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Committee on the Elimination of  
Discrimination against Women  
Seventh session

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Concluding comments of the Committee on the Elimination of  
Discrimination against Women: Senegal

Initial report

548. The Committee considered the initial report of Senegal (CEDAW/C/5/Add.42 and Amend.1) at its 122nd and 126th meetings, held on 29 February and 2 March 1988 (CEDAW/C/SR.122 and 126).

549. In her introduction, the representative of the State party said that equality between men and women had been incorporated in the Constitution and had been reflected in legislative, judiciary and administrative measures. She explained that 80 per cent of Senegal's population lived in rural areas and women accounted for 70 per cent of that rural population. Women contributed considerably in the development of rural areas, particularly in agriculture, fisheries and animal husbandry.

550. The country had been faced with serious economic and financial difficulties as a consequence of the international economic crisis. To those difficulties had to be added the scarcity of internal savings and severe drought. The Government had set up an economic and financial recovery plan and was striving to achieve the objective of health for all by the year 2000. Some of the health policy measures were education in health and food issues, maternity and child protection, vaccination campaigns against endemic and infectious diseases, medical care, including the setting up of village maternity clinics and pharmacies.

551. Women played an increasingly active role in that multipartite State. Women had the right to vote and to stand for elective office. Among 120 deputies to the National Assembly, there were 14 women, and among 25 ministers there were three women. At the community level, three women were chiefs of villages and three were presidents of rural councils. Women were very active in rural councils, which were the deliberating organs of the rural communities.

552. On the administrative level, several measures had been taken to allow women to take part fully in the development process, such as vocational training programmes for rural women. The Division for the Advancement of Women had been created in 1975 and later transferred to the State Secretariat for the Advancement of Women. In 1983, that Secretariat was merged with the Ministry for Social Action to become the Ministry for Social Development, which comprised among others a Directorate for the Advancement of Women. Its main mandate was to promote the situation of women and women's participation in economic, social and cultural development.

553. The Directorate had several divisions, which dealt with family economy, with the sensitization of public opinion towards women's place in the family and society and the elimination of de facto and de jure discrimination at work. A National Women's Committee was set up, and since 1980 a national fortnight for women was

being held every year to mobilize public opinion, to give support to and promote women's participation in all walks of life, to fight against obstacles to equality and to raise the consciousness of Senegalese women with regard to their role in society.

554. Polygamy existed but the tendency was towards monogamy. Women and men had equal rights in the administration of property and shared in household duties. Repudiation was forbidden and only a judge could grant divorce. A woman could carry out a profession that was different from her husband's, but the husband could oppose it if he thought that it was contrary to the family's interest.

555. Within the national planning commission a sub-commission for the integration of women in the development process had been created in order to carry out sectorial studies, which had culminated in several projects that were integrated into the sixth development plan. The Government had also adopted a National Plan of Action for Women in 1982. It was a kind of compendium of development projects and programmes at the local and regional levels. Seminars had been organized to educate women on a variety of topics. The most important measure was the organization of rural women into groups for the advancement of women, which in 1987 had led to the creation of the National Federation of Groups for the Advancement of Women, a vast communication network among many local, district and regional groupings.

556. With bilateral and multilateral assistance, a number of projects had been set up to provide water resources and material and instruments for alleviating work in rural areas. Food self-sufficiency programmes had also been launched, and women played a decisive role in the fight against desertification. She paid tribute to the assistance given by international organizations and said that a quarter of the budget of the Ministry for Social Development was allocated to the Directorate for the Advancement of Women.

557. The Convention was widely disseminated in her country and dossiers on each part of the Convention had been compiled in order to inform the public about its contents. The political will of the Government to advance the status of women and the consciousness-raising by women had created a favourable environment for the implementation of the Convention. However, the problems of survival faced by the country were putting a break on the efforts to enhance the progress of women.

558. The members of the Committee thanked the representative of the Government for her comprehensive introduction, which supplemented the written reports, and congratulated the Senegalese Government for having ratified the Convention. Whereas the initial report contained ample information on the legal measures and the administrative structure of the country, the oral introduction provided the lacking social framework. The endeavours of the Government and the efforts made by the national women's movement were all the more commendable as the country suffered under enormous economic problems, in particular as regards the economy, food, water supply and health.

559. Experts showed particular understanding for the situation of the country and were convinced of the country's commitment to the advancement of women. Concern was expressed, however, at the low quality of the first of the two initial reports, at the lack of statistical data and the late delivery of the additional written information, which was not available in all working languages of the Committee. It was noted that the country's report under the International Covenant on Civil and

Political Rights was much more complete than the report under article 18 of the Convention, and doubts were expressed as to whether that was an indication of the low priority attached by the country to the issue of equality. The question was raised whether the Directorate for the Status of Women had been consulted in the preparation of the report.

560. The inclusion in the report of a project on pre-co-operative women's groups in rural areas was considered a useful piece of information because of the high percentage of women living in rural areas.

561. More information was requested on the influence of women in policy-making and the distribution of resources and on the results obtained by the Directorate for the Advancement of Women. While the value and force of the Convention in the country was welcomed, it was asked whether women could take court actions in cases of discrimination, what the sanctions were, whether women were aware of whatever rights they had in that respect, whether they had access to legal aid and to what extent it was free.

562. Clarification was sought on the statement that "a person's civil status could be governed by customary law" and that in the event of conflicting laws in matters concerning the wife in cases involving marriage or divorce "it was to be the woman's customary law that would prevail". Considering that the criminal law provisions relating to women were designed to protect their rights, it was found contradictory that the report stated that abortion was carried out whether or not the woman had consented. Clarification was requested in that respect.

563. It was asked why women's matters were no longer dealt with by the State Secretariat for the Advancement of Women, but by the Ministry for Social Development instead. Questions were raised in connection with the concept that women were "the essential complement to men" and it was found that such a concept did not comply with the concept of the Convention.

564. Clarification was requested on article 3 of the Constitution which forbade the political parties to identify themselves with a particular sex. It was asked whether a political party would be considered illicit or contrary to the public order if it fought for the elimination of discrimination against women.

565. Questions were raised as to whether any temporary special measures had been taken to increase the political participation of women, to overcome sex segregation in the work-force and to increase the level of literacy of women. Other questions concerned measures taken by the Directorate for the Advancement of Women in order to change the social conditions of women.

566. Further information was requested on traditions and practices regarding mothers and children in general, on measures taken to eliminate old sex-stereotyped traditions and practices and on obstacles to overcoming them. The holding of an Intra-African Seminar in Senegal on traditional practices was commended.

567. It was asked which steps were being taken to intensify and modify discriminatory customs and practices in connection with polygamy, the repudiation of the wife, the dowry system, bride purchase, early marriage and early pregnancies, female circumcision and patriarchal attitudes and whether any education or guidance programmes existed to eliminate family stereotypes.

568. It was also commented that women's position as workers was totally linked with their position in the family. They were never considered as independent elements of the work-force. Questions were raised as to whether men had started sharing with women the family responsibilities concerning the household and the upbringing of children and whether the situation of urban areas differed from that of rural areas. It was hoped that, by the time the second periodic report was presented, progress would have been made with regard to changes in customs, traditions and attitudes having a negative impact on the advancement of women.

569. It was asked how information about their rights would reach women, specially rural women. One expert contested the authenticity of the idea in the report that the institution of the dowry had been introduced by Islam, taking into account what the report referred to on this issue of dowry, namely, "which for all practical purposes represented a purchase price for the woman". She further questioned the statement in the report that Islam adopted the concept of "woman as companion to man", the definition of which, as mentioned in the report, is that for those who take this view "woman has no rights". She also said that this idea was an example of what had happened during the previous session of the Committee and why a study on the status of women under Islamic law had been requested. Other experts requested more information on the Islamicized Wolof custom, the Islamicized Serer custom and the Christianized Diola custom in connection with civil life and it was asked what impact religious institutions had on the advancement of women. Information was sought as to whether women had access to institutions referred to as "brotherhoods".

570. It was asked whether the reference to the incidence of violence against women referred to battery or sexual violence, and whether any traditions accepted such violence. Other questions referred to the incidence of rape and to the adequacy of existing laws to deal with it. It was asked whether any governmental or non-governmental institutions provided assistance to women in such cases, and whether wife battery constituted a punishable offence.

571. It was asked how women's demands were formulated and translated into government policy and action and to what extent women participated in political life and took part in the planning process. Questions were raised about the co-ordination of the activities of the many women's organizations and the extent of their co-operation with the Government. It was asked whether the Government intended to initiate programmes for raising women's interest in political activities.

572. Other experts asked whether illiterate women were allowed to vote and whether they were eligible and which "specific statutes" were referred to in article 8 of the law regarding the general statutes of public officials. It was also asked whether women had access to military careers.

573. The presence of Senegalese women in international forums was commended.

574. Concerning women's rights with respect to nationality, it was asked whether an alien man who married a Senegalese woman could acquire Senegalese nationality, just as an alien woman who married a Senegalese man could become a Senegalese citizen.

575. Questions were raised as to whether positive measures had been contemplated or initiated to reduce the high illiteracy rate among women, what the percentage of illiterate women was and whether education about family planning existed.

Concerning the high school drop-out rates of girls it was asked whether any programmes existed to keep women in formal education.

576. More information on the different forms of economic activity carried out by women was requested. Data on the percentage of women doing paid work were asked for, as were data on the job distribution between men and women and on the percentages of women in higher level posts and in the lower paid jobs. Questions were raised as to whether all professions were open to women and whether steps had been taken to open up new sectors for them. Information was sought on the rate of participation of women in trade unions and on the role of trade unions with respect to the elimination of discrimination. It was asked whether collective agreements existed, what the social security and health protection measures were, why certain types of protective legislation, such as the prohibition of night work, existed only for women, and what the normal working hours were. Members of the Committee asked how many women were heads of enterprises and how many were employed for short terms. A comparative table for salaries of women and men was requested. It was asked whether the principle of equal pay for work of equal value existed and was implemented in practice. Clarification was sought on statistical tables 1 and 2 in the first of the initial reports, and on the reasons for the low percentage of women in public works (0.04 per cent).

577. It was asked whether the high infant mortality rate could be related to early marriage and early pregnancies, and whether female circumcision was still practised in Senegal and could be a reason for the high rate. Information was requested on the sex education and family planning policy, the average age for a woman's first pregnancy and on how many mothers were under 16 years old.

578. It was asked what the rural development projects were that had been specifically set up for women, what advantages women had gained from them and how they affected the female unemployment rate. Questions were raised about the obstacles for rural women to reach equality, the type of social security coverage of rural women, their access to health care and maternity benefits. It was asked whether rural women had a lower status than rural men and, if so, whether that was related to the farming system in Senegal.

579. It was asked whether land in Senegal was mainly family, private or State property and whether women could own the land which they farmed. Experts also inquired what the most frequent family relationship in rural areas was. It was also asked why fishing was reserved for women. Considering the large percentage of rural women, questions were raised as to whether the Directorate for the Advancement of Women gave priority to rural women and provided them with the services required. It was inquired how the women's groups in rural areas were organized and what was the co-ordinating mechanism used there.

580. Concerning the administration of property, it was asked under which circumstances the husband could be entrusted with the wife's property and to whom the administration of property was entrusted if the husband was relieved from his function. Experts inquired who administered the property on the dissolution of marriage by divorce or death and what the situation in case of cohabitation was. It was asked whether imprisonment or fines for matrimonial offences were applied often, who cared for the family during the term of imprisonment and whether those punishments were an appropriate way of dealing with matrimonial offences and were found satisfactory by women's organizations. It was asked whether any marriage-counselling services existed.

581. Questions were raised as to whether a woman could accept paid work outside her home without the consent of her husband, as to how the difference in marriageable age for men and women of 20 years for men and 16 years for women could be justified and how it could be dispensed with. It was asked what was being done to end that system and how many women were actually married under the age of 16. It was further inquired whether the legal prohibition of repudiation was implemented in practice. Experts wanted to know how engagement contracts were enforced through the courts, whether the system of legally enforceable engagements was maintained for reasonable traditional reasons and whether women favoured that system. In case of cohabiting unions it was asked what the legal responsibilities of the parties towards each other and towards the children were.

582. Specific questions referred to the status of married women under the régime of polygamy, as it was described by the Senegalese writer Marianna Bâ. It was asked what the attitude of women in general was towards polygamy and how the younger generation reacted to it, and whether any attempts were being made to change the system. It was asked in what respect the family law was referred to as being revolutionary since men were still the heads of households.

583. Before replying the representative of the Government thanked the Committee for the objectivity and relevance of the questions asked and repeated the Government's determination to present better reports in the future.

584. The representative said that nationwide action had been taken in order to change the mentality of the population and implement in practice the concept of equality as contained in the Constitution.

585. Regarding the living conditions of rural women, she said that the Government, with the assistance of the United Nations agencies, had established income-generating projects and health facilities. Technical equipment was put at their disposal and women in rural areas were organized in groups and federations. Educational programmes were being carried out to increase the rate of literacy. During the national fortnights women at the grass-roots level could be reached with the help of the media. Women also had access to vocational training and grants and fellowships were offered to needy young women. The representative said that nationwide action had been taken in order to change the mentality of the population and put into practice the concept of equality as contained in the Constitution.

586. She further added that women in her country had always played a decisive role in agriculture. They participated in all stages of production in addition to doing household work. In the rural areas women had to fetch water and firewood from sometimes many kilometres away. They were responsible for processing milk and leather products and involved in fishing industry, crafts, textiles and marketing. Women traders could easily obtain credits. They worked individually or in trade associations and participated in national and international forums. A decree of 1972 had established equality between men and women in the allocation and use of land.

587. Since the administrative reform in 1972, rural women had been able to programme their needs and the health situation had greatly improved. Maternity clinics, pharmacies and health centres were set up with the help of the United Nations Children's Fund (UNICEF) and local women should later take over their management. She also said that many women were also the keepers of old traditional methods used for curing illnesses.

588. Rural women were disadvantaged in the field of education because girls were often prevented from going to school or dropped out from school prematurely because of household and related commitments. Rural women had no retirement benefits, but were taken care of by the community.

589. The representative further explained that the Directorate for the Advancement of Women had opened up dialogue and co-operation with all women's organizations in the country and the National Women's Committee, which incorporated representatives of women's groups, ministries, political parties and trade unions, was the best place for consultations among women. Regrettably it had not been consulted when the reports under review had been drafted.

590. Regarding women's involvement in decision making she said that women could influence policy through complaints addressed to the relevant authorities, trade unions, women's groups, or even the head of State himself.

591. When the State Secretariat for the Advancement of Women was discontinued, it did not indicate a decrease in the Government's commitment to the equality between women and men; it was done in an effort of decentralization.

592. She said that victims of sex discrimination could resort to competent courts with the assistance of the Directorate for the Advancement of Women. They could get free legal advice.

593. All political parties had programmes for the advancement of women. She further said that unlike former days, presently both spouses were responsible for the raising of the children and further education was provided by schools. Sharing of household duties was becoming more frequent, however, still less so in rural areas. The teaching of home economics had become part of school curricula for men and women.

594. Women were increasingly working outside the home and could carry out professions without the consent of their spouses. The husband could object if he thought that the interests of the family were endangered. If the objection was not justified, the woman could get court authorization to carry out her job.

595. As regards the role played by religious institutions on the advancement of women she said that some religious institutions, which had the status of non-governmental organizations, helped in raising the living standards specially in rural areas. Religious education was optional.

596. As regards violence against women, she said that no tradition approved of or tolerated it and that it was punished by severe court sentences.

597. As the Constitution gave women equal rights with men to vote and to be elected, illiterate women were not excluded from these rights. She said that two illiterate women were members of the National Assembly.

598. Senegalese law made no distinction between the sexes with regards to nationality.

599. The representative said that women were mostly found in the fields of education, health, in the hotel business, in food industry and in office work as secretaries. The only exception to the principle of equality in employment was the

ban on night work. Women were given 14 weeks maternity leave with full pay and lactating mothers were entitled to rest periods at work. Women were active in trade unions. Certain professions were forbidden for women because they were considered too dangerous, or detrimental to women's health or morality. Military schools were also open to women, and one woman had the rank of major. She also pointed out that the woman who was head of the Senegalese delegation at the Copenhagen World Conference was responsible for the restructuring of the national machinery for the integration of women in development.

600. The representative could not provide any statistics in the field of employment and said that even if statistics existed they would not have been analysed yet. She hoped that the next report would contain statistical data. She also said that she would try to see to it that during the next census specific information on women was included in the questionnaires. The representative enumerated a certain number of posts in management and decision making held by women.

601. As regards the principle of equal pay for equal work she said that the principle was not disputed, but the reality lagged far behind.

602. Abortion was only allowed if the health of the mother was in danger and if carried out by a medical doctor. Family planning and sex education were of primary concern to the Government. The goal was the well-being of the mother and child and the family, and efforts were being made to equip women with a minimum of information.

603. The revolutionary character of the Family Code consisted in giving the partners in a marriage free choice and free consent as a pre-condition to the marriage and in creating a new concept of the family. Women could freely dispose of the dowry irrespective of whether it was given by her parents or by her husband. Often it was given in kind, sometimes it had a mere symbolic value.

604. On the issue of polygamy, she said that the book by Marianna Bâ "Letter to my close friend", which had been translated into more than 10 languages, described all the negative consequences of polygamy from the point of view of an intellectual woman. Women from other strata of the society considered polygamy as something positive as it allowed them to share their manifold tasks with their peers. Many women, however, were fighting against the institution.

605. On the issue of female circumcision she said that the Government and women's groups were conscious of its detrimental effects on women's health and a growing number of women were fighting against it. But she said that traditions died hard, but with education and time the practice would be stopped. Presently female circumcision was practised only by a small minority.

606. The representative said that there were three categories of matrimonial property régimes, the separation of property, joint property and the dowry system. On the dissolution of marriages by divorce, death or separation, the property that belonged to either spouse before the marriage was not touched. A judge had to decide on the disposal of property acquired in marriage. If one of the spouses entrusted to the other the administration of the personal goods, that spouse could be held responsible under common law. If one of the spouses interfered with the administration of the goods, he was responsible for the consequence of the interference.



607. Marriage could be contracted without prior engagement and an engagement did not oblige the partners to get married. Repudiation was forbidden and divorce could only be sanctioned by a judge based on mutual consent or at the request of either spouse.

608. Experts congratulated the Government's representative on the sincere and well prepared replies and expressed admiration for the way by which Senegalese women had faced all the social problems. It reflected their determination and alertness. Members of the Committee felt sure that the goals would be achieved in respect of the dignity of women.

609. An expert commented that unless the Government took formal action to combat the practice of female circumcision, we could assume that women's dignity was not respected. Even if it was practised only by a minority, it was a barbarity that could not be condoned. The representative responded that there was no justification for that practice and African Governments undertook many efforts to make it disappear, in particular through education of the population and training of medical personnel.