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SENEGAL 2023

The crackdown on the rights to freedom of expression, association and peaceful assembly continued in the run-up to the presidential elections. Human rights defenders, activists, and journalists were arbitrarily arrested and detained. Defence and security forces used excessive force during protests, resulting in injuries and deaths. Forced begging by *talibé* children continued. Women and girls continued to face discrimination within marriage.

Background

There were political tensions in the run-up to the February 2024 presidential elections, and several demonstrations were organized by opposition parties and civil society organizations. In May, opposition leader Ousmane Sonko was sentenced to six months' suspended imprisonment for publicly insulting and defaming a government minister. On 1 June he was also sentenced by a court in the capital, Dakar, to two years' imprisonment for "corrupting youth" following accusations of rape. The following month he was charged with insurrection and criminal conspiracy, among other offences. In July, President Macky Sall announced he would not run for a third mandate. The same month, the Ministry of the Interior dissolved Ousmane Sonko's political party PASTEF for "calling on its supporters to take part in insurrectionary movements".

Freedom of expression and assembly

Several protests organized by the main opposition coalition Yewwi Askan Wi and the civil society organizations F24 and FRAPP were banned on the pretext of preventing public disorder.

The authorities refused to lift the 2011 blanket ban on political demonstrations in central Dakar, despite an ECOWAS court of justice ruling.

After the June protests in support of Ousmane Sonko following his two-year sentence on charges of "corrupting youth", access to the internet via mobile data was restricted by the authorities,¹ and TikTok was only accessible via virtual private network.² Walf TV, which was covering the protests, had its signal cut without notice by the Ministry of Communications, Telecommunications and Digital Economy during the month of June.

Arbitrary arrests and detentions

As of October, more than 1,000 people had been arrested and detained mostly for their participation in protests, or for their alleged connection to PASTEF.

Hannibal Djim, who organized fundraising campaigns in support of PASTEF, was arrested in February and detained for "financing seditious and subversive activities, calling for insurrection, inciting acts likely to disturb state security and apology for violence." He was still detained at the end of the year. Falla Fleur was arrested in May and detained for her Facebook posts in support of PASTEF and charged with "acts likely to compromise public security and direct provocation of an armed assembly", and was released on 6 November. Aliou Sane, a leader of the Y'en a Marre collective and the F24 platform, was charged with "participation in an undeclared demonstration and disturbance of public order." He was still detained at the end of the year.

Journalists

Journalists were arrested, detained and sentenced to prison terms following trials on charges including defamation and disseminating false news.

On 7 March, journalist Pape Ndiaye was arrested and detained for "spreading false news" and "contempt of court", among other charges, after stating on Walf TV that 19 deputy prosecutors were opposed to Ousmane Sonko being referred to trial for alleged rape. He was provisionally released on 21 June. In May, Serigne Saliou Gueye, editor of the daily Yoor-Yoor, was arrested after the newspaper published an article critical of magistrates following a judicial decision in the defamation case against Ousmane Sonko. He was charged with "publication of writings likely to discredit judicial acts or decisions, dissemination of false news likely to discredit public institutions, and usurping the position of a journalist." He was provisionally released on 21 June.³ Journalist Pape Ale Niang was arrested on 29 July and charged with "calling for insurrection and acts or manoeuvres likely to compromise public security", after a video was broadcast in which he discussed Ousmane Sonko's recent arrest. He was provisionally released on 8 August after a hunger strike.

Human rights defenders

In July, Oudy Diallo, president of the Kédougou Alert Environment association and of the Environment Commission of the Kédougou Departmental Council, was sentenced to six months' imprisonment. He had been charged with "disseminating false news, collecting and disseminating personal data, insulting an adjutant of the Saraya gendarmerie brigade in the performance of his duties and defaming a military institution of the national gendarmerie" after he had posted a photo of the adjutant on Facebook and accused him of complicity with Chinese firms in the alleged illegal exploitation of gold in Kédougou region.

Excessive use of force

Between March 2021 and June 2023, at least 56 people were killed during the policing of protests, and at least 1,000 were wounded. In May in the neighbourhood of Ngor in Dakar, residents protested against the allocation of a plot of land to the gendarmerie instead of to education facilities. Adji Diallo, a 15-year-old girl, was fatally shot during the protests, according to witnesses and the media. During the protest, gendarmes were seen shooting at demonstrators in response to stone-throwing, and teargassing protesters and residents in enclosed areas. Videos verified by Amnesty International showed gendarmes beating arrested and handcuffed people and using people as human shields while advancing through a barricaded neighbourhood.⁴

In June, during violent protests in Dakar and Ziguinchor following Ousmane Sonko's conviction for "corrupting youth", police and armed men in civilian clothes sometimes operating side by side fired live ammunition,⁵ killing at least 29 people and injuring at least 390, according to the Senegalese Red Cross.

In September, two people were shot dead by police during violent protests by youths in the mining locality of Khossanto in Saraya, Kédougou region. They had been protesting at the prefect's decision to replace village chiefs with administrative authorities as chairs of local recruitment committees, which are responsible for recruiting local unskilled labour for the gold mines.

There was no information on the judicial investigations into the 14 people who died, 12 of whom were shot by the defence and security forces, during protests in several cities in March 2021 after Ousmane Sonko's arrest.

Women's and girls' rights

The Family Code still contained provisions conferring "marital and paternal authority" solely to men, and designating the husband as head of the family, thereby denying women rights and authority over their household and children. Article 111 of the Family Code sets the minimum legal age of marriage for girls as 16, as opposed to 18 for boys, denying girls' right to equality in marriage.

Children's rights

The practice of forced begging by *talibé* children – those studying at *daaras* (Qur'anic schools) – was still widespread. The government failed to

adopt the draft Children's Code and the draft law on the status of the *daaras*. The child protection sector was still poorly funded, resulting in lack of protection for *talibé* children, who suffer violations of their human rights, including their right to life, survival and development and their right to be free from any forms of physical or mental violence.

- 1. <u>"Senegal: The authorities must immediately halt the police violence and restore social media", 2 June</u>
- 2. "Senegal: New restrictions on individual freedoms must stop", 4 August
- 3. Senegal: Human Rights Between Regression and Repression, 14 July
- 4. <u>"Senegal: Amnesty International denounces excessive use of force in Ngor",</u> <u>12 May</u>
- 5. <u>"Senegal: Amnesty International calls for independent inquiry into deadly</u> <u>crackdown on protests", 9 June</u>

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