

QUICK GUIDE TO ADDRESSING SEXUAL RIGHTS ISSUES DURING THE UNIVERSAL PERIODIC REVIEW ON SENEGAL^[1]

These Guides include:

- A list of issues mentioned in the National Report, the Compilation of official UN Documents and the Summary of Other Stakeholders Submissions, with references to the particular paragraphs in which they can be found.
- The full text of those paragraphs
- In those cases in which the Sexual Rights Initiative has submitted reports, we have included an Annex with our recommendations.

References in the two working languages of the Council (English and French) have been kept in their original language.

Issues are highlighted, while **recommendations** are in bold and underlined. References in the National Report are *in Italics*.

All sexual rights issues that do not relate specifically to women are referred to in this Guide. Sexual rights' issues referring specifically to women –as well as other women's issues- are referred to in the Guide on Women's Issues

| ISSUE | N Report | Compilation | Summary |
|--|---|--|--|
| HIV/AIDS | Prevalence ;.Plan d'Action National de Lutte contre le VIH/Sida ; Vulnerability of children (27) | Prevalence (39); discrimination against children affected/infected, need for a comprehensive strategy (16); need to involve them in programmes (39) | |
| Sexual orientation and gender identity | | | Arbitrary arrest, harassment and discrimination based on consensual same-sex practices (8) |
| Trafficking/sexual exploitation of children | Law 2005 on trafficking; practices to assist victims (123). Origin, transit and destination country, known for sexual tourism (124) | Law No. 99-05 criminalizes corruption of minors (5). Need to reinforce protective measures and recovery assistance, training police, social workers and prosecutors (22) | |

HIV/AIDS

Le **taux de prévalence** du VIH dans la population en générale est estimé en 2005 à 0,70 pourcent (EDS- 2005) et à 1,5 pourcent au niveau des sites sentinelles (Para 27, NR). A 2008 United Nations Statistics Division source indicated that the **proportion of people between 15-49 years old living with HIV**, increased from 0.40 per cent in 2001 to 1.00 per cent in 2007 (para 39, Compilation)

Les résultats du **Plan d'Action National de Lutte contre le VIH/Sida** qui a couvert la période 2002-2006 seront maintenus à travers un autre Plan de même envergure qui s'achèvera en 2011 (Para 115, NR). Cette Plan intègre une composante **Orphelins et Enfants rendus Vulnérables par le VIH/SIDA** (OEV), qui a enregistré des résultats satisfaisants (Para 27, NR). In 2006, the Committee on the Rights of the Child (CRC) expressed its concern at the fact that **discrimination** against certain groups of children still exists in practice, particularly towards **children affected by HIV/AIDS** (among others). It urged Senegal **to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups of children** (Para 16, Compilation). CRC recommended, with reference to its general comment No. 3 (2003) on HIV/AIDS and the rights of the child and to the International Guidelines on HIV/AIDS and Human Rights, **that Senegal involve children in the programme to fight against HIV/AIDS in particular by ensuring that more attention be given to the issue of children and HIV/AIDS**. CRC also recommended to the Government to **strengthen its efforts to combat HIV/AIDS, to prevent discrimination against children infected with and affected by HIV/AIDS, and to improve protection and support for AIDS orphans**. (Para 39, Compilation).

Sexual orientation and gender identity

Amnesty International (AI) was concerned that individuals face **arbitrary arrest, harassment and discrimination** solely on the basis of their real or perceived engagement in consensual same-sex sexual acts or practices. AI called on the Government of Senegal **to respect, protect, and fulfil the human rights of all persons, without discrimination of any kind, to immediately and unconditionally release all prisoners of conscience who are held solely on the basis of their actual or imputed sexual orientation or gender identity, and to end incitement to discrimination** (Para 8, Summary)

Trafficking/sexual exploitation of children

La protection juridique des enfants a été renforcée avec l'adoption en 2005 de la **Loi n°2005-06 du 10 mai 2005** tendant à **prévenir et réprimer la traite des personnes** ainsi que les **pratiques assimilées et à assurer la protection des victimes** de cette traite. La protection des mineurs a été ici ressentie comme une nécessité dans la mesure où les enfants sont souvent utilisés, sous contrainte, dans des déplacements et voyages périlleux (Para 123, NR) L'intérêt de la répression de la vente d'enfants, de leur prostitution, de leur mise en scène dans des films à caractère pornographique ainsi que de leur enrôlement forcé réside essentiellement dans le choix du Gouvernement de protéger et de promouvoir les droits de l'homme en général, mais surtout ceux de l'enfant du fait de la position géostratégique du Sénégal, prédisposé à devenir un pays **d'origine, de transit et de destination** des enfants victimes de la vente, et parfois convoité comme zone de prédilection pour le **tourisme sexuel** (Para 124, NR).

In 2006, CRC welcomed the enactment of the **Law No. 99-05** of 1999 **prohibiting all forms** of

sexual violence and corruption of minors (Para 5, Compilation). CRC recommended **that Senegal reinforce legal measures protecting children victims of sexual exploitation, prioritize recovery assistance, and ensure that education and training as well as psychological assistance and counseling are provided to victims.** In addition, CRC recommended **training law enforcement officials, social workers and prosecutors on how to receive, monitor and investigate complaints, and implementing appropriate policies and programmes in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the World Congress against Commercial Sexual Exploitation of Children** (Para 22, Compilation)

[1] These Guides were produced by the Sexual Rights Initiative, a coalition of organizations based in Africa, Asia, Eastern Europe, Latin America and North America whose mandate is to advance women's issues broadly and sexual rights issues in the Human Rights Council. For questions, comments, suggestions please contact Alejandra Sardá-Chandiramani at alejandra@mulabi.org.