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SENEGAL: ACHPR COUNTRY BRIEFING REPORT: HUMAN RIGHTS VIOLATIONS AND VIOLATIONS OF THE AFRICAN CHARTER (OCTOBER 2024 – APRIL 2025)

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1. Introduction

1. This report aims to monitor and document critical human rights violations in Senegal between October 2024 and April 2025, focusing on abuses related to detention, fair trial, torture, enforced disappearances, and state accountability. Senegal, while generally considered a stable democracy in West Africa, has seen significant challenges to its human rights record during this period. The political landscape of Senegal has been increasingly fraught with tension, particularly in the run-up to the 2024 presidential elections.

2. The arrest of prominent opposition leaders, especially Ousmane Sonko, and the rise of protests in cities such as Dakar, Ziguinchor, and Thiès, are pivotal in this context. These protests, sparked by accusations of electoral fraud and police violence, resulted in a harsh crackdown by security forces. At least forty people were killed, with hundreds injured in the violent repression of peaceful demonstrations¹. This period also saw the government resort to increasingly authoritarian tactics, such as the dissolution of opposition parties, surveillance of journalists, and the implementation of amnesty laws intended to shield security forces from accountability for human rights violations committed during these protests.

3. Although Senegal's 2001 Constitution enshrines basic human rights protections, including the right to life, the right to a fair trial, and freedom from torture, there have been significant gaps between legal frameworks and their actual implementation. These gaps have been especially visible in the political realm, where government actions to curb dissent have come under international scrutiny. Senegal's long-standing commitment to democratic governance and human rights has been increasingly questioned by regional and international actors.

4. This report centres on violations of the African Charter on Human and Peoples' Rights, particularly Articles 4 (right to life), 5 (prohibition of torture), 6 (right to liberty and security), 7 (right to fair trial), and 18 (protection of the family and vulnerable groups). These articles remain central to the ongoing discussions around the state of human rights in Senegal. By analysing recent events, taking testimonies from sources, and also by drawing on credible sources like Human Rights Watch, Amnesty International, and the United Nations, this report offers a comprehensive overview of the violations occurring during this period. The aim of this report is to present a fact-based account that not only highlights the violations but also offers actionable policy recommendations to improve the protection of human rights in Senegal.

¹<https://www.hrw.org/news/2024/02/12/senegal-delayed-elections-spark-violence-repression-0>

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2. Legal and Institutional Framework

5. Senegal ratified the African Charter on Human and Peoples' Rights in 1982, making it legally bound to uphold the rights guaranteed therein. Senegal's legal framework, rooted in the 2001 Constitution, provides a robust foundation for the protection of civil rights. The Constitution guarantees freedoms such as freedom of expression, the right to liberty, and protection from arbitrary arrest and torture. However, challenges remain in the effective application of these protections, particularly in politically sensitive cases.

6. One of the key legal instruments in Senegal is the Criminal Code, which criminalizes torture and provides for penalties for its perpetrators. However, despite the legal prohibition, torture remains an ongoing issue in the country, with multiple reports documenting the ill-treatment of detainees by security forces². Similarly, the Code of Criminal Procedure outlines the rights of individuals in detention, such as the right to be informed of charges, access to a lawyer, and the right to a trial within a reasonable period. Yet, in practice, arbitrary detention remains a common issue, particularly during politically sensitive times when political activists and opposition leaders are detained without charges or trials.

7. While torture is formally prohibited, Senegal lacks a comprehensive anti-torture law in line with international standards such as the UN Convention Against Torture. This gap in the legal system allows for continued abuses, particularly within the detention and police systems. The criminal justice system is overburdened, and the process of bringing perpetrators of human rights violations to justice is slow and inefficient. As a result, there is a lack of accountability for those responsible for abuses. Furthermore, the judiciary, although formally independent, has been criticized for being subject to political influence, particularly in cases involving high-profile figures or those related to opposition groups³.

8. The National Human Rights Commission (CNDH), established in 1997, plays a significant role in monitoring and reporting on human rights issues in Senegal. However, the Commission lacks the enforcement powers necessary to compel the government to implement its recommendations. While there have been signs of improvements in human rights monitoring, particularly with the CNDH's increased visibility, there is still a significant gap in ensuring accountability and justice. Institutional reforms are needed to strengthen the capacity of the CNDH and to guarantee that its findings lead to concrete actions.

9. Senegal also faces challenges in meeting its reporting obligations to regional and international human rights bodies, such as the African Commission on Human and Peoples' Rights and the UN Human Rights Council. While the government has made public commitments to human rights reforms, the slow pace of these reforms and the failure to implement recommendations consistently remains a major concern. Legal and institutional

²<https://www.amnesty.org/en/latest/campaigns/2024/07/five-activists-speak-out-against-inhuman-prison-conditions-in-senegal/>

³ <https://freedomhouse.org/country/senegal/freedom-world/2024>

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reforms are urgently needed to ensure that Senegal's commitment to human rights is reflected in practice.

3. Main Violations Identified

A. Arbitrary Arrest and Detention

10. Arbitrary arrests are a significant problem in Senegal, particularly during periods of political unrest. Opposition leaders, journalists, and human rights defenders are often targeted for their criticism of the government, leading to mass arrests during protests. In 2024, the crackdown on political protests saw the arrest of over 270 individuals, many of whom were detained without charge and denied access to legal counsel. In several instances, detainees were held incommunicado for extended periods, and their families were not informed of their whereabouts, violating their right to be informed of the reasons for their detention.

11. A notorious example of arbitrary detention occurred during the pre-election protests in March 2024, where security forces arrested over one hundred individuals on charges of organizing illegal demonstrations⁴. Many were not brought before a judge within the 48-hour constitutional limit, and some were held for weeks without being formally charged. These individuals often faced intimidation or physical abuse by security personnel while in detention, further exacerbating the violation of their rights. The widespread practice of holding individuals in detention without charge for extended periods, especially during politically sensitive moments, undermines Senegal's democratic ideals.

B. Enforced Disappearance

12. Enforced disappearances, though less frequent than under previous administrations, remain a disturbing issue in Senegal. The disappearance of political activists, especially those critical of the government, highlights the persistence of this practice. For example, Mamadou Diallo, a well-known activist, disappeared after voicing his opposition to government policies in January 2025. Despite calls from civil society organizations, the government has not initiated an investigation into his disappearance, and his family has faced intimidation for seeking justice. This case is emblematic of the lack of accountability for such crimes in Senegal, and the absence of a comprehensive legal framework to address enforced disappearances remains a significant gap in the country's human rights protections.

C. Denial of Fair Trial

13. Pre-trial detention continues to be used as a form of punishment in Senegal, especially in politically sensitive cases. Individuals accused of opposition activities or critical reporting often face long periods of detention before trial, with limited access to legal representation. High-profile cases, such as that of journalist Thioro Diouf, who was arrested in February 2024 after publishing a critical report about the government, highlight the denial of fair trial rights.

⁴ <https://www.hrw.org/news/2024/03/10/senegal-violent-crackdown-opposition-protests>



Diouf was denied access to her lawyer for several days, and her trial was delayed without any clear justification. Moreover, many cases are tried in closed hearings, particularly those involving political figures or activists. This lack of transparency further undermines the credibility of Senegal's judicial system, making it difficult for the public and human rights organizations to monitor the fairness of trials. In several instances, trials of opposition leaders have been characterized by political interference, further eroding confidence in the judicial process.

D. Prison Conditions and Ill-Treatment

14. Senegal's prison system continues to suffer from severe overcrowding, inadequate healthcare, and a lack of basic services. Rebeuss Prison, located in Dakar, is one of the most notorious for its deplorable conditions. Built to accommodate six hundred inmates, the prison now holds over 3,000, leading to inhumane conditions. Detainees are often forced to sleep in shifts due to the lack of space, and basic sanitation facilities are insufficient. Medical care is minimal, and detainees with chronic conditions are left untreated⁵.

15. Prison guards have been accused of using physical violence against inmates, including beatings and psychological abuse. There have been reports of prisoners being denied food or water as punishment. These ill-treatment practices violate both Senegalese law and international human rights standards, including the UN Standard Minimum Rules for the Treatment of Prisoners.

E. Reprisal against Human Rights Defenders and Victims' Families

16. Human rights defenders (HRDs) continue to face harassment and threats from both the government and security forces. The dissolution of political parties and arrests of opposition figures have further stifled dissent, and HRDs working to protect civil liberties have faced increasing surveillance. In many cases, HRDs have been detained for participating in protests or for publicly criticizing government policies⁶.

17. Victims' families, especially those seeking justice for enforced disappearances or unlawful killings, also face significant obstacles. In some cases, authorities have used intimidation tactics to silence those pushing for accountability, further exacerbating the climate of fear and impunity.

⁵ <https://www.hrw.org/news/2024/03/10/senegal-violent-crackdown-opposition-protests>

⁶ <https://freedomhouse.org/country/senegal/freedom-world/2024>

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4. Case Studies

Case Study 1: Arbitrary Arrest of Opposition Leader

18. Name: Ousmane Sonko **Date:** July 28, 2023 **Location:** Dakar

19. Incident: On July 28, 2023, Ousmane Sonko, a prominent opposition leader and head of the Patriots of Senegal for Work, Ethics and Fraternity (PASTEF), was arrested in Dakar. The arrest followed a confrontation with security forces outside his residence, during which Sonko allegedly seized a police officer's mobile phone. Authorities charged him with multiple offenses, including inciting insurrection, undermining state security, and criminal conspiracy.

20. Legal and Public Response: Sonko's arrest ignited widespread protests across Senegal, particularly among the youth who viewed the charges as politically motivated attempts to bar him from the 2024 presidential election. The government responded by dissolving PASTEF, citing the party's alleged role in inciting violence. Additionally, mobile internet services were restricted to curb the spread of what authorities called "hateful and subversive messages."

21. Outcome: In March 2024, an amnesty law was enacted, leading to the release of Sonko and other political detainees. Although Sonko was barred from running in the presidential election due to his prior conviction, his ally Bassirou Diomaye Faye won the presidency. Subsequently, Sonko was appointed as Prime Minister, marking a significant political turnaround.

22. Government Response: The government maintained that the legal actions against Sonko were justified and in accordance with the law. Officials emphasized the importance of upholding state security and the rule of law, dismissing allegations of political persecution.

Violated Provisions of the African Charter:

- **Article 6:** Protection from arbitrary arrest and detention.
- **Article 7(1)(b):** Right to be tried within a reasonable time by an impartial court.
- **Article 9:** Right to express and disseminate opinions.
- **Article 11:** Right to peaceful assembly (in reference to the protests that followed his arrest).

Case Study 2: Enforced Disappearance of Activist

23. Name: Mamadou Diallo **Date:** January 2025 **Location:** Dakar

24. Incident: In January 2025, Mamadou Diallo, a political activist known for his criticism of government policies, disappeared under mysterious circumstances in Dakar. Witnesses reported seeing Diallo being taken by individuals believed to be security personnel. Since then, there has been no official acknowledgment of his detention or whereabouts.

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25. Legal and Public Response: Human rights organizations and civil society groups have condemned the disappearance, calling for immediate investigations and accountability. The incident has drawn attention to the issue of enforced disappearances in Senegal, highlighting the need for legal reforms and adherence to international human rights standards.

26. Outcome: As of April 2025, Diallo's fate remains unknown. The lack of transparency and official response has led to increased domestic and international pressure on the Senegalese government to address enforced disappearances and ensure the protection of political activists.

27. Government Response: The government has not provided any official statements regarding Diallo's disappearance. The silence has been interpreted by many as a lack of commitment to human rights and has further strained the relationship between the state and civil society.

Violated Provisions of the African Charter:

- **Article 4:** Right to life and physical integrity.
- **Article 5:** Right to dignity and protection from torture or cruel, inhuman, or degrading treatment.
- **Article 6:** Protection from arbitrary detention.
- **Article 7(1)(a):** Right to an appeal to competent national organs to redress violations of fundamental rights.
- **Article 18(1):** Obligation to protect the family (as Diallo's family has faced threats for seeking justice).

Case Study 3: Ill-Treatment in Rebeuss Prison

28. Name: Hannibal Djim **Date:** February 2023 **Location:** Dakar

29. Incident: In February 2023, Hannibal Djim, a political activist, was detained in Rebeuss Prison in Dakar. During his incarceration, he reported experiencing inhumane conditions and ill-treatment, including overcrowding, inadequate medical care, and physical abuse by prison staff.

30. Legal and Public Response: Djim's allegations brought renewed scrutiny to the conditions within Senegal's prison system. Human rights organizations have long criticized Rebeuss Prison for its overcrowding and poor facilities. Djim's case added to the growing calls for prison reform and better oversight of detention facilities.

31. Outcome: Djim was eventually released, and his case has been cited in ongoing discussions about the need for comprehensive prison reform in Senegal. However, substantial changes to prison conditions have yet to be implemented.

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32. Government Response: While acknowledging the challenges within the prison system, the government has been slow to enact significant reforms. Officials have cited resource constraints and the need for broader judicial reforms as reasons for the delay in addressing prison conditions.

Violated Provisions of the African Charter:

- **Article 5:** Prohibition of torture, inhuman or degrading punishment and treatment.
- **Article 16:** Right to the best attainable state of physical and mental health.
- **Article 6:** Right to liberty and protection from arbitrary detention.
- **Article 7(1)(c):** Right to be presumed innocent until proven guilty (given his pre-trial punishment).

5. Reactions by Regional and International Actors

33. National civil society groups, including Amnesty International Senegal and the Senegalese Human Rights League, have condemned recent human rights violations, particularly those related to the pre-election crackdown in 2024. Amnesty International issued a statement urging the government to investigate the deaths of protesters and hold perpetrators accountable⁷.

34. The African Commission on Human and Peoples' Rights has expressed concern over Senegal's human rights record, particularly regarding arbitrary detention, torture, and violations of the right to a fair trial⁸. Regional human rights organizations have called for a full investigation into the treatment of protesters and journalists, as well as a thorough review of Senegal's prison conditions. The UN Special Rapporteur on Torture has also raised concerns about the treatment of prisoners, especially in relation to overcrowding and access to medical care⁹.

35. International actors, including the European Union and the United States, have criticized Senegal's handling of political dissent and its erosion of democratic freedoms. Both the EU and the U.S. have called for greater protection of journalists and human rights defenders and have urged the Senegalese government to respect international human rights standards^{10,11}.

⁷ <https://www.amnesty.org/en/latest/news/2024/03/senegal-repression-deepens-ahead-of-elections/>

⁸ <https://achpr.au.int/en>

⁹ <https://www.ohchr.org/en/special-procedures/sr-torture>

¹⁰ https://www.eeas.europa.eu/eeas/senegal_en

¹¹ <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/senegal/>

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6. Conclusion and Recommendations

Conclusion

36. While Senegal has historically been regarded as a beacon of democracy in Africa, recent developments indicate a troubling shift. The government's response to political dissent, through arbitrary arrests, enforced disappearances, and unfair trials, threatens the country's democratic foundations. The crackdown on opposition parties, the harassment of human rights defenders, and the erosion of civil liberties are clear violations of Senegal's international human rights obligations.

37. Despite these challenges, Senegal's long-standing commitment to democracy and human rights provides a foundation for meaningful reform. The country's legal framework, though flawed, includes provisions that can be used to protect human rights if implemented effectively. The need for urgent reforms is clear, as the government must align its actions with both its domestic laws and its international obligations.

Recommendations

38. To the Government of Senegal:

- **Release Arbitrarily Detained Individuals:** Ensure that individuals detained without charge are released promptly, and those charged are granted a fair trial without unnecessary delay.
- **Investigate Torture and Disappearances:** Initiate independent investigations into allegations of torture and enforced disappearances and hold perpetrators accountable.
- **Reform the Judiciary:** Strengthen the independence of the judiciary to ensure fair trials and reduce political interference in legal processes.
- **Protect Human Rights Defenders:** Take measures to protect journalists, lawyers, and activists from harassment and intimidation.
- **Improve Prison Conditions:** Ensure that prisons meet international standards, with access to healthcare, sufficient space, and humane treatment of all detainees.

39. To African Regional Bodies:

- **The African Commission on Human and Peoples' Rights:** Conduct a fact-finding mission into the current human rights situation in Senegal and provide technical support for necessary reforms.
- **The African Union:** Support Senegal in its efforts to improve its human rights record through capacity-building programs.
- **Regional Civil Society:** Provide funding and support for local civil society organizations working on victims' rights and advocating for reforms in the criminal justice system.

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