



# General Assembly

Distr.: General  
11 December 2013

Original: English/French

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**Human Rights Council**  
**Twenty-fifth session**  
Agenda item 6  
**Universal Periodic Review**

## **Report of the Working Group on the Universal Periodic Review\***

### **Senegal**

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\* The annex to the present report is circulated as received.

GE.13-18935 (E) 181213 231213

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its seventeenth session from 21 October to 1 November 2013. The review of Senegal was held at the 2nd meeting on 21 October 2013. The delegation of Senegal was headed by Mr. Sidiki Kaba, Minister of Justice. At its 10th meeting held on 25 October 2013, the Working Group adopted the report on Senegal.

2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Senegal: Botswana, Spain and the Republic of Moldova.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Senegal:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/17/SEN/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/17/SEN/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/17/SEN/3).

4. A list of questions prepared in advance by the Czech Republic, Germany, the Netherlands, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Senegal through the troika. These questions are available on the extranet of the universal periodic review (UPR).

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The Minister of Justice began his address by highlighting the cooperation of Senegal with the universal periodic review mechanism and its commitment to promoting and protecting human rights. The reputation that Senegal had acquired for defending human rights reflected its experience as a democratic State founded on the rule of law, illustrated and strengthened by the peaceful change of Head of State in 2012.

6. On 28 June 2013, Senegal had amended its Nationality Code, thus ending the different treatment of men and women in terms of transmitting Senegalese nationality through marriage, descent or adoption. In 2010, Senegal had passed a groundbreaking law establishing absolute gender parity in elected and partly elected bodies. The representation of women in the Senegalese Parliament had increased from 33 to 64 members of parliament out of 150 or 43 per cent of the total.

7. Similarly, new multisectoral policies had been implemented to combat female genital mutilation and other forms of violence against women and girls.

8. With regard to health, the delegation said that the budget allocated to the responsible Ministry had increased between 2000 and 2013, from 48.69 billion CFA francs (CFAF) to

CFAF 123.692 billion. Senegal had launched an initiative to provide universal health insurance, with the objective of covering 75 per cent of the population by 2017.

9. Support for persons with disabilities remained a priority for the Government. In 2010, a social orientation law had been adopted to protect them. An equal opportunities card was being created that would allow bearers to access essential services free of charge.

10. Furthermore, a national programme of family security grants had been implemented to make impoverished families less vulnerable. The programme awarded family security grants of CFAF 100,000 per year to 250,000 families living in extreme poverty.

11. Combating child trafficking was one of the major themes of the National Strategy on Economic and Social Development. On 5 June 2013, Senegal had adopted a road map to the elimination of the worst forms of child labour by 2016. Awareness of the subregional dimension of this problem had led to consultation on the matter with neighbouring countries.

12. In the past decade, particular efforts had been made to build schools. Between 2000 and 2010, the number of facilities had increased from 449 to 1,958 in preschool education, from 4,751 to 8,198 in primary education, from 455 to 917 in middle school education and from 111 to 326 in secondary education. In the same period, the gross enrolment rate had increased from 2.3 per cent to 9.8 per cent in preschool education, from 67.2 per cent to 94.4 per cent in primary education, from 19.6 per cent to 45 per cent in middle school education and from 9.3 per cent to 19.4 per cent in secondary education.

13. Senegal also attached great importance to press freedom and the sector was characterized by media pluralism, with more than 200 media outlets that expressed themselves freely, subject to respect for the privacy of others, citizens' rights and freedoms, and public order. The recommendation relating to the decriminalization of press offences was being considered as part of the bill on a press code.

14. The delegation stressed that the Government was taking the necessary steps to improve conditions in places of detention. The National Observatory of Places of Deprivation of Liberty had been operational since 2012 and emphasis had also been placed on preventing lengthy pretrial detention.

15. As part of the fight against impunity, members of the defence and security forces found to be involved in acts of torture had been subject to legal proceedings. However, the best example of the country's desire to respect its international commitments in the fight against impunity was the creation of the Extraordinary African Chambers to try the former Chadian President, Hissène Habré.

16. The Government supported the current reform of the Senegalese Human Rights Committee and would take all the necessary measures to ensure that it conformed to the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles) and recover its "A" status. A well-known human rights activist had been appointed to lead the revitalization of the Committee.

17. The delegation believed that the progress made since 2009 had been significant. Nevertheless, challenges and constraints remained and Senegal was making consistent and determined efforts to confront and overcome them in the near future.

## **B. Interactive dialogue and responses by the State under review**

18. During the interactive dialogue, 88 delegations made statements. Recommendations made during the dialogue are to be found in chapter II of the present report.

19. The United Arab Emirates commended the adoption of legislation on vulnerable groups and the establishment of a national unit to combat human trafficking. It requested an evaluation of the action plan to protect victims of trafficking. It made a recommendation.
20. The United Kingdom of Great Britain and Northern Ireland commended the establishment of the Extraordinary African Chambers and encouraged accelerated implementation of the Social Policy Orientation Act. It expressed deep concern about child trafficking, exploitation, abuse and health. It requested information on decriminalizing homosexuality. It made recommendations.
21. The United States of America welcomed the commitment of Senegal to try Hissène Habré. It raised concerns about the trafficking of children and women, the need for government authorization to form trade unions and the recurring intervention of security forces during authorized marches. It made recommendations.
22. Uruguay commended legislation on protecting persons with disabilities, gender equality in decision-making processes and outlawing violence against women and female genital mutilation (FGM). It made recommendations.
23. The Bolivarian Republic of Venezuela commended the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (CPED) and the Convention on the Rights of Persons with Disabilities (CRPD), the introduction of compulsory education from 6 to 16 years and the commitment to ensuring gender equality in decision-making bodies. It made a recommendation.
24. Viet Nam noted efforts to help vulnerable groups and legislation enacted on gender equality. It welcomed efforts to eliminate FGM and the worst forms of child labour. It made a recommendation.
25. Yemen commended Senegal on creating a unit to combat human trafficking and coordinating with civil society to protect victims and prosecute perpetrators. It made a recommendation.
26. Zambia commended the adoption of the Social Policy Orientation Act, a strengthened Human Rights Committee and the establishment of a unit to protect trafficking victims. It noted efforts to combat all forms of violence against women. It made a recommendation.
27. Algeria noted the creation of the National Observatory on Gender Parity and a unit to combat human trafficking. It welcomed plans and programmes to reach the Millennium Development Goals. It made recommendations.
28. Angola welcomed the creation of the national observatory of places of detention and the Human Rights Directorate and improved gender equality. It made a recommendation.
29. Argentina commended the creation of the Human Rights Directorate, ratification of CRPD and efforts to eliminate all forms of violence against women, particularly FGM. It encouraged Senegal to ensure that the National Observatory of Places of Deprivation of Liberty was adequately resourced. It made recommendations.
30. Australia welcomed continued efforts to combat FGM and increase women's participation in legislature. It expressed concern over discrimination against some minorities. It commended the establishment of the Extraordinary African Chambers. It regretted the Senegalese Human Rights Committee having been downgraded to "B" status. It made recommendations.
31. Austria raised concerns about street children, the poor implementation of legislation in that area and the criminalization of same-sex sexual acts. It highlighted the need to improve detention conditions. It made recommendations.

32. Azerbaijan noted accession to core human rights instruments, development of laws to prevent torture in prisons, establishment of the National Observatory on Gender Parity and other bodies, and commended Senegalese cooperation with the special procedures mandate holders. It made recommendations.
33. Bangladesh noted measures to eradicate FGM and the strategic plan to protect and educate child beggars and children who did not attend school. It encouraged Senegal to pursue human rights efforts.
34. Belgium commended the establishment of the Extraordinary African Chambers. It expressed concern over children's rights and unclear provisions in article 319 of the Criminal Code. It made recommendations.
35. Benin noted efforts to improve gender parity, tackle FGM, protect persons with disabilities, strengthen the rights to education and freedom of the press and combat corruption. Benin invited the international community to support Senegal. It made recommendations.
36. Botswana commended the Poverty Reduction Strategy, universal health access and measures to protect human rights. It encouraged Senegal to amend its Criminal Code to address the sale and trafficking of children, as requested by the relevant Special Rapporteur. It made recommendations.
37. Brazil noted measures to combat HIV/AIDS and violence against women. It expressed concern regarding human rights defenders and journalists, who had been victims of attacks and detentions. Criminalization of homosexuality led to discrimination. Brazil made recommendations.
38. Burkina Faso congratulated efforts to eradicate FGM and urged efforts to raise awareness and share information on FGM. It welcomed the ongoing commitment of Senegal to creating a human rights culture. It made recommendations.
39. Cambodia noted the adoption of national programmes and action plans against poverty, the ratification of international conventions, including CPED, CRPD and the Optional Protocol to CRPD (OP-CRPD), and initiatives to combat trafficking in persons. Cambodia made a recommendation.
40. Canada asked what steps were being taken to increase awareness of access to judicial institutions and what progress had been made to guarantee better functioning of the judicial system. It welcomed the commitment of Senegal to equality between women and men. Canada made recommendations.
41. Cape Verde noted national and international instruments and legislation and commended the adoption of the second national action plan on FGM. It encouraged the continued implementation of existing instruments and policies to ensure sustainable solutions. It made a recommendation.
42. The Central African Republic, noting the ratification of nearly all international human rights instruments, encouraged ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP 2) and urged the international community to support Senegal in that regard.
43. Chad commended the ratification of nearly all international human rights instruments, which demonstrated the Senegalese commitment and political will. It welcomed the inclusive consultations held with ministers, national structures and civil society actors to prepare the national report.

44. China welcomed the implementation of recommendations accepted during the previous review on poverty reduction, women and children's rights, gender parity, reduction of FGM and health development. It urged the international community to support China in reducing poverty. China made a recommendation.

45. Comoros noted efforts to protect the rights of women, children and persons with disabilities, particularly in maternal and child health. It noted the commitment of Senegal to human development and encouraged it to continue its efforts in human rights.

46. The Congo commended efforts to implement the recommendations from the previous UPR cycle, namely the strengthened institutional framework and new legislative measures. It applauded legislation on gender parity in all public policies. Congo made a recommendation.

47. Costa Rica welcomed implementation of recommendations from the previous UPR cycle, especially on institutional reform. It asked whether the circular indicating that pregnant girls should leave school would be withdrawn. It made recommendations.

48. Cote d'Ivoire welcomed steps taken to protect children from violence, promote gender equality, freedom of the press and the right to food, and combat FGM. It called on the international community to provide further support. It made recommendations.

49. Cuba applauded efforts to achieve gender equality, eradicate child exploitation and remove children from the streets. It noted increased numbers of staff and enrolments in schools and better access to health services. Cuba made recommendations.

50. The Democratic Republic of the Congo asked whether the National Observatory of Places of Deprivation of Liberty had improved prison conditions and what the impact had been of programmes to keep girls in school. It made recommendations.

51. Djibouti asked about the results of programmes to strengthen national decision-making institutions and bodies. It commended the ratification of international instruments, particularly CRPD. Djibouti made a recommendation.

52. Ecuador welcomed ratification of CRPD, reduction of child mortality and steps towards the abolition of female circumcision. It noted the establishment of the National Observatory of Places of Deprivation of Liberty, in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Ecuador made recommendations.

53. Egypt believed that Senegal had taken numerous measures and initiatives in its efforts to achieve broadest possible enjoyment of all human rights and fundamental freedoms. It made recommendations.

54. Ethiopia commended Senegal on setting up institutional frameworks, including in the areas of combating human trafficking and gender parity, and the National Human Rights Advisory Council. It made recommendations.

55. France congratulated Senegal on ratifying CPED, combating impunity and opening the Extraordinary African Chambers. It considered the creation of domestic security centres and universal medical insurance for all children as further advances. It made recommendations.

56. The Senegalese delegation thanked the delegations for their encouragement and explained that it had grouped their observations and recommendations into four broad categories: combating discrimination; places of detention; access to economic, social, and cultural rights; and combating impunity.

57. The Senegalese Government had taken a three-pronged approach to combating excision, which was harmful to women's health. The practice was punished, awareness of it

was being raised among the population, and women who performed it were offered alternative occupations so that they could stop. Several regions had renounced the practice; of around 5,000 communities, more than 4,500 had announced that they had abandoned excision. Efforts were now focused on the remaining 500 communities, using the three-pronged approach mentioned previously. Furthermore, the Senegalese authorities had noted the need to develop regional cooperation in order to render their approach more effective.

58. Efforts had been made with regard to the situation of children, particularly in the area of education. Ten years' compulsory schooling, from the age of 6 to 16, had made it possible to get children off the streets. Particular attention had been paid to girls' education and their baccalaureate results in 2010 and 2011 had been very encouraging. In fact, 40 per cent of those who had passed that examination had been girls. It was also important to highlight the modernization of the *daraas*, which gave children a real education in Arabic, French and the national languages and took them off the streets, where they were exposed to danger.

59. Regarding places of detention, the position of Director of the National Observatory of Places of Deprivation of Liberty had been created in 2011 in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Although the resources at its disposal were not yet sufficient, the aim was to enable the Observatory to make unannounced visits to the 37 places of detention in Senegal. After visiting prisons, the Observatory had made recommendations relating to health, food and reducing prison overcrowding.

60. In Senegal, homosexuality was not an offence as such; article 319 of the Criminal Code referred to unnatural acts. Being homosexual was not an offence in Senegal and no legal proceedings had been brought against persons based solely on their homosexuality.

61. Senegal had decided to try the former Chadian president Hissène Habré in accordance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the universal competence mechanism. He had been accused of several crimes and it would be for the competent courts to determine the truth of the accusations. Senegal undertook to guarantee him due process and a fair, impartial and transparent trial, free from any kind of pressure.

62. Under Senegalese legislation, rape was an offence punishable by between 5 and 10 years' imprisonment, and a 10-year sentence was automatically handed down in cases of the rape of a child under 13.

63. Gabon welcomed the ratification by Senegal of virtually all international and regional legal instruments and noted its cooperation with United Nations human rights mechanisms. It noted its commitment to promote and protect human rights and combat all forms of discrimination. It made recommendations.

64. Germany commended Senegal for its progress in eradicating FGM. It asked whether the Children's Code would define a child as a person up to the age of 18 and whether the Family Code would ensure a minimum age of marriage of 18. It made recommendations.

65. Ghana commended Senegal on pursuing its efforts to expand basic education for boys and girls and universal health care, and to continue promoting gender parity. It encouraged Senegal to counter any complacency in promoting and protecting human rights. It made recommendations.

66. Greece noted continued restrictions in freedom of expression and was concerned about the situation involving children's rights. It also noted that Senegal continued to discriminate against sexual orientation. It made recommendations.

67. India commended Senegal on ratifying CRPD, establishing the National Observatory of Places of Deprivation of Liberty and a national unit for combating trafficking, and on its commitment to gender equality through the National Observatory on Gender Parity. It made recommendations.
68. Indonesia appreciated the comprehensive legislative and institutional measures taken with regard to children's rights and commended Senegal for its strong commitment in the area of health, with specific reference to the child and maternal mortality. It made recommendations.
69. Iraq congratulated Senegal on its progress and achievements since the UPR first cycle in the field of promoting and protecting human rights. It welcomed the adoption of a law against trafficking and slavery.
70. Ireland welcomed Senegalese efforts to bring Hissène Habré to justice and urged it to ensure his fair and expeditious trial. It was concerned by shortcomings in the treatment of lesbian, gay, bisexual and transgender (LGBT) persons and by reports of torture referenced by the Committee against Torture. It made recommendations.
71. Italy asked Senegal for further information on ongoing legislative reforms to combat gender discrimination, the plan to eliminate excision (especially monitoring initiatives and implementation resources) and envisaged additional measures to regulate Koranic schools and eradicate child panhandling. It made a recommendation.
72. Lebanon noted Senegalese commitment to cooperating with the UPR process, as reflected by its detailed national report for the second cycle. It made recommendations.
73. Libya noted that Senegal had ratified most human rights instruments, including CPED and CRPD. It thanked Senegal for having fulfilled its commitments to defending the rule of law and ensuring implementation of UPR recommendations.
74. Luxembourg was concerned about the situation of children subjected to religious extremism, slavery and enforced begging. It asked about the strategic programme for educating and protecting beggar or unschooled children and whether a monitoring mechanism had been implemented on domestic violence, FGM, sexual abuse and enforced marriage. It made recommendations.
75. Madagascar congratulated Senegal on ratifying CRPD and the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and on creating a National Observatory on Gender Parity. It commended Senegal for combating FGM through strengthened awareness campaigns and legislation against excision, poverty and the worst forms of child labour.
76. Malaysia noted the progress in multiple areas of human rights, including combating poverty by promoting the modernization of agriculture, enhancing social protection and developing programmes to improve its education sector. It made recommendations.
77. Maldives commended efforts to eliminate FGM and measures adopted regarding child beggars. It urged the Government to take steps to harmonize domestic legislation. It made recommendations.
78. Mali congratulated Senegal on having ratified several international human rights conventions and agreements. It highlighted achievements in protecting women's and children's rights. Mali welcomed the measures taken that had improved the conditions of detention.
79. Uganda commended the accession to United Nations and African Union conventions protecting the most vulnerable. It praised the establishment of a national unit to combat

human trafficking and the National Family Welfare Grant Programme. It made a recommendation.

80. Mexico applauded measures to protect street children's rights and to combat discrimination and violence against women. It noted the finalization of its periodic reports to the Committee against Torture and the Committee on Migrant Workers. It made recommendations.

81. Montenegro appreciated the commitment of Senegal to strengthening the institutional human rights framework, especially the establishment of the National Observatory of Places of Deprivation of Liberty. It requested more information on prosecutions brought and convictions handed down in FGM cases and on obstacles to the ratification of ICCPR-OP 2. Montenegro made recommendations.

82. Morocco welcomed the cooperation between Senegal and OHCHR and expressed its appreciation for the re-institutionalization of the Senegalese Human Rights Committee and the operationalization of the National Observatory of Places of Deprivation of Liberty. It also welcomed the implementation of the National Family Welfare Grant Programme.

83. Mozambique noted advances in the rights to education, health and gender equality and the rights of children and children with disabilities and measures adopted to curb human trafficking. It encouraged the reinstatement of the Senegalese Human Rights Committee.

84. The Netherlands congratulated Senegal on its efforts to reduce FGM, but noted that abuse against women and girls often remained unpunished. It noted programmes implemented to raise HIV awareness and to combat AIDS, but underlined that criminalization of homosexuality makes LGBT persons reluctant to participate in those programmes. It made recommendations.

85. New Zealand congratulated Senegal on the creation of the National Observatory of Places of Deprivation of Liberty, an important step in combating torture and ill-treatment. It noted progress made in achieving the health-related Millennium Development Goals (MDGs). It made recommendations.

86. Nicaragua applauded the rolling out of the National Strategy of Economic and Social Development, which focused on vulnerable groups, particularly street children. It made a recommendation.

87. Niger commended the ratification of almost all regional and international human rights instruments and the setting up of an institutional framework to ensure enjoyment of those rights. It made recommendations.

88. Nigeria commended progress made in promoting and protecting human rights in a broad range of areas. It made recommendations.

89. Oman noted the Government's concern to adopting policies to bolster its national decision-making. It noted the awareness campaigns under way in the judiciary and efforts to enhance gender parity and eliminate violence against women. It made recommendations.

90. Pakistan commended efforts to combat violence against women and enhance their participation in elected bodies. It welcomed the establishment of the National Observatory of Places of Deprivation of Liberty. It made recommendations.

91. Paraguay noted the ratification of CRPD, the creation of the National Observatory of Places of Deprivation of Liberty and a national unit to combat trafficking. It made recommendations.

92. Philippines noted the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) and lauded Senegal for its determination to eradicate FGM. It made recommendations.
93. The Republic of Moldova welcomed measures adopted to protect children, particularly street children, and noted efforts to attain the MDGs. It made recommendations.
94. Romania congratulated Senegal on the reinstatement of the National Human Rights Advisory Council, and the growing role and political visibility of women, thanks to legislation adopted on gender parity. It welcomed the amendment of the Nationality Act. It made recommendations.
95. The Russian Federation was satisfied with measures adopted to protect human rights and the achievements made. It made recommendations.
96. Rwanda commended developments in the normative and institutional frameworks for human rights. Rwanda noted with satisfaction that the new National Assembly had 65 women members and that measures had been taken to combat FGM. It made recommendations.
97. Sierra Leone noted that Senegal had made commendable efforts in many areas, including human trafficking and gender parity. It highlighted that a law on enslavement, as well as legislative and regulatory measures protecting human rights, had been adopted. Sierra Leone made recommendations.
98. The Senegalese delegation said that prior authorization was not needed to form a trade union, although advance notice must be given. Therefore, forming a trade union in Senegal did not present any difficulties.
99. Regarding access to justice, the Government had implemented a far-reaching modernization programme based on measures of three kinds: firstly, the creation of legal advice centres offering legal services to the most impoverished and relieve the pressure on courts; secondly, State provision of legal aid amounting to some CFAF 400 million in order to allow lawyers to assist those who would not otherwise have access to justice; and thirdly, the improvement of the legal infrastructure, notably by building a number of courts and appeal courts.
100. With regard to torture, a subject that had been broached during the interactive dialogue, the Government had begun reforms to the Criminal Code and the Code of Criminal Procedure, and they would be submitted to the National Assembly before the end of 2013. Under those reforms, witness statements produced under torture would be deemed null and void. Additionally, the detainee's lawyer must be present from the start of their detention.
101. A draft children's code had already been adopted by the Council of Ministers. The office of Ombudsman for the Rights of the Child had been created and an appointment was due to be made in early 2014.
102. As regards cooperation with United Nations mechanisms, since 2009 Senegal had received several visits. Furthermore, Senegal was endeavouring to get up to date with the completion and submission of its reports to treaty bodies.
103. The resolution of the conflict in Casamance was a priority for the Government. A far-reaching programme of economic and social development and rehabilitation had been implemented. A forum for dialogue, truth and reconciliation had been established, which was accessible to all concerned, including victims.

104. The Government understood the intentions of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The position of Senegal regarding the death penalty remained unchanged since 2004, but it noted the recommendations relating to the Protocol and would consider them.

105. Additionally, the decriminalization of press offences was being examined as part of the draft press code.

106. Singapore congratulated Senegal on its progress in human rights, particularly in education and child protection, including through a training programme for judicial staff and social workers. It made recommendations.

107. Slovenia commended the accession of Senegal to most international human rights instruments. The juvenile justice system continued to cause concern and reports existed of intimidation, threats, physical attacks and arbitrary detention of human rights defenders and journalists. Slovenia made recommendations.

108. South Africa praised the steps taken concerning human rights, including the establishment of the National Observatory on Gender Parity and the commitment of Senegal to the development of Africa. It made recommendations.

109. South Sudan welcomed the steps taken by Senegal to combat FGM. It commended the establishment of institutional frameworks strengthening human rights and noted the progress in implementing recommendations from the previous UPR. It made a recommendation.

110. Spain congratulated Senegal on the progress made in women's rights. It supported Senegal in its efforts to combat violence within its territory, but noted that all State action in that area should respect the rule of law and human rights. Spain made recommendations.

111. Sri Lanka praised the progress made by Senegal in the promotion and protection of human rights, including on gender parity and the right to education. It welcomed the attention given to the empowerment of women. It made recommendations.

112. The State of Palestine commended Senegal for ratifying the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child. It welcomed efforts made to address the problem of child beggars and counter trafficking in children. It made recommendations.

113. Sudan noted the legal human rights framework, and the programmes created to implement it and the recommendations from the first UPR. It welcomed the adoption of legislation and programmes, including to protect vulnerable groups. Sudan made recommendations.

114. Switzerland commended Senegal on its commitment against impunity regarding the trial of Hissène Habré. It was concerned about discrimination against the LGBT community in Senegal but noted with satisfaction the abolition of the death penalty in its national legislation. Switzerland made recommendations.

115. Thailand commended the adoption of human rights legislation. It praised the ratification of CRPD and steps taken regarding street children. Concerns surrounding gender discrimination and gender-based violence remained. It made recommendations.

116. Togo praised the promotion of democracy in Senegal, its policies promoting human rights and projects to ensure the people's well-being. It noted the implementation of several laws, including those on gender parity. Togo made recommendations.

117. Tunisia noted the progress made by Senegal, particularly the ratification of international and regional human rights instruments. It commended the strengthening of

child protection and the implementation of a national mechanism for preventing torture. Tunisia made recommendations.

118. Turkey commended the promotion of women's rights and measures taken concerning child beggars. It noted with satisfaction the agreement signed by Senegal and the African Union regarding the trial of Hissène Habré. Turkey made recommendations.

119. Turkmenistan commended measures adopted to develop legislative and institutional frameworks to promote and protect human rights, especially to combat racial discrimination and protect persons with disabilities. Turkmenistan made recommendations.

120. Mauritania praised steps taken to combat domestic violence, its ratification of the Rome Statute of the International Criminal Court and the alignment of its domestic legislation with international obligations, particularly regarding gender parity and nationality rights.

121. Uzbekistan welcomed the cooperation of Senegal with OHCHR and other bodies. It commended the structures countering human trafficking and welcomed the progress concerning gender parity, education and the rights of children and persons with disabilities. It made recommendations.

122. In conclusion, the Head of Delegation thanked all the delegations for their comments and recommendations, which Senegal would study closely. The Government's dedication to promoting and defending human rights represented a commitment to peace and security at the national, regional and international levels.

## II. Conclusions and/or recommendations\*\*

**123. The recommendations formulated during the interactive dialogue/listed below have been examined by Senegal and enjoy the support of Senegal:**

**123.1 Adopt as soon as possible a Code on the Rights of the Child (Belgium);**

**123.2 Finalize the drafting and adoption of the Children's Code (Botswana);**

**123.3 Continue its efforts to draft and adopt its Children's Code, in accordance with its national human rights agenda (Indonesia);**

**123.4 Accelerate the process of the adoption of the Code of the Child (Togo);**

**123.5 Accelerate the adoption of the Code of the Child (Tunisia);**

**123.6 Enact relevant legislation to promote and protect the rights of children in all settings (Maldives);**

**123.7 Continue its efforts to finalizing and adopting its Children's code as a matter of priority (Thailand);**

**123.8 Take measures aimed at further strengthening of national human rights institutions (Pakistan);**

**123.9 Further its endeavours with regard to the smooth and productive activities of the bodies involved in the promotion and protection of human rights within the country (Azerbaijan);**

**123.10 Further strengthen the independence and capacity of the institutions for the promotion and protection of human rights (Niger);**

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\*\* Conclusions and recommendations have not been edited.

- 123.11 **Make available the necessary resources to the National Unit to Combat Trafficking in Persons, the National Observatory on Gender Parity, the Human Rights Directorate and the National Human Rights Advisory Council to ensure that they fulfil their important roles (South Africa);**
- 123.12 **Ensure the National Observatory of Places of Deprivation of Liberty a capability to fulfil its mandate by making the institution independent from the Ministry of Justice and by providing it with a sufficient budget (Austria);**
- 123.13 **Take steps to ensure the operational independence of the Observatory of Places of Deprivation of Liberty by separating it from the executive branch and enabling it to select recruit and remunerate its own staff (New Zealand);**
- 123.14 **Promptly provide the national mechanism for the prevention of torture with the necessary resources and ensure that its recommendations are acted upon (Tunisia);**
- 123.15 **Ensure that the Senegal Human Rights Committee has the necessary resources to enable it to function independently and in accordance with the Paris Principles (Australia);**
- 123.16 **Intensify its efforts to bring the Senegalese Human Rights Committee into full compliance with the Paris Principles and thus to restore its “A” status (Sierra Leone);**
- 123.17 **Revisit the Law concerning the Senegalese Commission of Human Rights to bring it into conformity with the Paris Principles (Benin);**
- 123.18 **Continue its efforts to restore the A status to the Senegalese Human Rights Committee before the International Coordinating Committee of National Human Rights Institutions (Burkina Faso);**
- 123.19 **Continue its efforts to conform the Senegalese Committee for Human Rights to the Paris Principles (Congo);**
- 123.20 **Take the necessary measures so that the Senegalese Human Rights Committee works with full compliance with the Paris Principles (Costa Rica);**
- 123.21 **Ensure the compliance of the Senegalese Human Rights Committee with the Paris Principles (France);**
- 123.22 **Strengthen the administrative and budgetary autonomy of the Senegalese Committee for Human Rights (Gabon);**
- 123.23 **Continue its efforts in promoting and protecting human rights in the future (Yemen);**
- 123.24 **Strengthen and diversify cooperation with bilateral partners in areas of common interest in order to promote human rights (Democratic Republic of the Congo);**
- 123.25 **Further strengthen human rights, particularly economic, social and cultural rights for its people, for which international cooperation and solidarity are important (Venezuela (Bolivarian Republic of));**
- 123.26 **Accelerate the implementation of the package of measures for the protection of children, including the prompt adoption of a comprehensive Code of the Child; the establishment of a Children’s Ombudsman with effective means, and the implementation of a plan to pull out children from streets (Cape Verde);**

- 123.27 Accelerate the adoption and implementation of the law on the Children's Ombudsman and strengthen actions for the education and protection of vulnerable children who are begging or are not attending school (Republic of Moldova);
- 123.28 Continue to enhance its institutions in the field of child protection and stop their exploitation (Sudan);
- 123.29 Continue its active engagement with the human rights mechanisms of UN for the protection and promotion of human rights (Azerbaijan);
- 123.30 Continue the practice of constructive engagement by the country with relevant international human rights mechanisms (Pakistan);
- 123.31 Effectively enforce the national law criminalising those who organize begging and trafficking of children and establish a high level focal point responsible to coordinate child protection efforts (Austria);
- 123.32 Deploy the necessary legal, financial and human resources to achieve as soon as possible the objectives of the roadmap of 5 June 2013 for the elimination of the worst forms of child labor (Belgium);
- 123.33 Incorporate clear definitions of "sale of children" and "trafficking in children" in the Criminal Code and Anti-trafficking Act respectively, and specify the penalties for offenders, under the Criminal Code, in accordance with the Palermo Protocol (Botswana).
124. The following recommendations enjoy the support of Senegal which considers that they are already implemented or in the process of implementation:
- 124.1 Pursue its thorough efforts to enshrine democratic norms and human rights (Russian Federation);
- 124.2 Continue its on-going review of national laws to ensure that they are in line with its international human rights law obligations (Turkmenistan);
- 124.3 Standardize the legal definition of the child in order to harmonize the national legislation with international law and facilitate its implementation (Mexico);
- 124.4 Reinforce the multi-party system (Russian Federation);
- 124.5 Continue to collaborate with neighboring countries to seek ways of providing assistance to children at risk (Nigeria);
- 124.6 Continue its efforts to prioritize the restoration of lasting peace in Casamance, including through its Casamance development pole project (Sierra Leone);
- 124.7 Continue determinedly its effective measures to achieve the Millennium Development Goals, including the fight against poverty, male/female equality and access to education without discrimination (Viet Nam);
- 124.8 Continue to ensure better protection of the rights of all citizens through the implementation of the national action plans recently adopted, in particular those relating to efforts to ensure the conditions for durable and sustainable socio-economic growth with a view to a significant reduction in poverty and the achievement of the Millennium Development Goals (Cambodia);
- 124.9 Reinforce efforts to achieve the Millennium Development goals by the target date (Sri Lanka);
- 124.10 Intensify efforts to achieve the MDGs (Uzbekistan);

- 124.11 Strengthen the process of empowerment of the grassroots communities in the framework of the fight against poverty (Djibouti);
- 124.12 Continue to prioritise policies aimed at promoting equality, ensuring the reduction of poverty and strengthening the promotion and protection of human rights for all (South Africa);
- 124.13 Continue to provide educational and training facilities for persons with disabilities; double its efforts to reduce child labour and provide care for vulnerable children in schools and on the streets (Zambia);
- 124.14 Mobilize sufficient resources for the implementation of the Child Survival Action Plan launched on 7 July 2013 (Burkina Faso);
- 124.15 Develop a policy for child protection ensuring a better system of guarantees of the rights of the child (Luxembourg);
- 124.16 Continue on the path of strengthening the protection of children, particularly by continuing the fight against child begging, accelerating the modernization program of the daaras and facilitating access to justice for minors (Turkey);
- 124.17 Continue to promote the empowerment of women (Rwanda);
- 124.18 Continue to commit itself to implementing a poverty reduction strategy and improving maternal and infant care (China);
- 124.19 Continue its efforts in the fight against maternal mortality, to facilitate women's access to health, and for the enrollment and retention of girls at school and in vocational training centers (Republic of Moldova);
- 124.20 Continue taking measures to protect social rights, including the rights of children, women and persons with disabilities (Uzbekistan);
- 124.21 Redouble its efforts for the implementation of all economic, social and cultural rights for its population (Lebanon);
- 124.22 Complete and submit the pending reports to corresponding treaty bodies (Mexico);
- 124.23 Sustain the initiatives to promote gender parity (Ghana);
- 124.24 Continue the policy of eliminating inequalities between men and women (Romania);
- 124.25 Continue the significant efforts underway to ensure gender equality (Côte d'Ivoire);
- 124.26 Pay increased attention to matters of gender parity (Russian Federation);
- 124.27 Ensure equal treatment and non-discrimination against women and persons with HIV/AIDS (Thailand);
- 124.28 Respect all obligations under the Convention against Torture and other Cruel, Inhuman or Degrading treatment or punishment , trying to avoid, by all means, incidents of torture in police custody, and, on the presumption that these may have taken place , that these crimes remain unpunished (Spain);
- 124.29 Review its legislation to expressly prohibit that a statement made under duress or as a result of torture acts or practices be considered as evidence (Uruguay);

- 124.30 Increase efforts in order not to use declarations of persons affirming having confessed under torture as evidence in judicial procedures, and carry out the corresponding thorough investigations (Uruguay);
- 124.31 Further strengthen its efforts to prevent torture and ill treatment in places of deprivation of liberty, combat trafficking in persons and promote gender parity (Azerbaijan);
- 124.32 Provide clear instructions to the police, the gendarmerie and other relevant public officials as to their obligation to respect the absolute prohibition of torture (Ireland);
- 124.33 Bring its Criminal Code fully in line with the Convention against Torture, particularly to include acts aimed at obtaining information from, punishing or intimidating a third person, and explicitly prohibit the use as evidence of any statement made under duress or as a result of torture (Maldives);
- 124.34 Address prison overcrowding by giving preference to alternatives to imprisonment when feasible in light of the United Nations Standard Minimum Rules for Non-Custodial Measures (Austria);
- 124.35 Ensure the improvement of prisons' conditions by providing training in human rights to penitentiary staff and strengthening the National Observatory of Places of Deprivation of Liberty (France);
- 124.36 Effectively implement the Standard Operational Procedures on the prevention and management of Gender-Based Violence, including through adequate funding (United Kingdom of Great Britain and Northern Ireland);
- 124.37 Further safeguard and promote the rights of women by placing greater emphasis on the fight against domestic violence and violence against women (Australia);
- 124.38 Introduce measures aimed at the elimination of discrimination against women and the improvement of the implementation of existing laws criminalizing rape and domestic violence, including investigations and prosecutions related to violence against women, and also by strengthening the relevant legal framework (Canada);
- 124.39 Continue to fight violence against women in all fields (France);
- 124.40 Redouble its efforts in the prevention of violence against women (Luxembourg);
- 124.41 Take the necessary measures in terms of the criminal law to punish acts of all forms of violence against women and girls (Luxembourg);
- 124.42 Continue its programs aimed at combating violence against women (Philippines);
- 124.43 Address the violation of women's rights, domestic violence and the use of child labour (Russian Federation);
- 124.44 Continue its efforts to increase awareness and repression of all forms of violence against women, particularly female genital mutilation (Gabon);
- 124.45 Strengthen actions against harmful cultural practices (Côte d'Ivoire);
- 124.46 Continue its efforts to achieve the goals of the second national Plan to eliminate excision (2012–2015) (Algeria);

- 124.47 Continue, in the framework of the fight against female genital mutilation, its action in the implementation of the second National Action Plan for accelerating the abandonment of this practice until 2015 (Angola);
- 124.48 Continue its efforts to eradicate female genital mutilation (Argentina, Ecuador);
- 124.49 Maintain and reinforce all measures aimed at eradicating female genital mutilation, which is often related to other forms of aggression against women (Brazil);
- 124.50 Continue to strengthen all public policies with a view to eliminating feminine genital mutilation (Paraguay);
- 124.51 Prosecute and punish persons who, despite awareness campaigns, continue to be perpetrators or accomplices of FGM, according to the law of 22 January 1999 (Burkina Faso);
- 124.52 Continue its positive engagement toward the total eradication of excision by 2015 as indicated in national Action Plan (Rwanda);
- 124.53 Provide the necessary support to the national unit for combating human trafficking (United Arab Emirates);
- 124.54 Strengthen measures to protect children through adequate investigations; timely prosecutions; sufficient penalties in cases of child trafficking; and implementation of legislation prohibiting the use of children for begging for the purposes of economic exploitation; in line with its obligations under international treaties and instruments (United Kingdom of Great Britain and Northern Ireland);
- 124.55 Take measures to effectively eliminate forced child labour, including forced begging by talibé children, pursuant to the recommendations of ILO supervisory bodies (United States of America);
- 124.56 Continue efforts to support at the national level, children on the street in order to achieve the objectives set by the Senegalese Government in this area by the end of 2015 (Algeria);
- 124.57 Continue efforts to protect children talibés against exploitation and end the practice of child begging at the national level (France);
- 124.58 Accelerate the Daara modernization program in order to contribute to the eradication of the worst forms of child labour and ensure the enforcement of relevant national laws criminalising the organisation of begging activities (Germany);
- 124.59 Continue its efforts in combating child destitution and provide care for all street children (India);
- 124.60 Continue to strengthen its domestic legislation and policies to better protect children against abuses and exploitation (Singapore);
- 124.61 Intensify its endeavours to eradicate assault, battery and abduction of children. This can be achieved by the government increasing its campaign through raising awareness about the dangers of these practices to affected families (South Sudan);
- 124.62 Take measures to protect children who are victims of trafficking or of violence (State of Palestine);
- 124.63 Continue its efforts to counter trafficking in human beings especially children (Sudan);

- 124.64 Continue its efforts to fight against corporal punishment in all places (Tunisia);<sup>1</sup>
- 124.65 Continue to vigorously investigate and prosecute other trafficking offenses and punish perpetrators of sex trafficking (United States of America);
- 124.66 Ensure that the law on human trafficking is in conformity with international human rights standards and to step up its efforts to prosecute traffickers and to identify and protect all victims of trafficking (Egypt);
- 124.67 Combat all forms of trafficking in children (Luxembourg);
- 124.68 Consider extending the National Action Plan to protect and assist in the recovery and reintegration of victims of human trafficking beyond 2013 (Nigeria);
- 124.69 Increase policies in view to educating and protecting talibé children beggars, particularly from human trafficking, exploitation and all forms of abuse (Paraguay);
- 124.70 Bring the perpetrators of trafficking of children to justice (State of Palestine);
- 124.71 Tighten its legislation on rape, pedophilia and incest and conduct awareness campaigns on this matter in schools and in local communities (Greece);
- 124.72 Enact legislation that penalizes cases of rape, abuse and incest, to raise awareness on these issues, and to actively pursue the punishment of those guilty of those crimes (Netherlands);
- 124.73 Ensure that children with disabilities are protected from all forms of violence and receive suitable inclusive education and training (Germany);
- 124.74 Further strengthen the impartiality of the judicial system (Ethiopia);
- 124.75. Continue its efforts for an adequate training in the field of juvenile justice (Switzerland);
- 124.76 Set up a juvenile justice system and train more judges for juvenile courts (Slovenia);
- 124.77 Bring the case against former President Habré to trial as quickly as possible (Australia);
- 124.78 Complete the trial of former Chadian President Hissène Habré in the framework of the African Extraordinary Chambers to ensure accountability for serious international crimes, in accordance with the due process and international obligations and standards (Canada);
- 124.79 Strengthen its actions to eliminate forced and premature marriage (Ecuador);
- 124.80 Run public awareness programs on the harmful consequences of child marriages (Germany);
- 124.81 Redouble its efforts to improve the enforcement of the minimum legal age for marriage, and remove discrimination based on gender in this respect (Italy);

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<sup>1</sup> The recommendations as read during the interactive dialogue: Revise the Code of the Family to explicitly prohibit corporal punishment in all places.

- 124.82 **Raise the age of marriage to 18 and above in order to reduce on the problems of early marriages (Uganda);**
- 124.83 **Protect the right to freedom of assembly and of expression (Slovenia);**
- 124.84 **Respect the rights of freedom of expression, association and assembly in accordance with its national and international legal framework and ensure that its security forces maintain public order without resorting to the excessive use of force (Spain);**
- 124.85 **Undertake the necessary measures to protect the rights of human rights defenders as well as journalists (Slovenia);**
- 124.86 **Continue its efforts to further improve the living standards of its population, including progress in accessing to basic health services (Cuba);**
- 124.87 **Continue its efforts to expand access to safe drinking water and sanitation by ensuring better coordination and coherence in the implementation of initiatives aimed at expanding access to water and sanitation in rural areas (Egypt);**
- 124.88 **Continue its positive approach in combating poverty through providing the necessary public investment in rural infrastructure and its national employment policy to reduce unemployment (Malaysia);**
- 124.89 **Enhance programs to ensure the right to food and countering malnutrition of the youngest people in Senegal (Oman);**
- 124.90 **Continue its best poverty eradication strategies (Philippines);**
- 124.91 **Step up its efforts in empowering grassroots communities and increase rural infrastructure investments towards improving productivity and poverty reduction (Philippines);**
- 124.92 **Seek to implement the national socio-economic programme and pursue efforts to combat poverty (State of Palestine);**
- 124.93 **Continue its efforts to provide free health care for children and combat child malnutrition by facilitating access to food (Egypt);**
- 124.94 **Accelerate efforts providing maternal and child health services, as well as to significantly reduce under five child mortality rates (Ethiopia);**
- 124.95 **Sustain initiatives taken to enhance universal health care including reducing maternal and child mortality (Ghana);**
- 124.96 **Continue its policy and measures to guarantee progress in achieving health-related goals of the MDGs (Indonesia);**
- 124.97 **Undertake to provide free and accessible health care for children up to the age of 6 years by 2015 (New Zealand);**
- 124.98 **Organise public awareness-raising campaigns, especially among women, on Senegal's law on reproductive health (New Zealand);**
- 124.99 **Enhance programs and initiatives to broaden health care coverage of mothers and children (Oman);**
- 124.100 **Guarantee access to health for all (Oman);**
- 124.101 **Implement the strategy to ensure free health care for children aged from 0 to 5 (Republic of Moldova);**
- 124.102 **Strengthen efforts to combat maternal mortality (Sri Lanka);**

- 124.103 Continue taking measures to improve the education system and universal access to quality education (Cuba);
- 124.104 Work out a binding set of rules with Islamic religious leaders for the establishment and running of daras in order to secure the right to education of the Talibé (Austria);
- 124.105 Continue efforts to realize the right to education and pay special attention to the access of children and adolescents aged to attend middle and secondary education (Costa Rica);
- 124.106 Continue to pursue all efforts to modernize the legal framework of the education system by enshrining therein the right to basic education (Egypt);
- 124.107 Further work on primary education enrolment (Ethiopia);
- 124.108 Continue its initiatives to enhance access to universal basic education for ten years for both boys and girls (Ghana);
- 124.109 Take measures to further improve access to education especially to women and children (India);
- 124.110 Continue the serious efforts already underway to strengthen the right to education, particularly providing for increased access to education at the elementary level for girls (Lebanon);
- 124.111 Continue its efforts in strengthening the education system including to consider and implement the recommendations made by the Special Rapporteur on the Right to Education to further promote the right to education for all in Senegal (Malaysia);
- 124.112 Ensure the swift implementation of the strategic plan concerning the education and protection of children who are not in school and implement the recommendations of the Committee on the Rights of the Child in order to stop the practice of child beggars (Maldives);
- 124.113 Consider and follow up on the recommendations that the Special Rapporteur on the Right to Education has made during his visit in 2010 in order to strengthen national strategies and education programs currently being implemented (Nicaragua);
- 124.114 Consolidate the gains made in granting children access to education by maintaining the emphasis on the construction of schools and recruitment of teachers (Nigeria);
- 124.115 Continue its efforts regarding economic and social rights of the population, including modernizing the education system by enshrining the right to basic education in law (Sierra Leone);
- 124.116 Continue, in cooperation with UNESCO and other relevant international organisations, to promote universal access to education and improve the quality of its education system (Singapore);
- 124.117 Accelerate the modernization programme of the religious schools (Togo);
- 124.118 Continue its efforts to strengthen gender equality, especially in education, while ensuring the enrollment and retention of girls in school (Turkey);
- 124.119 Continue its well-recommended practice to train specialists to work with persons with disabilities (Turkmenistan).

125. The following recommendations will be examined by Senegal which will provide responses in due time, but no later than the twenty-fifth session of the Human Rights Council in March 2014:

125.1 Ratify those international instruments on human rights to which Senegal is not yet part (Niger);

125.2 Ratify the Second Optional Protocol of the International Covenant on Civil and Political Rights (Australia, Montenegro);

125.3 Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (Benin);

125.4 Strengthen its commitment in favor of the abolition of the death penalty by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (France);

125.5 Confirm its decision to abolish the death penalty in the international framework by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at abolishing the death penalty (Switzerland);

125.6 Proceed to the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (Gabon);

125.7 Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of death penalty (Rwanda);

125.8 Recognize the competence of the Committee on Enforced Disappearances (Uruguay);

125.9 Ensure, in the context of the reform of the Penal Code and the Code of Criminal Procedure, to harmonize the Senegalese legislation with international law (Switzerland);

125.10 Extend a standing invitation to all special procedures of the Human Rights Council to promote and strengthen legislation and public policies on human rights (Uruguay);

125.11 Extend a standing invitation to all UN Human Rights Council special procedures (Montenegro);

125.12 Continue advancing in the gradual transformation of the society regarding women's rights , by revising the Senegalese Family Code in order to put an end to legal discrimination situations of Senegalese women , especially in terms of their ability to be the head of household (art. 152) (Spain);

125.13 Eliminate the caste system, which leads to stigmatization and ostracism of certain groups of the Senegalese society (Romania);

125.14 Address the due identification and processing of those guilty of human rights violations in conflict situations (Mexico);

125.15 Investigate all disappearances in the context of the conflict in Casamance, activating reparation mechanisms for the families of the persons disappeared when needed (Spain);

125.16 Continue and finalize the procedure for the decriminalization of press offenses (Democratic Republic of the Congo);

125.17 Decriminalise press offenses (France);

125.18 Repeal section 80 of its Penal Code and, generally, ensure the independence and freedom of the press (Greece);

125.19 Support the amendment of relevant provisions of the Labour Code, curb unwarranted intervention by security forces and end anti-union discriminatory practices (United States of America).

126. Senegal considers that the recommendations below cannot be accepted:

126.1 Amend national legislation that entails discriminatory practices, prosecution and punishment of persons for their sexual orientation or gender identity, and adopt measures to promote tolerance in the society through education and awareness campaigns (Uruguay);

126.2 Consider adopting all necessary measures to achieve the non-discrimination, protection and integration of the LGBT population (Argentina);

126.3 Enact laws criminalising acts of discrimination against minorities such as hate speech (Australia);

126.4 Effectively implement the principle of non-discrimination, including on grounds of sexual orientation (Austria);

126.5 Amend its Penal Code to decriminalise sexual relations between persons of the same sex (Belgium);

126.6 Take all the necessary measures to guarantee that LGBT individuals do not face persecution of any kind (Brazil);

126.7 Repeal all laws criminalizing sexual orientation and gender identity and take concrete measures for the protection of sexual minorities (Greece);

126.8 Promote respect for human rights of all discriminated groups on grounds of gender, sexual orientation, disability or ethnicity (Paraguay);

126.9 Ensure equal treatment and non-discrimination against lesbian, gay, bisexual and transgender persons, and other vulnerable groups (Thailand);

126.10 De-criminalize homosexuality, establish a de-facto moratorium on Article 319 of the Penal Code, and ensure that the Code is not used as basis for arbitrary arrests by the police (Germany);

126.11 Take steps to combat the persecution of persons on the basis of their sexual orientation or gender identity, in particular by removing Article 319.3 from the Penal Code so as to decriminalise consensual sexual conduct between persons of the same sex (Ireland);

126.12 Change Article 319 of the Penal Code and start a national dialogue on the acceptance of homosexuality (Netherlands);

126.13 Amend the Criminal Code to respect, protect and enforce the right to non-discrimination for all citizens regardless of their sexual orientation (Switzerland);

126.14 Decriminalize consensual sexual acts between adults of the same sex and criminalize violence committed against individuals based on their sexual orientation (Mexico).

127. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

[French only]

### Composition of the delegation

La délégation du Sénégal était présidée par Monsieur Sidiki Kaba, Garde des Sceaux, Ministre de la Justice, et composée des membres suivants:

- Madame Amsatou Sow SIDIBE, Ministre, Conseiller à la Présidence de la République;
- Maître Djibril WAR, Président de la Commission des Lois, de la Décentralisation, du Travail et des Droits humains de l'Assemblée nationale;
- Monsieur Fodé SECK, Ambassadeur, Représentant permanent du Sénégal auprès de l'Office des Nations Unies à Genève;
- Monsieur Cheikh Tidiane THIAM, Ambassadeur, Conseiller Technique au Ministère des Affaires étrangères;
- Monsieur Ibrahim Al Khalil SECK, Directeur des Affaires Juridiques au Ministère des Affaires étrangères;
- Monsieur Mouhamadou Moustapha SEYE, Directeur des Droits Humains au Ministère de la Justice;
- Monsieur Mouhamadou Moustapha THIOUNE, Directeur des Libertés publiques au Ministère de l'Intérieur;
- Monsieur Alioune TINE, Président du Comité sénégalais des Droits de l'Homme;
- Monsieur Abdoul Wahab HAIDARA, Ministre-Conseiller à la Mission permanente;
- Madame Astou DIOUF, Conseiller Technique au Ministère de la Femme, de la Famille et de l'Enfance;
- Monsieur Mamadou Selly LY, Conseiller Technique au Ministère de la Santé et de l'action sociale;
- Madame Marième SY, Premier Conseiller à la Mission permanente;
- Monsieur Abdoulaye BATHILY, Premier Conseiller à la Mission permanente;
- Madame Ndéye Fatou LO, Premier Conseiller à la Mission permanente;
- Monsieur Mouhamadou DIA, Premier Secrétaire à la Mission permanente.