



Human Rights Council
Working Group on the Universal Periodic Review
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Senegal

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The United Nations country team noted that Senegal was a party to the nine core international human rights instruments. It encouraged Senegal to accept the individual communications procedures provided for in those instruments and to ratify the protocols to allow individuals to use the procedures, in particular the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.²

3. The country team noted that, since Senegal had abolished the death penalty in law and in practice, it could ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.³

4. The country team recommended that Senegal extend an open invitation to all special procedure mandate holders, stating that their assessments could contribute to improving certain emerging situations.⁴

5. The country team underscored that achieving the Sustainable Development Goals was contingent on the realization of human rights. It was therefore essential to bring institutions into line with the Sustainable Development Goals and to implement human rights instruments. To that end, the capacity and resources of the Senegalese Human Rights Committee should be strengthened so as to promote its integration in the interministerial teams responsible for development planning in the country.⁵



III. National human rights framework

Institutional infrastructure and policy measures

6. The Human Rights Committee recommended that Senegal adopt a legislative and regulatory framework to enable the national human rights institution to be brought into line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). To that end, the Government should provide the institution with an independent budget sufficient to enable it to carry out its mandate in full and should establish a process for appointing its Chair and members that guaranteed its independence.⁶

7. The Committee on Economic, Social and Cultural Rights encouraged Senegal to take measures to ensure that the Senegalese Human Rights Committee could fulfil its mandate while maintaining its independence from the executive and the legislative branches of government and that it was protected from interference from any organs of the State.⁷

8. The Committee against Torture stated that Senegal should take the measures necessary to establish a clear, transparent and participatory process for the selection of members of the national human rights institution to full-time posts.⁸

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

9. The country team commended Senegal for its efforts to enact laws to implement the Convention on the Elimination of All Forms of Discrimination against Women and the principles of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, and noted that Senegal had undertaken reforms of the Criminal Code, the Code of Criminal Procedure and the Labour Code. According to the Government, some of the intended amendments to the Criminal Code and the Code of Criminal Procedure pertained to the definition and criminalization of discrimination.⁹

10. The country team encouraged Senegal to pursue its criminal law reforms in keeping with the recommendation of the Human Rights Committee that it should adopt comprehensive anti-discrimination legislation.¹⁰

11. The Human Rights Committee recommended that Senegal adopt comprehensive anti-discrimination legislation to ensure that its legal framework provided effective protection against discrimination in all spheres, including the private sphere, prohibited direct, indirect and multiple discrimination and included a comprehensive list of prohibited grounds for discrimination.¹¹

12. The same Committee urged Senegal to take concrete measures as a matter of urgency to address the current campaign of incitement to hatred against people on the grounds of their sexual orientation and against those defending their rights, including partner organizations engaged in efforts to tackle HIV/AIDS.¹²

13. The Committee on the Rights of Persons with Disabilities recommended that Senegal take the measures necessary to recognize the denial of reasonable accommodation as a form of disability-based discrimination and adopt measures to combat the widespread multiple and intersectional discrimination against persons with disabilities.¹³

2. Right to life, liberty and security of person, and freedom from torture

14. The country team noted that the 2007 reform had given effect to a raft of key provisions of the Rome Statute of the International Criminal Court. However, the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights were of the view that the reform had not taken into account other

underlying acts that might constitute crimes against humanity or war crimes. Moreover, the reform did not include any reference to the principle that the most serious crimes under international law were not subject to any statute of limitations. The country team encouraged Senegal to make the legislative amendments necessary to effectively implement the Rome Statute, including the amendment recommended by the Committee on Enforced Disappearances to bring criminal provisions into line with article 5 of the International Convention for the Protection of All Persons from Enforced Disappearance by defining enforced disappearance as a crime against humanity.¹⁴

15. In the same vein, the country team noted the various efforts made by Senegal to amend the Criminal Code to make enforced disappearance an independent offence. The country team supported the recommendations of the Committee on Enforced Disappearances that Senegal should accelerate the process of amending the Criminal Code to define and criminalize enforced disappearance as a stand-alone offence carrying penalties commensurate with its extreme seriousness and that it should include in the amended Criminal Code an explicit prohibition against the expulsion, return, surrender or extradition of persons in cases where there were grounds for believing that they risked being subjected to enforced disappearance.¹⁵

16. The country team noted that the Office of the United Nations High Commissioner for Human Rights regretted the alleged cases of excessive use of force during political gatherings and demonstrations, in the context of the clashes of March 2021 and June 2023, and the ensuing deaths.¹⁶

17. The country team observed, in the course of the events of June 2023, the worrying trend of unidentified armed individuals, commonly known as “*nervis*”, being deployed alongside the security forces during operations to control demonstrations. The country team repeated the recommendation by the Human Rights Committee that Senegal should see to it that all instances of excessive use of force were promptly, impartially and effectively investigated and that those responsible were brought to justice; that training for law enforcement officials on the use of force was consolidated, taking due account of applicable international standards; and that legislation on the use of force was in accordance with the International Covenant on Civil and Political Rights and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.¹⁷

18. Regarding anti-torture efforts, the country team welcomed the fact that Senegal had reiterated its commitment to preventing and combating torture and other forms of ill-treatment by, for instance, hosting the Regional Conference on the Prevention of Torture in Africa in January 2023.¹⁸

19. The Human Rights Committee recommended that Senegal review its legislation in order to criminalize torture in accordance with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, using the definition in article 1 of the Convention, provide for penalties proportionate to the gravity of those acts and guarantee the inadmissibility of confessions obtained through torture.¹⁹

20. The Committee against Torture recommended that Senegal ensure that all reported acts of torture or ill-treatment were investigated promptly and impartially by an independent body, that there was no institutional or hierarchical relationship between the investigators and the suspected perpetrators and that suspected perpetrators were duly brought before a court.²⁰

21. The Committee on the Rights of Persons with Disabilities recommended taking the measures necessary to prevent criminal behaviour towards persons with disabilities, in particular persons with albinism, sometimes resulting in death, and to provide protection to victims of those crimes and bring perpetrators to justice.²¹

3. Administration of justice, including impunity, and the rule of law

22. The Human Rights Committee stated that Senegal should take urgent measures to ensure that all deaths in custody were thoroughly and impartially investigated, that victims’ beneficiaries received reparations and that those responsible were prosecuted and punished in a manner commensurate with the gravity of their acts.²²

23. The country team noted that judges and prosecutors were increasingly demanding the independence of the Higher Council of the Judiciary from the executive branch. The country team shared the concerns expressed by the Human Rights Committee regarding the allegations of the executive's interference in the judiciary, especially in politically sensitive cases.²³

24. The country team had followed with interest the efforts made to improve conditions of detention. However, with an occupancy rate of 241 per cent, it was of the view that places of detention were overcrowded in relation to international standards. Systematic imposition of pretrial detention, sometimes for long periods exceeding the maximum limit, was considered to be one of the direct causes of prison overcrowding.²⁴

25. The country team welcomed some of the measures taken to reduce prison overcrowding, such as alternatives to detention, mainly electronic monitoring, and the plan to build nine prisons in addition to the facility in Sébikotane. The measures remained insufficient, however, to address insecurity in prisons and to improve difficult conditions of detention for inmates and conditions of work for prison personnel.²⁵

26. The Human Rights Committee recommended remedying the problem of prison overcrowding by encouraging judges to apply Act No. 2016-29, which introduced non-custodial sentences, and by increasing the number of inspections of detention centres by judges and prosecutors.²⁶

27. The Committee on the Rights of Persons with Disabilities recommended adopting measures to provide legal assistance and procedural and age-appropriate accommodation for persons with disabilities, ensuring accessibility in all court buildings, tribunals, police stations, prisons and places of detention and adopting concrete measures to support and empower persons with disabilities to work in the justice system as judges, prosecutors and lawyers.²⁷

28. The Committee against Torture advised taking the measures necessary to ensure that the time a person was held in police custody, regardless of the reason, did not exceed a maximum of 48 hours, or 24 hours for children.²⁸

29. The same Committee called upon Senegal to intensify its efforts to bring conditions of detention into line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), ensure that the conditions in which persons accused of terrorism were held did not constitute cruel, inhuman or degrading treatment and guarantee access to health care in all cases.²⁹

4. Fundamental freedoms and the right to participate in public and political life

30. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended decriminalizing defamation.³⁰

31. UNESCO also recommended that Senegal assess and increase the transparency of the system for the appointment of members of the State regulatory body for audiovisual media to ensure its independence, in alignment with international standards on freedom of expression.³¹

32. The Human Rights Committee recommended that Senegal take the measures necessary to bring its legislation into line with the International Covenant on Civil and Political Rights and clearly define the categories of convicted persons who were denied their civil and political rights and for how long.³²

33. The country team called on Senegal to amend the legal provisions limiting freedom of expression in order to comply with international and regional human rights standards and commitments, as it had accepted to do during both previous cycles.³³

5. Prohibition of all forms of slavery, including trafficking in persons

34. The country team shared the concerns expressed by the Human Rights Committee and the Committee on the Elimination of Discrimination against Women regarding the very low number of prosecutions and convictions under Act No. 2005-06 of 10 May 2005 on combating trafficking in persons and related practices, as well as on victim protection, in

particular in cases of exploitation of women and children. The country team noted an uptick in trafficking in persons for the purpose of sexual exploitation in the region of Kédougou, in south-eastern Senegal. The country team encouraged the Government to continue its efforts by undertaking the necessary legislative reforms. In addition, it endorsed the recommendation of the Human Rights Committee calling on the State to systematically conduct impartial and thorough investigations into cases of trafficking, open up the possibility for civil society organizations to bring civil actions before the courts and guarantee legal aid as a matter of priority for all victims of trafficking and their dependants.³⁴

6. Right to work and to just and favourable conditions of work

35. The Committee on Economic, Social and Cultural Rights recommended ensuring the right to just and favourable conditions of work, strictly enforcing article L.105 of the Labour Code to ensure that men and women received equal pay for work of equal value, including in the informal sector, and adopting urgent measures to ensure decent work for all women, in particular domestic workers and rural women.³⁵

36. The Committee on the Rights of Persons with Disabilities recommended expediting the effective implementation of article L.180 of the Labour Code to ensure that 15 per cent of accessible jobs were set aside for persons with disabilities and ensuring that migrant workers with disabilities, including migrant domestic workers, were fully and equally protected by the Labour Code.³⁶

7. Right to an adequate standard of living

37. The Committee on Economic, Social and Cultural Rights recommended establishing a transparent mechanism to ensure fair access to land and to secure land rights, in particular the land rights of women, ensuring the meaningful and effective participation of the fishers concerned in the negotiation of fishing agreements and strengthening the means of controlling overfishing.³⁷

38. The United Nations Human Settlements Programme (UN-Habitat) recommended that youth empowerment and participatory resilience planning be scaled up across the country and applied in cities facing climate change and other vulnerabilities and that communication and coordination at the level of local authorities be increased to share positive impacts and good practices towards improving the overall standard of living at the city level and develop capacity across different local authorities.³⁸

39. UN-Habitat noted that the meaningful participation of different segments of affected populations was key for long-term, inclusive, community-based decision-making and social inclusion. It recommended that participatory practices including all segments of communities be scaled up across the country. Special attention should be accorded to women, in particular those in situations of marginalization. Land tenure rights were an important aspect of the right to an adequate standard of living. Local authorities had a key role in engaging with the communities to ensure that unresolved land issues were addressed, land plots were registered and community members had long-term secure tenure, in particular in informal settlements.³⁹

8. Right to health

40. The country team recalled the recommendation by the Committee on Economic, Social and Cultural Rights that Senegal should redouble its efforts to ensure access to quality health care throughout the country. It also shared the Committee's concern about the insufficient resources allocated to the health sector, as reflected by the extremely low portion of the national budget allocated to the Ministry of Health (8 per cent), as well as its concern about the inadequacy of the steps taken to retain qualified doctors in public health facilities and of the measures taken to ensure free access to care for those most in need, including persons with disabilities.⁴⁰

41. According to the country team, the World Health Organization had stated that the efforts of Senegal in the area of reproductive health were reflected in clear improvements. Maternal mortality, though declining, remained high, especially in rural areas. The country team encouraged Senegal to boost measures to accelerate improvements in maternal health and increase access to obstetrical care with the aim of reducing maternal and neonatal

mortality, and to guarantee the right to sexual and reproductive health, information, education and services for all vulnerable groups, in particular adolescents, young people and persons with disabilities.⁴¹

42. According to the country team, the United Nations Population Fund had welcomed the awareness-raising initiatives aimed at combating early marriage and pregnancy and female genital mutilation and at promoting the use of sexual and reproductive health services. The country team encouraged Senegal to intensify its actions in favour of women's rights, by full implementing the National Plan against Female Genital Mutilation, ending forced or early marriages, eradicating violence against women and achieving a greater presence of women in political and economic life.⁴²

43. According to the country team, the Joint United Nations Programme on HIV/AIDS (UNAIDS) had welcomed the fact that Senegal had joined the Global Partnership for Action to Eliminate All Forms of HIV-related Stigma and Discrimination, thus giving it access to a range of training programmes. In July 2023, Senegal had held a workshop to approve a training module on human rights and HIV intended for the national police academy. The country team encouraged Senegal to strengthen its system for combating HIV-related stigma and discrimination and to speed up the nomination of HIV focal points in the social services departments of all branches of government, including the police.⁴³

44. The country team and the World Health Organization welcomed the initiatives to grant free access to the medical assistance scheme.⁴⁴

45. The Committee on Economic, Social and Cultural Rights recommended increasing the national budget for health in order to mobilize more resources for the recruitment of specialized personnel and the purchase of equipment needed for ensuring access to quality health services.⁴⁵

9. Right to education

46. UNESCO recommended that Senegal should amend its legislation to explicitly ban discrimination in education and introduce at least 12 years of free primary and secondary education. UNESCO also recommended that Senegal should amend its legislation to ensure that pregnant girls could continue their studies and return to school after giving birth without the requirement of submitting various documents and to ban corporal punishment and all types of violence in the entire education system.⁴⁶

47. The Committee on Economic, Social and Cultural Rights recommended that Senegal take stronger measures to ensure that primary education and, progressively, secondary education were genuinely free of charge, eliminate the requirement of a birth certificate to enrol in school and strengthen measures to increase birth registration.⁴⁷

48. The same Committee urged Senegal to take seriously the question of the sexual abuse of girls in schools and requested it to adopt a national policy to combat sexual exploitation in schools.⁴⁸

B. Rights of specific persons or groups

1. Women

49. The country team was of the opinion that Senegal should pursue its efforts to align national legislation with international norms concerning women and children.⁴⁹

50. According to the country team, gains had been made in women's rights with, among others, the strengthening of the system for the protection of victims of gender-based violence and the adoption of a decree enhancing the protection of pregnant women.⁵⁰

51. The country team noted, however, that there remained legislative gaps in texts that were discriminatory towards women and girls. Reforms were expected concerning the marital power of husbands and the parental authority of fathers, as well as the decriminalization of medical abortions in case of rape or incest and the raising of the minimum marriage age for girls to 18 years.⁵¹

52. The country team noted that Senegal had made considerable efforts to promote women's participation in decision-making through the implementation of the Parity Act. However, the Act should be broadened to also apply, in law and in practice, to legislative and municipal elections. The country team recommended that Senegal should carry out a comprehensive assessment of the general policy on women's participation in decision-making, including with regard to the applicability of the Parity Act, with a view to making the necessary adjustments.⁵²

53. Regarding women's right to work, the country team associated itself with the statement by the Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization (ILO) that article L.105 of the Labour Code did not give full effect to the principle of equal pay, as it did not refer to the notion of "work of equal value". The country team recommended that Senegal should follow the guidance of the Committee of Experts regarding the elimination of discrimination and the promotion of equality.⁵³

54. According to the country team, Senegal, through an evaluation of its national action plan on gender-based violence in 2022, had observed some progress, thanks in part to the recruitment of increasingly more women to the positions of police superintendent and chief of gendarmerie station and to the army. The country team recommended that Senegal should revise the current action plan based on a human rights approach and allocate resources for its effective implementation.⁵⁴

55. Concerning women's land rights, the country team noted that constitutional equality between men and women in access to and control of land resources was enshrined in the national legal framework. However, it shared the view of the ILO Committee of Experts that women's access to land was mostly limited to smaller plots of lesser quality located farther from their homes even though they were responsible for household chores.⁵⁵

56. Furthermore, the country team noted that, since unequal access to land was a barrier to the development of profitable productive activities, the ILO Committee of Experts had encouraged the Government to intensify its efforts to combat discrimination, especially with regard to rural women's access to productive inputs. In highly saturated areas, women faced discrimination in access to land. Progress was also needed to ensure that women living in rural areas enjoyed their rights in other domains, including health, education, transportation, food and social protection.⁵⁶

57. As for the empowerment of women, the country team shared the view of the ILO Committee of Experts, which had welcomed the measures taken to build the professional capacity of women and girls and the results obtained in that regard. The State had adopted a national strategy for the economic empowerment of women, a policy to develop women's leadership in information and communications technologies under the "Senegal Digital 2025" strategy, and the second priority action plan for the implementation of the National Equity and Gender Equality Strategy. The country team recommended that Senegal should continue to implement those strategies by taking a rigorous approach to monitoring and evaluation with the aim of eliminating disparities between women and men in the political, economic and social spheres.⁵⁷

58. The Human Rights Committee recommended repealing any provision contrary to the principle of gender equality, in particular in the Family Code, including provisions on paternal authority, polygamy, inheritance rights, choice of family home, the waiting period for women wishing to remarry after divorce and consent to marriage.⁵⁸

59. The same Committee also recommended strictly enforcing Act No. 99-05 of 29 January 1999, containing provisions on the prohibition of female genital mutilation, by ensuring that practitioners were prosecuted and convicted, and considering revising article 320 of the Criminal Code to specifically include marital rape in order to remove any ambiguity as to the scope of that provision.⁵⁹

60. The Committee on the Rights of Persons with Disabilities recommended that Senegal take note of its general comment No. 3 (2016) on women and girls with disabilities in its implementation of Sustainable Development Goal 5 and adopt measures aimed at the empowerment and inclusion of women and girls with disabilities in all spheres of life and

geared towards addressing multiple and intersectional forms of discrimination, in particular in education, employment and health-care services, including services relating to HIV/AIDS.⁶⁰

2. Children

61. The country team noted that the Children's Code had yet to be adopted because some subjects were deemed to be sensitive. The need to adopt a Children's Code in line with international standards remained absolutely relevant.⁶¹

62. The country team noted that the recommendation concerning the plan to combat child marriage and the need to amend the Family Code had been partially implemented. The recommendation to raise the minimum marriage age had not been implemented and remained relevant. Additional efforts were needed to ensure that the national plan was implemented in practice and that the minimum marriage age was raised so as to better protect the right of children, especially girls, not to be married early. The country team emphasized the importance of ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.⁶²

63. The country team indicated that it shared the concern of the ILO Committee of Experts regarding the persistent economic exploitation of talibé children. The Committee of Experts had estimated that more than 100,000 talibé children had been forced to beg in 2019. The country team noted that the Committee on Economic, Social and Cultural Rights had been of the view that there were serious failings in the application of relevant laws, for example in relation to the investigation, prosecution and conviction of persons who violated the laws in force regarding talibé children and to the identification, removal and social reintegration of talibé children who were victims of forced begging. The Committee had noted with concern the absence of specific measures to effectively enforce national legislation criminalizing forced begging and the exploitation of children.⁶³

64. The Committee against Torture recommended that Senegal operate a coordinated system of care for talibé children, in order to protect them from exploitation and abuse, establish a monitoring and follow-up mechanism to prevent repeat offences and conduct awareness-raising campaigns on children's rights, trafficking, forced begging and sexual abuse of children in schools.⁶⁴

65. The Human Rights Committee recommended that Senegal tackle the causes of infanticide, in particular through awareness-raising and information for women on sexual and reproductive health and the provision of psychosocial support for the women concerned. Senegal should take prompt and vigorous measures to protect the right to life of newborns and ensure that all perpetrators of infanticide, and those who induced women to commit infanticide, were brought to justice.⁶⁵

66. The Committee on Economic, Social and Cultural Rights reiterated the recommendations by the Committee on the Rights of the Child, the Committee against Torture and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to send a strong signal of the political will to end the practice of forced child begging and allow associations to sue for damages in criminal proceedings to contribute towards combating impunity for those forms of exploitation.⁶⁶

67. The Committee on the Rights of Persons with Disabilities recommended that Senegal adopt measures to combat the stigmatization of children with disabilities and to ensure that they had access to social and health-care services and an inclusive quality education system, on an equal basis with other children.⁶⁷

3. Persons with disabilities

68. The country team acknowledged some of the efforts made to promote the inclusion of persons with disabilities and allow them to fully enjoy their rights; it underlined, however, that the act on social policy adopted in 2010 had yet to be implemented and that disability remained one of the main grounds for discrimination.⁶⁸

69. Furthermore, the country team was of the opinion that the new transportation infrastructure did not sufficiently take into account the needs of persons with disabilities and

that the situation in rural areas was particularly serious. It regretted that the situation had worsened due to the convergence of multiple factors for discrimination.⁶⁹

70. The country team noted that challenges remained in the area of inclusive education, including a lack of data on children with disabilities, a lack of measures in most schools to facilitate access for students with mental, motor and especially visual disabilities, a lack of appropriate training for teachers, stigmatization, which caused children with disabilities to be bullied or marginalized, and a lack of appropriate transportation and infrastructure.⁷⁰

71. The country team noted that, since 2019, the United Nations Children's Fund (UNICEF) had supported the Ministry of Education in holding consultations to develop a policy on inclusive and special education for children with disabilities. As a result, a policy paper had been prepared and an inclusive education strategy was being developed.⁷¹

4. Lesbian, gay, bisexual, transgender and intersex persons

72. Concerning the protection and security of sexual minorities, the country team noted a rise in hate speech and sustained aggression, including physical assault. For instance, in 2021, a social movement, the Association for the Preservation of Values, had suggested to the parliamentary opposition of the thirteenth legislature that it should put forward a bill criminalizing homosexuality. The country team recalled the statement by the Human Rights Committee that it was concerned about incitement to hatred and violence in the media, particularly by public figures, directed against persons belonging to sexual or gender minorities and defenders of their rights. The Committee had also been concerned about allegations of arbitrary arrest, violations of the right to privacy, harassment and violence, including by law enforcement officials. It should be noted that the bill had been blocked by the office of the outgoing President of the National Assembly.⁷²

5. Migrants, refugees and asylum-seekers

73. The Committee against Torture recommended that the legislation governing asylum, extradition and expulsion of undocumented migrants explicitly recognize the principle of non-refoulement and that migration legislation and regulations allow for detention for migration-related reasons only as a measure of last resort, after all other alternatives had been duly considered and exhausted, in keeping with the principles of necessity and proportionality, and for as short a period as possible.⁷³

74. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Senegal further strengthen the ongoing efforts to raise awareness about the validity of refugee identity cards for accessing State and non-State services, ensure that refugees could fully exercise their socioeconomic rights in practice and facilitate the renewal of refugee cards, including by considering the possibility of refugee cards being renewed in the same offices where national identity cards were issued.⁷⁴

75. The country team commended Senegal for adopting Act No. 21/2021 on the status of refugees and stateless persons with the aim of ensuring that refugees and stateless persons received effective social and legal protection. The Act, based on international treaties, envisaged the set-up of a mechanism responsible for providing refugees and stateless persons with legal and administrative protection. The Office of the United Nations High Commissioner for Human Rights had recommended adopting a human-rights-based approach to ensure the effectiveness of the mechanism.⁷⁵

76. The country team acknowledged the efforts of Senegal to formulate a national migration policy and to establish bilateral cooperation agreements with other States to enhance cooperation on labour mobility and the protection of migrant workers. The country team called on the Government to officially adopt a human-rights-based policy in that domain in line with international standards.⁷⁶

77. The country team noted that, in 2020, the Government had set up the Interministerial Committee to Combat Irregular Migration to strengthen the institutional framework. The country team encouraged Senegal to take an inclusive approach by mobilizing government departments, local authorities and development partners to properly manage migration. The

country team welcomed the commitment of Senegal to strengthen its institutional response to human rights challenges arising from migration.⁷⁷

6. Stateless persons

78. UNHCR recommended that adequate safeguards against statelessness be put in place, including granting nationality at birth to all children (irrespective of their age) on the territory who would otherwise be stateless, and further strengthen efforts to enhance the availability of birth registration services, with particular consideration for migrants, refugees, internally displaced persons, nomadic and border populations and other minorities and groups living in remote areas.⁷⁸

Notes

- 1 [A/HRC/40/5](#) and [A/HRC/40/2](#).
- 2 United Nations country team submission for the universal periodic review of Senegal, p. 2.
- 3 *Ibid.*
- 4 *Ibid.*
- 5 *Ibid.*
- 6 [CCPR/C/SEN/CO/5](#), para. 7.
- 7 [E/C.12/SEN/CO/3](#), para. 7.
- 8 [CAT/C/SEN/CO/4](#), para. 26 (a).
- 9 United Nations country team submission, p. 2.
- 10 *Ibid.*, p. 3.
- 11 [CCPR/C/SEN/CO/5](#), para. 11 (a) and (b).
- 12 *Ibid.*, para. 15 (a).
- 13 [CRPD/C/SEN/CO/1](#), para. 8 (a) and (b).
- 14 United Nations country team submission, p. 3.
- 15 *Ibid.*
- 16 *Ibid.*
- 17 *Ibid.*, pp. 3 and 4.
- 18 *Ibid.* p. 4.
- 19 [CCPR/C/SEN/CO/5](#), para. 29 (a).
- 20 [CAT/C/SEN/CO/4](#), para. 20 (a).
- 21 [CRPD/C/SEN/CO/1](#), para. 18.
- 22 [CCPR/C/SEN/CO/5](#), para. 27.
- 23 United Nations country team submission, p. 4.
- 24 *Ibid.*
- 25 *Ibid.*, p. 5.
- 26 [CCPR/C/SEN/CO/5](#), para. 39 (a).
- 27 [CRPD/C/SEN/CO/1](#), para. 24 (a) and (d).
- 28 [CAT/C/SEN/CO/4](#), para. 10 (a).
- 29 *Ibid.*, para. 14 (e).
- 30 UNESCO submission for the universal periodic review of Senegal, para. 17.
- 31 *Ibid.*, para. 18.
- 32 [CCPR/C/SEN/CO/5](#), para. 47.
- 33 United Nations country team submission, p. 7.
- 34 *Ibid.*, p. 5.
- 35 [E/C.12/SEN/CO/3](#), para. 20 (a) and (b).
- 36 [CRPD/C/SEN/CO/1](#), para. 46 (a) and (c).
- 37 [E/C.12/SEN/CO/3](#), para. 29.
- 38 UN-Habitat submission for the universal periodic review of Senegal, pp. 2 and 3.
- 39 *Ibid.*, p. 3.
- 40 United Nations country team submission, p. 5.
- 41 *Ibid.*, pp. 5 and 6.
- 42 *Ibid.*, p. 6.
- 43 *Ibid.*
- 44 *Ibid.*
- 45 [E/C.12/SEN/CO/3](#), para. 33 (c).
- 46 UNESCO submission, para. 16.
- 47 [E/C.12/SEN/CO/3](#), para. 42 (a) and (b).
- 48 *Ibid.*, para. 44 (a).
- 49 United Nations country team submission, p. 8.

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- 50 Ibid.
51 Ibid.
52 Ibid.
53 Ibid.
54 Ibid., pp. 8 and 9.
55 Ibid., p. 9.
56 Ibid.
57 Ibid.
58 [CCPR/C/SEN/CO/5](#), para. 13 (b).
59 Ibid., para. 17 (c) and (d).
60 [CRPD/C/SEN/CO/1](#), para. 10.
61 United Nations country team submission, p. 9.
62 Ibid.
63 Ibid.
64 [CAT/C/SEN/CO/4](#), para. 32 (a) and (e).
65 [CCPR/C/SEN/CO/5](#), para. 21.
66 [E/C.12/SEN/CO/3](#), para. 27.
67 [CRPD/C/SEN/CO/1](#), para. 12 (a).
68 United Nations country team submission, p. 10.
69 Ibid.
70 Ibid.
71 Ibid.
72 Ibid.
73 [CAT/C/SEN/CO/4](#), para. 34 (a) and (c).
74 UNHCR submission for the universal periodic review of Senegal, p. 2.
75 United Nations country team submission, p. 11.
76 Ibid.
77 Ibid.
78 UNHCR submission, p. 3.
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