**Senegal**

Senegal legal system comes from the French civil law system when they gain independence from France in 1960. Although before the Family code was enacted, Islamic, Christian and customary laws governed. The family code regulates succession with regards to inheritance and when people die without a will. Although there is a separate section for Muslim succession law, its located in book 7 of the family code. There is a provision that states that “only granddaughters through predeceased sons not standing to inherit as residuary heirs from anyone else to receive one-sixth of the estate”.

In Senegal the family code (Code De Familia) from France states that (non-Muslim) anyone 18 years old and be in good mental health can make a will. The will is made before a notary public or it can be written by the testator closed and sent to a notary public in the presence of a witness. A witness is not required because a testator can make a will outside the country and execute it in Senegal. An attorney does not need to be present in order to execute a Will. Muslims making a will must be 18 years old and have legal capacity to dispose of whatever he/she bequest. The Islamic Will includes a bequest and legacies and instructions, assignments of rights. He/she must have sane mind and understand the nature and effects of the testamentary. The will can be done orally or written. There are no specific wording necessary for making a will and two witness are required. The will is executed after the payments of debts and funeral expenses are paid. The rules of Sharia in Muslim succession laws comes from the Quran. In Senegal the family code (Code De Familia) the surviving spouse takes ¼ and the residual of ¾ of the estate is distributed between descendants in equal shares. If the rules of Sharia under Muslim laws apply then the heirs are children and husband/wife of the deceased. The portion of the estate is allotted by the presence or not of the descendants and their sex. The father gets 1/6 mother 1/6 and surviving spouse gets 1/8. 1 share of the residuary for each male and the half for female. The Senegal laws differ from New York when it comes to the distribution of the estate. They use either the Code De Familia or the Muslim Succession Laws. The males in Muslim laws are favored then the females. Their portion of the estate is greater than the women. There is also a reserved portion which is 2/3 of the estate. The reserved portion goes to certain definite persons; father, mother children. In New York there is not a reserved portion. You’re able to give gifts to any person you want.

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