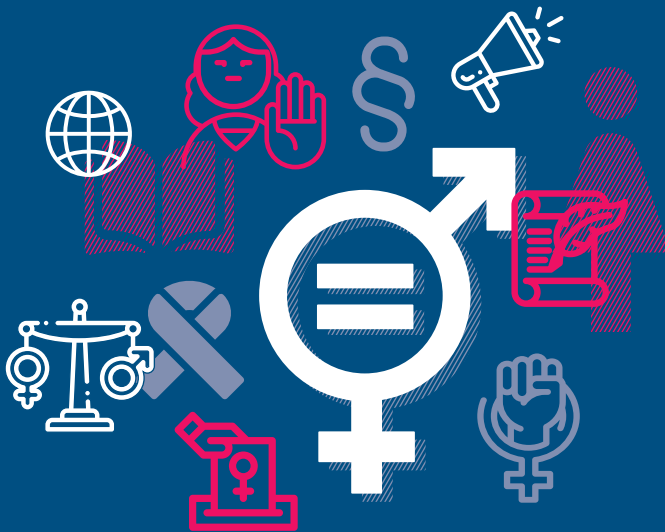


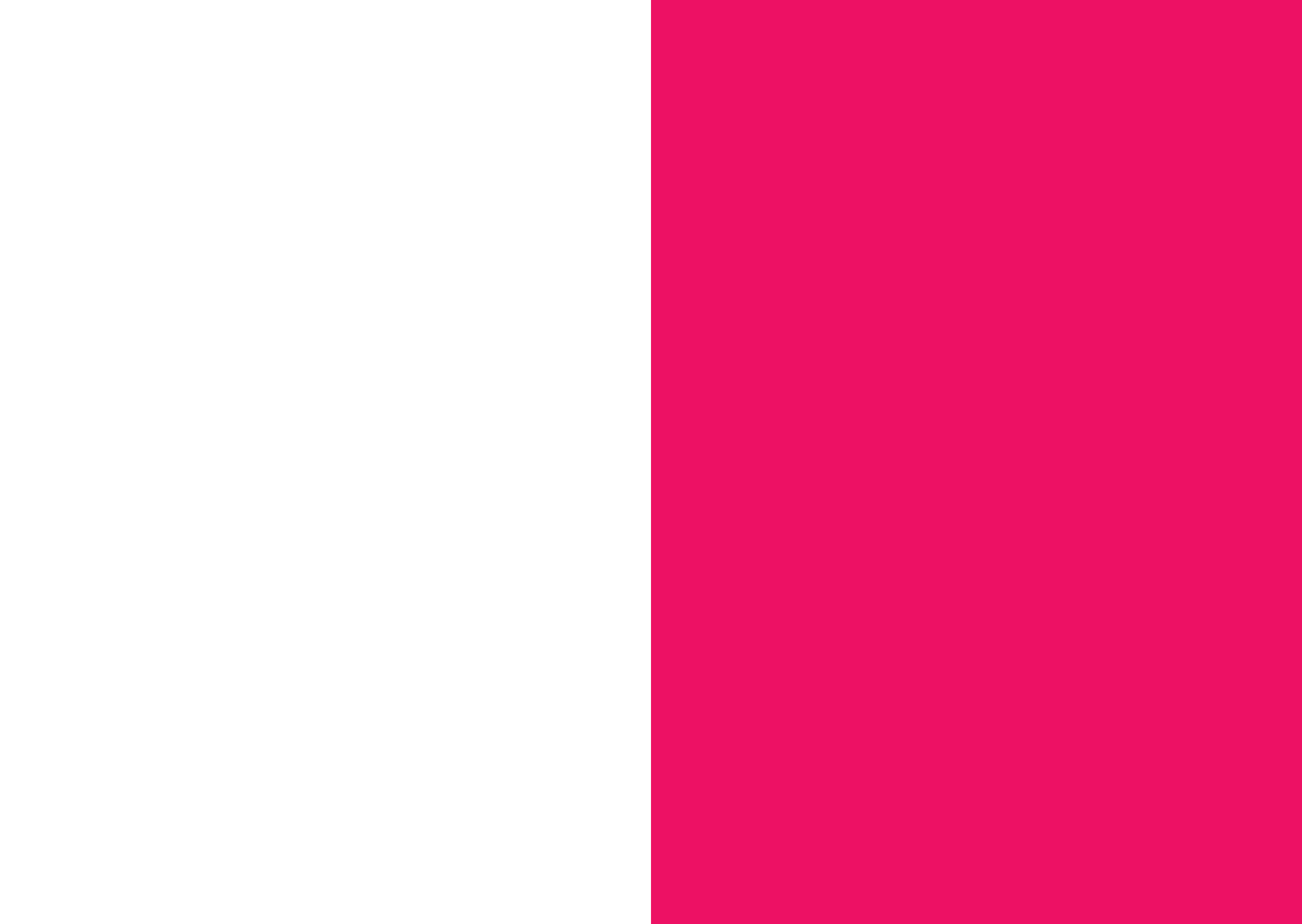
# MINISTERE DE LA JUSTICE

## Cellule Genre

“Ka’oof fa kee xot teena na  
calir cofu na fat ngir wareef  
leng kut fo mbodrand ne  
a ndeer o koor fo o tew



Safe ndeP ngir lasir, yegnit  
fo ngir oo yaajand





# **Ka'oof fa kee xot teena na calir cofu na fat ngir wareef leng kut fo mbodrand ne a ndeer o koor fo o tew**

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**Safe ndeP ngir lasir, yegnit  
fo ngir oo yaajand**

## Ndokand

### Ministeer fee seqna a dat Maalik SAL

Ministeer fee seqna a dat, a beertin na naak ale seqna ngir o tew fo o koor, a lalta no nqool nowaambur 2020 a safe deP laa xotna xa saar axe njegna o njiriin taa fnaa nit eel Seenegaal no kaa jofna no wareef rew we. Callel jegu o njiriin o nqeene a taxa da lalit ndap layel no kaa jofna na fad, taa layaa, no kaa aarna njer fo ngiin no rew we, fo o waag xoox den, a pog den na poolitik fo sosiyal ne kee xupna, fo wareef leng a ndeer o tew fo o koor no kaa jofna no porofesonel fo fiskaal.

Safe ndeP le a lalte no nqool nowaambur 2020 njofnax ne ref yegnit, xana jegu njiriin koy calir kee fop mbaag na oo njal teel ngir safe ndeP le a fad muu refna, neen, rew we fox a caaC xa tew axe fo we ando na ee kene refna wareef rew we a soxalaan, too a cang den na ndubaap gofee.

Wiin weene taxu boo safe ndeP nekee suptel no delem ake numeena no saax le, ngir mbago yaajand, no matu, wareef kee layeena teen.

I mbetana a nuun ee a fi'a xa kiid xa mayu no adax maat ne fo sosiyete siwil, a Paatax a juga na alfabetisasiyonj. Yaaga a juga o njiriin, a cinj waag ole da mbaagna a niir fa a pind a delem ake numeena, wiin we alfabetiiseena a mbaag o ndaaw yegnit kee njofna no wareef fo o sas.

Ministeer fee seqna a fat a ropa, no miñu, a jiriifooro delem ake numeena ngir aa yaajand wareef, digmeek pind fat genand kee no miñu we ya nangilwaa wiin we no kaa jofna na fat no deleem ake numeena too diege ndabid. Tekit safe ndeP le na laya ne kaa jofna na wareef no rew we noa delem ake numeena a ndef kaa saxna, no kaa bindeena, no poolitik na daawna yegnit na jofna na fat faa Ministeer fee seqna a fat a bug na geenin took o cooxir delem jagooxu.

Nqeda nuu njiriifoor fa jam safe ndeP le na yaajandaa taa bisiid qas fo a mernax, mexe gidmaa we tekit na den we at na o waag den ngir oo njal fa departamaa es, ndaa itam daap le Foondason Konrad Adenauer ngir Paat wareef kam Afirik mudand den we na yoonaa Ministeer fee seqna a fat, kam a yoonaa leene safe ndeP ne jofna no bareef no tew a binde n a ndubaap.

Mexe xedaa fop a niir a mosu no safe ndeP nekee bindeena na pulaar, naseereer fa na wolof.

## Kosey ñeesnax

### **Persida Kosey**

- › Mme Aïssé GASSAMA TALL  
*Sikirter seneraal Ministeer fee seq na a fat*

### **Kordonatiris Kosey**

- › Mme Khadidiatou DIA NDAO  
*Kordonatiris a naak ale seq na a ndeer o tew fo o koor Ministeer fee seq na a fat*

### **Maambar**

- › M. Assane SECK  
*Koseye teknik, Kordonatiris a naak ale seq na no cofu na fat Ministeer fee seq na a fat*
- › M. El Hadji Babacar DIOP  
*Direkter adsuwin no Direksoŋ ne seq na no cofu na fat*
- › M. Cheikh Sidil Khair MBAYE  
*Kosilta, Persida kabine IDEAL*
- › M. Amadou BOCOUM  
*Persida kabine IADDEL*

## We mbindu na na

### Kordonater

- › M. Assane Seck  
*Koseye Teknik, Kordonater naak ale seq na no cofu na fat  
Ministeer fee seq na a fat*

### O pi bind

- › M. El Hadji Babacar DIOP  
*Direkter adsuwe na Direksoŋ fee seq na no cofu na fat*

### Xa pi bid o and

- › Mme Aïda MBAYE  
*Koseye no cofu na fat, direksoŋ de poolitik ngir ñaaCɔn  
mbaax, maambar a naak ale seqna no cofu na fat  
Ministeer fee seqna a fat*
- › Mme Khardiatou KA  
*Sirist, maambar na naak ale seqna no cofu na fat Ministeer  
fee seqna a fat*

## Ndopir

Rew we ndefu we nqup na no wiin we no saax le in a cinj o mayo le den, a keen sosiyaal den a jega solo lool, kaa mbaro mbokateel kam poolitik o jeg a maakoofo fo ndoofand miñu. Kaa mbaro mbokateel no yaa desisoŋ a xoteel no maat ne fo no gendand ole, mee itam i adnaa den no xaliis fee na xataa no tik-oo-rit keen meeri fee.

A binde kam artiikal leng ne no faap-saax le n° 2008-30 ole 7 ut 2008, a supta artiikal 7, 63, 68, 71 fo 82 ne faap-saax le (JORS niimero espesiyaal 6420 ole 8 ut 2008 « *A fat ale na' doole'na rew we fa goor we daa mbog oo ndaaw no todel kee fo no callel kee* »

Artiikal 25 alineyaa 2 ne faap-saax le in a laya itam no mbodrand limpo a ndeer o tew fo fo o koor : « ... *moyâ tirand le a ndeer o tew fo o koor no kaa jofna no callel fo no saleer fo no limpo kaa fañteel ...* »

Callel njegu solo ne seenegaal no cofu a ndeer o tew fo o koor a lalta no saaxo leng, a ñaaCnoof ale konwasiyoŋ siñe kee gilaax saax taa mbañtaa moyâ tirand ne na fi'eel rew we, fo no saaxo lakas, ngeenin njofna saax no cofu no mbodrand a ndeer o tew fo o koor no wareef, neen « *faap saax ngir mbodrand a ndeer o tew fo o koor no wareef 2016-2026* ».

Taap ne kee a taxa da njagan pi'eel ngir da ndoofand ndokoorand jofu mbamir fo cofu a ndeer o tew fo o koor kam ndoofand kee ngup na solo no seenegaal too palaŋ seenegaal emersa a cooxtin.

Ndigil, yooPand le nii-niir we no cofu na teefel a fat a mbagu nga'it o jeg ole fo pofel ne kaa mbaro adu yaam solo den ngir a ñaaCnoof um. A saar axe saax le fo guilaax saax no cofu no bareef no rew we ne font pas exception à cette maxime intemporelle.

Kee ne taxu boo naak ale seqna cofu no tew fo o koor fee ministeer fee seqna a fat njofnax um refu yaajand no yooP na taa ñof no xa saar xa leng axe njeg na oo njiriin ngir aar rew we fox a caaC axe. Xa saar axe kaa njilel kam xa saar xa lakas yaam kaa ataa tontax no kaa jfn a ñoow mbeet-oo-mbeet, taa ref aar njer fo ngiin no rew we, ngir adin o waaag xoox of den, yof a pog den no cofu no ñoow poolitik fo sosiyal no kee xup na, ngir gaaranti mbodrand a ndeer o tew fo o koor kam o jalan den fo limpo ...

Tekit le no delem ake nmeena a yooPanda a pog ale wiin we fop ngir yof njofnax kee no cofu na kaayratin sosiyaal fo na fat da mbbi'a rew we fox a caaC axe ; yof doole den na cil ale no poolitik piblik kee ; yoopand aar ale no wiin we no safku fo Paatax sosiyo-ekonomik feen rew we fo xa caaC axe.

## Ke safe le a fofna

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Ndokand 07

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Ndopir 11

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# 1

**Xa saar xa cegu solo**  
xe ne saax le ngir garanti  
wareef cofu no poolitik fo  
no ɓasil fo no waag  
xoox of no rew we

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A bondin ale Pasil ne kam Seenegaal kaa jokandoox na fat n°72-61 ole 12 suwin 1972 taa layaa no kot Pasil ne supteena. Ngir no kaa jofna na fat poolitik kee, a fat n°2010-11 ole 28 mee 2010 taa digle aa mbodrand a ndeer o tew fo o koor aa refa calir leng ne suka ndikoox na a fat politik aa cegu solo ngir rew we.

## I. Daap ne kot Pasil taa jof no ñoow no waa na ndolniraa fo a ndeer o kiin fo o Peem

Ka'oof podu kee no leslateer fee no kaa jofna no waa na ndolniraa fo a ndeer okiin fo o Peem xa a tax fap kee fo abligasiyonj no we na ndolniraa aa andel. A tolaax fo Pasil faap-saax le kaa aar aa den.

### Kee xot teena(feg) no artiikal 17 no faap-saax le :

*« A tolax fo o Pasil den ndefu fandamaa tigi fo ngiin no geenand no wiin. Saax le na aar aa den. Saax le fo kolektiwiite piblik kee o sas den refu da ngy naaka o wod-fo- baal fo ngiin no Pasil fo laago we fo maak we.*

*Saax le kaa garanti ne kee xupna no Pasil kee fo wiin we na ñoowa na koP ale da mbag oo mbayooxa fo o wod-fo-baal. A garanti aa itam kee xupna no rew we fo we na ñoowa na koP ale, a fat alana yoobanaa o ñoowoof den ».*

### A. Xot tee kee (feg) mbareena o ndam no cofu a ndeer waa na ndolniraa

Kaa layaa no ndolnir fo no sambir fo kee taa waag na oo bisiid. Xus ne a ndeer otew fo o koor ne taa lay tee na kam kot no Pasil, ref ee kaa yoob na oo ga'eel oo kam Seenegaal.

### Xot tee kee(feg) no artiikal 100 :

*« A ndeer we naa ndolniraa teen Pasil naa xat na a ndeer o tew fo o koor waa na ndolniraa aa sosooru ... »*

**Ka'oof :** I mbara ndam ee na niir ale artiikal fee ne a tolax jabaan lu dul a ndeer o tew fo o koor me kee kam Seenegaal. A yoon ale koy sosu no kaa fop aa and na kee ne ref na Pasil.

### 1. Xot tee kee (feg) mbareena o ndam no cofu a ndeer waa naa ndolniraa

Xew no Pasil ne moyña jeg oo njiriiñ kam oo ñoow refu a tolax. Taa xeweel no cosaan too ofise eta siwil aa sede in, kaa bisiida xa fat fox a sas kaa wiin we fop aa andeer na.

### Xot tee kee no artiikal 18 ole faap-saax le :

*« A tolax aa forse'e wiyolasonj sañ-sañ no kiin oo. Kaa fañteel too xuu fi'n xan oo yar eel ne fat aa lay tuuna ».*

### Xot tee kee no artiikal 111 CF :

*« A tolax waage oo jeg lu dul a ndeer o koor oo xa jeg na kaa xup na xa kiid 18 fo o tew oo xa jeg na kaa xup na xa kiid 16 ... » (niir oo porotokol CADHP - Artiikal 6, b)*

**Ka'oof :** Cinj ne kee adu na no cofu andeer o koor fo o tew, xa kiid axe mbaageer na oo ñak teen aa mbogu ngir a tolax ale waag oo jeg : xa kiid 18 o koor oxe fo x a kiid 16 o tew oxe. Persidan fee tirbinal dinstas a waag aa ñak oo sukandiku no xa kiid axe no tew oxe ngir lakas-lakos a cinj enket mbaxu ngir a tolax ale a jeg. Kee ne koy kaa ref kaa fañteena, xa tolax xa teelu oo.

**Xot tee kee no artiikal 116 al.2, 2° :**


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**« ...Yaa o jaab aa jegeer na yaa fo tolax ale mbaa kaa adooxuuna, o koor oxe waa jeg boo rew naxuk... ».**

**Xot tee kee no artiikal 133 al. 2 :**


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**« O koor aa bind wa ngee no leng no kee artiikal 134 a layna, a tolax axe poligami a ref kaa ».**

**Xot tee kee no artiikal 134 (kee bisiid na xalat fee) :**


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**« ... A cil ale jofna no monogami fo no limitasiyoŋ poligami refe kaa na supteel aa supta tineel, ref kee kaa na waagoox kaa no koor oxe taa supit a cil aa cinj yaa jil limitasiyoŋ poligami ... ».**

**Ka'oof :** Kot no Pasil a sipa poligami taa ref fondamaa. Ndigil, o koor oxe andona ee ten ndong waagu oo jil a jilangee yaa fa tak naa mbaa a cinjum, poligami na jil keel. Wiin we kaa mbar oo ndam o ñak o supit ale no cil monogami mbaa poligami sawir noore goor na cil ale. Boo kaa ga taxu, fo bug oo ref monogami mbaa poligagami, kaa mbuga yoo, ngir sekirite, a njil poligami fa motu. O tew oxe itam a wara yegnel ee o koorum aa fañagaa o jil, poligami na jil keel too a waagaa layteen fo o koorum oxe andona ee ten dong waagu oo jil.

**Xot tee kee no artiikal 152 (doole fee no koor oxe) :**


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**« O koor oxe refu yalmbind ne, kaa laltaaa doole um no kaa jofna no njiriin no fop a tolax axe fox a caaC'axeil ».**

**Xot tee kee no artiikal 153 (Geenand ole no we na ndolniraa) :**


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**« O koor oxe waru jil o geenand ole ... ».**

**Ka'oof :** kaa waro layeel mee kee yee doole fee koor oxe, kaa waro feeñ no paspas fee koor oxe teen fee refna o yalmbind ne na lay kaa me da ngeen kaa, refe kaa na waña neen taa foog teena kam a fat a miñu le « romano-siwilist », « Potestas maritalis » kaa layee o koor oxe waru seq o tew oxe.

Kam Seenegaal, cosaan a fi'a o koor oxe refu yalmbind, ndaa a jegaa boo ndiik wareef kaa ndef na a ndeer den kam cosaan fo kam kot Pasil ne waa atna mbodrand. Ndigil, doole fee no koor oxe kaa war oo fi'el no kaa jofna no njiriin no fop a tolax ale fox a caaC'axe, ne alineyaa 2 fee artiikal 153 ole kot Pasil ne :

**« a kom alu mbind ne oor oxe xot na a jeg Porafar no Pasil ne no kaa ref na no njer den mbaa no ngiin denl, o tew oxe a waaga, no kaa siis de pee fee aa ci'uuna taa waaf o geenand o lakas ten fo xa Peem ».**

**Xot tee kee no artiikal 277 (Doole fee faap fee no Piy axe taa rim na) :**


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**« Doole fee faap fee no xaPiy axe taa rim na kaa fogin fo tew oxe. No tolax axe, faap fee refna yalmbind waru ñaaC'na doole fee ... ».**

**Xot tee kee no artiikal 287 : (A pelax cofu na fat.)**


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**« Desisoŋ kee nqot teena ngir o njaacc onqe no kam a ñaaC'noof ale doole fee faapum aa mbaga oo njaab siis de pee fee no kaa felna aa den no cofu no me njaaC' onqe aa gens na. A cinj oo kowoke'eel mbeet-oo-mbeet baajur kee mbaa o kiin o lakas oo xuu andona ee o nangilooxum a jega o njiriin, siis de pee le a waaga ngo bind.**

**A ñaaC'noof xe jeg taa kam biro no siis fee, no xet ola oo leng aa maadteerna, ngir yegnit ne no fat ale. Mbaamir tirbinal fee no instas mberaand, a ñaaC'noof ale xe jeg taa kam a ndok o as, no kee jofna no yegnit ne na xate fee a waaga dekalare el ee a waagooxa no porwisoŋ ».**

**Ka'oof** : kee reef na no artiikal 277 a lime kee atna transmisorj ne fo o neew doole no doole fee no faap fee.

Neene, « desisorj kee faap fee xot na, too da nguutatir fo o njiriin no njaaC onqe mbaa no Pasil ne, a mbaga oo suptel mbaa siis de pee le a dak na den me njaaC onqe aa geen na, yaayum aa buga nga, taa reef porosedir kee lay ee na no artiikal 287.

Yaay fee na ñaaCna doole fee na yalmbind ne, sof desisorj fa nguutatiru no siis de pee fee na dogala kam a ndok no as :

- 1° A kom alu faap fee ñak na fat ake no doole faap, ngir a fat ake taa xa ñeena ;
- 2° A kom alu faap fee refa teerna yalmbind, waag ee o lay buge buge um yaam o ñak o waag um fo o ñak o ref kam Pasil um fo o got Pasil um mbaa lakas ;
- 3° A kom alu faap fee wegeena ngir kaa bandoone Pasil um ;
- 4° A kom alu yaay fee boxoteena doole no faap fee. A refa ngaa ee we na ndolniraa ngeene no mbind leng, too a fat layi ran mbaa taa andid, tirbinal departamantaal fee a waaga, no njiriin no njaaC onqe fo no lamit no yaay fee mbaa fo no ministeer piblik, a boxot a yaay fee ñaanoofo ale no doole faap fee. Desisorj nene jega tee o njiriin a cinj o xet ole no we na ndolniraa, o xus mbaa o sambir.

## 2. Xot tee kee mbareena o ndam no cofu na bañit a tolax axe

Xot tee kee no artiikal 138 :

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**« Yaa a bañit a jeg na too a sop ee a tolax ale ofise etat siwal mbaa o represanta um selebere'un mbaa taa seede in, mbañit ne a waaga o yegnitel :**

- 1° **ngir konsantama no leng no we na ndolniraa jeg jafe-jafe kaa ref yaa o jaP a jeg na a cinj ñagadil mbaa o xal ;**
- 2° **Otorisasonj no Pasil a ñak ;**
- 3° **O ñak oo soxit xalal fee no we na ndolniraa a layoor ina ngir a tolax ale jeg ;**
- 4° **O koor oxe yoom aa nga;**
- 5° **Jir fomu too waag ee o fayel too waag ee o geentel too koor oxe andid taa o fañ no lay ee fa tolax ale a jega ».**

Jukki artikal 139 :

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**« A bet no pi'el**

**Pi'el ne na fañ teel refu :**

- 1° **O leng no we na ndolniraa too o jaP um a jeg jafe-jafe;**
- 2° **O ñak otorisasonj no Pasil, oxe andona ee konsantamaa um jaa lamit eel mbaa o koor oxe teen fee bug i'na konsantamaa ;**
- 3° **O tew oxe yaa taa daweerna xalal fee mbaa o koor oxe yoom;**
- 4° **O leng no rew we daa we jir fomu laa waag andona o fay' ».**

## Xot tee kee no artiikal 140 :

**« A bañit ale**

**Mee pi'el na bañit waaga tee jabel :**

- 1° **Ngir konsantamaa jeg jafe-jafe, kaa waro ngeen no kaa fadna a qool betaafoleng yaa koor oxe daaw na o jeg xoox um mbaa qal ne a inoor it maa teen ;**
- 2° **Ngir o ñak otorisasonj no Pasil a jeg yaa a tolax aa jabeena no ñofu mbaa no kaa layaa ndeena, ngir oxe andona ee kosantamaa um kaa ref kaa jegna o njiriiñ mbaa, yaa o kiin oxe, mbala xa kiid no koor oxe aa motaa, too aa mofa o xiid too doloxe taa and u a tolax alea, mbaa kam njofna, yaa o koor oxe jegna xa kiid 18 too fi'ee rekalamasonj.**
- 3° **yaa koor oxe yoom na mbaa o leng no rew we a dasna jir fomu too waagan o fay, yaa fa ngeen fee fi'na kaa xup na o hiid o leng ».**

**Ka'oof :** Kee garit na o niiland a tolax fo kee taa bisiida o njiriiño ngir da andel. Artiikal 138, 139 fo 140 den na laya o niiland mbayum a waagu jeg. Kaa da laya no qoolu oxe jegna wareef a laac niiland fo kondisonj kee tax na boo a niiland ale waaga tee oo ni'eel. Egsampal fee moy na oo leer refu niiland relatif ngir o koor oxe yoomanga mbaa jir fomu too waagan oo fay laa daaw na o leng no rew um. A cinj a tolax axe, rew we anda nga jir le mbaa ee kaa yoom too a tolax axe tasaan no kaa xup na o xiid a cinj yaa da and na ee o koor oxe kaa jir mbaa kaa yoom, a niiland ale tolax axe waag aa tee oo fi'el.

Kaa waro layeel aa xin ne niiland relatif a fokata o jeg jafe-jafe no konsantamaa fee, ndaa kee na laltaa no kee xup na no niiland relatif, o njiriiñ oo cektooxu zoom na deeteel, wiin we mbaag na oo lay na niiland kaa new, fo we andona ee den taxu porsedir fee layeena niwaan. Teen refu wiin we artiikal 130 ole kot Pasil ne daabaa.

## Xot tee kee(feg) no artiikal 141 :

**« yaa niiland apsoli jeg na**

**Nuu a tolax axe waag na o nand, niiland um kaa war oo layel :**

- 1° **A refa nga ee kaa jeg too o leng no we na ndolniraa jabee ;**
- 2° **A refa nga ee we na ndolniraa goor fik oo mbaa rew fik ;**
- 3° **A refa nga ee o leng no we na ndolniraa xa kiid um mot'ee, too jegee otorisasonj ;**
- 4° **A ndeer fik we na ndolniraa a jega nga o fog mbaa a yoon na laa dagandeer na ;**
- 5° **Yaa o tew oxe ref ina kam a tolax aa taseer ;**
- 6° **Yaa o koor oxe waag aa teer na jeg o tew o lakas yaam faap ne artiikal 133 ».**

## Xot tee kee(feg) no artiikal 142 :

**« A bet ale na pi' fo fiin de no resewaar**

**A pi' niiland ala geen nena no faap artiikal le adu na, a waaga ñaaCnel:**

- **fo fik we na ndolniraa fa xoox den ;**
- **fo o xuu andona ee a ga' a teen o njiriiñ ;**
- **fo ministeer piblik, yaa fik we na ndolniraa a ñoowaa.**

**Kaa ref kaa boo faw.**

**A refa nga, a pi' ale kaa jokandikoox no tolax ala jegna taa adu, o leng no goor we mbaa we noon na ne'a ngaa a niiland ngir a tolax aa eetaan ole, kaa war no kaa aduna a lay no walidasonj mbaa a niiland ale tolax ale, a cinj yaa taa akise'na o koor oo lakas oo xe ndolniiir mbaa we noon na.**

**Yaa o leng no goor we jeg' eerna xa kiid xa motu, a niiland ale waag ee ne'el a cinj yaa taa jeg na xa kiid xa motu mbaa yaa o tew oxe a rim na, yaa a tew oxe fo xoox um biseerna pi'eel ne na fat.**

**A jega nga mbesoorand lakas a niiland ale waag ee oo defandarel ».**

**Xot tee kee(feg) no artiikal 144 :**

**« Bes fee contaraa fee a bindeena**

**A tolax aa laa niilandeena kaa jeg kaa taa bisiidaa, no took yaa taa o jegna, boo ñaal na desisoŋ ne na niiland ale a cooxit keel too jeg kee daku a cinj, a andee yee a niilande ñaal ne koom.**

**Taap kee ne mbañ kee na tolax xa qas a laa jeg na walidason yee da ngel fo niilandan.**

**No kee jofna no jegole, a niiland ale kaa jof took kontaraa kee koy a ndeer no we na ndolniraa bes fa no lamit nala; fañit kaan we lamna ludul bes fa faap kee layeena no artiikal 143 kaa oo mbi'el ».**

**Ka'oof :** A niiland apsoli, no nguutahir fo niiland relatif, o kiin oxuu refna waaga layin oo buga ngaa, ministeer piblik moyu o andel teen, yaa we na ndolniraa ñoowa. A pi' a niiland kaa ref boo faw. Kondisoŋ kee no niiland apsoli a tolax kaa layel no artiikal 141 fee cooxitna a pi' betaafoleng : o ñak kosantamaa, o ñak nguutahir no mbaamir, o ñak xa kiid xa motu no leng no we na ndolniraala, a tolax a laa daganeer na, o tew oxa jeg na goor fik, fo wiolason ne no cil ale a ndeer o tew fo okoor.

**3. Xot tee kee (feg) mbareena o ndam no sambir****Xot tee kee (feg) no artiikal 166 (kee bisiid na sambir) :**

**Sambir a waa layel ... yaa bandone ona Pasil mbaa mbind ne o ñoowa fo o teef ; yaa ñagadiil a jegna, faa xupna, a qaw mbaa a ben a poonu kaa na bisiida fa ngen fa fomu ... ».**

**Ka'oof :** kee na bisiida sambir too kot Pasil a layin den ndefu nee kee :

- › yaa o ñak dekalaare no leng no we na ndolniraa a jegna ;
- › yaa njaalo a leng no we na ndolniraa a juga nga ;
- › yaa beg kaso laana yaka dool no leng no wena ndolniraa a jegna;
- › yaa o koor oxe ñak na a topattoox o tewum ;
- › yaa o leng no wena ndolniraa a fañ na o niw kee da layoor ina yee da ndal fo nqumaa a tolax ale ;

- › yaa bandone Pasil mbaa mbind ne o ñoowa fo o teef a juga nga ;
- › yaa ñagadiil a jegna, faa xupna, a qaw mbaa a ben a poonu kaa na bisiida fa ngen fa fomu ;
- › yaa ñak oo waag fa ndim a jegna too doktor layin ;
- › yaa jir fomu too waagan o fay' a juga nga kamaa tolax no leng no waana ndolniraa ;
- › yaa ñak oo njofoor a juga nga taa rim fa ngeen fa fomu ».

**Xot tee kee(feg) no artiikal 168 alineyaa 3 (A keen no xaa-xate le) :**

**« ... a waaga otoriise porowisuwarmaa, yaa irsaas a jegna, oxe na laacaa ngir a jeg mbind xoox-xoox dum taa xot faap kee waruuna fop no cofu no caaC axe ... ».**

**Ka'oof :** Kee xupna na, o njiriñ no njaaC onqe taxa boo ya'um aa boxateel. A waa suptel koy yaa desisoŋ ne jegna danse no njer mbaa no ngiin no njaaC onqe.

**Extrait article 178 (O miñel jegu solo no Wareef a seq ale) :**

**« Yaa o koor oxe sambir na ngir o ñak oo jofoor mbaa jir fomu no tew oxe too waagaan o fay, wareef a seq ale wareef a cooxit o ñoow a ref kaa neene podel II ole safe IV, ole kot fene. »**

**Ka'oof :** mbirum xaliis fee artiikal fee layna no cofu no koor oxe sambir na yaam o tew oxe kaa jir mbaa o ñak oo waago njofoor a ndeer den. Kee ne juga nga, siis fee aa wara o jaP o koor oxe tas, ndaa wareef a seq ale meñandoog na o koor oxe yaam a tolax axe wareef a ñoow dan a ref kaa too xaliis fee siis fee na laykaa neta fodkaa yaa taa jokandikoox na no kee koor oxe jegna.

## B. Xot tee kee (feg) mbareena o ndam no cofu a ndeer o kiin fo o Peem

Xot tee kee (feg) no artiikal 155 : Bareef kee baa juur kee

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**« A tolax na bisiida Pasil ndigil.**

**We na ndolniraa a nanoor aa kam a tolax ale wareef a ñoowin, a topatax, fo yar xa Piy den.**

**Porosedii ñaaCnoof kee no wareef a topatax xa caaC axe regle eel fo kee wareena o fi' na tolax ale no safe VI, podel 1er, ole na kot fene »**

Xot tee kee(feg) no artiikal 4 (O Piy fo'ooy) :

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**« O Piy fo'ooy sima ngol le yaay fee a xotaa. Faap fee jaPa nga ee ten rimun, o Piy onqe xot sima ngol no faap fee ... ».**

**Ka'oof** : Ndiki a waagoxa no ñeesnax wiin we oo and xe rim na o njaaC onqe no testa A.D.N. Pi'ir ola siis fee seqna no yaa ñima tira jegna no faap fee fo aa sasel o ñoowin, a topatax, fo yar no njaaC onqe, yaa faap fee a andeena.

## II. Taap relatif kee no bareef poolitik : fat no cofu no parite

Ne taa lay teene kam resolisoŋ ne no cofu na pog ale no rew we na poolitik no aasambale seeneraal fee no mal ne na saax ake no nqool desambaar 2011, oo muu waagana ref no adna fee, « *rew we moyu o new na poolitik fee, kee xup na no kee atuuna ref a fat, a pi', komportamaa fo diskiriminason, fo yam a cang den gofee, mbaagee oo mbayû fo den moyû oo ñak ee goor we* ».

No keene, Seenegaal, a and no qoolu kac o ñak o fog no rew we fo o ñak oo faale soxla kee den no yaa desisoŋ aa xoteel, cofna kee njofna no mbodrand, no ndoofand safku fo na jam mbaag kee oo ñaaCnel. No keene, waagee o ñak i nji a fat no cofu na parite aa geenoxa no gornomaŋ fee.

## A. Xot tee kee (feg) mbareena o ndam no cofu na parite

A fat n° 2010-11 ole 28 mee 2010 na layaa na parite apsoli o koor fo o tew aa ote ee na nqel-saax 14 mee 2010 soo Sena 19 mee 2010, yaal saax le poromilge in soo surnaal ofisiyeel n° 6544 ole 4 septaambar 2010.

Xot tee kee(feg) no artiikal 1 :

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**« Parite apsoli o koor fo o tew no maakaan kee fop na Seenegaal andona ee kaa ndodel den fop mbaa o saaxo leng ».**

**Ka'oof** : Parite apsoli xe layaa mee kee o jeg oo saxu taa ñaaCneel no lim mbodru a ndeer o tew fo o koor kam qel kee na nqoteel desisoŋ no cofu na ñoow saax. Kene refu ee den fik fop o koor oxe fo tew oxe kaa mbaro mbod.

Maakaan kee fop andodeena sequ naak aa kee no desisoŋ kee no saax le too wiin we aa ndodel.

Maakaan kee andona ee o saax o leng dode sequ naak aa kee andoona ee o saax o leng ole dode fo saax o las ole jilel.

Eleksorŋ refu a cil no oo-ote we, wiin waade représentants (o kiin, mal mbaa parti) moofan na den mbaa aa njala na den.

Artiikal mberaand ne. Sequ dig jegu o njiriin na fat no cofu na parite. Callel um refu a fi' boo rew we fo goor we aa ndawaa o njiriin o leng na poolitik.

Njofna um refu mbodrandba ndeer o koor fo o tew, yaam njofna um refu ñoxoor nguutatir ne kam maakaan kee fo no saleer kee.

O saar ole kee neene a geen na a qoolax no cofu na ñaaCnoof, too njofnax um refu regle aa no kaa miñna diskiriinaason kee no cofu a ndeer o koor fo o tew.



**Xot tee kee (feg) no artiikal 2 :**

**« YuuP kee no we mbog na kaa fi'el kam ndeepatir a ndeer o koor fo o tew.**

**Yaa lim ne no maambar kee ref na qaajtar fik, parite xana jeg no lim qaajtel fik ne moy'na o new.**

**YuuP kee no we mbogna kaa war oo yoon fo faap kee nqotaa ndeena too ne'el took ».**

**Ko'oof :** YuuP kee mbi'eena kam ndeepatir o koor fo o tew ; kam yuuP ne we mbog na taa a fi'el no ndeepatir o koor fo o tewdans, we mbog na kaa mbar oo peresante a lim aa laa na fi'keel no ndeepatir o koor fo o tew : kaandidaa goor fik mbaa rew fik mbaag ee oo ndefatir.

YuuP kee kaa mbar oo mb'eel na ndeepatir o koor fo o tew, a fat aa cooxa meekee saas leng kee goor we fo rew fee ndax da mbaag oo ndodel. Wareef peresante we mbogna no ndeepatir aa taxa boo goor we maya tee no xoox len yuuP ne soo rew no las ole, ando na ee ngir da ndodel yob kee. No cofu no alineyaa, yuuP kee no we mbogna kaa mbar oo mbi'eel no ndeepatir o koor fo o tew, no saax oo lakas, yuuP kee kaa mbar oo peresante lim na andoona ee rew fo goor kaa mbod kaa soo aa ndeepatir.

Yaa yuuP le aa refna qaajtar fik, parité kaa juga no lim qaajtel fik le moy'na o new.

Kaa jofna no ñuxur « *a pen diresewabilite* », kaa taa forse aa parti poolitik kee da niw a fat aa mbuga ngaa oo mbog no oote kee. Kee ne taxu, boo yuuP kandidaa luu reefeerna ndeepatir ne a ndeer o tew fo o koor xana niilandel.

Artiikal nee kee sequ yaaga a ñaaC'noof na fat ale jofna na parite.

**Xot tee kee(feg) no artiikal 3 :**

**« kondisonj daplikasonj kee no fat ale kee xana cooxtel no qoolu taa beer no dekerese ».**

**Ka'oof :** Dekere ; desisonj no ñaaC'noof ale kaa war oo fofnoox mbaa taa ref o kiin o leng laa o yal saax le mbaa peremiyeer minis a siñe in.

Artiikal nee kee, njofnax um refu a doole an peresip no parite nee taa lay teena kam artiikal mberaand.

**Xot tee kee(feg) no artiikal 4 :**

**« fat ale kee fo dekere daplikasonj kee ten xana Pekel kam kot oote »**

**Ka'oof :** Dekere dapilikasonj kee njofnax den refu qoola ndaa faap kee mbaa kondisonj dapilikasonj no fat.

**B. Xot tee kee (feg) mbareena o ndam no cofu no dekere dapilikasonj ne**

A fat ale no cofu no parité a fi'a referaas no dekere dapilikasonj um, na qoolan dekere n°2011-819 dekere n° 2011-819 ole 16 suwe 2011 seqna ñaaC'noof no fat ale na digla parité apsoli o koor fo o tew, fo a pogum kam kot oote fee.

**Xot tee kee (feg) no artiikal mberaand :**

**« Na yoon fo a fat n° 2010-11 ole 28 mee 2010 na digle aa parite apsoli o koor fo o tew kam maakaan kee andona ee wiin we fop kaa ndodel mbaao saax o leng ole, yuuP kee no we mbogna na oote kam maakaan kee ne kaa, mbaro mbi'el no ndeepatir a ndeer o koor fo o tew, mbaa xot kaan ».**

**Ka'oof :** Ngir oo ñoowin no safku taa xool a fat no cofu na parite, o fof ole no artiikal fee xe layaa, na niiland no yuuP kee yaa da niwer na parite.

**Xot tee kee(feg) no artiikal 2 :**

**Maakaan kee andona ee fop na ndodeel mbaa o saax o leng ole na lay teel :**

- **Kosey resonoles, minisipo fo riro neene fo biro fo komisonj kee den ;**
- **Sena fee fo biro fo komisonj um ;**
- **Nqel saax le, fo biro fo komisonj um,**
- **Biro fee na kongere fee no nqel saax le ;**
- **Biro fee na kosey ekonomik fo sosiyaal fo komisonj um.**

**Ngir callel fop senateer, dipite, mbaa koseye xe warna oo rampalase in kaa oo war oo ref o koor mbaa o tew ne no ten.**

**No yuup kee no we mbogna, goor aa ndefu mbaa rew kaa war oo bindel mbaamir no gon le.**

**Ka'oof :** Artiikal nee kee kaa joox me fat ale wareena o ñaaCnit taa lay taa cool maakaan kee na layteel. Kaa xoolanda neene me parite waag na oo ñaaCnitel, neen kosey resono, minisipo fo riro, biro fo komisonj den, nqel saax le, birp um fo komisonj um, biro fee no longère fee no nqel saax le, biro fee na kosey ekonomik fo sisiyaal fo komisonj um.

Mee, fof le no dekere fee took layeena kaa war oo suptel ngir da beq supit kee njegna taa njofna :

- **A niiland ale sena fee ;**
- **A niiland ale kosey ekonomik fo sosiyaal fo ngeenind kosey ekonomik sosiyaal fo awiromantal fo oo kosey jalog sosiyaal ;**
- **A ñaaCnoof akt III ole desantralisasonj, fo jil a fat n° 2013-10 ole 28 desambaar 2013 seqna kot seneraal dee kolektiwite lokal, supteena, taa niiland kosey resonol fo kosey riraal taa ngeenind departamaa taa ref kolektiwite lokal taa seq kominalisasonj motu.**

**Xot tee kee(feg) no artiikal 3 :**

**« A fat ale dig litna parite parti poolitik kee fop njegna a kayit mal ne parti poolitik kee fop fop fo yuuP kee no we mbogna too mbareyo'sen.**

**Kee xupna no yuuP kee no parti luu refna, mal parti mbaa we mbogna too mbare'sen taa cooxteel no yaa da jokandikooxna na lim ale goor we fo rew we mbaagee na oo ndod.**

**Ya alim kandidaa kee no yuuP refna qaajtar fik, parite xana jeg no lim ne refna qaajtel fik taa moy oo new.**

**Ngir eleksoj nuu refna, lpart poolitik kee, mal parti kee fo yuuP kee no we mbogna too mbare sen wareef den refu ee rew fo goor we da adin kaa kaa mbar oo mbod, no yuuP kee fop »**

**Ka'oof :** Na yoon fo artiikal nee kee, faap kee no cofu na parite kaa Pek eel kam a fat n° 2012-01 ole 03 sarjwuye 2012, taa niiland fo rampalase a fat n° 92- 16 ole 15 fewurwe 1992, seqna kot oote (parti leslatif ole supteena). Kaa Paat oo mbindel kam a fat n° 2014-18 ole 15 awril 2014 taa niilanda fo aa rampalasa a fat n° 2012-01 seqna kot oote (parti leslatif fee supteena).

No xiid 2016, a cinj ee fo oo kosey dee kolektiwite teritoryaa, nqel saax le kaa xot porse na luwa n° 2016-18 taa supit kot oote ngir oote kee no oo koseye kee taa jokandikoox no parite. Boo xaye, kee xupna no faap kee njofna parité taa soxil maakaan kee andona ee den fop ndode mbaa o saax o leng soom kaa Pekeel kam kot oote, a Peernin no 9 artiikal kee ne : L143, L173, L193, L210, L224, L241, LO190-3, LO190-15, R84.

No miñeer, a fat n° 2018-22 ole 04 sulet 2018 taa seq o Patofeteel ole no kot oote a xota ina peresip leng ne no parite a Peertin no artiika 145 ole kot fee.

Ngir ngeenind no cegu a fat ale jofna no parite, artiikal nee kee refu kee na jofna leslasonj fee jegna.

A fat ale kee no parite, a weta podel nqas kam ngaynaak neen afer piblik kee fo a Paat o jeg xoox of fo o waag xoox of olen rew we.

### III. Taap kee no cofu waag xoox of ole rew we

Wiin we fop aa anda ee kam saax luu ref yar no Pasil faap fo yaay aa waru. Baa juur kee mbaru yar fo njaaC ne taa coox aa den o jeg xoox of. O kiin oxe, no yaa i layeerna ngir o koor fo o tew, a juga wareef aa jegood dik xoox xood um fo a gaynaak xalalum. Lesislason fee aa maya fo faap kaa nqoteena ngir aa ndoole in faap kee no rew, ten refu no kaa jofna no wareef callel, no cofu no limpo, no sekirite sosiyaal, no ala retrete fo no wareef oo jeg fo wareef no larj.

#### A. Xot tee kee (feg) mbareena o ndam no wareef callel, no limpo, no sekirite sosiyaal fo no ala retrete

Taap-saax le no seenegaal a laya mbodrand a ndeer o koor fo otew no callel. Peresip degaalite fee oxe feeña kam xa saar axe nguutatirna taa ngaynaak kaa callel no wena njalaa no maat ne fo we njaleer na teen. A juga iit o njagan kam xa saar axe no cofu no wareef limpo kee jaajal we. A saar axe ndefu : kot callel, kot sekirite sosiyaal fo seneraal dee impo.

Xot tee kee(feg) no artiikal 25 alineyaa 2 ole no faap-saax le :

**« ... O ñak oo mbodrand a ndeer o koor fo o tew no callel, no saleer fo limpo kaa fañtelet ... ».**

**Ko'ooot** : a Pek ale no mbodrand limpo kam a fat 2008-01 ole 8 sarjwuye 2008 a gara aa ñaaCñ peresip mbodrand no limpo too artiikal 25 ole faap-saax le aa layna.

Xot tee kee(feg) no artiikal L143 ole kot callel :

**« No yaa taa ñoot na, too aa ñootnax um foog kaan a niiland kontaraa, o tes oo xuu ref a juga wareef aa xay callel um no kaa tolooxna no semen xarbaxay fo naxik no ndeepatir, too semen betuutadik kee a cinj ñootne ref kaa. A ñootnax ale wa Paatel boo semen tadik yaa o fud ole mbaa ñootne bisiidna jir (...) ».**

Xot tee kee(feg) no artiikal L. 144 ole kot callel :

**« Yaa taa jegna xa qool xarbaxaay no kaa xotuuna no ñootna Piy onqe, yaay fee a juga wareef aa ñootnu ngir aa numin. O miñel ole na ñootnax ale waagee xup waxtu ñaal njalan nuu refna ... ».**

Xot tee kee(feg) no artiikal 1 kot sekirite sosiyaal :

**« Resim sekirite sosiyaal kaa sipel ngir jaajal we njegna saleer taa xat no kot callel ... ».**

Xot tee kee(feg) no artiikal 2 kot sekirite sosiyaal :

**« Ngaynaak ne no resim fee kaa kaa doxnel mbind piblik ola refna isin fo a cikax, ne'e kees de sekirite sosiyaal ... ».**

Xot tee kee(feg) no artiikal 6 kot sekirite sosiyaal :

**« Taa dam ee jegna o njaaC o kiin oxuu refna ñaal oo ñaal o cooxan maata geend na, o ñoow, a tokax fo a yar.**

**Mee, o tew oxe jegna saleer waagee oo ref xena ñoowin kaa xa caaC axe yaa o koor um a jegeer na saleer ».**

**Xot tee kee(feg) no artiikal 7 kot sekirite sosiyaal :**

**« Xana jeg perestasonj familiyaal xa caaC axe o caajal oxe jegna saleer aa seq na taa fog no leng no katagori kee-kee : ».**

**Xot tee kee(feg) no Art. 15 kot sekirite sosiyaal :**

**« Wareef alokasonj perenataal aa wetane rew we fop njegna o koor oxa jegna saleer, fo rew we fop njegna saleer too njegee goor fo rew we fop njegna saleer too goor den njegee saleer... ».**

**Xot tee kee(feg) no artiikal 21 kot sekirite sosiyaal :**

**« Alokasonj familiyaal aa cooxe o njaaC oo luu ref no caajal oxe na ñoow na den ... ».**

**Ka'oof :** No kaa xup, kot callel le fo kot sekirite sosiyaal le kaa coox jaajal we o yoog oo yaaju no resim den. A yoog ole goor we fo rew we aa refanu meen. Ndaa a cinj a yoog ale cooxeena jaajal we no kee xupna, kot dik kee kaa seq faap kaa andona ee ngir jafe-jade kee rew we mbaag na oo nqetit.

I mbaa o lim no faap kee na yoog aa wareef ken rew we :

- › waree oo raxel yaa taa refna oo fud (xeta jalana waree niiland kontaraa de taraway fee kam xa yenga xee kee) ;
- › aa waaga oo xay callel um yaa taa refna oo fud too asoox kee ;
- › wareef kose de matarnite (boo semen xarbaxaay fo naxik kose de matarnite olaa andona ee kees de sekirite sosiyaal na xel ko rabdan);
- › faap baxtu calel kee (yaay fee a juga waxtu leng ñaal nuu refna ngir aa numin) ;
- › a damit xaliis fee kees de sekirite sosiyaal (yaay fee fo o nqek onqe aa cooxeel taa Peernel no alokasonj familiyaal) ;
- › damit ne no wod-fo-baal no yaay fee fo Piy onqe (damit le koy aa payax aa ref kaa no serwiis kee kees de sekirite sosiyaal no yaa taa refna oo fud) ;

- › xana jeg ñaal naa Paatuna no kose aniyel fee yaa taa jegna xa caaC axa njegeema xa kiid 18 ;

Kaa i mbaro Paatee, o tew oxe waaga oo jeg alokasonj familiyaal no yaa taa seqna doole faap (artiikal 152 fo 277 ole kot Pasil).

**Xot tee kee(feg) no artiikal 174 ole kot seneraal de impo :**

**« ...Lim xaaj kee mbareena oo nqot ngir a bañ ale no impo ngir a ñoowin Pasil kaa lay ee no 1 ole artiikal fee nee kee faap tee :**

- **salibateer, xe tasna mbaa aa ñaaw aa too juga o Piy : ..... 1**
- **Dolwa too jegee o Piy : .....1,5**
- **Salibateer mbaa xe tasna taa jeg o Piy o leng:.....1,5 »**

**Ka'oof :** Kaa ref faap kaa nqoteena ngir mbodrand limpo a ndeer o koor fo o tew. O tew oxe refna contarbiyaabl kaa war oo cooxtaa limpo yaa taa jegna kam seenegaal yo'nax naa na bisiida xaliis. Yo'nax neene aa waa ref callel faa jegna saleer, perestasonj de serwiis, o jeg ola xatna na luyaas (mbind mbaa pak laana luye'teel) njulaune, a koq indistiriyeel mbaa ngeek no banka (ngeek, diwandand...) mbaa lakas.

Kot seeneraal de impo kaa Pek kam seenegaal tik qas maak : mbodrand fiskaal.

Yaa ga a fat ale jeg aa fule o tew oxe refna kontirwiyaabl kaa forse el no xaaj leng aa refanga ee salibateer aa refu fo na xaaj fo ngenwal aa refangaa ee kaa jeg' u o koor, too limaa le kee oo wareef Pasil kee andona ee ten aa sequ yam ref ee o yalmbind no cofu na fiskaall. Artiikal 174 ole fat ale 2012 aa gara aa joyit o ñak mbodrand nee kee no seq ale o tew oxe seqna o njaaC onqe no cofu no fiskaal.

Neene, yaay fee fo faap fee mbodatu xaaj manaam ngewal xaaj o njaaC oxuu refna (0,5). A mbinde ee o njaaC onqe baa juur kee (faap fo yaay) mbarno topatox no cofu na fiskaal boo xa kiid 26 aa refanga ee kaa janga.

Xot tee kee (feg) no artiikal L1 ole kot de pasonj siwil fo militeer ala retreat :

**« Pasonj ne ref alokasonj no kiin oxe oo no cofu no xaliis boo yaa taa xon kaa, fonksoneer kee ciwil fo militeer fo, a cinj fa nqon den, we a fat aa laytaa, taa ndab daa aa den boo yaa daa nqay kaa callel den ... ».**

Xot tee kee(feg) no artiikal L2 ole kot de pasonj siwil fo militeer ala retreat :

**« A njega wareef aa ndaaw faap kee no kot nee kee :**

**1° Fonksoneer siwil kee mbaag na oo njiriĩnoor fat aa kene n° 83-634 ole 13 sulye 1983 seqna wareef fo obligasonj kee fonksoneer kee fo n° 84-16 ole 11 sanjwuye 1984 seqna faap kee njofna no fonksonj piblik fee saax le, no cofu no tiitar kene ler fo II ole stati seeneraal de fonksoneer ;**

**2° Masistara ordar sidisiyeer ;**

**3° Militeer kee xa karad axe fop taa njeg stati militeer de kariyeer mbaa taa njala a cinj o miñel ole normalna no took kontaraa fo militeer kee na njala neen reserf mbaa da njeg disponibilite ;**

**4° Rew we den fo xa Piy den ».**

**Ka'oof :** Saax le Seenegaal aa xota faap cegu njiriĩn ngir mbodrand a ndeer o koor fo o tew. Ndigil aa jega mbodrand a ndeer o koor fo o tew no cofu no cooxit xaaj ala retreat, xaaj ala retreat ne it o koor oxe fo o tew oxe kaa ndaawan.

Ndaa, kaa i mbaro and ee a tew oxe na ñaaw waa too jegee o Piy o leng waagee o daaw xaaj ala retreat. Wareef pasonj coox kaan o njaaC onqe ñak na waa juur um too xa kiid um aa nqup 21 taa jangaa too, xa kiid um aa mota 18, baa juur kee mbarno seq boo ndiik. Ndaa, no cofu na fiskaal, bonofiis xa kaaj aa cooxe baa juur ee no njaaC onqe refna o elew mbaa etidiaa boo yaa taa jeg kaa xa kiid 26.

Kaa i mbaro nqooland ne o ñak oo fokat xaaj ala retreat no baayo kee kaa bisiidaa ee baayo fee ñak na baajur fik um too den fik fop da njalogu, waagee oo daaw ludul pasonj leng, ole moyña oo magin.

Tigi, kotisasonj kee no leng no baa juur kee kaa niil fo kee xupna feen yaay fee aa ref kaa yaam saleer newu aa daawogu.

**B. Xot tee kee (feg) mareena o ndam no wareef o jeg fo wareef lanj**

Xot tee kee(feg) no artiikal 15 ole faap-saax le :

**« Wareef o jeg faap-saax le kaa garanti in... O koor oxe fo o tew oxe aa njega wareef aa ndaaw fo aa njeg lanj no kaa a fat aa layna ».**

Xot tee kee(feg) no artiikal 19 ole faap-saax le :

**« O tew oxe aa jega wareef aa jeg xalal xoox um neen o koor um. Aa jega wareef aa gaynaakan aa xoox um xalal um ».**

**Ka'oof :** Rew we aa keen na jegu solo njegu oo kam aa qook, kee ne gartu artiikal 15 ole faap-saax le aa cooxa den oo njiriĩn, kaa wareena oo fokat fo artiikal 19 fee layna ee o tew fo xoox-xood um waru gaynaakaa o jegum. Rew we ndefu xaaj le moyña oo jeg oo njiriĩn na qook ale no Pasil ne.

A saar axe na laya a no nganaak lanj no saax le, neen a fat n° 64-46 ole 17 suwe 1964, no cofu no domen nasonaal fo dekere dapilikasonj kee fo fat n° 2011-07 ole 30 maars 2011 seqna resim no jeg lanj mbi'kee diskiriminasonj leng a ndeer o tew fo o koor ngir oo jeg fo aa pelaax lanj.



# 2

**xa saar xa cegu solo**  
xe ne saax le ngir gaaranti  
a weg kaso we na ñagadila  
o tew mbaa o koor :  
ñagadil ne rew we

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## I. Aar fee fo a weg kaso le na kot xate le jofna no ñagadil o tew mbaa o koor

Kaa i mbaroo lay ee aa yar ale no ñagadil kee na mbi'eel rew we kaa ndom kam seenegaal, neen aa pad ale fo ngaañax kee ndiyeena no rew we mbaa weandona ee aa taa new doole yaam aa da ndef oo fud mbaa da nogoy. No kam keene, leslasonj penaal fee kaa fañit a beg sirsi.

### A. Xot tee kee (feg) fo ka'oof kee mbareena o ndam no cofu no ñagadil kee na mbi'eel rew we

Xot tee kee(feg) no artiikal 294 alineyaa 2 fo alineyaa 3 :

**« ...Yaa ñagadil keene layeena took aa mbi'aa ngee o tew mbaa o kiin oxe new na doole yaam kaa ref o fud, kaa nogoy mbaa o wodfo-baal ».**

**Ka'oof :** Artiikal fee ne xe kam kot a fat, kam safe 3 tiitar 3 Podel 1 Seksoj 2 ne'e « *ngaañax fo a pad xa tegooxeerna na tus, a bar fo tuxiduuna ndiye* ». Artiikal fee laya a pad fo ngaañax no kaa diyeena xano wegél kaso no xiid oo 1 boo xa kiid 5 fo alaman no 30.000 boo 150.000 FCFA.

Kaa i laya a pad fo ngaañax no kaa diyeene yaa taa fi'eena o kiin. Kaa i mbaro and ee fik kee mbaa ngaaj randel ; a pi'ale waa layel yaa ngaañax aa fi'eena no kiin fo muu taa waagna oo fog.

Tig lakas kee jegna oo njiriñ refu wolonte fee o kiin oxe na xate aa. O kiin oxe wara fi' pi'el no kaa taa diyna. Kaa ref tooñ na taa diyna ndaa ref kee la taa diyeerna.

Tooñ a pad fo ngaañax laa yoon na fo o diy kaa taxa da yar ñagadil no cofu no njer taa yoon fo o diy.

Taap nee kee kaa laya ee tooñ ne aa fi' aa ngeequé o tew, xe tooñ na waagee o jeg sirsi.

Sirsi refu faap naa andona ee o kiin oxe wonda kee kaso. Kee ne refu yermande fee xate fee cooxna o kiin oxe.

A ref aa nga ee pad kee fo ngaañax kee kaa bisiid njer fege mbaa laa waaga teerna jiriñorel, xe tooñ na xana wegél kaso xa kiid 5 boo xa kiid 10 fo alam 20.000 boo 200.000 CFA. Kee ne kaa laltaa wolonte fee leslislaateer fee ngir a yar ñagadil leng kee na mbi'eel rew we.

Xot tee kee (feg) no artiikal 297 fo 297 bis alineyaa 1 :

**« A yar tooñ fo o ñak sirsi ngir CBV no tew um mbaa o koor um mbaa o Piy um (1 boo xa kiid 5, alaman 50.000 boo 500.000 F CFA + o ñak sirsi) ».**

**Ka'oof :** faap leng ne laye yaa koor oxe seqna CBV kee. Kam keene, xe tooñ na xana wegél kaso o xiid 1 boo 5 fo alaman 50 000 boo 500 000F.

Wolonte leslislaateer no yar ñagadil kee ka maa tolax neene aa laye taa xool. No wareef Pasil a pi'keene kaa bisiida a tolax aa tasu.

No kam keene artiikal 297 a laya ee xate fee moyfna o magin na xot keel aa refa ngaa ee pad ake mbaa ngaañax kee yaay ndigil ne mbaa rime den aa fi'ee.

Yaa taa refna ee, xeet ñagadil keene kaa bisiid njer fege mbaa njer naa waaga teerna tig mbaa njer yeeyeg, xate no xa warna oo xate keel xa kiid 10 boo 20. A refa ngaa ee pad kee fo ñagadil kee neene lay tee kaa bisiid fa nqon, xate no xa warna oo xate keel wegél diru dundu.

Kam artiikal neeké, kaa layaa taraawo forse ndaa xayé, na fat xate no seenegaal wegél taraawo forse juga tee yaa a fat n°2020-05 ole 13 sarjwuye 2020 a jegna taa seq kriminalisasonj wiyol. Xate fee na xot keel refu xate no xaa warna.

**Xot tee kee (feg) no artiikal 299 bis :**

**« Ngaan njofu no mbaamir no tew mbaa oo feg njerum leng mbaa mayu fo nuu waagona oo fi'tin kaa fañtel ».**

**A yar ale no ngaan njofu no mbaamir o tew no kaa fegona fop mbaa o ndik no leng mbaa mayu no cerkee, no kaa fegona mbaa no pi'ir lakas (xa qool 6 boo xa kiid 5, giru dundu yaa taa bisiidna fa nqon).**

**Ka'oof :** faap nee kee fo lena yara a pad fo ngaañax ndiye no tew kaa nqat too yo na fat n°99-05 ole 29 sanwuye 1999 taa wote el na xewxew fo cektuwu, a ref a yoog alen rew fo a ñok noo kuu jofna na ñagadil o tew mbaa oo cuk njerum.

A ñok ñagadil kee neen nguc fo feg cer lamas kaa mos o ref kaa wena yoog wa wareef kee rew we ñoxoraa. Tigi, kam sate leng kee no saax le, kelfa aada kee aa miña mbaña keene fañte ; boot en taxu faap date jeg ngir oyar we na mbiyaa keene.

**B. Xot tee kee (feg) mbareena o ndam fo ka'oof kee no cofu na tooñ na ciko paax fo na yoog ole na rew we****Xot tee kee (feg) no artiikal 300 :**

**A yar ale no xe wondorit na mbaa taa bugoo wondorit o njaaC onqe jegeer na xa kiid 13 na kam a tolax aa teelu taa jegit no cosaan (a beg xa kiid 5 boo xa kiid 10).**

**Ka'oof :** Artiikal 300 ole kot xate le seenegaal aa gara doole in a bañit ala a tolax a teelu. O saar ole ne, aa gara o yar xe takna o njaaC taa wondorin. Artiikal fee kaa laya a tolax aa laa fi'eena no cosaan yaam wareef o tew am seenegaal kaa cooxit xa kiid axe mbareena oo ndolu. Neene, ngir da ndaf teefel ne no wareef Pasil, baa juur leng kee no aada aa jokandikooxa ngir aa mbi' a tolax aa leng axe. Keena lalta a yar ale artiikal fee cooxitna.

Tigi, no aada aa jokandikooxa oo ngir aa mbundu fo o njaaC o ndew onqe. Kaa fat aa fañtin, ten refu wundu fo o njaaC o ndew ola xa kiid um aa moteerna.

O kiin oxe fi' na keene xana wegel kaso xa kiid 5 boo xa kiid 10, took da jokandikoox na pi' ale fo no xa kiid axe no njaaC onqe. Meekee, tik fik na yareel, no saax o leng, a tolax aa teelu fo no saax o lakas taa ref wundu fo o njaaC.

**Xot tee kee (feg) no artiikal 305 bis :**

**A yar no cofu no fod o yakoxu. Alineyaa 2 taa fog no tooñ no cofu na cikax mbaa na cooxit ñaamel mbaa tik oo rik kaa na yaqaa o fud.**

**Ka'oof :** Kaa taa fañtel oxa na dam taa o tew mbaa oo cooxan ñaamel kaa na mbatnaa o fud. Fi'na keene koy xano yarel aa refa nga ee fud ole yaqwe sax. Porolosmaa na wareef no tew oo ngir njer um.

Kam no yoog aleene boo ndiik no cofu no tew, kot xate le seenegaal, kaa bug oo yoog o tew oxe no ngaañax kee mbaag na oo inoor no fud o yaq wu fo kee waag na yaq njer um. Ndaa, aa waa yaq o fud um a refanga ee o fud ole kaa bisiid jafe-jafe no wod-fo-baal um.

**Xot tee kee (feg) no artiikal 319 bis :**

**A yar no arselmaa no kaa jofna no kiin (yaaga o tew mbaa o njaaC o ndew)**

**Ka'oof :** Arsele o tew mbaa o njaaC o ndew ten refu oo fi'aa mbaa oo didladan, mbaa oo layaa mbaa oo bindaa too njofnax ne ref ee koo bug oo wundu fo ten, mbaa oxa jefandikoor na doole callel um. Pi'el nene aa yara le refu a beg kaso xa kiid 2 boo xa kiidà 5 fo alaman 1.000.000 boo 3.000.000 FCFA. Yaa o njaaC onqejegna xa kiid 16 mbaa taa moyño new, xate moyña oo magin na lay keel.



Xot tee kee (feg) no artiikal 323 :

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***A yar ale no we na makaroo aa taa ndim le aa mbaa da yoog aa no kaa da ndiyina oxe na jik waa xoox um.***

**Ka'oof :** Kam o ñoow ole, aa maya we na ñoow taa a cikax xoox of le rew we aa ndefit na taa ndam taa den da mbi'an.

No kam keene kot xate fee aa yara kam safe 3 tiitar 3 Podel 1 Seksoj 5 makaroo kaa wegeel kaso o xiid o leng boo xa kiid 3 fo alamanle 250.000 boo 2.500.000 FCFA. Xate neene kaa retaa boo xa kiid 5 fo alaman 300.000 boo 5.000.000 CFA yaa tooñ ne fi'eena took o njaaC' o ndew.

Tooñ neene kaa waa oxe no pi'ir mayu too mbogeer, neen, lasir tik oo rik no xena jikwaa aa xoox um mbaa oo dawaa xaliis no xa na jikwaa xoox um mbaa oo ñoowaa fox ana jikwaa xoox um; mbaa o ñak oo waag oo lalit xaliis fee oo ñoow taa me taa xata too wexe yoona fo waana njikwaa xoox den mbaa oo jalnooraa den mbaa oo seq aa den, fo yaa taa jebna, o kiin oxe refna oo maak too taa jikwaa xoox um mbaa oo riñan ngir taa jikwaa xoox um mbaa oo wadanan kilyaan.

A yar ale no makaroo fee kaa taxaa wiin we na ndam taa rew we na njikwaa xoox den mbaa da ndiñaa den teen mbaa xa caaC' axe new na doole da nqañ keene.

Tooñ neene fog aa no we mal kee na ñoxooraa kiriminaalite no mboolo aa jilna,yaam, Aa fog aa no pi'el kee ndamee na neen jikwaa wiin.

Xot tee kee(feg) no artiikal 320 :

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***A yar no cofu no wiyol fo no ciko paaxeer (xate kiriminel xa kiid 10boo xa kiid 20).***

**Ka'oof :** Wiyol refu yaa dik aa rok na no mbaamir ne tew oxe no kuu taa waagna oo ref took ñagadil, didland mbaa o mbet.

No miñeer, fo a cil ale no fat n° 2020-05 ole 13 sanwuye 2020, supit na a fat n°65-60 ole 21 sulet 1965 seqna kot xate le, wiyol kaa ref tooñ maak ngir taa xate el xate njegu doole.

Neene, o koor oxuu na ñagadilaa o tew taa bek dik no mbaamir um no kuu taa waag na oo ref xana wegel kaso xa kiid 10 boo xa kiid 20.

No keene xate na moyña oo magin na xate yaa tooñ ne refna took no njaaC' mbaa xa wodeerna, neen o tew oxa refna o fud.

A refanga ee wiyol fee kaa bisiid fa nqon, a jegangaa ñagadil mbaa cooxid, xe tooñ na xana wegel giru dundu too xa kiid axe mbaag kee oo mbañiel boo aa moyfo new xa kiid 20.

Xot tee kee(feg) no artiikal 320 bis :

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***A yar no wena mbondooraa xa caaC' axe.***

**Ka'oof :** Wondoor o njaaC' neen wiyol tooñ maakoo na fat date seenegaal. Xaye, kam saate leng kee seenegaal, jaa jal we porkireer ana mbinda oo nqool oxuu refna, waana mbodooraa xa caaC'. Keene taxu boo leslateer fee seenegaal aa Paato yok date fee no yar ale no xe tooñ na.

Neene, o kiin oxuu na lambat wa, moosaa, pi'el kaa njofna no porono, jiriñooraa samandaal mbaa laye ngir oo wonda fo o njaaC' onqe jegna xa kiid 16, kaa ref pedofili too xate kiriminel a ref kaa xa kiid 5 boo 10 .

Xot tee kee(feg) no artiikal 320 ter :

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***A yar no ger o njaaC'***

**Ka'oof** : faap neekee kaa yara o maak oo xa gerna o njaaC', mbaa oo fi'aa o xet no xa caaC' waana nqastaa mbaamir. Pi'el keene a yar ale refu kaso o xiid 1 boo 5 fo alaman 100.000 boo 3.000.000 FCFA.

## **II. A yoog fo a yar ale no fat a lakas axe no cofu no ñagadil a ndeer o koor fo o tew**

Kaa ref a yaajand a fat a fak kaa njegna oo njiriiñ ngir oo yoog wiin we mbodeerna too rew we aa moyo tax, neen a fat n° 2005-06 ole 10 mee 2005 no cofu na ñok ale no wiin we na njikooxeel fo pi'el nonu neen fo a yoog ale no wena mbi'eel oo ten fo fat ale n°2005-18 ole 5 ut 2005 no cofu no wod-fo-baal na fan dim taa yara nqabir sidaa na diyeena.

### **A. Xot tee kee (feg) mbaareena ndam na fat n° 2005-06 ole 10 mee 2005 no cofu no ñok ale no wiin wena njikooxeel fo nanu neen fo a yoog ale no wena mbi'eel o ten**

Xot tee kee(feg) no artiikal mberaand :

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***« A yar ale no pi'el ne jofna no mbaamir, callel forse mbaa eskalawas ».***

**Ka'oof** : A fat ale no cofu no wiin wena njikooxeel kaa yoog apaax rew we. Kaa at faap kaa tax na a yar ale no pi'el leng kee na ndot gana dool no kiin no pofooxu fo o tew no cektooxu. Neene, artiikal mberaand, na fat kaa yar neen o kiin oxe jikuna doole aa toxil, aa geenind, mbaa taa dalind o kiin oxe kam pi'el no cofu no mbaamir, eskalawas mbaa callel forse.

Xate fee no keene kaso xa kii 5 boo 10 fo alaman milyoŋ 5 boo 20 milyoŋ FCFA.

### **B. Xot tee kee(feg) mbareena o ndam no fat n°2005-18 ole 5 ut 2005 no cofu no wod-fo-baal na fa ndim**

Xot tee kee(feg) no artiikal 16 fo 17 alineyaa 1 :

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***A yar ale nqabir sidaa fee no kaa diyoona***

**Ka'oof** : Artiikal neene kaa yar nqabir sidaa no kaa diyoona yaa wondoxoona fo o kiin no yaa taa bugna mbaa oo forse in, diidlandind, mbaa o mbet. Neene, yaa rapoor seksiyel fee jebeena, xee fi'uuna xana wegel kaso xa kiid 2 boo 5 fo alaman 100.000 boo 1.000.000 F CFA. Yaa tige refna na forse, xate xana ref xa kiid 4 boo 10 fo alaman 200.000 boo 2.000.000. No keene artiikal 17 no fat o leng ole na laya ee date fee kaa war oo yokel yaa tooñ ne fi'eena o njaaC' oo ngaa xa kiid u a new na 13.

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