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Republic of Senegal

Head of state: **Macky Sall**

Head of government: **Mahammed Dionne**

The rights to freedom of peaceful assembly and of expression were restricted. Conditions of detention remained harsh. Children were forced into begging on the street. Impunity for human rights violations was not addressed.

UNFAIR TRIALS

Khalifa Sall, opposition leader and Mayor of Dakar, the capital, was detained on 7 March, on charges including criminal conspiracy, forgery and falsification of records, misappropriation of public funds, fraud and money laundering. He was denied bail on several occasions. In July, while in detention, he was elected to Parliament. In November, the National Assembly lifted his parliamentary immunity at the Public Prosecutor's request. His lawyers and opposition and civil society groups expressed concerns that the judiciary showed a lack of independence in his case. Seven others were charged in the same case, five of whom remained, along with Khalifa Sall, in detention without trial in Rebeuss prison in Dakar.

FREEDOM OF ASSEMBLY

The authorities banned peaceful demonstrations and arrested protesters, particularly in the run-up to the July elections.

In June, security forces shot and injured two women, and beat several others, during a protest in the city of Touba against the ill-treatment of a 14-year-old boy by members of a religious association, often described as the "religious police". The police denied opening fire on the protesters but opened an investigation into the incident.

About 20 members of the "collective of 1,000 youth for the release of Khalifa Sall" were arrested in June and November for "public disorder" after they held peaceful demonstrations in Dakar calling for Khalifa Sall's release. All but one were released the same day.

In July, the security forces used tear gas and batons to repress a peaceful demonstration organized by former President and opposition leader Abdoulaye Wade. The authorities stopped the protest under a 2011 decree banning all assemblies in city centre areas.

FREEDOM OF EXPRESSION

Journalists, artists, social media users and others who expressed dissent were arbitrarily arrested.

On 30 June, journalist Ouleye Mané and three others were arrested for "publishing pictures which offended morality" and "criminal conspiracy" after sharing photographs of the President on WhatsApp. They were released on bail on 11 August.

Ami Collé Dieng, a singer, was arrested in Dakar on 8 August and charged with "offending the head of state" and "spreading false news", after she sent an audio-recording criticizing the President on WhatsApp. She was released on bail on 14 August.

In August, the Public Prosecutor issued a formal warning to anyone posting "offensive" comments or images on the internet, as well as to site administrators, that they faced prosecution for cybercrimes under the Criminal Code.

The new Press Code, adopted by the National Assembly in June, was vaguely worded and provided for custodial sentences for press offences. It allowed the Ministers of Interior and of Communication to ban foreign newspapers and periodicals, and provided for prison terms and fines for anyone defying the ban. Article 192 empowered administrative authorities to order the seizure of property used to publish or broadcast information, to suspend or stop a television or radio programme, and to provisionally close a media outlet on national security or territorial integrity grounds, among other things. It provided for prison sentences for offences including "offending" the head of state, defamation, insults, the transmission or distribution of images contrary to morality, and spreading false news. It criminalized various techniques used by whistleblowers, for which prison terms would be imposed. Article 227 allowed for restriction of access to online content deemed to be "contrary to morality", to "degrade honour" or to be "patently unlawful", in certain cases.

DETENTION AND DEATHS IN CUSTODY

Prison conditions remained harsh and overcrowded. At least four people died in custody, including two who were believed to have hanged themselves.

Dozens remained in prolonged pre-trial detention on terrorism-related charges. Imam Ndao had been detained for over two years on charges including "acts of terrorism" and "glorifying terrorism" before being brought to trial on 27 December. He was denied adequate medical treatment for his deteriorating health.

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

The Criminal Code continued to criminalize consensual same-sex sexual relations between adults. LGBTI people faced discrimination, particularly in accessing health services and justice.

CHILDREN'S RIGHTS

In July, Human Rights Watch reported that over 1,000 of the approximately 1,500 children taken off the streets between July 2016 and March 2017 had returned to their traditional Qur'anic boarding schools. They were taken out of the schools under a 2016 government initiative to protect them from forced begging and other abuses by Qur'anic schoolteachers. Official inspections were not conducted in most of these schools, and many children were forced to beg on the streets again. Few investigations into or prosecutions of those responsible for the abuses were carried out.

IMPUNITY

In April the UN Committee on Enforced Disappearances issued its concluding observations on Senegal. It recommended that criminal legislation and investigation procedures be brought in line with the International Convention for the Protection of All Persons from Enforced Disappearance and that the Senegalese Human Rights Committee be strengthened in line with the Principles relating to the Status of National Institutions (Paris Principles).

INTERNATIONAL JUSTICE

In April, the Extraordinary African Chambers in Senegal upheld the conviction and sentence of life imprisonment of former Chadian President Hissène Habré for war crimes, crimes against humanity and torture committed in Chad between 1982 and 1990.

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