

SENEGAL

1. The Committee considered the eleventh, twelfth, thirteenth, fourteenth and fifteenth periodic reports of Senegal, submitted as one document (CERD/C/408/Add.2), at its 1527th and 1528th meetings (CERD/C/SR.1527 and 1528), on 6 and 7 August 2002. At its 1549th meeting (CERD/C/SR.1549), on 21 August 2002, the Committee adopted the following concluding observations.

A. Introduction

2. The Committee welcomes with satisfaction the periodic reports submitted by the State party and the supplementary information provided orally by the delegation. The Committee was encouraged by the fact that the Government was represented by a high-level delegation and offered frank and constructive replies to the questions posed and comments made. Moreover, the Committee pays tribute to the vital role played by Senegal in the preparations for and holding of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

3. The Committee recognizes that the State party has taken into account some of the concerns and recommendations it had set out in its concluding observations relating to the ninth and tenth periodic reports (A/49/18, paras. 332-361). However, the new report is an updated version setting out new facts and some information requested by the Committee, rather than the full report, notably on the effective application of national legislation relating to discrimination.

B. Positive aspects

4. The Committee notes with satisfaction the progress made in the field of human rights and welcomes the role played by NGOs in Senegal.

5. The Committee welcomes Senegal's attachment to human rights and the active role it has played in this field at both international and regional levels. The Committee notes with satisfaction that Senegal is a party to many international instruments for the protection of human rights, and that it has recently ratified the Optional Protocols to the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

6. The Committee notes with satisfaction the State party's efforts to establish institutions for the protection of human rights, such as the Human Rights Committee, the Inter-Ministerial Committee on Human Rights and the Human Rights and Humanitarian Law Office, and notes the enhanced presence of women in public bodies, their access to ownership of property and the banning of genital mutilation. It also appreciates the Government's efforts to settle the conflict in Casamance.

C. Concerns and recommendations

7. The Committee regrets the lack of statistics relating to the ethnic breakdown of the population and the representation of the various ethnic groups in Senegal's political institutions, as

well as their participation in public bodies entrusted with ensuring respect for human rights. The Committee reminds the State party of general recommendations IV and XXIV, dated 25 August 1973 and 28 August 1999, respectively, and calls on it to include statistics in the next report.

8. Noting that no acts of racial discrimination have been brought before domestic courts or institutions for the promotion and protection of human rights, the Committee invites the State party to supply information on case law relating to the rights set forth in the Convention and on steps taken to increase public awareness of its provisions.

9. The Committee seeks clarification concerning forms of discrimination affecting women, from the viewpoint of double discrimination, based both on sex and on national or ethnic origin.

10. The Committee recommends that the State party supplement its legislation in order to give effect to article 4 of the Convention, bearing in mind the Committee's general recommendation XV, which is relevant in this context.

11. The Committee notes with concern the continuing legacy in Senegal of aspects of a caste-based system, despite its having been banned by law. It recommends that the State party ensure that the existing provisions are effectively applied, including by taking steps to guarantee access to justice for victims, in accordance with its general recommendation XXVI.

12. The Committee recommends that in its next periodic report the State party supply detailed and comprehensive information on the steps that have been taken at the national level to apply the provisions of article 5 and article 7 of the Convention and to prevent any kind of discrimination in the enjoyment of economic, social and cultural rights by ethnic groups, including in Casamance.

13. The Committee recommends that the State party take into account the relevant sections of the Durban Declaration and Programme of Action when applying the provisions of the Convention in the internal legal system, and provide information in its next periodic report on the plans of action and other measures adopted to apply the Durban Declaration and Programme of Action at the national level.

14. The Committee draws the State party's attention to the amendment to article 8, paragraph 6, of the Convention, which was approved and endorsed on 15 January 1992 at the Fourteenth Meeting of States Parties and welcomed by the General Assembly in resolution 47/111, and calls on it speedily to take the necessary steps to ensure that the amendment is officially accepted.

15. The Committee recommends that the State party's periodic reports be made readily available to the public from the time they are submitted, and that the Committee's concluding observations on them be similarly publicized.

16. The Committee recommends that the State party submit its sixteenth and seventeenth periodic reports in a single report, due on 23 July 2004, and that it reply to all questions raised in the present concluding observations.