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Ninth session

SUMMARY RECORD OF THE 217TH MEETING

held at the Palais des Nations, Geneva,
on Wednesday, 2 April 1980, at 10.30 a.m.

Chairman: Mr. MAVROMMATIS

CONTENTS

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The meeting was called to order at 10.40 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (agenda item 4) (continued)

Senegal (continued) (CCPR/C/6/Add.2)

1. The CHAIRMAN invited Mr. Diouf, the State Counsel General of Senegal, to reply to the questions which the members of the Committee had asked about the report submitted by his country.

2. Mr. DIOUF (Senegal) said that Senegal's report was simply an initial report and did not claim to be exhaustive. He noted that the questions asked by the members of the Committee related either to the general measures taken by Senegal to implement the provisions of the Covenant or to the rights enjoyed by Senegalese citizens and aliens living in the country and the provisions of internal law which guaranteed those rights.

3. With regard to the first category of questions, he said that Senegal had had the choice between two courses of action. It could either have incorporated the Covenant into national legislation or have decided that the provisions of the Covenant and those of internal law would remain separate. Since the Covenant did not provide penalties, the Senegalese authorities had considered it preferable to opt for the second course, namely to keep the Covenant separate rather than simply incorporating it into internal legislation. In taking that decision, they had nevertheless expressly recognized the predominance of the Covenant over internal law.

4. Proceeding to the second category of questions and more specifically to the questions concerning the rights of aliens, he said that, contrary to what might be implied by the wording of articles 9 and 11 of the Constitution, aliens, to the extent that they had been legally admitted to the territory of Senegal, had the right, on the same basis as Senegalese citizens, "freely to form associations or groupings" and freely to travel and reside in any part of the territory of the Republic of Senegal. Moreover, the right of aliens to freedom of movement was expressly recognized in a law of 1971, article 7 of which provided that aliens legally admitted to Senegal should enjoy freedom of movement and the right to choose their place of residence. The rules governing expulsion and extradition also clearly demonstrated, if proof were needed, that aliens living in Senegal were not subjected to any arbitrary action and had the benefit of many safeguards.

5. The Minister of the Interior could issue an expulsion order only in the case of aliens who had illegally entered Senegalese territory or who had manifestly interfered in Senegal's internal affairs; thus there had to be extremely serious reasons. The mere fact of an alien being sentenced by the Senegalese courts for a crime did not necessarily lead to expulsion. Moreover, an alien who was the subject of an expulsion order was able to contest the order and take the case to the Supreme Court, and he could request the assistance of a lawyer for that purpose. If the Supreme Court considered that the expulsion order was unjustified, it could be rescinded. Senegal had always been a country of asylum and the Senegalese, who had a warm spirit of hospitality, as was shown by the presence of a million foreigners in their country, were averse to the idea of expulsion.

6. Unlike expulsion, extradition was a legal measure. By virtue of a major principle of internal law, Senegalese nationals could not be extradited: if Senegal had concluded a judicial convention with a country in which one of its nationals had committed an offence, the individual concerned could be brought to trial before the Senegalese courts. Thus extradition could be decided upon only in relation to an alien. Nevertheless, no alien could be extradited for political reasons. When the request for extradition was based on other reasons, the Senegalese authorities examined it in order to determine whether they could comply with it. In such cases, two procedures were possible: if a judicial convention existed between Senegal and the applicant State, a simplified procedure was followed, and the seizin was passed from one general court (parquet général) to the other. If there was no judicial convention between Senegal and the applicant State, the seizin was made through the diplomatic channel, under the law of 28 December 1971. Under that procedure, the State Counsel General examined the dossier and then sent it to the magistrates' court (chambre d'accusation), which issued an opinion. If it issued an unfavourable opinion, the extradition was refused; if its opinion was favourable, the dossier was transmitted to the Ministry of Justice. It was then for the Privy Seal (Garde des sceaux) to decide, in consultation with the President of the Republic, whether or not the extradition should be authorized. The procedure followed by the Senegalese authorities included safeguards for the alien who was the subject of an extradition request. The magistrates' court studied the request carefully in order to be quite sure that it was not based on political considerations. Moreover, the proceedings on extradition cases were public and the lawyers representing individuals threatened with extradition had the right to attend.

7. The situation of aliens living in Senegal did not seem to be the only subject of concern to members of the Committee. Many of them had asked questions about the status and role of women in Senegalese society past and present. He recognized that, for a long time, women had had an unenviable lot. Married against their will, they had lived under the authority of all-powerful husbands and had been kept in a state of total ignorance. They had been denied the right to education and culture. That situation, which the colonialists had never tried to remedy, and if anything had aggravated, had changed completely. The flagrant injustices that women had suffered had been remedied. Girls as well as boys now had the right of access to primary, secondary and higher education. Moreover, the Government's general policy was based on the principle of absolute equality between men and women. In Senegal, women were active in all fields of economic, social and political life. Thus, women could be found within the Government, including two who held ministerial office, in the National Assembly, in the Economic and Social Council and in the regional and municipal assemblies; women were also to be found in the trade unions, in the magistracy, where a number of senior judges were women, and in the public administration, where 5,000 of the 25,000 civil servants were women. There were also women lawyers and diplomats. For example, the Permanent Representative of Senegal to UNESCO was a woman.

8. With regard to the legal capacity of women, article 154 of the Family Code provided that a woman could engage in a commercial profession unless her husband objected but that if the opposition of the latter was not justified by the interests of the family, the Justice of the Peace could authorize the woman to override the objection. That provision was not designed to restrict the right of women to work but to protect women and, through them, the family. The reason why, in the case of professions in the commercial field, an exception was made to the principle that a woman could exercise any profession without the authorization of her husband was that the exercise of that type of profession often entailed considerable responsibilities which women were perhaps not always capable of assuming.

9. As to the legal situation of women within the family, the fact that, under the Family Code, the husband was considered to be the head of the family in no way infringed the principle of equality between men and women. It was essential that there should be a head of family. Moreover, if the husband's conduct was unworthy, the role of head of family could be entrusted to the wife. The same applied to paternal authority: if the husband was not capable of assuming his responsibilities in that sphere, he could be deprived of paternal authority and the authority could be vested in his wife.

10. In that respect, he wished to make it clear that matters concerning the family fell within the competence of the courts of first instance, of which there were eight, one per region, and of the justices of the peace, of whom he had already spoken. Those areas of jurisdiction, which provided a link between the ordinary man and the higher courts, had been established because of the need for the decentralisation and humanization of legal procedure.

11. It should also be made clear that the new Family Code, promulgated in January 1973, made it impossible for a husband to repudiate his wife. Moreover, article 332 of the Penal Code, which had prohibited the abandonment of the conjugal home by the woman without valid reason, had also been abrogated; it had been found that in some cases women left the conjugal home for completely legitimate reasons, for example as a result of maltreatment. That article had therefore been replaced by article 350 of the Penal Code, which was applicable to both the husband and the wife. As far as divorce was concerned, there were two possibilities: either a divorce by mutual consent, which was a reflection of French law in that sphere; or legal divorce when there was a dispute between the spouses. In the latter case, the spouses appeared before the justice of the peace, who ruled on the custody of the children and alimony.

12. In Senegal, the matrimonial system was that of the separation of goods. That system seemed the most appropriate in a country in which polygamy was still widely practised and where the system of legal community of goods could give rise to difficulties if some of the women in a household worked and others did not. Nevertheless, the spouses could opt for the system of community of goods if they wished. They could also choose, at the time of marriage, between absolute monogamy, polygamy limited to two or three wives or full polygamy, namely the four wives authorized by Islamic law.

13. A two-week series of events honouring the Senegalese woman had taken place in Senegal from 15 to 31 March 1980; the events had included a workshop organized at the highest official level. That was one demonstration of the importance that

Senegal attached to the welfare of women. In addition, there was a Secretariat of State for human welfare - not merely the welfare of women - headed by a female judge.

14. Sir Vincent Evans, Mr. Hanga and Mr. Tarnopolsky had asked a number of questions about the death penalty. It was to be noted, first of all, that the crime rate had dropped appreciably in Senegal. Since the promulgation of the Senegalese Penal Code, an effort had been made to refer a large number of offences to summary jurisdiction or to decriminalize them. Offences such as the misappropriation of public funds, assault and battery resulting in death, and rape had formerly been crimes referred to the Assize Court. They had now become misdemeanours, and few criminal cases were still brought before the Assize Court. Since the promulgation of the Covenant, the death penalty had not been carried out in Senegal. Evan before, since the Second Republic of 1963, only two persons had been sentenced to death. Minors below the age of 13 could not be held responsible for any act whatsoever. Between the ages of 13 and 18, they were theoretically liable to the death penalty. In practice, however, since minors were never brought before an Assize Court, but only before a children's court, which dealt with all offences committed by minors, they could not be sentenced to death and were liable to a maximum sentence of 10 to 20 years' imprisonment. Pregnant women sentenced to death could not be executed before giving birth; they could of course appeal subsequently for clemency.

15. In reply to a question put by Sir Vincent Evans, he stated that Senegal was not yet ready to abolish the death penalty. To his mind, it had a decisive deterrent effect in a permissive society, even if it was applied only in exceptional cases, such as premeditated murder or particularly atrocious crimes.

16. Torture and cruel, inhuman or degrading treatment or punishment were absolutely prohibited in Senegal, even against law-breakers. There was no exception to that rule, not even for officials or judges. In 1964 a police inspector had been prosecuted for such violent acts and convicted by the Court of Appeal. The victim of such acts could claim damages.

17. Medical experimentation without the consent of the individual and the use of the "truth serum" were prohibited. Forced labour existed in Senegal only as a dishonouring penalty (peine infamante), but there was no penal servitude.

18. With regard to prison conditions, minors and women were kept in separate prisons or at least in areas set apart from the other prisoners. Prisoners could be put to work, but with their consent and in return for payment.

19. With respect to temporary detention after arrest, it was stated in the report that the accused person who was the subject of a warrant to compel attendance could not be held for more than 24 hours; for an accused person held under an arrest warrant, the time-limit was 48 hours. An individual held in custody arbitrarily beyond the time-limit was entitled to compensation of 10,000 francs CFA for each additional day in custody, and those responsible were liable to penalties. Custody pending trial ordered by the examining judge was not the rule; normally the accused was released pending trial. If, however, an order for commital to prison was issued, the examining judge had to make periodic visits to the prison where the accused was being held. The Chief State Counsel, too, had to keep informed

about the progress of proceedings concerning persons in custody. The magistrates' court had a supervisory function and received a complete list of persons in custody every three months. It then had to decide whether the proceedings should be expedited. The First President of the Court of Appeal could also visit prisons, and courts and tribunals were subject to general inspections. The whole process therefore provided safeguards for persons in custody.

20. There were no debtors' prisons in Senegal, although a person could be imprisoned for debt according to provisions laid down in the Code of Penal Procedure.

21. All those provisions showed that in Senegal the judicial system was a third authority, independent of the executive and the legislative branches. All judges were initially appointed by the Higher Council of the Magistrature, composed of senior judges. They were totally independent in administering justice. Hearings were conducted in public, but closed hearings were compulsory in cases involving minors and in some cases relating, for example, to public morals. The relatives of minors were allowed to attend the hearings. The right of defence was of course guaranteed and defence counsel was obligatory for minors and invalids, as also in the Assize Court. Legal assistance was available to persons without sufficient means.

22. The special courts were basically the High Court of Justice and the Court of State Security. The former tried members of the Government accused of offences; the latter, previously the Special Tribunal, dealt with political offences. They were both presided over by senior judges. It should be noted that at the moment there was not a single political detainee in Senegal.

23. Freedom of expression was guaranteed by article 8 of the Constitution of Senegal; the only restrictions were consistent with those provided in the Covenant. There were in Senegal many publications of various tendencies and the restrictions imposed were designed basically to prevent some individuals from discrediting others. The Press Act, referred to by some members of the Committee, was a sort of code of ethics for journalists. A National Press Commission, composed of senior judges, representatives of the press, publishers and journalists, kept watch on the performance of the press. A Control Commission was responsible for auditing the accounts. If a journalist had his press credentials revoked, he could appeal to the Supreme Court of Senegal against the decision.

24. Articles 66, 72, 80 and 95 of the Penal Code contained provisions prohibiting propaganda in favour of war. In the interests of national unity, all propaganda in favour of secession was strictly prohibited by article 4 of the Constitution of Senegal. In reply to Mr. Bouziri's question, he explained that Act No. 65-40 defined types of seditious associations. The seditious character of some associations could be determined only on the basis of the definitions given in the Act, and it was for the courts to rule on specific cases.

25. Members of the Committee had asked questions about articles 23 and 24 of the Covenant concerning the family and children. The reason why the minimum age for marriage in Senegal was 16 for women and 20 for men was that it was essential to take into account the country's customs and sociological realities and not encourage young people to start a family without due reflection. During the colonial era, marriageable girls of 13 had not been allowed to marry. It was always possible to obtain a waiver of the age requirement, which was granted by the President of the Republic.

26. If a natural child was acknowledged by his father, his status was the same as that of a legitimate child. An adulterine child could be acknowledged by his father subject to the consent of the wife. If so acknowledged, he had the same status as a legitimate child. In the absence of legitimatization, such a child could claim, in inheritance cases, only one half of the inheritance to which a legitimate child would be entitled. Such provisions were highly progressive for a developing country. The Family Code governed adoption: there must be good reasons and the adoption must be to the benefit of the child in question. In the case of full adoption, the child had the same status as the other children in the family, whereas in the case of simple adoption he had only inheritance rights. The age at which it was possible to adopt a child was 30 for married persons and 35 for unmarried persons.

27. Mr. GUEYE (Senegal) said that he wished first of all to give some particulars concerning the exit visas required of all Senegalese citizens leaving Senegal. The purpose of those visas was certainly not to prevent some categories of citizens, and in particular political opponents, from leaving the country. The measure was basically one of administrative policy designed primarily to protect workers who went abroad, only to live in unacceptable conditions. The deposit they were required to make was not substantial and in no way involved discrimination on the basis of money. It was required simply to ensure that a worker would be able to return to his country in the event of difficulty. The deposit was not compulsory and an exit visa could be issued upon presentation of a return ticket.

28. Turning to questions about article 22 of the Covenant, he pointed out that freedom of association was guaranteed by the Constitution and that the Code of Civil and Commercial Obligations laid down the basic rules. Under article 812 of the Code, it was possible to form an association by making a prior declaration and registering with the Ministry of the Interior. The latter could refuse registration, but only on statutory grounds. If it did refuse, there was the possibility of appeal before the Supreme Court.

29. With regard to political parties, he pointed out that the multiparty system was recognized by the Constitution. Political parties were a reality in Senegal. Whether the ruling party or opposition parties, they were all well organized, had their own newspapers, were extremely active and could use the mass media without hindrance. They participated in all elections; any disputes were settled by the Supreme Court, in the case of presidential elections or elections to the National Assembly, and by the Court of Appeal in the case of local elections. Political groups that were not recognized, such as the RND, were also free to express their opinions, like the major official parties. On the whole, the existing political parties accepted the rules of democracy and did not envisage in their manifestos the use of violence in order to seize power.

30. Trade unions could be formed freely according to the conditions laid down in the Labour Code. The only requirement was the depositing of the statutes with the mayor, the labour inspector and the Chief State Counsel. There were several trade unions represented in the various government departments and they negotiated collective agreements with employers. The procedure for disbanding a trade union was governed by an Act of 1965 and was a judicial procedure.

31. With respect to employer-employee relationships, he said that work was considered to be the provision of services, not a commodity, and that the worker was remunerated according to the work he performed. In the event of an accident, the employee had to prove that the employer had been at fault. Senegalese legislation did not reflect the concept of risk. Workers were represented by a delegate who defended their interests; in the case of dispute, there was a procedure for settlement before the labour inspector. If that failed, the labour court, composed of professional judges and of advisers representing workers and employers, was competent to settle the dispute. The workers could entrust their defence either to representatives, who were usually trade unionists, or to lawyers. They could submit appeals to various judicial bodies, ranging from the Social Chamber to the Court of Cassation, which was a branch of the Supreme Court.

32. In reply to the questions asked about the right of assembly, he stated that that right was recognized by Act No. 78-02 of 29 January 1978. Private meetings could be held freely and had to be declared in writing only when they took place in the street. Public meetings and election-campaign meetings could also be held freely. All that was required was notification of the administrative authorities, which could prohibit such meetings in two cases only: when there was a real threat of disturbance and when the security forces needed to protect citizens were not available. In both cases, reasons had to be given for the prohibition, which opened the door for possible appeals.

33. Turning to questions about the withdrawal of nationality, he pointed out that that was a serious measure and was subject to very stringent conditions. For example, a naturalized foreigner could not be stripped of Senegalese nationality unless he committed a very serious offence resulting, for example, in a sentence of more than five years' imprisonment. In that connexion, he said that in Senegal a large number of crimes were now referred to summary jurisdiction, with the result that the withdrawal of nationality was imposed only in exceptional cases. Moreover, since that measure was taken by decree, there was the possibility of appeal.

34. In reply to questions concerning article 27 of the Covenant, he stated that there were no problems of minorities or of religion in Senegal. That country, 85 per cent of whose population was Muslim, had a Christian Head of State and there were no restrictions on freedom of belief. Nor was linguistic pluralism a cause of division or of discrimination. The official language was French. There were several national languages but one of them was common to 85 per cent of the population, with the result that there was a certain homogeneity in the matter of languages.

35. The question of the seizin of the Supreme Court had been raised by one of the Committee members. He confirmed that in accordance with article 82 of the Constitution an application could be made to the Supreme Court by the President of the Republic or by the members of the National Assembly for a pronouncement on the constitutionality of laws or an interpretation of obscure provisions of the Constitution. It was fairly common for opposition members of Parliament to make use of that possibility.

36. In cases of miscarriage of justice, there was a procedure for requesting a review. The request was submitted to the Supreme Court either by the victim himself or by the Privy Seal, according to the case. When it was established that there had been a miscarriage of justice, damages could be awarded to the victim.

37. One member of the Committee had asked for particulars of the security measures taken. They were administrative measures intended to protect certain individuals, such as dangerous alcoholics, lepers and drug addicts. Those persons were in no sense political prisoners. In any case there were no political prisoners in Senegal at the present time.

38. Replying to a question concerning the quality of life, he said that there were laws in Senegal which made it possible to combat venereal disease, prostitution and drug abuse. A great deal had been achieved in the domain of public health and there was a sharp decrease in infant mortality.

39. With regard to the difference between a state of emergency and a state of siege, he said that those two situations were governed by article 58 of the Constitution and by specific laws. The proclamation of one or the other by the President of the Republic was valid only for 12 days and in any case only in exceptional circumstances. The state of emergency was proclaimed in cases of danger arising from serious disturbances of public order or from events amounting to a public disaster and, in those cases, the competent agency was the civil authority. A state of siege was proclaimed in the case of imminent danger to the internal or external security of the State and was within the competence of the military authorities.

40. Replying to the questions asked concerning nationality, he said that there was no discrimination in that field and that children of persons holding Senegalese nationality, whether by affiliation, by marriage or by decision of the administrative authorities, had Senegalese nationality.

41. Mr. DIAGNE (Senegal), replying to questions concerning freedom of thought and conscience, stated that Senegal was a land of tolerance which had always upheld and defended the freedom of everyone to choose his religion and to practise it without hindrance. With respect to minority rights, the question did not arise, inasmuch as there was complete national integration and different ethnic groups lived in perfect harmony.

42. Replying to questions concerning the safeguarding of privacy, he said that secrecy of correspondence was fully guaranteed, as was that of telephonic and telegraphic communications. According to article 10 of the Constitution, no restriction could be placed upon their inviolability except in accordance with the law. For instance, during a state of emergency the secrecy of correspondence could be suspended under conditions laid down in the Penal Code. Similarly, a

judge could order the correspondence of an accused person to be opened if he considered that to be necessary in order to determine the truth. Insult and calumny, about which one member of the Committee had asked, were offences under the Penal Code and punishable in all cases, without discrimination. The inviolability of the home was a hallowed principle which could only be waived when the physical or moral safety of young people demanded it.

43. With respect to the conditions to be fulfilled for employment in the civil service, he said that recruitment in Senegal was carried out entirely according to objective criteria and that there was no discrimination based on sex, opinion or any other consideration. There were very strict regulations and vacant appointments at different levels of the public service were nearly always filled by examination or competition.

44. Equality before the law was based on a fundamental principle, namely the need to protect human rights against any possible violations, whether by individuals or by the State, which was itself treated as an individual in all courts. Any form of discrimination was forbidden and no person could take advantage of his birth or any other factor in order to obtain privileges. On that subject articles 1 and 7 of the Constitution of Senegal were in perfect agreement with the provisions of article 26 of the Covenant.

45. Replying to the questions asked concerning the status of the Covenant in Senegal's internal law, he wished first of all to remove any misunderstanding of the way in which article 56 of the Constitution, dealing with legislative power, was to be interpreted vis-à-vis articles 76 to 79 of the Constitution, which dealt with international treaties and agreements. In his opinion it was necessary, first and foremost, to remember that the Constitution was based on the fundamental principle of the separation of powers. Article 56 defined the field of legislation, but the President of the Republic could submit to the vote of the National Assembly draft laws dealing with matters other than those listed in that article. Article 65 defined the area of regulations, i.e. those which were within the competence of the executive and which comprised all matters which were outside the legislative field. The result was that the ratification or approval of international commitments did not come within the purview of article 56, although it could not be carried out except by means of a law, in accordance with article 77. In fact the National Assembly, to which all agreements or treaties concluded by the Government were referred, enacted a law which authorized the President of the Republic to ratify it, approve it or accede to it, as the case might be. The instruments of ratification, approval or accession determined the entry into force of the international commitment, and the treaty or agreement was then published in the official journal of the Republic of Senegal by virtue of a decree of publication signed by the Head of State. From the moment of its publication, the international commitment acquired supra-legal value, i.e. authority superior to that of the laws, in accordance with article 79 of the Constitution. The position of the Covenant in the legal system of Senegal was thus perfectly clear. Since that instrument had been duly ratified by the Head of State in conformity with a law, had come into force and had been published in the official journal, its juridical superiority over the laws of the State was indisputable and was clearly affirmed: firstly, the provisions of national legislation must be in conformity with the Covenant and, where there was any inconsistency, the Covenant took precedence; secondly, any constitutional provision which was contrary to the Covenant entailed a revision of the Constitution. The Covenant could be invoked by any citizen of Senegal in the

courts. Nevertheless, since the Covenant provided no penalties, the person concerned would first have to consult Senegalese law and only if he failed to find appropriate provisions could he invoke the Covenant. In his opinion, such a proceeding was possible though not very probable, inasmuch as the Constitution and the various laws of Senegal respected the letter and spirit of the Covenant and, before the Covenant had been ratified, the Supreme Court had verified that its provisions were in conformity with those of the Constitution.

46. Mr. MBODJ (Senegal) said that he would like first to reply to the Committee member who had asked whether, in the opinion of the Senegalese Government, there was a connexion between the new international economic order and the right of peoples to self-determination. That there was such a connexion was beyond all doubt and its origin was to be sought in history. The present unjust international economic order was a consequence of the system of exploitation established by colonialism. It was therefore necessary to replace it by a new international economic order, more just and fair, which reflected the present political balance in the world, characterized by the independence and self-determination of former colonial peoples, and which made it possible to establish a new type of economic relationship based on respect for the right of each State fully to exercise permanent sovereignty over its natural resources and freely to dispose of them, and on respect for the right to development.

47. To the question whether apartheid constituted an obstacle to the exercise of the right of self-determination, he replied affirmatively. According to the International Convention on the Suppression and Punishment of the Crime of Apartheid, to which Senegal was a party, apartheid was "a crime against humanity" which ran counter to the right of peoples to self-determination. Senegal was sparing no efforts to achieve the elimination of that racist and colonialist system of government and would continue to give aid and assistance to peoples suffering under that outdated ideology.

48. To the question whether Senegal shared the opinion that interference in the internal affairs of States and foreign occupation constituted an obstacle to the exercise of the right to self-determination, he replied that his country was dedicated to the principle of the right of peoples to self-determination, enshrined in the United Nations Charter and the charter of OAU. Senegal held that violation of the territorial integrity of an independent country and interference in the internal affairs of States, constituted an inadmissible attack on independence, an assault on the freedom of peoples and a serious violation of international agreements and rules. Senegal was seriously worried about the present international situation, characterized as it was by a dangerous increase in tension, the intensification of rivalries between great Powers and the increasing recourse to intervention and to interference in internal matters, particularly in those of the non-aligned countries. Ever since Senegal had become independent, it had always, in the United Nations, OAU, the Conference of Non-aligned Countries and the Islamic Conference, denounced all foreign intervention, no matter whence it came. There was no doubt that interference in the internal affairs of States and foreign occupation formed an obstacle to the sacred right of every people to self-determination.

49. On the question whether, in the opinion of the Government of Senegal, article 20 of the Covenant, according to which "any propaganda for war shall be prohibited by law", had not been violated by some countries which had decided on an extremist armaments policy, he said that Senegal was not one of those countries and that it had always condemned the policy of the great Powers to sell murderous, sophisticated weapons to the developing countries, the effect of which was to

divert enormous sums which should serve to foster the economic and social development of those countries. Senegal had always fought for a policy of general and complete disarmament, in order that the huge sums spent for warlike purposes should be used for the harmonious development of all States in the international community. In 1978 world military expenditure had amounted to $425,000 million and in 1979 sales of arms alone had risen to more than $120 million, or almost half the North-South fund for the promotion of industrialization, for whose establishment Senegal had striven in vain on the occasion of the Third General Conference of UNIDO, held at New Delhi. In the opinion of the Government of Senegal, efforts must be made to establish a link between military spending and aid to underdeveloped countries. President Senghor had had occasion to put forward proposals to that end at the special session of the General Assembly of the United Nations devoted to disarmament. In conclusion, he assured the members of the Committee that his country would scrupulously respect article 20 of the Covenant.

50. The CHAIRMAN thanked the representatives of Senegal for the complete and detailed replies they had given to the questions put to them by members of the Committee. He was pleased that a particularly fertile dialogue had been initiated between the Government of Senegal and the Committee and he hoped that it would continue in the future.

The meeting rose at 1.10 p.m.