

SÉNÉGAL :

LES DROITS HUMAINS ENTRE

RÉGRESSION ET RÉPRESSION

COMMUNICATION D'AMNESTY INTERNATIONAL POUR LA 45^E SESSION DU GROUPE DE TRAVAIL SUR
L'EXAMEN PÉRIODIQUE UNIVERSEL, JANVIER-FÉVRIER 2024
(ANNEXES ET NOTES EN ANGLAIS)

RÉSUMÉ

La présente communication a été rédigée en vue de l'examen périodique universel (EPU) du Sénégal, qui se tiendra en janvier-février 2024. Amnesty International y évalue la mise en œuvre des recommandations faites au Sénégal lors de son précédent EPU, notamment concernant la liberté de la presse et la liberté d'expression, les droits des femmes et des filles, le recours excessif à la force et les droits des enfants.

Ce document examine également le cadre national de protection des droits humains notamment la révision du Code pénal qui introduit de nouvelles infractions utilisant la définition des actes terroristes susceptibles d'entraver le droit à la liberté d'expression et de conduire à des détentions arbitraires.

En ce qui concerne la situation des droits humains en pratique, Amnesty International est vivement préoccupée par l'aggravation des violations des libertés d'expression et de réunion pacifique, le recours excessif à la force de la part des forces de défense et de sécurité, ainsi que par des violations des droits des femmes et des filles, des enfants, et des lesbiennes, des gays et des personnes bisexuelles, transgenres ou intersexes (LGBTI).

La présente communication se termine par une série de recommandations à l'intention du Sénégal qui, si elles étaient mises en œuvre, contribueraient à améliorer la situation des droits humains dans le pays.

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Amnesty International est un mouvement mondial réunissant plus de 10 millions de personnes qui agissent pour que les droits fondamentaux de chaque personne soient respectés.

La vision d'Amnesty International est celle d'un monde où chacun-e peut se prévaloir de tous les droits énoncés dans la Déclaration universelle des droits de l'homme et dans d'autres textes internationaux relatifs aux droits humains.

Essentiellement financée par ses membres et les dons de particuliers, Amnesty International est indépendante de tout gouvernement, de toute tendance politique, de toute puissance économique et de tout groupement religieux.

LE PRÉCÉDENT EXAMEN ET SES SUITES

1. Dans le cadre de son troisième EPU, 257 recommandations avaient été formulées à l'intention du Sénégal par 107 pays. Il en avait accepté 229 et avait pris note de 28 autres recommandations.¹
2. Le Sénégal s'était engagé à finaliser le processus d'adoption de lois visant à protéger les droits des enfants², ainsi qu'à modifier son Code de la famille afin d'abroger ses dispositions discriminatoires à l'égard des femmes.³ Il s'était également engagé à appliquer les recommandations relatives à la liberté d'expression et à la protection des journalistes.⁴
3. Bien qu'il ait accepté plusieurs recommandations en ce sens, le Sénégal n'a pas adopté de loi visant à réorganiser et à moderniser l'enseignement coranique⁵, ni adopté de Code de l'enfant.⁶ Le projet de loi portant statut du « daara » adopté en Conseil des ministres en 2018 n'a toujours pas été soumis pour examen à l'Assemblée nationale du fait de pressions exercées sur le gouvernement par certains groupes d'intérêt.⁷
4. En outre, le Sénégal n'a pas respecté ses engagements visant à modifier son Code de la famille et à supprimer certaines de ses dispositions discriminatoires à l'égard des femmes.⁸
5. Bien qu'il ait accepté plusieurs recommandations visant à éliminer des restrictions injustifiées pesant sur les droits humains, notamment en matière de liberté d'expression et de liberté de la presse⁹, le Sénégal n'a pas modifié les dispositions légales prévoyant des peines de prison en cas de diffamation, de diffusion de fausses nouvelles et d'offense au chef de l'État.
6. Malheureusement, le Sénégal s'était contenté de prendre note de 28 recommandations, notamment en ce qui concerne le respect des droits des personnes LGBTI¹⁰, la mise en conformité de sa législation nationale avec le Protocole de Maputo en vue de légaliser l'avortement médical en cas de viol ou d'inceste¹¹, ainsi que l'abrogation des articles 152 et 277 de son Code de la famille qui attribuent respectivement la puissance maritale et la puissance paternelle au mari seulement.¹²

LE CADRE NATIONAL DE PROTECTION DES DROITS HUMAINS

7. Le 25 juin 2021, l'Assemblée nationale a adopté une loi antiterroriste¹³ dont les dispositions constituent une menace pour les droits aux libertés d'expression et de réunion pacifique. Les « actes terroristes » y sont définis de manière large et incluent des actes susceptibles de « troubler gravement l'ordre public », « l'association de malfaiteurs » et les « infractions liées aux technologies de l'information et de la communication », tous passibles de la réclusion à perpétuité.¹⁴ Cela représente une menace sans précédent pour la liberté d'expression, aussi bien en ligne que hors ligne, et le droit de réunion pacifique.
8. Le 10 janvier 2020, le Sénégal a promulgué une loi érigeant le viol et la « pédophilie » en infractions pénales¹⁵, mais n'évoquant pas le viol conjugal. Le refus du gouvernement d'autoriser les ONG à intenter des procès au nom des victimes de violences domestiques ou sexuelles entrave également la capacité des organisations à apporter un soutien rapide et efficace à ces personnes.
9. En outre, le Sénégal n'a pas abrogé l'arrêté ministériel de 2011 interdisant les « manifestations de nature politique » dans le centre de Dakar, et ce malgré la décision de la Cour de justice de la CEDEAO qui a jugé qu'il violait les droits aux libertés d'expression et de réunion pacifique.¹⁶
10. Le cadre juridique du Sénégal sur l'usage de la force et des armes à feu (article 13 de la Loi relative aux réunions, article 92 du Code pénal et article 1 de la Loi relative au régime général des armes et des munitions) dans le cadre des opérations de maintien de l'ordre n'est pas conforme aux Principes de base sur le recours à la force et l'utilisation des armes à feu des Nations unies.

LA SITUATION DES DROITS HUMAINS EN PRATIQUE

Liberté d'expression et liberté de la presse

11. Des chaînes de télévision ont été suspendues, des signaux coupés et l'accès à Internet et aux réseaux sociaux restreint lorsque de violentes manifestations ont éclaté à la suite de la condamnation d'Ousmane Sonko, figure de l'opposition, à deux ans d'emprisonnement le 1^{er} juin 2023 pour « corruption de la jeunesse ». Le signal de la chaîne de télévision Walf TV a été coupé sans préavis par le ministère de la Communication, des Télécommunications et de l'Économie numérique du 1^{er} juin au 1^{er} juillet 2023¹⁷, mettant ainsi fin à la retransmission de tous les programmes de la chaîne dans le pays alors qu'elle couvrait les manifestations. Il s'agissait de la troisième décision unilatérale de suspension de diffusion contre Walf TV depuis mars 2021.¹⁸ Entre le 4 et le 6 juin 2023, les autorités ont décidé de suspendre l'accès à Internet *via* les données mobiles. L'accès aux réseaux sociaux a également été restreint entre le 2 et le 7 juin 2023.¹⁹
12. Des journalistes et des militant-e-s ont été arrêtés arbitrairement, notamment pour diffamation et diffusion de fausses nouvelles, ce qui a conduit à des détentions provisoires et des peines d'emprisonnement contraires au droit international relatif aux droits humains.
13. Le directeur de DakarMatin, Pape Alé Niang, a été arrêté en novembre 2022 puis inculpé le mois suivant de « recel et publication de documents militaires sans autorisation de la hiérarchie de nature à nuire à la défense nationale », d'« appel à la subversion » et de « diffusion de fausses nouvelles susceptibles de discréditer les institutions publiques ». Il a été remis en liberté provisoire en janvier 2023.²⁰ Il avait publié une vidéo dans laquelle il relayait le contenu d'un rapport interne de la gendarmerie nationale sur l'affaire de viol mettant en cause Ousmane Sonko.
14. Le 7 mars 2023, après avoir affirmé sur le plateau de Walf TV que 19 substituts du procureur s'opposaient au renvoi en jugement (chambre criminelle) de l'affaire de viol mettant en cause Ousmane Sonko, le journaliste Pape Ndiaye a été arrêté et placé en détention pour « diffusion de fausses nouvelles », « outrage à magistrat », « provocation d'un attroupement », « intimidation et représailles contre des membres de la justice », « discours portant discrédit sur un acte juridictionnel » et « mise en danger de la vie d'autrui ». ²¹ Il a été remis en liberté provisoire le 21 juin 2023.²²
15. En mai 2023, Serigne Saliou Gueye, directeur de publication du quotidien Yoor-Yoor et chroniqueur pour Sen TV, a été arrêté après la publication dans son journal d'un article critique à l'égard des magistrats du procès d'Ousmane Sonko. L'article en question faisait suite à la décision judiciaire rendue dans une affaire de diffamation visant Ousmane Sonko. Il a été inculpé de « publication d'écrits de nature à jeter le discrédit sur les actes ou décisions juridictionnels », « diffusion de fausses nouvelles de nature à jeter le discrédit sur les institutions publiques » et « usurpation de la fonction de journaliste ». ²³ Il a été libéré à titre provisoire le 21 juin 2023.

Usage excessif de la force et détention arbitraire

16. Depuis le dernier examen, le recours excessif à la force pour réprimer les manifestations a persisté ; des manifestant-e-s pacifiques ont fait souvent l'objet de détentions arbitraires. Entre mars 2021 et juin 2023, au moins 45 personnes ont été tuées dans le cadre d'opérations de maintien de l'ordre lors de manifestations au Sénégal, et au moins 1 000 ont été blessées.
17. En février 2021, les autorités sénégalaises ont arrêté arbitrairement plusieurs personnalités de l'opposition et de la société civile qui avaient critiqué l'attitude du gouvernement dans l'affaire pénale mettant en cause Ousmane Sonko. Parmi les personnes arrêtées figuraient des membres du parti politique Pastef, notamment Birame Souleye Diop et Abbas Fall, accusés d'« association de malfaiteurs, complicité de diffusion de contenus contraires aux bonnes mœurs, menace de voie de fait et violence ». Dix-sept militantes de Pastef ont également été arrêtées et incarcérées à la prison de Rebeuss bien que n'étant inculpées d'aucune infraction pénale. Elles ont toutes été libérées en avril 2021.²⁴

18. Durant les manifestations violentes qui ont éclaté en mars 2021 à la suite de l'arrestation arbitraire d'Ousmane Sonko, 14 personnes ont été tuées, dont 12 par balle, et au moins 600 autres ont été blessées. Au mois de juin 2023, aucune partie civile n'avait été entendue par la justice malgré l'annonce par les autorités en avril 2021 de la création d'une commission d'enquête.²⁵
19. En juin 2022, à Ziguinchor et à Bignona, les forces de sécurité ont ouvert le feu sur des manifestant-e-s, tuant deux hommes : Idrissa Goudiaby, chauffeur de taxi, et Albert « Abdoulaye » Diatta. Le rapport de l'autopsie initiale d'Idrissa Goudiaby faisait état d'une mort violente par « choc hémorragique à la suite d'une plaie pénétrante du cou causée par une arme blanche contondante et tranchante comme une hache ou un sabre ». Une deuxième autopsie a permis d'établir que le décès était dû à des blessures par balle, ce qui corroborait les déclarations des témoins.²⁶
20. En mai 2023, des habitant-e-s de la commune de Ngor, dans la région de Dakar, ont manifesté pour dénoncer l'attribution d'un terrain à la gendarmerie alors qu'ils désiraient y bâtir un lycée. Selon des témoins interrogés par Amnesty International et les médias, une jeune fille de 15 ans, Adjil Diallo, a été tuée par balle lors de ces manifestations. Dans le cadre des opérations de maintien de l'ordre lors des manifestations, des gendarmes ont été vus en train de tirer sur des manifestant-e-s en réponse à des jets de pierre lancés de loin. Ils ont également aspergé des manifestant-e-s et des habitant-e-s de gaz lacrymogène dans des espaces confinés. Plusieurs vidéos visionnées par Amnesty International montrent des gendarmes frapper des personnes interpellées et menottées et utiliser des individus comme boucliers humains pour se frayer un chemin à travers un quartier où la circulation est entravée par des barricades.²⁷
21. En mai 2023, Aliou Sané, coordonnateur du mouvement Y'en a Marre et membre de la plateforme des Forces Vives de la Nation (F24), a été arrêté à Dakar alors qu'il tentait de rendre visite à Ousmane Sonko, retenu à son domicile sans base légale par les forces de l'ordre. Le lendemain, Aliou Sané a été déféré au Parquet. Il est poursuivi, entre autres, pour participation à une manifestation non déclarée, réunion, et trouble à l'ordre public. Il a été relâché à titre provisoire le 2 juin. Le procureur ayant fait appel de cette décision, il pourrait néanmoins retourner en prison à l'issue de son audience du 18 juillet 2023.²⁸
22. Le 1^{er} juin 2023, de violentes manifestations ont éclaté à Dakar et à Ziguinchor en réaction à la condamnation de l'opposant Ousmane Sonko à une peine de deux ans d'emprisonnement pour « corruption de la jeunesse ». Des policiers ainsi que des personnes armées en civil opérant parfois à leurs côtés ont tiré à balles réelles. Entre le 1^{er} et le 4 juin, au moins 25 personnes ont été tuées et 390 autres ont été blessées, selon la Croix-Rouge sénégalaise. Les forces de l'ordre ont déclaré avoir procédé à plus de 500 arrestations.²⁹

Droits des femmes et des filles

23. Le Code de la famille de 1972 continue de conférer la « puissance maritale et paternelle » (c'est-à-dire la tutelle légale) uniquement aux hommes et désigne le père comme seul chef de famille, ce qui laisse aux femmes moins de droits et d'autorité sur leur ménage et leurs enfants. L'article 152 désigne le père comme chef de la famille. L'article 196 interdit aux femmes et aux enfants de chercher à établir la filiation paternelle.³⁰ En outre, l'article 277 accorde le plein exercice de la « puissance paternelle » au père en sa qualité de « chef de famille ». Les femmes ne peuvent exercer cette « puissance » que dans des conditions très spécifiques énumérées à l'article 277. Au regard des dispositions légales, les femmes divorcées ou ayant eu un enfant hors mariage peuvent être complètement privées de ce droit, et ce malgré le fait qu'en pratique elles exercent bien l'« autorité parentale » en s'occupant de leurs enfants et en subvenant à leurs besoins matériels.
24. L'article 111 du Code de la famille fixe l'âge minimum légal pour contracter un mariage à 16 ans pour les filles contre 18 ans pour les garçons, ce qui entrave le droit des filles à l'égalité dans le mariage. Par ailleurs, l'article 300 du Code pénal ne criminalise pas le mariage d'enfants, sauf lorsque le mari accomplit ou tente d'accomplir l'acte sexuel sur la personne d'un enfant de moins de 13 ans.

Droits des enfants

25. La réponse des pouvoirs publics face au problème de la mendicité forcée des enfants talibés (élèves des écoles coraniques connues sous le nom de daaras³¹) reste insuffisante. L'exploitation économique des enfants talibés à travers la mendicité forcée, qui constitue une forme de traite, les châtiments corporels qu'ils subissent et leurs conditions de vie difficiles violent leurs droits à la vie, à la survie et au développement, leur droit à un niveau de vie suffisant, et leur droit à la santé et à vivre une vie sans aucune forme de violences physiques ou mentales, de négligence ou de mauvais traitements³² Des cas d'enfants battus à mort sont souvent relayés dans les médias, mais peu d'entre eux donnent lieu à des condamnations adéquates.
26. Le 4 juillet 2023, la chambre criminelle du tribunal de grande instance (TGI) de Diourbel a rendu sa décision dans l'affaire mettant en cause le maître coranique Khadim Thioune. Ce dernier avait battu à mort le jeune Abdoulaye Diop, âgé de 10 ans, en janvier 2022. L'autopsie a établi que la victime avait succombé à de multiples traumatismes causés par des coups et blessures infligés à l'aide d'un objet contondant. Bien que le procureur ait demandé la réclusion à perpétuité, en vertu des dispositions prévues par l'article 299 du Code pénal, le verdict rendu par la chambre criminelle du TGI de Diourbel condamnait le maître coranique à cinq ans d'emprisonnement.³³
27. Plusieurs opérations visant à retirer les enfants de la rue se sont soldées par un échec. En effet, des enfants qui étaient censés avoir été définitivement retirés de la rue et ramenés auprès de leur famille continuent à passer de longues heures à mendier dehors. Les fonds alloués à la stratégie nationale de protection de l'enfant sont insuffisants. Par conséquent, le pays ne compte qu'un seul centre d'accueil officiel pour enfants et les comités départementaux de protection de l'enfant (CDPE) ne disposent pas des ressources nécessaires pour fonctionner correctement. Il n'existe toujours pas de statistiques officielles et exhaustives concernant le nombre d'enfants qui mendient dans les rues et les écoles coraniques dans lesquelles ils sont scolarisés.³⁴

Droits des personnes LGBTI

28. Le Code pénal considère toujours les relations consenties entre personnes de même sexe comme une infraction. Le 23 mai 2021, une coalition composée de militant-e-s et d'organisations opposés aux droits des personnes LGBTI a organisé une manifestation pour réclamer que les relations consenties entre personnes de même sexe soient sanctionnées par des peines d'emprisonnement plus lourdes. La proposition soumise par la suite à l'Assemblée nationale a été rejetée.³⁵
29. En octobre 2020, 26 hommes ont été arrêtés pour avoir organisé un mariage entre personnes de même sexe à Dakar.³⁶ Deux des adultes ont été condamnés à six mois d'emprisonnement et cinq autres à trois mois. Les autres personnes concernées, notamment toutes celles âgées de moins de 18 ans, ont été remises en liberté sans inculpation.³⁷

RECOMMANDATIONS À L'ÉTAT SOUMIS À L'EXAMEN

Amnesty International appelle le gouvernement du Sénégal à prendre les mesures suivantes :

Liberté d'expression et liberté de la presse

30. Mettre le droit national sénégalais en conformité avec les normes internationales relatives à la liberté d'expression, notamment en mettant fin aux peines de prison pour diffamation, diffusion de fausses nouvelles et offense au chef de l'État.
31. Adopter une loi relative à la protection des défenseur-e-s des droits humains.

32. Respecter, protéger, promouvoir et réaliser le droit à la liberté d'expression et la liberté de la presse en cessant de couper les signaux de télévision de manière arbitraire et sans voie de recours pour les médias affectés.
33. Cesser de recourir à des mesures disproportionnées et de portée générale dans le cadre du maintien de l'ordre lors de manifestations, telles que l'interruption de l'accès à Internet et aux réseaux sociaux.

Usage excessif de la force et détention arbitraire

34. Mener une enquête judiciaire approfondie, impartiale, indépendante et transparente dans les meilleurs délais sur le recours à la force par les agents des forces de défense et de sécurité durant les manifestations ayant fait des morts depuis mars 2021. Traduire tous les responsables présumés en justice, et garantir l'accès à la justice et des réparations adéquates pour les victimes.
35. Identifier et traduire en justice les civil·e·s armés, membres de ce que les autorités désignent comme des « forces occultes », qui interviennent aux côtés des forces de défense et de sécurité.
36. Mettre le droit national en conformité avec les Principes de base des Nations unies sur le recours à la force et l'utilisation des armes à feu par les responsables de l'application des lois, et les Lignes directrices de la CADHP pour le maintien de l'ordre par les agents chargés de l'application des lois lors des réunions en Afrique.
37. Veiller à ce que les représentant.e.s de l'ordre rendent compte de l'usage qu'ils font de la force ou de leurs armes à feu de manière complète et transparente.
38. Mettre fin à la détention arbitraire et au harcèlement à l'encontre des militant·e·s, journalistes, défenseur·e·s des droits humains et des voix dissidentes, notamment celles critiquant les autorités.
39. Libérer les personnes arrêtées arbitrairement pour avoir exercé pacifiquement leurs droits aux libertés d'expression et de réunion pacifique, et abandonner toutes les charges retenues contre elles.
40. Effectuer une déclaration au titre de l'article 34(6) du Protocole relatif à la Charte africaine des droits de l'homme et des peuples portant création d'une Cour africaine des droits de l'homme et des peuples, qui permettrait aux personnes et aux ONG de s'adresser directement à la Cour lorsque toutes les voies légales prévues par la législation nationale ont été épuisées.

Droits des femmes et des filles

41. Comme recommandé précédemment, modifier le Code de la famille afin d'abroger les articles 152 et 277 qui confèrent respectivement la « puissance maritale » et la « puissance paternelle » aux hommes seulement, et abroger l'article 196 qui interdit la recherche de filiation paternelle.
42. Porter l'âge légal du mariage à 18 ans pour les filles (afin de l'aligner avec celui des garçons), comme le Sénégal s'était déjà engagé à le faire et conformément aux recommandations du Comité pour l'élimination de la discrimination à l'égard des femmes et du Comité des droits de l'enfant.
43. Comme recommandé précédemment et conformément à l'article 14 du Protocole de Maputo, modifier le Code de déontologie médicale de 1972 afin de dépénaliser l'avortement, *a minima* dans les cas où la vie ou la santé de la personne enceinte sont en danger, en cas de malformation fœtale, ou lorsque la grossesse est le résultat d'un viol ou d'un inceste.

Droits des enfants

44. Adopter sans plus tarder le projet de Code de l'enfant et le projet de loi portant statut du « daara » pour garantir la protection effective des enfants.
45. Faire appliquer la Loi n° 2005-06 relative à la lutte contre la traite des personnes et pratiques assimilées et à la protection des victimes, qui érige en infraction pénale le fait d'organiser la mendicité d'autrui à des fins lucratives ; pour ce faire, mener des enquêtes et traduire en justice, dans le cadre de procès conformes aux normes d'équité, les maîtres coraniques et autres personnes soupçonnés de forcer des enfants à mendier.
46. Allouer le budget et les autres ressources nécessaires au renforcement des services de protection de l'enfance, notamment en ce qui concerne leurs capacités opérationnelles en matière d'inspection et la synergie avec les forces de l'ordre et les organes judiciaires.
47. Lancer une campagne nationale contre la mendicité forcée des enfants talibés et impliquer les maîtres coraniques dans sa mise en œuvre.
48. Ratifier le Protocole facultatif se rapportant à la Convention relative aux droits de l'enfant établissant une procédure de présentation de communications.
49. Ratifier le Protocole facultatif se rapportant au Pacte international relatif aux droits économiques, sociaux et culturels afin de permettre aux ONG de déposer des plaintes.

Droits des personnes LGBTI

50. Comme recommandé précédemment, dépenaliser les relations sexuelles consenties entre personnes de même sexe et mettre fin aux arrestations arbitraires des personnes soupçonnées d'avoir des relations de cette nature.
51. Prendre des mesures immédiates pour mettre fin à toute forme de harcèlement à l'encontre des personnes LGBTI en luttant contre les discours de haine et la discrimination fondée sur l'orientation sexuelle, l'identité et l'expression de genre ou les caractéristiques sexuelles, et poursuivre les auteurs présumés de violences fondées sur le genre contre des personnes LGBTI dans le cadre de procès équitables.

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Senegal: Amnesty International calls for independent enquiry into deadly crackdown on protests, 9 June 2023: [amnesty.org/en/latest/news/2023/06/senegal-amnesty-international-demande-une-enquete-independante-sur-la-repression-meurtriere-lors-des-manifestations/](https://www.amnesty.org/en/latest/news/2023/06/senegal-amnesty-international-demande-une-enquete-independante-sur-la-repression-meurtriere-lors-des-manifestations/)

Senegal: The authorities must immediately halt the police violence and restore social media, 2 June 2023, [amnesty.org/en/latest/news/2023/06/senegal-les-autorites-doivent-immEDIATEMENT-arreter-les-violences-policieres-et-retablir-les-reseaux-sociaux/](https://www.amnesty.org/en/latest/news/2023/06/senegal-les-autorites-doivent-immEDIATEMENT-arreter-les-violences-policieres-et-retablir-les-reseaux-sociaux/)

Senegal: Amnesty International denounces excessive use of force in Ngor, 12 May 2023, [amnesty.org/en/latest/news/2023/05/senegal-amnesty-international-denonce-lusage-excessif-de-la-force-a-ngor/](https://www.amnesty.org/en/latest/news/2023/05/senegal-amnesty-international-denonce-lusage-excessif-de-la-force-a-ngor/)

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ANNEX 2

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Theme: A12 Acceptance of international norms			
144.140 Align its legislation with the Maputo Protocol, ratified by Senegal in December 2004 (Canada); Source of position: A/HRC/40/5 - Para. 144	Supported	A12 Acceptance of international norms A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented (see above para 25 and 26 on women and girls' rights)
144.5 Ratify the Rome Statute of the International Criminal Court and the Kampala amendments thereto (Liechtenstein); Source of position: A/HRC/40/5 - Para. 144	Supported	A12 Acceptance of international norms B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented (some of the Kampala amendments are not ratified)
144.3 Abolish the death penalty for all crimes and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Iceland); Source of position: A/HRC/40/5 - Para. 144	Supported	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented (the second optional protocol is not ratified yet)
144.8 Ratify the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) of the International Labour Organization (Madagascar); Source of position: A/HRC/40/5 - Para. 144	Supported	A12 Acceptance of international norms E31 Right to work E32 Right to just and favourable conditions of work G4 Migrants S08 SDG 8 - economic growth, employment, decent work Affected persons: - migrants	Not implemented <u>Ratifications of ILO conventions: Ratifications for Senegal</u>
144.7 Ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189) (Paraguay); Source of position: A/HRC/40/5 - Para. 144	Supported	A12 Acceptance of international norms E32 Right to just and favourable conditions of work S08 SDG 8 - economic growth, employment, decent work Affected persons: - general	Not implemented <u>Ratifications of ILO conventions: Ratifications for Senegal</u>
144.183 Continue the process and initiatives aiming at ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Benin); Source of position: A/HRC/40/5 - Para. 144	Supported	A12 Acceptance of international norms F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented <u>tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=153&Lang=EN</u>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.184 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Gabon); Source of position: A/HRC/40/5 - Para. 144	Supported	A12 Acceptance of international norms F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=153&Lang=EN
Theme: A22 Cooperation with treaty bodies			
144.213 Seek support from the international community to implement the Children's Code and to provide technical assistance and capacity-building for the appropriate training of Senegalese teachers (Mauritius); Source of position: A/HRC/40/5 - Para. 144	Supported	A22 Cooperation with treaty bodies S04 SDG 4 - education S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 3 above
Theme: A3 Inter-State cooperation & development assistance			
144.174 Adopt the draft Children's Code while ensuring its compliance with the provisions of international human rights instruments, and take appropriate measures, including seeking technical assistance from the international community for its effective implementation (Afghanistan); Source of position: A/HRC/40/5 - Para. 144	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions S17 SDG 17 - partnerships Affected persons: - children	Not implemented See para 3 above
Theme: A41 Constitutional and legislative framework			
144.109 Adopt complementary legislative and policy measures in order to effectively implement legislation on reproductive health (Honduras); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework A42 Institutions & policies - General E41 Right to health - General E43 Access to sexual and reproductive health and services S03 SDG 3 - health Affected persons: - general	Not implemented
144.37 Enact legislation to bring the Senegalese Human Rights Committee into full compliance with the Paris Principles (Australia); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented <u>Membership - GANHRI</u>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>144.194 Adopt a national action plan to end child marriage and amend the Family Code and the Criminal Code to raise the minimum age of marriage to 18 years for both boys and girls (Chile);</p> <p>Source of position: A/HRC/40/5 - Para. 144</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>A46 National Plans of Action on Human Rights (or specific areas)</p> <p>D8 Rights related to marriage & family</p> <p>F31 Children: definition; general principles; protection</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children - girls 	<p>Partially implemented (a national action plan exists but the minimum legal age for marriage is still 16 for girls) See para 24</p>
<p>144.90 Step up efforts to combat trafficking in persons, especially women and children, including improving the relevant legislation and law enforcement practices to prevent child sex tourism, begging and forced child labour (Belarus);</p> <p>Source of position: A/HRC/40/5 - Para. 144</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D27 Prohibition of slavery, trafficking</p> <p>F1 Women</p> <p>F33 Children: protection against exploitation</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children 	<p>Partially implemented (legislation to combat trafficking exists but not very effective in the case of child begging for instance). See paras 25-27</p>
<p>144.209 Implement existing laws on child begging, child trafficking and child, early and forced marriage, ensuring sufficient funding is made available (United Kingdom of Great Britain and Northern Ireland);</p> <p>Source of position: A/HRC/40/5 - Para. 144</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D27 Prohibition of slavery, trafficking</p> <p>S01 SDG 1 - poverty</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children 	<p>Not implemented</p> <p>See paras 24-27</p>
<p>144.214 Speed up the adoption of the Children's Code and implement national legislation that penalizes forced begging, trafficking in persons, and sexual and labour exploitation of minors (Spain);</p> <p>Source of position: A/HRC/40/5 - Para. 144</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D27 Prohibition of slavery, trafficking</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children 	<p>Not implemented</p> <p>See paras 3, 25-27</p>
<p>144.81 Bring national legislation into line with international norms on freedom of expression, including decriminalization of press offences (France);</p> <p>Source of position: A/HRC/40/5 - Para. 144</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media 	<p>Not implemented</p> <p>See paras 5 and 7</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.119 Conclude the process of adopting the draft law to reorganize Qur'anic schools – the daaras – and make them into modern schools (Togo); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework E51 Right to education - General S04 SDG 4 - education Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented See para 3
144.120 Consider the adoption of the law that modernizes Qur'anic schools (daaras) and integrates them into the main education system (Peru); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework E51 Right to education - General S04 SDG 4 - education Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not implemented See para 3
144.138 Strengthen its legal framework for the promotion and protection of women's rights and gender equality, including by ensuring that its legislation is in line with the definition of discrimination in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (Rwanda); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented (on strengthening the legal framework, the 2020 law criminalizes rape but the definition of discrimination as per Article 1 of CEDAW is still not introduced) See para 8
144.157 Continue efforts to increase the participation of women in decision-making, including by applying provisions for gender parity in appointed positions and in existing legislation (Maldives); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented (only one quarter of the government posts are held by women and among the 559 localities, only 15 are led by women) <u>Equal measures 2030</u>
144.211 Continue efforts to promote and protect children's rights, including the process of drafting the Children's Code and the plan for the removal of street children, and ensure that current national laws criminalize forced begging for economic gain and the physical abuse of children (State of Palestine); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework F31 Children: definition; general principles; protection F33 Children: protection against exploitation S01 SDG 1 - poverty S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (see above paras 25 - 27)

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.185 Ensure the effective implementation of child protection legislation, in particular by giving child protection agencies a clear mandate, authority and sufficient resources (Albania); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
144.192 Take the measures necessary to establish, in national legislation, a minimum age of 18 years to contract marriage for both girls and boys (Argentina); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children - girls	Not implemented See para 24
144.199 Criminalize child marriage (Argentina); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 24
144.158 Continue and strengthen all initiatives and actions aimed at generalizing the gender balance provided for in its legislation (Comoros); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented (Law on parity is not effective)
144.28 Maintain the positive dynamics of aligning national legislation with international instruments (Azerbaijan); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented (The Family Code, the Code of Medical Ethics and the legislation on children and the Criminal Code are still not fully aligned with international norms)
144.175 Consolidate the efforts made to include in the legislative process, the adoption of the draft Children's Code that has already been validated (Cameroon); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 3

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.219 Take the measures necessary to harmonize national legislation so that the use of talibe children for economic exploitation is categorized as a crime, in accordance with article 245 of the Criminal Code and Act No. 2005-06 (Paraguay); Source of position: A/HRC/40/5 - Para. 144	Supported	A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 3 and 25-27
Theme: A42 Institutions & policies - General			
144.171 Continue efforts to align national laws with international human rights as regards women and children (Oman); Source of position: A/HRC/40/5 - Para. 144	Supported	A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - children	Partially implemented (the Family Code still has provisions which discriminate against women and the Children's Code is yet to be adopted) See para 3 and 23-24
Theme: A43 Human rights policies			
144.14 Continue efforts to develop national laws aligned with international human rights instruments (Lebanon); Source of position: A/HRC/40/5 - Para. 144	Supported	A43 Human rights policies S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented (the Family Code still has provisions which discriminate against women and the Children's Code is yet to be adopted) See para 3 and 23-24
Theme: A45 National Human Rights Institution (NHRI)			
144.17 Establish a national human rights commission (Ukraine); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented. The NHRC is not fully compliant with the Paris Principles. Membership - GANHRI
144.31 Continue the measures to support the national human rights institutions and strengthen the financial and administrative autonomy of the Senegalese Human Rights Committee (Pakistan); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented The NHRC is not fully compliant with the Paris Principles. Membership - GANHRI

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.36 Intensify efforts to regain the A status of the Senegalese Human Rights Committee by bringing it into line with the Paris Principles (Sierra Leone); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented The NHRC is not fully compliant with the Paris Principles. Membership - GANHRI
144.38 Ensure that the Senegalese Human Rights Committee complies with all of the Paris Principles, including by providing it with adequate funding and ensuring guarantees of independence and pluralism (Canada); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented The NHRC is not fully compliant with the Paris Principles. Membership - GANHRI
144.39 Continue the efforts to ensure the proper functioning and full independence of the Senegalese Human Rights Committee, in conformity with the Paris Principles (Djibouti); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented The NHRC is not fully compliant with the Paris Principles. Membership - GANHRI
144.40 Bring the Senegalese Human Rights Committee into compliance with the Paris Principles (France); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented The NHRC is not fully compliant with the Paris Principles. Membership - GANHRI
144.43 Bring the Senegalese Human Rights Committee fully into line with the Paris Principles (Togo); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented The NHRC is not fully compliant with the Paris Principles. Membership - GANHRI
144.44 Continue the review of the draft law to reform the human rights institution so as to bring it into line with the Paris Principles (Tunisia); Source of position: A/HRC/40/5 - Para. 144	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented The NHRC is still not fully compliant with the Paris Principles. Membership - GANHRI
Theme: A46 National Plans of Action on Human Rights (or specific areas)			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.193 Take measures to implement effectively the national action plan to eliminate child marriage and increase to 18 years the minimum age of marriage (Democratic Republic of the Congo); Source of position: A/HRC/40/5 - Para. 144	Supported	A46 National Plans of Action on Human Rights (or specific areas) F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 24
Theme: D26 Conditions of detention			
144.85 Ensure that journalists and media workers can freely exercise their rights to freedom of expression without fear of reprisals, detention, intimidation, threats or harassment (Sweden); Source of position: A/HRC/40/5 - Para. 144	Supported	D26 Conditions of detention D43 Freedom of opinion and expression Affected persons: - media	Not implemented See paras 11 - 15
Theme: D27 Prohibition of slavery, trafficking			
144.200 Ensure the full implementation of the Convention on the Rights of the Child, especially in the areas of education, juvenile justice, child trafficking and child labour (Switzerland); Source of position: A/HRC/40/5 - Para. 144	Supported	D27 Prohibition of slavery, trafficking E51 Right to education - General F31 Children: definition; general principles; protection F33 Children: protection against exploitation F34 Children: Juvenile justice S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (the issue of child trafficking and child labor are still insufficiently addressed as children are still seen begging in the streets and the 2005 law on trafficking is poorly implemented). See paras 25-27
144.208 Adopt measures aimed at the protection of the rights of talibe children and combat trafficking, exploitation, forced begging and all other forms of violence and discrimination regarding talibe children, including in the context of Qur'anic schools, as well as initiating inquiries and pursuing the perpetrators of such acts (Portugal); Source of position: A/HRC/40/5 - Para. 144	Supported	D27 Prohibition of slavery, trafficking E51 Right to education - General F31 Children: definition; general principles; protection S04 SDG 4 - education S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (see above para 26 and 27)
144.204 Enforce national laws that prohibit the use of children for begging, child trafficking and child abuse (Sweden); Source of position: A/HRC/40/5 - Para. 144	Supported	D27 Prohibition of slavery, trafficking S01 SDG 1 - poverty S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 25-27

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Theme: D42 Freedom of thought, conscience and religion			
144.122 Conduct regular and effective inspections of all public schools, including religious schools, to ensure that national standards concerning the content and quality of education, infrastructure and fair treatment are met (Germany); Source of position: A/HRC/40/5 - Para. 144	Supported	D42 Freedom of thought, conscience and religion E51 Right to education - General S04 SDG 4 - education Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Partially implemented (only public schools are inspected, most religious schools [daaras] operate informally).
Theme: D43 Freedom of opinion and expression			
144.82 Amend the legal provisions that limit freedom of expression indefinitely, in accordance with international and regional human rights norms and commitments accepted by Senegal during the previous review cycle (Chile); Source of position: A/HRC/40/5 - Para. 144	Supported	D43 Freedom of opinion and expression Affected persons: - media	Not implemented See paras 5, 7, and 9
144.83 Redouble efforts to guarantee the freedom of expression and opinion (Peru); Source of position: A/HRC/40/5 - Para. 144	Supported	D43 Freedom of opinion and expression Affected persons: - media	Not implemented See paras 5, 7, 9 and 11-15
144.84 Respect freedom of opinion and expression in accordance with international law and national law (Sweden); Source of position: A/HRC/40/5 - Para. 144	Supported	D43 Freedom of opinion and expression Affected persons: - media	Not implemented See paras 5, 7, 9 and 11-15
144.86 Ensure that journalists are free to exercise their right to freedom of expression, conduct prompt, thorough, impartial, and effective investigations into all cases of assault, harassment and intimidation of journalists and bring to justice the perpetrators of these offences (Greece); Source of position: A/HRC/40/5 - Para. 144	Supported	D43 Freedom of opinion and expression Affected persons: - media	Not implemented See paras 5, 7, 9 and 11-15
Theme: D8 Rights related to marriage & family			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.50 Review the Family Code to eliminate discrimination against women (Republic of Korea); Source of position: A/HRC/40/5 - Para. 144	Supported	D8 Rights related to marriage & family F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented See paras 4, 23-24
144.181 Repeal article 285 of the Family Code, which tolerates physical violence against children in the form of reprimand and punishment (Bangladesh); Source of position: A/HRC/40/5 - Para. 144	Supported	D8 Rights related to marriage & family F32 Children: family environment and alternative care S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented Senegal Global Initiative to End All Corporal Punishment of Children (endcorporalpunishment.org)
144.205 Continue to strengthen efforts to combat child poverty and address regional disparities in child poverty (Maldives); Source of position: A/HRC/40/5 - Para. 144	Supported	E21 Right to an adequate standard of living - general S01 SDG 1 - poverty S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (There have been social programmes aiming at alleviating poverty including child poverty, but their impact has been limited)
Theme: E32 Right to just and favourable conditions of work			
144.68 Take strong, specific and action-oriented measures to modernize the fisheries sector in a way that benefits Senegalese fishermen, as follow-up to the recommendations accepted in paragraphs 124.21, 124.92 and 124.115 of the report of the Working Group from the second review cycle (A/HRC/25/4) (Haiti); Source of position: A/HRC/40/5 - Para. 144	Supported	E32 Right to just and favorable conditions of work A27 Follow-up to Universal Periodic Review (UPR) S16 SDG 16 - peace, justice, and strong institutions Affected persons: - general	Partially implemented (Senegal has signed agreements with third parties on fisheries, which are not disclosed publicly)
Theme: F12 Discrimination against women			
144.150 Intensify measures aimed at eliminating harmful traditional practices that negatively affect the rights of women and girls, including female genital mutilation and child, early and forced marriages (Namibia); Source of position: A/HRC/40/5 - Para. 144	Supported	F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - girls	Partially implemented (there has been no conviction on the grounds of practicing FGM) See paras 4 and 24
144.161 Eliminate all legal provisions that discriminate against women (Cabo Verde); Source of position: A/HRC/40/5 - Para. 144	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented See paras 4 and 23-24

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.165 Prevent and combat all forms of discrimination, including by protecting and promoting gender equality and women's rights (Italy); Source of position: A/HRC/40/5 - Para. 144	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented See paras 4, 23 and 24 above)
Theme: F13 Violence against women			
144.196 Fight against child marriages and female genital mutilation (France); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - girls	Partially implemented (see para 24 above)
144.197 Take measures to ensure the prohibition, in law and in practice, of female genital mutilation and child marriage (Israel); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - girls	Partially implemented (Child marriage is still possible according to Senegalese legislation and customary practices) See paras 4 and 24
144.198 Adopt and implement legal measures and undertake awareness-raising campaigns to protect the rights of the child, in particular by condemning, prohibiting and prosecuting female genital mutilation and early and forced marriage (Italy); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (FGM is prohibited but there has been no prosecutions of practitioners. See para 25 above for child marriage)
144.148 Continue to commit to fighting violence against women and girls, in particular female genital mutilation, and bring the perpetrators of such acts to justice (Luxembourg); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented (FGM is prohibited but there has been no prosecutions of practitioners.
144.149 Take all possible measures to eliminate the practice of female genital mutilation (Switzerland); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented (FGM is prohibited but there has been no prosecutions of practitioners.

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.151 Reinforce measures seeking to eliminate the prejudiced practice of female genital mutilation and ensure that the perpetrators are prosecuted and sentenced (Portugal); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - girls	Not implemented (FGM is prohibited but there has been no prosecutions of practitioners.)
144.152 Strictly apply the laws in force on female genital mutilation, in all its forms (Austria); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented (FGM is prohibited but there has been no prosecutions of practitioners.)
144.153 Take additional measures to eliminate the practice of female genital mutilation and establish protection mechanisms aimed specifically at protecting girls (Brazil); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - girls	Partially implemented (FGM is prohibited but there has been no prosecutions of practitioners.)
144.156 Set up effective mechanisms to identify, report and monitor the perpetration of sexual and gender-based violence (Israel); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented (the 116 number to report on cases of violence is functional but very few victims know about it or how to use it)
144.166 Maintain and strengthen all measures aimed at eradicating female genital mutilation (Djibouti); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented (FGM is prohibited but there has been no prosecutions of practitioners.)
144.167 Continue to combat all forms of violence against women and girls (Georgia); Source of position: A/HRC/40/5 - Para. 144	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - girls	Partially implemented (see paras 2, 4, 24 and 25)
Theme: F14 Participation of women in political and public life			
144.169 Increase the proportion of women in decision-making bodies and relevant training (Bahrain); Source of position: A/HRC/40/5 - Para. 144	Supported	F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented (Among the 559 local collectivities only 15 are led by women) Equal Measures 2030
Theme: F31 Children: definition; general principles; protection			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.173 Continue efforts to promote the rights of the child (Egypt); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (No Children's Code passed). See para 2 above
144.187 Take all measures necessary, under article 19 of the Convention on the Rights of the Child, to strengthen its commitment to the protection of children, especially the most vulnerable, subject to abandonment, neglect and exploitation by those to whom they are entrusted (Angola); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (No Children's Code) See para 2 above
144.201 Intensify efforts to guarantee that national norms relating to children's rights are brought into line with the Convention on the Rights of the Child, paying special attention to issues such as child labour and early and forced marriage (Uruguay); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 2, 4, 24-27
144.207 Establish mechanisms and services to protect children at risk of becoming subject to child labour (Liechtenstein); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (services exist but they are insufficiently funded, and children are still subject to child labour through begging) See paras 25- 27)
144.212 Make further efforts to protect children from abuse and exploitation, including child marriage (Republic of Korea); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 23, 4, 24-27
144.222 Eradicate early, child and forced marriages (Montenegro); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 2, 4, 24

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.176 Adopt swiftly the draft Children's Code and ensure its effective implementation by allocating the necessary financial and human resources (Belgium); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 2
144.177 Complete the formulation and adoption of the Children's Code (Gabon); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 2
144.178 Adopt the Children's Code aimed at bringing the protection of children's rights into line with international and regional obligations on child rights and thus avoid discrimination between children or parents on the basis of gender (Germany); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 2, 4, 23-24
144.179 Urgently adopt the Children's Code (Greece); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 2
144.180 Take all the measures necessary to restore, as soon as possible, the Children's Parliament, which was heralded as a success, and provide it with sufficient resources, as follow-up to the recommendations accepted in paragraphs 123.28, 124.15, 124.16 and 124.59 of the report of the Working Group from the second review cycle (Haiti); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
144.182 Prioritize the full and effective implementation of the Convention on the Rights of the Child (Australia); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (Senegal still has not adopted a Children's Code, hence legislation on Children is dispersed). See paras 2, 24 and 25-27

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.186 Strengthen the measures aimed at protecting the rights of vulnerable children (Cabo Verde); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (see above para 26 and 27)
144.195 Raise the minimum age of marriage of both boys and girls to 18 years (Sierra Leone); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children - girls	Not implemented See para 24
144.215 Complete the elaboration process of the Children's Code (Mali); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 2
144.216 Finalize and adopt the draft Children's Code (Namibia); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 2
144.217 Accelerate the adoption of the Children's Code (Paraguay); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See para 2
144.218 Complete the drafting of the Children's Code, taking into consideration the views of all relevant stakeholders, in particular children and young persons (Thailand); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (A draft children's code exists but still not introduced for vote) See para 2
144.221 Ensure that laws on the protection of children are in line with international and national instruments (Madagascar); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partially implemented (see above paras 2, 3, 24-27)
144.223 Ensure child-sensitive prevention and reparations protection services (Sweden); Source of position: A/HRC/40/5 - Para. 144	Supported	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented
Theme: F36 Children in street situations			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
144.189 Take all measures to better ensure the protection and education of street children and children who are forced to beg owing to the customary education practices that violate the basic rights of children (Comoros); Source of position: A/HRC/40/5 - Para. 144	Supported	F36 Children in street situations E51 Right to education - General F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 3, 25-27
144.190 Take additional steps, including by improving law enforcement practices, to protect street children and their reintegration into society (Belarus); Source of position: A/HRC/40/5 - Para. 144	Supported	F36 Children in street situations F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 3, 25-27
144.188 Systematically prosecute individuals and dismantle the networks that organize children begging daily on the streets (France); Source of position: A/HRC/40/5 - Para. 144	Supported	F36 Children in street situations F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented See paras 3, 25-27
Theme: A25 Follow-up to special procedures			
145.2 Issue a standing invitation to all special procedure mandate holders (Denmark); Source of position: A/HRC/40/5 - Para. 145	Noted	A25 Follow-up to special procedures S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented <u>Special procedures Country visits (ohchr.org)</u>
Theme: A41 Constitutional and legislative framework			
145.5 Take effective measures to fight against the persecution and exclusion of lesbian, gay, bisexual, transgender and intersex persons (Luxembourg); Source of position: A/HRC/40/5 - Para. 145	Noted	A41 Constitutional and legislative framework D28 Gender-based violence B31 Equality & non-discrimination S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented See paras 28-29

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>145.14 Decriminalize consensual same-sex sexual relations between adults, investigate violence perpetrated against members of the lesbian, gay, bisexual, transgender and intersex community, and end the arbitrary arrest of individuals suspected of consensual same-sex activity (United States of America);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework D33 Arbitrary arrest and detention S10 SDG 10 - inequality</p> <p>Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented See paras 28-29</p>
<p>145.17 Remove undue restrictions on fundamental freedoms, including bans on peaceful demonstrations and the criminalization of inflammatory speech (United States of America);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework D43 Freedom of opinion and expression D44 Right to peaceful assembly</p> <p>Affected persons: - media</p>	<p>Not implemented See paras 5, 7 11-15</p>
<p>145.8 Introduce into legislation a specific definition of discrimination, including as prohibited grounds sex, gender, sexual orientation or gender identity or expression (Israel);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework D43 Freedom of opinion and expression S10 SDG 10 - inequality</p> <p>Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented See paras 28-29</p>
<p>145.21 Review the provisions of the Family Code with regard to the marital authority of the husband and the handing over of the parental authority to the husband, and include in the Criminal Code marital rape, and early and forced marriages (Spain);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework D8 Rights related to marriage & family F13 Violence against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Not implemented See paras 2, 4, 23-24</p>
<p>145.22 Repeal discriminatory provisions in the Family Code and the Criminal Code (Switzerland);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework D8 Rights related to marriage & family S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p>	<p>Not implemented See paras 2, 4, 23-24</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>145.19 Revise the Criminal Code to bring it into line with regional and international law and standards, particularly the Convention on the Elimination of All Forms of Discrimination against Women and the Maputo Protocol, including by criminalizing marital rape, prohibiting early and forced marriage and decriminalizing abortion (Slovenia);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Not implemented</p> <p>See paras 2, 4, 23-24</p>
<p>145.20 Revise the Criminal Code in line with regional and international laws and standards, including by criminalizing marital rape and decriminalizing abortion, and implement the relevant existing laws (Sweden);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework F13 Violence against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Not implemented</p> <p>See para 8</p>
<p>145.28 Categorize rape as a serious crime and criminalize marital rape (Honduras).</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework F13 Violence against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Partially implemented (while rape has been criminalized marital rape is not recognized as a crime). See para 8</p>
<p>145.18 Revise the Criminal Code so that women can access legal, safe and voluntary terminations of pregnancy; and guarantee the provisions of the respective medical services (Iceland);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S03 SDG 3 - health</p> <p>Affected persons: - women</p>	<p>Not implemented</p> <p>Senegal - GAPD - The Global Abortion Policies Database (srhr.org)</p>
<p>145.6 Adopt and implement anti-discrimination legislation that protects individuals from discrimination, including on the basis of sexual orientation and gender identity (Iceland);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p>Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p> <p>See paras 28-29</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>145.7 Take all necessary steps to combat the persecution of persons on the basis of their sexual orientation or gender identity, in particular by revising, as appropriate, article 319 of the Criminal Code, as previously recommended (Ireland);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p> <p>See paras 28-29</p>
<p>145.9 Amend the Criminal Code so as to prohibit all forms of discrimination and violence, including when motivated by sexual orientation or gender identity, in order to guarantee respect for the fundamental liberties of all citizens (Uruguay);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p> <p>See paras 28-29</p>
<p>145.10 Repeal all provisions that give rise to discrimination and violence based on any grounds, including sexual orientation and gender identity, and guarantee respect for the fundamental freedoms of all citizens, including article 319 of the Criminal Code (Chile);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p> <p>See paras 28-29</p>
<p>145.11 Amend article 319 of the Criminal Code so as to no longer discriminate on the basis of sexual orientation (Netherlands);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p> <p>See paras 28-29</p>
<p>145.12 Decriminalize same-sex relationships between consenting adults and strengthen efforts to address inequality, violence and discrimination based on sexual orientation and gender identity (Australia);</p> <p>Source of position: A/HRC/40/5 - Para. 145</p>	Noted	<p>A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p> <p>See paras 28-29</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
145.13 Rescind the provisions of the Criminal Code that criminalize consensual sexual relations between persons of the same sex (Spain); Source of position: A/HRC/40/5 - Para. 145	Noted	A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented See paras 28-29
145.15 Prohibit discrimination on the basis of sexual orientation and gender identity and decriminalize consensual sexual relations between adults of the same sex (Mexico); Source of position: A/HRC/40/5 - Para. 145	Noted	A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented See paras 28-29
Theme: A54 Awareness raising and dissemination			
145.23 Repeal all provisions that authorize corporal punishment, including article 285 of the Family Code, and raise awareness among the general public of the negative consequences of corporal punishment against children (Liechtenstein); Source of position: A/HRC/40/5 - Para. 145	Noted	A54 Awareness raising and dissemination D8 Rights related to marriage & family F32 Children: family environment and alternative care S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented Senegal Global Initiative to End All Corporal Punishment of Children (endcorporalpunishment.org)
Theme: B31 Equality & non-discrimination			
145.4 Fight against discrimination based on sexual orientation and gender identity (France); Source of position: A/HRC/40/5 - Para. 145	Noted	B31 Equality & non-discrimination S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented See paras 28-29
Theme: D26 Conditions of detention			
145.16 Protect the rights of people from lesbian, gay, bisexual, transgender and intersex communities, train police officers in this regard and put an end to the arbitrary arrests and detention of these persons (Canada); Source of position: A/HRC/40/5 - Para. 145	Noted	D26 Conditions of detention D33 Arbitrary arrest and detention S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented See paras 28-29
Theme: D8 Rights related to marriage & family			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
145.24 Review the Family Code to remove discriminatory provisions with respect to women, in particular article 152, which confers conjugal authority on the husband, and article 277, which confers parental authority on the father (Belgium); Source of position: A/HRC/40/5 - Para. 145	Noted	D8 Rights related to marriage & family F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented See paras 4 and 23
145.25 Remove from the Family Code any provisions that allow for the discrimination of women in law or in practice, including article 152 assigning marital authority to the husband and article 277 assigning paternal authority to the father (Germany); Source of position: A/HRC/40/5 - Para. 145	Noted	D8 Rights related to marriage & family F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented See paras 4 and 23
Theme: F13 Violence against women			
145.27 Harmonize its laws on abortion with the provisions of the Maputo Protocol as soon as possible and legalize medical abortions in cases of rape and incest (Netherlands); Source of position: A/HRC/40/5 - Para. 145	Noted	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented Abortion is illegal in Senegal. <u>Senegal - GAPD - The Global Abortion Policies Database (srhr.org)</u>

¹ UN Human Rights Council, Report of the Human Rights Council on its fortieth session, UN Doc. A/HRC/40/2, 11 January 2021 paragraph 400

² UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Senegal, 24 December 2018, UN Doc. A/HRC/40/5, recommendation 144.119 (Togo)

³ UN Doc. A/HRC/40/5, recommendation 144.50 (Republic of Korea)

⁴ UN Doc. A/HRC/40/5, recommendation 144.82 (Chile), 144.84 (Sweden) and 144.86 (Greece)

⁵ UN Doc. A/HRC/40/5, recommendation 144.120 (Peru)

⁶ UN Doc. A/HRC/40/5, recommendation 144.176 (Belgium)

⁷ Amnesty International, "Senegal: the state must move from commitment to strong actions to protect talibe children" 12 December 2022, [amnesty.org/en/latest/news/2022/12/senegal-letat-doit-passer-des-engagements-aux-actes-forts-pour-protoger-les-enfants-talibes/](https://www.amnesty.org/en/latest/news/2022/12/senegal-letat-doit-passer-des-engagements-aux-actes-forts-pour-protoger-les-enfants-talibes/)

⁸ UN Doc. A/HRC/40/5-recommendation 144.50 (Korea)

⁹ UN Doc. A/HRC/40/5-recommendation 144.82 (Chile) 144.84 (Sweden)

¹⁰ UN Doc. A/HRC/40/5 recommendation 145.15 (Mexico)

¹¹ UN Doc. A/HRC/40/5 recommendation 145.19 (Slovenia)

¹² UN Doc. A/HRC/40/5 recommendation 145.21 (Spain)

¹³ Sénégal, Loi n°10/2021 modifiant la loi n°65-60 du 21 juillet 1965 portant Code pénal et loi n°11/2021 modifiant la loi n°65-61 du 21 juillet 1965 portant Code de Procédure pénale

¹⁴ Articles 279-1 à 279-9 et 279-14 à 279-19 of Law n°10/2021 modifiant la loi n°65-60 du 21 juillet 1965 portant Code pénal

¹⁵ Sénégal, loi n° 2020-05 du 10 Janvier 2020 modifiant la loi n° 65-60 portant Code Pénal

¹⁶ Amnesty International, « Sénégal. La Cour de Justice de la CEDEAO ordonne l'abrogation de l'arrêté interdisant les manifestations politiques au centre-ville de Dakar », 13 May 2022, <https://www.amnesty.org/fr/latest/news/2022/05/senegal-la-cour-de-justice-de-la-cedeao-ordonne-labrogation-de-larrete-interdisant-les-manifestations-politiques-au-centre-ville-de-dakar/>

¹⁷ RSF, « Sénégal : RSF dénonce la suspension de Walf TV, un abus de pouvoir qui menace tous les médias », 12 June 2023

<https://rsf.org/fr/s%C3%A9n%C3%A9gal-rsf-d%C3%A9nonce-la-suspension-de-walf-tv-un-abus-de-pouvoir-qui-menace-tous-les-m%C3%A9dias>

- ¹⁸ Amnesty International “Senegal: Amnesty International calls for independent inquiry into deadly crackdown on protests, 9 June 2023, <https://www.amnesty.org/en/latest/news/2023/06/senegal-amnesty-international-demande-une-enquete-independante-sur-la-repression-meurtriere-lors-des-manifestations/>
- ¹⁹ Amnesty International “Senegal: Amnesty International calls for independent inquiry into deadly crackdown on protests, 9 June 2023, <https://www.amnesty.org/en/latest/news/2023/06/senegal-amnesty-international-demande-une-enquete-independante-sur-la-repression-meurtriere-lors-des-manifestations/>
- ²⁰ Committee to Protect Journalists, “Senegalese journalist Pape Alé Niang released again from custody under tight bail restrictions”, 10 January 2023, <https://cpj.org/2023/01/senegalese-journalist-pape-ale-niang-released-again-from-custody-under-tight-bail-restrictions/>
- ²¹ Walf net « Le journaliste Pape NDIAYE auditionné par le juge après près de trois mois de détention », 5 May 2023, <https://www.walf-groupe.com/le-journaliste-pape-ndiaye-auditionne-par-le-juge-apres-pres-de-trois-mois-de-detention/>
- ²² Enquête + « La Cap sursoit à son plan d’action », 21 June 2023, <https://www.enquetepius.com/content/lib%C3%A9ration-de-pape-ndiaye-et-de-serigne-saliou-gueye-la-cap-sursoit-%C3%A0-son-plan-d%E2%80%99action>
- ²³ SenePlus « the journalist Serigne Saliou Gueye imprisoned » 27 May 2023, www.seneplus.com/media/le-journaliste-serigne-saliou-gueye-en-prison
- ²⁴ Amnesty International, “Report 2021/2022: The state of the Worlds’ Human Rights” (Index: POL 10/4870/2022), 29 March 2022, www.amnesty.org/en/documents/pol10/4870/2022/en/
- ²⁵ Amnesty International, “Senegal will never forget March 2021”, 3 March 2022 www.amnesty.org/en/latest/campaigns/2022/03/senegal-will-never-forget-march-2021/
- ²⁶ Amnesty International, “Report 2022/23: the state of the world’s human rights” (Index: POL 10/5670/2023), 27 March 2023 www.amnesty.org/en/documents/pol10/5670/2023/en/
- ²⁷ Amnesty International, “Senegal: Amnesty International denounces the excessive use of force in Ngor”, 11 May 2023 www.amnesty.org/en/latest/news/2023/05/senegal-amnesty-international-denonce-lusage-excessif-de-la-force-a-ngor/
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- ²⁹ Amnesty International, “Senegal: Amnesty International calls for an independent investigation into the deadly crackdown on protests”, 8 June 2023 www.amnesty.org/fr/latest/news/2023/06/senegal-amnesty-international-demande-une-enquete-independante-sur-la-repression-meurtriere-lors-des-manifestations/
- ³⁰ Article 196 states “the establishment of paternal filiation is prohibited to any child who is not presumed to be born of his mother’s marriage or who has not been voluntarily recognized by his father, except in the case where the alleged father has proceeded to his baptism or gave him a name”.
- ³¹ A “Daara” ‘is traditionally used in Senegal to refer to Quranic schools where children are taught about Islam and memorise the Quran. This large definition encompasses several types of daaras.
- ³² Amnesty International, “Senegal: the state must move from commitment to strong actions to protect talibe children” 12 December 2022, www.amnesty.org/en/latest/news/2022/12/senegal-letat-doit-passer-des-engagements-aux-actes-forts-pour-protger-les-enfants-talibes/
- ³³ Rewmi, “Diourbel: a 10 year old talibe beaten to death by his Kouranic teacher”, 6 july 2023 Urgent! Diourbel : Un Talibé âgé De 10 Ans Battu à Mort Par Son Maitre Coranique | Rewmi.com
- ³⁴ Amnesty International, “Senegal : the state must move from commitment to strong actions to protect talibe children” 12 December 2022, www.amnesty.org/en/latest/news/2022/12/senegal-letat-doit-passer-des-engagements-aux-actes-forts-pour-protger-les-enfants-talibes/
- ³⁵ Le Monde, “Au Sénégal des députés veulent durcir les sanctions contre l’homosexualité », 22 December 2021, www.lemonde.fr/afrique/article/2021/12/22/au-senegal-des-deputes-veulent-durcir-les-sanctions-contre-l-homosexualite_6107035_3212.html
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