

## Annex: Letters Sent To the Government of Senegal

January 25, 2018

H.E. President Macky Sall  
Presidence de la Republique du Senegal  
Avenue Leopold Sedar Senghor  
BP 4026  
Dakar, Senegal



Open Letter

Your Excellency,

Please accept my regards on behalf of Human Rights Watch.

Human Rights Watch is an independent, international human rights organization that conducts research into human rights situations in more than 90 countries globally.

We have conducted human rights research on children and access to education in Senegal since 2005, including on the situation of Talibé children, many of whom have been exploited and abused in the course of their Quranic education. Our most recent report, released in July 2017, welcomed the important move taken by the Senegalese government to address abuses against street children, including Talibés, and made recommendations on how this key effort can be strengthened.

Most recently, we conducted research on barriers affecting girls' secondary education in the southern regions of Kolda, Sédhiou, and Ziguinchor, as well as Dakar.

We are writing to you on the occasion of the Global Partnership for Education's replenishment conference, which you are hosting jointly with President Emmanuel Macron of France on February 1-2, 2018.

In view of your commitment to advancing education in Senegal and globally, we would like to take this key opportunity to urge you to pledge to ensure secondary education is fully free for all students in Senegal.

Human Rights Watch welcomes the government of Senegal's focus on expanding provision of primary and secondary education to more young people, including by allocating over 20 percent of the national budget to education. We also appreciate your personal role as a global education champion, and your efforts to encourage other governments, in Africa and elsewhere, to adequately fund education. We also recognize the government's ongoing efforts to end female genital mutilation, and to curb child marriage rates. Although Senegal's 2004 law on education states that compulsory education shall be free from 6 to 16 years of age, Human Rights Watch findings show that secondary education is not free in practice.

In 2017, we spoke to over 150 adolescent girls who are in and out of school, and conducted interviews with parents, teachers, village leaders, government officials, and local and national experts. We found that children attending government lower-secondary schools (école moyen or collège), pay at least 6,000 Central African Francs (CFA) in tuition fees, up to 10,000 CFA in furniture costs, 10,000 CFA for school materials, and up to 10,000 CFA in extra tuition for afternoon classes. Students attending government higher secondary school (lycée) pay 10,000 CFA in tuition fees. These costs exclude transportation, uniforms, and other costs particular to every school.

During our field research, Human Rights Watch met many adolescent girls whose families, on account of these fees, were not able to pay for their education. In many cases, girls told Human Rights Watch that their education was interrupted when parents or extended family members were simply no longer able to afford their education. Some girls dropped out of school. Our findings show that school fees contribute to low rates of retention and completion of compulsory lower secondary education, particularly in rural areas.

In some communities, girls felt that their parents prioritized boys' education and correspondingly were less willing to pay for their education. The lack of financial means to send girls to school impacts on their futures. In southern Senegal, an abrupt end to education exposes many girls to child marriage and teenage pregnancy.

In some rural areas where girls' participation in school is already low, principals and teachers said they personally pay for their students' fees to ensure students stay in school. We believe that this demonstrates teachers' commitment to support students, but also shows the significant burden school fees place on a community.

At times, the burden to find funds to pay for education falls on the girls themselves. Our research shows that some girls spend time working as domestic workers in bigger cities, in some cases under exploitative and abusive conditions, including sexual abuse. Although some return to their villages or towns to resume their studies, others end their education abruptly and continue working.

Human Rights Watch also found that girls are at risk of becoming victims of sexual exploitation by teachers, motorcycle drivers, and other adults who offer them money for fees, food, and basic items in exchange for sex. In some cases, to cut down the distance to school, girls from remote villages may be hosted by families in larger towns, with an expectation that they will be in charge of housework. Many of the girls told Human Rights Watch they had little time to combine studying with these duties.

We strongly believe that fully guaranteeing free primary and secondary education will ensure more young people, particularly girls, complete compulsory and secondary education in Senegal. Worldwide research has consistently shown that access to quality secondary education is critical in ensuring the enjoyment of children's fundamental rights and preventing other abuses against children, including child marriage. Numerous studies show that girls who continue their education, especially until completing secondary school, are more likely to invest in their own children's education, enabling them to become economically independent and positive contributors to society.

Across the African continent, countries like Ghana and Tanzania recently joined the group of African countries that guarantee free primary and secondary education, taking forward their national and international human rights obligations. Both countries have significantly increased enrollment in secondary education following the removal of school fees. We believe this is a crucial reform in order to ensure that all young people, regardless of their location or circumstances, have an equal right to primary and secondary education.

For all these reasons, we respectfully urge you to pledge to adopt a policy to make secondary education fully free in 2018, remove school fees and indirect costs in secondary education, and increase financial support to schools, in order to ensure all children in Senegal benefit from their right to quality education.

We look forward to continuing an open dialogue with the Ministry of National Education and the Ministry of Women, Family and Gender. We look forward to sharing our findings when we publish a full report during 2018.

Sincerely,

A handwritten signature in black ink, appearing to read "Zama Neff". The signature is fluid and cursive, with the first name "Zama" and the last name "Neff" clearly distinguishable.

Zama Neff

Executive director, Children's rights

Cc. H.E. Minister Serigne Mbaye Thiam, Minister of National Education

H.E. Minister Ndèye Saly Diop Dieng, Minister of Women, Family and Gender

H.E. Minister Serigne Mbaye Thiam  
Minister of National Education  
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Sent via email

September 4, 2018

**Re: Human Rights Watch report on sexual exploitation, harassment and abuse in secondary schools in Senegal, and meeting request**

Dear Minister Thiam,

Please accept my regards on behalf of Human Rights Watch.

We are writing today to share key findings and recommendations of our upcoming report on sexual exploitation, harassment and abuse in secondary schools, which we intend to publish in October. We would welcome an official response to this letter.

Furthermore, we are writing to seek a meeting with you to present you with a copy of the report and discuss our findings in person between October 15 and 19. Ministry representatives will also be invited to the launch of our event in Dakar.

Between June 2017 and July 2018, Human Rights Watch conducted research on sexual exploitation, harassment and abuse in secondary schools in the regions of Kolda, Sédhiou and Ziguinchor, as well as in and around Dakar. Our research is based on 45 interviews with girls and young women aged 12 to 25 years, and group discussions with over 120 girls and young women. We also interviewed more than 60 teachers, school officials, other government officials, community leaders, parents and civil society representatives.

Through the course of our research, we met with officials at the Ministry of National Education, as well as local and regional representatives of the Inspectorate of Education, and representatives from different child protection committees, among others. Human Rights Watch thanks them for sharing information about the government's priorities for girls' education, and its efforts to tackle school-related sexual and gender-based violence.

We recognize the government's commitment to education, particularly its multiple plans to advance girls' education, and progress made towards its goal of ensuring more girls benefit from quality education. We also note other government efforts to advance girls' rights more broadly, including through Senegal's adoption of the African Union's campaign to end child marriage. We would like to particularly acknowledge the important work that takes place at the school level, including many teachers' commitment to ensuring girls succeed in education, and their zero-tolerance to any form of school-related sexual abuse. Human Rights Watch found that numerous adolescent girls are exposed to sexual harassment, exploitation and abuse by teachers and school officials in government middle and upper secondary schools, some of whom have had sexual relations with female students, some of whom were under 18 at the time this happened. We have outlined our major findings in an annex below, but we look forward to providing further details at a forthcoming meeting.

Our research and forthcoming report identify key areas that require your government's prompt action to improve the safety and learning conditions of students, particularly girls and young women.

Concretely, our report identifies the need to urgently tackle sexual exploitation, harassment and abuse in and around schools. We call on the government to ensure teachers and all education personnel know and fully understand their obligations to protect their students; apply legal and disciplinary action to ensure there is no impunity for any form of sexual and gender-based violence in schools; and adopt a comprehensive sexuality and reproductive health education curriculum to ensure students have the knowledge to understand what sexual exploitation, harassment and abuse is, and the confidence to speak out whenever an abuse happens.

We acknowledge that our research is not representative of the situation in all secondary schools in Senegal. Nevertheless, our findings are consistent with studies conducted by

UN agencies, development partners and Senegalese nongovernmental organizations, which show that sexual and gender-based violence is a serious problem in the education system.

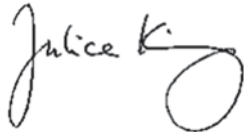
We encourage the government to adopt a national policy that encourages all schools and all government officials to protect students from all forms of sexual violence. In particular, we would recommend you to:

- Urgently introduce rigorous child protection training for all teachers;
- Develop and adopt a nationally binding code of conduct, in consultation with all education actors, students and civil society organizations;
- Produce and adopt a stand-alone policy to end sexual exploitation, harassment and abuse in schools. This policy should make clear that any and all sexual relationships between teaching staff and students, regardless of their age, and exploitation and coercion for grades, money or basic items, are explicitly prohibited and subject to professional sanction, and that any constituting sexual offenses are subject to punishment in court;
- Establish a clearly defined adequate confidential reporting mechanism for students and teachers to report any form of school-related sexual abuse;
- Take swift action to respond to any allegations of school-related sexual abuses whenever and wherever they occur;
- Follow international guidance about the importance of including an age-appropriate, comprehensive curriculum that covers sexuality and reproduction in its broadest terms, including components that provide students with knowledge about healthy relationships, consent in relationships, and gender equality.
- Commission an independent research study to enable the government to understand how widespread sexual violence, including exploitation, harassment and abuse, is in the education system.

We would like to reiterate our strong interest in discussing our full findings and recommendations with you and other ministry officials. We would be pleased to include your responses to our findings and recommendations in the report's annex, and look forward to your response by September 28, 2018.

Human Rights Watch representatives look forward to liaising with ministry officials to arrange a meeting and to confirm representation at our launch event. In the meantime, please do not hesitate to contact Elin Martínez, author of the report, for any further information on: [martine@hrw.org](mailto:martine@hrw.org) or +44-20-7618-4851.

Sincerely,

A handwritten signature in black ink that reads "Juliane K." followed by a stylized flourish.

Juliane Kippenberg  
Associate director, Children's Rights Division

Cc. Ms. Khady Diop Mbodji, Secretary General, Ministry of National Education  
Mr. Joseph Pierre Ndiaye, Cabinet director, Ministry of National Education  
Ms. Fatimata Ba Diallo, Director of General Secondary Education, Ministry of National Education  
Mr. Niokhobaye Diouf, Director of Promotion of Child Rights, Ministry of Good Governance and Child Protection  
Mr. Alioune Sarr, Director of Child Protection, Ministry of Good Governance and Child Protection

### Findings

Human Rights Watch found that numerous **adolescent girls are exposed to sexual harassment, exploitation and abuse by teachers and school officials in government middle and upper secondary schools**. Human Rights Watch found that teachers have had sexual relations with female students, some of whom were under 18 at the time this happened.

We conducted our research in the regions of Kolda, Sédhiou and Ziguinchor, as well as in and around Dakar. Human Rights Watch chose these regions based on consultations with local and national nongovernmental organizations (NGOS), and because these regions



have the highest rates of teenage pregnancy in the country, as well as high levels of child marriage and low secondary school retention.

Human Rights Watch makes no claims about the scale of school-related sexual exploitation, harassment or abuse by teachers in secondary schools across all Senegal. We note, however, that issues raised in our report are underreported and the scale of school-related sexual exploitation, harassment and abuse of female and male students is unknown. Our evidence suggests that reporting on sexual abuse against girls and young women is greatly affected by deeply entrenched taboos and stigma associated with talking about sexual abuse committed against a girl or coming forward to report any form of sexual abuse, compounded by the lack of confidential reporting mechanisms. This affects our ability to ascertain how many students, beyond those who shared their experiences with researchers, were affected by sexual exploitation, harassment and abuses. We strongly believe that these barriers have silenced many students who are affected by school-related sexual exploitation, harassment and abuse.

**School-related sexual exploitation and harassment occur in multiple ways.** Human Rights Watch found that some teachers abuse their position of authority by sexually harassing girls and engaging in sexual relations with them, often promising them money, good grades, food, or items such as mobile phones and new clothes in exchange. We documented cases of sexual exploitation and harassment in classrooms, outside school premises in teachers' residences, in school-organized evenings, or on the way to school.

Human Rights Watch evidence gathered in schools and communities suggests that **students often characterized such cases—and to a certain extent, teachers and school officials—as “relationships”** between teachers and students. Human Rights Watch believes that this type of characterization undermines the gravity of the abuse, affects reporting of these abuses, and blurs school officials' perception of the severity of these abuses.

Cases documented by Human Rights Watch should **be treated, investigated and prosecuted, as sexual exploitation and abuse of children.** Teachers' behaviors outlined in our report are not only a gross violation of teachers' professional and ethical obligations. When the girls are below age 16, they are also a crime under Senegalese law. When they harass and coerce their students for sexual purposes, teachers are also

abusing their power and authority with a child under 18, which carries the maximum sentence of 10 years.

We note the **government's efforts to tackle sexual and gender-based violence in schools**, and the steady number of prosecutions of teachers for rape, paedophilia and other types of sexual abuse. Yet, we also found that these have been insufficient and by no means representative of the totality of school-related sexual abuses.

We found that the existing mechanisms to report school-related incidents are ineffective. For example, most schools **lack a clearly defined adequate confidential reporting mechanism for students and teachers to report any form of abuse**. In most schools, principals or senior school officials are tasked with reporting abuses against students to local child protection committee, inspectorate or police. We found that this is one of biggest bottlenecks in the system; principals have sometimes failed to report it through official channels or settled it informally.

Existing school-based **mechanisms do not provide confidentiality** for students. Girls who are sexually exploited, harassed or abused are therefore reluctant to report cases within schools. When they do come forward, senior school officials do not always take their word for it – various principals told Human Rights Watch that female students sometimes provoke their teachers, including by referring to their adolescent behaviour, or the clothes they wear to school. This type of inaction at the school level leads to mistrust among students, and a feeling that even if they come forward with their case, no action will be taken. As a result, girls affected by sexual harassment, exploitation or other forms of abuse in school, rarely see their cases investigated and taken to court, when necessary, and perpetrators punished by the judiciary or subjected to disciplinary measures by the Ministry of National Education.

We also note with concern **that some incidents of school-related sexual abuse – particularly those that result in pregnancy—are settled by parents, community representatives, and occasionally, school principals**. This results in government officials facilitating or tacitly accepting a child marriage between the student affected by the abuse and the teacher who perpetrated abuse. In other cases, it results in teachers paying a stipend to a student without any official investigation taking place. Our findings show multiple system-wide challenges.

**Notably, teachers do not go through rigorous pre and in-service training in child protection,** although some may be exposed to courses and workshops led by UN agencies and nongovernmental organizations.

Although teachers are ethically bound by a professional code, **Senegal lacks a binding national code of conduct** that outlines the obligations of teachers, school officials and education actors, and sets out clear expectations and accountability lines. We understand that an effort was underway over two decades ago, and according to our research, plans towards adopting one have stalled.

Although the government adopted a comprehensive child protection strategy in 2013, which led to increase action to protect children, we are concerned that there is currently **no stand-alone policy to tackle and prevent school-related sexual and gender-based violence,** concretely sexual exploitation and harassment.

Our report also finds that many public secondary schools **do not provide adequate, comprehensive and scientifically-accurate content on sexuality or reproduction,** in line with evidence-based international guidance by UN agencies. In some cases, we found that teachers provide wrong and potentially harmful information, which distorts students' understanding of how to protect themselves from pregnancy, HIV and other sexually-transmitted infections. We acknowledge that the ministry of education has led an extensive consultation process to develop a national reproductive health curriculum, but note that the current proposal does not cover sexuality and reproduction in its broadest terms.