

# 2024 Country Reports on Human Rights Practices: Senegal

## EXECUTIVE SUMMARY

There were significant positive changes in the human rights situation in Senegal during the year. The March presidential election was widely reported to be fair and free of abuses and irregularities. At year's end, observers stated authorities had released all political prisoners.

Significant human rights issues included credible reports of: cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom.

The government took credible steps to identify and punish officials who committed human rights abuses, but impunity for abuses occurred.

In the southern Casamance region, situated between The Gambia and Guinea-Bissau, a low-level insurgency between security forces and armed separatists continued, but violence during the year was rare.

Section 1.

## Life

### a. Extrajudicial Killings

Nongovernmental organizations (NGOs) such as Amnesty International reported three persons were killed on February 5 during protests across the country following a parliamentary decision to postpone the presidential election. Neither civil society nor media was able to determine whether the deaths were caused by security forces, protesters, or other circumstances. In June, local media reported a young man was tortured, beaten, and died in a military camp in Dialadiang. Investigations into the death continued at year's end.

### b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2.

## Liberty

### a. Freedom of the Press

The constitution and law provided for freedom of expression, including for members of the press and other media, but the government occasionally limited these freedoms by imposing penalties for defamation and the crime of insulting the head of state, including on journalists.

On July 24, authorities arrested, and later released, a member of the opposition for the crime of insulting the head of state after he stated ruling party officials lied to gain power. In September, former police commissioner Cheikhna Keita was detained for “dissemination of false news” for making a statement alleging a disagreement between the president and prime minister. Amnesty International denounced the arrest as a restriction on freedom of expression and called for a change in law to eliminate such charges.

### **Physical Attacks, Imprisonment, and Pressure**

According to the NGO Committee to Protect Journalists (CPJ), more than 25 journalists were assaulted or arrested during February civil unrest. The CPJ criticized the government for the arrests of journalists Kader Dia and Cheikh Yerim Seck. The police special cybersecurity division arrested Dia on September 30 following his comments on police corruption during a September 23 Sen TV online broadcast. Authorities arrested Seck on October 1 regarding his comments during a September 27 7TV program that questioned the accuracy of a budget-related announcement by the prime minister. Both Dia and Seck were released on October 3; Seck’s case was later dismissed.

### **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

The government influenced the media environment through government media outlets such as Radio Television Senegal and the newspaper *Le Soleil*. Government outlets often carried a progovernment bias, while independent journalists regularly criticized the government without reprisal.

On February 5, the government revoked the license of the private television station Walfadjiri TV for “broadcasting violent images...and subversive, hateful, and dangerous language that undermines state security.” The government restored the station’s license on February 11.

The CPJ reported supporters of opposition leader Bougane Gueye Dany attacked Ngone Diop and Maty Sarr Niang, both reporters for the news site Sans Limites, on October 2. They prevented Diop from covering the arrival of Dany at the cybercrimes division and slapped Niang on the head.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The law provided for the rights of workers to form and join independent unions. Unions had the right to bargain collectively and strike, with some restrictions. The law prohibited antiunion discrimination and allowed unions to conduct their business without interference. The government enforced applicable laws and imposed penalties.

The law excluded some workers, such as persons in public employment of public administration, customs officers, and judges from labor law protections. Children, both as workers and as apprentices, could not join a union without parental authorization.

There were legal restrictions limiting the exercise of freedom of association and collective bargaining. Before a trade union could exist legally, the labor code required authorization from the Ministry of Interior. Unions had no legal recourse if the minister refused registration, although authorization was rarely withheld. By law, as part of the trade union recognition process, the

ministry had the authority to vet candidates for positions of trade union officials. Any change to the bylaws of a trade union was required to be reported to and investigated by the inspector of labor and the public attorney. The state prosecutor could dissolve and disband trade unions by administrative order if union administrators were not following government regulations on the duties of a union to its members.

Foreign residents could hold union office only if they had lived in the country for five years and only if there was reciprocity. Unions could engage in legal proceedings against any individual or entity that infringed upon the collective bargaining rights of union members, including termination of employment.

The law provided for the right to strike, but certain regulations restricted this right. According to labor activists, the constitution undermined the right to strike by stipulating a strike could not infringe on the freedom to work or jeopardize an enterprise. The law stated workplaces could not be occupied during a strike and could not violate nonstrikers' freedom to work or hinder the right of management to enter the premises of the enterprise, including pickets, go-slows, work to rule, and sit-down strikes. Unions representing members of the civil service were required to notify the government of their intent to strike at least one month in advance. Private-sector unions also had to give one month notice, but prior to this step they were required to notify the Labor Inspectorate regarding attempts to reconcile disputes within 48 hours with the General Labor Department. In most instances, this led to reconciliation and avoided strikes. The government could also requisition workers to replace those on strike in all sectors, including "essential services" sectors. A worker who took part in an illegal strike could be summarily dismissed. Penalties for noncompliance included a fine, imprisonment, or both.

The government and employers generally respected freedom of association and the right to collective bargaining with restrictions. Workers exercised the right to form or join unions, but antiunion sentiment within the government was strong. The law had no legal mechanism to require employers to enter collective bargaining negotiations. Penalties for violations of freedom of association, collective bargaining, and the right to strike were commensurate with those for analogous violations such as civil rights violations. Penalties were rarely applied against violators. Trade unions organized on an industrywide basis, very similar to the French system of union organization. There were no confirmed reports of antiunion discrimination.

## **Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acceptable Work Conditions**

### **Wage and Hour Laws**

The law provided for a minimum wage for agricultural and nonagricultural workers, although the minimum wage was lower for agricultural workers. The national minimum hourly wage for both agricultural and nonagricultural workers was higher than the estimated poverty income rate.

For most occupations in the formal sector, the law mandated a standard workweek of 48 hours for agricultural workers and 40 hours for nonagricultural workers, with at least one 24-hour rest period per week, safety standards, and other measures.

### **Occupational Safety and Health**

The law provided for appropriate occupational safety and health (OSH) standards for the country's main industries. Employers were required to set up an occupational safety service and a committee on occupational health and safety; the employer had to provide training and free protective equipment, including clothing to workers exposed to wet or hazardous substances. Employees or their representatives had the right to propose measures for their protection and safety and refer proposals to the competent administrative authority in case the employer refused. Responsibility for identifying unsafe conditions was up to employers and workers, not OSH experts. Due to high unemployment and a slow legal system, workers seldom exercised their nominal right to remove themselves from situations that endangered health or safety.

### **Wage, Hour, and OSH Enforcement**

The Ministry of Labor and Social Dialogue was responsible for enforcing the law in the formal sector and published an annual report on labor statistics. Penalties for violations were commensurate with those for similar crimes such as fraud or negligence. Penalties were rarely applied against violators because dialogue and mediation were the most used dispute resolution techniques.

Approximately 200 labor inspectors were spread across the country's 14 regions and reported to a centralized team of inspectors based in the capital. Inspectors had the authority to make unannounced inspections and impose penalties. The most common deficiencies were the nonaffiliation of workers with a health insurance institution, a pension, or a social security fund and the failure to declare a work location. The government did not report taking specific action to prevent violations against vulnerable groups.

The International Labor Organization reported that, as of 2020, 90 percent of workers were in informal employment and 97 percent of nonagricultural economic units operated in the informal economy. The law did not apply to the informal sector and thus excluded most of the workforce, including subsistence farmers, domestic workers, and those employed in many family businesses.

## **c. Disappearance and Abduction**

### **Disappearance**

There were no reports of enforced disappearances by or on behalf of government authorities.

### **Prolonged Detention without Charges**

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government did not always observe these requirements.

Unless a crime was "flagrant" (just committed or discovered shortly after being committed), police were required to obtain a warrant from a court to arrest or detain a suspect. Police treated most cases as flagrant offenses and made arrests without warrants, invoking pretrial detention powers. The National Police's Criminal Investigation Division was authorized to hold persons up to 24 hours before releasing or charging them. The National Gendarmerie judicial police officers in the Research Brigades were also authorized to perform arrests, detentions, and investigations and could detain individuals for up to 48 hours. Authorities did not promptly inform many detainees of the charges against them, particularly those arrested in association with political demonstrations.

Police were authorized to double the detention period from 24 to 48 hours without charge if they demonstrated substantial grounds for a future indictment and if a prosecutor so authorized. If such extended detention was authorized, the detainee was supposed to be brought in front of the

prosecutor within 48 hours of detention, which was generally respected. For particularly serious offenses, investigators sometimes requested a prosecutor extend this period to 96 hours. Authorities had the power to detain terrorist suspects for an initial 96 hours, with renewals for a maximum of 12 days. The detention period did not formally begin until authorities officially declared an individual was being detained, a practice Amnesty International noted resulted in lengthy detentions. Prosecutors visited detention facilities on a regular basis to identify detainees with pending criminal charges to minimize use of detention for unofficial, extrajudicial purposes.

Bail was rarely available. The law permitted electronic monitoring bracelets as a form of conditional release for detainees, but the practice was not used consistently. By law, defense attorneys could have access to suspects from the moment of arrest and be present during interrogation; this provision, however, was not regularly respected. An Amnesty International report stated children were detained without the benefit of legal assistance for taking part in prohibited demonstrations. The law provided for legal representation at public expense in felony cases to all criminal defendants who could not afford a lawyer after the initial period of detention. Appointed counsel, however, rarely appeared, especially outside of Dakar. Indigent defendants did not always have attorneys in misdemeanor cases. Several NGOs provided legal assistance or counseling to those charged with crimes.

The political opposition and local and international NGOs contended some of the arrests associated with political demonstrations in February were politically motivated and not the result of criminal activity. The international NGO Human Rights Watch and local civil society organizations denounced these alleged arbitrary arrests of demonstrators and journalists.

Lengthy pretrial detention was a problem. Although the law stated an accused person could not be held in pretrial detention for more than six months for minor crimes, authorities routinely held persons until a court ordered their release in a majority of cases. Judicial backlogs and absenteeism of judges resulted in an average wait of two years between the filing of charges and the beginning of a trial. In cases involving felonies, including murder charges, threats to state security, and embezzlement of public funds, there were no limits on the length of pretrial detention. In many cases, pretrial detainees were held longer than the length of sentence later imposed.

#### **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

#### **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3.

## **Security of the Person**

### **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibited such practices, although there were credible reports security forces deployed them. Human rights organizations noted examples of physical abuse committed by authorities, including excessive use of force as well as cruel and degrading treatment in prisons and detention facilities, including strip searches and harsh interrogation methods. According to human

rights organizations, local police forced detainees to sleep on bare floors, directed bright lights at them, beat them with batons, and kept them in cells with minimal access to fresh air.

Impunity for such acts was a significant problem. Some arrestees accused security forces of serious physical abuse while in detention. In March, parliament passed a law granting amnesty for alleged criminal activity associated with political demonstrations between February 2021 and February 2024. Although the law focused primarily on political demonstrators and activists, NGOs reported the law also covered at least some government personnel who might have committed abuses during the three-year amnesty window. The government did not pursue action against officials for abuses committed during this time frame.

The law provided criminal penalties for the perpetration of female genital mutilation/cutting (FGM/C) on women and girls, but authorities did not enforce the law and prosecuted no cases. UNICEF estimated in 2022 one in four girls and women ages 15 to 49 had suffered from FGM/C, with the prevalence as high as 65 to 90 percent in some regions, and with large variation across regions and ethnic groups.

## **b. Protection of Children**

### **Child Labor**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

### **Child Marriage**

By law, women had the right to choose when and whom they married, but traditional practices often restricted a woman's choice. The law prohibited marriage of girls younger than 16 or boys younger than 18, but authorities generally did not enforce the law in communities where marriages were arranged. Under certain conditions, a judge could grant a special dispensation to a man to marry a girl below the age of consent. According to women's rights groups and officials from the Ministry for Family and Solidarity, child marriage was a significant problem, particularly in the more rural areas in the south, east, and northeast. The ministry, NGOs, and international organizations conducted educational campaigns to address the problem.

## **c. Protection to Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, and asylum seekers, as well as other persons of concern.

### **Provision of First Asylum**

The law provided for the granting of asylum or refugee status, but it was not fully implemented; however, the government had a system for providing protection to refugees.

The government generally allowed those with pending and some with rejected asylum claims to remain in the country, but did not offer all asylum seekers due process or security, since the same committee that examined appeals filed by denied asylum seekers had examined their original cases. Police did not arrest denied asylum seekers for staying illegally in the country but did so if they committed crimes. Authorities generally contacted UNHCR in such cases to verify their asylum status and avoid deporting someone with a pending claim.

## **Resettlement**

The country offered protection to Mauritanian refugees dispersed over a large area in the Senegal River valley along the border with Mauritania. According to UNHCR, most of the Mauritanian refugees indicated a desire to remain in the country permanently, with most having integrated socioeconomically into the host community. The government and UNHCR coordinated a naturalization campaign for Mauritanian refugees seeking to remain permanently; however, bureaucratic hurdles and delays prevented many from receiving the full rights enjoyed by citizens.

## **d. Acts of Antisemitism and Antisemitic Incitement**

There were approximately 100 Jewish residents in the country. There were no reports of antisemitic incidents.