



## **Réponses au Questionnaire sur le rapport unique valant troisième à septième rapports périodiques du Sénégal**

**Réf. Nations Unies CEDAW/C/SEN/Q/3-7**

**Comité pour l'élimination de la discrimination à l'égard des femmes (CEDAW)**

**SOIXANTE ET UNIÈME SESSION**

**Préparé par :**

Senegalese Women's Development and Communication Network/Femnet.Senegal  
Association des Handicapés Moteurs du Sénégal/AHMS  
Association des Juristes Sénégalaises/AJS  
Pesticide Action Network Africa/PAN Africa

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## SIGLES ET ABRÉVIATIONS

ADB	
AIDS	Acquired Syndrome Defience
AJS	organization of Jurist's Senegalese
ASBEF	Association for Health and Wellness for Women
CECI	Cooperation of Canadian
CEDAW	Committee on the Elimination of All Forms of Discrimination against Women
CEGID	
CLVF	committee to fighting violence against women
COSAPRAT	Senegalese Committee for the abandonment of harmful traditional practices
CFS	Code of the Family in Senegal
FNGPF	Federation of women's groups
FEMNET/Senegal	Senegalese Women's Development and Communication Network
GBV	Gender Base and Violences
HIV	
EDS IV	Demographic and Health Survey
EDS V ou EDS-MICS	Demographic and Health Survey, Multiple Indicator (EDS-MICS), 2010 – 2011
OHCHR	Organization of the Office of the United Nations Human Rights
ONP	National Observatory of Gender
ONU FEMMES,	United Nations Entity for Gender Equality and the Empowerment of Women
PAGPF	Support Project for the Advancement of Women Groups
PALAM,	Project Literacy and learning craft
PLCP	Project fighting Poverty

SCHR	Senegalese Committee for Human Rights
UGB	Gaston Berger University
UN agencies	Agencies of unity Nations
UNESCO	Organization of the United Nations Educational , Scientific and Cultural
UNFPA	United Nations Organization for Population and Development
ONG	Organisation Non Gouvernemental

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#### **Item 4 of the provisional agenda**

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

##### **Constitutional and institutional framework and access to justice**

1. In view of article 98 of the Constitution, which provides that international conventions are superior to national laws, please explain why, 29 years after the ratification of the Convention without any reservations, a large number of discriminatory provisions remain in the national legislation, notably in the Family Code and the Labour Code. Please indicate the time frame for the modification of those laws (para. 33).<sup>1</sup> It is indicated in the report that an application to prevent the promulgation or implementation of legislation may be made to the Constitutional Council by lodging either a constitutional challenge (voie d'action) or an application for judicial review (voie d'exception). Please indicate whether women have made such applications.
2. Please indicate the measures taken to assess the impact of the policy for local and more accessible justice (para. 140). Please provide information on the impediments faced by women in gaining access to justice and the measures taken to overcome them. Please indicate the measures taken to provide, in cases of discrimination against women, free legal aid for all women living in poverty and to allow civil society organizations with an interest in the proceedings to lodge petitions. Please also indicate whether customary justice mechanisms exist and, if they do, describe their functioning and their relationship with the formal justice system. Please indicate, in particular, whether women married under customary law can resort to civil courts for all matters relating to marriage, family relations and inheritance.
3. Please indicate whether the Convention has been cited by national courts and, if it has, provide detailed information on the cases. Please supply information on the steps taken to provide training for legal professionals, including judges, prosecutors and lawyers, and other actors responsible for the implementation of the provisions enshrined in the Convention. Please also provide information on initiatives carried out to disseminate the Convention and the Optional Protocol thereto, the general recommendations adopted by the Committee and its decisions under the Optional Protocol.

1. Senegal's population is 95% Muslim , Islamic law is not the law. The defendant has an option between being made subject to the common law or Islamic law. This option allowed the existence of certain discriminatory provisions such as Islamic law code of the family who is considered by some players as discriminatory on the issue of inheritance (Article 637 ) . Indeed, " if the CAAB called to compete not all of the same sex , males receive a double portion of that of females " ( Family Code Article 637, part of the heritage of a natural child (Article 642 ) to choose a family name ( Articles 3 and 4 ) granting the family head to man; in the field of work, some discriminatory provisions still exist such Law No. 73-37 July 1973 on the Social Security Code, " family allowances are allocated to each worker for dependent children ; in marriage, the father being the only exercising parental authority , the mother will receive family benefits if the father parental authority delegated to it "(Article 21); Law No. 73-37 of 31 July 1973 states: women workers contribute to qualify for a retiree 's pension. In case of death , the pension is paid to his heirs , and only if the surviving spouse is not employed ; a General Order No. 54-52 of 19 July 1954 prohibits women on night work in plants, factories , buildings) and plants, factories , mines, quarries , construction sites ( such as

roads and buildings) and workshops and their dependencies. The employment of women to external displays of shops and boutiques is also prohibited in an absolute manner after 22 hours. Following the above, the existence of socio-cultural inertia prevails legal measures; granting the family head to man (Article 152. However, overall , we must remember that Senegal has made progress including the adoption of new laws or by amending certain . In this sense , measures are taken for the implementation of the Maputo Protocol as evidenced by the national action plan on FGM , the law on reproductive health , gender , nationality and institutional mechanisms financing and women empowerment. Moreover, certain provisions of the Maputo Protocol are integrated in the draft Criminal Code, already adopted by the Cabinet.

In this regard, we can say that the country is in compliance with CEDAW in law. However, they remain many problems in the effective implementation of the various measures taken by the State. Hence the need for a good advocacy campaign to bring the authorities to make them effective.

Also, civil society organizations have identified the discriminatory provisions and transmitted to the Board of Review. This latter was slow to respond to the harmonization of our legislation with international commitments

The Family Code governs the law of marriage. But some provisions (Article 111, Article 133, Article 132 and Article 152 which makes man the family head) remain. Civil society organizations have identified the discriminatory provisions and transmitted to the Board of Review. This latter was slow to respond to the harmonization of our legislation with international conventions.

2.

A) According to the Government, these bills have not yet voted and promulgated. However, they were adopted by the Cabinet. They will shortly be submitted to the National Deputy.

B) The Reform of current texts

C) Members of women's organizations, civil society and women's networks actresses of Women's Rights worked accordingly with a survey of discriminatory laws and the articles of the family code by making a strong plea to the authorities but so far the results were unsuccessful.

D) Community Justice Houses are insufficient and not known by the public. Good initiative requiring expansion in other regions and rural communities for local justice.

E) The obstacles are related to lack of financial resources and fear of court, but legal aid was set up to support legal costs

F) The revision of the Penal Code which in its current provisions:

- Allow associations to sue. In case of violations of women, mutilation or female circumcision on children with consent of the victim or her parents
- Allowing victims to benefit from a legal aid lawyer

G) The social mediations exist but not formal and operation depends on the company and ethnicity

H) Married women can apply to the civil courts in matters relating to marriage, family relations and inheritance in order to regularize the actions of weddings and other.

Thus, for example, that people in conflict can come to the imam of the neighborhood not their dispute for resolution in accordance with Shari'a but under the dictates of his conscience man honest and wise. Of course, the Koranic law and precedents existed and were generally respected but never at the cost of equity because rendering justice was synonymous with "tell the truth", search the just, under the circumstances. At this stage, there is a "customary trial without administrator", made up of everything that contributes to the preservation of the social order and using processes or processes which guarantee the expected results. Thus the emphasis on the existence, at all levels, consultation frameworks. This is also the reason why the development of custom codes, intervened thereafter, is a vain enterprise to which indigenous people are never interested him. What matters are dialogue, consensus and respect for fairness?

I) Section 25 of the Senegalese Constitution stipulates ' Any discrimination between men and women in employment is prohibited unless it is based on the nature of work or the services provided. «But in reality women are injured in the allocation of family benefits, the entry in the public service».

3.

A) The Ministry for justice organized workshops of reinforcements of capacities to the magistrates, the agents legal, the social workers, the leaders of opinion, monks and usual as to certain leaders of the civil society within the framework of the reform of the penal code in progress.

B) The Convention is integrated into the initial and continuing training modules for members of the judiciary, including judges, prosecutors and lawyers , as well as others responsible for implementing the provisions of the Convention including judicial training center . Civil society organizations involved in strengthening capacities of actors.

C) The government has involved different actors in developing and validating the report. The Office of the United Nations for Human Rights organized a capacity building workshop of stakeholders on the committee's recommendations and the decisions taken at the last passage of Senegal. Civil society is invested in shares of capacity building, awareness at the base and production of communication materials for a wide extension of the agreement with the community.

### **National machinery for the advancement of women**

4. Please indicate the percentage of the national budget allocated to the advancement of women and whether the budget allocation for the national mechanism for the advancement of women and the capacity of the staff of that mechanism are adequate at all levels of government. Please provide information on measures taken to ensure an increase in budget allocations for education, health care and rural development, with a gender perspective.

Please explain how the various improvements in the situation of women in the fields of health, education and rural development will be possible in view of the limitation of the allocations for personnel in the 2015 national budget. Please also provide information on the capacity of the national machinery for the advancement of women to coordinate with the various ministries and with the regional, municipal, borough and rural community authorities and gender focal points or other gender mechanisms where they exist (para. 8).

Please explain the role and competencies of and the coordination among the Ministry of Women, Children and Female Entrepreneurs, the Senegalese Human Rights Committee, the Office of the Ombudsman and the National Observatory on Parity. Concerning issues relating to discrimination against women, please clarify who has the competence to initiate cases in

courts, propose new legislation or the revision of present legislation and conduct training and awareness-raising activities. Please indicate whether the numerous programs, plans, activities and measures mentioned in the report, in particular in paragraph 39, have been evaluated and, if they have, what the results are. Please also indicate whether those programmes continue to be implemented.

### **National Mechanism of Women's promotion**

#### **4.**

A) Senegalese's budget for fiscal 2015 estimated at over FCFA.2,800 milliards the department responsible for the advancement of women is estimated at FCFA.16,045,741,300 FCFA.18,174,441,240 against a decrease of FCFA.2,128,699,940 in absolute value and 11.71 for percent in relative terms. Despite this decline, we must also see what percentage of development partners that accompany the department's main mission is the promotion of economic and social development of the family. Its staff is insufficient and strengthening staff capacity component is almost nonexistent, staff generally requires scholarships to improve their skills.

B) Gender cellules' are created in the corporate deposit artements and additional budgets are solicited for their operation for a perspective of the integration of equality and gender equity in projects and programs.

C) Development Partners and bilateral contribute to certain sections of its departments such as immunization, prevention of certain diseases, equipping health infrastructure, water, agriculture and school materials.

D) Creation of the Department of Equity and Gender Equality since 2008, coordinating framework , monitoring and evaluation of the implementation of policy of integration of the gender dimension within the mechanism responsible for issues Kind has set up gender focal points at national, regional and local.il must signalize the Genus mechanism at decentralized level services for the advancement of equality of gender.

E) The role and skills of the four institutions are defined as follows:

The Minister of Women, Family and Childhood prepares and implements the policy on family policy, the promotion of women and protection of children and entrepreneurship by women. It supports the development of social policy development and contributes to improving the living conditions of family. It ensures compliance with the fundamental rights of children and their protection against abuse and all forms of exploitation including those related to begging. It ensures the successful integration of young children in the family and social life. He is responsible for policies with regard to abandoned children, street children and children being marginalized. It implements actions to provide a decent living for these children. It identifies and implements the measures required for the preservation of family values. He leads the women's promotion policy and the fight against discrimination against women.

It promotes the strengthening of women entrepreneurs capabilities, particularly in terms of financing and management of their activities. The Senegalese Committee for Human Rights (SCHR). The SCHR is defined as an independent institution to promote human rights through "consultation, observation, evaluation , dialogue and consultation. He has extensive expertise and great flexibility regarding the choice of means and problems to deal with, although at the same time, real powers conferred on it are low. Its mandate is to promote and protect human rights and to submit reports on the conditions of human rights in the country. On the promotion plan, its role is to educate government and the general public through the media, training, conferences 'or other means".

It must also «create, collect and distribute" documentation about human rights. At the level of protection of human rights, the SCHR must take action whenever infringements of human rights are reported or brought to its attention by the autorité.<sup>2</sup> In addition, it can " attract attention " public authorities on violations of human rights and propose solutions . The SCHR is also empowered to issue opinions or recommendations on "all issues" relating to human rights, including "laws, regulations or administrative practices"; the SCHR is important, though less well defined as an area of mediation between civil society and government on issues of human rights. This is expressed in various ways in the law.

The Ombudsman receive, as provided by law, complaints regarding the functioning of government departments, local authorities, public institutions and any other body with a public service mission. The Ombudsman does not have jurisdiction in matters, conflicts, disputes or disputes between: personal between them; a natural person to a legal person of private law an individual to a corporation or a representation of institution with the immune system of international (diplomatic or consular missions, international organizations, etc.) a natural or legal person to a foreign jurisdiction; It can not intervene in cases before courts or question the soundness of a court decision. However, the seizure of the court does not prevent the Ombudsman to intervene to obtain the settlement of the dispute brought to its attention. The Ombudsman may be seized by any natural or legal person, who believes; on the occasion of a case concerning a body referred to in Article 1 of the 1991 law did not function according to the mission public service to be rendered.

The mediation by individuals is by means of a written claim. It is admissible without any requirement of delay, but it may not be reconsidered unless the claimant proves that he has previously taken reasonable steps to allow the department concerned to examine her complaints. The Ombudsman has a role in monitoring, advocacy, advice and proposals.

Finally, the ONP's mission is to monitor, assess and make proposals to promote parity between men and women in public policy . As such, it is responsible to play a monitoring role, alert and anticipation and gather in collaboration with relevant ministries, institutions and organizations of civil society, all data, research and analysis on the situation of women at all levels of the economic, social and political, national and international level.

Finally, the four institutions similarity in their role as watch, warning and collaboration with others. However, the referral to the Ombudsman by individuals is by means of a written claim. As for the Senegalese Committee for Human Rights, its mandate is to promote and protect human rights and to submit reports on the conditions of human rights in the country. On the promotion plan, its role is to educate government and the general public through the media, training, conferences. The SCHR is also empowered to issue opinions or recommendations on "all issues" relating to human rights, including "laws, regulations or administrative practices". For ONP, it is responsible to play a monitoring role, alert and anticipation and gather in collaboration with relevant ministries, institutions and civil organizations.

The Ministry of Justice through the Direction of Criminal Affairs and Thanks, nevertheless, the ministry for the interior, the armed forces, the woman, the family and childhood, the Senegalese committee of the human rights. The civil society, the bodies of the United Nations system can make the plea in this favor.

G) PALAM, credit project became women Credit Fund and the Impulse fund for microfinance and women's entrepreneurship in the fund are . The projects and programs were evaluated ; some of the results are considered satisfactory as the PAGPF (1992-2000) , at the close of the project, a fund of 85 million FCFA was returned to the federation of women's

groups ( FNGPF ) for the creation of an institution microfinance at national and regional level to meet the financial needs of women.

H) This PAGPF project funded by ADB, has been perpetuated by the PLCP project (2000-2005) and the birth of PALAM project (2005-2015) which is involved in the field of literacy, microfinance, rural entrepreneurship and learning for girls and boys.

### **Stereotypes and harmful practices**

5. Please provide information on steps taken to prohibit such harmful practices as polygamy, levirate, sororate, repudiation, denial of inheritance rights to women, food prohibitions or taboos and opposition to the spacing of births, as well as to criminalize child and/or forced marriage. Please also indicate whether the State party envisages taking more efficient measures to eradicate the practice of child marriage.

Please indicate the measures taken to monitor the implementation of the second national action plan to accelerate the end of the practice of female genital mutilation (2010-2015) and the enforcement of the legal provisions of Act No. 99-05 of 29 January 1999 criminalizing female genital mutilation and also provide data on the investigations, prosecutions and convictions of perpetrators of that practice during the period under review.

Please indicate whether the State party envisages developing a comprehensive strategy to change social and cultural patterns and eliminate gender-based stereotypes and harmful practices. Please indicate the measures taken to assess the impact of the efforts made to educate and raise awareness about the harmful effect of those practices on girls and women.

A) The levirate and sororate are prohibited; concerning the marriage of the children for the boy it is 18 years and the emancipation of the girl at 15 years with the agreement of civilly responsible. In Senegal, the women have access to the heritage however, this heritage is often blocked because the majority these women have neither certificate of marriage nor of document legalizing this act. What involves problems at the time of the death of their husband following the document to be shown as proof legalizing this act. Then for several documents are asked before which and the children cannot profit from this heritage.

B). The trivialization of female child marriage is confirmed by EDS V: "In Senegal, the age of entry into union women is quite early. Indeed, 16% of women aged 25-49 years at the time of the survey were already in union before reaching the age of 15. (...) . Four out of ten women (40%) were already in union up to 18 years. «The practice of early marriages overwhelmingly affects women and girls.

This practice they violate

- right to life (fatal bleeding after sexual penetration Girls, risk pregnancies)
- right to physical and psychological integrity (marital rape)
- right to education and intellectual development ( they are forced to leave school or high school)
- right to employment (who interrupted their schooling , girls lose their chances for employment and career of their choice)
- Right to economic autonomy (they live under the economic dependency of the husband and in-laws)
- Right to personal growth accorded by a chosen career and economic independence (they live under psychological domination of a much older husband who can easily format them at their convenience.

Despite these serious consequences for girls and adolescents, only the consumption of a marriage of a minor under 13 is punishable by criminal sanctions. Moreover, by providing that the age of marriage is 16 years for girls (and 18 years for boys) Article 111 of the Family Code legalizes and legitimizes the practice of early marriage . The judge may even permit minor under 16 years old to marry.

C) The government has political and legal frameworks and programming sciences which led to better results with a social dialogue with the community, the religious sales leaflet and the participation of the media. Coordination reinforced at the national level, departmental and local. Compared to the law, the intensification of sensitizing, the encouragement with the denunciation by the installation of bodies of day before within the communities and by the use of toll-free numbers of the national police, la suspension of the term of limitation in the majority of the victim in fact of excision. This is like in dynamics, of the reforms of the penal code and of the code of penal procedure and taking as a starting point these relevant in commandations of the innovations are introduced into these text projects for not only one effective of the law but also best application taken into account of the interests of the victims of the excision.

D) During implementation of the action plan on abandoning the practice of FGM, several measures have been taken including the performance of religious and medical arguments , the establishment of consultation and dialogue frameworks. These measures are part of the economic and social development policy. However, these efforts by the State with development partners and civil society, the practice of FGM persists According to the population survey continued health (DHS 2010-2011) and that of 2014 the prevalence rate increased from 28 % to 25 %. An overall decline in the practice but the phenomenon continues in high prevalence areas especially in the Fouta, predominantly ethnic alplar region where the practice is exercised on newborns from 4 weeks to 5 months. Its persistence indicates that it is a social norms -based phenomenon with a cultural and religious foundation. The application of the legal provisions of Law No. 99-05 of 29 January 1999 is very low although reinforced by the new Article 299 bis of the Penal Code which authorizes criminal enforcement practice. For now 8 cases are registered subject to judicial treatment, halfway practitioner was released in the Matam region in 2010 under pressure from religious

E) For the moment, nothing is taken to eradicate these harmful practices, though the state continues the implementation of the action plan for the abandonment of the practice of female genital mutilation (2010-2015) in addition to the program spouse to "the eradication of GBV and promoting the human rights of women funded by four UN agencies (ONU FEMMES, OHCHR, UNFPA, UNESCO) for the period 2013-2016.

F) Measures have been taken including the study on GBV GESTE laboratory UGB , the development of a Charter against GBV in training environments to enhance women's safety by the laboratory GESTURE of UGB , the development of the national action plan for the implementation of 1325..aussi resolution , the international organization NO PEACE WITHOUT JUSTICE partnership with FEMNET/Senegal and COSAPRAT has implemented an advocacy project for law enforcement with support on the global resolution on FGM with the participation of six countries including Senegal .. Strategies were identified in the workshop of 12 May 2015 to strengthen the implementation of the ACT 99-05 of 25 January.

### **Violence against women**

6. Information before the Committee refers to an increase in the rate of sexual violence against women in the State party, the lack of awareness among women of the legal provisions criminalizing domestic violence and the lenient penalties imposed on perpetrators. Please provide data on the number of cases of violence against women, including rape and other

sexual violence, in addition to domestic violence, reported to the police and brought to court, the number of prosecutions and convictions in that regard and the penalties imposed on the perpetrators.

Please indicate the measures taken to raise awareness among women of the existing legal provisions criminalizing all forms of violence, including domestic violence. In view of the contradictory information received by the Committee, please clarify the penalties provided for in the Criminal Code for cases of rape and whether rape is considered a serious crime under the Code.

Please indicate whether the State party envisages adopting legal provisions criminalizing marital rape and amending article 285 of the Family Code in order to prohibit and eliminate corporal punishment in all settings, including the home.

Please also indicate whether the State party has developed or envisages developing a national strategy to combat gender-based violence.

A) The fact that violence is gender-based results from the fact that the majority of such violence is sexual in nature. In all police and gendarmerie structures that we included in the study, rape (half of all cases ) is by far the type of violence against women most frequently recorded .. Also, if we construct a category for sexual violence (rape and indecent assault ) , we will , in this category , almost 60 % of cases. "

We have several indications suggesting an upsurge in cases of sexual violence, physical assault, abuse can take extreme forms leading to death or particularly serious consequences ( Ndione Cabral , 2000; Blackden , 2006, CECI 2000 the listening and assistance center of Kaolack, personal communication 2009) ".

Regarding CLVF , its interventions are focused on the reception of victims of violence, legal advice , family and social mediation, psychosocial counseling , guidance for victims of violence , information , awareness raising , capacity capacity , animation antennas , warning , reporting and advocacy / lobbying. The last three years he has recorded 1,672 victims of which 65 % occurred in the domestic space. Of these 1086, 24 % consist of threats, intimidation, and dishonorable words in households. Thus, the friends CLVF up a community listening posts in regions.

For example , domestic violence against women in general , women and girls living in an unsafe environment with harmful traditional practices, patriarchal dominance , submission to the high man to the rank of cardinal value the trivialization of violence against women and girls, the sanction of testimony and denunciation.

From December 13, 2008 when it was founded in February 28, 2013, the right to store the AJS which is a legal aid center and free legal advice , located in a popular area of the capital , received a number of Three Seventeen Hundred Twenty thousand Two thousand people ( 3722 ) which have been consulted by a team of 20 lawyers, consultants and specialized in various areas of law (family, labor , criminal , probate, real estate , ...).

These consultations, 106 cases of rape where the victims , mostly minor , were delivered to left themselves if the AJS was not supported legal aid and their medical and psychological care ( through partnership the AJS with Cegid , child guidance center run by a psychologist for psychological assistance to the victim and with ASBEF , Association for the welfare of the family, for medical care and the medical certificate ) . In short, reliable statistics are unproven as a unifying framework is non-existent in the country.

**Please provide information on measures taken to educate women on the existing legal provisions against all forms of violence, including domestic violence.**

B) The actions noted in this field within civil society that works tirelessly to eradicate this scourge. Advocacy sessions are undertaken to strengthen existing legal frameworks. Also, we can note the existence of law shops and community listening stations set up to local courts

C) The route of the victims for support begins with the issue of medical certificate, both from a financial point of view (between 10 and FCFA.15 000) as socially (corruption). Moreover, especially in remote areas, inadequate material and human resources do not allow both medically and judicial conduct analysis that give as soon as possible evidence that a rape was suffered, there took contamination by sexually transmitted diseases, that there was HIV or violence suffered could result in serious physical consequences to be supported in court processing.

After the issuance of the medical certificate, the files are transferred to the police or the gendarmerie who in turn introduced them to the Tribunal. At this level also a proper management mechanism for victims is still lacking. For example, there are no rooms specially equipped to hear children. The victims of sexual abuse, regardless of age, must stand alongside their executioner and before an audience of several dozen people usually empathize with the person accused of rape. All along the circuit, the victim faces interventions.

A) These mediations to counter the triggered procedure, pressure for the withdrawal of a complaint, of negotiations to stop the outstanding legal proceedings, to support promising medical expenses or remission of a sum of money, excuses presentations.

B) New provisions corresponding to Articles 166 bis, 256 bis and 257 bis have been inserted into the Criminal Code. According to Article 300 of the Penal Code: "Anyone who when it comes to the consumption of a marriage celebrated according to custom, carries out or attempts to perform the sexual act on the person of a child below 13 years of age shall be punished with two to five years imprisonment.

If this resulted in the child serious injury, infirmity, even temporarily, or if the report have led to the death of the child or if they have been accompanied by violence, the offender shall be punished with imprisonment five to ten years.

In the case under the first paragraph of this Article, the offender may, in addition, be deprived of the rights mentioned in Article 34 for at least five years or ten years at most from the day when he shall have undergone his punishment. "

CFS Article 111: "Marriage shall be entered into between a man aged 18 and a woman aged over 18 years old except for good cause exemption granted by the president of the regional court after investigation.

Pedophile acts became an offense punishable by 5 to 10 years in prison, rape was defined and sanctioned sentences ranging from 5 to 10 years in prison or 20 years in prison in aggravated cases. However, a study of case law on sexual assault shows that in most cases the accused is entitled to the benefits of the release of the doubt be extenuating circumstances ( relief minimum penalty ) . It shows a fairly lenient law against sex offenders, especially when the victim is over 13 years (the law states that the fact of having the victim under 13 requires that the maximum penalty is pronounced.

The principles , which establish the hierarchy of the sexes and gender stereotypes (social roles assigned to each sex) , are the source of social acceptance of extreme violence suffered by women and children in Senegal:

1. Economic Violence (Prohibition of action to establish natural paternity , sharing of goods unfavorable to women in case of divorce or widowhood , limited access of women to land and resources )
2. Psychological abuse ( polygamy, repudiation )
3. Physical abuse ( assault, homicide )
4. Sexual violence ( marital rape and extra-marital , sexual harassment, early marriage, forced marriage ) .

The consequences of the violence suffered by women from an early age are disastrous :

1. High levels of maternal mortality
2. High rate of imprisonment of women for infanticide , abortion and failing health book or soliciting on public roads (all offenses caused by being female and poor )
3. High rate of early marriage of girls
4. Feminization of poverty
5. Feminization of AIDS
6. high illiteracy rates among women and girls

Despite the signing and ratification of CEDAW in 1985 by Senegal, as well as its integration into the Constitution in 2001, the harmonization of Senegalese legislation with that agreement has not yet been undertaken. State authorities (legislative, judicial, executive) appear more sensitive to the warnings of conservative opinion leaders (brandishing culturalist and religious arguments) than advocacy of women's rights associations.

Advocacy emphasizing the respect for the rule of law, the hierarchy of norms (supremacy of the Constitution and legally signed and ratified conventions on the laws) and Senegal's international commitments has proven to date ineffective. So the status quo detrimental to women's rights to equality and to respect for their human dignity remains. The few legislative advances achieved by women's civil society are paralyzed in practice by the lack of promotion by the state authorities of a culture of respect for the rights of women and children

State continues implementation of the action plan for the abandonment of the practice of female genital mutilation (2010-2015) and the ongoing joint program for "the eradication of GBV and promoting the human rights of women funded by four UN agencies (ONUFEMMES, OHCHR, UNFPA, UNESCO) for the period 2013-2016.

### **Trafficking and exploitation of prostitution**

7. Reference is made to the adoption of Act No. 2005-05 of 29 April 2005 and the national action plan to combat trafficking in persons (paras. 53 and 54). Please indicate the measures taken to ensure and promote their effective implementation. Please provide sex-disaggregated data on trafficking in persons, including on the number of victims, cases investigated, cases prosecuted and convictions and the punishment of perpetrators. Please indicate whether the State party has taken specific measures to protect from trafficking women and girl domestic workers, women who enter into Internet marriages and women subjected to forced labour, begging and trafficking for the purpose of sexual exploitation. 8. Please indicate the impact on women in prostitution of article 9 of the Code of Minor Offences, which provides for administrative fines and/or imprisonment in the case of communication in a public place for the purpose of engaging in prostitution. Please indicate whether the State party envisages repealing the legal obligation for women in prostitution to register in a health database and to be subjected to fortnightly medical check-ups. Please provide information on the rate of imprisonment of women in prostitution on the above-mentioned grounds. Please also indicate the measures taken to provide educational and economic alternatives to prostitution and to

introduce exit programmers and rehabilitation and reintegration measures for women leaving prostitution.

Article 1 of Law No. 66-21, which provides for the inclusion of prostitutes on a health and social file under penalty of a fine of 20 000 to 100 000 FCFA or imprisonment of one to three months.

Article 9 of the Code violations: "Those who, through gestures, words, written or by other means, would perform publicly soliciting persons of one sex or the other , to aggravate them to dissolution " shall be punished with imprisonment of up to thirty days and a fine of up to FCFA.20,000.

A) The sex-disaggregated data are not available, but according to the report of the Prison Department, the date of 20 November 2014, the prison population on the entire territory, is distributed 8,630 inmates in the 37 prisons in the country. Juvenile detainees are among 182 children in conflict with the law including girls in the minority. The children are already condemned to the 29.

While those in pretrial detention well beyond that figure, including 153 minors detained. The released detainees are not included in these statistics. Minor girls occupy a small percentage, with only seven of them in detention. These are trapped in the prison for women prisoners 6, the only exclusively for female prisoners prison.

B) The Children's Code is being finalized will soon be the subject of a law. Also, modernization of daaras was the subject of a project launched by the State in 2013 to fight against begging. A current law on the status of the daaras.

## 8.

A)Article 9 of the Code of the infringements: "Those which, by gestures, words, written or by all other means, would proceed publicly to the soliciting of the people of one or the other sex, in order to cause them with the vice" will be punished of a sorrow of imprisonment of a maximum of thirty days and of a fine being able to go up to FCFA.20 000. Article 9 of the Code of the infringements: "Those which, gestures, words, Written by all other means, would proceed publicly to the soliciting of the people of UNO or the Other sex, in order to cause them with the vice" will Be Punished of a sorrow of imprisonment of a maximum of days of UNO of Thirty and June of fine Which can go up to FCFA.20,000

Senegalese State did'nt consider any reform in this field and from the organizations of the civil society activating itself in the protection and promotion of the human rights, protects the prostitutes by taking account of their human dignity.

B) Senegalese government did not contemplate any reform in this area and civil society organizations activating in the protection and promotion of human rights , protect prostitutes , taking into account their human dignity.

C) Between 2001 and 2009 2,050 women were accused of infanticide 364 (17, 8%). The most affected age groups:

- 13/18 years, 24 cases (6.6%) ;
- 19/36 years (case 256) ;
- 37/46 years, 34 cases
- 47/56 years, 10 cases.

. Incarceration motifs:

- 30% infanticide,
- Fault health book 20%
- Thieve 18 %
- Drug trafficking 18%
- 6% intentional injury

D) In Senegal, the national level, the overall prevalence (both sexes combined ) was 0.7% ( EDS IV) while the prevalence among sex workers is 19.5% ( EDS IV).

"These are often girls of unknown father paperless civil status without school level, without any qualification and without landmarks. Sometimes they are victims of forced marriage at a young age, then they divorced with all dependent offspring, and they have to find ways to feed their children. What? What has the society for the prevention of prostitution and sex work? (... ) These women are beaten, harassed, victims of racketeers and support their entire family. No law protects them. "

E) Only the association called 'AWA' ' working with this population and work for the rights of women involved in prostitution and for their rehabilitation according to an interview in LIFE - Green Environmental Information, No. 011 , May-June 2009 , Senegal, p.18.

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

9. Reference is made to the adoption of Act No. 2007-40 of 13 November 2007 on equal access fo Participation in political and public life 9. Reference is made to the adoption of Act No. 2007-40 of 13 November 2007 on equal access for men and women to elected office and Act No. 2010-11 of 28 May 2010 instituting full gender parity in all elected bodies (para. 58). Information before the Committee indicates that those acts have not been fully implemented at the regional, municipal and local levels, that the Ministry of the Interior failed to invalidate a list comprising only men at the local elections in Touba in June 2014 and that the Autonomous National Electoral Commission lodged an appeal in respect of that list. Please comment on that information and indicate the measures taken and envisaged to ensure the effective implementation of the above-mentioned legislation for all elected offices, including through the application of sanctions. Please also provide information on the steps taken to achieve equal representation of women and men in appointed decision-making positions in the Government, the judiciary, the civil service at the national, provincial and municipal levels and the diplomatic service, including through the adoption of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 on temporary special measures.

A) The Constitution was amended in 2008 to introduce in Article 7 the following paragraph: "The law favors the equal access of women and men to offices and positions." Then in 2010 the law on absolute parity in elected assemblies and semi- elective carried. It forces the political parties standing for election to file, subject to rejection, lists of candidates where the candidates are necessarily placed in alternating by sex position.

B) Although this bill passed the legislature after the elections of July 2012 has 65 women out of 150 deputies, a percentage of 43 % women. But since it seems that there is a backlash against women: not only the Assembly refuses to apply to itself parity (not joint office, elects five men and one woman as representatives in Parliament ECOWAS). At Touba, the government granted a special status for the validation of non joint lists; worse, the absence of women in the local elections in 2014

C) The Constitutional revision of 2008, the gender balance in elected office, the Constitution expressly prohibits "any discrimination between men and women in employment , wages and

taxes ." Several laws have been revised include Act No. 81-17 of 15 May 1981 on political parties ; Law No. 81-77 of 10 December 1981 on the suppression of acts of racial, ethnic or religious

Au niveau législatif, La mise en œuvre de ces règles impératives a nécessité l'élaboration, la promulgation et la révision de plusieurs lois, notamment :

- La loi n° 79-02 du 4 janvier 1979 abrogeant et remplaçant les alinéas 2 et 3 de l'article 814 du Code des Obligations Civiles et Commerciales, et l'article 2 de la loi n° 68-08 du 26 mars 1968 modifiant le chapitre II relatif aux associations du livre VI du Code des Obligations Civiles et Commerciales et réprimant la Constitution d'associations illégales;
- La loi n° 79-03 du 4 janvier 1979 abrogeant et remplaçant l'alinéa premier de l'article 5 de la loi n° 65-40 du 22 mai 1965 sur les associations séditionnelles ;
- La loi n° 81-17 du 15 mai 1981 relative aux partis politiques ;
- La loi n° 81-77 du 10 décembre 1981 relative à la répression des actes de discrimination raciale, ethnique ou religieuse ;

The Penal code, in which new provisions corresponding to articles 166 (a) [1], 256 (a) [2] and 257.

[1] "Any agent of the administrative and legal order, any invested agent of an electoral mandate, or agent of the communities, any agent or employee of the State, public corporations, national companies, mixed-ownership companies or legal people profiting from the financial assistance of the public power, which will have refused without legitimate reason with a natural person or morals, the benefit of a right due to racial discrimination, ethnic or religious, will be punished of a three months imprisonment to two years and of a fine from 10,000 to 2,000,000 francs."

D) [2] "will be punished same sorrows as those envisaged by article 56 (one month at two years and a fine from 250,000 to FCFA.300,000), whoever will have displayed, exposed or shown taking into consideration public, offered, even on a purely free basis, even not publicly, in some form that it is, directly or by means diverted, distributed or given, for their distribution by an unspecified means, all objects or images, all printed papers form, all written, speeches, postings, engravings, paintings, photographs, films or stereotypes, matrices or reproductions photographic, emblems intended to proclaim the racial superiority, to give birth to a feeling from superiority racial or racial hate or constituting an incentive with racial discrimination, ethnic or religious."

"Any agent of the administrative and judicial, all invested agent of year elective office, agent public authorities, agent but representative of the state, public gold other institutions, national corporations, mixed economy companies but legal entities receiving financial public support from the authorities, who refuse without lawful reason to has natural but legal person, the benefit of has right had to racial, ethnic gold religious, shall Be punished with imprisonment of three months to two years and has fine from 10,000 to 2 francs million."

E) "Will Be punished the same penalties ace those prescribed by section 56 (one month to two years and has fine of 250,000 to 300,000 Swiss francs), whoever posted, displayed public gold projected under, offered, even At free, even yew not publicly, in any forms whatsoever, directly indirect gold by means, distributed gold handed over for distribution by any means, any object gold image, printed to subdue, writings, speeches, displays, prints, paintings, photographs, films gold punts, dies gold photographic reproductions,

emblems intended to proclaim racial superiority, to achieving has judicious of racial superiority but racial hatred, but constituting incitement to racial, ethnic gold religious.

## **Education**

10. It is indicated that a large number of measures have been taken to increase access by girls to education (paras. 70-87). Please indicate whether the effectiveness of those measures has been assessed in order to take corrective measures where necessary. Please provide information on measures envisaged to: (a) allocate adequate funding to education; (b) effectively implement mandatory primary education; (c) integrate a gender perspective into the provision of school facilities, such as sanitary conveniences; (d) address the high level of illiteracy among women; (e) increase the enrolment and retention rate of girls in education, in particular in secondary, vocational and higher education; (f) overcome the economic, social and cultural obstacles to access by girls to education, including the direct and indirect costs of education, child marriage, adolescent pregnancy, long distances to school and domestic work; (g) curb violence against and sexual harassment of girls in schools, including by teachers; (h) increase the number of women teachers at all levels of education and the number of women in decision making positions in the education system; and (i) integrate a gender perspective into teacher training. Please provide information on how circular No. 004379 of 11 October 2007 allowing access to education by pregnant pupils is being implemented. Please also indicate the percentage of schools and girls benefiting from the school canteen program that provides food to preschools and primary schools in rural areas and indicate whether the program will be continued in the long term (para. 118)

A) While measures have been taken but the lack of school infrastructure especially in rural areas, teachers, pregnancies and early marriages persist.

B) Annual assessments are made but the situation did not change much because the quality of teaching and student achievement is very low

C:

a) yes, but operation takes more than the other expenditure

b) Actually make primary education compulsory; primary education is compulsory, but in rural areas, the level of poverty does not keep girls in school, they work as house servants to support the family

c) A project to build sanitation facilities by sex is performed in many schools especially in rural areas with the support of development partners such as UNICEF, Plan International, Child Fund .....

Moreover, the evaluation report reveals that the Integrated Service Package Program (ISP) of the Ministry of National Education with support from UNICEF has taken the strategic option to organize the support to priority the "physical" component of the components followed by «school feeding , health and nutrition " and " organizational ". This hierarchy is consistent with the order of priorities set by the Senegalese government. The evaluation confirmed the effectiveness of this strategy because it allowed the presence and frequency of eleven (11) elements (water points, toilets, CGE, school feeding, hand washing devices, de worming and supplementation, school cooperatives, medicine boxes, electricity, school gardens, during 3 academics.

and to promote an effective policy of support , especially when it facilitates the accessibility and use of sanitary facilities in the area. This policy provides a good school in hygienic conditions because it ensures the cleanliness of the courtyard and classrooms;

it helps to integrate good food hygiene and individual and collective personal hygiene. In this way, it contributes to the health of students and, therefore, creates an organizational climate conducive to better yields because the conditions of learning are facilities.

Nevertheless, elements deemed essential components are integrated to optimize the effects of the SIA; These are in order the fences to create a protective and secure school environment ( physical component ); HVAC training, to strengthen the emergence of behavioral changes and the implementation of libraries ( educational component ); pharmacy boxes, factor of good health (health and nutrition food component) classrooms to replace the temporary shelters, the electrification of schools to increase the time quantum and functional premises have also by how the implementation of the PSI encourages the existence and functioning of government or school parliament and she encourages students to organize collaboratively for the maintenance of water stations, the program instills students and grassroots actors of civic behaviors that reinforce their citizenship education. It allows them to access a civic skills palette that serves their development.

Yet it is necessary, first to restructure these bodies to make them more functional and also to generalize to all schools for an active contribution to the development of the PSI. The implementation of the PSI encourages real involvement of community members in school management. However, this implication seems little concern young people and women. As for the participation of members of communities of schools with the PSI, the focus is more on services than on financial participation.

The training provided in a diversified manner on issues such as water, sanitation and hygiene, management of school canteens and stress management and conflict have began on building the capacity of grassroots actors and members of the community to make them better able to affirm and define themselves as participants in a relevant educational program. However, these formations deserve to be intensified and strategies of implementation and management should be improved.

Beyond class and school, the use of health facilities by community instead of school at the center of social life. Indeed, a regular school with sufficient water and sanitation becomes a magnet for community activities center. It added to its traditional functions of teaching and training that of service to society. This is an eloquent demonstration of what must be a development school. However, to avoid overloading these facilities, it proves vital to implant in the surrounding communities' sanitation and water supply systems in community management.

Finally, still doubting the effectiveness of the program, it would suffice to show its many advantages over its low drawbacks and especially the managers satisfaction rate (100 %) and primary stakeholders (over 90 %) the results achieved by PSI. The existence of this feeling is indicative of the fact that activities in the area are up to their needs and aspirations and they have appreciated.

d)The existence of literacy programs but sustainability of acquired functional literacy remains a handicap for the duration of courses does not allow for continuity and strengthening of acquired device seems to forget during the design of some programs

e) the principle of access to school is not discriminatory This device is observed in teaching private and with civil society organizations

f) school meals are available in some schools and can be generalized in time, the existence of close colleagues but insufficient and technical and vocational education centers are solutions made to overcome economic, social and cultural obstacles

g) there are legal devices to criminal penalties but the proof is difficult , and often the family of the victim remains silent following socio-cultural inactivity.

h) A noble idea , however , the facts show otherwise since women are subject to discrimination during their journey, " barriers " to motherhood and marriage leave are highlighted by their colleagues ' 'men' indicate their skill and their continuous availability

i)The gender is not integrated into teacher training but such cells are established by ministries of education, the quality improvement program , fairness and transparency " PACKAGE " over the period 2013-2025 , incorporates this concern to staff the Senegal inclusive and efficient education system which guarantees every child an education free and durable quality ; However , this program is still in extension phase.

A) Pregnant pupils have to continue the lessons but most of them prefer the abandonment of the studies further to the social and cultural gravities and in more the school desk are not suited to the pregnant girl. The report of Minister for Education of 2009, reveals « how to fight against the girls pregnancies at the school? »

Testimony "I have just had the report on the question. This year, we have 144 pregnancies in Sédhiou. And unfortunately, there are teachers who are targeted. In Kolda, last year, we had more or less 111 pregnancy girls. I think that it is necessary to be firm with regard to (compared with) this question. Every questioned teacher is immediately punished. Unfortunately, there are often camouflages, that is internal arrangements in the breast

B) Evaluation of the impact of the programs of school canteens on the performances of the rural primary schools in Senegal. The school canteens are implanted in primary schools between December, 2008 and February, 2009. Besides the number of days of functioning of canteens in the month varies between 2 and 20 days with an average of 12.49 days the month.

C) The evaluation of the impact revealed that the pupils who benefited from school canteens almost doubled. It passed from 29, 92 % of correct answers to the test standardized at the beginning of the year to 56, 65 % at the end of the year. In these conditions, we could determine the specific effect of the school canteens on the cognitive performances of the pupils. In the face of (In front of) this reality, the government of Senegal aspires to set up one

## **Employment**

11. Please provide data on the registration rate of cases of sexual harassment in the workplace and on the measures taken to prevent and punish such acts. Please also provide data on the existence of a wage gap between women and men and of occupational segregation of women in the public and private sectors, and indicate the measures taken to overcome that situation. Please indicate whether all formal sector employees are covered by the social protection system. Please also indicate whether the State party has taken measures to protect women working in the informal and the rural sectors, in particular measures to provide them with social benefits.

12. Please indicate whether the State party envisages repealing the discriminatory legal provisions concerning the allocation of child benefits to men only (art. 21 of the Social Security Code), the non-allocation of a pension to the children of a deceased woman who was

employed before her death (art. 87 of the Social Security Code) and discrimination in the allocation of the widow's pension (Law No. 73-37 of 31 July 1973).

A) The law 99-05 of January 25th, 1999 and the measures are taken by the government and the organizations of the civil society (non-trading company). It is a question: Besides the activities of the much more intensive organizations of the civil society (non-trading company) (CLVF and AJS), we also have, services of social help to Senegal are relatively a few.

The center of the children of insertion and of readapting of the children in conflict with the law of the freedom 6 set up by the Ministry of Justice with a constructed structure as a consequence (accordingly) for the needs for the accommodation (hosting), the sanitary care, the sessions of rehabilitation and coverage (care) and support (accompaniment) in the judicial audiences. The center "Guinddi" is a service (department) of intervention regarding child welfare based in Dakar and of which its national reach (impact).

B) Certain existing devices (plans) are discriminatory, it is a question of: The code of the Social Security (Article 6 - law n°73-37 of July 31st, 1973, the welfare is put back (handed) to the head of the family, thus to the man) mother receives the allowances (allocations) only if the father delegates him (her) the parental authority (article 21); the salaried women pay the contribution to receive a pension of retired man. In the event of death, the pension is put back to his (her) legal successors, if only the surviving spouse is not salaried;

The labor code (the ban on the night work to the women in factories, factories, appearances (mines), careers (quarries), construction sites (works); the concept of the suitable employment (use) for the women) ? The article 20 law n°71-31 of March 12th, 1971 modifying the law N°61-33 of June 15th, 1961 relative to the General status of state employees? The law a general order n°54-52 of July 19 th, 1954 forbidden in the night work in factories, factories, buildings (ships), and factories; ? The employment (use) of the women in the outer (foreign) displays of shops and stores is forbidden by away absolved after 22 hours.

It is necessary that the government takes measures to repeal them and putting others adapted and taking into account the dimension (size) kind (genre); the taken measures are among others the implementation of the action plan of the FGM, the law on the health of the reproduction, the parity, but the political will has to accompany its measures for the equality and the equity of kind (genre) between the sexes. The law on the parity was raped (violated) during the local elections of 2014.

C) All the women are not to protect because in spite of the law on the fiscal equality, the procedure is left difficult continuation (suite) to the constitution of the file (case) to be put down (to be deposited) (obtaining of a marriage certificate and the parental rights are often refused by the man).

D) All the women are not to protect because in spite of the law on the tax equality, the procedure marriage and the parental authority is often refused by the man.

E) Set up of mutual insurance companies of health in the villages

## 12.

F) Not measures to this way

G) Not still

## **Health**

13. In view of the contradictory information received by the Committee

14. Please indicate the measures envisaged to further address the lack of adequate budget allocations to health care, the persisting high ratio of maternal mortality, which stands at 410/100,000, and the persisting lack of access to basic health-care services, including essential obstetric care, in particular among disadvantaged groups of women, such as women living in poverty and rural women. Please provide information on the measures envisaged to further increase the availability and accessibility of comprehensive age-appropriate education on sexual and reproductive health and rights and family planning services and on the rate of use of modern contraceptives.

15. Please indicate whether, throughout the country, including in rural and remote areas, women living with HIV/AIDS have effective access to free antiretroviral medication, including medication to prevent mother-to-child transmission of HIV.

A) The abortion is approved when the physical and mental health of the women is in danger. However, in the penal law, doctors and other professional of health are obliged to make it clear with a judge or lawyer.

B) There is a debate in our country about it. But right now, the government did not legalized it.

C) In our country, it's true that we had case of women and girl put in prison because of the act. But, there is no research or data base which clearly can help us however it must be done.

D) No specific data, but the rate of maternal mortality passed of 410/100 000 in 392/100 000 between 2012 and 2014. The insufficiency of hospital, lack of practiced of professional is a key factor in the high rate of maternal mortality, (EDS MICS page 35).

## **14.**

E) The budget shortfalls allocated to health care are garish; it affects the quality of care of primary health care. The medical and health coverage falls short of international standards. There is a great disparity and a serious imbalance between the capital and the rest of the country, between urban and rural areas. There is few specialized care in areas outside Dakar and the cost of benefits is too high compared to the average income of the population.

F) Moreover, lack of a planned policy of training and recruitment of essential health workers, especially specialists and paramedics were exacerbated by the lack of staff motivation to serve in remote areas , the plethora of agents ( matrons, health volunteers , community volunteers ) few or no qualifications , poor implementation of the hospital reform which leads to excessive debt and corruption in hospitals, favored by the absence of any effective monitoring system show the gaps in the persistence of high maternal mortality especially disadvantaged women groups , such as poor women and rural women.

The serious shortcomings of the national health and welfare system, reflected in the indicators of morbidity, mortality and health coverage, are generally attributable to a very

strong institutional instability and lack of political will of the authorities, which do not grant the public health sector the priority it deserves, by allocating adequate resources and taking remedial action where necessary.

The measures include the consolidation of the partnership between the Ministry and development partners; reducing maternal mortality requires coordinated efforts on the long term and at multiple levels. Indeed, it is necessary to intervene at the family, community, society in general, health systems and the level of legislation and national policy. Health actions can prevent maternal deaths are to avoid pregnancy, prevent complications of pregnancy and to ensure appropriate management in case of complications.

The diagnostic aid is a response among all other actions that reduce maternal mortality. In addition, Senegal is facing significant demographic challenges with ever important maternal and infant mortality despite the progress still high and early marriage fertility level.

The civil society advice, trained, help young and women; sensibilization on rural area to help men understand their wife and kids problem. At the level of the Ministry of Health and the youth we have centers for teenagers to convey messages and supply condoms to the target group (young people, women old enough to create on the health of the reproduction and sexual.

G) For the implementation of the Law N 2010-03 of April 9th, 2010 relative to the HIV AIDS, the country set up several projects and programs. Medicine anti retroviral are free and available everywhere in the country as well as medicine intended to prevent the transmission.

### **Economic and social benefits**

16. Reference is made to the child nutrition and social transfer's programmer, which provides an allowance to mothers of children in vulnerable situations (para. 118). Please provide information on the progress made in implementing that programmed. Please also indicate the measures taken to increase access by women to microcredit.

#### **16.**

A) The NETS project which is going to last three years, (2009-2011), 50.000 mothers of less than 5-year-old children living in a poor household are targeted are going to receive each both and during six months, a direct fourteen thousand CFA allowance (FCFA.14.000). This sum corresponds, according to simulations made in Senegal, in allowance of 30 % of the poverty line which can have a significant impact on the household consumption. He is considered sufficient to impact positively on the nutrition of the children, by improving strongly their nutritional status.

This approach establishes an innovation in coverage the health of children. In the progress of this program, decentralized financial structures (SFD), the mutual insurance companies contribute by giving money even in rural area. The program help family to made their child gone to nursery school; protect their kids and give them food and cloth.

B) The access to the microfinance establishes (constitutes) one of the measures, but this system knew during these last years a strong growth. She (it) harms (serves) still very insufficiently rural areas. In spite of the strong contribution of the farming sector in the GDP (GROSS DOMESTIC PRODUCT) of Senegal, the available financial range of services for the women in rural areas is still widely limited. The financing of the women by the sector microfinances rest still forced by the high interest rates, the ascendancy of the short-term

credits little adapted to needs, complexity of status of guarantees, difficulties of realization of the established (constituted) guarantees and weakness of the stockholders' equity of the Decentralized Financial Systems.

In these various problems, solutions are in sight with the new orientations.

### **Rural women**

17. It is indicated that the Agro-Sylvo-Pastoral Orientation Act provides for the definition and implementation of a social protection system for the agro-sylvopastoral sector (para. 133). Please provide details on the social protection offered by that system and on the progress made in that regard. Reference is also made to the Millennium Drinking Water and Sanitation Program (para. 138). Please provide information on the budget allocated to that program and on its impact, including the rate of access to safe drinking water and sanitation in urban and rural areas and the sustainability of the system. Please also provide information on the existing mechanisms to monitor the implementation of policies and program that have an impact on the living standards of rural women (para. 39). Please indicate whether the State party has systematically incorporated a gender perspective into the existing program to support rural women, provided targeted support to increase their access to health-care services, education, justice, employment, economic development projects, credit and the ownership of land and promoted their participation in decision-making processes, including within the rural planning committees.

18. It is indicated that the practice of excluding women from inheriting land persists (para. 123). Please inform the Committee about measures taken to ensure the strict enforcement of its legislative framework enabling women to inherit land and measures taken or envisaged to introduce intervention mechanisms supporting access by women to land tenure

### **17.**

A) Article 14: the people exercising the jobs (businesses) by the agriculture (farming) benefit from a social welfare in the same way as the workers of the other business sectors. A benefit system agro-sylvo-pastorale is defined and implemented. This diet (regime) is supported by the State during the first five years which follow the beginning of its functioning.

B) Article 15 agricultural, draws up a plan of implementation of a benefit system agro-sylvo-pastorale within two years as from the promulgation of the present law. Concerning the progress we can note: the national campaign (countryside) of insurance (assurance) and the implementation of a basic universal healthcare coverage through the mutual insurance companies of health. However, slowness "are noted in the implementation of the LOASP, in the preparation of its application decrees as in the implementation of its ways (means).

C) The national Program of drinking water and purification of the Millennium PEPAM is the instrument by which the Government of Senegal plans, by 2015, to reach Millennium development goals regarding drinking water and regarding purification, in urban zones and rural. The needs for financing required between 2005 and 2015 to reach these results are globally estimated at FCFA274 billion for the rural component and FCFA.241 billion for the urban component.

If the progress realized for the access to the water in urban areas in Senegal is an African and world reference with 98, 7 % rates - which augurs of the possibility of reaching Millennium development goals (OMD) in 2015 for the urban hydraulics access rate in rural areas.

D) All the ministerial departments have services (departments) decentralized in the rural areas but the insufficiency of the staff is lacking and almost non-existent. The population is obliged to take care for certain concerns. The rural women are in association and through these groups; they specialized in domains to arise at their needs.

E) The integration of the kind (genre) in the public politics (policies) is adopted as strategy to fight against any shape of disparity and harmonize the chances of the men (people) and the women in the fair participation in the process of development. The Strategy 2013-2017 takes into account needs, rights and contributions (taxes) of the women in all its components, following an integrated (joined) approach. So, it will be necessary question to promote the woman, through the capacity building of institutions and local authorities to integrate (join) the kind (gender) into the public politics (policies), the improvement of the legal device (plan) of protection of the women and the girl as well as the strengthening of the leadership of the women and their entrepreneurial capacities.

## **18.**

F) Rural women represent 52 % of the Senegalese population and 60 % of them live and work in the rural areas where they establish (constitute) 68 % of the working strength (Diouf, on 2009). Conceived (designed) to favor a fair access of all to the earth (ground), the laws and the modern capacities (measures) (see article 15 of the constitution Senegal) did not change the status of the rural women in the face of (in front of) the land (basic) tenure. However, the agro sylvo guidance law pastoral is revisited and a process of the current (in class) land (basic) reformation.

### **Disadvantaged groups of women**

19. Please provide information on the situation and conditions of women in detention facilities. Please indicate, in particular, whether women and girls in detention are separated and whether gender-sensitive measures are in place to ensure appropriate treatment, including the provision of sufficient food and adequate health-care facilities. Please provide information on the measures taken and envisaged to ensure that disadvantaged groups of women, including women with disabilities, older women, albino women and women refugees, have effective access to health-care services, education, water, food, housing and income generating activities.

## **19.**

A) The women in detention centers live difficult conditions: the narrow-mindedness of dormitories, the bad quality of the meals, the conditions of insalubrity, the degradation of the customs and the cases of long detentions on remand. The State planned a new code of criminal procedure which delays being adopted and plans the creation of criminal courts instead of the courts (courses, prices, yards) of assisses considered too heavy and expensive. It is necessary to ease congestion in the places of detention of the women because prisons for women are two in all the country. Generally, these groups disadvantaged by women are not favored in these places; the sanitary premises (places) are common and are divided without purebred distinction, of age and physical conditions.

B) Concerning the disabled women, we can note the ratification of the International agreement (convention) on the rights of the disabled people. The initial report (relationship) was put down (deposited) in December, 2014. Adoption in 2010 of the social guidance law in favour of disabled people.

To date a signed application decree; it is about that concerning the cart of equality of opportunity and the departmental committee for the special education. NB; the card (map) of equality of opportunity was launched the 30Avril 2015.

In Senegal, the albino women are accommodated in the group of the disabled women. Senegal adopted in 2006 a national program of rehabilitation on community basis in favor of the disabled people. For the old women, we can note the existence of the plan CESAME which allows the coverage (care)

### **Marriage and family relations**

20. Reference is made to a large number of discriminatory provisions contained in the Family Code and its coexistence with customary practices (paras. 33, 40 and 142-155). Please indicate the time frame envisaged to withdraw all discriminatory provisions in the Family Code, including those relating to the different minimum age of marriage for men and women (art. 11), the husband head of household (arts. 277 and 152), the choice of the place of residence by the husband (art. 153), polygamy (art. 116), the discriminatory provisions in respect of the termination of an engagement (art. 116), discrimination against Muslim women with regard to their right to inheritance (art. 637) and the unequal share of property in case of divorce (art. 381). Please also provide information on measures taken to eliminate the customary practices that discriminate against women with regard to their right to inherit land and indicate whether civil courts can provide redress for such cases.

**20.**

A) These discriminatory capacities always remain where from the necessity of leading a good campaign to bring the authorities to make actual the conformity of the CEDAW with the various measures taken by the State.

B)The new Code of Criminal Procedure has the ambition to harmonize our laws with our international commitments

### **Amendment to article 20 (1) of the Convention**

21. Please indicate what progress has been made towards the acceptance of the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee