

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# SENEGAL: Time to walk the talk

### *Human Rights Council adopts Universal Periodic Review outcome on Senegal*

Amnesty International welcomes Senegal's cooperation with the UPR and its acceptance of 229 of the 257 recommendations made to it by other states. These include recommendations to strengthen human rights institutions,<sup>1</sup> to take measures to guarantee the independence of the judiciary,<sup>2</sup> to end impunity for human rights violations,<sup>3</sup> and to reduce prison overcrowding, including by reducing pre-trial detention time.<sup>4</sup>

In particular, Amnesty International welcomes Senegal's expressed commitment to take measures to protect the right to freedom of expression, including by decriminalising press offences.<sup>5</sup> This commitment is undermined, however, by the government's rejection of the recommendation "to remove undue restrictions on fundamental freedoms, including bans on peaceful demonstrations and the criminalization of inflammatory speech".<sup>6</sup>

As demonstrated during the recent election, Senegal has little tolerance for dissent, with at least 17 opposition supporters arrested in its aftermath. Most of them were acquitted after spending several days in detention. Others were fined or placed under court supervision. The rapper Abdou Karim Gueye was arrested on 25 February after publishing a live video on social media which encouraged people to join him in a peaceful protest. He was charged with "calling to hold an unauthorised protest without weapons" and "insults by means of press". On 4 March, he was sentenced to pay a fine of CFA50.000 and then released.<sup>7</sup>

The authorities also cracked down on pro-democracy organizations ahead of the election. In November 2018, at least four international non-governmental organizations were summoned by the police as part of an investigation into the funding sources of pro-democracy civil society organization *Y'en a marre* (*Enough is Enough*). One of the NGOs had its authorization to operate in Senegal repealed on the basis that it had "participated in irregular funding operations for an association which does not enjoy the status of public utility".<sup>8</sup> Its authorization was reinstated in March 2019.

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<sup>1</sup> A/HRC/40/5, recommendations 144.16 (Lebanon), 144.17 (Ukraine), 144.18 (Paraguay), 144.19 (Algeria), 144.20 (Romania), 144.31 (Pakistan), 144.32 (Ethiopia), 144.33 (Mali), 144.34 (Mauritania), 144.35 (Cameroon), 144.36 (Sierra Leone), 144.37 (Australia), 144.38 (Canada), 144.39 (Djibouti), 144.40 (France), 144.41 (Georgia), 144.42 (Indonesia), 144.43 (Togo), 144.44 (Tunisia).

<sup>2</sup> A/HRC/40/5, recommendations 144.75 (Jordan), 144.76 (Mexico), 144.77 (State of Palestine), 144.78 (Turkmenistan), 144.79 (Cameroon).

<sup>3</sup> A/HRC/40/5, recommendations 144.69 (Argentina), 144.86 (Greece), 144.95 (United States of America), 144.132 (Argentina), 144.148 (Luxembourg), 144.191 (Canada), 144.93 (United States of America).

<sup>4</sup> A/HRC/40/5, recommendations 144.71 (Cameroon), 144.74 (Lebanon).

<sup>5</sup> A/HRC/40/5, recommendations 144.81 (France), 144.82 (Chile), 144.83 (Peru), 144.84 (Sweden), 144.85 (Sweden), 144.86 (Greece), 144.87 (Greece).

<sup>6</sup> A/HRC/40/5, recommendation 145.17 (United States of America).

<sup>7</sup> Sénégal. L'activiste arbitrairement arrêté à la suite de l'élection présidentielle doit être libéré (Quote, 27 February 2019)

<sup>8</sup> Senegal: Election must be held in a climate free from violence and intimidation (Press release, 21 February 2019)

Amnesty International deeply regrets Senegal's rejection of all recommendations relating to sexual orientation and gender identity,<sup>9</sup> abortion,<sup>10</sup> marital rape,<sup>11</sup> and the discriminatory provisions of the Family Code, which confer marital authority to the husband.<sup>12</sup> Amnesty International notes with great concern that Senegal admitted that it enforces the criminalization of "unnatural acts" and claimed that the country is "not ready to legalize homosexuality".<sup>13</sup>

Amnesty International is concerned to note that Senegal has failed to implement many of the recommendations it accepted during its previous UPR cycles which risks undermining the effectiveness of the UPR. As a member of this Council and with the Ambassador of Senegal as its current President, Senegal must demonstrate its commitment to the UN human rights bodies and take action to promptly implement the UPR recommendations it has accepted.

## Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Senegal on 14 March 2019 during its 40<sup>th</sup> session. Prior to the adoption of the report of the review Amnesty International delivered this oral statement.

Amnesty International also contributed to the information basis of the review through its submission on Senegal: <https://www.amnesty.org/en/documents/afr49/8788/2018/en/>

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<sup>9</sup> A/HRC/40/5, recommendations 145.4 (France), 145.5 (Luxembourg), 145.6 (Iceland), 145.7 (Ireland), 145.8 (Israel), 145.9 (Uruguay), 145.10 (Chile), 145.11 (Netherlands), 145.12 (Australia), 145.13 (Spain), 145.14 (United States of America), 145.15 (Mexico), 145.16 (Canada).

<sup>10</sup> A/HRC/40/5, recommendations 145.18 (Iceland), 145.20 (Sweden), 145.27 (Netherlands).

<sup>11</sup> A/HRC/40/5, recommendations 145.19 (Slovenia), 145.20 (Sweden), 145.21 (Spain), 145.28 (Honduras).

<sup>12</sup> A/HRC/40/5, recommendations 145.21 (Spain), 145.22 (Switzerland), 145.24 (Belgium), 145.25 (Germany).

<sup>13</sup> A/HRC/40/5, 103.