as article L145 of the Labour Code, which permits a lowering of the minimum age for admission to employment if authorized by the Minister of Labour. Please also describe in detail the progress made to eliminate child labour, in particular the worst forms of child labour, in both the formal and informal sectors, including at traditional gold-washing sites. Furthermore, please provide updated information on the implementation of the Project to Combat Trafficking and the Worst Forms of Child Labour, mentioned in paragraph 67 of the report, as well as on the new development strategy (DPES 2011-2016), referred to in paragraph 72.

17. Please indicate what concrete steps have been taken to remove *talibé* children from the control of Koranic teachers who exploit and mistreat them and to fully implement legislation prohibiting the exploitation of begging by others. Please also indicate in particular whether the State party intends to repeal the religious exemption set out in article 245 of the Criminal Code relating to begging. Lastly, please provide information on the steps taken to prosecute and punish those responsible for the exploitation and mistreatment of children, including Koranic teachers.

18. Please indicate what measures have been adopted to prevent and eliminate the sexual exploitation and trafficking of children, especially girls and street children, and to combat impunity for those crimes. Please describe the measures adopted by the State party to combat sex tourism, including international child trafficking networks, as well as to ensure the protection and reintegration of child victims, including children working as tourist guides. The Committee would like to know if the State party intends to revise the Criminal Code to include a clear definition of “the sale of children” in accordance with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and to prescribe penalties for perpetrators. Please provide updated information on the powers and activities of the national task force to combat human trafficking, mentioned in paragraph 74.

19. Please indicate what measures the State party has adopted to eliminate the practice of “*conflage*”, which makes children vulnerable to economic exploitation and mistreatment, including sexual abuse.

20. Bearing in mind the information provided in paragraph 122 of the report, please describe the progress made towards implementation of the Justice Sector Programme (PSJ), mentioned in paragraph 109, especially with regard to: establishing juvenile courts, in particular in isolated or rural areas; increasing the number of reception centres for the rehabilitation and reintegration of minors in conflict with the law; and training judges, magistrates and specialized social workers. The Committee would also like information on the State party’s efforts to ensure that minors are held

separately from adults in detention centres and on measures adopted to eliminate any practical or financial obstacles to children's access to legal assistance.

21. Many refugees from Mauritania, including children, live in the territory of the State party in extremely precarious conditions with regard to both food and basic services. Please indicate what steps the State party has taken to facilitate their integration into Senegalese society and provide detailed information on programmes and initiatives that guarantee refugee children access in practice to education, health and social services. Please provide information on the results of the campaign to register Mauritanian refugees launched in 2012, including the issuance of biometric identity cards.

22. The Committee would like information on progress made by the State party in demobilization and demining operations in the Casamance region and in the development of rehabilitation and reintegration programmes for child victims of the armed conflict.

## **Part II**

**In this section the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:**

- (a) New bills or laws and their respective regulations;
- (b) New institutions and their mandates, as well as institutional reforms;
- (c) Recently adopted policies, programmes and action plans and their scope and funding;
- (d) Recent ratifications of human rights instruments.

## **Part III**

**Data, statistics and other information, if available**

1. Please provide consolidated budget information for the past three years on resources allocated to children and the social sectors, indicating the percentage of each budget line in terms of the total national budget and gross national product in the State party.

2. Please provide data, disaggregated by age, sex, socioeconomic background, national and ethnic origin and geographic location, covering the past three years, on:

(a) The number of cases of abuse and violence against children, including all forms of corporal punishment, with additional information on the type of assistance given to child victims and the follow-up provided, including prosecution of the perpetrators and the sentences handed down in the State party;

(b) The number of cases of sexual violence or rape committed against children and adolescents, the number of investigations and prosecutions and the outcome of trials, including information on penalties for perpetrators and redress and compensation offered to victims;

(c) The number of cases of female genital mutilation/excision, including information on the follow-up provided, the penalties for perpetrators and redress and compensation offered to victims;

(d) The number of cases of child marriage, including information on follow-up in such cases;

(e) The number of cases of early pregnancy among young girls and adolescents;

(f) The prevalence of underweight/stunting in infants and children under 5 years of age;

(g) The prevalence of under-5 mortality and infant and maternal mortality disaggregated by cause of death;

(h) The extent of vaccination coverage;

(i) The number of children infected with or affected by HIV/AIDS and malaria.

3. Please provide data on the number of:

(a) Cases of infanticide and child abandonment reported;

(b) Girls imprisoned for having an illegal abortion.

4. Please provide data on the number of *talibé* children, the number of cases of economic exploitation of *talibé* children and the number of investigations and prosecutions as well as the outcome of trials, including information on penalties for perpetrators and redress and compensation offered to victims.

5. Please provide data, disaggregated by age, sex, socioeconomic background, national and ethnic origin and geographic location, covering the past three years, on the number of children:

(a) Separated from their parents;

(b) Living in street situations;

(c) Placed in institutions;

(d) Placed with foster families;

(e) Placed informally in other families;

(f) Adopted domestically or through intercountry adoptions.

6. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) In institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

7. Please provide data, disaggregated by age, sex, socioeconomic background, national and ethnic origin and geographic location, for the past three years, on:

(a) The enrolment and completion rates, disaggregated by sex and in percentages, of the relevant age groups in pre-primary, primary and secondary schools;

(b) The number and percentage of dropouts and repetitions;

- (c) The teacher-pupil ratio.
8. Please provide data, disaggregated by age, sex, type of disability, socioeconomic background, ethnic origin and geographic location, for the past three years, on:
- (a) The number of children involved in child labour, including the worst forms of child labour, the number of investigations, the follow-up provided, the penalties for perpetrators and redress and compensation offered to victims;
  - (b) The number of child and adolescent victims of the trafficking or sale of children, the number of investigations and prosecutions and the outcome of trials, including penalties for perpetrators and redress and compensation offered to victims;
  - (c) The number of child and adolescent victims of prostitution;
  - (d) The number of child and adolescent victims of child pornography;
  - (e) The number of child refugees and asylum seekers.
9. Please provide data disaggregated by age, sex, ethnic origin, geographic location and type of offence, for the past three years, on the number of:
- (a) Children and adolescents who have allegedly committed a crime and who have been reported to the police;
  - (b) Children and adolescents who have been sentenced and the types of punishment or sanctions handed down for offences they have committed, and the length of deprivation of liberty;
  - (c) Detention, reception and rehabilitation facilities for children in conflict with the law and the capacity of those facilities;
  - (d) Adolescents and young adults held in those facilities and minors held in adult facilities;
  - (e) Children kept in pretrial detention and the average length of their detention;
  - (f) Children and adolescents monitored by the non-custodial educational facility system (AEMO);
  - (g) Cases of ill-treatment and violence during the arrest and detention of children;
  - (h) Women detainees' children living in prison.
10. Please provide the Committee with an update of any data in the report which may have been superseded by more recent data collected or by new developments.
11. In addition, the State party may list issues affecting children that it considers to be of priority with regard to the implementation of the Convention.
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