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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 13 to 15

SENEGAL

[28 April 1982]

I. RIGHT TO EDUCATION

(Articles 13 and 14)

The Ministry of National Education of the Republic of Senegal is responsible for administering and supervising public and private institutions providing education for children and the staffs of these institutions.

First of all, a comparison will be made between the provisions of articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights and the more general provisions of Act No. 71.036 of 3 June 1971 governing national educational policy, which was the product of 10 years of work following Senegal's accession to sovereignty.

This Act defines the educational goals of independent Senegal. Those goals are clearly set forth in article 1:

"For the purposes of this Act, the goal of national education shall be to:

"(1) raise the cultural level of the population;

"(2) train men and women who are free and capable of creating the conditions for their development at all levels, of contributing to the development of science and technology and of producing effective solutions for national development problems.

"Its purpose shall be to prepare the ground for over-all development which is the task of the entire nation. Its permanent function shall be to keep the nation as a whole abreast of modern progress."

Article 2 specifies the scope of the Act.

"National education shall be democratic. It shall be based, in principle, on the recognized right of all human beings to receive education and training commensurate with their abilities and in respect of its objective, on the the need of all to participate in production, of whatever kind, according to their skills.

"Private, individual or joint enterprise may, in the manner provided for in this Act, contribute to the fulfilment of this objective.

"Freedom and tolerance, based on the equality of men and women of diverse origins and beliefs, shall be the essential features of national education. Equality shall also be the basis for the secularity of education."

These articles, which set forth in the clearest possible fashion the goals of Senegalese national education, the principles on which it is based and its purpose, coincide commendably with articles 13, paragraphs 1 and 4, of the International Covenant on Economic, Social and Cultural Rights.

According to article 13, paragraph 1, of the Covenant, the role of education is to "promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace".

To that end, article 3 of the Act provides that:

"National education in Senegal shall be an African education and shall have its roots in African realities. Taking those realities as its point of departure, it shall master and overcome them with a view to transforming them. It shall encompass the values of universal civilization and become part of the mainstream of the modern world. Accordingly, it shall promote the spirit of co-operation and peace among men."

The similarity of approach is thus very striking. Both the Covenant and the Senegalese Act describe the role of education as a link and a means of promoting rapprochement and understanding among men, and they do so in no uncertain terms.

So far as conditions relating to levels of education are concerned, article 13, paragraph 2, of the Covenant provides that primary education shall be compulsory and available free to all.

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Here, too, there is a similarity between the provisions of the Covenant and those of the Constitution of the Republic of Senegal, article 8 of which states that everyone shall have the right, without let or hindrance, to education in the facilities accessible to all.

Pursuant to this provision, children aged six on 31 December of the year of enrolment are admitted to the first level of primary-school education. Although budgetary constraints have so far prevented Senegal from providing schooling for the whole potential school population, efforts have been continuing over the years, through the building of schools and the use of existing buildings, to provide elementary education for all by the end of the decade. This, together with vocational training, is accorded a top priority by the Government of Senegal.

To that end, a general conference on education was held at Dakar on 28, 29, 30 and 31 January 1981 on the initiative of the Head of State, in which a large number of experts on education and training, representatives of teaching unions, parents of pupils, religious, customary and all senior public authorities participated. The conference concluded by approving new measures to promote Senegalese national education.

New structures for education and training are being studied under a new organizational plan of the educational system, comprising fundamental, free, compulsory and multi-disciplinary education up to the age of 16, with a view to increasing the school enrolment rate for young Senegalese and promoting the democratization of education, exercise of the right to education and equality of opportunity in education and training, in accordance with the principles set forth in the Constitution of the Republic of Senegal.

The Government's other top priority is technical education and vocational training.

With that in mind, and looking to the future of Senegalese youth, Mr. Léopold Sédar Senghor, then Head of State, in his message to the nation on the twentieth anniversary of independence, on 4 April 1980, stressed the need to direct technical and vocational training towards producing more efficient supervisors and skilled workers.

Also with a view to making technical and vocational training more widespread and accessible to all, by all appropriate means, the Government of Senegal, under the authority of the Head of State, is pursuing its studies on technical and vocational training and continuing to take all the necessary steps to increase the facilities, in particular by building technical schools, setting up vocational training centres and other institutions for further education, refresher courses and retraining, where those with the ability may receive the instruction and training they require free of charge.

Given the wide variety of family origins, the State, pursuant to article 15 of the Constitution of the Republic, normally assists the most deprived families in the education of their children by means of grants in cash or kind. These grants are renewed annually, subject to acceptable standards of performance by the

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recipients. New applications for grants may be considered by regional pre-selection boards and by the national grants board.

State support in Senegal is the tangible expression of the State's desire to democratize education by affording all citizens the opportunity of learning and of training in all sectors of active life, with a view to promoting knowledge for social development.

Among the many measures taken by the Government of Senegal to improve the status of teachers are the following:

- (a) A teaching allowance for all teachers;
- (b) A special post allowance for principals and vice-principals of lycées, senior teachers, primary-school principals and instructors;
- (c) Increased housing allowances for elementary teaching staff, extension of housing allowances to secondary-school teaching and equivalent staff, and other government action, budgetary resources permitting, to implement the recommendations of the conference on education, so that "the material conditions of teaching staff shall be continuously improved" (article 13, para. 2 (e) of the Covenant).

With regard to "those persons who have not received or completed the whole period of their primary education", the Covenant provides that fundamental education shall be encouraged or intensified [article 13, para. 2 (d)].

The Senegalese National Education Act, specifically article 7 which lays down the main lines of national education, is an expression of the Government's concern to ensure the social development of young people and adults who have not received or completed their primary education.

Article 7 provides that there shall be three main forms of national education, depending on the objectives and individuals for which it is intended:

- (1) education in schools and universities for young people of school and university age: general education and technical education or vocational training, designed to enable them to acquire a certain level of theoretical and practice knowledge or vocational skills;
- (2) education for young people and adults already engaged in an occupation after a reasonably long period of education, designed to consolidate knowledge, improve vocational skills and increase output capacity with a view to social and cultural development;
- (3) education for young people and adults who have had no schooling, using the functional literacy method and other forms of advancement, in order to increase work productivity and promote new ways of thinking.

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Article 7 concludes as follows:

"The unity of education shall be ensured on the basis of the content and objectives specified in the present Act through different forms and structures. Progress from one form of education to another shall be a continuing aim."

Thus, on acceding to sovereignty, Senegal adopted all the necessary legislation on education and training to guarantee all its citizens full exercise of their inalienable rights as recognized by the Constitution, in conformity with the Universal Declaration of Human Rights and the principles set forth in the Charter of the United Nations.

The Head of State, President Abdou Diouf, on his accession to office and guided by a commendable determination to forge ahead, invited all Senegalese to make a critical evaluation of the results of the National Education Act. As the Minister of National Education stated at the close of the conference on education, it was the first time in the country - perhaps in the world - that an entire nation had met, in response to the Government's appeal, to express, through its representatives, its criticisms, fears and anxieties, but also its profound aspirations and its desire for constructive changes, in the vital sector of education.

Fruits will surely keep the promise of the flowers. Rising above ideological differences, those who took part in those important national meetings showed maturity and a high sense of duty in laying down the broad guidelines and the foundations for a new Senegalese system of education designed for all Senegalese without exception, the Senegalese of today and of tomorrow.

II. THE RIGHT TO CULTURE

(Article 15)

Senegal has already taken a major step forward in the cultural sector. All the principles set forth in article 15 of the Covenant (namely, the participation of citizens in cultural life, assistance and support for artistic activities, international co-operation in culture, the interaction of science and culture, and so forth) are already covered in the cultural policy formulated by the Senegalese Government.

Immediately after Senegal's accession to sovereignty, the Senegalese authorities had already laid down the main lines of the country's cultural policy, which, quite properly, had to be first and foremost consistent with the aspirations of the Senegalese people. Despite the various influences which have decisively left their mark on Africa's history, it was necessary to establish, on the basis of objective data, a cultural policy that would not only have the advantage of reflecting the authenticity of Senegal's own values in terms of civilization but would also harmoniously combine all the components of progress.

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Accordingly, the Senegalese Government took a number of steps to ensure that the largest possible number of Senegalese citizens enjoyed their right to culture. All the general principles of Senegal's cultural policy were incorporated in Decree No. 76-1021 of 1976, which also provided for the organization of the Ministry of Culture and, in addition, a host of laws were adopted to establish the necessary infrastructures for promoting cultural activities.

The measures adopted by the Senegalese Government will be reviewed first and then the legal provisions adopted to establish the infrastructures for Senegal's cultural development.

A. Review of the measures adopted by the Senegalese Government to promote cultural development

Drawing on the experience of its colonial past and guided by proceedings of major international meetings, the Senegalese Government has already taken a number of steps, set forth in Decree No. 76-1021, to promote effective cultural development in the interest of the nation. The main lines of the Decree can be summarized as follows:

- (1) Cultural development as a basis for economic and social development;
- (2) The need to promote cultural development;
- (3) Assistance and support for cultural and artistic activities;
- (4) Cultural decentralization and regional facilities;
- (5) International cultural co-operation with a view to a fruitful interchange among civilizations;
- (6) Integration of science and technology into the nation's cultural heritage.

1. Cultural development as a basis for economic and social development

The first principle applied by the Senegalese authorities in formulating cultural policy was based on age-old black-African humanism which conceives of man as the major instrument and ultimate goal of development from the beginning to the end of the development process.

Cultural policy, conceived in this humanistic perspective, views all creativity as primarily a phenomenon of civilization. Man, in order to avoid lapsing into nihilism, must dream of creating and of growing spiritually once his animal needs have been satisfied. The Senegalese authorities, therefore, consider that development cannot be conceived in terms of growth, but rather as a desire to ensure the overall development of man. This means quite simply that the Senegalese Government attaches prime importance to cultural development, which is the very foundation of economic and social development. For this reason, more than 30 per cent of the budget is allocated to the cultural and educational sector.

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2. The need to promote cultural development

Certain cultural policies are criticized for developing an elitist culture by not enabling all citizens to enjoy their right to culture. In order to be fruitful, a cultural policy must reach all social strata. The Senegalese State, faithful to its democratic principles which guarantee the liberty and equality of citizens, realized very early on that a cultural policy cannot be the prerogative of a particular minority, but must help to make the population at large aware of culture. This campaign has been successful in Senegal and has led to the establishment of training and dissemination structures at all levels: cultural centres, training schools (the School of Fine Arts, the Conservatory of Dramatic Arts, the School of Architecture and Town Planning), etc.

3. Assistance and support for cultural and artistic activities

The Senegalese State has for a number of years been taking steps to improve the status of artists, who must be fully integrated into the life of the nation.

Contrary to certain conceptions, an artist is not an outcast but a member of society who needs to be aided, brought into the mainstream and fully integrated into society in order to develop his creative skills. An artists' assistance fund and an assistance fund for the film industry were established in Senegal in order to provide aid to all artists without distinction (musicians, writers, painters, etc.). An art gallery for artists will be opened soon.

4. Cultural decentralization and regional facilities

All infrastructures were concentrated in the capital after Senegal's accession to independence, but with the introduction of the administrative and territorial reform based on the desire of the Senegalese authorities to decentralize power, the Senegalese State at the same time felt obliged to decentralize cultural facilities so as to enable the rural population to enjoy their cultural rights. Cultural centres and regional museums were thus established in the eight regions of Senegal.

Each cultural centre is headed by a director in charge of co-ordinating and promoting regional cultural activities; he is at the same time adviser on cultural affairs to the governor of the region. The cultural centres play a major role in raising the cultural level of the rural population.

5. International cultural co-operation with a view to fruitful interchange

Senegal, faithful to its principle of remaining open to productive outside influences maintains relations of close co-operation with most States of Africa, Europe, Asia and America. As a result, a number of cultural agreements have been signed with many States. At the present time, 27 cultural agreements have been signed in Africa, 11 in Europe, 13 in Asia and 5 in America. International agencies such as the United Nations Educational, Scientific and Cultural Organization, the African Cultural Institute, and the Agency for Technical and Cultural Co-operation also serve as major instruments for cultural co-operation.

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6. Integration of science and technology into the nation's cultural heritage

The Senegalese authorities became aware, very early on, of the compelling need to integrate technology and science - those essential instruments of progress - into the cultural heritage of the nation. The Senegalese citizen, if he is to develop fully, cannot remain indifferent to scientific progress. Once acquainted with the values of civilization, he must make changes in his environment so as to participate fully in global civilization and make a place for himself on the international scene. This principle has been put into effect by the formulation of a methodology for development which assigns a high priority to scientific and technical training. With that in view, post-secondary training schools have been set up in Senegal: the University Institute of Technology (IUT); the National School of Applied Economics (ENEA); and the Thiès Polytechnical School.

B. Legislation adopted by the Senegalese Government

By seeking to raise the cultural level of its people, the Senegalese Government aims to enable them to broaden their intellectual horizons. Consequently, laws and regulations have already been introduced to establish several agencies for providing training and disseminating culture.

1. Administrative agencies

Decree No. 76-1021 established a number of administrative agencies to promote cultural activities. They are the Directorate of Arts, the Directorate of Literature and the Historical and Ethnographic Heritage Directorate.

Directorate of Arts

This Directorate is the main administrative agency for promoting the development of the arts. Whenever a painter of talent organizes an exhibition, the Directorate purchases one or two paintings, which are classified and added to the private heritage collection of the State. We are thus setting up and enlarging our stock of art objects, and certain items, duly inventoried, can then be allocated for the interior decoration of public buildings such as ministries or embassies.

This Directorate has two key units: the artists' assistance fund and the film industry support fund. As their names indicate, their purpose is to promote creativity in the plastic arts and the cinema and they are governed by Decree No. 78-300 of 12 April 1978 and Decree No. 78-467 of 19 May 1978 respectively.

The Directorate is also responsible for developing international cultural co-operation and plays a leading role in concluding cultural agreements and organizing cultural events.

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Historical and Ethnographic Heritage Directorate

This is an administrative agency responsible for drawing up an inventory of and managing the entire national heritage. Its role is essentially to record, classify and protect all the physical elements of Senegal's heritage, namely, historic sites and monuments (areas, buildings and movable and immovable property of historical interest) and our people's prehistoric and protohistoric artefacts - its legacy of the past and the present.

As the Directorate responsible for protecting and safeguarding the entire national heritage, it co-ordinates the activities of all the regional museums and enforces the regulations on the decoration of buildings.

Act No. 65-036 of 19 May 1965 and Decree No. 65-344 of 19 May 1965 governing its implementation have made it possible for Senegalese artists to be harmoniously integrated into economic and cultural life by giving them the opportunity of playing an active part in the decoration of public buildings.

This legislation is intended not only to promote the dissemination of indigenous cultural values but also to guarantee Senegalese artists the support and assistance of the State, in further developing their personalities.

Department of Literature

The mandate of this Directorate is to prepare an inventory of Senegal's literary heritage, to foster literary creativity and to co-ordinate the literary activities of State cultural institutions and agencies in collaboration with the national Copyright Office and the Writers' Association.

The Directorate is also responsible for controlling the export and marketing of the works of our literary heritage and organizes annual literary competitions to encourage young writers.

2. Training schools

In order to enable all citizens to exercise their right to culture, the Senegalese Government has established training schools that are open without discrimination to all Senegalese citizens: the Conservatory of Dramatic Art, which trains cultural leaders, music teachers and dance specialists; the School of Fine Arts, which trains painters, sculptors, etc.; the School of Architecture and Town Planning, which trains architects and town planners; and the School of Advanced Education in the Arts.

The Conservatory was established and organized by Decree No. 78-708 of 19 July 1978, the School of Fine Arts by Decree No. 79-574 of 13 June 1979 and the School of Advanced Education in the Arts by Decree No. 79-360 of 17 April 1979.

In addition to these national schools and in keeping with Senegal's desire to establish links with other countries, there are internationally-oriented schools, such as the International School of Mudra-African Dance and the Université des mutants, whose chief goal is to promote cultural interchange.

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3. Public cultural establishments

The Government of Senegal has set up public establishments solely for the purpose of promoting cultural development, in order to enable the Senegalese to use their cultural potential.

Compagnie du théâtre national Daniel Sorano

The purpose of the Compagnie du théâtre Daniel Sorano, established by Act No. 64-56 of 25 July 1964, is to promote the development of the Senegalese theatre, whose goals are threefold: to preserve traditional values, to be receptive to outside influences and to conduct continuous research.

The rules governing the organization and functioning of this institution have now been laid down in Decree No. 78-420 of 11 May 1978.

Senegalese Copyright Office

Senegal took care very early on to protect the material and intellectual interests of artists. Guaranteeing the freedom of creativity has been one of the fundamental principles of Senegalese cultural policy.

This Office was established by Act No. 72-40 of 26 May 1972 and its implementation Decree No. 77-703 of 10 August 1977 not only to protect the interests of artists but also to promote solidarity among all creative artists. It is therefore responsible for collecting royalties for equitable distribution among all creative artists.

Manufactures sénégalaises des arts décoratifs

This establishment, which was set up under Act No. 73-61 of 19 December 1973 at Thiès pursuant to the decision to decentralize cultural activities and enable regional populations to exercise their cultural rights, made it possible to introduce tapestry-making at Thiès.

It is responsible for the production and exclusive sale of works of art, trains warpers and comprises the following sections: tapestries, ceramics, mosaics, weaving, dyeing and silk-screen printing.

Nouvelles Editions africaines

This multinational company, in which three associated States (Ivory Coast, Senegal and Togo) have an interest, was established in 1972.

It is responsible for publishing documents and compilations issued by official departments and agencies, as well as official books and materials and, generally speaking, all school-books. It has also been entrusted with the task of fostering the development of young talent. A reading committee is responsible for selecting all manuscripts (plays, novels and poems) produced by Senegalese writers, and for recommending their publication.

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Office of the Commissioner for Art Exhibitions Abroad

This is a recently established office, organized in accordance with Decree No. 76-1021. The basic purpose of this office, which is regarded as an itinerant embassy for Senegal's national culture, is to organize exhibitions of works of art by Senegalese artists in a number of foreign countries. Senegalese culture is already being widely disseminated abroad, since a number of exhibitions have already been held in the United States (New York, Boston and Washington, for example) and Canada.

The Government of Senegal has amply demonstrated its determination to enable all citizens to exercise the right to culture. The series of practical and legal measures it has already adopted to promote the development of culture is fully in keeping with the recommendations of the United Nations in the International Covenant on Economic, Social and Cultural Rights.
