

Senegal

PARTLY FREE

68
/100

<u>Political Rights</u>	29 /40
<u>Civil Liberties</u>	39 /60

LAST YEAR'S SCORE & STATUS**68 /100 Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Senegal is one of Africa's most stable electoral democracies and has undergone peaceful transfers of power between rival parties since 2000. However, politically motivated prosecutions of opposition leaders and changes to the electoral laws have reduced the competitiveness of the opposition in recent years. The country is known for its relatively independent media, though restrictive laws and intimidation continue to constrain press freedom. Other ongoing challenges include corruption in government, weak rule of law, and inadequate protections for the rights of women and LGBT+ people.

Key Developments in 2022

- In July National Assembly elections, the ruling United in Hope (BBY) coalition lost seats but narrowly retained power. Several opposition politicians were excluded from candidacy, including opposition leader Ousmane Sonko, contributing to a tense atmosphere ahead of the vote.
- Over the course of the year, the government banned several politically sensitive demonstrations, including opposition-organized rallies. In June, 3 people were killed and around 200 arrested when demonstrators defied a protest ban in response to the disqualification of opposition candidates. Opposition politicians were among those arrested, and one went on to be convicted for his role in organizing the demonstration.
- Press freedom was under pressure throughout the year, with journalists and others arrested for disseminating “fake news.” In March, the government briefly suspended two opposition-affiliated television channels.
- The year saw intensified fighting in the low-level separatist conflict in the Casamance region. The Senegalese government launched a new military offensive in March, and in August signed a peace agreement with one of the separatist factions.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

3/4

The president is chief of state and head of government, and is directly elected to a maximum of two consecutive terms. In 2016, the presidential term was reduced via referendum from seven years to five, effective after the end of President Macky Sall's first term in 2019.

In the February 2019 presidential election, Sall, of the Alliance for the Republic (APR), defeated four challengers including former prime minister Idrissa Seck of the Rewmi Party and Ousmane Sonko of the Patriots of Senegal for Ethics, Work, and Fraternity (PASTEF) party.

While international observers declared the election credible, it was marred by the exclusion of two prominent opposition politicians, Khalifa Sall and Karim Wade, who might have seriously challenged President Sall. In January 2019, just weeks before the polls, the Constitutional Council ruled they were both ineligible to run for president because they had been convicted in separate, politically fraught corruption cases.

In September 2022, following the National Assembly elections, President Sall appointed Amadou Ba as prime minister. Ba became the first to hold the role since it was reinstated by constitutional changes in 2021, after having been abolished in May 2019. Further constitutional changes adopted in December 2021 reintroduced the accountability of the government to the National Assembly—a provision that had also been removed in 2019—and restored the president's power to dissolve the legislative body.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

3/4

Members of Senegal's 165-seat National Assembly are elected to five-year terms, with 112 elected in single-member districts, and 53 by proportional representation. In the July 2022 election, the ruling United in Hope (BBY) coalition won 82 seats, a decrease from the previous 125. Liberate the People, a new coalition led by Ousmane Sonko, won 56, and former president Abdoulaye Wade's coalition Wallu Sénégal (Save

Senegal) came in third with 24 seats, an improvement from the previous 19. Three smaller coalitions each won a single seat.

Both BBY and Liberate the People initially claimed victory immediately following the July election, with Liberate the People joining forces with Wallu Sénégal in an effort to control the assembly. However, although BBY lost the absolute majority it had previously enjoyed, it successfully formed the narrowest possible majority coalition with the support of the representative from one of the single-seat coalitions.

International observers described the parliamentary elections as peaceful, transparent, and successfully administered, despite significant procedural errors and logistical challenges. They noted the exclusion of opposition candidates as a particular concern in the election lead-up. The first-choice candidates list put forth by Liberate the People was rejected in June on technical grounds. The Constitutional Council upheld the decision, effectively excluding opposition leaders including Sonko from standing as candidates.

The July 2022 elections were the first under an electoral code change that increased the number of single-member districts from 105 to 112 and decreased the number of seats elected under a national-level proportional system from 60 to 53.

Local elections were held in January 2022 after having been repeatedly delayed since 2019. The delays created logistical problems that negatively impacted voter registration and the number of first-time voters. Opposition candidates won in key cities.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

3/4

The National Autonomous Electoral Commission (CENA) administers elections. Although the CENA is nominally independent, its members are appointed by the president. The opposition criticized the government for making important changes ahead of the 2017 legislative balloting, including the introduction of a new biometric voting system, without engaging in dialogue or building political consensus.

An electoral law passed in 2018 requires all aspiring presidential candidates to collect signatures from at least 0.8 percent of the overall electorate before their names could appear on the ballot, and all groups presenting National Assembly lists to obtain signatures from 0.5 percent of voters in at least seven regions. Of the 27 candidates who submitted the required signatures prior to the 2019 presidential election, only 5 were approved by the Constitutional Council. That June, a European Union (EU) election observation mission said the controversial requirement could pose “serious political and organizational problems” in upcoming local elections. In April 2021, the Economic Community of West African States (ECOWAS) Court of Justice found that the provision violated the right to free participation in elections and ordered Senegal to “remove all obstacles” within six months. Despite the ECOWAS ruling and further domestic legal challenges, the government proceeded with the electoral sponsorship requirement for the July 2022 elections.

In May 2019, opposition parties and the Sall administration entered a national dialogue aimed at resolving voter-roll concerns and reviewing the overarching voting process, but major disagreements persisted.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

3/4

Registration requirements for new political parties are not onerous, and registered parties can organize and operate without government interference. There are over 300 registered parties, and the proliferation of parties was raised as a concern during the national dialogue. However, opposition candidates still face major financial inequities when competing with incumbents. There is no public financing for political parties, but the ruling party deploys a vast set of state resources to garner support, whereas opposition leaders are often forced to rely on personal wealth to finance party operations or on political alliances to access power.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

3/4

The opposition can increase its support or gain power through elections, though the government has taken steps—including prosecuting opposition politicians—that appear designed to interfere with their ability to do so.

Several opposition politicians were barred from running in the 2022 legislative elections, most notably Sonko. The 2018 electoral law was criticized by opposition leaders for making it more difficult for candidates to appear on the ballot, and was widely seen as a move to clear the field and ensure President Sall's 2019 reelection.

The prosecutions of some of Sall's most prominent political opponents in recent years has also reduced the competitiveness of the opposition. In March 2021, Sonko was arrested on charges of rape, leading to widespread protests. Sonko repeatedly denied the allegations, saying that the charge was a politically motivated attempt to exclude him from the 2024 presidential race. Sonko remained under judicial supervision and was denied permission to leave the country.

In June 2022, opposition member of parliament Dethie Fall received a six-month suspended sentence for his role in organizing an unauthorized protest following the opposition list disqualification. Also in June, another member of parliament, Abdou Bara Dolly, was arrested on charges of insulting the president and disseminating false news at an opposition rally.

In January 2019, the Constitutional Council ruled that Khalifa Sall, a former mayor of Dakar, and Karim Wade, the son of former president Abdoulaye Wade, were both ineligible to run in the 2019 presidential election because both had previously been sentenced to prison terms for corruption.

The opposition's ability to compete with President Sall was also lessened by the president's decision to appoint opposition figures from the Rewmi Party to government posts in November 2020.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

3/4

People's political choices are largely free from domination by groups that are not democratically accountable. Despite the constitutional separation of religion and state, Sufi Muslim marabouts exercise some influence on voters and politicians, particularly on subjects like homosexuality, marriage, and abortion rights.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

3/4

Female representation in the cabinet is relatively poor. Women are better represented in the National Assembly, holding 73 seats and representing over 44 percent of the body after the 2022 legislative elections. This is partially due to a 2010 law requiring gender parity on candidate lists. Women's overall rate of participation in politics, such as voting and engaging in local political activities, is nevertheless lower than men's, and gender parity is less respected at the local level.

Due to high levels of discrimination and social stigma, LGBT+ people have no meaningful political representation.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

3/4

President Sall, his cabinet, and national legislators determine government policies. However, power is concentrated in the executive branch, and the National Assembly is limited in its ability to check the president. The executive has blocked certain parliamentary inquiries into its activities. In May 2019, lawmakers approved a

controversial measure to abolish the post of prime minister, which Sall promptly signed. In late 2021, the National Assembly voted to reinstate the position of prime minister, and a Sall appointee gained the post in September 2022.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

2/4

Corruption remains a serious problem. Anticorruption laws are unevenly enforced and enforcement actions are sometimes viewed as politically motivated. The corruption case against Khalifa Sall, for example, was widely perceived as an effort to neutralize one of the president's most powerful opponents.

In July 2022, the National Office for the Fight against Fraud and Corruption (OFNAC), a government anticorruption watchdog, signed an agreement with several civil society organizations establishing cooperation in implementing the national anticorruption strategy.

In December 2022, the Court of Auditors (CDCS) published an audit of public funds allocated to the COVID-19 response. The report identified extensive misuse of funds by the government, prompting public outcry and protests in favor of legal consequences.

C3 0-4 pts

Does the government operate with openness and transparency?

3/4

The government generally operates with openness. However, authorities frequently award contracts without any formal tender process, and do not always publicly release contracts or bilateral agreements before they are signed.

Some decisions related to COVID-19 policies were also made opaquely. In 2020, following complaints to OFNAC over the nontransparent process for distributing pandemic-related food aid, then-community development minister Mansour Faye vowed to refuse any OFNAC summons. Faye was nevertheless appointed infrastructure minister in November 2020, and later became minister for water and sanitation.

A 2014 law requires confidential asset disclosures by cabinet members, top National Assembly officials, and the managers of large public funds; the president's asset disclosures are made public.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	2/4
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The constitution guarantees freedom of speech, and Senegal is home to many independent television and radio stations and print outlets. Although the overall media situation has improved considerably since President Sall was first elected in 2012, several subsequent developments have constrained press freedom.

Reporters Without Borders warned of an increasingly threatening press environment ahead of the 2022 legislative elections, citing several incidents including a June interview in which a ruling party youth leader called to “burn down” media company Walfadjri and “attack” its journalists. The youth leader, Talla Sylla, apologized for the remarks in July.

A controversial law enacted in January 2021 allows for prison terms of up to two years for defamation and three years for publishing “fake news” likely to “discredit public institutions” or “prejudice public decency.” The law was applied multiple times in 2022 against journalists and activists. In one case, Pape Alé Niang, who runs the news website Dakarmatin, was arrested in November 2022 on charges of violating the false news law and publishing antistate information; the charges relate to Niang's reporting about a leaked government report that allegedly exonerates Sonko of the rape charge against him. Niang was released on bail in mid-December before being rearrested days later for allegedly violating a bail condition. He remained in detention at year's end.

In an earlier arrest connected to the charges against Sonko, television journalist Pape Malick Thiam was arrested by gendarmes and reportedly beaten severely while covering court proceedings in April 2022. Thiam was allegedly filming in a restricted area and contested an officer's decision to confiscate his phone.

On March 31, 2022, the Audiovisual Regulatory Council (CNRA) suspended two opposition-affiliated television channels for three days for "breaches of ethics." A year earlier, the CNRA had briefly suspended one of the same two stations and another station for their coverage of the March 2021 protests, saying that the coverage "could threaten national stability or social cohesion." Also during the March 2021 protests, the government disrupted internet service and partially blocked major social media outlets such as WhatsApp and YouTube.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

4 / 4

There is no state religion, and freedom of worship is constitutionally protected and respected in practice. Muslims constitute 96 percent of the population.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

4 / 4

Academic freedom is guaranteed by the constitution and generally respected in practice.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

3 / 4

Private discussion is generally open and free. However, individuals have occasionally been arrested for social media posts deemed offensive by the government.

In 2018, the National Assembly passed an electronic-communications bill, which included a vaguely worded provision expanding the regulatory power of the government over social media companies. Rights activists expressed concern that the law could be used to shut down, tax, or surveil communications on popular social media platforms. In May 2022, President Sall expressed interest in expanding government oversight of social media.

In June 2021, the National Assembly amended the penal code and the code of criminal procedure, allegedly to combat terrorism. Opposition parties and civil society groups protested against the laws, saying they were too broad and could be used to silence dissent and expand police surveillance powers.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	1/4
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The constitution guarantees freedom of assembly and peaceful demonstrations, but the Ministry of the Interior must approve protests in advance. The government has often cracked down on assembly rights by banning protests around tense political moments and violently dispersing some demonstrations. In March 2022, the ECOWAS Court of Justice called for the repeal of a 2011 ban on political demonstrations in central Dakar.

On June 17, 2022, three people were killed and approximately 200 arrested, including two opposition members of parliament, during demonstrations in Dakar and elsewhere against the rejection of Liberate the People's candidate list. The government had denied permission for the Dakar demonstration. When the opposition called for more demonstrations against the rejection of the candidate list in late June, the authorities again forbade the protests from taking place, citing concerns about public order. The organizers eventually canceled the protests, though Sonko said the decision to cancel was not due to the ban.

The March 2021 arrest of Sonko had sparked large protests across the country. The demonstrations, which lasted several days, were marked by violent clashes between protesters and security forces. Numerous human rights violations were committed by security forces during the demonstrations, with an estimated 14 people killed and approximately 590 injured.

In November 2022, around 20 people were arrested during a banned protest in support of the release of political prisoners, and a journalist covering the demonstration was assaulted.

Even after most COVID-19-related assembly restrictions were lifted in March 2021, the government continued to ban demonstrations citing the possible spread of COVID-19. In September 2021, civil society group Noo Lank defied the ban to hold a protest against Dakar's high cost of living, resulting in the arrest of several protesters.

Assembly rights of LGBT+ groups and nongovernmental organizations (NGOs) that support people living with HIV and AIDS are limited.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

3/4

NGOs generally operate without interference from state or nonstate actors, though the ability of LGBT+ groups to function is impeded by assembly restrictions. Though anti-LGBT+ draft legislation introduced in 2021 was defeated in January 2022, the operation and effectiveness of LGBT+-rights NGOs is impeded by homophobia and the criminalization of homosexuality.

In June 2021, the National Assembly passed revisions to the penal code and code of criminal procedure—ostensibly intended to strengthen Senegal's antiterrorism laws—that include provisions allowing NGO leaders to be criminally charged for alleged offenses committed by their organizations. Local and international rights groups have condemned the legislation, saying that the amendments are overly broad and could lead NGOs and their employees to self-censor in fear of being targeted for their work.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?
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3/4

Workers, apart from security employees, have rights to organize, bargain collectively, and strike, though the right to strike is impinged by legal provisions that ban pickets and sit-down strikes, among other activities. Trade unions must be authorized by the Ministry of the Interior, and unions lack legal recourse if registration is denied.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

2/4

The judiciary is formally independent and enjoys a relatively good reputation, but the president controls appointments to the Constitutional Council, the Court of Appeal, and the Council of State. Judges are prone to pressure from the government on matters involving high-level officials. The Higher Council of the Judiciary, which recommends judicial appointments to the executive branch, is headed by the president and minister of justice, which critics argue compromises its independence. Numerous prosecutions of opposition politicians in the last several years underscore concerns about political influence. However, ahead of the 2022 local elections, the Court of Appeal reinstated candidates who had previously been disqualified.

F2 0-4 pts

Does due process prevail in civil and criminal matters?

2/4

The law guarantees fair public trials and defendants' rights, but arbitrary arrest and extended detention remain a concern. Though the government is obligated to supply attorneys to felony defendants who cannot afford them, this representation is inconsistent in practice. Lengthy pretrial detention remains a problem. The judicial system's reach does not consistently extend to rural areas, which more often rely on traditional methods of conflict resolution.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

2/4

Individuals are generally protected from the illegitimate use of physical force. However, security forces have used violence against protesters, killing over a dozen and injuring hundreds in the past two years. Senegalese prisons are overcrowded, and human rights groups have documented incidents of excessive force and cruel treatment by prison authorities. In an effort to limit the spread of COVID-19 through the prison system, President Sall pardoned over 2,000 prisoners—a fifth of the prison population—in April 2020.

A low-level separatist conflict in the Casamance region is ongoing, though attacks by the Movement of Democratic Forces of Casamance (MFDC) have lessened since a de facto cease-fire was reached in 2012. However, fighting intensified again in 2022. The Senegalese government launched a new military offensive in March, following the January killing of four Senegalese soldiers and kidnapping of seven others by separatists. The government and one of the MFDC separatist factions signed a peace agreement in August 2022.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

2/4

The caste system is still prevalent among many of Senegal's ethnic groups. Individuals of lower castes are subject to discrimination in employment. Women face persistent inequities in employment, health care, and education.

Same-sex sexual activity remains criminalized and is punishable by up to five years in prison and a fine. While these laws are rarely enforced, LGBT+ people risk violence, threats, and mob attacks, as well as discrimination in housing, employment, and health care. Some are forced to flee the country for their safety; the majority of Senegalese asylum applications in France in 2021 pertained to persecution over sexual orientation. In January 2022, parliament rejected a draft law that proposed increasing prison sentences for those found guilty of same-sex sexual activity and introducing criminal

penalties for those who contribute to “any activity relating to the LGBT+ agenda.” Demonstrators rallied in support of increased criminal penalties for homosexuality throughout 2021 and 2022.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

3/4

Citizens generally enjoy freedom of movement and can change their residence, employment, and educational institution without serious restrictions, though the threat of land mines and rebel activity has hindered travel through parts of the Casamance region. The intensification of the Casamance conflict in early 2022 displaced several thousand people.

Movement was restricted in 2020 and 2021 by COVID-19-related emergency measures. At least 10 people died in March 2021 during several days of antilockdown demonstrations.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

3/4

The civil code facilitates ownership of private property, and property rights are generally respected. Commercial dispute-resolution processes can be drawn out. Property title and land-registration protocols are inconsistently applied, though the government has worked to ease property acquisition and registration. Husbands are legally regarded as heads of households. Traditional customs limit women’s ability to purchase property, and local rules on inheritance make it difficult for women to become beneficiaries.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

3/4

Rates of female genital mutilation (FGM) have declined due in part to campaigns to discourage the practice, but it remains a problem. The government launched a plan to reduce early marriage in 2016, given that almost one in three Senegalese girls married before age 18.

Rape was considered a misdemeanor before President Sall signed into law a measure criminalizing it in January 2020; this followed 2019 demonstrations that were prompted by the murder of a 23-year-old woman during an attempted rape.

The law allows abortion only to save a woman's life, and abortions for medical reasons are difficult to obtain in practice. Several groups that consider abortion contrary to national values, including religious organizations, campaigned against legalizing abortion in cases of rape and incest.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

2/4

Child labor remains a problem, particularly in the informal economy, and laws restricting the practice are inadequately enforced. Forced begging by students at religious schools is common, and teachers suspected of abuse are rarely prosecuted.

According to the 2022 edition of the US State Department's *Trafficking in Persons Report*, the Senegalese government has engaged in efforts to pursue trafficking investigations and train relevant officials. However, the report also noted that the authorities inconsistently applied penalties to alleged traffickers, did not investigate or prosecute traffickers who orchestrate forced begging, and offered minimal resources to adult trafficking victims.



On Senegal

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Country Facts

Global Freedom Score

68/100 **Partly Free**

Other Years

2022

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