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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON  
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Reports submitted in accordance with Council resolution 1988 (LX)  
by States parties to the Covenant concerning rights covered by  
articles 10 to 12

SENEGAL

/14 February 1980/

Preliminary remark

The steps taken by Senegal to implement articles 10 to 12 of the International Covenant on Economic, Social and Cultural Rights are consistent with the provisions of articles 1 to 5 of that Covenant.

I. ARTICLE 10. PROTECTION OF THE FAMILY, MOTHERS AND  
CHILDREN

A. Protection of the family

1. Article 10 of the Constitution states that: "Marriage and the family constitute the natural and ethical basis of the human community. They shall be protected by the State. The State and the community have the social duty of safeguarding the physical and moral health of the family."

2. The Family Code states:

(a) "Each intending spouse, even if a legal minor, must give his or her personal consent to the marriage" (sect. 108);

(b) "Any marriage, whatever its form, shall be annulled if it has been contracted without the consent of one of the spouses" (sect. 141).

3. One of the primary objects of the State is to improve the standard of living of the population and thus to further its well-being.

4. Provision for family allowances is made under Act No. 73-37 of 31 July 1973, which establishes the Social Security Code. The Act specifies that:

(a) "Family allowances shall be granted to a worker in respect of any of his dependent children who are over 12 and under 15 years of age. The age limit shall be increased to 18 years in the case of children serving an apprenticeship and to 21 years in the case of children continuing their studies or incapable of engaging in gainful employment as a result of infirmity or incurable illness" (sect. 21);

(b) "Family allowances shall be paid to the beneficiary at the end of the period to which they relate, at regular intervals not exceeding three months. They shall be payable from the first day of the month following the date of the child's second birthday" (sect. 23).

Income-tax rates decrease in relation to the number of dependent children.

There are nurseries in all the maternity units.

#### B. Protection of motherhood

1. The protection of motherhood is guaranteed by the Social Security Code.

2. The Social Security Code states:

(a) "An entitlement to prenatal allowances shall be enjoyed by any woman married to a worker, any unmarried woman and any woman worker whose husband is not engaged in any form of gainful activity, from the date on which she is certified as being pregnant until the date on which she is confined" (sect. 15);

(b) "An entitlement to maternity allowances shall be enjoyed by any woman married to a worker, any unmarried woman worker and any woman worker whose husband is not engaged in any form of gainful activity if she gives birth under medical supervision to a child who is born alive and is duly registered at a registry office. The entitlement shall commence from the date of birth and continued until the child's second birthday" (sect. 18);

(c) "Benefits in kind, which shall be in addition to the cash benefits, shall be granted to workers' wives and children or any other persons qualified to receive them, who shall be required to use them on the children's exclusive behalf. The cost of such benefits shall be charged to a special account of the Social Security Fund, to be known as the Health, Welfare and Family Benefit Account" (sect. 31).

3. Section 138 of the Labour Code provides that: "Any pregnant woman whose condition has been medically certified or whose pregnancy is obvious may leave her work without notice and be under no obligation to pay any compensation for

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breach of contract. At the time of her confinement every woman shall be entitled to suspend work for 14 consecutive weeks, of which 8 shall follow the delivery, and such interruption of service may not be deemed to constitute a breach of contract. The employer may not dismiss a pregnant woman during the period of suspension of work. She shall be entitled to daily allowances throughout her maternity leave, subject to a maximum of six weeks before and eight weeks after her confinement."

4. Women are not charged for the public health services provided by hospitals and maternity units.

5. In addition to the death benefits payable to them, widows receive a pension.

#### C. Protection of children and young persons

1. Articles 15, 16 and 17 of the Constitution state that: "Parents have the natural right and the duty to bring up their children. They shall be supported in that task by the State and by the community. The State and the community shall establish the prior conditions and the public institutions that will ensure the education of children. The education of young people shall be provided by public schools. Religious institutions and communities shall also be recognized as a means of education."

2. In Senegal there is a Ministry of Social Action, which includes a Division for the Social Advancement of the Handicapped. This Division records the difficulties facing the handicapped and proposes suitable ways of promoting the advancement, if not the well-being, of all handicapped in the country. It comprises three offices and two divisions:

(a) The Office of Sensory Handicaps (responsible for the blind and deaf-mutes);

(b) The Office of Physical and Motor Handicaps (responsible for the disabled and those formerly suffering from organic disorders);

(c) The Office of Mental Handicaps (responsible for mentally retarded and stabilized mentally ill persons);

(d) A Child Protection Division, which assists indigent minors, orphans and abandoned children, for whom a maintenance allowance has been instituted;

(e) A Social Centres and Social Prophylaxis Division, one of the functions of which is to counter delinquency. It works in co-operation with the Supervised Education and Social Welfare Service, which is responsible for delinquent minors and endangered children.

3. These measures are a result of the implementation of:

(a) The Constitution, article 15 of which states: "Young people shall be protected by the State and the community against exploitation and moral neglect";

(b) The Penal Code, which provides severe penalties for infractions against minors and agreements aimed at depriving a third person of his or her freedom, whether or not for financial compensation.

4. The Labour Code states:

(a) "Children under the age of 14 shall not be employed in any enterprise, even as apprentices, save where an order to the contrary is issued by the Minister of Labour and Social Security, after consulting the National Labour and Social Security Advisory Council, with due regard to local circumstances and the tasks which may be required of them" (sect. 140). The nature of the work and types of enterprises prohibited to young persons and the age limit to which that prohibition applies are established by an order of the Minister of Labour and Social Security;

(b) "The Labour and Social Security Inspector may require that a child be examined by a duly appointed physician with a view to ascertaining that the work entrusted to him is not beyond his strength. This requirement shall be mandatory at the request of the interested parties. A child shall not be kept in any employment recognized as being beyond his strength but shall be assigned to suitable work. If that is not possible, the contract shall be terminated and a redundancy payment made to the worker" (sect. 141);

(c) Concerning night work: "The rest period of children shall be a minimum of 11 consecutive hours. Night work of children in industry shall continue to be regulated by the provisions of the Washington international conventions extended to Senegal by the decrees of 28 December 1937" (sect. 136).

## II. ARTICLE 11. RIGHT TO AN ADEQUATE STANDARD OF LIVING

These measures result from the implementation of economic and social development plans.

### A. Right to adequate food

1. Improvement of the standard of living is the basic concern of the State.

2. Under the National Land Act Senegal has carried out major agrarian reforms. Farmers' co-operatives that receive agricultural equipment and fertilizer and arrange for the marketing of ground-nuts have been formed.

3. The following measures have been taken for the development of agriculture:

- (a) Provision of equipment to Senegalese farmers;
- (b) Large-scale distribution of fertilizer;
- (c) Institution of advisory services on the use of intensive farming techniques, cattle-drawn ploughs, fertilizers and selected seeds.

To improve animal husbandry methods, the country has been divided into five ecological zones specialized in breeding, raising, fattening, industrial cross-breeding and dairy production.

A general vaccination campaign has been launched to control such diseases as contagious bovine pleuropneumonia, cattle plague and symptomatic anthrax.

4. Several entities participate in setting up the operational arrangements for assisting the rural areas.

All these multipurpose entities now form part of the Senegalese Institute for Agricultural Research (ISRA).

Agricultural products are stocked in shops. Farmers are provided with adequate resources and receive assistance from agencies in combating predators and parasites (use of fungicides).

5. Agencies for the distribution and marketing of cereals, market-garden produce, cattle and meat work in conjunction with the co-operatives, thus facilitating access to markets.

With respect to ground-nuts, the principal product of Senegal, the State each year sets a price which is very favourable to the producer and is indexed to the entire range of production inputs.

Through the price equalization and stabilization fund, the State subsidizes the prices of certain agricultural products.

The Ministry of Commerce maintains rigorous price controls, prevents speculation in staples, and assures regular supplies to all segments of society.

6. One of the essential objectives of the development plans is the improvement of the standard of living of the most vulnerable population groups.

7. The Ministry of Commerce monitors food products in both the market-place and the warehouses.

8. Research institutes instil principles of nutrition through the mass media.

9. The State, through the Ministry of Co-operation, ensures equitable distribution of products supplied through international assistance and grants priority to the most deprived areas.

B. Right to adequate clothing

1. The main objective of the State is to raise the standard of living of the population. To this end, it endeavours to carry out adequately the development plans, as these are the vehicles for ensuring economic and social progress.
2. The State encourages the development of the local textile industry.
3. The State, through planning, facilitates the establishment of textile factories which use the most modern production techniques.

C. Right to housing

1. In its development plans, the State gives priority to housing. The acts and decrees concerning real estate reflect that concern.
2. The construction of low-cost housing within the reach of the greatest possible number of citizens is therefore among the objectives of the State. Extensive housing programmes have been executed by the Cape Verde Real Estate Company. The State has also established an office to oversee the construction of moderate-rental accommodation.  
  
At the same time, extensive land improvement programmes have been drawn up; they consist of developing parcels of national land in peri-urban areas with a view to placing them at the disposal of those in the lowest-income groups.
3. The State promotes the construction of housing adapted to the socio-economic circumstances and ensures compliance with safety standards.
4. Sanitation plans have been carried out in the rural areas. Many hydraulic works have been completed in the various regions.
5. Acts Nos. 77-62 and 77-63 of 26 May 1977 assure the protection of tenants by providing them with legal guarantees and by regulating rents.
6. The Cape Verde Real Estate Company has constructed 10,000 housing units concentrated in the Cape Verde region, while the units constructed under the auspices of the Moderate-Rental Housing Office throughout the different regions total 8,123.

III. ARTICLE 12. RIGHT TO PHYSICAL AND MENTAL HEALTH

The following legislation has been enacted:

- (a) Act No. 69-49 of 16 July 1969 concerning the policing of drinking establishments and the penalization of public drunkenness;

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(b) Act No. 72-24 of 19 April 1972 on the suppression of the growth, manufacture, sale and use of substances or plants classified as narcotics;

(c) Act No. 66-21 of 1 February 1966 to combat venereal diseases and prostitution.

In other areas, the following should be noted:

1. and 2. The existence of maternal and child welfare centres and maternity units is a factor in the reduction of the infant mortality and still-birth rates. These entities contribute to the healthy development of the child by virtue of the medical assistance provided to mothers.

3. The protection of the environment, environmental hygiene and occupational hygiene is assured by:

(a) The authorities, primarily through the activities of the social hygiene institutes;

(b) The Labour Code;

(c) The Environmental Code.

4. The main function of the Directorate of Endemic Diseases of the Ministry of Health is to combat contagious and endemic diseases by means of vaccination programmes.

The Social Centres and Social Prophylaxis Division of the Ministry of Social Action also performs work in this area.

The Social Security Code protects workers against occupational diseases.

As a safeguard for victims of traffic accidents, mandatory insurance has been instituted.

Road safety measures also play an effective role in the education of road users.

5. Medical care is assured throughout the territory (regional hospitals, health centres, health stations and endemic disease sectors).

6. Medical benefits are generally provided by the State.

The following achievements in the field of public health deserve mention:

(a) Nine hospitals with 3,459 beds;

(b) Thirty-four departmental health centres with 923 beds;

(c) One doctor per 15,000 inhabitants.