Committee on the Rights of the Child
Ninety-fifth session
15 January–2 February 2024
Consideration of reports of States parties

Replies of Senegal to the list of issues in relation to the report submitted under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*

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* The present document is being issued without formal editing.
Replies to the questions raised in paragraph 2 of the list of issues (CRC/C/OPAC/SEN/Q/1)

1. The Government has no agency that is exclusively responsible for implementing the Optional Protocol. However, within the framework of the national child protection policy, there are sufficiently well-resourced coordination mechanisms at both national and local levels to ensure that the concerns expressed in the Protocol are taken into account. For example, within the Ministry for Women, the Family and Child Protection, there is the Directorate for the Promotion of Children’s Rights and Protection, whose budget for child protection has been gradually increased, from 4,429,060,351 CFA francs (CFAF) in 2020, to CFAF 10,159,045,120 in 2021 and CFAF 20,237,604,259,000 in 2023.

2. The situation is similar for the Directorate of Judicial and Social Protection, within the Ministry of Justice, whose budget for social and judicial protection has been increased from CFAF 3,000,210,455 in 2022 to CFAF 3,104,265,889 in 2023.

3. The National Human Rights Institution and the Human Rights Directorate are also responsible, within their respective mandates, for matters relating to implementation of the Optional Protocol.

Replies to the questions raised in paragraph 3 of the list of issues

4. To implement the Protocol, the Government, through the Ministry of the Armed Forces, and specifically its Directorate of Information and Public Relations, endeavours to raise public awareness of the Optional Protocol on the involvement of children in armed conflict. The Directorate acts as a contact point for both the national and the international media, particularly in areas where Senegalese troops are stationed and are responsible for peacekeeping operations.

5. In addition, the divisions of the armed forces and the National Gendarmerie that are responsible for issues related to children’s rights and protection have included in their action plans training-of-trainers for officers and non-commissioned officers, who then transmit what they have learned to the troops.

Replies to the questions raised in paragraph 4 of the list of issues

6. There is no system for collecting and analyzing data on the recruitment of children into the armed forces.

7. In Senegal, it is prohibited to recruit children into the armed forces. According to Decree No. 91–1173 of 7 November 1991, the minimum age for recruitment into the armed forces is 20 years.

8. With regard to the enrolment of children in military schools, in 2022, there were 500 boarders at the Prytanée military school in Saint-Louis.

9. This excellent secondary school is under the authority of the Ministry of the Armed Forces, and each year accepts 50 Senegalese boys and 15 boys of other nationalities. However, these students are neither considered to be members of the military on active service, nor may they be involved in any armed conflict.

10. The basic military training provided while they are at the school is not intended to be used until they reach the age of majority, if they then decide voluntarily to join the army after having completed their baccalaureate examinations.

Replies to the questions raised in paragraph 5 of the list of issues

11. Although birth registration is not yet widespread in Senegal, no child under the age of 20 can be recruited into the Senegalese army.
12. Decree No. 91–1173 of 7 November 1991, which lays down the conditions for joining the army, requires official documents, including a birth certificate and a national identity card, which prove the age of the recruit, to be provided.

Replies to the questions raised in paragraph 6 of the list of issues

13. In addition to the awareness-raising work on the prohibition of child recruitment in armed conflicts conducted by the Directorate of Information and Public Relations of the armed forces, the Government of Senegal, through the National Civic Service, and in collaboration with technical and financial partners, carries out information campaigns, particularly in the southern part of the country, to prevent the recruitment of children into armed conflicts.

Replies to the questions raised in paragraph 7 of the list of issues

14. To prevent children being recruited and used in hostilities, Act No. 2007–02 of 12 February 2007 makes it a war crime to force a prisoner of war or any protected person to serve in the armed forces.
15. Senegal has not yet recorded any prosecutions for such offences.

Replies to the questions raised in paragraph 8 of the list of issues

16. For the moment, there are no plans to repeal the provisions of the Amnesty Act, No. 2004–20 of 21 July 2004.

Replies to the questions raised in paragraph 9 of the list of issues

17. The country’s extraterritorial jurisdiction, provided for in article 664 of its Code of Criminal Procedure, applies to offences covered by the Optional Protocol and classed as crimes under national legislation. These include the offence of enlisting children into armed conflicts, which constitutes a war crime under article 431–3.
18. Extradition is accepted for all the offences covered by the Protocol, provided they are classed as crimes, except where the requesting country applies the death penalty.
19. There are at present no plans to abolish dual criminal liability.

Replies to the questions raised in paragraph 10 of the list of issues

20. As the phenomenon of the recruitment of children in armed conflicts is unknown in Senegal, it is not possible to answer these questions.

Replies to the questions raised in paragraph 11 of the list of issues

21. There are no training courses organized specifically for persons working with victims of offences covered by the Optional Protocol; however, as part of the Project to Protect Child Victims of Rights Violations, in 2022, the Government organized training activities for persons working in the judicial system in the Thiès, Saint-Louis, Ziguinchor and Kaolack Courts of Appeal on psychosocial follow-up for child victims of rights violations.

Replies to the questions raised in paragraph 12 of the list of issues

22. Senegal has adopted legislation banning the arms trade unless authorized by the relevant authorities. Article 1 of Act No. 66–03 of 18 January 1966 on the general weapons regime stipulates that “the manufacture, import, export, storage, transfer, acquisition,
possession, transport and carriage of, or trade in, weapons and ammunition, spare parts and specialized equipment for their manufacture are prohibited, except in the cases and under the conditions laid down in the present Act”.

23. Senegal has also ratified the Economic Community of West African States Convention on Small Arms and Light Weapons and the Arms Trade Treaty.

Replies to the questions raised in paragraph 13 of the list of issues

24. As the phenomenon of child recruitment into armed conflicts does not exist in Senegal, no investigations on this subject have been undertaken, nor have there been any cases of children who have been rehabilitated or reintegrated.