



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Reports submitted by States parties under article  
9 of the Convention**

**Sixteenth to eighteenth periodic reports of States parties due  
in 2007\***

**Senegal\*\* , \*\*\***

[15 February 2011]

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\* This document contains the sixteenth, seventeenth and eighteenth periodic reports of Senegal, due on 19 May 2007, submitted in one document. For the eleventh to fifteenth periodic reports, submitted in one document, and the summary records of the meetings at which the Committee considered those reports, see documents CERD/C/408/Add.2 and CERD/C/SR.1527, 1528 and 1549.

\*\* This document was submitted along with the core document (HRI/CORE/SEN/2011) and should be read with that document.

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## I. Introduction

1. The Government of the Republic of Senegal has the honour to submit its sixteenth, seventeenth and eighteenth reports in a single document, in accordance with article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination.
2. The State of Senegal, like the other States parties, after signing the Convention on 22 July 1968, ratified it in 1972. By decree No. 72-992 of 26 July 1972, and pursuant to the Ratification Act (Act No. 72-10) of 1 February 1972, the President ordered the publication of the Convention in the *Journal Officiel*. In Senegal, treaties are incorporated into the domestic legal system following “ratification” by the President by virtue of the authority vested in him under the law. This ratification takes effect following publication in the *Journal Officiel*.
3. By this procedure, the Convention was incorporated into the domestic legal order, and prevails over national legislation (Constitution, art. 98). Like the Constitution and the law and regulations, the Convention now forms part of Senegal’s body of domestic legislation, which State organs are obliged to apply.

## II. Implementation of the Convention at the national level

4. Senegal’s ratification of the Convention in 1972 and article 98 of the Constitution establishing the supremacy of treaties in the domestic legal order, together demonstrate Senegal’s commitment to human rights.
5. Once these legislative and regulatory steps have been taken, the Government should incorporate the Convention into domestic law so as to ensure its effective implementation and allow it to be invoked in the domestic courts.

### A. Legal implementation

6. Thus the Convention has been implemented in regulatory, judicial and institutional terms. This implementation can be viewed from both a constitutional and a legislative perspective.
7. Notwithstanding the changes of political regime, the constitutional system of the State of Senegal is characterized by genuine continuity, and the Constitution of 22 January 2001 has reaffirmed and consolidated this legacy comprising the guiding principles underlying all Senegalese basic laws, including a firm commitment to respect for and promotion of human rights, and specifically to combating racial discrimination.
8. That commitment is evident in both the preamble and the text of the Constitution. These constitutional principles and rules are set forth in the introduction to this report. The consistency between the provisions of the preamble to the Constitution and those in the body of the text testifies to the determination of the State of Senegal to act firmly to eliminate all forms of racial discrimination.
9. The elimination of all forms of racial discrimination established in the Constitution can also be found in ordinary law, and most notably in criminal law, which is directed chiefly towards countering discrimination against women, a subheading of the struggle against all forms of racial discrimination.
10. Senegal described its legislation against racial discrimination in its previous report, where it listed all the laws adopted up to 1981. These legal provisions implementing the

Convention remain in force and are recalled in this report pro memoria. Further provisions have since been adopted to strengthen the overall legal framework for the fight against discrimination of all kinds, including racial discrimination.

### **1. Implementation of article 1: definition of racial discrimination**

11. In compliance with its fundamental obligations under article 2 of the Convention, Senegal has taken the necessary legislative measures (Act No. 81-77 of 10 December 1981) to define and punish racial discrimination in accordance with articles 1, 4 and 5. Other measures have been taken to implement articles 6 and 7, and will be described below.

12. Article 3 of the Act reproduces verbatim the definition of racial discrimination used in the Convention, as follows: “Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

13. Act No. 81-77, referred to in article 283 bis of the Criminal Code, has been supplemented by the addition of the term “religious discrimination” in order to address this important topic.

### **2. Implementation of article 4**

14. Article 4 of the Convention deals with the specific aspects of the general obligation of implementation by all necessary means, and in particular the undertaking, in accordance with paragraphs (a), (b) and (c), to punish:

- All dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof
- Organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination (and to recognize participation in such organizations or activities as an offence punishable by law)
- Any public authorities or public institutions, national or local, that promote or incite racial discrimination

15. The implementation of these provisions required the drafting and promulgation of several pieces of legislation, including:

- Act No. 79-02 of 4 January 1979 repealing and replacing article 814, paragraphs 2 and 3, of the Code of Civil and Commercial Obligations, and article 2 of Act No. 68-08 of 26 March 1968 amending title VI, chapter II, of the Code of Civil and Commercial Obligations relating to associations and prohibiting the establishment of illegal associations
- Act No. 79-03 of 4 January 1979 repealing and replacing article 5, paragraph 1, of Act No. 65-40 of 22 May 1965 on subversive associations
- Act No. 81-17 of 15 May 1981, on political parties
- Act No. 81-77 of 10 December 1981, relating to the punishment of acts of racial, ethnic or religious discrimination

16. Acts Nos. 79-02, 79-03 and 81-17, all of which deal with the legal framework of associations and political groupings, prohibit all discrimination in respect of admission to such an association on grounds of race, sex, religion — except as regards exclusively

religious associations — or political opinion – except as regards political parties and associated groups.

17. As regards propaganda activities, Act No. 81-77 extends article 1 of Act No. 65-40 of 22 May 1965 on seditious organizations, by inserting the following new paragraph 5: “Whose activities are wholly or partly intended for the practice of racial, ethnic or religious discrimination or incitement to such discrimination.”

18. In addition, Act No. 81-77 makes the acts described in article 4, subparagraphs (a), (b) and (c), of the Convention criminal offences.

19. Similarly, new provisions have been inserted into the Criminal Code, in articles 166 bis, 256 bis and 257 bis:

“Article 166 bis. Any administrative or judicial official, elected official or official of a public authority, or any official or employee of the State, public institutions, national corporations, public-private corporations or corporations receiving financial support from the Government, who denies any natural or legal person the exercise of a right without just cause on grounds of racial, ethnic or religious discrimination shall be liable to a prison sentence of between three months and two years and a fine of between 10,000 and 2 million francs.

“Article 256 bis. The same penalties as those provided in article 56 (1 month to 2 years’ imprisonment and a fine of 250,000 to 300,000 francs) shall apply to anyone who publicly posts, displays or projects, or makes available, even free of charge or in private, in any form whatsoever, directly or indirectly; or distributes or issues for distribution by any means whatsoever, any object or image, printed matter, written matter, speeches, posters, engravings, paintings, photographs, films or slides, photographic catalogues or reproductions, or emblems intended to proclaim racial superiority or arouse a feeling of racial superiority or racial hatred, or constituting incitement to racial, ethnic or religious discrimination.”

20. In addition, with regard to racial discrimination, Act No. 81-77 increased the penalties for some offences, either by strengthening the existing penalties or by adding further penalties.

21. Articles 277, 278, 281, 295 and 296, paragraph 2, of the Criminal Code have been repealed and replaced by the following provisions:

#### **Offences committed by any public broadcasting medium**

“Article 277. In the event of conviction, the sentence may include, in cases under articles 250, 251, 252, 254, 255, 256 bis, 259, 268, 261, paragraph 2, 265 and 266, confiscation of all the publishing equipment seized and, in all cases, the seizure and suppression or destruction of all copies of the publication.

“However, suppression or destruction may be ordered only for a certain number of the copies seized.

“Article 278. In the event of a conviction under articles 250, 251, 252, 254, 255, 256 bis, 259, 260, 261, paragraph 2, 265 and 266, suspension of the newspaper or periodical for a period not exceeding three months may be ordered by the same court decision.

“Such suspension shall not affect any work contracts by which the publisher is bound; the publisher shall continue to be bound by all contractual or legal obligations arising therefrom.”

22. These provisions defining and punishing all acts of racial discrimination, pursuant to article 4 of the Convention, have been reinforced by measures aimed at guaranteeing every individual's right to equality before the law without distinction as to race, colour or national or ethnic origin, as required under article 5 of the Convention.

### **Violence against the person**

“Article 281. Any killing of a person committed with premeditation or felonious intent or by reason of racial, ethnic or religious discrimination is classed as murder.

“Article 295. In cases where wounding, beating or any other violent act is committed with premeditation or felonious intent, or where the act has been committed by reason of racial, ethnic or religious discrimination, the penalty shall be increased as follows:

- Between 5 and 10 years' imprisonment in cases covered by article 294, paragraph 2 (deliberate beating or wounding resulting in illness or total incapacity for work lasting more than 21 days)
- Between 10 and 20 years' hard labour in cases covered by article 294, paragraph 2 (violence resulting in death, mutilation, amputation or loss of the use of a limb, blindness, loss of one eye or other permanent injury)

“Article 296, paragraph 2. In cases of premeditation or felonious intent, or when the offence is committed by reason of racial, ethnic or religious discrimination, the prison sentence shall be between two and five years and the fine between 50,000 and 200,000 francs.”

### **3. Implementation of article 5**

23. Ever since independence, Senegal has taken steps to terminate any policy that may have the effect of causing or perpetuating racism or inequality. In the area of legislative measures, one characteristic of Senegal's policy has been its continuity.

*The law is the same for all and is applied without distinction as to sex or race*

24. In the area of nationality, according to Act No. 61-10 of 7 March 1961, as amended by Act No. 89-42 of 26 December 1989, on the determination of Senegalese nationality:

“Senegalese nationality may be chosen at any time between the ages of 18 and 25 by:

- (a) A legitimate child of a Senegalese mother and a foreign father;
- (b) An illegitimate child, when the parent to whom filiation is established second is Senegalese and the other parent is of foreign nationality.”

25. A foreign woman who marries a Senegalese man may take Senegalese nationality, unless she explicitly states at the time of the marriage that she does not wish to do so. Conversely, a Senegalese woman who marries a foreigner does not lose her nationality, unless she explicitly renounces it before the marriage. Such renunciation is valid only if she is able to take the nationality of her future husband.

26. In the area of employment and social security, Act No. 61-33 of 16 June 1961 (General Statute of the Civil Service), the statutes applying to specific categories of public officials, Act No. 59-64 of 6 November 1959, as amended by Act No. 97-17 of 17 December 1997 (Labour Code), and Act No. 75-50 of 3 April 1975, on social insurance institutions, each stipulate that there shall be no distinction between men and women in the way they are applied.

27. In criminal law, for example, under Act No. 77-33 of 22 February 1977, amending the Criminal Code, article 332 defining and punishing the offence of abandoning the marital home was repealed, as it was considered to discriminate against the wife. The choice of marital home had previously been a prerogative of the husband, and the provisions of article 332 appeared not to apply to him. The offence of abandoning the home was therefore abolished and replaced by the more neutral offence of abandoning the family.

28. Similarly, divorce by mutual consent was instituted under Act No. 72-61 (Family Code) of 12 June 1972, thereby placing men and women on an equal footing. The same Act prohibited repudiation, a privilege of the husband in Muslim law, and, as a penalty, made it grounds for divorce as constituting a serious insult to the wife.

29. Further reforms have been introduced in all areas, even providing that a wife may make provision for medical care for her husband.

30. Act No. 89-01 of 17 January 1989 amended or repealed the provisions of the Family Code that appeared to discriminate against women.

31. Article 371, paragraph 1, for example, was amended to read as follows: "The wife, like the husband, enjoys full civil capacity." This entailed the repeal of article 13, which established that the wife's domicile was the domicile chosen by the husband.

32. Article 154, which allowed a husband to object to his wife pursuing her own occupation, was also repealed.

33. Article 19 was amended to enable the wife to administer her husband's property temporarily in his absence. The article provides that, "on receipt of a certificate of absence, the court shall appoint a temporary administrator of the property, who may be the spouse who has remained in the home".

34. Lastly, article 80, which provided that the family record book should be issued to the husband only, was also amended by the following addition: "and a copy of the family record book shall be given to the wife at the time of the marriage".

35. The legislation has been considerably enhanced to better protect vulnerable groups against all forms of discrimination, as illustrated by the following:

- Act No. 99-05 of 29 January 1999, prohibiting genital mutilation, was supplemented in 2000 by a national action plan to eliminate the practice. Under the plan, the women who perform excisions can be retrained in legal income-generating activities.
- Act No. 2005-06 of 10 May 2005, against trafficking in persons and related practices.

36. In addition to these legal measures, a Government decision of 5 October 2006 recognized that a husband and children may be supported by a working wife.

37. Lastly, political will also exists in the area of equal tax treatment, and studies have been carried out on the question of amending the General Tax Code as necessary.

38. Like the provisions of the Convention, these associated provisions may be invoked in Senegalese courts, which may apply them if necessary in order to resolve the disputes before them.

## **B. Implementation in the judicial sphere**

39. Under article 98 of the Constitution, for a treaty to be executable within Senegal's domestic legal system, it must be published after ratification or approval. Once this

formality has been completed, there is no judicial impediment to execution of the Convention by the Senegalese courts, if such execution does not require supplementary measures.

40. As the Committee noted in its comments on the previous report of Senegal, no legal action in respect of any act of racial discrimination has been brought in the domestic courts. The fact that there is nothing to report should be welcomed as positive.

41. There may be no such cases, but the Senegalese legal system in fact allows any complainant, whether Senegalese or not, to bring a claim of this kind before the competent ordinary courts on the basis of Senegalese criminal law. The legal recognition of human rights in Senegal is discussed at length in the introduction to this report (part I).

### **III. Response to the concerns and recommendations put to the State of Senegal by the Committee following its last report in 2001**

#### **A. Ethnic considerations**

42. In terms of ethnic composition, the Wolof are in the majority (43 per cent) in Senegal, followed by the Fulani (around 24 per cent) and the Serer (around 15 per cent).

43. As to ethnic representation in political and public institutions, the Senegalese delegation wishes to recall the following provisions of the Constitution:

- Article 1 states that “Senegal is a secular, democratic and social republic which guarantees the equality of all citizens before the law without distinction as to origin, race, sex or religion, and respects all beliefs.”
- Article 4 states that “political parties or coalitions encourage the expression of the will of the people. They are required to observe the Constitution and the principles of national sovereignty and democracy. They may not identify with a particular race, ethnic group, sex, religion, sect, language or region.”

44. In light of the above, and given that Senegal is a recognized model of democracy, the question of ethnic representation should be of little relevance for a State built in large part on the idea of merit. Far from being a pious hope expressed only in legal texts, the notion of merit can be seen to apply in reality. For it is this merit-based system — highly productive and a generator of national stability — that made it possible for a great man of the Serer ethnic group (by no means in the majority and moreover of the Catholic faith, a minority religion) to so ably guide the destiny of Senegal, a country comprising mainly Wolofs and more than 90 per cent Muslim, for some 20 years, namely the late President Léopold Sédar Senghor, may he rest in peace.

45. Under the new Constitution of 2001, the President of the Republic takes an oath before God without reference to any religion, sect, sex or ethnicity. Senegal is one of those countries with a long tradition of harmonious coexistence between different cultures and of dialogue between religions. Its population is 94 per cent Muslim, 5 per cent Christian, and 1 per cent atheist/animist, all living peacefully side by side.

46. For its commitment to racial and religious tolerance, Senegal was nominated African Country of the Year in 2006 by the American Celebrate Africa foundation, which aims to publicize the continent’s progress in various fields.

47. Given this exemplary arrangement, virtually unknown elsewhere in the world, Senegal is glad to have made a success of this model despite the unfavourable odds.



## **B. Case law on the Convention rights**

48. The State of Senegal was gratified by the Committee's positive comments on the fact that no act of racial discrimination has come before the domestic courts.

49. This fortunate situation persists, for the courts have still not registered any case constituting an act of racial discrimination on Senegalese territory, and the State is therefore happy to say that it is unable to answer the Committee's enquiries on this score.

## **C. Dual discrimination against women, based both on sex and on national or ethnic origin**

50. To begin with, the State of Senegal wishes to clarify that women account for 52 per cent of the population of Senegal. According to the household survey they play an important role in the national economy. They make up 39 per cent of the workforce, shoulder 90 per cent of household tasks and do 85 per cent of the agricultural work.

51. These pillars of the Senegalese nation must not be left defenceless, and the Senegalese delegation wishes to recall the Constitution, and notably articles 1 and 4, which prohibit all discrimination of any kind, including sex discrimination.

52. The State of Senegal has moreover ratified the international instruments on the advancement of women and girls, and on the protection of their rights, including the Convention on the Elimination of All Forms of Discrimination against Women. This commitment is matched by concrete measures such as:

- Act No. 99-05 of 29 January 1999, prohibiting genital mutilation, which reiterates, *inter alia*, articles 297 bis, 319, 319 bis, 320 and 321 of the Criminal Code, punishing excision, paedophilia, domestic violence and sexual harassment, and, in parallel, a public renunciation of female genital mutilation and early marriage made by 1,671 of Senegal's 5,000 villages upon the entry into force of the Act
- Implementation of the national strategy for gender equity and equality 2005–2015
- The establishment of numerous women's enterprise funds
- Skills training for women
- Provision of Caesarean deliveries and other obstetric interventions free of charge
- The recognition (5 October 2006) of working women's right to make provision for medical care for their husbands and children

53. Much progress has been made on the question of equal tax treatment for men and women: the studies on possible amendment of the General Tax Code have been completed and shared with all relevant institutions.

54. Senegal's continuing commitment to the advancement of women is underpinned by its long-standing recognition of women's leadership in the executive, the legislature and the judiciary.

55. Women's full participation in the exercise of political power was demonstrated by the appointment of a woman Prime Minister in 2002 for the first time in the history of Senegal.

56. In addition, many areas of Government that were not accessible to women have opened up in recent years. These include the Army, which plans to recruit 300 women in the 18–22 age group, between January and September 2008, the Gendarmerie and the Customs service.

57. The Senegalese Government goes even further in the advancement of women, however, and accepts the implications of Senegal's commitment to the principles set forth in the Convention.

58. In line with those provisions, the Constitutional Council recalled in its decision of 27 April 2007 that the principles governing political representation prohibited discrimination between men and women, and on those grounds censured the bill introduced at the time by the Government.

59. As a result, since Senegal sets great store by the rule of law and respect for the authority of court decisions, article 7 of the Constitution was amended by the insertion of the principle of equal access for women and men to elected offices and positions.

60. What it is hoped this reform will achieve is an appropriate level of involvement of women in public life by means of measures to uphold the principle of parity.

61. The draft constitutional amendment whereby "the law shall promote equal access for women and men to offices and positions" was adopted by the Council of Ministers on 25 October 2007 and approved by Parliament on 12 November 2007.

#### **D. Senegal's incorporation of article 4 of the Convention into domestic law**

62. Senegal would like to recall all the measures it has taken under article 4 to sanction propaganda based on discrimination of any kind and the legal measures taken at the national level to punish it, notably articles 248 ff. in section VI of the Criminal Code, on offences committed by any public broadcasting medium.

63. Act No. 81-77 of 10 December 1987, relating to the punishment of acts of racial, ethnic or religious discrimination, remains in force and is strengthened by article 5 of the Constitution, which also punishes such acts.

64. The Act of 10 December 1987 is incorporated in the Criminal Code, the Code of Criminal Procedure and the law on subversive associations, and takes up the definition used in article 4 of the Convention.

65. As regards articles 5 and 7 of the Convention, on States' undertaking to prohibit and eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, reference is made to the provisions of article 8 of the Constitution.

66. According to article 8, the Republic of Senegal shall guarantee to all citizens fundamental freedoms, economic and social rights, and collective rights. These rights and freedoms include:

- Civil and political rights (freedom of opinion, freedom of expression, freedom of the press, freedom of association, freedom of assembly, freedom of movement and freedom to demonstrate)
- Cultural rights
- Religious rights
- Philosophical rights
- Trade union rights
- The right of free enterprise
- The right to education
- The right to literacy

- The right to own property
- The right to work
- The right to health
- The right to a healthy environment
- The right to diversity of information

67. To properly guarantee these freedoms, article 9 of the Constitution provides that all violations shall be punishable by law.

68. Each of the rights and freedoms set forth above is subject to a specific provision in the law, such as to ensure its full realization.

### **E. Prevention of discrimination in respect of the economic, social and cultural rights of ethnic groups, including in Casamance**

69. The delegation wishes to state that Senegal is fully committed to the international conventions on economic, cultural and social rights.

70. The importance attached to this issue is demonstrated by the fact that it is addressed at the very beginning of the Constitution, in article 1, which establishes “the equality before the law of all citizens without distinction as to origin, race, sex or religion”.

71. Title II of the Constitution, entitled “Civil Liberties and the Human Person, Economic and Social Rights and Collective Rights”, also attests to this concern.

72. Senegal has launched and implemented in recent years a poverty reduction strategy paper (PRSP) that has been hailed for the consensual approach taken during the drafting process, which involved all stakeholders, including civil society.

73. The PRSP is now in its second phase and funding commitments were made by the Paris Club in October 2007.

74. This document aims to reduce poverty by strengthening the capacity of vulnerable populations, especially women and the rural population.

75. With regard to discrimination at work, the Labour Code provides that the State ensures equality of opportunity and treatment in terms of access to vocational training and employment, regardless of racial origin, sex or religion.

76. As regards Casamance more specifically, the delegation wishes to state that the region is in no way disadvantaged where economic, cultural and social rights are concerned.

77. On the contrary, Casamance is privileged since, due to its particular geographical position and post-conflict status, a special development programme was set up for it under the Comprehensive Peace Agreement of 30 December 2004 between the Government of Senegal and the Mouvement des Forces Démocratiques de la Casamance (Casamance Democratic Forces Movement) (MFDC).

78. This commitment, announced in the preamble to the Agreement, is explained in article 4, on “Economic and social recovery”, whereby:

“The State requests the National Agency for Economic and Social Recovery in Casamance (ANRAC) to mobilize NGOs and decontamination specialists, in partnership with the Army and ex-combatants of MFDC, to start immediate humanitarian demining in Casamance to facilitate economic recovery.

“The State undertakes to take all measures to facilitate the return of refugees and displaced persons and provide the necessary support for their resettlement.

“The State undertakes to ensure the reconstruction of Casamance.”

79. The sinking on 26 September 2002 of the *Joola* — a boat service provided as one means of achieving the goal of rebuilding Casamance — was a setback for the project, but new, safe ferries are planned to ply the Dakar-Ziguinchor route, which will be a great boon to the people of Casamance.

80. There has also been a resumption of tourism.

## **F. The caste problem**

81. In line with its commitment to fight discrimination of any kind, the State of Senegal will not tolerate discrimination based on caste.

82. However, as the Committee has already recognized, no legal action has ever been taken in the Senegalese courts for an act of this kind, and there continue to be no cases, despite the availability of numerous individual remedies.

83. Granted, in the African system, as in other cultures around the world, problems of caste, which have their roots in centuries-old value-systems, may arise in private, and in diverse forms, in social relationships — frequently matrimonial — between individuals and groups, but such practices are unknown, and indeed discouraged, in the Government and in Government departments.

## **G. Statistical data**

84. After consideration of Senegal’s last report, the Committee stated that it regretted the lack of statistics relating to the ethnic make-up of the population, the representation of the various ethnic groups in Senegal’s political institutions, or their participation in public bodies entrusted with ensuring respect for human rights. The Committee reminded the State party of its general recommendations 4 and 24, dated 25 August 1973 and 28 August 1999 respectively, and called on it to include statistics in the next report.

85. In order to respond to the Committee’s concern, the following statistics have been culled from the report on the economic and social situation in Senegal in 2008 published by the National Statistics and Demographics Agency (ANSD).

86. Senegal has an area of 196,712 km<sup>2</sup> and in 2008 had an estimated population of 11,841,123 and a population density of 60 per km<sup>2</sup>. Senegal’s population is characterized by its youth, and the age table and the age structure show that, in 2008, 42 per cent of Senegalese were aged under 15 and 53.3 per cent under 20, whereas only 3.6 per cent were 65 and older. This gives a dependency rate of 83.8 economically inactive persons (under 15 and over 65) to every 100 of the working population (15–64). However, this rate has greatly declined since 1988, when 100 economically active persons had to support 103.3 inactive persons; in 2002, the proportion was 86.5 per cent.

87. The sex ratio is still out of balance. The overall masculinity ratio (men to women) is 97.8 to 100; in 2002 it was 96.9. Women’s numerical superiority is seen at nearly all ages, except the very young (under-2s). Between ages 20 and 49 this could be explained by differential (male-biased) migration and over age 55, in addition to migration, most certainly by women’s greater life expectancy.

88. According to demographic projections, the crude birth rate in 2008 was 38.9 per thousand. The rate declined very little between 2002 and 2008, slipping from nearly 40 per thousand in 2002 to 39.4 in 2005 before reaching the 2008 level. The total fertility rate, i.e. the average number of children per woman by the end of the reproductive cycle, was five in 2008.

89. The crude death rate, meanwhile, was 11.5 per thousand in 2008. There has been a gradual decline, from 12.6 per thousand in 2002 to 12.1 per thousand in 2005, and thence to 11.5 per thousand. This can be attributed to progress in the field of health.

90. As to maternal mortality, the only information available is the Demographic and Health Survey 2005 (DHS IV), which put the maternal mortality rate for 1998–2005 at 401 deaths per 100,000 live births, though it declined between 1992 and 1993 (510 deaths per 100,000 live births). Between 1970 and 2005, the infant, child and infant-child mortality rates dropped from 119.9, 200.3 and 296 per thousand respectively to 61, 64 and 121 per thousand. This decline in mortality is due to the considerable efforts made in the area of health in general and child health in particular.

91. As to migration, in 2002, out of a de jure population of 8,413,777 (aged 5+), only 3.4 per cent (288,699) were obliged to migrate at least once in the five years preceding the census.

92. These recent migrants live mainly in the regions of Dakar (35.5 per cent), Thiès (17.5 per cent) and Diourbel (13.2 per cent). Recent immigrants in the Dakar region come mainly from the regions of Thiès (22.8 per cent), Ziguinchor (13.8 per cent), Kaolack (13.5 per cent) and Diourbel (12.4 per cent). In addition, in Dakar, recent emigration is more frequent than lifetime emigration (24 per cent as compared with 10.2 per cent). This seems to reflect the fact that the Dakar region plays a key role in the redistribution of internal migration flows.

93. Recent international immigrants in Senegal make up 0.8 per cent of the total population. Among the Senegalese, the Fulani ethnic group predominates, accounting for 28.6 per cent of Senegalese immigrants (recent return migration), followed by the Wolof/Lébou (22.6 per cent). Guineans (47.9 per cent) form the majority among the other West Africans, who are the second largest group of recent international immigrants (18.5 per cent). Half of these international immigrants live in Dakar.

94. According to ESAM II, there were 168,953 Senegalese emigrants — 142,238 men (84 per cent) and 26,716 women (16 per cent) — in 2002. This is a young group, with 68 out of 100 emigrants aged between 15 and 34, and 26 between 35 and 54. As to origin, Senegalese emigrants come mostly from the regions of Dakar (31.2 per cent), Saint-Louis (18.4 per cent), Diourbel (9.9 per cent), Thiès (9.6 per cent), Louga (7.6 per cent) and Kolda (7.6 per cent). As to residence, most of the urban group comes from Dakar (61.6 per cent) and the rural group from the Saint-Louis region (32 per cent).

95. In education, between 2006 and 2008 the gross enrolment rate in primary education rose from 83.4 per cent to 90.1 per cent. On average the overall gross enrolment rate rose between 2007 and 2008 from 36.2 per cent to 39.2 per cent, an increase of 8.3 per cent (see table 6). The increase was 7.3 per cent among boys as compared with 9.6 per cent in girls. The increased enrolment among girls can be explained by the ever-expanding number of local secondary schools, particularly in rural areas.

## **H. Publication of reports and dissemination of the Convention**

96. Human rights training and education are one of the major goals of the policy set by the Head of State, which encourages NGOs, civil society and educational institutions such

as the Institute of Human Rights and Peace at the Cheikh Anta Diop University in Dakar to propagate human rights. It is in line with this policy that the Institute produced a human rights manual that has been translated into the national languages. The Ministry of Education ran a workshop in September 2007 to adopt reports by national experts with a view to making human rights part of the school curriculum.

97. In addition, the Senegalese Human Rights Committee and the Office of the High Commissioner for Human Rights and the Promotion of Peace, as part of their respective mandates, run campaigns to publicize and propagate all international human rights instruments in close cooperation with civil society.

98. Periodic reports, including this one, are prepared according to a strict procedure that ensures the involvement of all institutional actors and civil society. The draft reports prepared by the Executive are required to be submitted for opinion and comment to the Senegalese Human Rights Committee, which is an independent body with a pluralistic composition. Other civil society actors, notably human rights NGOs, are also consulted through the National Human Rights Advisory Council, which is an organ of the Office of the High Commissioner for Human Rights and the Promotion of Peace and brings together the Government and independent civil society actors.

99. In conclusion, Senegal hereby solemnly renews its commitment to spare no effort to create a tolerant society on its territory and to participate in the international effort to combat all forms of discrimination.

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