

ADVANCE QUESTIONS TO SENEGAL

CZECH REPUBLIC

- According to the UN compilation report the government of Senegal pledged “to welcome the special procedures mandate holders and to give them the best conditions to accomplish their missions.” Would Senegal consider issuing a standing invitation to the special procedures of the HRC that would reflect this pledge?
- What human rights training is provided to law enforcement and judicial officers with regard to protection of human rights of women, children and persons of minority sexual orientation or gender identity?
- How is ensured protection of persons, in particular of persons of minority sexual orientation or gender identity, in detention against abuse and violence?
- What specific measures are available to protect the rights of children of detainees/prisoners? What is the procedure to find out whether a person arrested or detained has caring responsibilities?

LATVIA

- According to the information by the Office of the UN High Commissioner for Human Rights, 63 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering previous cooperation of Senegal with the special procedures – would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

NETHERLANDS

- How does the government of Senegal ensure the independence of the Judiciary?
- Despite measures taken by the government in the area of professionalization of journalism in Senegal, several incidents with journalists and journalism occurred in 2008. The incidents led to an internal debate on the freedom of expression and press and to some demonstrations.

Could the government confirm the intention of the President of the Republic of Senegal – mentioned in the report prepared by the High Commissioner for Human Rights – to decriminalise press offences and if so, when will this intention be implemented?

- Currently, article 319 paragraph 3 from the Penal Code criminalizes homosexual conduct.

Is the government ready to - in compliance with the Universal Declaration of Human Rights and the constitution – remove article 319 paragraph 3 from the Penal Code?

- Senegal has taken measures to safeguard equity and gender equality, however concerns still exist about the *de jure* and *de facto* inequality that exists between men and women in Senegal.

Is the creation of the ‘Observatoire national des Droits de la Femme’ (ONDF) in September 2008 part of a broader strategy of the government to improve the position of women in Senegal? Has the ONDF already reported cases of violation of women’s rights and submitted suggestions how to improve the situation?

SWEDEN

- Senegal has generally benefitted from a high degree of respect for the freedom of expression, including with regard to mass media. During the last few years, however, civil society organisations have expressed concern at an increasing number of incidents of harassment of journalists by authorities, seizures of newspapers, disputed deprivations of liberty of journalists on grounds of libel or endangering public security, as well as other alleged incidents intimidation against journalists and mass media. At the same time, the government has indicated its intention to reform the national press law. Could the government of Senegal elaborate on its intentions with regard to reform of laws relating to the press and other measures it is taking to ensure full respect for the freedom of expression, including with regard to the press, in accordance with the International Covenant on Civil and Political Rights and other international standards?
- In its national UPR report, the government of Senegal mentions several measures it is taking to enhance the protection of children. In its latest consideration in 2006 of Senegal, however, the Committee on the Rights of the Child expressed concern that corporal punishment within the family was not prohibited by law and that corporal punishment continues to be used in schools and other institutional settings, despite a legal ban against such punishment in schools. In its general comment no. 8 (2006), the Committee on the Rights of the Child recommended all states to prohibit all forms of corporal punishment against children, stating that the punishment “directly conflicts with the equal and inalienable rights of children to respect for their human dignity and physical integrity,” in contravention of the Convention on the Rights of the Child. What measures is the government of Senegal taking to ensure the sufficient legal protection of the freedom of children from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, with regard to corporal punishment?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on the role civil society played in the preparation of your national report for this process?

- Could you please tell us if Senegal plans to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups of children as recommended by the Committee on the Rights of the Child (CRC)?
- Could you elaborate further on measures Senegal is taking to enforce existing legislation and adopt awareness raising campaigns to tackle the persistence of discriminatory and harmful practices against women and girls rooted in tradition?
- Amnesty International has raised concerns that individuals in Senegal face arrest and discrimination on the basis of their real or perceived engagement in consensual same-sex sexual acts or practices. Does Senegal plan to repeal laws criminalising sexual activity between consenting adults?
- Could you please tell us if Senegal plans to take forward legislation to decriminalise press offences as agreed by the President in 2004 and reported to the Special Rapporteur on the Promotion and Protection of the right to freedom of opinion and expression? What further steps is the Government taking to ensure that they continue to meet their international legal obligations on freedom of expression and assembly?
- What steps is Senegal taking to fulfil its obligations to present periodic reports to the treaty monitoring mechanisms and to implement the recommendations?
- What steps is the Government taking to investigate the allegations of torture made by those who were arrested during the demonstrations in Kedougou in December?
- Could you please elaborate on the existence of national human rights institutions in Senegal and if they are in full compliance with the Paris principles?
