

Amnesty International Report 2015/16 - Senegal

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Republic of Senegal

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The authorities continued to restrict freedom of peaceful assembly and to use excessive force against protesters. Men and women faced arrest because of their real or perceived sexual orientation. Senegal came under international scrutiny for the unfair trial of Karim Wade. The conflict in Casamance continued at low intensity. Impunity was endemic for human rights violations committed by security forces. The trial of former Chadian President Hissène Habré opened at the Extraordinary African Chambers in Dakar, the capital, in July.

BACKGROUND

In April, the African Commission on Human and Peoples' Rights reviewed the human rights situation in Senegal. The Commission raised concerns, including on the authorities' failure to protect freedom of expression and on arbitrary arrests and detentions.[1]

Security forces arrested at least seven people, including two male imams and two women, on terrorism-related charges.

EXCESSIVE USE OF FORCE

Security forces continued to use excessive force.

In July, Matar Ndiaye died after being shot in the leg during a police operation in Dakar. A policeman allegedly fired without warning at a group of men he was pursuing, and Matar Ndiaye was caught in the line of fire. The Criminal Investigation Division of the National Police was in charge of the subsequent investigation, raising concerns about its independence and impartiality.

FREEDOM OF ASSEMBLY

Authorities continued to ban demonstrations organized by political parties and human rights defenders, and to prosecute peaceful demonstrators.

In September, the Regional Tribunal of Kolda sentenced 12 men to 21 days' imprisonment for taking part in an unauthorized assembly. About 100 people demonstrated peacefully in the commune of Diana Malary on 27 August to call on the authorities to supply electricity. The demonstration was dispersed with tear gas and shots in the air, leading to clashes between demonstrators and the gendarmerie.

UNFAIR TRIALS

In March, the Court for the Repression of Illicit Acquisition of Wealth (CREI) sentenced Karim Wade, a former minister and son of former President Abdoulaye Wade, to six years' imprisonment and a fine of 138,239,086,396 CFA francs (€210,744,000) for illicit acquisition of wealth. Seven co-defendants were also found guilty of complicity for the same crime. The CREI provides no right to appeal, contrary to regional or international standards. In April, the UN Working Group on Arbitrary Detention found the pre-trial detention of Karim Wade to be arbitrary, including because of delays in court proceedings and differential treatment. In August, the Supreme Court upheld the convictions.

In February, the Dakar Assize Court sentenced two men to 20 years of forced labour in relation to the death of a young auxiliary police officer, Fodé Ndiaye, despite their statements being obtained under torture.

INTERNAL ARMED CONFLICT

In April, the army exchanged fire with the Movement of Democratic Forces in the Casamance (MFDC) in the department of Oussouye, with the media reporting casualties on both sides. In July, an unidentified armed group abducted 12 men in the region of Sédhio and released them after four days, in exchange for a ransom.

Civilians continued to suffer from the impact of ongoing conflict. At least one man was killed by a landmine close to the Basse Casamance National Park.

IMPUNITY

Although the authorities claimed they were investigating killings by law enforcement officers in the context of demonstrations, or torture and other ill-treatment, few investigations were completed or alleged perpetrators tried. Of the 27 cases of torture documented by Amnesty International since 2007, only six led to prosecutions resulting in a sentence, with light sentences being handed down each time. Of the seven cases of people killed by law enforcement agencies during demonstrations, none led to successful prosecutions.

In January, the Regional Tribunal of Kolda found two policemen guilty of acts of violence and assault on Dominique Lopy, who died in custody in 2007. The tribunal handed down a sentence of

six months' imprisonment and ordered the policemen to pay 100,000 CFA francs (€152) in damages to his family.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

At least 22 people, including three women, were arrested in relation to their perceived sexual orientation. In August, the Tribunal of Dakar convicted seven men of committing "acts against nature" and sentenced them to six months' imprisonment and 18-month suspended sentences. They were arrested in July after the police raided an apartment without presenting a warrant. Several newspapers revealed the men's identities and published homophobic and defamatory remarks. Six of them were transferred to a prison in Diourbel, far from their families and their support networks providing them with food and medicine.

In July, in a separate case, another man was sentenced to six months' imprisonment using the same law. Three women were also arrested in Grand Yoff on 25 November.

On 24 December, the police arrested 11 men in Kaolack, who were detained for five days and subjected to ill-treatment, including insults and beatings, before being released.

INTERNATIONAL JUSTICE

The trial against former Chadian President Hissène Habré opened in July. He was charged with crimes against humanity, torture and war crimes committed during his tenure between 1982 and 1990. This was the first time a court in an African state had tried the former leader of another state (see Chad entry).