



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

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

**Consideration of reports submitted by States parties under
article 18 of the Convention**

Combined third to seventh periodic reports due in 2010

Senegal*

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* The present document is being issued without formal editing.



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Acronyms and abbreviations

CIDA:	Canadian International Development Agency
AJS:	Association of Senegalese Women Jurists
ANSD:	National Statistics and Demographics Agency
ECOWAS:	Economic Community of West African States
CCIEF:	Framework for the Coordination of Girls' Education Interventions
CNCAS:	Caisse Nationale de Crédit Agricole du Senegal
CLVF:	Comité de Lutte contre les Violences faites aux Femmes (Committee for the Prevention of Violence against Women)
DPES:	Economic and Social Policy Document
PRSP:	Poverty Reduction Strategy Paper
EDS-MICS:	Multiple Indicator Demographic and Health Survey
ENSOA:	National School of Active Non-Commissioned Officers
ESAM II:	Second Senegalese Household Survey
FAWE:	Forum for African Women Educationalists
FESNAC:	National Arts and Culture Festival
FNPEF:	National Fund for the Promotion of Female Entrepreneurship
FONSTAB:	Support Fund for Animal Sheds
GIF:	Women's Initiative Group
IFAN:	Institut Fondamental d'Afrique Noire
INPS:	National Initiative for the Social Protection of Vulnerable Groups
MDGs:	Millennium Development Goals
WHO:	World Health Organization
UN-Women:	United Nations Entity for Gender Equality and the Empowerment of Women
UNAIDS:	Joint United Nations Programme on HIV/AIDS
PAEF:	Project to Support the Education of Girls
PADEN:	Project to Promote Literacy among Village Leaders and Local Dignitaries
PADER:	Support to Agricultural Development and Rural Entrepreneurship Programme
PADERCA:	Rural Development Support Project in Casamance
PAGPF:	Project for the Support of Women's Promotion Groups
PAIS:	Intensive Programme for Literacy in Senegal
PAPF:	Programme to Promote Women's Literacy

PAPA:	Seniors Support Programme
PALAM:	Literacy and Occupational Apprenticeship Programme to Combat Poverty
PANAF:	National Action Plan for Women
PAREP:	Poverty Reduction Support Programme
PEPAM:	Millennium Drinking Water and Sanitation Programme
GDP:	Gross domestic product
PIDES:	Integrated Economic and Social Development Programme Anti-Poverty Programme
PIEA:	Comprehensive Programme for Adult Education
EQPT:	Quality Education for All Programme
UNDP:	United Nations Development Programme
PRODAM:	Agricultural Development Project in Matam
PROMER:	Programme for the Development of Rural Micro-Enterprises
PMTCT:	Prevention of mother-to-child transmission
PZR:	Zero Repetition Programme
RADDHO:	Rencontre Africaine pour la Défense des Droits de l'Homme
RADI:	Réseau Africain pour le Développement Intégré
SAED:	Société d'Aménagement du Delta
SCOFI:	School Enrolment for Girls
SODEFITEX:	Société Développement des Fibres et Textiles
UNESCO:	United Nations Educational, Scientific and Cultural Organization
UNFPA:	United Nations Population Fund
UNICEF:	United Nations Children's Fund
USAID:	United States Agency for International Development
OHCHR:	Office of the United Nations High Commissioner for Human Rights
COSEF:	Senegalese Women's Council
UNIFEM:	United Nations Development Fund for Women
DCAF:	Geneva Centre for the Democratic Control of Armed Forces
CNRA:	National Audiovisual Regulation Council
ICAO:	International Civil Aviation Organization
CRETf:	Regional technical education centres for girls and women
CETF:	Technical education centres for girls and women
PDEF:	Ten-Year Education and Training Programme

CNOAS:	Committee of Literacy Trainers in Senegal
ADF:	French Development Agency
CEDAF:	Departmental Training and Assistance Centres for Women
CNTS:	National Confederation of Workers of Senegal
WILDAF:	Women in Law and Development in Africa
COSAPERRE:	Collectif sénégalais des Africaines pour la promotion de l'éducation relative à l'environnement

Introduction

Senegal ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1985. Having previously appeared before the Committee on the Elimination of Discrimination against Women in 1994, Senegal has now prepared its combined third, fourth, fifth, sixth and seventh periodic reports.

This combined report was drafted by a technical committee led by two experts from the Ministry of Women, Children and Female Entrepreneurs, working together with the focal points of the relevant ministries, civil society organizations and technical and financial partners.

Preparation of the report began in August 2012, when a ministerial decision was taken to set up the technical committee, in accordance with the general guidelines established by the Committee on the Elimination of Discrimination against Women.

Two information and knowledge-sharing days were then organized by the Ministry of Women, Children and Female Entrepreneurs in October 2012, bringing together all stakeholders in order to reflect as closely as possible the national scope of the report.

After an initial period of consultation and information gathering, the technical committee met several times (from October to December 2012) to work on preparing the first draft of the report.

Further contributions were obtained from the relevant ministries from January to July 2013 in order to take into account the most recent achievements with regard to women and girls in the various sectors of national government.

A closed technical workshop supported by the United Nations Population Fund (UNFPA) was held on 25 June 2013, with the participation of the technical committee, representatives of the Ministry of Justice and the Ministry of Foreign Affairs and Senegalese Abroad, and representatives of the Office of the United Nations High Commissioner for Human Rights (OHCHR), UN-Women and UNFPA.

On 1 July 2013, the OHCHR West Africa Regional Office made available to the Ministry of Women, Children and Female Entrepreneurs a consultant who was to support the two experts and the technical team in finalizing the drafting of the report.

The results of this work were transmitted to the various stakeholders and to the Senegalese Human Rights Committee for consideration and comment.

Thanks to the financial support provided by UNFPA and the OHCHR West Africa Regional Office, a national validation workshop was held on 19 and 20 July 2013, at Saly-Mbour, bringing together about 60 participants from parliament, sector ministries, civil society human rights organizations, non-governmental organizations and technical and financial partners.

In the course of that workshop, additional information was contributed by the participants, who recommended that the report should be adopted, subject to inclusion of the amendments.

An ad hoc committee comprising the two experts, the consultant, the rapporteur of the workshop, and two human rights organizations met from 22 to 27 July 2013 in order to produce a new version of the report incorporating the amendments and new proposals.

The process ended with a review meeting of the technical committee, the representatives of the technical and financial partners, and some civil society organizations, which was held on 29 July 2013.

Part One: General information

1. The Government of the Republic of Senegal has the honour to submit its combined third, fourth, fifth, sixth and seventh reports, in accordance with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.

2. Like other State parties, Senegal, having signed the Convention in 1979 and ratified it on 5 February 1985, has incorporated it into domestic law.

3. By this means, the Convention has become part of the country's domestic legal order, and prevails over national legislation (Constitution, article 98). Furthermore, Senegal reaffirmed its commitment to the Convention in the preamble of its Constitution, which is an integral part of the body of constitutional norms.

I. Statistical data

A. Physical, demographic, economic, social and cultural characteristics

4. The boundaries of Senegal, which sits at a geographical crossroads, are unchanged (see core document submitted on 15 February 2011).

5. According to National Statistics and Demographics Agency (ANSD) estimates, Senegal now has 13 million inhabitants,¹ in other words 1.6 million more than at the time of the 2002 general population census. The current average population density is therefore 66 inhabitants per km.²

6. It is worth noting that the population of Senegal is still unequally distributed, with more than 25 per cent concentrated in the Dakar region and in the centre of the country, in the Fatick, Kaffrine and Kaolack regions, formerly known as the Sine-Saloum region. The east of the country is sparsely populated and is experiencing very significant migration inflows (some 10 different nationalities), owing to the exploitation of mineral resources, particularly in Kédougou.

7. There are more women than men in Senegal and a high proportion of young people. The population is quite ethnically diverse, and Senegal is therefore characterized by remarkable cultural vitality expressing the values that ensure national cohesion.

8. Administratively speaking, Senegal has 14 regions, subdivided into 45 departments, 121 districts and 20,000 villages.

Act No. 96-06 of 22 March 1996 establishing the Local Authorities Code provided for the creation of the following categories of local authorities: 14 regions, 113 municipalities (*communes*), 46 boroughs (*communes d'arrondissements*) and

¹ Source: ANSD (quarterly national accounts). Available from www.ansd.sn.

² Ibid.

370 rural communities (*communautés rurales*). The local authorities are governed by elected councils with powers in the areas of education; health, population and social services; environment and natural resources management; sport, recreation and culture; youth, and land-use planning and development; urban management and housing.

9. Economic performance was not strong enough in the period 2000-2011 to reduce poverty. The average annual gross domestic product (GDP) growth rate was 3.9 per cent, slightly higher than population growth of 2.6 per cent. This lacklustre performance, below than the average growth of 5 per cent recorded between 1995 and 2005, is partly attributable to exogenous shocks and the slow pace of reform of the business environment. However, general price movements remained under control throughout the period, except in 2008 when strong anti-inflationary measures were needed. Development prospects in Senegal have been harmed by the 2008-2009 economic and financial crisis, the inefficiency of public expenditure, the low investment rate and the rainfall deficit.³

10. Industrial firms, meanwhile, are characterized by production shortfalls, poor competitiveness and capacity deficits, while the industrial base is weak and concentrated in a small geographical area. At the operational level, only timid steps have as yet been taken to establish partnerships between the State and the private sector, particularly in terms of promoting entrepreneurial initiative, fostering innovation through research and application, establishing integrated competitive clusters, training future champions in different sectors and developing venture capital. The energy deficit and weakness of infrastructure platforms are jeopardizing industrial performance and competitiveness, giving rise to significant additional costs.⁴

11. In the social sphere, education underwent a crisis in the period 2010-2013 and was the focus of major efforts by both State and non-State actors (see common core document). With regard to social protection, the Social Security Fund offers other benefits for vulnerable groups, such as low-cost medicine and nutritional rehabilitation. In this regard, Senegal has developed a National Strategy for Social Protection, backed by the Social Policy Act on the rights of persons with disabilities (2010), with the aim of extending social protection to non-formal sectors and vulnerable groups.

12. In addition to the resources made available by the State, support is being provided by a number of development partners, in particular UNFPA, through the gender project of its population programme; UN-Women, through gender capacity-building activities; and OHCHR (West Africa Regional Office), through support for the harmonization of national legislation with international and regional instruments ratified by Senegal. The International Fund for Agricultural Development also finances a number of projects that systematically integrate a gender perspective in their activities: the Programme for the Development of Rural Micro-Enterprises (PROMER) and the Support to Agricultural Development and Rural Entrepreneurship Programme (PADER), as well as the planned programme to provide family security allowances to vulnerable households (2013).

³ Source: National Economic and Social Development Strategy (2013-2017).

⁴ Ibid.

B. Constitutional, political and legal structure

13. Senegal has undertaken institutional reforms in order to consolidate its democratic system. Positive developments in the formation of a State founded upon the rule of law have included the establishment of a Court of Audit in 1999, the adoption of a new Constitution on 22 January 2001 following the change of government on 19 March 2000, and the strengthening of participatory democracy. That political will was further demonstrated in the establishment in 2013 of a new national commission for ongoing institutional reform (2012-2013) with a view to strengthening democracy and good governance in Senegal.

14. The constitutional amendments of 2007 and 2008 led to the re-establishment of a Senate (Constitutional Act No. 2007-06 of 12 February 2007), with legislative power exercised by a bicameral parliament consisting of the Senate and the National Assembly. It should be noted that the Senate, which is the upper house of the parliament, having been first established in 1999, abolished in 2001 and re-established in 2007, was abolished again in 2012.

15. Along the same lines, the Council of the Republic for Economic and Social Affairs was established in 2003 and became the Economic and Social Council under Act No. 2008-32 of 7 August 2008. Organization Act No. 2008-32 of 7 August 2008 also established a new Supreme Court, merging the Court of Cassation with the Council of State. This institutional architecture underwent further reorganization when an Economic, Social and Environmental Council was established by means of Organization Act No. 2012-28 of 28 December 2012. Approximately 22 per cent of its members are women.⁵

II. Legal framework for the protection of human rights

A. Acceptance of international human rights norms at the national level

16. The fundamental guiding principles with regard to respect for and promotion of human rights are reflected in the above-mentioned core document. However, the envisaged reforms will reconfigure the legal and judicial institutions for the protection of human rights.

B. Legal framework for the promotion and protection of human rights

17. As well as being a party to the legal and institutional human rights instruments detailed in the common core document, Senegal is a stakeholder in the African Union Gender Policy and the road map for the African Women's Decade (2010-2020), which have begun to be implemented at the national level.

⁵ Decree No. 2013-479 of 12 April 2013.

C. Role of the reporting process in the promotion of human rights at the national level

18. Preliminary draft reports drawn up by a technical committee consisting of officials from the ministerial departments must be submitted to the national human rights institution for its opinion and observations (Act of 10 March 1997 establishing the Senegalese Human Rights Committee). Broad consultation with civil society, including human rights non-governmental organizations (NGOs), completes this long process, thus ensuring extensive participation in preparation of the reports and their wide dissemination among citizens.

III. Overview of the implementation of substantive human rights provisions common to all international instruments

A. Non-discrimination and equality

19. Specific provisions of the Constitution unequivocally condemn and seek to eliminate all forms of discrimination. Article 1 states: “Senegal is a secular, democratic and social republic which guarantees the equality of all citizens before the law, without distinction as to origin, race, sex or religion, and respects all beliefs”.

No section of the people nor any individual may assume the exercise of sovereignty. Article 3 of the Constitution states: “National sovereignty belongs to the people, and is exercised by the people through its representatives or by referendum”.

Article 4 supplements this provision: “Political parties or coalitions may compete in elections. They are required to observe the Constitution and the principles of national sovereignty and democracy. They may not identify with a particular race, ethnic group, sex, religion, sect, language or region”.

Article 5 states: “Any act of racial, ethnic or religious discrimination and any regionalist propaganda prejudicial to the internal security of the State or to the integrity of the territory of the Republic shall be punishable by law”.

Article 7 plainly asserts: “The Senegalese people acknowledges the existence of inviolable and inalienable human rights as the basis of any human community and of peace and justice in the world. All human beings are equal before the law. Women and men are equal before the law. In Senegal no right or privilege shall attach to place of birth, identity or descent”.

20. A number of provisions of the new Constitution expressly establish the right of women to equal treatment before the law, in such areas as access to land and property (article 15), employment, wages and taxation (article 25), and equal access to elected and political office following the amendment of article 7 of the Constitution in November 2007.

B. Effective remedies and procedural safeguards

21. The Supreme Court, the Constitutional Council and the ordinary courts are responsible for the judicial protection of human rights in Senegal. Article 91 of the

Constitution expressly provides that “the judiciary is the guardian of the rights and freedoms defined by the Constitution and the law”.

In its law-making work, the legislature, as the administrative authority, may set limits on the content of the legal provisions on human rights, or the conditions in which they are exercised. In these cases, 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*):

- Constitutional challenge: the Constitution of Senegal gives the President of the Republic, or parliamentarians constituting one tenth of the members of the National Assembly, the power to appeal to the Constitutional Council to verify the constitutionality of legislation before its promulgation. Thus, a law that infringes human rights provisions may be brought before the Constitutional Council for the purposes of such verification.
- Judicial review: the Constituent Assembly sought to “democratize” access to the Constitutional Council for the purposes of verifying the constitutionality of legislation, through the mechanism of a judicial review. This form of referral is more open, in that it is available to all citizens, who may, under the conditions provided for by law, raise the objection of unconstitutionality if they believe that the law applicable to their case does not comply with the Constitution. The courts to which an application for judicial review is submitted are obliged to refer the matter to the Constitutional Council and to stay proceedings until the latter has decided on the preliminary question referred to it.

22. At the level of the ordinary courts, this issue relates more to first-generation human rights. As such, individuals on trial enjoy, in addition to the rights granted to every party to proceedings, specific rights provided for in criminal proceedings. The guiding principles applicable to criminal proceedings are:

- The adversarial nature of the proceedings
- The requirement that the court make a decision on all the questions submitted to it and on nothing else
- Respect for the right to a defence.

23. Thus, defendants or persons seeking damages in criminal proceedings have the right, in accordance with article 10 of the Universal Declaration of Human Rights, to “a fair and public hearing by an independent and impartial tribunal”. In addition, defendants have the right to respect for their physical integrity; this precludes any act of torture in the search for evidence. This principle is set out in article 5 of the Universal Declaration. Furthermore, defendants have the right to confidentiality insofar as their correspondence and communications by post, telegraph and telephone are concerned.

24. Generally speaking, defendants enjoy all the protections afforded by the international human rights conventions to which Senegal is a party and those stipulated in Title II of the Constitution. Detained persons may have the legality of their detention reviewed, given their right to liberty and security. In addition, they must be tried at the earliest opportunity.

25. Anyone being prosecuted for a criminal offence enjoys the following two fundamental rights:

- Presumption of innocence: this right is provided for, inter alia, in article 7, paragraph 1 (b), of the African Charter on Human and Peoples' Rights and in article 11, paragraph 1, of the Universal Declaration of Human Rights. In criminal trials, if the prosecution fails to prove that a person is guilty, he or she is presumed innocent until evidence of guilt is presented. If the prosecution fails to present any such evidence, the defendant is acquitted or discharged.
- Right to a defence: this is a generic term that encompasses the right to defend oneself or be defended by counsel of one's choice, the right to have the last word, the right to be informed of the charges against one and the right to examine witnesses or have witnesses examined.

26. The above principles guarantee the effectiveness of article 9 of the Constitution, which provides as follows: "Any impairment of freedoms or voluntary restriction placed on the exercise of a freedom shall be punishable by law. No person shall be convicted of an offence unless it was an offence under a law that was in force before the act was committed. Defence is an absolute right at all stages and levels of proceedings".

C. Participation in public life

27. The participation of all citizens in public life, with no discrimination, is guaranteed by the Constitution (in article 3 thereof). All citizens have the right freely to set up associations, economic, cultural or social groupings, and companies, provided that they comply with the formalities laid down in laws and regulations.

28. The Constitution grants every citizen the right freely to express and disseminate their opinions orally, in writing, through images or in peaceful demonstrations, provided that the exercise of these rights does not insult or defame others, or disturb the public order (Constitution, article 10).

29. Press outlets that provide information on politics, the economy, culture, sports, social issues, leisure or science may be freely established without the need for prior authorization of any kind (Constitution, article 11) but the press regulatory regime is established by law.

30. At community level, local authorities provide the institutional framework for citizens' participation in running public affairs. They are administered freely by elected assemblies. (Constitution, article 102).

Part Two: Specific measures for implementation of the Convention

Article 1: Definition of discrimination

31. By reaffirming its adherence to the Convention on the Elimination of All Forms of Discrimination against Women in the preamble of its Constitution, the State of Senegal adopts the definition contained in article 1 of the Convention

The preamble also strengthens the definition by proclaiming "access to the exercise of power at all levels, for all citizens, without discrimination; [... and] the rejection

and elimination of all forms of injustice, inequality and discrimination”. Furthermore, “equality before the law for all citizens, without distinction as to origin, race, sex or religion” is enshrined in some constitutional provisions (Constitution, article 1) and “political parties [...] are prohibited from identifying themselves with a given race, ethnicity, sex, religion, sect, language or religion” (Constitution, article 4, paragraph 1).

Lastly, Act No. 81-77 of 10 December 1981, amending the Criminal Code, established an article 283 bis which incorporates the definition “of racial, ethnic or religious discrimination based on any distinction, exclusion, restriction or preference which has the purpose or effect of jeopardizing rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”.

Article 2: Obligation to eliminate discrimination

32. Existence of constitutional and legislative guarantees regarding the equality of women and men in the protection and enjoyment of civil, political, economic, social and cultural rights

In compliance with its fundamental obligations under this provision of the Convention, Senegal has taken several important constitutional and legislative measures, in particular:

- The Constitution of 22 January 2001 marks a crucial turning point, since it recognizes that women have a number of rights, some of which, although they had previously existed, were specifically described therein for the first time:
 - the equality of all citizens before the law; men and women have equal rights (article 7, paragraph 4)
 - the right to health (article 8)
 - the right of women to purchase and own land (article 15, paragraph 2)
 - women’s right to an easing of their workload, especially in rural areas (article 17, paragraph 3)
 - the prohibition of forced marriage, which protects girls (article 18)
 - the right of wives to own property, as their husbands do, and the right to manage their property themselves (article 19)
 - the right of all children, both boys and girls, throughout Senegal, to attend school (article 22)
 - the prohibition of all employment, wage or tax discrimination between men and women (article 25, paragraph 2)
 - equal access for men and women to elected office (Act of 13 November 2007 amending the Constitution).
- A number of legislative measures have also been adopted to provide better protection for women:
 - Act No. 99-05 of 29 January 1999 amending the Criminal Code criminalizes, respectively, assault and battery, sexual harassment, marital violence, female genital mutilation, rape, indecent assault, incest, procuring, which is the worst form of sexual exploitation of women,

incitement of a minor to debauchery, and family abandonment, which now covers both spouses, whereas it was previously applied exclusively to women (articles 294, 297 bis, 299 bis, 319 bis, 320, 321, 322, 323, 324 and 350)

- Act No. 2005-15 of 19 July 2005, enshrining the right of women to make their own reproductive health decisions
- the decrees of 23 November 2006 amending, respectively, the regulations on the status of civil servants and non-civil servants and the regulations on the organization of company health insurance institutions offering female employees the right to make health provision for their husband and children
- Act No. 2008 of 1 January 2008 establishing equality of tax treatment for men and women
- Act No. 2010-11 of 28 May 2010 on full gender parity in fully and partially elected bodies
- Act No. 03/2013 amending Act No. 61-10 of 7 March 1961 on nationality, in order to allow women to give their nationality to their children and spouse.

33. Existence of studies on the implications of discriminatory laws

Studies have been conducted to analyse the impact of laws discriminating against women in the following areas:

- the 1998 “Democracy, where are you?” study carried out by the Senegalese Women’s Council (COSEF) on the right to equal political participation for women
- a review of tax legislation commissioned in 2006 by the Minister for Women, the Family and Social Development, which resulted in an amendment to the General Tax Code
- a report analysing the lack of attention paid to all forms of violence against women and girls, which emerged from the work of the think tank on violence against women and children established by decree No. 2008-10545 of 10 December 2008. This think tank made recommendations which were published in July 2009 and incorporated into the ongoing work to reform the Criminal Code and the Code of Criminal Procedure
- a 2009 study of the Family Code, which contains discriminatory provisions regarding the civil rights of women and children (conducted by the Association of Senegalese Women Jurists (AJS), in collaboration with the Ministry of Women)
- a study on the harmonization of international and regional legal instruments with national legislation (conducted by the Ministry of Gender and Culture in 2010).

34. Number of tribunals that effectively implement the laws and regulations prohibiting discrimination against women

It should be noted that Senegal has a unified system of jurisdiction, under which its courts and tribunals implement, at all levels, the laws and regulations prohibiting

discrimination in all its forms, including against women. Women also occupy responsible positions within these courts and tribunals. For example, the Dakar Supreme Court, the Dakar special employment court and the Dakar special departmental court, which are the country's most important courts, have female presiding judges. In addition, two out of four Supreme Court chambers are headed by women; consequently there is full gender parity.⁶

35. Number of cases of discrimination reported in the last four years

No cases of discrimination against women and girls have been brought before the public authorities. However, if any such cases were reported, penalties would be applied, given that discrimination in all its forms is prohibited in Senegal by means of the Constitution, as well as laws and regulations.

36. Existence of special measures allowing women to claim their rights

The Government's ongoing political will to take major measures at the institutional level to strengthen women's capacity to claim their rights has been demonstrated by the continued existence of a ministerial department for women's policy since 1974. This department was known by several different names before it became the Ministry of Women, Children and Female Entrepreneurs in 2012. Its tasks are, inter alia, to ensure the protection and development of women, coordinate the national strategy for gender equity and equality, help to combat poverty, protect the rights of children and vulnerable groups, and promote the sociocultural development and economic advancement of the family.

In fulfilling these tasks, the Ministry works together with the National Consultative Commission on Women established by decree No. 90-1289 of 8 November 1990. This consultative body, chaired by the Minister of Women's Affairs, consists of the sector ministry focal points and social partners. It is responsible for organizing special events for the promotion of women, including the National Fortnight of Women, during which a Grand Prize is awarded by the Head of State to the most successful women's associations. The National Fortnight of Women offers a forum for engaging in healthy competition, sharing ideas and information, and lobbying authorities and decision makers, as well as raising public awareness of the political, strategic, economic and social concerns of women. These measures have had satisfactory outcomes, including the establishment of numerous women's organizations, grouped into larger federations and networks, which have made considerable efforts to raise women's awareness of their rights and how to exercise them, with a view to eliminating all forms of discrimination against women and girls in Senegal by 2015.

37. Existence of special committees responsible for the promotion and protection of women's rights

Several bodies have been established for the promotion and protection of women's rights, in particular:

- the National Consultative Commission on Women established by Decree No. 90-1289 of 8 November 1990. This is a consultative body chaired by the Minister of Women's Affairs, which brings together the sector ministry focal points, women's organizations and social partners

⁶ Source: Ministry of Justice, October 2011.

- The Gender Laboratory of the Institut Fondamental d’Afrique Noire (IFAN), Cheikh Anta Diop University
- the National Observatory of Women’s Rights (established by Decree No. 2008-1047 of 15 September 2008), which is a monitoring, early warning and reporting body with regard to all violations of women’s rights
- the National Parity Observatory (established by Decree No. 2011-819 of 7 March 2011), which is tasked with monitoring, evaluating and making proposals for promoting parity between men and women in public policy.

38. Existence of programmes to combat violence against women

- UNICEF/UNFPA Joint Programme on Female Genital Mutilation/Cutting (2010-2015)
- national plan to combat trafficking in persons, particularly women and children, adopted by the Interministerial Council in 2009
- integrated social protection strategy for children established in 2010
- plan to combat child abuse, including sexual abuse, established in 2010
- programme of medical and financial support for women affected by obstetric fistulas, supported by the Economic Community of West African States (ECOWAS) Gender Development Centre and UNFPA (2010-2015)
- joint programme to combat gender-based violence and promote human rights (2013-2015)
- awareness-raising programme of Plateforme des femmes pour la paix en Casamance (2009)
- gender mainstreaming programme in the Ministry of the Armed Forces (2010) and the Ministries of Commerce and Youth (2013)
- national action plan (2010) for the implementation of Security Council resolution [1325 \(2000\)](#).

Article 3: Development and advancement of women

39. Existence of laws, practices and policies ensuring the full development and advancement of women

Senegal was quick to recognize the benefits of incorporating women in the economic and social development process and has established legal and institutional mechanisms to facilitate the mainstreaming of women’s specific requirements.

At the legal level, continued recognition of Senegalese women’s right to development is reflected in a number of provisions of the January 2001 Constitution and certain specific laws, as described above (see article 2 above).

At the institutional level, the public authorities quickly demonstrated their willingness to establish a mechanism responsible for issues relating to the advancement of women (see article 2 above).

Several projects and programmes have had an impact on women's living standards in various sectors, including:

- the Project for the Support of Women's Promotion Groups (PAGPF, 1994-2000), which in 2000 became the Anti-Poverty Programme (PLCP), has provided CFAF 15 billion in microcredits to 75,236 beneficiaries, 80 per cent of whom are women (2000-2005)
- the Human Resources Development Project/Gender Component, which has made it possible to build "cases foyers" for women in rural and urban areas, to lighten women's workload by providing equipment, and to provide information, education and communication on reproductive health and literacy (1994-2000)
- the Social Development Fund (2002-2005), which supported the implementation of 1,172 projects together worth 10.5 billion CFA francs (CFAF), and the financing of community-based organizations, including 300 women's organizations, with a total of 917,385 beneficiaries
- the Poverty Reduction Support Programme (PAREP), funded between 2003 and 2005
- the women's credit scheme established in 2002, which has provided total financing of CFAF 4 billion and became the National Women's Credit Fund in March 2010. The National Women's Credit Fund plans to finance 613 projects, which will reach 13,227 of the most vulnerable women in 2013
- the National Fund for the Promotion of Female Entrepreneurship established in 2004 has injected CFAF 3.8 billion from 2008 State budget allocations into addressing the pressing need to reduce the feminization of poverty and to foster new entrepreneurial momentum involving a dynamic financing mechanism and a new strategy for access to funding
- the Microfinance Promotion Fund established in 2005 has created or consolidated employment for 112,892 people, 80 per cent of whom are women, by providing total financing of CFAF 903,646,354. The Fund has therefore provided 90,314 women with microfinance totalling CFAF 722,917,083.

Other initiatives for the advancement of women have been taken through policy planning and development, programming and budgeting strategies, as well as through the collection and processing of gender-sensitive statistics in accordance with the National Strategy for Gender Equality and Equity, developed with the support of various partners including the United Nations Development Programme (UNDP), the United Nations Development Fund for Women (UNIFEM) and the Canadian International Development Agency (CIDA). In addition, subsequent policies and programmes have referred to the National Strategy for Gender Equality and Equity with regard to gender mainstreaming in development, in particular:

- the Poverty Reduction Strategy Paper (PRSP) II (2006-2010), which took the gender dimension into account by recognizing its interaction with the other relevant areas of the accelerated growth and poverty reduction strategy; recommended strategies also cover legal, social and economic aspects with particular emphasis on the social protection of women as a vulnerable group and on the education of girls

- the prospective study “Senegal 2035”
- the Eleventh Road Map for Economic and Social Development (2012-2017)
- the Economic and Social Policy Document (DPES 2011-2015)
- the National Economic and Social Development Strategy (2013-2017), which updates the DPES
- the Literacy and Occupational Apprenticeship Programme to Combat Poverty (PALAM), which is contributing to the reduction of poverty among women and rural populations as a priority, by providing access to skills-based functional literacy, as well as to microfinance services fostering self-development. Thus, 1,200 girls have received vocational training in various areas and 10,000 women have been given additional training in their fields of activity. A total of 40 per cent of the girls in question, and 50 per cent of the women, will receive funding from the Programme.

There are also projects that specifically target women:

- the “Support for women’s groups” scheme, which targets the purchase of equipment to lighten women’s workload; a budget of some CFAF 6.7 billion was allocated to this scheme in 2000 to 2011, plus a further CFAF 500 million in 2012
- the Integrated Economic and Social Development Programme (2012-2015), which operates in the Dakar and Kaolack regions and seeks to promote an inclusive model for the social protection of women and young people in order to facilitate their socioeconomic advancement
- In the fisheries sector, where women play a leading role in the management of resources and the marketing and processing of fish products, a project for the sustainable management of fisheries resources has been implemented, at a cost of CFAF 2.018 billion in 2012 (with the support of the World Bank and the Global Environment Facility); a “Cold Chain” programme has also been established (funded in partnership with Spain and India for a total of CFAF 24 billion)
- With regard to hydro-agricultural development, women are benefiting from the improvement projects in the Senegal River valley and Casamance, as well as the market gardening activities developed around reservoirs. In this context, the programmes under way include the Agricultural Development Project in Matam (PRODAM), the Rural Development Support Project in Casamance (PADERCA), the Ndiawar development project, the local small-scale irrigation project and the water resources management project, financed within the framework of the Millennium Challenge Account, with the support of the United States Agency for International Development (USAID) in the area of increasing productivity. These programmes, in respect of which 15,393 hectares have been developed, at a cost of CFAF 22.84 billion included in the 2012 budget, are required to allocate 10 per cent of the improved land to women’s organizations
- In the livestock sector, where women specialize in animal fattening, small ruminants, milk processing and animal health care, the State has established the Stabilization Support Fund, which, in 2011, mobilized CFAF 986 million

in the form of credit enhancement and guarantee funds for the Caisse Nationale de Crédit Agricole du Sénégal (CNCAS) and planned to mobilize a further CFAF 1.205 billion in 2012

- In the microfinance sector, lines of credit backed by partners (Belgium, Italy, CIDA and KfW) are established for the benefit of disadvantaged households. Programme resources totalled CFAF 3.205 billion in 2012, of which CFAF 305 million came from internal resources.⁷

40. Existence of obstacles to women's enjoyment of their rights on a basis of equality with men

The Family Code adopted in 1972 by consensus is the basis of the laws and regulations that discriminate against women, notwithstanding the existence of initiatives that seek constant improvements in the legal status of women, such as the removal of provisions relating to the legal domicile of married women (article 13-1) and provisions allowing a husband to oppose his wife's exercise of a profession (article 154).

At present, some provisions discriminate against women and girls, for example:

- the minimum age of marriage is 16 years for girls and 18 years for boys (article 111, Family Code)
- the decision as to where the household will live lies exclusively with the husband (article 153, Family Code)
- the father exercises parental authority as head of the family (article 277, paragraph 2, Family Code)
- a husband still has "marital power" over his wife (article 152, Family Code)
- the establishment of maternal filiation is permitted, while a paternity suit may not be filed, even in the event of unwanted pregnancy following rape (article 196, Family Code)
- women have unequal rights in inheritance cases under Islamic law (article 637, paragraph 1, Family Code). It should be pointed out that heirs choose to apply this inheritance regime out of religious observance; it is not imposed on them. However, the practice does affect de jure equality between men and women.

Early marriage is penalized only under civil law, by annulment of the marriage. There is no penalty under criminal law, unless the husband consummates marriage with a minor under 13 years of age (Criminal Code, article 300).

Discrimination existed in the Senegalese Code of Nationality (Act No. 61-70 of 7 March 1961) given that article 5 provided that "a Senegalese woman who marries a foreigner may not transmit her nationality to him; neither may she transmit her nationality to her child", while article 7 provided for a Senegalese man to transmit his nationality to his children and his wife. There has been a major shift in this situation following the adoption of the new Nationality Act on 25 June 2013 (see developments, article 9 below).

⁷ Source: Ministry of Finance.

41. Existence of measures affecting women's participation in the political, economic, social and cultural fields

While a number of sociocultural behaviours and practices severely limit women's participation in the above-mentioned fields, they are not the result of laws and regulations. Nonetheless, important steps have been taken by the Government to curb these practices (see article 2 above). In particular, a circular letter on gender budgeting (2008) and a Prime Minister's Directive on gender mainstreaming in all sector-specific policies (2013) have been issued.

Article 4: Enhancement of equality between men and women**42. Existence of temporary special measures to accelerate the achievement of de facto equality between men and women**

In order to ensure equality between men and women, the Government has adopted special measures targeting women to reverse current trends and reduce gender disparities in the following strategic areas:

- **The defence and security sector:** significant progress has been made in military and paramilitary units. The amendment, by Act No. 82-17 of 23 July 1982, of Act No. 70-23 of 6 June 1970 on the organization of national defence has enabled women to gain access to employment in the Armed Forces. The recruitment of women to the Armed Forces was expanded as of January 2008 when women became subject to conscription.

Military service, traditionally restricted to men, was opened to women with the admission of two female cadets to the Military Medical School in 1984 (admission regulated by Decree No. 91-1173/PR/MFA).

Recruitment was further broadened on 19 October 2006, when the first class of women cadet non-commissioned officers (NCOs) were admitted to the national gendarmerie training school. This was followed by the inclusion of female conscripts in the initial training for military combatants at the Bango Instruction Centre in January 2008. Since then, a number of women have been recruited, trained and assigned to units. Progress can be summarized as follows:

- Out of 1,300 recruits to the security sector, 459 were women, deployed as follows: 119 in the first quarter of 2008; 107 in the second quarter of 2008; 96 in the third quarter of 2008; 44 in the first quarter of 2009; and 46 and 47 in the second and third quarters of 2009 respectively, which represents 35 per cent of total enlisted personnel
- As of 31 December 2009, the first group (the 119 women recruited in 2008) will have completed two years of service and the Army intends to assign them to the gendarmerie and other paramilitary units such as the police force and customs, water and forestry authorities
- From 2007 to 2009, 10 per cent of each class of 500 recruits to the gendarmerie were women, in other words, there were 50 women in each class.

Today there are 759 women in the ranks of the Army and gendarmerie combined (see tables below).

Table 1

Army

<i>Category</i>	<i>Number</i>
Female doctors	41
Student doctors	59
Active-duty officers	1
Active-duty cadets	4
Non-commissioned officers	20
Cadet non-commissioned officers (National School of Active Non-Commissioned Officers (ENSOA))	23
Female soldiers who have enlisted since 2008	167
Female “conscripted” soldiers	437
Total number of female soldiers in 2013	700

Table 2

Gendarmerie

<i>Category</i>	<i>Number</i>
Officers	4
Fifth and sixth class of cadets (7 officers)	4
First class of NCOs	49
Second class of NCOs	45
Third class of NCOs	50
First class of specialists	1
Class of 2011, gendarme cadets	50
Class of 2012, gendarme cadets	50
Total	253

With regard to re-enlistment, affirmative action measures mean that the re-enlistment quota for women is 20 per cent compared to 5 per cent for men.

Recruitment of officers and non-commissioned officers

The NCO corps includes 20 women. In the two classes of NCO cadets currently undergoing training at ENSOA in Kaolack, there are 23 women out of a total of 100 cadets, making up 20 per cent of the total.

In the officer corps, 59 women are attending the Military Medical School and 4 women out of 64 cadets are training abroad for the Air Force, with two women selected to become pilots; in the Navy, one woman has been selected to become the first woman naval officer.

Within the gendarmerie

Since 2006, the gendarmerie has been committed to integrating women into its ranks and has set a 10 per cent quota for women in each class of 500 cadets. To date, the gendarmerie has four female officers, two of whom are in the mobile gendarme unit.

With a view to facilitating the incorporation of female personnel, the Armed Forces have taken steps to provide legislative and material support to remove the obstacles to the integration of women in the different units and posts. In 2010 the Ministry of the Armed Forces launched a process to reflect on the integration and management of female personnel. A forum for discussion was established to that end.

Comments were reviewed in the light of the experiences of male and female personnel in the various units of the defence and security forces, as well as those of other countries such as Gabon, Gambia, Mali, Nigeria and the United States of America, at a conference held in Dakar on 8 October 2010. This was followed in December 2010 by a workshop on capacity-building and harmonization of legislation. Real successes in resolving many issues have emerged from these various efforts. An action plan was put forward for training personnel and establishing gender units, in order to take better account of the issues associated with opening up the armed forces to women.

During 2011, advocacy workshops aimed at decision makers and a workshop on gender-sensitive budgeting were held. In October 2011, a reference framework to translate the global gender approach of the Ministry of the Armed Forces into all its constituent parts, with the achievement of specific objectives, was adopted. A sectoral gender strategy for the armed forces was also defined in accordance with the National Gender Strategy for Gender Equality and Equity. Train-the-trainer workshops on gender were held during 2012 and 2013. Altogether, 30 multipliers were trained thanks to the support of UN-Women and other partners, including the Geneva Centre for the Democratic Control of Armed Forces (DCAF).

A sectoral gender strategy covering the period up to 2015 was developed for the Armed Forces and launched in March 2013. The Ministry of the Armed Forces is therefore gradually working to integrate women and to take into account all aspects of the gender issue.

- **The economic sector:** notable efforts have been made to ensure women's independence and to narrow the gap that separates them from men. The many women-only projects described (see article 3 above) have opened up vast opportunities for women in rural and urban areas. Women have benefited from resources, technical and technological support, training, and coaching on how to create and manage enterprises processing products from various sectors of production (agriculture, fishing, market gardening, livestock farming and transport).

43. Existence of special measures, including those measures contained in the Convention, aimed at protecting maternity

Articles 15 and 17 of the Social Security Code (Act No. 73-37 of 31 July 1973), in order to protect maternity, provide that all pregnant women are entitled to a prenatal allowance. In addition, women workers are entitled to continue receiving that benefit if their husbands are not gainfully employed. Articles 18 and 19 on maternity benefits provide that such benefits are payable exclusively to the mother, under the

same conditions as the prenatal allowance. Articles 24 to 29 provide for daily maternity leave allowances, which are subject to the same exclusive conditions.

Workers receive family allowances for each dependent child from 2 to 21 years of age. The age limit is 18 years for a child placed as an apprentice and 21 if the child continues his or her education or if, as the result of an incurable sickness or disability, the child is unable to be gainfully employed. Payments are made every two months.

Article 5: Sex roles and stereotyping

44. Existence of cultural and traditional practices affecting the advancement of women in society

There are certain cultural and traditional practices detrimental to the advancement of women which stem from social norms, rather than laws and regulations, for example, excision and early and/or forced marriages. Thus, in application of the principle of equality between men and women, the 2001 Constitution guarantees women protection against any infringement of their physical and mental integrity, which it considers a violation of personal freedom (article 18). Furthermore, early and forced marriage are punishable under article 300 and article 379, paragraph 4, respectively, of the Criminal Code, while article 299 bis criminalizes excision.

It is precisely in the area of marriage that there is a need to harmonize the provisions of the Family Code and the Criminal Code concerning the marriageable age for girls, in order to bring national legislation into line with the Convention.

45. Existence of measures aimed at changing traditional and cultural attitudes that reinforce the idea of women's inferior status

Measures aimed at gradually changing attitudes and behaviours that confine women to an inferior status have been taken, as described above (see articles 2 and 3 above).

46. Existence of practices imposed by religion, custom or beliefs that impede the improvement of the status of women

Sociocultural constraints and practices that impede the improvement of the status of women still persist in certain areas or among some ethnic groups. This is the case with levirate and sororate marriage, excision and the rites of some ethnic groups, food prohibitions or taboos, opposition to spacing births by some men or religious and customary groups, and the practice of repudiation.

Despite the fact that divorce is legal, some women continue to be repudiated owing to ignorance of the law or sociocultural constraints. However, it should be noted that outreach and awareness-raising programmes continue to be implemented in order to change the behaviour of communities in areas resistant to change.

47. Percentage of women and men in employment considered to be sex-specific

According to the most recent Senegal Poverty Monitoring Report, the potential labour force comprises many more women than men. While 40.70 per cent of women are aged between 20 and 60 years of age, compared to 38.9 per cent of men, the latter have greater employment opportunities and women are more likely to be unemployed.

Analysis of the data reveals that the highest proportions of both men and women work in the primary sector and in commerce, owing to low technical and professional skills levels. However, it should be noted that the traditional division of labour has long confined women to the role of housewives, which obscures their contribution to the national economy.

Table 3
Employed population by sector and gender

<i>Industry</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Agriculture, livestock, forestry	32.5	33.6	32.9
Fisheries	3.3	0.9	2.5
Mining (mine, quarry)	0.5	0.2	0.4
Manufacture of food products, beverages/tobacco	1.2	0.7	1.0
Manufacturing	8.7	3.0	6.7
Water, electricity and gas	0.9	0.3	0.7
Construction and public works	8.6	0.6	5.8
Commerce/sales	18.3	34.6	24
Restaurants and hotels	0.6	1.4	0.9
Transport and communications	6.4	0.5	4.4
Banks, insurance companies and other financial institutions	0.5	0.4	0.5
Other commercial activities	9.2	5.6	7.9
Domestic services	1.7	13	5.7
Public administration	5.5	3.4	4.8
Private institutions	1.7	1.3	1.5
Other entities	0.2	0.3	0.2
Unknown	0.2	0.0	0.1
Total	100.0	100.0	100.0

Source: Second Senegalese Household Survey (ESAM II).

48. **Existence of laws allowing men to punish women**

Such laws do not exist in Senegalese positive law. Moreover, the Criminal Code includes provisions that criminalize spousal assault and battery and domestic violence (articles 298 and 299).

49. **Existence of shelters for women victims of domestic violence**

As part of the efforts to combat all forms of violence against women and girls, there are a number of shelter and accommodation facilities for victims, such as the National Women's Assistance and Training Centre, which is dedicated to training women and providing them with support in the form of advice or counselling through its branches at the regional level, and the Ginddi counselling and guidance centre for children in difficult situations, which provides psychological and medical assistance to vulnerable women and girls. This Centre has a toll-free number, 116, which is used to report and respond to emergencies. The Centre also offers a holistic package of standard services (basic education, hygiene and health care, meals etc.).

Other facilities that serve as shelters include community justice centres and community educative action services (AEMO).

Some civil society organizations provide shelter and support facilities for victims (the Association of Senegalese Women Jurists (AJS), Comité de Lutte Contre les Violences faites aux Femmes et aux Enfants (CLVF), Réseau africain pour le développement intégré (RADI), Rencontre africaine pour la défense des droits de l'homme (RADDHO), Organisation nationale des droits de l'homme (ONDH), Maison Rose, La Palabre etc.).

50. Existence of units to implement specific laws concerning cases of women victims of domestic violence

There are no specific units in Senegal to implement laws concerning cases of domestic violence against women. However, cases of this type are handled by police units and ordinary courts at all levels, in accordance with the provisions of the Criminal Code referred to in this report. There are, nevertheless, police units specialized in dealing with violence (child protection unit).

51. Existence of a procedure to combat violent and pornographic films

The National Audiovisual Regulation Council (CNRA) implements a policy to combat violent and pornographic films; it is also responsible for the monitoring and censorship of all audiovisual agencies in Senegal. Alongside this mechanism, broadcast oversight authorities have been established to strengthen the regulatory provisions for, inter alia, prohibition and enforcement.

52. Existence of special procedures for dealing with child victims of sexual abuse

A child protection unit within the Ministry of the Interior handles cases involving child victims of sexual abuse, taking into account the specific needs and interests of the child. The officers of this unit are given specific training on how to deal with and provide aftercare to minors. Hearings involving child victims of sexual abuse or any other form of violence are held in camera to prevent further trauma and victimization.

Article 6: Suppression of the exploitation of women

53. Existence of legislation to combat trafficking in women and girls

Senegal ratified the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others on 11 April 1979, and the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing that Convention, on 18 July 2003. They are being implemented through the national plan to combat trafficking in persons, particularly women and children.

Drawing on the ECOWAS Plan of Action against Trafficking in Persons, particularly the sections on legislation, law enforcement, and support and assistance to victims of human trafficking, in 2009 Senegal drew up a national plan to combat trafficking in persons, particularly women and children, and is developing mechanisms to combat the feminization of poverty. Such mechanisms include women's credit funds, the National Fund for the Promotion of Female Entrepreneurship (FNPEF), the

Integrated Economic and Social Development Programme (PIDES) and the National Initiative for the Social Protection of Vulnerable Groups (INPS).

54. Existence of legislation authorizing or prohibiting prostitution

Analysis has shown that poverty and underdevelopment are contributing factors in certain types of behaviour, including sexual exploitation, trafficking in women and prostitution. However, prostitution is not a legally punishable offence in Senegal and is strictly regulated by Act No. 66-21 of 1 February 1966 and its implementing decree (Decree No. 69-616 of 10 May 1969). The law requires women who engage in such activity to be of age and to be registered in a health database maintained by the Preventive Health Department of the Ministry of Health. They are subject to fortnightly medical check-ups, which are recorded on a health card that they are required to keep and present upon request to the health and administrative authorities. Non-registration in the database and failure to keep the health card up-to-date are criminal offences punishable by imprisonment and a fine.

Soliciting by prostitutes is also a criminal offence, while Act No. 2005-05 of 29 April 2005 on human trafficking and similar practices criminalizes the prostitution of minors.

Article 7: Equal participation of men and women in political and public life

55. Existence of laws providing equal voting rights for women and men

Equal voting rights for men and women are a constitutional principle in Senegal. The preambles of successive Constitutions have proclaimed equality before the law in the following terms: “The [...] people of Senegal proclaim the observance and consolidation of the rule of law in which the State and the citizens are subjected to the same legal norms under the control of an independent and impartial judiciary”. Article 7 of the current Constitution clearly establishes the principle of gender equality and non-discrimination. In Senegal, women have had the right to vote since 1945. The electorate consists of all Senegalese people who are in possession of their civil and political rights, are registered on the electoral roll and are not disqualified on any of the grounds stated by law. The political system of Senegal is also based on mechanisms that aim to encourage the participation of all citizens, regardless of gender, in political decision-making at the national level. The constitutional basis for this approach is clearly affirmed by the principle of the Republic: “Government of the people, by the people and for the people”.

The effectiveness of representative democracy depends to a large extent on the efficiency and transparency of the electoral process established. In the context of political participation, it is in fact essential for all citizens to have the same opportunities in elections. That is why Senegal has independent structures to manage the electoral process (National Independent Electoral Commission; monitoring committee to follow up the recommendations of the electoral roll audit) as fundamental components of an efficient democracy.

56. Percentage of female and male voters

At present, sex- and age-disaggregated data on the percentage of women voters are not available. Requests for such data have been made and the competent services are taking steps to comply with those requests.⁸

57. Percentage of women who are members of political parties

Today, women's participation in political parties is very high and this has been the case since independence. However, few women occupy strategic positions in the decision-making bodies of political organizations. In 2000, one political party (Parti pour la Renaissance Africaine (PARENA)) was headed by a woman, but she joined the ruling party immediately after the elections in 2004. In 2012, two women ran as independent candidates in the presidential elections. One of them was endorsed by the Parti pour la Démocratie et la Citoyenneté and won 0.19 per cent of the votes cast. The other was sponsored by a workers' party and obtained 0.12 per cent of the vote.

58. Types of measures adopted by political parties to increase women's participation

Significant efforts had been made to enhance women's participation in political life through the application of a quota system in some of the main political parties before the adoption of Act No. 2007-40 of 13 November 2007 on equal access for men and women to elected office. In 2010, Senegal introduced a ground-breaking law instituting full gender parity in all fully or partially elected bodies (Act No. 2010-11 of 28 May 2010 and its Implementing Decree No. 201-819 of 16 June 2011).

59. Existence of the same eligibility conditions for men and women

The Electoral Code, amended by Act No. 97-15 of 8 September 1997, reinforces this principle of equality in article L.24 on voter eligibility, which stipulates that "no one may deny registration on an electoral roll" to:

- Senegalese citizens who are in possession of their civil and political rights and meet the conditions laid down by articles L.30 to L.33 relating to electoral districts
- Senegalese citizens by naturalization after the date of acquisition of Senegalese nationality or, for women who have acquired Senegalese nationality by marriage, after the date of expiry of the period of ineligibility prescribed under article 7 of the Senegalese Code of Nationality.

Article L.54 on general conditions of eligibility, ineligibility and incompatibility provides that "any Senegalese citizen may stand as a candidate and be elected to office, subject to age requirements and provided that he or she is not disqualified or ineligible on grounds stated by law".

A major innovation was introduced by the above-mentioned Act on full gender parity, which requires political parties to alternate female and male candidates on lists or face disqualification. Compliance with this requirement in the elections for the current legislature raised the rate of women's representation in the National Assembly to 43 per cent in 2012.

⁸ General Directorate of Elections (July 2013).

60. Percentage of public polling stations managed by women

A growing number of public polling stations have been managed by women in recent years. It should be noted that there is no discrimination in this area.

61. Percentage of women participating in elections and public referendums

Senegalese women participate on an equal basis with men in referendums, as indicated under point 54 of this report.

62. Existence of measures to ensure the participation of women in the design and implementation of development projects at all levels

Women play a substantial role in both the design and the implementation of development projects. Inter alia, they have been involved in drafting the Road Map for Economic and Social Development, the two Poverty Reduction Strategy Papers (PRSP I and II) and the Economic and Social Policy Document (DPES). They have created a framework known as the Women's Initiative Group (GIF) which has brought together organizations in different areas to mainstream gender in these various development policy documents. In addition, in 2010 the Gender Laboratory of the Institut Fondamental d'Afrique Noire (IFAN), headed by a woman, published with UNDP support a methodological guide for mainstreaming gender in policies and programmes aimed at achieving the Millennium Development Goals (MDGs), in particular Goal 3. In 2012, the Laboratory published *Indicators: Year Zero for Parity in Senegal*, with guidance from the Gender Equality Observatory.

63. Level of involvement of women's organizations in decision-making

The grass-roots development policy pursued by the Government has led to the emergence of several women's organizations. Senegal is now considered to be one of the West African countries with a particularly dynamic women's civil society sector.

At the national level, these organizations participate in decision-making through coordination, early warning and monitoring mechanisms including the National Consultative Commission on Women, the Non-State Actors' Platform, the National Parity Observatory and other bodies mentioned under point 62 of this report. The Ministry of Women provides support to these organizations and enables them to participate in all its work, as well as to take part in Senegalese delegations to international meetings and conferences on women's issues.

At the local level, participation is regulated by the Local Authorities Code in accordance with the principles of decentralization. Article 3 of that Code states that "grass-roots community organizations are partners of the local authorities". As such, they are able to play a role in fostering local economic and social development regardless of gender.

Many women's organizations, often with support from partners such as United Nations system organizations or international and local NGOs, are active in promoting and defending women's rights, including through human rights education, citizenship education and women's leadership programmes.

Article 8: International representation and participation

64. Percentage of female ambassadors

Women's right to representation at the international level is guaranteed by virtue of the conventions and international and regional legal instruments to which Senegal is party. This political will dates back to Senegal's accession to the International Covenant on Civil and Political Rights, which requires States parties to grant their citizens access, on general terms of equality, to public service. It is also guaranteed at the domestic level by the preamble to the 2001 Constitution, which reaffirms the adherence of the people of Senegal to the relevant conventions and legal instruments, including the Convention on the Elimination of All Forms of Discrimination Against Women and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. Furthermore, article 25 of the Constitution prohibits all employment, wage and tax discrimination between men and women. The percentage of female ambassadors has improved: before 2000, Senegal had one female ambassador; in July 2013, it had seven.

65. Percentage of women in international organizations

Senegal has had female representation in a significant number of high-level posts in recent years, including at the International Criminal Tribunal for Rwanda (2000-2002), the World Health Organization (2008) and the International Organization for Migration (1999). It should be recalled, however, that access to employment within the international system is governed by rules of procedure established by the international organizations themselves.

66. Existence of programmes encouraging women to take up international posts

There are no specific programmes to promote women's access to international posts. However, under the laws and regulations in force in Senegal, there is no discrimination preventing women from accessing such posts. In other words, access to the civil service and international posts is based on the personal merit of each citizen, as indicated under point 63 of the report.

Article 9: Equal rights with respect to nationality

67. Existence of legislation granting equal rights to married women, unmarried women and men to acquire, change and retain their nationality

The procedure and conditions for acquiring Senegalese nationality were laid down in Act No. 61-10 of 7 March 1961 on the Code of Nationality. Nationality is determined by birth and residence in Senegal, filiation, marriage and naturalization. Article 1 of the Act states that "Any individual born in Senegal of an ascendant in the first degree who was born in Senegal is Senegalese." A person whose residence is in the territory of the Republic of Senegal and who has always been Senegalese by apparent status shall be deemed to have met these two conditions.

Any newborn child who is found in Senegal and whose parents are unknown shall be considered Senegalese. The child shall cease to be Senegalese if, while a minor, the child's filiation with a foreign national is established (article 3). According to article 5, Senegalese nationality is granted to a legitimate child born in Senegal to a Senegalese father or a legitimate child born to a Senegalese mother and a father with no nationality or unknown nationality.

With regard to the acquisition of Senegalese nationality by filiation, it should be noted that an illegitimate child is considered Senegalese when the parent with whom filiation was first established is Senegalese. The same is true for an illegitimate child of a Senegalese who was the second parent with whom filiation was established, if the other parent is without nationality or of unknown nationality.

With regard to the acquisition of Senegalese nationality by marriage, the old Code of Nationality contained a provision that discriminated against Senegalese women. Article 7 of Act No. 89-42 of 26 December 1989 states that a foreign woman who marries a Senegalese man acquires Senegalese nationality upon marriage or the recognition thereof, provided that the Government does not oppose the same by decree within a period of one year from the day when the woman requests certification from the Ministry of Justice that she has not exercised her option to decline Senegalese nationality.

The new Act No. 2013-03, which was adopted on 25 June 2013 and amends Act No. 61-10 of 7 March 1961, represents major progress for women because, henceforth: “Any child born of a Senegalese father or mother shall be Senegalese”. This new provision of the Nationality Act thus allows Senegalese women to transmit their nationality to their children born of a foreign father, and even to their husband.

68. Existence of social, cultural or economic factors preventing women from exercising these rights

At the current stage of development of Senegalese society, there are no reported sociocultural prejudices or economic barriers preventing women from exercising their rights to nationality. As legal impediments have been lifted, the conditions for acquiring, changing and retaining nationality are now unaffected by gender distinctions.

69. Existence of legislation authorizing minors to have their own passport

Children are allowed to have their own passport to travel by air, in accordance with the rules and regulations of the International Civil Aviation Organization (ICAO). In the absence of a national identity card, the applicant must be registered, using his or her birth certificate, with the File Automation Branch (DAF) of the Ministry of the Interior.

Article 10: Equal access to education and training

70. Existence of legislative measures to ensure gender equality in access to education and training

The right of equal access to education and training is essential in society, because it gives men and women the means to participate on an equal footing in all aspects of public life in their country. Articles 8, 21, 22 and 23 of the 2001 Constitution therefore recognize that right for all children, and acknowledge the State’s duty to provide such education. In accordance with those provisions of the Constitution, Act No. 91-22 of 16 February 1991 on national education, as amended, establishes the framework and arrangements for access to education.

The national education system should “prepare the conditions for comprehensive development, for which the entire nation assumes responsibility; its purpose is to train men and women capable of working effectively to build the nation, with

particular attention to the economic, social and cultural problems encountered by Senegal in its development efforts ...” (article 1).

The State shall uphold the right to education for its citizens through the implementation of an education system. Local and public authorities shall contribute to State education efforts (article 3). Furthermore, schooling is compulsory for all children of both sexes between the ages of 6 and 16 (article 3 bis).

71. Existence of measures allowing girls and boys to follow the same studies at preschool, primary school, secondary school and higher education institutions

The National Education Act was followed in 1992 by a general policy letter for the education sector, in which the Government stated that “the development of elementary education is above all a fundamental right”. It added that “while correcting gender and regional disparities, mechanisms for quantitatively increasing the school-age population (between 7 and 12 years old) will be implemented with a view to achieving universal elementary education by 2010”.

Additional measures have also been taken, including the dissemination of Circular Letter No. 004379 of the Ministry of Education, dated 11 October 2007, authorizing pregnant girls to continue their studies after childbirth; the provision of equal access to technical and vocational training at all levels, including apprentices, talibes, persons in difficult situations and persons with disabilities; the diversification of the education provided; the integration of religious education; and the development and implementation of specific programmes (Project to Support the Education of Girls (PAEF), Framework for the Coordination of Girls’ Education Interventions (CCIEF), and School Enrolment for Girls (SCOFI)). These programmes require further support so that the gains made can be consolidated.

In the education and training sector, the acceleration of the construction of elementary-school classrooms and the construction of local middle schools with separate toilet blocks for girls and boys are helping to improve girls’ access to schools and their retention in the formal education system.

However, the general picture in 2011 was that not enough students were being enrolled at preschool level because of a lack of facilities. Only 10.70 per cent of children in fact have access to preschool education. At the primary level, the gross enrolment ratio is 89.5 per cent for boys, compared to 98.6 per cent for girls. Once children leave primary school, the trend quickly reverses: in middle school, the gross enrolment ratio is 54 per cent for boys, compared to 52.40 per cent for girls; the gross enrolment ratio at secondary school is 24.3 per cent for boys and 18.9 per cent for girls.

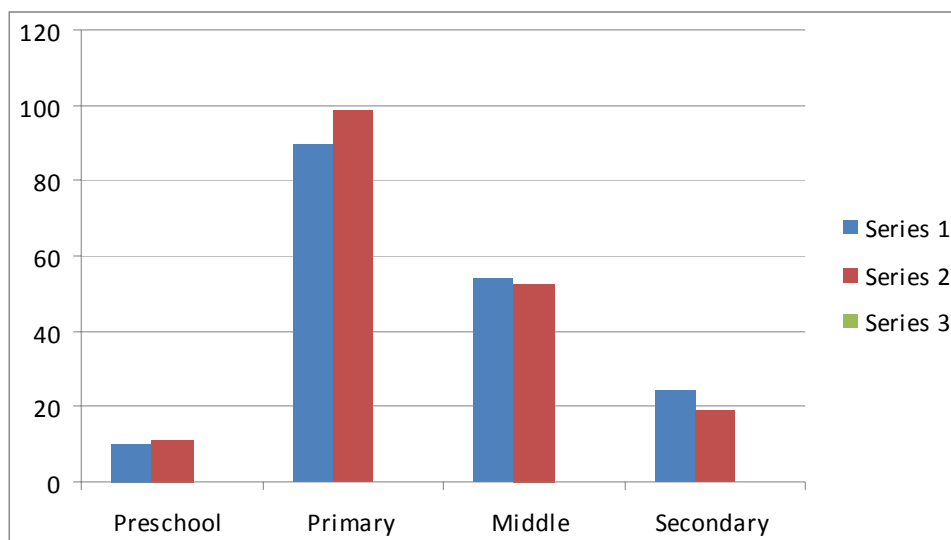
In the sciences, the ratio also favours boys, 37 per cent of whom are enrolled in science courses compared to 27.90 per cent of girls. Although 41 per cent of secondary school graduates are girls, only 35.3 per cent of them go on to higher education.⁹

⁹ ANSD, 2007.

Senegal's education system has four levels: preschool, elementary, middle/secondary and university education.

- **In the area of preschool education**, a wide range of options is offered, comprising community learning centres, cases des tout-petits, day nurseries and kindergartens for children aged between 3 and 5. After leaving these establishments, children in both rural and urban areas enter grade 1. Since 2000, early childhood education has been enhanced through the establishment of the National Agency for Early Childhood and Cases des Tout-Petits, which is based on the concept that learning starts at birth. The Agency is responsible for the care and education of children aged between 0 and 5, and offers a set of services (health, nutrition, education, stimulation and culture) with the involvement of the family unit, the grass-roots community and teachers. It has also fostered the emergence of a type of citizen able to defend and uphold children's rights in Senegal. Clear and steady progress was made in early childhood education at the national level between 2000 and 2007. The proportion of girls in early childhood education rose from 50.9 per cent to 52.39 per cent, equivalent to an average annual increase of 21.46 per cent and a variance of 1.49 percentage points. At national level, by gender, 94.54 per cent of boys and 94.39 per cent of girls attending preschool are of the correct legal age to do so. The gross enrolment ratio in preschool education in 2007 was 6.74 per cent for boys and 8.20 per cent for girls, giving a total of 7.44 per cent. That ratio had increased to 10.70 per cent by 2012 (see table below).

Table 4
Trends in gross enrolment ratios from preschool to secondary levels



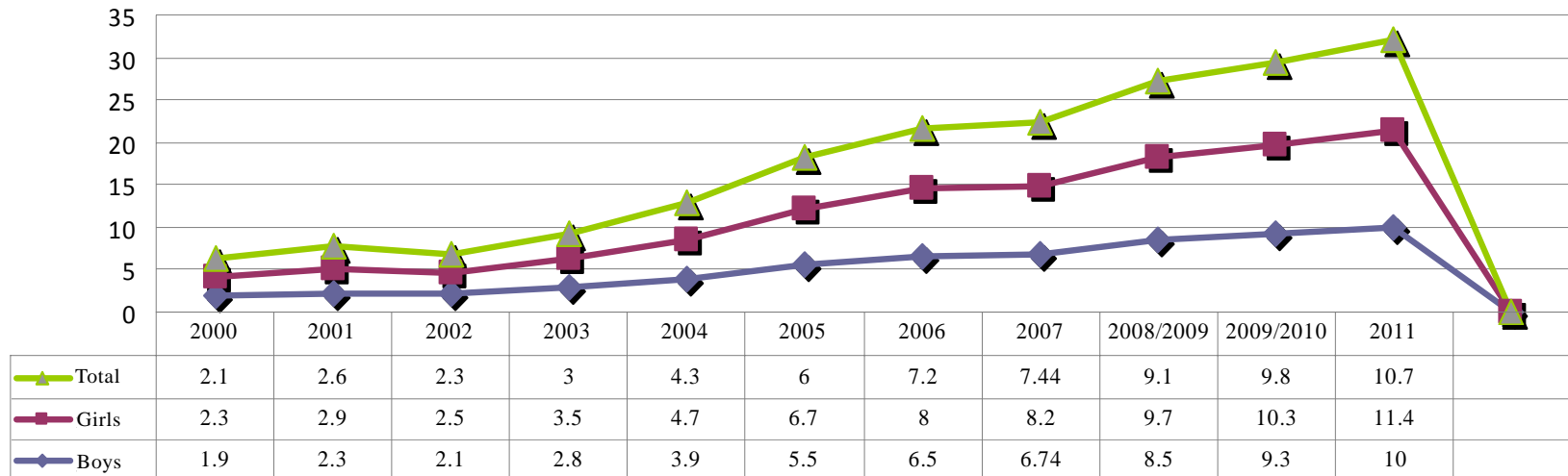
Source: National report on the state of education, 2012.

Table 5
Gross enrolment ratios in preschool education, 2000-2012

<i>Year</i>	<i>Percentage (boys)</i>	<i>Percentage (girls)</i>	<i>Total percentage</i>
2000	1.9	2.3	2.1
2001	2.3	2.9	2.6
2002	2.1	2.5	2.3
2003	2.8	3.3	3.0
2004	3.9	4.7	4.3
2005	5.5	6.7	6.0
2006	6.5	8.0	7.2
2007	6.74	8.20	7.44
2008/2009	8.5	9.7	9.1
2009/2010	9.3	10.3	9.8
2011	10.0	11.40	10.70

Source: National report on the state of education, 2012.

Table 6
Gross enrolment ratios in preschool education, 2000-2011



Source: National report on the state of education, Ministry of Education, 2012.

Table 7
Change in the numbers of preschool establishments at national level between 2011 and 2012, by type of establishment

Type of establishment	2011		2012		Change 2011-2012
	Number	%	Number	%	
Community learning centre	186	9.5	159	6.4	-15%
Case des tout-petits	446	22.8	519	20.9	16%
Kindergarten class			190	7.7	
Kindergarten school	711	36.3	830	33.5	17%
Day nursery	615	31.4	780	31.5	27%
Total	1 958	100.00	2 478	100.00	27%

Source: National report on the state of education, 2012.

According to the aforementioned 2012 report, the preschool education offered remains concentrated in kindergarten schools and day nurseries. These are the oldest type of establishment. Taking into account the objective of 90 children per establishment, the 2,478 establishments identified in 2012 should be able to accommodate only 223,020 children. This number of children is much lower than the potential demand (1,542,831 children). An additional 14,665 establishments are therefore needed to provide preschool places to all children between the ages of 3 and 6.

It should be noted, however, that the increase in the number and diversity of these establishments has helped to lighten domestic workloads and women's share of childcare responsibilities. In other words, the availability of these establishments has saved women time, thus enabling them to focus on income-generating activities.

- As shown by the table below, the number of girls with access to **elementary education** increased significantly from 2002 to 2012 and the gender parity index rose from 0.99 in 2001 to 1.15 in 2012. According to the conclusions of the aforementioned report, the gender parity index went from 0.91 to 1.12 between 2002 and 2012. Parity was reached in 2006, and from 2007 the trend was reversed in favour of girls.

Table 8
Gender parity index (GPI) in school enrolment, 2002-2012 (Gross enrolment ratio (GER))

Category	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
GER (boys)	75.2%	78.5%	81.4%	83.0%	83.4%	86.8%	88.0%	89.2%	90.3%	89.5%	88.9%
GER (girls)	68.4%	73.0%	78.0%	80.7%	83.3%	88.5%	92.4%	95.9%	98.7%	98.6%	99.5%
GER (overall)	71.8%	75.8%	79.7%	81.9%	83.4%	87.6%	90.1%	92.5%	94.4%	93.9%	94.1%
GPI	0.91	0.93	0.96	0.97	1.00	1.02	1.05	1.07	1.09	1.10	1.12

Source: National report on the state of education, 2012.

The table below shows that the number of students enrolled in **middle schools** increased from 186,138 to 673,561 between 2000 and 2012, an average annual

increase of 11.3 per cent. This significant improvement is a result of the growing numbers of students successfully completing elementary education and the extension of the network by means of private schools and the establishment of local middle schools. The rate of increase in the number of children enrolled in middle schools (11.3 per cent) is much higher than that of the target population (3.1 per cent). The growth in student numbers shows that girls have been the main beneficiaries of the school enrolment efforts undertaken in the Senegalese education system in recent years.

Table 9
Change in the numbers of middle school students between 2000 and 2012

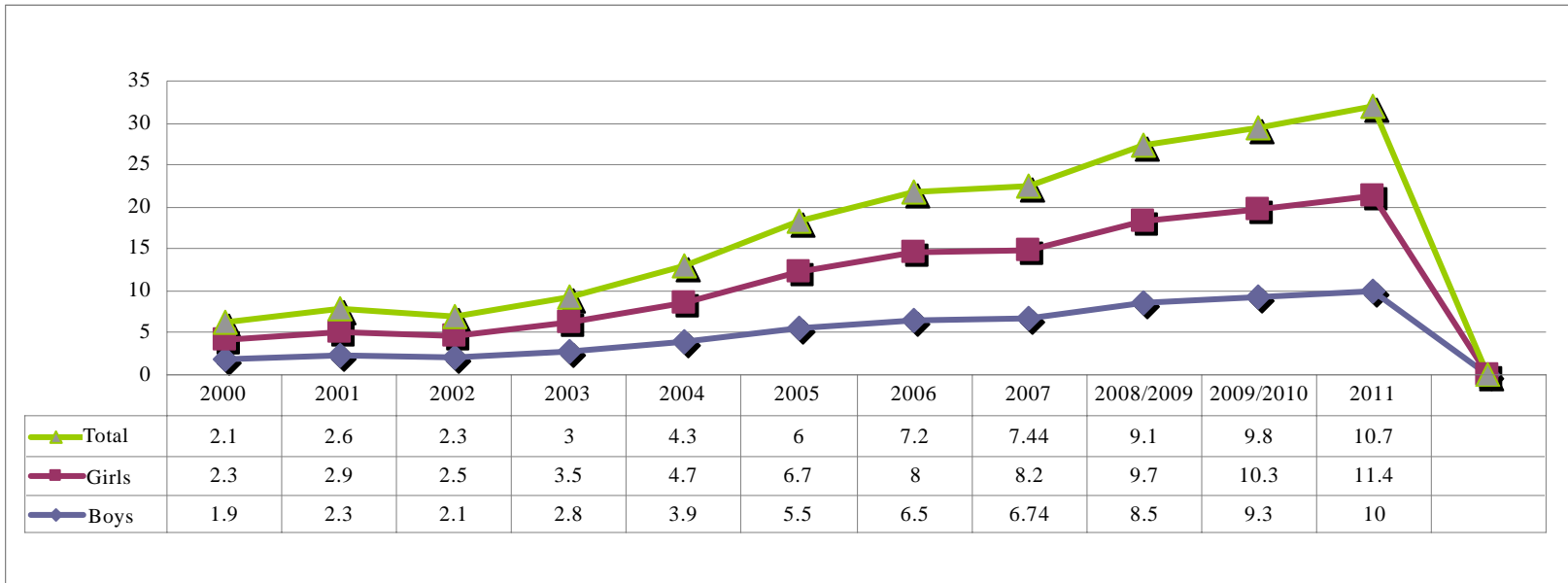
Category	2000	2010	2012	Annual average increase 2000-2010	Annual average increase 2010-2012	Annual average increase 2000-2012
Boys	112 230	280 966	341 630	8.4%	15.0%	9.5%
Girls	73 908	250 839	331 922	14.3%	10.3%	13.8%
Total	186 138	531 805	673 561	11.1%	12.5%	11.3%
Girls (%)	39.7%	47.2%	49.3%	1.7%	2.2%	1.8%

Source: National report on the state of education, 2012.

- **In secondary education**, although progress has been irregular, the gross enrolment ratio increased from 9 per cent in 2000 to 18 per cent in 2012 for boys, compared with 12 per cent for girls. Between 2000 and 2012, the overall gross enrolment ratio rose from 9.3 per cent to 25.8 per cent, an increase of 16.5 points. This improvement resulted from the multiplication of the gross enrolment ratio for girls by 3.41, from 6.7 per cent to 22.9 per cent. The ratio for boys also rose sharply, from 12.1 per cent to 28.6 per cent, corresponding to a leap of 16.1 percentage points. The gross enrolment ratio for girls fell slightly between 2002 and 2003, and between 2005 and 2008 all three gross enrolment ratios (overall, boys and girls) decreased slightly. In 2012, the overall gross enrolment ratio increased by 4.1 percentage points (4 points for girls and 4.3 points for boys) compared to 2011.

Students must obtain an average annual mark of 10 out of 20 to progress from middle school to secondary school. Girls are less attracted than boys to science courses. While only 37.5 per cent of all newly enrolled students took science courses in 2007, compared to 36.5 per cent in 2006, 42 per cent of boys took them, versus 30.8 per cent of girls. Although secondary technical and vocational training establishments exist, the majority of middle school leavers opt for general secondary education.

Table 10
Trends in gross enrolment ratios, 2000-2012



Source: National report on the state of education, 2012.

- The retention of girls in **higher education** remains a significant challenge for the Senegalese State. According to a 2007 ANSD study, girls represent 41 per cent of secondary school graduates but only 35.3 per cent of higher education students.¹⁰

In higher education, the percentage of women at the various public universities (30.7 per cent) is half that of men (69.3 per cent), out of a total of 65,304 students. Similarly, 31.2 per cent of students at Cheikh Anta Diop University are women, while 68.8 per cent are men. This situation is explained by the geographical position of Cheikh Anta Diop University, which is the country's top university. Girls' overall rate of access to higher education is less than 10 per cent, taking into account the increase in the number of private higher education establishments.

- **With regard to technical education and vocational training**, 16,523 students, of whom 8,017 (48.52 per cent) were girls and 8,506 (51.48 per cent) were boys, were enrolled in 2007 in courses running from the first year of secondary school to the final year and leading to a technical school leaving certificate.

In addition, in management, commerce and accounting courses, which prepare students for careers in finance, 1,797 students were girls and 3,067 were boys. In mechanical production, electrotechnical and electronics courses, 258 boys and 39 girls were enrolled (see table below).

Table 11

Distribution of students in vocational technical education by type of establishment and by gender, 2007

Type of establishment	Number of establishments	Number of students			
		Girls	Boys	Total	Girls (%)
Technical secondary schools	9	1 797	3 067	4 864	36.94
CRETf-CETF	36	3 287	92	3 379	97.28
Public training centres	20	568	3 158	3 726	15.24
Private training centres	189	2 365	2 189	4 554	51.93
Total	254	8 017	8 506	16 523	48.52

Source: Ministry of Technical Education and Vocational Training, 2009.

- **In the area of apprenticeships**, out of a total of 1,284 apprentices, 90 per cent (1,162) are boys, and only 10 per cent (122) are girls. Girls are serving as apprentices only in the fields of motor vehicle technology and textiles, specifically traditional dress-making and garment production. Many boys, on the other hand, serve as apprentices in traditional dress-making, as well as in all other trades.

72. Percentage of female graduates at the primary, secondary and university levels

In 2012, a total of 211,642 students were enrolled **at the primary school level**, of whom 111,280 were girls (52.57 per cent) and 100,362 were boys (47.43 per cent).

¹⁰ See "Indicators: Year Zero for Parity in Senegal", March 2012.

According to the data, more girls than boys take the examination for the elementary education certificate (CFEE) and girls have a lower pass rate (50.8 per cent) than boys (55.1 per cent).¹¹

At the secondary school level, 91,375 candidates passed the examination for the junior secondary certificate (BFEM) between 2000 and 2012. The pass rate was 59.6 per cent, meaning that the total number of candidates was about 157,000. The pass rate was 54.3 per cent for girls and 64.8 per cent for boys. In 2011, the pass rate for the secondary school leaving certificate (*baccalauréat*) was 41.60 per cent for girls and 42.60 per cent for boys. The total number of candidates for that examination was 72,454, of whom 30,810 were girls and 41,644 were boys. In other words, 10,834 more boys than girls took the examination.¹²

At the university level, there are an estimated 65,304 students at the public universities in Dakar, Saint-Louis, Ziguinchor, Bambey and Thiés, 69.3 per cent of whom are male and 30.7 per cent are female.

73. Percentage of female graduates at the primary, secondary and university levels by age group, compared with male graduates

This is addressed under point 71 of the report.

74. Female and male literacy rates

Women's literacy rates went from 53.60 per cent in 2004 to 68.60 per cent in 2007, an increase of 15 percentage points. The enrolment rate over the period is estimated at 584,001 to 513,693 students, in other words an average of 194,667 students enrolled per year. There is a proposal to codify at least two national languages per year and to clearly define the concept of literacy. In 2011, the Multiple Indicator Demographic and Health Survey (EDS-MICS) indicated that female and male literacy rates vary greatly according to the place of residence. In urban areas, 56 per cent of women and 73 per cent of men are literate, compared with 21 per cent of women and 43 per cent of men in rural areas.¹³

75. Female and male literacy rates by age group: 15-24, 25-44, 45 and older

Approximately 4 out of 10 women (38 per cent) and 6 out of 10 men (59 per cent) are considered to be literate. In other words, overall, the proportion of women who are illiterate is about 1.5 times that of men (62 per cent of women as compared with 41 per cent of men). Various innovative non-formal programmes and projects have helped more than 2,928,628 young and adult learners, of whom more than 80 per cent were female, to become literate. These include the "1,000 Classes" Programme, the Intensive Programme for Literacy in Senegal (PAIS), the Seniors Support Programme (PAPA), the Programme to Promote Women's Literacy (PAPF), the Project to Promote Literacy among Village Leaders and Local Dignitaries (PADEN), the Comprehensive Programme for Adult Education (PIEA), the Quality Education for All Programme (EQPT), the Consolidated Investment Budget, the project to introduce trilingual education in the *daaras* (Koranic schools), the project on basic education for vulnerable and marginalized children of the United States Agency for International Development (USAID), the customized programmes for training in the national language (Alphaomédia) developed by the National Committee of Literacy

¹¹ National report on the state of education, 2012 (Department of Education Planning and Reform).

¹² National report on the state of education, 2012 (Department of Education Planning and Reform).

¹³ Ten-Year Education and Training Programme (PDEF), 2008.

Trainers in Senegal (CNOAS), which use an interactive scoreboard (on a cell phone, computer, etc.), as well as programmes undertaken by other ministries and civil society.

76. Existence of measures promoting the same quality of education for girls and boys

Institutional measures to ensure the same quality of education for girls and boys have been implemented through a programme financed with State funds from the Consolidated Investment Budget. Through the programme, from 2010 to 2011, 520 classes were taught by trainers and 186 were taught by teachers from the formal education system in 14 regions of Senegal, reaching a total of 21,300 learners, 85 per cent of whom were women, as well as 240 persons in prisons and reform centres in Dakar, Rufisque and Sébikotane.

Those efforts were supported by the Quality Education for All Project (EQPT-2), which, from 2009 to 2011, provided training to more than 50,000 learners, more than 97 per cent of whom were women, in the areas of Dakar, Diourbel, Fatick, Kolda and Louga.

In order to sustain the achievements in this area, initiatives aimed at eliminating stereotypes have been implemented in school settings. For example, a training guide and a teacher's manual on gender mainstreaming have been made available and a Gender Unit has been established within the Ministry of Education. Furthermore, capacity-building on gender issues has been provided to stakeholders in the education system at the national and local levels.

A major initiative aimed at consolidating all activities in this area was the establishment of the Framework for the Coordination of Girls' Education Interventions (CCIEF). Under CCIEF, the Project to Support the Education of Girls (PAEF) has carried out various activities from 2011 to the present with support from technical and financial partners (Italian Development Cooperation, UNICEF, Plan International, the French Development Agency (AFD), ActionAid, and Save the Children Sweden) totalling about CFAF 2 billion for the period from 2010 to 2012. As a result of the initiative, 520 school inspectors received training in gender issues and 480 teachers in life skills; 20,000 boys and 20,000 girls received school supplies and uniforms; and a plan to address gender-based violence in school settings was adopted.

77. Percentage of girls and boys in various fields of study

Table 12
Number of students, by gender

<i>Institution</i>	<i>Male</i>	<i>Female</i>
Centre for Studies in Science and Information Technology (CESTI)	111	48
School of Librarians, Archivists and Documentalists (EBAD)	193	131
Teacher Training College for Technical-Professional Education (ENSETP)	172	255
School of Applied Economics (ESEA)	196	145
Polytechnic University of Dakar (ESP)	528	322
Faculty of Economics and Management (FASEG)	6 029	3 767

<i>Institution</i>	<i>Male</i>	<i>Female</i>
Faculty of Science and Technology of Education and Training (FASTEF)	2 210	542
Faculty of Arts and Social Sciences (FLSH)	18 558	8 909
Faculty of Medicine, Pharmacology and Dentistry (FMPO)	3 912	2 838
Faculty of Law and Political Science (FSJP)	8 986	5 961
Faculty of Science and Technology (FST)	8 753	2 423
Institute for Population, Development and Reproductive Health (IPDSR)	10	28
National Institute for Popular Education and Sports (INSEPS)	356	59
Total	50 014	25 428

The data in the table show that, overall, men outnumber women in the various establishments analysed by almost two to one (50,014 men compared with 25,428 women). There are more women than men in establishments with a social studies focus, such as ENSETP (255 women) and IPDSR (28). However, in scientific and sports establishments there are many more men than women.

According to the 2011 vocational and technical training statistical yearbook, the total number of girls enrolled in the various technical education courses was 3,596, or 47.52 per cent. Boys accounted for 52.47 per cent of students on the various courses.

In the case of vocational, industrial and technical subjects, 90 per cent of students are boys and just 10 per cent are girls. This is because certain trades, which require physical strength, were once male-oriented. However, with the reform of the Ministry and easier entry requirements for girls and women to vocational and technical training courses, more girls now take these courses, as exemplified by the existence of, *inter alia*, women mechanics and electricians.

78. Percentage of women graduates in medicine, engineering, law, science and agriculture

The percentage of women in these different disciplines in public universities is calculated based on a sample for the period 2012-2013, differentiated according to locality.

At Cheikh Anta Diop University, the records of the Faculty of Law show that, out of a total of 13,104 graduates in 2009, 5,443 were women and 8,091 were men, or 40.22 per cent and 59.78 per cent respectively. In the Faculty of Medicine, Pharmacology and Dentistry, out of a total student body of 5,566, there were 2,470 women and 3,096 men. Men therefore comprised 55.62 per cent of students and women 44.2 per cent. With regard to agriculture, courses are run by the Universities of Thiès, Bambey and Ziguinchor. In 2009, the University of Thiès had a total of 1,045 students, of whom 844 (or 76.9 per cent) were men and 241 (23.1 per cent) were women. At the University of Ziguinchor, there are 49 students in the agro-forestry department, of whom 8 (16.3 per cent) are women and 41 (83.7 per cent) are men.¹⁴

¹⁴ 2009 survey by the Gender and Scientific Research Laboratory.

79. Percentage of women graduates compared to the national population of women and men

According to the 2012 national report on the status of education, Senegal has a large percentage of female teachers in public secondary schools (18.7 per cent). In rural areas, 14.5 per cent of teachers are female and in urban areas, 21.1 per cent. For the situation in universities, see the table on gender disparities among academic staff at Cheikh Anta Diop University, which essentially reflects the national situation.

80. Percentage of women and men receiving scholarships

The scholarships board grants scholarships to students (women and men) based on merit and not gender. Gender-disaggregated statistics are not available, but any student who meets the criteria can apply for a scholarship. Furthermore, such grants are widely available in Senegalese universities. These efforts made by the State are also supported by the universities and development partners, which award scholarships for academic excellence to students on specialist or non-specialist courses.

81. Existence of scholarships specifically for women or men

Initiatives granting specific scholarships to women and girls are available through:

- The women's leadership fund for 2002-2005, under the aegis of the Ministry of Women, which granted scholarships for education, research or vocational training
- The bursaries programme of the Forum for African Women Educationalists (FAWE), which has been running the Agathe Prize since 1997 and has set up 130 Centres of Excellence, with a guidance programme, etc. FAWE has granted 449 bursaries, through a system of mentoring aimed at exemplary women. The FAWE Centres of Excellence are based on a culture of excellence and on a sense of solidarity, responsibility and good citizenship. They have helped 98,000 students, including 60,000 boys and 37,000 girls. The guidance programme has also helped 487,000 elementary school pupils
- The programme of scholarships for excellence to support girls studying science, vocational or technical courses is run by the Ministry of Women, Children and Female Entrepreneurs and was launched in 2010, with funding from the ECOWAS Gender Development Centre. This programme, which is ongoing, has produced excellent results over the last three years, with 100 per cent of beneficiaries succeeding at different levels of education.

82. Percentage of women in the literacy programme

Senegal has launched an innovative Literacy and Occupational Apprenticeship Programme to Combat Poverty (PALAM), aimed at those aged 9 to 49. This Programme is part of the global framework agreement signed on 31 July 2008, in Dakar, between the Government of Senegal and the Islamic Development Bank for a duration of five years (2009-2014). The Programme's main aim is to contribute to the reduction of poverty among women and rural populations as a priority, by providing access to skills-based functional literacy, as well as to microfinance services fostering self-development.

It is expected that as a result of implementing the planned activities, 8,000 children will be enrolled in community-based primary schools, 65 per cent (5,200) of them

girls; the training needs of 3,000 young people/adults, including 1,770 girls, will be identified; 10,000 working women will receive vocational training through technical courses supported by functional literacy training; 895 micro-businesses run by women will be set up and financed to the tune of CFAF 1 billion from the revolving fund; and 438 micro-businesses run by young people, including 258 girls, will be financed in the amount of CFAF 774,000,000.

In addition, the Intensive Programme for Literacy in Senegal (PAIS) trained 13,896 people in 2011, of whom 75 per cent were women from the regions of Diourbel, Kaolack, Saint-Louis, Thiès and Ziguinchor.

83. Existence of legislation or measures that encourage school attendance by girls until the school-leaving age

Regulatory and legislative measures have been taken to encourage the retention of girls in school. These are supported by projects and programmes such as those referred to under point 74 of this report. Other projects, like the Millennium Village project and the Zero Repetition Programme (PZR) for students up to the age of 16, help to support families with a view to better managing potential conflicts between girls' schooling and domestic work obligations.

84. Existence of programmes for girls prematurely leaving the education system

There are specific programmes for girls leaving the educational system prematurely, particularly at the primary, middle and secondary school levels. They are available through the Women's Technical Education Centres and the Departmental Training and Assistance Centres for Women (CEDAF), as well as in the context of the basic education programme for illiterate young people and adults. The girls attend classes during the day or evening and, at the end of the course, they receive a school diploma or a certificate in subjects such as hairdressing, catering or dressmaking. They are often able to find work at the end of their training.

85. Failure rate of girls

As indicated in the table below, the failure rate of girls in mainstream education is lower than that of boys at the primary level, where Senegal has also gone beyond girl-boy parity. It is at the secondary level that further efforts should be made, as the dropout rate starts to increase at that stage, hindering the progress and efforts made in secondary education.

Table 13
Pass rate, repetition rate and dropout rate by gender

	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Pass rate	88	88.1	80.8
Repetition rate	30	3	7.7
Dropout rate	182	2	11.5

Source: National report on the status of education, 2012.

With regard to vocational and technical training, 307 girls failed in 2011, compared to 283 boys. The highest number of failures (197 girls compared to 121 boys) was recorded in the final year of the accounting and management stream of the

baccalauréat, owing to the fact that more girls are in that *baccalauréat* stream than the other streams.

86. Percentage of women teachers in primary schools

Between 2010 and 2012, the percentage of women teachers in public schools increased from 30.6 per cent to 31.3 per cent. Over the same period, the total number of female teachers rose by 0.2 per cent, while in the private sector, it increased by 2.9 per cent.¹⁵

87. Percentage of female head teachers and university professors

According to the Schools Inspectorates survey of the 14 regions, based on a sample of 408 teachers, 66.2 per cent of primary school head teachers are women. Data from 2009 from the Rector's Office of Cheikh Anta Diop University revealed that only a few faculties have professors and research directors (Arts, Social Sciences, Medicine, Pharmacology, Dentistry and Oral Medicine, Science and Technology, Law and Politics). In these different faculties, between 8 per cent and 17 per cent of professors and research directors are women, while men account for between 83 per cent and 92 per cent. With regard to lecturers, research lecturers, senior lecturers, researchers, assistants and equivalent employees, and research assistants, there are also significantly more men (80 to 90 per cent) than women (8 to 15 per cent). The situation is the same in the other Senegalese universities.

Article 11: Equal rights to work, employment and social security

87. Existence of recruitment and workplace practices that discriminate against women

Employment practices that discriminate against women are not based in legislation. Moreover, in 2000, the Council of State handed down a penalty for discrimination in a case involving the national education services and a teacher with disabilities. This indicates that the Senegalese State wishes to eliminate all discriminatory practices, including those against women. In the private sector, efforts must be made with regard to the employment of women, especially pregnant women or those who have recently given birth.

Cases of discrimination have been reported in the food processing sector, where women are paid on a piecework basis, while men usually receive a monthly wage.

88. Existence of provisions for the elimination of discrimination against women in employment

Gender equality in work, employment and social security is enshrined in article 25 of the Constitution of 2001, which states that "everyone has the right to work and to seek employment." No person shall suffer labour discrimination owing to their origins, sex, opinions, political choices or beliefs. Employees may join a trade union and engage in trade union activities to protect their rights. Any discrimination between men and women regarding employment, wages and taxation is prohibited. The freedom to establish trade unions or professional associations is recognized for all workers. Gender equality in employment is supported by other legislation, including:

¹⁵ Source: National report on the status of education, 2012.

- Act No. 61-33 of 15 June 1961 containing the general civil service statutes
- Act No. 73-37 of 31 July 1973 on the Social Security Code
- Act No. 75-50 of 3 April 1975 establishing social welfare institutions
- Act No. 97-17 of 1 December 1997 on the Labour Code.

All of these laws contain provisions protecting working women against all forms of discrimination.

According to article 1 of the Labour Code, the right to work “is recognized as a sacred right of every citizen. The State shall make every effort to help citizens to find and maintain employment. It shall ensure equality of opportunity and treatment of citizens with respect to access to vocational training and employment without distinction as to origin, race, sex or religion”.

This equality also includes compensation, referred to in article L.105 of the Labour Code, which states that “where working conditions, professional qualifications and productivity are equal, pay shall be equal for all workers, regardless of their origin, sex, age or status”.

Act No. 2008-01 of 8 January 2008 established equal tax treatment for men and women in the same occupation. However, further efforts are needed with regard to the work of women and girls employed as domestic workers. The State, together with trade unions, has therefore engaged in reflection on how to improve the situation of that category of workers.

89. Percentage of the labour force that is female

The female labour force is quite substantial in Senegal owing to the large number of women in the population. Women are present in larger numbers in the informal sector, in areas such as trade, traditional crafts, etc. Owing to the effects of illiteracy and limited vocational training, they make up more than half of the unskilled work force.

90. Percentage of the female labour force by age group: 15-24, 25-44, 45 and older

According to the 2011 Senegal Poverty Monitoring Report, the unemployment rate stands at 10.2 per cent, practically stable from 2005, when it was estimated at 10 per cent. A total of 7.7 per cent per cent of men and 13.3 per cent per cent of women are unemployed. However, it should be noted that the majority of women are primarily engaged in unpaid activities. Unemployment is more prevalent among people with a secondary education. In that group, broad unemployment stands at more than 20 per cent. In rural areas, the migration of young people and economically active women to the cities is certainly a clear sign of a lack of productive employment. In urban areas, the provision of training is often not consistent with the nature of the labour market. The unemployment rate is particularly high among recent graduates. Vocational training is generally limited and inadequate, and the expansion of the informal sector is, in part, a response to that. The rural labour force, which is primarily agricultural, suffers from high rates of illiteracy and underemployment, and vulnerability to risk. In the event of climate shocks, such as drought, this population generally finds itself without work.

91. Percentage of women working part-time and full-time

Available information does not include statistics for women working part-time.

92. Existence of occupations largely designated for women by law or by custom

There is no law that upholds the designation of specific occupations for women, but there are customary practices that limit women to certain activities, especially in rural areas. For example, among pastoral communities, the social division of labour means that certain activities, including the processing and sale of milk, are performed only by women. In rural areas, poultry farming and the rearing of small ruminants are primarily carried out by women.

93. Existence of measures ensuring equality of benefits related to leave, paid leave, training, etc.

With regard to leave arrangements, the legislation in effect distinguishes between rules applicable to both sexes and rules specific to women, in the public and private sectors. There are equal rights to annual leave, in terms of the duration and conditions thereof, including leave to take examinations and sick leave. Act No. 61-33 of 15 June 1961 containing the general civil service statutes and Decree No. 72-215 of 7 March 1972 on social security in the civil service govern social security matters for civil servants.

- **The right to paid leave:** article L.148 of the Labour Code recognizes the right to leave for all workers. In addition, female employees enjoy additional paid leave every year for each child under 14 years of age whose birth has been entered in the civil register. In the case of civil servants, the relevant regulations are contained in Decree No. 63-0116 of 9 February 1963 on leave and authorized absences in the civil service.
- **Training:** this issue is also addressed by the Labour Code, in articles L.75 and L.76. Article L.75 of the Labour Code stipulates that “an employment contract, or an amendment made subsequent to the original contract, may provide for vocational training on a block release basis, in the form of in-house training or as an internship”.

94. Existence of provisions for maternity leave

The arrangements are as follows:

- Maternity leave, “at the time of her delivery, any woman has the right to be absent from work for 14 consecutive weeks, including 8 weeks after delivery, without such interruption of service being regarded as cause for termination of her contract” (article L.143 of the Labour Code, Act containing the general civil service statutes). In the event of duly certified illness resulting from the pregnancy or childbirth, the maternity leave shall be extended by three weeks.
- The right to periodic breaks for breastfeeding, not to exceed one hour per day, for a period of 15 months from the birth of the child.
- The right to a daily maternity leave allowance from the Social Security Fund, throughout the period of leave (article 24 of the Social Security Code). If the employer continues to pay the woman’s salary, it shall automatically acquire

by subrogation her right to the daily allowance, provided that it is in good standing with the Social Security Fund (article 29 of the Social Security Code).

95. Existence of legislation protecting from dismissal women who are pregnant or on maternity leave

Dismissal on the grounds of pregnancy or maternity leave is governed by articles L.72 and L.143 of the Labour Code, which prohibits the dismissal of female employees on such grounds.

Maternity leave may be extended for three additional weeks in the case of a duly certified illness that is the result of pregnancy or childbirth. In addition, “a pregnant woman whose condition has been medically established or who is visibly pregnant may leave her job without giving notice and without having to pay a fine for breach of contract”. During maternity leave, the employer may not make use of the employee’s services.

96. Existence of specific types of work from which women are barred

To safeguard the reproductive function, Order No. 5254/IGTLS/AOF of 19 July 1954 on the employment of women and pregnant women, is in effect. It prohibits employing pregnant women for work that is physically too demanding for them and that could be dangerous. In addition, Decree No. 2006-1254 of 15 November 2006 on the handling of loads states that “only in exceptional cases may pregnant women and women who have been back at work for two months or less following childbirth be assigned to work that involves the manual handling of loads, the weight of which must not exceed 5 kg (article 7).”

97. Existence of a childcare network for working women

Pension and disability benefits are provided for under Act No. 62-45 of 13 June 1962, which establishes a pension scheme for non-civil service Government employees, Act No. 75-50 of 3 April 1975, and Decree No. 75 455 of 24 April 1975, which makes enrolment in a pension scheme compulsory for all employers and employees.

The first article of Decree No. 75-455 of 24 April 1975 establishes a pension scheme for all workers and employers to provide benefits to former employees who have paid contributions for at least a year, and to the widows and orphans of a deceased employee or pensioner.

Act No. 81-52 of 10 July 1981 on the Pension Code for Civilians and Military Personnel, and Act No. 2002-08 of 22 February 2002, which repealed and replaced certain provisions of Act No. 81-52, establish a pension scheme applicable to all retired State employees. With regard to sickness benefit for workers in the private sector, both Act No. 75-50 on health insurance institutions and Decree No. 75-895 of 14 August 1975 on the structure of health insurance institutions require the creation of a health insurance institution for all workers in order to provide partial coverage for the medical, pharmaceutical and hospitalization expenses incurred in Senegal by beneficiary members, according to the percentages established in the rules of procedure of the health insurance institution.

Social Security Code (Act No. 73-37 of 31 July 1973) provides for supporting social services, including important protection measures for women workers. The

Government is also working to extend social protection to the informal sector in order to provide coverage to a maximum number of workers.

Senegal has had a Family Benefits and Allowances Fund since 1957. In order to better address the fundamental right of all workers to social protection, in 1973 this Fund became the Social Security Fund under Act No. 73-37 of 31 July 1973. Article 1 of that Act states: ‘a social security system for the benefit of employees under the jurisdiction of the Labour Code and the Merchant Navy Code is hereby established, including a family benefits branch and a branch for the prevention and compensation of accidents in the workplace and work-related illnesses, managed by the public institution of the Social Security Fund’. In order to guarantee workers an effective social security system, the family benefits branch comprises several types of allowances:

- Antenatal allowances: according to articles 15, 16 and 17 of the Social Security Code, these allowances are paid in the third, sixth and eighth months of pregnancy to the wife of any employed person, to any unmarried female employee and to any female employee whose husband has no paid employment, from the date the pregnancy is confirmed until the birth.
- Maternity allowances: according to articles 18, 19 and 20 of the Social Security Code, these allowances are paid to women who give birth, under medical supervision, to a viable baby and register the birth in the civil register before the child’s second birthday.
- Family benefits: according to articles 21, 22 and 23 of the Social Security Code, these benefits are paid to salaried workers for each dependent child aged between 2 and 21 years.
- Benefits in kind: according to articles 31 and 32 of the Social Security Code these benefits are paid through the Department of Health, Social and Family Action of the Social Security Fund. This same Department manages medical/welfare services and social services.

Article 12: Equality of access to health care

98. Existence of measures to eliminate discrimination against women in the field of health care

Health policy in Senegal is founded on the Constitution, which provides in article 17 that “... the State and public authorities have a duty to ensure the physical and mental health of families and, in particular, persons with disabilities and the elderly. The State guarantees families in general, and those living in rural areas in particular access to health and welfare services ...” The health policy is based on primary health care and takes account of the country’s international commitments on health, including the MDGs. Access to quality health care is guaranteed for all, regardless of socioeconomic status.

The Government is seeking to achieve its goal by pursuing further decentralization and strengthening local health governance, promoting health insurance coverage, protecting vulnerable groups, strengthening public-private partnership, fostering a multisectoral approach, aligning external assistance with national health priorities and developing a results-based management culture.

Women's and children's health remains a national priority. To that end, steps are being taken to promote the health of women and children, and to achieve Goals 4 and 5 of the MDGs with regard to health-care supply and demand. The responses to demand have included strengthening the activities of the "Badienou Gox" (a community programme to help reduce maternal and infant mortality); increasing maternal and child health services for women during pregnancy, childbirth and the post-partum period, and for children aged 0 to 5 years; and developing strategies for involving men, and also mothers-in-law and/or grandmothers, in seeking health care for women during pregnancy, childbirth and the post-partum period, for newborns and for children aged 0 to 5 years.

Thanks to the development of human resources in the sector, a new capacity-building plan was drafted in 2002; regional training centres have been opened; a Directorate of Human Resources was established in 2003 and a policy of contractualization through the State, local authorities, health committees, and technical and financial partners was implemented, resulting in the recruitment of qualified personnel such as midwives, nurses, gynaecologists and general practitioners. A programme to develop the skills of health-care workers in techniques to save the lives of mothers and newborns, humanized childbirth and high-quality antenatal check-ups, has also been established. Despite efforts to increase staff numbers, health workforce density indicators show that the standards proposed in the 1998-2007 national health development plan are still far from being met.

99. Existence of measures providing free health care to women during pregnancy and in the postnatal period

Notwithstanding the existence of community infrastructure construction programmes to facilitate access to health services by vulnerable groups, including women, the State has decided to incorporate maternity units within all health stations. In addition, the Government, having made it a priority in all its health plans and programmes to combat maternal and infant mortality, has prepared a road map against maternal, infant and neonatal mortality that is now being implemented, at an estimated cost of more than CFAF 20 billion over 4 years. It has also introduced a policy of providing free Caesarean sections and deliveries, has acquired ultrasound and mammography equipment, and has opened emergency obstetric and neonatal care units to carry out Caesarean sections in referral health centres in peripheral areas. A total of CFAF 3.55 billion was set aside for this programme from the 2012 budget, while CFAF 1.21 billion was allocated from internal resources for the planned renovation of the maternity wing of Hôpital Aristide Le Dantec. These efforts are reflected in the health indicators from the latest Demographic and Health Survey (EDS V), according to which the proportion of deliveries under medical supervision has risen from 52 per cent to 65.1 per cent.

Other measures include the provision of medical supervision free of charge for normal deliveries in the five poorest regions (Tambacounda, Kolda, Ziguinchor, Matam and Fatick); the improvement of newborn care, with the establishment of designated areas for newborns in health facilities; the provision of antiretrovirals for the treatment of AIDS; free health care for the elderly (SESAME plan); an increase in the number of women over 60 years of age attending consultations; blood transfusions when needed; subsidies of 80 per cent on the price of mosquito nets, which are sold at CFAF 500 or 1,000 instead of CFAF 2,000; antimalarial medicines

sold at a tenth of their normal price, i.e. at CFAF 500 instead of CFAF 5,000; reductions similarly applied to anti-tuberculosis and anti-epilepsy drugs; free vaccination for children of 0 to 11 months of age against nine infectious diseases; polio eradication and measles control; immunization coverage of 93 per cent for the Penta-3 vaccine; and introduction of a co-payment for family planning.

The number of seropositive pregnant women placed on antiretroviral treatment more than doubled from 434 in 2008 to 917 in 2009. Screening for seropositive pregnant women also increased from 8,051 per year in 2005 to 166,830 per year in 2009, while the number of dedicated care centres for pregnant women aimed at the prevention of mother-to-child transmission of HIV/AIDS rose from 45 in 2005 to 503 in 2009.

100. Number of health facilities available for women

The chart of health workforce density (doctors, State midwives and nurses in 2007) shows that there is a particular shortage of nurses and midwives. Between 1994 and 2008, in the public sector, the ratio went from 1 per 4,687 inhabitants to 1 per 4,183 inhabitants in the case of nurses, and from 1 per 3,623 to 1 per 3,946 at-risk women in the case of midwives. This decline in coverage, which is taking place in a context of decentralization of nursing training and measures to build the capacity of private training institutes, could be attributable to departures from these professions owing to retirement or other forms of migration, which to date are not well understood. In view of this problem, the availability of a human resources development plan with monitoring indicators is all the more pertinent. The 1998-2007 national health development plan provided for the construction of 245 new health stations, 4 health centres and 3 hospitals, as well as for the renovation of 166 health stations, 12 health centres and a number of specialized departments in the university and regional hospitals.

Overall, more has been achieved than projected, except in the case of health stations, for which additional efforts are needed. However, this situation does not represent a significant improvement in health coverage, since most of the construction work in health centres has related to renovations. Furthermore, there have been repeated delays in the construction and fitting out of new facilities. The private sector comprises one private Catholic hospital, 32 clinics, 70 maternity units, 131 doctors' practices and 77 private health stations, 843 pharmacies, 4 wholesale distributors, 3 pharmaceutical companies and the Institut Pasteur de Dakar, which manufactures the yellow fever vaccine. Alongside these private institutions, NGOs and associations provide health-care services.

There are also private diagnostic services, with 12 private medical testing laboratories, 10 of them in Dakar, as well as about 10 imaging services in Dakar. In 2010, Senegal had 34 hospitals, 89 health centres, of which 20 were in fact health stations serving as health centres, 1,195 health stations, of which 1,035 were operational, and 2 psychiatric health centres, which are considered for these purposes as specialized health centres, not hospitals. There are 76 Catholic community clinics, and 1,603 functioning health huts. However, in terms of health infrastructure coverage, Senegal has not yet reached the standards recommended by the World Health Organization (WHO), though the health situation has improved over the last two decades, as demonstrated by the trends in most indicators monitored by the health programmes.

101. Number of health-care workers available for women

Medical staff are deployed at the service of the Senegalese population regardless of sex. There has been an improvement in the density of doctors from 1 per 27,833 inhabitants to 1 per 18,615 inhabitants in the public sector. The improvement is even greater if the private sector is taken into account. Given the significant proportion of doctors who work in the private sector (41 per cent), it is clear that the Ministry of Health should establish a policy to integrate the private sector into the implementation of health programmes.

102. Percentage of maternal deaths by cause

The antenatal check-up rate rose to 93.3 per cent in 2010-2011 from 74 per cent in 2007. Among the causes of maternal mortality are direct obstetric pathologies such as haemorrhage, arterial hypertension and its complications, dystocia and infections, as well as indirect obstetric causes, particularly anaemia and malaria.

103. Maternal mortality rate

The 1998-2007 national health development plan set out three objectives: (i) to reduce maternal mortality, (ii) to reduce infant and child mortality, and (iii) to control fertility. The maternal mortality rate fell from 510 deaths per 100,000 live births in 1992 to 401 deaths per 100,000 live births in 2005. In 2010-11, it stood at 392 maternal deaths per 100,000 live births, representing a decline of 2 per cent in six years. This rate of decline is too slow to meet the MDG target of 127 deaths per 100,000 live births by 2015. However, efforts have been made in the area of maternal health, with the proportion of births assisted by a skilled provider up from 49 per cent in 1999 to 65.1 per cent in 2010-2011 (EDS-MICS).

104. Infant mortality rate

At the end of the implementation of the national health development plan, the following results were recorded: the infant and child mortality rate had fallen from 150 deaths per 1,000 live births in 1997 to 121 deaths per 1,000 live births in 2005, and the infant mortality rate had decreased from 70.1 to 61 per 1,000 live births over the same period. The current infant mortality rate in Senegal is 59 per 1,000 live births in rural areas compared with 44 per 1,000 live births in urban areas. The infant mortality rate fell to 47 per 1,000 live births in the 0-4 year period (last five years), representing an overall decline of 31 per cent. However, the decline was not uniform throughout the period; the rate fell twice as sharply between 2005 and 2009 (by 22 per cent) as between 2001 and 2005 (12 per cent). There was a sharper decrease in child mortality over the period; the rate fell by 63 per cent from 70 deaths per 1,000 live births in 2001 to 26 in 2009. As with infant mortality, the decline was steeper in the latter period (46 per cent between 2005 and 2009 compared with 31 per cent between 2001 and 2005). The infant mortality rates of 47 per 1,000 live births at the national level, 44 per 1,000 live births in urban areas and 59 per 1,000 live births in rural areas correspond to the 2010-2011 period.

105. Child mortality rate

The infant and child mortality rate followed the same downward trend, and is now at an intermediate level. The overall rate fell from 132 to 72 deaths per 1,000 live births, representing a decrease of 45 per cent, with a steeper reduction in the more recent period (31 per cent between 2005 to 2009 compared with 20 per cent between 2001 and 2005). It should be noted that child mortality has fallen more sharply than

any other type of mortality, and post-neonatal mortality is the component of infant mortality that has shown the most significant reduction (25 per cent compared with 19 per cent for neonatal mortality between 2005 and 2009). The infant and child mortality rate remains high, despite a decline of 45 per cent between 1992 (EDS II) and 2010-11 (EDS-MICS), when it stood at 72 deaths per 1,000 live births. The decrease of 59 points in the under-five mortality rate, from 121 deaths per 1,000 live births in 2005 to 72 in 2010 was partly attributable to a significant improvement in immunization coverage at the national level, which rose from 59 per cent to 63 per cent of children aged 12-23 months. Based on these indicators, the target of reducing the infant and child mortality rate to 44 deaths per 1,000 live births by 2015 may not be met.

Child mortality varies greatly according to the place of residence. Regardless of the type of mortality, the rate is significantly higher in rural areas than in urban areas. Among other factors, these disparities may be linked to differences in pregnancy care, particularly with regard to the antenatal monitoring and more favourable delivery conditions available in urban areas, as well as in the nutritional and health status of the mothers.

Table 14
Mortality rates by age group

<i>Number of years preceding the survey</i>	<i>Infant mortality</i>	<i>Child mortality</i>
0-4	47	26
5-9	60	48
10-14	68	70

Source: EDS-MICS 2010-2011.

106. Life expectancy at birth (male/female)

Life expectancy at birth was 57.27 years for men and 60.55 years for women in 2000-2005. By 2005-2010, this figure had increased to 60.77 years for men.

107. Crude birth rate

According to the EDS-MICS 2010-2011, the gap between the total fertility rate (5.0) and cohort fertility (5.7), in other words 0.7 children, is wide enough to suggest a downward trend. The widest gaps between these two indicators are observed in the case of women living in urban areas (0.9), women with secondary or post-secondary education, and women with no education (0.5).

The total fertility rate has fallen from 6.4 children per woman in 1986 to 6.0 in 1992, 5.7 in 1997, 5.3 in 2005 and 5.0 in 2011. Fertility rates have shown the same downward trend for virtually all ages. Moreover, all fertility rates look similar and are following the classic pattern for fertility rate trends. There is significant early fertility (women aged 15-19); the fertility rate then increases sharply among women aged 20-29 before steadily decreasing through to the 45-49 age group. In recent decades, the use of contraception has increased rapidly and significantly throughout the world, including in Senegal.¹⁶

¹⁶ EDS-MICS 2010-2011.

108. Crude death rate (male/female)

The crude death rate for adults aged 15-49 in the period 1998-2011 is estimated at 2.9 per 1,000 women and 3.1 per 1,000 men, equivalent to an excess male mortality rate of 7 per cent. As deaths in the 15-49 age group are still relatively rare and the data are the product of a sample, the variation in rates by age is not regular. However, rates generally trend upward by age for both genders. Among men, rates range from 2.2 per 1,000 in the 15-19 age group and 3.0 per 1,000 for those aged 30-34 to 5.8 per 1,000 in the 45-49 age group. Among women, rates vary from 1.9 per 1,000 for the 15-19 age group and 3.9 per 1,000 between the ages of 30 and 34 to 5.8 per 1,000 among those aged 45-49.

109. Percentage of women receiving antenatal care

In order to achieve reductions in maternal and under-five mortality, eleven strategies have been identified and implemented, including initiatives to improve the performance of reproductive health programmes and to strengthen control of endemic diseases and epidemiological surveillance.

With regard to reproductive health, an emphasis has been placed on pregnancy monitoring, skilled birth attendance, and management of obstetric and neonatal complications. According to the EDS IV, the proportion of pregnant women who had at least one antenatal check-up with a skilled health provider rose from 82 per cent in 1997 to 87 per cent in 2005, with a completion rate of 40 per cent (four antenatal check-ups). Over the same period, the proportion of women who gave birth in a health-care facility increased from 48 per cent to 62 per cent, with 52 per cent of births being assisted by a skilled provider. The rate of Caesarean sections is 3 per cent, below the threshold of 5 per cent recommended in the context of combating maternal mortality because emergency obstetrical and neonatal services are still inaccessible, owing to the fact that too few health centres have functioning operating theatres. Family planning use is increasing slowly, from 8.1 per cent in 1997 to 10.3 per cent in 2005 (EDS IV), compared with a goal of 16 per cent. This explains the major constraints hindering efforts to reduce maternal and neonatal mortality.

Disparities among these indicators, by region and place of residence, reflect unequal access to care. Maternal mortality is 309 per 100,000 live births in urban areas, versus 472 per 100,000 in rural areas (EDS IV). Under-five mortality stands at 91 per 1,000 live births in urban areas and 160 in rural areas.

Malaria rates have been declining since 2001; the malaria morbidity rate dropped from 33.6 per cent in 2001 to 22.25 per cent in 2007, while the hospital death rate fell from 6.20 per cent in 2006 to 3.36 per cent in 2007. The final evaluation of the Strategic Plan 2001-2005, conducted in 2005, shows an improvement in the rates of use of insecticide-treated mosquito nets between 2000 and 2005. The rate of use for children under 5 years of age rose from 1.2 per cent to 18 per cent, while the rate for pregnant women increased from 1.7 per cent to 39 per cent. The rate of intermittent preventive treatment of women with sulfadoxine-pyrimethamine is 47 per cent.

In 2006, the coverage survey conducted by the National Anti-Malaria Programme showed that the use of mosquito nets stood at 32.6 per cent of pregnant women and 45.6 per cent of children under 5 years of age. The same survey showed an intermittent preventive treatment coverage rate of 64.3 per cent.

To improve screening and case management, rapid diagnostic tests have been made widely available in all districts; artemisinin-based combination therapies (ACTs) are also available and accessible at all levels of the health system.

Antenatal check-ups with health professionals (doctors, midwives and nurses) were carried out prior to more than 9 out of 10 live births (93 per cent) in the past five years. Most of these check-ups were performed by midwives (70 per cent), followed by nurses (18 per cent); in very few cases were they provided by doctors (5 per cent). Just over 2 per cent of mothers had antenatal check-ups with traditional birth attendants. In 6 out of 10 cases (61 per cent), the first visit took place before the fourth month of pregnancy.

110. Number of live children per woman

According to the EDS 2005 and EDS/MICS 2010-2011, among women with one child, the rate is 27 per cent; among women who have three children, the rate is 29 per cent.

111. Rate of unmet contraceptive needs

According to the EDS-MICS 2010 -2011, 29.4 per cent of women have unmet family planning needs; this rate rises to 30.3 per cent in urban areas and stands at 28.8 per cent in rural areas. Family planning use is increasing slowly, from 8.1 per cent in 1997 to 10.3 per cent in 2005 (EDS IV), compared with a goal of 16 per cent. There are clearly therefore major constraints hindering efforts to reduce maternal and neonatal mortality.

112. Contraceptive use rate, by method

Overall, approximately 10 per cent of women are currently using some form of contraception; 9 per cent use a modern method and 1 per cent use a traditional method. The two methods primarily used by women are injectables (4 per cent) and the pill (3 per cent).

All other methods are used by fewer than 1 per cent of respondents. Contraceptive use increases with age in the 15-44 age group; the highest rates of use are between the ages of 30 and 44 (5.8, compared to 4.5); among those in a relationship, the averages are 6.2 and 5.7, respectively.

Moreover, the level of knowledge of both traditional and modern methods is slightly higher among women in a relationship (93 per cent for modern methods) than among women overall (90 per cent). Almost all women (90 per cent) are aware of at least one contraceptive method; among women in a relationship, the corresponding percentage is slightly higher (93 per cent). Knowledge of modern methods (more than 90 per cent) is higher than that of traditional methods (52 per cent), both among women overall and among women in a relationship. The average number of methods known by women is higher than the average number known by men (5.8, compared to 4.5); among those in a relationship, the averages are 6.2 and 5.7, respectively.

Moreover, the level of knowledge of both traditional and modern methods is slightly higher among women in a relationship (93 per cent for modern methods) than among women overall (90 per cent). On average, women in a relationship are aware of 6.2 methods, compared with 5.8 for women overall. Sexually active unmarried women are the most informed: almost all know of at least one modern contraceptive method.

113. Number of women working in the health sector

No disaggregated data exist for health workers. The number of active health workers does not yet meet the demand for coverage of the population's health needs. According to the 2008 health map, the shortfall in medical and paramedical staff amounted to about 79 gynaecologists-obstetricians, 62 doctors trained in obstetric and neonatal emergency care and 968 State midwives. In addition, there are disparities in coverage across regions (for example, 460 midwives in Dakar, compared with 4 in Kédougou).

114. Husband's permission for a married woman to receive health care

A woman does not need prior permission from her husband in order to receive care. As article 3 of the Reproductive Health Act stipulates, "the right to reproductive health is a fundamental and universal right guaranteed to every human being without discrimination based on age, sex, wealth, religion, race, ethnicity, marital status or other status".

115. Existence of laws legalizing abortion

There is no specific legislation guaranteeing the right to abortion, which, moreover, is an offence under the Criminal Code. However, if the physical and mental health of the mother is at risk, access to a safe abortion is authorized.

116. Existence of programmes to raise awareness of sexually transmitted diseases (STDs) and HIV/AIDS

With regard to HIV/AIDS, Senegal has a concentrated epidemic, with a prevalence of 0.7 per cent (EDS V, 2010-2011) among the general population. HIV prevalence among pregnant women, which remained above 1 per cent for over a decade (1.4 per cent in 2006), is now at 0.7 per cent. However, there has been a feminization of the epidemic, with a female/male ratio of 2.25. Regional disparities also exist, with high rates in the Ziguinchor and Kolda regions (2.2 and 2 per cent), respectively, according to the EDS IV. The strategies developed to combat HIV/AIDS include behaviour change communication; behaviour change interventions; and the participatory approach to prevention. Awareness-raising and sexual transmission prevention programmes are being implemented by non-governmental and community-based organizations, workplaces and religious organizations. The majority of civil society actors in the public and private sectors have participated in the "promotion of safe sexual behaviours" segment of the Sexual Transmission Prevention component, mainly through training, awareness-raising and community-based information, education and communication activities. An analysis of the various groups targeted by interventions under this component reveals a focus on youth, women and sex workers, among other groups.

In the case of pregnant women, the prevention of mother-to-child transmission (PMTCT) care package has been incorporated into the prenatal preventive activities carried out during antenatal check-ups. The new guidelines lead to early detection at the 14th week of amenorrhoea.

117. Existence of measures to ensure women's participation in combating STDs/HIV/AIDS

Given the principle of gender equality, there is no discrimination between men and women in the context of combating STDs/HIV/AIDS. However, it should be noted

that women have become involved in the project at an early stage and are more receptive, owing to the survival instinct to protect their homes, and in particular their children. They are at the forefront of the response to the epidemic through the attention, domestic work and health care they provide to adults and children on a daily basis. They also provide psycho-emotional support, palliative care and nutritional care in the home.

Article 13: Social and economic benefits

118. Existence of family benefit systems

Social protection of women. In an effort to reduce the likelihood of individuals experiencing devastating declines in well-being, or falling into or becoming trapped in chronic poverty, the Government has developed a National Social Protection and Risk and Disaster Management Strategy, with the support of its development partners.

To operationalize this strategy, the Ministry of Women, Children and Female Entrepreneurs has established the National Social Protection Initiative for Vulnerable Groups (INPS) to respond to social demand in the face of the general increase in the prices of basic necessities and the fairly high rate of food insecurity. With a view to mitigating the vulnerability of disadvantaged social groups, Senegal conducted a study based on the review of social safety nets carried out by the Anti-Poverty Projects and Programmes Operational Monitoring Unit of the Ministry of Women, Children and Female Entrepreneurs, with the support of the World Bank. It focused on a dozen social safety nets, including the provision of food assistance to vulnerable areas and groups and the monitoring of food security in order to ensure availability; and the management and monitoring of the national food security stock in order to deal with shortages, food emergencies and to provide food assistance to communities during large gatherings.

Other activities are carried out by:

- The national solidarity fund, which ensures an immediate and appropriate response to crises and emergency situations by providing financial and medical assistance, as well as humanitarian assistance in the form of equipment and other goods
- The community-based rehabilitation programme, which supports the social, economic and cultural integration of persons with disabilities by providing equipment and subsidies for income-generating activities
- The seniors support programme (PAPA), which aims to improve the living conditions of older persons through capacity-building and subsidized loans for income-generating activities
- The school meals programme, which, by establishing school canteens, ensures adequate quantities and quality of food for students in the formal and non-formal sectors in order to improve educational performance
- The Sesame Plan, the objective of which is to provide free care for persons aged 60 and over in all public health facilities

- The scholarships programme for orphans and other vulnerable children, which aims to ensure education or vocational training for AIDS orphans and other vulnerable children by awarding scholarships
- The child nutrition and social transfers programme, which seeks to mitigate the negative impacts of crises, including food price rises, on young children in vulnerable households by increasing the household consumption of vulnerable families with children under 5 years of age. The pilot child nutrition and social transfers project pays an allowance to mothers of children under 5 years of age in vulnerable situations every two months, for a six-month period
- The cash voucher programme, a social transfer system that has helped 17,400 of the most vulnerable households by providing monthly food vouchers with a value of CFAF 3,000 per person, up to a maximum of six persons per household. The vouchers for each household are given to the woman and are exchanged for certain basic foodstuffs at selected retailers, for a period of six months. The aim of this project is to help to mitigate the impact of high food prices on food security
- The Integrated Economic and Social Development Programme (PIDES), which promotes an inclusive model of social protection by engaging stakeholders in the fight against the socioeconomic marginalization and social exclusion of young people and women
- The initiative for the social protection of vulnerable children, which seeks to reduce the risk of family separation by helping to build the financial capacity of the households concerned and improving the access of children aged 4 to 16 to education (in order for them to stay in and succeed at school and vocational training), as well as their access to health and welfare services. This pilot project seeks to keep families together by helping to pay for the upkeep of one or several children from vulnerable households
- The school canteen programme, which supports programmes for enrolling and keeping children in school by distributing food to preschools and primary schools in rural areas, on behalf of the School Canteens Department.

Access to resources. Women's access to financial credit is promoted by the projects and programmes mentioned under article 3 above.

119. Existence of measures giving women and men equal access to credit

Men and women's access to credit differs in practice owing to socioeconomic inequalities. To promote the empowerment of women, special programmes and projects have been developed and implemented, as described under article 3 above.

120. Percentage of women and men who benefit from access to credit

In the microfinance sector, lines of credit backed by partners (Belgium, Italy, CIDA and KfW) are established for the benefit of disadvantaged households. Programme resources totalled CFAF 3.205 billion in 2012, of which CFAF 305 million came from internal resources.

Table 15
Level of women's access to financial services

<i>Indicators</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2012</i>
Number of members/clients	1 447 692	1 624 319	1 660 366	1 757 707
Number of female members/clients	636 475	713 849	696 800	758 492
Percentage	44	44	42	43.15
Total number of active borrowers	384 387	375 619	380 319	422 599
Total number of female active borrowers	188 559	196 454	202 303	237 347
Percentage	49	53.3	53.2	56.16
Outstanding deposits (CFAF billion)	135.2	159.18	164.3	168.72
Women's outstanding deposits (CFAF billion)	38.36	41.94	44.4	44.17
Percentage	28.4	26.35	27	26.18
Outstanding credit (CFAF billion)	170.45	204.58	207.7	224.71
Women's outstanding credit (CFAF billion)	47.2	74.2	54.2	59.26
Percentage	27.7	36.26	27.6	26.3

- The indicators of women's access to financial services have all improved, except for the outstanding deposits figure, which has decreased slightly, from CFAF 44.4 billion to CFAF 44.17 billion.
- The proportion of women members and the number of active borrowers increased in the second half of 2012. At 31 December 2012, women comprised 43 per cent of members and 56 per cent of active borrowers with outstanding credit of nearly CFAF 60 billion, representing an average credit of CFAF 249,675, or half of the total average credit. Women's average credit has been declining, from CFAF 377,690 in 2011 to CFAF 283,700 as at 30 June 2012.
- The share of "female deposits" has decreased by one point, from 27 per cent to 26 per cent. On the whole, this proportion remains low and has never reached 30 per cent in the last ten years.
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The share of "female deposits" has decreased by one point, from 27 per cent to 26 per cent. On the whole, this proportion remains low and has never reached 30 per cent in the last ten years.

121. Magnitude of legal, social, economic or cultural barriers preventing women from participating in recreational activities

There are no legal barriers that could affect women's participation in recreational activities. Moreover, the Government encourages the participation of women both at school and in society. In that regard, various measures have been adopted, including opening the national Olympic swimming pool to the public; building a recreational esplanade along the coast; building a stadium equipped for different sports in the administrative centres of each region, department, district and rural community; establishing a cultural centre with a library in each region; and supporting and supervising cultural events organized by local populations in order to affirm their cultural identity. Moreover, a National Heritage Day has been established to raise people's awareness of the value of their cultural heritage, and a National Arts and Culture Festival (FESNAC) has been instituted.

Article 14: Elimination of all forms of discrimination against rural women

122. Existence of measures to raise rural women's awareness of their rights

The situation of rural women is one of the Government's main concerns. This can be clearly seen in article 17, paragraph 3, of the Constitution, which indicates that: "The State guarantees families in general and those living in rural areas in particular, access to health and welfare services. It also guarantees women in general and those living in rural areas in particular the right to improve their living conditions."

In this context, article 54 of the Agro-Sylvo-Pastoral Orientation Act promulgated in 2004 stipulates that the State guarantees equal rights for women and men in rural areas, especially in the agricultural sector. In addition, women are granted special conditions for access to land and loans. Rural women also benefit on the same basis as women in urban areas from dedicated women's credit and financing projects and programmes.

123. Existence of differential treatment of married, widowed, divorced and unmarried women

There is no difference in treatment between rural and urban women in terms of their enjoyment of fundamental rights. However, there are practices specific to each marital status. With regard to land ownership for example, women, particularly in rural areas, are not fairly treated in the allocation of family farmlands. Women essentially have access to land either through inheritance or collectively through women's groups to which rural councils generally allocate small plots. The National Domain Act does not exclude women from the transmission of allocated rights to their beneficiaries. However, in practice, it enshrines discrimination against women because it is based on customary land tenure, which gives members of the rural community privileged access to land, in a context where the rural councils are mostly made up of customary landowners. As women only become heads of household through fortuitous circumstances (mainly in the event of widowhood), it is men who control the family workforce engaged in farming activities. Consequently, it is men who have the capacity to make productive use of land, which is a key criterion for land access. A 2011 study conducted by ENDA-PRONAT showed clearly that it is not easy for women to access land in several regions of the country: out of 100 women interviewed in the Niayes area, 42 said that they owned land. In the Senegal River valley area, 23 out of 100 women owned land, compared with only 4 out of 100 women in the Tambacounda area.

124. Percentage of women engaged in agricultural work in rural areas

Agriculture is the main economic activity in rural areas. Farming households therefore account for 87.88 per cent of all rural households (437,037 households).

Women play an important role in agricultural development. They participate in agricultural activities, working in particular in rain-fed rice fields (Casamance and Fatick regions) and in the cultivation of bissap (hibiscus), okra and grains.

In the cotton sector, women account for 25 to 30 per cent of workers and own 7.7 per cent of the area under crops, with an average of 0.25 hectares compared to the national average of 0.65 hectares.

With regard to inputs, certified seeds are used in only 12 per cent of plots owned by men and 2 per cent of those owned by women, while organic fertilizers are used in 16 per cent of the plots cultivated by men and 3 per cent of those cultivated by women. Only 13.4 per cent of heads of farming households are women. Farms headed by women are smaller on average (some 70 per cent of them are less than 2 hectares in size) and the average area per crop is 0.48 hectares for women compared to 0.84 hectares for men.¹⁷

125. Percentage of rural women represented in development planning bodies

This is less a question of women's integration in the development process than one of social justice and effective and efficient participation in the achievement of development goals. For that reason, having evaluated and drawn conclusions from its first National Action Plan for Women, the Government has developed a second plan aimed at empowering women at all levels and eliminating all forms of discrimination against women and a number of new initiatives have been taken to empower rural women.

For example, locally elected women are now represented on rural planning committees. Accounting for 10.9 per cent of rural councillors, they do not have the political weight to influence development policy through the local planning document and budget.

However, women can ensure that certain priorities are addressed by acting through community-based and non-governmental organizations that are involved in participatory budget formulation and local planning processes as part of local development frameworks.

In the specific case of livestock, the national executive body of women livestock farmers is represented through regional, departmental and local authorities in discussions on livestock and is therefore involved in diagnostic and planning work in this area.

126. Existence of special programmes to meet the needs of rural women

Although some disparities exist, rural women have always been a priority for the Government. Various projects and programmes, such as PRODAM, PROMER and PADERCA, as well as the work of development corporations (SAED and SODEFITEX), have brought about significant changes in women's living conditions. Approximately CFAF 6.7 billion was earmarked in the period 2000-2011 to a

¹⁷ IFAN Gender and Scientific Research Laboratory (2012).

programme targeting the purchase of equipment to lighten women's workload, with a further CFAF 500 million allocated in 2012.

Livestock rearing is a dynamic subsector that helps to meet food requirements for meat and dairy products. It holds the potential for significant production margins as well as diverse opportunities for job creation and the generation of foreign exchange in Senegal. The strategic focus on promoting social equity in rural areas outlined in the Agro-Sylvo-Pastoral Orientation Act provides for the facilitation of access to land and credit by women and young people.

There are no discriminatory practices with regard to access to credit for the financing of livestock farming activities from the Ministry of Livestock's support fund for animal sheds (FONSTAB). Women are also the main beneficiaries of activities aimed at the development of traditional poultry farming, and of the training sessions held on a number of topics, including product processing.

In the fishing industry, Senegalese women in local professional associations have opted for an empowerment approach that links improvements in their living conditions with increased production and family income. Fishing is a primary driver of the Senegalese economy as it generates considerable income, creates direct and indirect employment and, above all, has strong growth potential. There have been significant advances in this regard, including the provision of equipment such as refrigerated trucks for women fish wholesalers, the construction of processing areas in Thiaroye, Diamniadio, Potou and Rufisque and the construction of 10 landing sites and processing areas on the coast south of Dakar (La Petite-Côte) and in the Ziguinchor region. In addition, the first phase of the construction of five coastal cold-storage facilities for small-scale fishing in Saint Louis, Mbour, Ziguinchor, Yenne and Yoff, at a cost of CFAF 5.9 billion, is under way. There are also projects to support agricultural sectors (PAFA) and micro-gardens, a regional project for sustainable management of endemic ruminant livestock, a project for the development of livestock farming in East Senegal and Haute Casamance (PDESOC), a rural development project (PEDMAS) as well as a programme for the development of agricultural markets in Senegal and various multifunctional platforms.

127. Existence of barriers to rural women's access to family planning services and counselling

Health indicators have improved in a number of areas. There has been a drop in maternal and infant mortality rates owing to the treatment of diarrhoeal illnesses, malaria and certain diseases targeted under the Expanded Programme on Immunization, the improved nutritional status of pregnant and breastfeeding women, and the decline in the practice of excision as a result of the mobilization of women's groups, NGOs, development partners and the Government to conduct awareness-raising, research and advocacy activities.

The remaining barriers are sociological in nature; there are also infrastructural issues such as remoteness and distance from health stations. In this context, UNFPA has assisted the State by strengthening decentralized health facilities and infrastructure. This support also includes the deployment of medical teams in Kolda, Tambacounda, Kédougou, and other regions and departments to provide treatment for obstetric fistula and other health issues.

128. Maternal mortality rate in rural areas

In the period 2007-2011, 47 out of 1,000 live-born children died before their first birthday, with 29 deaths per 1,000 live births occurring within the first month (accounting for 61.7 per cent of infant mortality) and 18 deaths per 1,000 live births between 1 and 12 months. Among children aged 1 year and over, 26 of every 1,000 died before their fifth birthday. The goal of reducing the infant mortality rate by two thirds therefore requires significant efforts in the integrated management of newborn health, and might not be met by the target date of 2015.

129. Infant mortality rate in rural areas

Inequality in access to care is reflected in an infant and child mortality rate of 160 per 1,000 live births in rural areas, compared to only 91 per 1,000 in urban areas. Overall, infant and child mortality (the risk of death before the age of 5) is 91 per 1,000 for boys and 83 per 1,000 for girls. Measures to eradicate poverty in rural areas will help to lower these rates. Such measures require effective gender equality and the empowerment of women in all spheres: economic, political, social and cultural.¹⁸

130. Life expectancy at birth for rural women

In general, life expectancy at birth for women in Senegal is 60 years. However, despite the prevalence of poverty in rural areas, life expectancy is much higher in rural than urban areas.¹⁹

131. Percentage of rural women receiving antenatal care

According to EDS V, 89.7 per cent of women in rural areas receive antenatal care, compared to 98.5 per cent in urban areas. With regard to community health, there has been a rise in the number of health huts and community initiatives, which testifies to the low quality of the existing services. Current advances in science and technology such as telemedicine, which is still in its infancy in Senegal, will help to bring health care closer to rural populations. Furthermore, as the country has opened up to new communication technologies, it has become possible to promote a health information and training system in rural areas through the “Badienou Gox”.

132. Percentage of rural women receiving family planning services

In rural areas, more than half of women (52 per cent) had their first antenatal visit before the fourth month of pregnancy. However, approximately one in four women (24 per cent) did not have an antenatal check-up until the fourth or fifth month. Half of pregnant women, rural and urban areas combined, had their first check up at 3.6 median months pregnant. However, rural women begin their antenatal check-ups somewhat later than women in urban areas (3.8 and 3.3 median months pregnant respectively).

133. Existence of social security programmes for rural women

As part of its strategic focus on formal recognition of agricultural occupations and professional agricultural organizations, the Agro-Sylvo-Pastoral Orientation Act provides in article 14 for the definition and implementation of a social protection system for the agro-sylvo-pastoral sector, with State support in the first five years

¹⁸ EDS V.

¹⁹ EDS V.

following implementation. The Decree establishing this social protection system was promulgated on 10 November 2008.

134. Percentage of illiterate rural women by age group: 15-24, 25-44

Approximately 4 out of 10 women (38 per cent) and 6 out of 10 men (59 per cent) are considered to be literate. In other words, overall, the proportion of women who are illiterate is about 1.5 times that of men (62 per cent of women as compared with 41 per cent of men). The proportion of women who cannot read at all (62 per cent) is higher than that of women who never went to school (58 per cent). This gap shows that some women did not attend school long enough to learn to read and write, or that, after leaving school, they relapsed into illiteracy, having forgotten what they had learned (functional illiteracy). Female and male literacy rates vary greatly according to the place of residence. In urban areas, 56 per cent of women and 73 per cent of men are literate, compared with 21 per cent of women and 43 per cent of men in rural areas.

An analysis of the results by region also highlights spatial disparities in literacy rates, regardless of gender, as indicated above with regard to schooling. The highest literacy rates are observed in the Dakar and Ziguinchor regions, where, respectively, 60 per cent of women and 75 per cent of men, and 64 per cent of women and 82 per cent of men, are literate.

135. Existence of groups for the advancement of rural women

Rural women, like their urban counterparts, have always organized themselves into groups called *daahira* or *mbotay*, cooperatives or women's promotion groups, the majority of which are involved in income-generating activities. These associations are known collectively as women's organizations. In 2010, the compilation of a national inventory provided these women's organizations with a platform for consultation at the local (district), departmental, community and regional levels. They serve as an interface between the Government and women.

Large umbrella organizations also have branches at the regional level, and sometimes in individual departments.

136. Existence of rural markets where women can sell their goods

Weekly markets called *loumas* take place even in the most remote locations and in border villages. However it should be noted that there are insufficient feeder roads allowing women to transport their produce to points of sale. These difficulties will be taken into account in the modernization provided for under article 31 of the Agro-Sylvo-Pastoral Orientation Act.

137. Existence of land reforms affecting women

The Constitution promotes gender equality in access to land and property. Article 44 of the Agro-Sylvo-Pastoral Orientation Act also recognizes livestock farming and pastoralism as productive activities in their own right, while article 23 provides for the definition of a new land policy and a land reform bill. The Act's strategic focus on promoting social equity in rural areas provides for the facilitation of access to land and credit by women and young people.

138. Existence of reforms in the areas of health, electricity, water, transport and communication, taking into account the specific needs of rural women

In the water and sanitation sector, the objective of the Millennium Drinking Water and Sanitation Programme (PEPAM) is to ensure an adequate supply of drinking water to households in both rural and urban areas and to develop individual and semi-collective wastewater treatment systems in peri-urban areas. In this context, there are plans to provide a further 1.75 million households with access to drinking water and to equip 355,000 rural households with individual sewage and household wastewater disposal systems. Senegal intends to provide piped water supply to 88 per cent of households in Dakar and 79 per cent of households in the country's interior by 2015. PEPAM is improving women's living conditions and freeing them from the chore of collecting water; the time saved can be spent on other income-generating activities. Approximately CFAF 18.5 billion was earmarked for the Programme in 2012, of which CFAF 13.5 billion was internally funded. With regard to rural water supply, for which some CFAF 4.17 billion was set aside in 2012, the rate of access to drinking water, readjusted in 2011, was 73.3 per cent in 2010, compared with 97 per cent in urban areas. The rate of access to sanitation in rural areas was only 29 per cent in 2010 compared to 63.6 per cent in urban areas.

Article 15: Recognition of women's civil and legal capacity**139. Existence of laws treating women and men equally with regard to their capacity to conclude and execute contracts**

Equality in law between men and women, as defined in the Constitution (article 7, paragraph 4), can be regarded as favourable to married women who, traditionally, have been the victims of discriminatory practices in acts of civil life. In this regard, the legislation of Senegal, as it stands, fully guarantees the legal capacity of married women and the free exercise of their fundamental rights.

With regard to the administration of a wife's separate property, article 371, paragraph 2, of the Family Code states that "assets acquired by a woman in the practice of a profession separate from that of her husband, are property that she administers and that is at her disposal under all matrimonial regimes". Article 392 of the Family Code, on the acquisition of assets under the community of property regime, states that "each spouse may acquire independently and without the consent of the other spouse assets of all types.

However, except in the case of acceptance under benefit of inventory, a spouse may only accept an inheritance or gift with the consent of the other spouse".

The principle of women's civil capacity is set out in article 371 of the Family Code, which states that "the wife, like the husband, enjoys full civil capacity. Her rights and powers are limited only as a result of the provisions of this book and article 154". With regard to article 154, according to which the husband had the right to oppose the practice of a separate profession, it should be noted that this prerogative no longer exists following the repeal of the said article by Act No. 89-01 of 5 January 1989.

The Code of Civil and Commercial Obligations, amended by Act No. 68-08 of 16 March 1968, establishes in its first article that the conditions for the validity of any contract are free consent, legal capacity, and lawful purpose and grounds. Article 390 of the Family Code on the community of property regime states that "by

adopting the community of property regime, the spouses give each other the power to perform any act for the administration of their joint property. Each spouse administers his or her own property alone, regardless of the nature, origin or conditions of its purchase. The actions taken by one of the spouses alone are binding on the other and entail the joint legal responsibility of both spouses. Debts incurred prior to the marriage are settled under the same conditions and with the same joint responsibility". Senegalese legislation grants a married woman full legal capacity to commit to or withdraw from an obligation and administer her assets freely.

140. Percentage of women and men with access to legal services

Access to legal services, like any other public service, is a right of all citizens under the Constitution of 2001. Despite this, the percentage of women accessing legal services is still low, especially in rural and peri-urban areas, because of the economic, social and cultural barriers that exist. This trend is being reversed with the development of a policy for local, more accessible justice, including community justice centres (Ministry of Justice), and the establishment of centres providing counselling, support and guidance (Ministry of Women, Children and Female Entrepreneurs).

140. Existence of studies showing that judicial practice has a different impact on men and women

As yet, no specific study showing the different impact of judicial practice on men and women has been carried out. However, some findings, such as the study on violence against girls in the eight regions of Senegal (UN-Women, 2011) and the study on the level of implementation of the Act prohibiting excision (Ministry of Women, Children and Female Entrepreneurs and UNFPA, 2011), have shown that few women are deeply grounded in judicial practice. This is largely attributable to sociocultural prejudices.

141. Existence of legal concepts, such as special defences, applied to women but not men

Article 152 of the Family Code gives the husband the prerogative of choosing the household's residence, to which the wife must agree because of her obligation of cohabitation. However, the Code recognizes the wife's right to take the matter to court if the chosen residence is physically or morally hazardous for her and the children. Sociocultural constraints stop women from going to court over their domestic problems; if they do, in some cases, they risk being divorced. With regard to the ability to join a trade union, article L.8 of the Labour Code states that "married women practising a profession or trade, may, without the permission of their husbands, join trade unions and take part in their administration or their management".

Article 16: Equality in the right to marry and to family life

142. Existence of civil, religious and customary laws governing family relationships

The Constitution states in Title II, article 17, that marriage and the family form the natural and moral basis of human society and are protected by the State. The duty to ensure the physical and mental health of families, and especially persons with disabilities and the elderly, lies with the State and public authorities. The State

guarantees families' access to health and welfare services. Women in general, and those living in rural areas in particular, have the right to lighter workloads (article 18 of the Constitution). The Family Code includes in Book VII, Title III, Maliki jurisprudence on inheritance, under the title "inheritance under Islamic law", as well as pre-Islamic customs, thus giving each Senegalese citizen a modern legal status allowing them to participate without any difficulty in the legal process.

With regard to engagements, article 103, paragraph 1, of the Family Code states that "each fiancé must freely give his or her consent, regardless of the parental consent required for minors". While it is allowed, breaking an engagement unilaterally is penalized under Senegalese legislation when there is no legitimate reason for it. In accordance with article 107, paragraph 2, of the Family Code, if it is the fiancée who unilaterally breaks the engagement, she is obliged to return the gift she received from her fiancé. The same article gives the latter the right to file an objection to the marriage of his former fiancée until she has returned this gift to him. On the other hand, if the fiancé breaks his engagement without a legitimate reason, he forfeits the right to reclaim the gift from his fiancée. With regard to a fiancée who is the victim of the unilateral termination of the engagement, the Code does not give her the right to oppose the marriage of her former fiancé, which constitutes discrimination against her.

With regard to marriage, article 108 of the Family Code states that "each of the future spouses, even minors, must personally consent to the marriage". Article 393 provides that "at the dissolution of the marriage contract, as a result of death, divorce or legal separation, the assets of the spouses or their legal successors shall be liquidated". In this event, registered immovable property owned by each of the spouses before marriage is excluded from the liquidation.

With regard to inheritance, article 407 stipulates that "the legitimate heirs, the illegitimate heirs and surviving spouse are, by right, vested of the property, rights and actions of the deceased under the obligation to pay all inheritance costs". The provisions concerning inheritance under Islamic law discriminate against women because they provide for an agnate regime, which means that an heir can only be a male, who inherits the entire estate (article 576).

143. Family types or configurations under various laws

Articles 368, 369 and successive articles of the Family Code establish three types of matrimonial property regimes, which are based on the separation of property, endowments, or community of property. The law allows for the matrimonial property regime to be chosen. Therefore, the regimes determine to some extent the types of Senegalese families. Those choosing a monogamous marriage contract fall under what are often called "single-parent families", while those choosing polygamous marriage contracts are described as "nuclear families".

144. Existence of measures requiring women's express consent to marriage

Forced marriage is a violation of individual freedom. It is prohibited and punishable under the terms established by law (Constitution, article 19). Thus, article 103 of the Family Code states that "each fiancé must freely give his or her consent to the engagement, regardless of the parental consent required for minors". The absence of consent is grounds for annulling the marriage (articles 138 to 145 of the Family Code).

145. Existence of equal rights for women and men during marriage

According to article 20 of the Constitution, wives have the right to own property, as their husbands do, and to manage their property themselves. Parents (the father and mother) have the natural right and duty to raise their children. They are supported in this task by the State and public authorities. Articles 3 to 7 of the Family Code on the matter of names states that “a legitimate child shall bear the name of his or her father. In the case of repudiation, the child shall bear the name of his or her mother”. An illegitimate child shall bear the name of his or her mother. If the child is recognized by his or her father, the child shall take his name, while the child of unknown parents shall take the name given to him or her by the Registrar.

An adopted child shall take the name of the adoptive parent only in the case of full adoption. The child shall keep the name of his or her family of origin in the case of limited adoption. Article 224 of the Family Code addresses fairly the conditions for adoption, stating that “the adoption may be requested jointly by both spouses, who have been married for five years and are not legally separated, and of whom at least one is 35 years old, or by one spouse if it concerns the children of the other spouse”.

Article 230 states that “when the parentage of a child is established with respect to his father and mother, they must both consent to the adoption of the child. In the event that one parent is deceased or incapacitated, the consent of the other is sufficient”. The child is placed with the adoptive family at their request or at the request of the birth family, which has the right to request the return of the child within three months (article 234).

146. Existence of legislation permitting polygamy

Legislation permitting polygamy exists in Senegal. The legislation that covers polygamous matrimonial regimes is that addressing matrimonial regimes in general. The provisions of the Family Code governing polygamy on the basis of free choice state that: “in the case of polygamy, the ordinary legal matrimonial property regime is that of separation of property, but the spouses may choose one of the other two regimes, namely the endowment regime or the community of property regime”.

147. Percentage of polygamous marriages

It is difficult to indicate the current percentage of polygamous marriages as no studies have been conducted on the matter. It should be noted that a significant percentage of marriages in Senegal are polygamous, owing to the presence of a large Muslim community (95 per cent), but also to sociocultural factors that lead even non-Muslim citizens to practise polygamy.

148. Existence of equal rights for men and women to acquire, manage and dispose of property

The Constitution and the Family Code establish the principle of women’s right to purchase and own land; to have their own property, as their husbands do; and to manage their assets themselves (article 380 and ensuing articles of the Family Code).

149. Women’s rights after marriage

Articles 165 and 166 of the Family Code state that “either spouse may initiate divorce proceedings, basing his or her petition on the grounds recognized by law”. “Divorce proceedings are terminated in the event that one of the spouses dies before the court decision becomes final or, in the event that the spouses are reconciled,

either after the facts alleged in the petition have taken place or after the petition has been filed” (article 172). The result of divorce is the dissolution of the marriage, terminating the spouses’ mutual obligations. Each of the spouses may remarry, although women are required to wait a prescribed period of time before doing so. Women stop using their ex-husband’s name.

However, article 7 as amended allows women to continue to use their husband’s name if they so wish. Article 158 of the Family Code concerning divorce by mutual consent states that “the consent of both spouses is valid only if it is given freely and as a result of an informed and unimpaired decision”. The judge shall ensure that the consent of the spouses meets all the legal requirements for divorce (article 161 of the Family Code).

With regard to the maintenance obligation during marriage and after its dissolution, article 262 states that “during the marriage, the maintenance obligation between spouses and of spouses toward their children is one of the household’s responsibilities”. According to article 375, this obligation falls primarily on the husband. In cases where men are granted a divorce on the grounds of incompatibility of temperament or because their wife is seriously or terminally ill, they must pay alimony to the woman in lieu of maintenance, for six months in the first case and for three years in the latter.

150. Existence of laws and practices concerning abused married women

The Criminal Code does not refer to abused women but victims of spousal assault and battery, as indicated in the section on article 3 of this report (point 32 on violence) and the periodic report of Senegal on racial discrimination.

151. Existence of women’s right to decide freely the number and spacing of births

The right to health, enshrined in the Constitution (article 8), and the provisions of Act No. 2005-15 of 19 July 2005, concerning the right of women to make their own reproductive health decisions, can be applied to the issue of spacing births in the absence of specific legislation. However, women’s exercise of this right could be impeded by social and cultural barriers, or simply by their husbands’ practices or actions or their family environment.

152. Existence of a national family planning policy

There is a family planning policy in Senegal, supported by public information and mass awareness-raising campaigns aimed at women (see point 112, section on article 12 of this report).

153. Existence of equal rights for women and men in the custody of children

Article 277 of the Family Code is discriminatory as it states that it is the father who shall exercise parental authority as head of the family; the mother can only exercise this authority in exceptional cases. The same article states that both the father and the mother have parental authority over legitimate children. The mother shall exercise parental authority in the event that the father has partially or totally forfeited that authority, or if he loses the status of head of household as a result of incapacity, absence or any other reason, or in the event that the father is convicted for abandoning his family, or that parental authority is delegated to the mother. In the event of divorce, custody of any children will be awarded to one of the spouses,

in the best interests of the children. That is also the case in the event of the death of one of the spouses.

Article 305 of the Family Code concerning guardianship states that the guardianship of legitimate children is instituted if the father and mother are either both dead, have forfeited their rights, or are incapacitated.

Article 355 of the Family Code specifies that it is not necessary to institute guardianship of an incapacitated married adult, because the spouse is vested with the legal authority to represent the person who is no longer able to express his or her wishes, in accordance with article 372 of the Code.

Article 371 states that “both the wife and the husband enjoy full civil capacity. Assets acquired by the wife in the practice of a profession separate from that of her husband are property that she administers and disposes of freely”.

Article 374, which addresses the authority of the spouses, states that “both spouses may open a deposit account or security account in their own name. The spouse making the deposit is deemed by the depositary to be free to dispose of the funds and securities held on deposit”.

Article 375, paragraph 4, refers to the joint legal responsibility of the spouses to meet household expenses and stipulates that that responsibility is waived in the event of excessive spending that is not consistent with the household’s lifestyle, in the framework of the community of property matrimonial regime. Both spouses may be “partners in the same company and involved in the company’s management together or separately” (article 378 of the Family Code). However, this option is only available if the spouses are not held indefinitely and jointly liable.

With regard to the separation of property regime, article 380 of the Family Code states that, under this regime, each spouse shall continue to administer, control and dispose freely of his or her personal assets. They must both contribute towards the household’s expenses, but each spouse remains solely liable for the debts incurred by him or her before or during the marriage”.

154. Minimum marriageable age of men and women

The legal marriageable age is 16 years for girls and 18 years for boys (article 111 of the Family Code). The Criminal Code prohibits forced marriage. The principle enshrined in the Family Code is the freedom to marry and to choose one’s spouse, as well as the freedom to terminate the union by divorce; therefore “each of the future spouses, even minors, must personally consent to the marriage” (article 108, paragraph 1, of the Family Code). Article 116, paragraph 3, states that “the Registrar shall question the couple about the matrimonial regime that they have chosen and, if they have not made a choice, they will be married under the separation of property regime”.

Vitiated consent by one of the spouses, when the consent was obtained by violent means or was given as the result of a misunderstanding, is grounds for the annulment of the marriage (article 138, paragraph 1, of the Family Code). The failure of one of the spouses to give his or her consent renders the marriage absolutely null and void (article 142, paragraph 1).

The Criminal Code establishes penalties with regard to marriage with a minor and its implications. In particular, when a marriage with a minor girl aged under 13 is

consummated, the perpetrator shall be sentenced to imprisonment of between two and five years. The term of imprisonment shall be between 5 and 10 years if the sexual relations involved violence or resulted in the child's serious injury, disability, even if temporary, or death.

155. Existence of the practice of levirate marriage

The practice of levirate marriage exists in certain communities or ethnic groups, but it does not derive from the legislation in force in Senegal (see the section on article 5, point 46 of this report).

156. Percentage of households headed by women

A total of 13.4 per cent of households are headed by women. Some 7 out of 10 heads of household are employed. The proportion of employed heads of household is higher in rural areas than in urban areas (76 per cent versus 66 per cent in Dakar and 62.3 per cent in other cities). Rural areas have the lowest unemployment rate among heads of household (3 per cent versus 8.5 per cent in Dakar and 7.8 per cent in other cities).

Part Three: Responses to the observations and recommendations of the Committee on the second report of Senegal

Reference documents: [CEDAW/C/SR.247](#) and [A/49/38](#), paragraphs 666 to 728

The presentation of the report of the Republic of Senegal was an opportunity for the Committee to make general observations and ask specific questions regarding the implementation of the Convention on the Elimination of All Forms of Discrimination against Women in our country.

The general observations related in particular to the lack of statistical data and updated information on the measures taken for the advancement of women; the economic and social framework established by the Government in accordance with the Convention; the effects of structural adjustment policies on the status of women; the status of the Ministry of the Family and the Government's policy with regard to women; and the role of the Interministerial Committee and the National Consultative Commission on Women.

The Committee had asked 19 specific questions regarding the implementation of the Convention, focusing on various aspects of the status of women in Senegal.

With regard to the general observations, the Committee had received reassuring answers at the appropriate time regarding the statistical data and updated information to be included in subsequent periodic reports, the economic and social situation of the country and the effects of structural adjustment policies on the status of women in Senegal.

The Committee had also received precise answers regarding the Senegalese institutional framework for addressing women's rights, in particular the Ministry of Women, Children and the Family and the National Consultative Commission on Women. That framework was intended to meet the need to develop and pursue a consistent policy with regard to women, with adequate consultation and monitoring bodies, reflecting the Government's strong political commitment.

Point 1: Lack of a definition of discrimination against women in Senegalese legislation

The Committee noted the lack of a definition of discrimination against women in Senegalese legislation. While it is true that no formal definition existed when the second periodic report was presented, the situation improved with the promulgation of the new Constitution of 2001, several of whose provisions, including the following, address the Committee's concern:

Firstly, the preamble contains an affirmation of the adherence of the people of Senegal to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, and a proclamation of free access for all citizens to the exercise of power at all levels and the rejection and elimination of all forms of injustice, inequality and discrimination.

- Article 5 condemns all acts of discrimination, which are punishable by law.
- Article 7 provides for the equality of all citizens before the law and equal access of men and women to elected office.
- Pursuant to article 4, political parties may not identify with any particular race, religion, ethnic group, sex or region.
- Article 283 bis of the Criminal Code defines discrimination in general as "based on any distinction, exclusion, restriction or preference which has the purpose or effect of jeopardizing rights and fundamental freedoms in the political, economic, social and cultural fields or any other field of public life".

Pending the incorporation into national legislation of a definition of discrimination against women, therefore, it can be stated that Senegal has an adequate legal framework for appropriately addressing discrimination where necessary.

Point 2: The nature and meaning of the offence of family abandonment established in article 350 of the Criminal Code

The Committee requested explanations regarding the meaning of the offence of family abandonment and, in particular, the person punishable for it. Until the end of the 1970s, Senegalese criminal legislation included the offence of abandonment of the conjugal home, which applied exclusively to married women, on the grounds that such abandonment would be in breach of the legal domicile provision to which they were subject. Under pressure from women's organizations, which constantly denounced the discriminatory nature of that offence, the Government abolished it and replaced it with the offence of family abandonment, for which both husband and wife are punishable in accordance with the obligation of cohabitation resulting from their marriage. A husband, however, may also be punished for this offence if he breaches his obligation to maintain his wife and their children.

Point 3: Effects of social, cultural and religious customs and practices on the status of women

The Committee requested further information regarding the effects of social and cultural customs and practices on the status of women. In this regard, we would emphasize the Government's commitment to fighting prejudices and customary practices, of which women have been victims since Senegal gained its national sovereignty. That commitment has been manifested in all of the constitutional laws, which have proclaimed the equality of men and women before the law.

With the entry into force of the Family Code, practices such as early or forced marriage, wife repudiation and the denial of women's right to work were regulated. Subsequently, domestic violence and other forms of ill-treatment of women, sexual harassment, rape and excision were criminalized in accordance with Act No. 99-05 of 29 January 1999 amending certain provisions of the Criminal Code, which reflected that political commitment. Indeed, those practices were classified as serious criminal offences severely punished by imprisonment and fines.

After the change of Government in 2000, the 2001 Constitution was unequivocally designed to eliminate other practices, such as the lack of access of women, in particular those living in rural areas, to health services, and to uphold women's right to welfare, improvements in their difficult living conditions, and the purchase and ownership of land. It also upholds the right of wives to own property as their husbands do, and to manage their personal property freely.

Lastly, it should be recalled that women's obligations in relation to their legal domicile and to the requirement to obtain their husband's permission to engage in an occupation distinct from his own or to leave the legal domicile have now been abolished.

Point 4: School dropout rate and its effects

The Committee expressed concern regarding the school dropout rate, which was fairly high, in particular among girls. When the periodic report was presented in 1994, it was noted by way of illustration that 57,250 of the 162,500 pupils in the last year of primary school and the last year of middle school in 1992-1993 had left school with no other occupation.

The dropout rate was linked to economic, social and cultural constraints, domestic work and the low capacity of the national education system to provide universal education to children of school age.

At the end of the 1990s, only about 60 per cent of school-age children were in education, while 600,000 children aged between 7 and 12 were outside the school system and 616,900 eligible children were not admitted to middle school. The situation, however, has evolved over time and is now as follows:

- The enrolment rate was 75.8 per cent in 2003, a significant improvement which nevertheless meant that a fairly high number of children continued to be left behind.
- The net enrolment ratio in primary school in the same year was 48 per cent for boys and 42 per cent for girls.
- The gross secondary school enrolment ratio was 20 per cent for boys and 12 per cent for girls.
- Of 100,000 girls enrolled in secondary schools, only 142 went on to higher education.

A number of public and private initiatives have been taken to prevent girls from dropping out of school. Grassroots community schools, designed for children aged 9 to 15, are one such initiative. The programme of study is flexible and short, lasting only four years. Other initiatives are the right to education of child workers, upheld by the NGO Environmental Development Action in the Third World, and

associations for the education and training of children excluded from school, which return such children to education free of charge.

The BALLAL association provides pedagogical training to teachers so that they can find employment in public or private education. The Ten-Year Education and Training Programme (PDEF) is designed, inter alia, to reduce the primary school repetition rate from 17 per cent to 10 per cent. It should be pointed out that the new educational initiatives addressed in the section on article 10 of the present report have significantly reduced the school dropout rate of girls in Senegal.

Point 5: Status under the initial version of the Family Code of the spouse of a person presumed absent from the home

The Committee expressed concern regarding the status under article 19 of the Family Code of the spouse of a person presumed absent. That article stipulated that the court of first instance should appoint an administrator of the absent person's property, who could be either the curator acting in the interests of that person or an appointed agent. The article, however, omitted to mention the spouse remaining at home.

We consider this concern to have been addressed through Act No. 89-01, which amended the Family Code, specifying that the spouse remaining at home will be designated as administrator of the property of the person presumed absent.

Point 6: Treatment of prostitution and procuring in Senegal

The Committee requested further information regarding the treatment of prostitution and procuring, and measures taken to help prostitutes.

Prostitution is not an offence in Senegal, on the grounds that everyone has the right to control one's own body. Its practice, however, is strictly regulated. Women engaging in prostitution must be of age (i.e. over 18) and be registered in a health database maintained by the Service for the Prevention of Sexually Transmitted Infections. They are subject to fortnightly medical check-ups, which are recorded on a health card that they are required to have with them at all times and present upon request to the competent administrative authorities. The violation of any one of these obligations constitutes an offence punishable by imprisonment and fines.

Prostitutes are subject to particular attention from the Government for reasons related to the HIV/AIDS pandemic. They receive free routine screening, in addition to preventive supplies and, where necessary, treatment. Given the causes of prostitution, the Government is working to improve the lives of prostitutes by finding them other gainful employment allowing them to lead a life of dignity.

Procuring is regarded in Senegal as the worst form of sexual exploitation of women. It therefore constitutes an offence punishable by a term of imprisonment of between one and three years and a fine of CFAF 250,000 to CFAF 2,500,000. Incitement of a minor to debauchery is also an offence and is punishable by the same penalties.

Point 7: Legal capacity and civil rights of Senegalese women

The Committee requested further information regarding the legal capacity and civil rights of women in Senegal. Equality in law between men and women, as proclaimed in the Constitution, is designed to benefit women in general and married women, who have traditionally been the victims of discriminatory practices in acts

of civil and public life, in particular. Senegalese legislation on these matters is therefore unequivocal.

Article 371 of the Family Code recognizes the civil capacity of women, who have full enjoyment of their rights. The legal restrictions prescribed in articles 131 to 154 were also removed in 1989.

Women can enjoy and exercise their rights in various ways, including by consenting to betrothal, marriage or divorce, joining a trade union, administering their assets through a matrimonial regime of separation of property and concluding all civil contracts.

Also intrinsic to equality between men and women is the right of women to participate in the development and conduct of State political life at all levels. The Senegalese political system is thus based on mechanisms designed to encourage the participation of all citizens in the decision-making process in national public life, without distinction as to sex. This approach is based on the principle of the Republic: "Government of the people, by the people and for the people".

In accordance with this principle, therefore, the Constitution and the Electoral Code determine the conditions under which all citizens without discrimination may have access to the exercise of power. Such citizens must, inter alia, have reached the age of 18, be in possession of their civil and political rights and not be disqualified on any of the grounds stated by law.

The transparency and regularity of the electoral process is guaranteed through the roles assigned to the General Directorate of Elections, which is responsible for the practical organization of that process, and to the National Elections Observatory, which is responsible for its control and supervision.

Regarding women's access to employment in the civil service or in business, neither Act No. 61-33 containing the general civil service statutes nor the Labour Code makes any distinction between the sexes in this area, where competence is the only criterion.

Point 8: Requirement that non-Senegalese husbands of Senegalese women reside in the country for five years before receiving citizenship

The Committee expressed concern regarding the incomprehensible distinction drawn in the Senegalese Code of Nationality between men and women in terms of access to Senegalese nationality. The text stated that a non-Senegalese woman who married a Senegalese man became Senegalese when the marriage was celebrated by a registrar, unless she chose to decline Senegalese nationality. However, a non-Senegalese man who married a Senegalese woman did not automatically acquire his wife's nationality. He was subject to naturalization, for which he was required to reside continuously in Senegal for five years.

The Committee considered this requirement to discriminate against Senegalese women.

The Government justified the fact that Senegalese nationality could not be automatically acquired through the wife as an act of sovereignty and a reflection of its desire to combat the marriages of convenience that frequently took place.

On the other hand, Senegalese law did allow men and women to confer their nationality on their children, whether common or not. Significant progress has been

made in 2013 with the adoption of the new Nationality Act on 25 June 2013 (see section on article 9 of the present report).

Point 9: Encouragement of girls to return to school after dropping out

(See point 4 above.)

Point 10: Equal access to employment in the civil service

(See point 7 above.)

Point 11: Equal treatment and remuneration for men and women and women's access to management training

The Committee requested further information on the principle of equal treatment and remuneration of men and women in Senegal. In this regard, it should be noted that civil servants' salaries conform to a hierarchical system ranging from "special" grade A to grade E. This does not allow for gender distinction or discrimination, in accordance with the constitutional ban on employment, wage and tax discrimination.

Furthermore, article 104 of the Labour Code states that "where working conditions, professional qualifications and productivity are equal, pay shall be equal for all workers, regardless of their origin, gender, age or status". No pay is due in the event of absence except on the grounds established by law, collective agreements or agreements between the parties. In addition, Act No. 2008-01 of January 2008 on equal tax treatment has eliminated discrimination against women in that regard.

The Senegalese education system does not discriminate on grounds of gender with regard to vocational training in public or private establishments.

Point 12: Free access for all citizens to health care

The Committee requested information on citizens' free access to health care. On this matter, the Constitution, under article 17, paragraph 2, recognizes that the State has a duty to ensure the physical and mental health of families. In this connection, the Government has developed a national health policy based on a programme for primary health care and preventive care, and on educational projects to promote health and reduce infant mortality.

This programme allows any patient to receive full medical treatment in return for a modest financial contribution. The health stations and mother and child welfare centres provide all people with access to health care and family planning advice.

At the same time, the State is undertaking a massive immunization campaign, covering the total cost of vaccines, as part of the Expanded Programme on Immunization. This campaign is accompanied by health education, which uses public and private media to reach the whole population.

The budget of the Ministry of Health was 9.5 per cent of the national budget in 2003, exceeding the rate of 9 per cent established by WHO. The population participates actively in the implementation of the State health policy, through the management of health committees, which finance up to 30 per cent of their activities themselves. The significant advances noted in the sector, as indicated in the section on article 12 of the present report, are being consolidated and strengthened by means of the universal health coverage policy, adopted in 2013.

Point 13: Treatment of women affected by HIV and the family planning policy in Senegal

The Committee requested information about the treatment for which women with AIDS are eligible. In this regard, it should be noted that Senegal quickly understood the serious threat that HIV/AIDS posed to the general population and the economy. As a result, it took immediate measures to prepare an effective response.

Thus, as early as 1986, the date of the first official case, the Government set up a National AIDS Council (23 October 1986), which developed a national programme to combat AIDS.

This Council received the support of development partners coordinated by UNDP and the Joint United Nations Programme on HIV/AIDS (UNAIDS). Thus, from 1986 to 2003, there were successive programmes that allowed the Government, with the support of civil society, to mobilize actively in the fight against AIDS and keep the HIV prevalence rate at less than 3 per cent. With regard to the treatment of persons living with HIV/AIDS, the Government covers the cost of antiretroviral drugs for all patients who come forward.

The contraceptive prevalence rate for modern methods remains low, as only 8 per cent of women of childbearing age have access to these methods, while the rate of unmet need is 33 per cent. However, the Government encourages family planning, because it promotes the spacing of births, improves women's health and increases the availability of the resources needed for children's upkeep, education and training. The progress of the last decade is discussed in the section on article 12 of this report.

Point 14: Discrimination against rural women

The Committee noted with concern the grave situation facing rural women with regard to their rights of access to land or participation in community decisions.

In this regard, it should be noted that the situation of rural women became one of the Government's priorities following the change of Government, as stated expressly in the Constitution. The problem of rural women in Senegal is less a question of women's integration in the development process than one of social justice and effective and efficient participation in the achievement of development goals.

In addition, based on the National Action Plans for Women (PANAF I and II) developed and implemented by the Government, the Government's objective is to build, with the participation of all development stakeholders, including rural women, a Senegal free of discrimination, where men and women will have the same opportunities to participate in the country's development and enjoy the benefits of growth, with three goals, namely:

- (i) The consideration of women's needs and potential within the family and in all areas of development;
- (ii) The effective economic empowerment of women;
- (iii) The participation of women in decision-making bodies and the full exercise of their rights.

To this end, the establishment of a National Parity Observatory so that the needs of women, including rural women, can be better addressed, and the implementation of

the Agro-Sylvo-Pastoral Orientation Act, are an appropriate response to the Committee's concerns.

Point 15: Discrimination against women based on article 13, paragraph 1, of the Family Code

This refers to the discriminatory nature of the provisions of article 13, paragraph 1, of the Family Code concerning legal domicile, which were imposed on married woman until 1989. The Committee wanted to know what the basis for this legislation was in Senegalese society. In this regard, it should be noted that during the colonial period women were considered the property of men, based on the concept of marital power established in the Civil Code in force at the time.

Thus, married women were subject to a legal domicile that they could not leave without their husband's permission, under penalty of prosecution for abandonment of the marital home, which was criminalized under article 332 of the Criminal Code. Under pressure from women's organizations, the legislature repealed the criminal offence, which was considered discriminatory against married women.

However, the civil law basis for the offence remained in the Family Code and it was as a result of the observations and recommendations of the human rights monitoring bodies that this anomaly was corrected in 1989, with the repeal of the original article 13, paragraph 1, of the Code.

It should be noted that the term "marital power" is still used in the Family Code, as can be seen in the title of article 152. It is hoped that this will disappear in the near future.

Point 16: Minimum marriageable age of men and women and the freedom to choose a spouse

The Committee requested information about marriageable age and the freedom to choose one's spouse. With regard to the marriageable age, under article 111 of the Family Code it is established as 20 for men and 16 for women, unless a waiver is granted by the President of the Republic on compelling grounds (pregnancy for example). These ages were chosen following detailed consultations with medical experts on the reproductive capabilities of the spouses.

With regard to the freedom to choose a spouse, the Family Code is categorical on this point, requiring first of all consent to the engagement. As is stipulated in article 103, "each fiancé must freely give his or her consent, regardless of the parental consent required for minors". It is the same for marriage, as article 108, paragraph 1, states that "each of the future spouses, even minors, must personally consent to the marriage".

This requirement to choose one's spouse freely is confirmed by the Family Code under article 138, which provides that vitiated consent, resulting from a misunderstanding or violence, is grounds for the annulment of the marriage. In addition, article 141 also provides that lack of consent renders the marriage absolutely null and void. Lastly, criminal penalties are in place to punish forced marriage.

Point 17: The existence of three types of matrimonial property regimes and their use in Senegal

The Committee noted with interest the choice offered to future spouses between the separation of property regime, the endowment regime and the community of property regime. In this regard, it should be noted that this multiplicity of matrimonial property regimes is linked to the symbiotic nature of the Family Code, which draws on elements of the black African, Greco-Roman and Arab-Berber cultures, all of which exist in Senegal.

Thus, the separation of property regime is in keeping with black African and Arab-Berber culture, where the dowry belongs to the woman and her family. It is the same under the endowment regime, where the husband simply has administrative power over the wife's endowed assets and cannot dispose of them.

On the other hand, the community of property regime is, in essence, Greco-Roman, where marriage establishes the family as an independent institution, because it is based on monogamy. That is why in the Family Code, under article 116, paragraph 3.3, the choice between the community of property regime and the endowment regime is only open to men who choose monogamy, in order to prevent a man from using jointly owned or endowed assets for the benefit of his other wives in the case of polygamous marriages.

In all cases, the choice is made freely, subject to the specifications concerning monogamy, and no significant problems have been reported in this regard during the three decades that the Family Code has been in force in Senegal.

Point 18: The movements calling for changes to legislation and practices that discriminate against women currently in force in Senegal

The Committee requested information on the existence of social movements calling for changes to discriminatory legislation and practices. In this regard, it should be noted that these movements do exist in Senegal. They are all State or private initiatives. Thus, PANAF I and II, the National Consultative Commission on the status of women and children and many women's organizations were appropriate frameworks for reflection and the development of recommendations aimed at encouraging change, the results of which can be seen in the legislation promoting women's rights that has been adopted during the last three decades.

With regard to the State, it has developed a national policy based precisely on the need to change all laws, behaviours and practices that hinder the full development and empowerment of Senegalese women, in order fully to restore their rights.

Point 19: Legal status of cohabitation and children born out of wedlock in Senegal

The Committee expressed concern about the status of illegitimate children under Senegalese legislation and also requested information on the legal status of cohabitation. In this regard, it should be noted that cohabitation is not acknowledged by the law, which only recognizes marriages formally contracted before a Registrar or that are registered at a later date.

Moreover, article 107 of the Family Code on broken engagements states that any resulting damage (in the case of pregnancy) shall be compensated according to the rules of civil liability, that is to say, based on fault. Furthermore, article 4 states that

an illegitimate child shall take his or her mother's name and that of his or her father if the father recognizes the child voluntarily.

Article 195, which addresses incestuous filiation, states that a child conceived by incest cannot be recognized by the father, unless the ban on the parents' marriage is lifted.

Article 196 of the Family Code prohibits the legal determination of paternity but provides for a suit to establish a presumption of paternity, which allows the Court to grant maintenance for a child born out of wedlock. The suit is subject to the requirements of prima facie evidence with regard to the relationship that the alleged father might have had with the mother of the child.

With regard to the inheritance rights of illegitimate children, Senegalese legislation recognizes two regimes, the ordinary legal regime and that of Islamic law.

Under the ordinary legal regime, article 533 of the Family Code states that illegitimate children who are recognized by their father or their mother, and those whose maternal filiation is legally established, are entitled to inherit from their father and mother in the same way as legitimate children, subject to the provisions of article 534.

According to article 534, "in the case of a child born out of wedlock, if the man recognizing the child is married at that time, he must, in order for that recognition to take full effect, prove the agreement of his wife or wives.

This agreement may be given either in the deed recognizing the child, or in a separate declaration made before the Registrar. Should the deceased have failed to obtain the agreement of his spouse to recognize the child, the child born out of wedlock shall only be entitled to the equivalent of half of a share of the estate of a legitimate child". In the event that there are no legitimate children, the illegitimate child receives only half of what he or she would have received had he or she been legitimate. That is also the case for children conceived by incest, whose filiation is legally established.

Lastly, it should be noted that article 642, which falls under the Islamic inheritance regime, states that "an illegitimate child shall inherit from his or her mother and maternal grandparents. The mother and grandparents are entitled to inherit the estate of that child". No additional details are provided.

In short, Senegalese legislation on personal status is biased against illegitimate children, for reasons related to the philosophical basis of the Family Code outlined above.

Bibliography

(1) International documents and instruments

Convention on the Elimination of All Forms of Discrimination against Women

Beijing Declaration and Platform for Action and its five-year, ten-year and fifteen-year reviews and appraisals

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

African Union Gender Policy

(2) National instruments

Constitution of January 2001

Family Code

Criminal Code

Code of Criminal Procedure

Act No. 03/2013 amending Act No. 61-10 of 7 March 1961 on nationality; the amendment enables women to give their nationality to their children and spouse

Act No. 99-05 of 29 January 1999 prohibiting excision

Act No. 2005-15 of 19 July 2005

Act No. 2008 of 1 January 2008 establishing equality of tax treatment for men and women

Act No. 2010-11 of 28 May 2010 on full gender parity in fully and partially elected bodies

The decrees of 23 November 2006 amending, respectively, the regulations on the status of civil servants and non-civil servants and the regulations on the organization of company health insurance institutions offering female employees the right to make health provision for their husband and children

(3) National policies, plans and other documents

First and second Poverty Reduction Strategy Papers

2012 Economic and Social Policy Document

Second Senegal Poverty Monitoring Report, 2013

Demographic and Health Survey IV, 2005

Multiple Indicator Demographic and Health Survey (EDS-MICS), 2010-2011

Study on violence against women and girls in the eight regions of Senegal, United Nations Development Fund for Women (UNIFEM), 2010

Study of maternal and neonatal health in Senegal, United States Agency for International Development (USAID), 2012

Indicators: Year Zero for Parity in Senegal, 2012

Follow-up Household Survey I

National Action Plan to Accelerate the Abandonment of Excision

National report on the state of education, 2007, 2010, 2012

Study of violence in school settings, 2012

Report on violence against women and girls, prepared as part of Senegal's participation at the fifty-seventh session of the Commission on the Status of Women

National Strategy for Gender Equality and Equity, 2006-2015

National Economic and Social Development Strategy, 2013-2017

Annex

List of stakeholders invited to participate in the validation workshop

- National Assembly
- Ministry of the Armed Forces
- Ministry of the Interior
- Ministry of Justice
- Ministry of Health and Social Security
- Ministry of Foreign Affairs
- Ministry of Women, Children and Female Entrepreneurs
- Ministry of Commerce, Industry and the Informal Sector
- Ministry of Communication and the Digital Economy
- Ministry of Agriculture and Rural Infrastructure
- Ministry of Higher Education and Research
- Ministry of Professional Training, Learning and Crafts
- Ministry of Tourism and Recreation
- Ministry of Fisheries and Maritime Affairs
- Ministry of Water and Sanitation
- Ministry of Land Management and Local Government
- Ministry of Livestock
- Ministry of Youth and Promotion of Civic Values
- Consultant
- Gender Laboratory of the Institut Fondamental d’Afrique Noire (IFAN)
- West Africa Regional Office of the United Nations High Commissioner for Human Rights in Dakar
- United Nations Population Fund (UNFPA)
- United Nations Children’s Fund (UNICEF)
- United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)
- Comité de Lutte contre les Violences faites aux Femmes
- Centre Africain pour l’Education aux Droits Humains
- President of SOS Equilibre
- Association of Senegalese Women Jurists
- Senegalese Women’s Council

- Réseau Siggil Jigeen
 - Association pour le Bien-être Familial
 - African Women's Development and Communication Network (FEMNET), Senegal
 - National Association for Adult Literacy
 - Women's Affairs Section of the National Confederation of Workers of Senegal (CNTS)
 - Women in Law and Development in Africa (WILDAF)
 - Senegalese Human Rights Committee
 - Rencontre africaine pour la défense des droits de l'homme (RADDHO)
 - Organisation nationale des droits de l'homme (ONDH)
 - Amnesty International, Senegal
 - Collectif sénégalais des Africaines pour la promotion de l'éducation relative à l'environnement (COSAPERÉ)
 - Literacy and Occupational Apprenticeship Programme
-