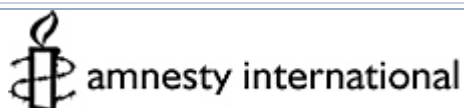


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Amnesty International Annual Report 2011 - Senegal

Head of state: **Abdoulaye Wade**

Head of government: **Souleymane Ndéné Ndiaye**

Death penalty: **abolitionist for all crimes**

Population: **12.9 million**

Life expectancy: **56.2 years**

Under-5 mortality (m/f): **125/114 per 1,000**

Adult literacy: **41.9 per cent**

In southern Casamance clashes between the army and an armed group increased during the first half of the year; civilians were abducted and killed. Torture was regularly used by the police and condoned by the judiciary and led to the death of at least one detainee. Despite renewed promises by the government, the trial of former Chadian President Hissène Habré did not begin.

Background

The conflict between the army and the Democratic Forces of Casamance Movement (Mouvement des forces démocratiques de Casamance, MFDC) intensified. In March, the army shelled MFDC positions in villages around Ziguinchor (the main city of Casamance) after continuous sporadic attacks by MFDC members against military and civilian targets. Despite the consequent rise in tension, which further undermined the 2004 peace agreement, both parties continued to declare officially that they were ready to engage in talks. These had not started by the end of 2010.

In July and August, thousands of demonstrators took to the streets of Dakar, the capital, to protest against recurrent power cuts.

Arrests of armed group leaders

The army briefly detained several MFDC leaders and reportedly ill-treated some of them.

- In March, two leaders of the armed branch of the MFDC, Bourama Sambou and Boubacar Coly, were arrested in the village of Belaye. They were held for four days without charge and reportedly ill-treated at the gendarmerie of Ziguinchor.
- In May, four MFDC leaders, Mamadou Teuw Sambou, Pape Tamsir Badji, Joseph Diatta and Ansoumana Diédhiou, were detained in Dakar after being returned from Gambia where they had spent four years in prison. They were released two weeks later without charge.

Abuses by armed groups

Several civilians, including young girls, were abducted; some were reportedly sexually abused by members of the MFDC. Soldiers were also arbitrarily killed by alleged members of the MFDC.

- In January, Didier Coly, a former army corporal, was shot dead in the village of Bourafaye Bainouk by alleged members of the MFDC who reportedly suspected him of being an army informer.
- In September, MFDC fighters abducted four young girls in the village of Waniak. The girls were released some days later and were reportedly sexually abused.

Torture and other ill-treatment

The police regularly tortured suspects.

- In July, Abdoulaye Wade Yinghou, aged 29, was arrested as he walked past a demonstration in a Dakar suburb. Witnesses saw police beat him with rifle butts during his arrest and at the police station. The following day, his family were told by police officers that he had died following a seizure or illness. An autopsy revealed facial injuries and broken ribs. An inquiry was opened but its findings had not been made public by the end of the year.

Impunity

Despite official promises, most of the officials responsible for acts of torture and other crimes under international law continued to enjoy impunity. Torture was condoned by

the judiciary, with prosecutors refusing to open inquiries into allegations of torture and judges sentencing people on the basis of information extracted under torture.

Impunity was facilitated by the fact that judicial proceedings against members of the security forces could only take place with the authorization of the Minister of the Interior (police officers) or the Ministry of Defence (gendarmes and military personnel).

Moreover, despite a law passed in 2009 that created a National Inspector of Places of Deprivation of Liberty, a key measure to prevent torture in detention, by the end of 2010 nobody had been appointed to this position.

International justice – Hissène Habré

Ten years after some victims of Chad's former President Hissène Habré lodged a complaint against him in Senegal, no criminal proceeding had been opened by the Senegalese judiciary. The authorities continued to claim that the only obstacle was financial and that the international community should find a solution.

In July 2010, following a joint AU-EU mission, a round table was announced to finalize the financial terms of Hissène Habré's trial. The round table was held in November, and European and African donors agreed to contribute to financing the trial. However, despite a promise to an Amnesty International delegation in Dakar in October that criminal proceedings would start very soon, there was no progress by the end of the year.

Hissène Habré and his lawyers continued to challenge Senegal's jurisdiction. In May, the Community Court of Justice of ECOWAS declared Hissène Habré's 2009 complaint against Senegal admissible. The complaint claimed that the prosecution violated the prohibition of retroactive criminal law in the African Charter on Human and Peoples' Rights, even though the crimes alleged were all violations of international law when they were committed. In November, the ECOWAS Court ruled that Senegal could only try Hissène Habré if ad hoc or special jurisdictions were put in place.