

# Senegal - Human Rights Scorecard <sup>1</sup>

Senegal is known as one of the most stable democracies in Africa. It is located in sub-Saharan Africa and shares borders with countries where conflicts are ongoing, which makes its refugee flow considerable. Since 2000, it has undergone two peaceful transfers of power and respect for civil liberties is improving<sup>2</sup>. Even if the Casamance conflict – between the government and secessionist independence movement - is still ongoing in the south, a unilateral ceasefire was declared in 2014 and the country has been facing low-level violence since. Senegal still however faces numerous challenges such as corruption, homophobia, forced child begging, a large gender gap, and abuses against women.

**Official language:** French

**Ethnic groups:** 41,3% Wolof; 17,8% Fula; 15,7% Serer; 14% Mandinka; 3,7% Jola; 1,1% Soninke; 7,4% Other

**Government:** Unitary, semi presidential republic

- President: Macky Sall
- Prime Minister: Mohammed Dionne

**Death penalty:** Abolitionist

**Population:** 15.85 millions

**Life expectancy:** 67.15 years

**Under-5 mortality:** 47.10 per 1000

**Adult literacy:** 55.6 percent



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>3</sup>



#### 0.505 –Low Human Development <sup>4</sup>

According to the UNDP, Senegal has a gross national income per capita of \$2,384 and Senegalese could expect to have on average 9.7 years of schooling. However, other countries with comparable gross national income per capita tend to have a much higher HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>5</sup>

There has been reporting that government security forces arbitrarily killed protestors. The investigations into the officers involved in these killings are pending and have not been taken seriously by the government.

### Freedom from disappearance



#### Respected <sup>6</sup>

There are no reports of disappearances in Senegal.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>7</sup>

Even if the constitution prohibits it, various reports have been issued by local and international human rights organizations condemning the use of physical abuse and degrading treatments in detention facilities. Allegations of sexual exploitation have also been made.

### Freedom from arbitrary arrest or detention



#### Partially respected <sup>8</sup>

The constitution prohibits arbitrary arrests and detention. However, these prohibitions were not always respected, especially during the election period.

### Freedom from denial of fair public trial



**Largely disrespected**<sup>9</sup>

Public defenders as well as judges are often subject to corruption and external influence. They are subject to overwhelming case overload and have insufficient means to assure fair trials and adequate legal counselling.

### Freedom from arbitrary interference with privacy, family, home or correspondence



**Respected**<sup>10</sup>

The constitution prohibits such practices and there were no reports that the authorities failed to respect these prohibitions.

## Section 3: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>11</sup>



**Score: 25.61, Rank: 50 / 180 – Partially free, diverse and independent**<sup>12</sup>

Senegal has a diverse media landscape. However, journalists that criticize the government or cover corruption matters may be subject to harassment or intimidation. The press code adopted in 2017 allows confiscation of material if the media is considered as a threat to state security.

### Freedom from academic censorship



**Respected**<sup>13</sup>

There were no reports of academic censorship.

### Freedom of peaceful assembly and association



**Partially respected**<sup>14</sup>

Freedom of association has generally been respected. However, there are some reports that indicate restrictions of peaceful assembly. For example, opposing groups often struggle to have their requests for public demonstrations authorized.

### Freedom of religion



**Respected**<sup>15</sup>

The constitution guarantees the right to free practice of religious belief and this right is respected.

### Freedom of movement



**Partially respected**<sup>16</sup>

The constitution provides for the freedom of internal movement, foreign travel, emigration and repatriation. However, some public employees need to get an approval from the government before travelling to another country.

### Protection of refugees and stateless persons



**Partially respected**<sup>17</sup>

The law provides for the right to seek asylum and refugee status. The government provides assistance for refugees. However, refugees may have to wait up to two years to be granted their status and people who get denied their status can be arrested, detained and deported.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>18 19</sup>



**2 / 7 – Free**<sup>20</sup>

There is no state religion; freedom of religion and academic freedom is guaranteed and respected. Some progress could be made as the government continues to censor media coverage of certain political topics.

## Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>21</sup>



**2 / 7 – Free**<sup>22</sup>

The elections are free and fair and the government can be elected to a maximum of two terms. There is an election commission that monitors the election processes. However, members are nominated by the government, which call into question objectivity and independence.

## Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>23</sup>



**Score: 45%, Rank: 67/ 180 – Some corruption**<sup>24</sup>

Even if the law prohibits corruption, there is impunity and officials are believed to engage frequently in corruption practices. However, Senegal was considered among one of the most improved countries for corruption, since its score moved from 36 to 45 between 2012 and 2018.

## Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Partially respected**<sup>25</sup>

The government cooperates with human rights groups but doesn't usually take actions to address the concerns they raise. There is a National Committee on Human Rights, but the last time it issued an annual report was in 2001.

## Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>26</sup>



**No threat listed – Limited dangers to minorities**<sup>27</sup>

According to Minorities Rights Group International, Senegal does not have any minorities which face an immediate threat of violence.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>28</sup>



**Score: 68.2%, Rank: 94 / 149 – Very unequal rights**<sup>29</sup>

The gender gap in legislators, senior officials and managers is widening in Senegal. Moreover, even if rape, domestic violence and genital mutilation are prohibited, the law is not enforced and the problem of sexual harassment is widespread and typically not prosecuted.

### Rights of Children (*KidsRights Index Overall Score*)<sup>30</sup>



**Score: 65,5%, Rank: 115 / 182 – Somewhat protected**<sup>31 32</sup>

Some children are being enrolled in Islamic schools that force them to beg in the streets. The government has yet to effectively investigate this situation. Adolescent girls have also been subject to abuse in some schools.

### Rights of persons with disabilities



**Partially respected**<sup>33</sup>

The law prohibits discriminations against persons with disabilities and provides the right to accessibility. However, the government doesn't enforce the law and many children with disabilities don't have access to education.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



**Respected**<sup>34</sup>

Ethnic groups coexist peacefully in Senegal and there were no reports of anti-Semitism or other type of religious discrimination.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



**Largely disrespected**<sup>35 36</sup>

Same-sex sexual relations between adults are a criminal offence in Senegal. LGBTI people face persecutions and discrimination to access healthcare, jobs and justice.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



**Partially respected**<sup>37</sup>

The law allows most workers to form independent unions, but it is necessary to obtain authorization from the Ministry of Interior, which is not always granted. The right to strike is restricted.

### Freedom from forced or compulsory labour



**Partially respected**<sup>38</sup>

The law prohibits forced or compulsory labour. However, the law is not effectively enforced and forced child labour is widespread.

### Freedom from forced labour for children, and a minimum age of employment



**Partially respected**<sup>39</sup>

The minimum work wage is 15 but the law contains exceptions. Children are allowed to work in the agricultural sector from age 12. A campaign against forced child begging was created in 2016 but hasn't been effective.

### Right to acceptable conditions of work



**Partially respected**<sup>40</sup>

The minimum hourly wage has recently been raised and is now higher than the estimated poverty line. It also applies to foreign workers and migrants. However, workweeks usually run from 40 to 48 hours and there is only one mandatory rest-day.

### Right to employment



**4.85% -Reasonable unemployment**<sup>41</sup>

Senegal's unemployment rate has dropped since the past few years and is now considered reasonable.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For civil liberties, see: "Senegal." Freedom in the World 2018: Senegal. January 1, 2018. Accessed February 4, 2019. <https://freedomhouse.org/report/freedom-world/2018/senegal>.

<sup>3</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed Jan. 8, 2017 <http://hdr.undp.org/en/composite/HDI>

<sup>4</sup> "Table 1: Human Development Index and its components, Bahrain" UNDP, based on 2014 or the most recent year available. Accessed Feb. 4, 2019.

<http://hdr.undp.org/en/composite/HDI>.

<sup>5</sup> "Country Reports on Human Rights Practices for 2017 Senegal." U.S Department of State. January 1, 2018. Accessed February 4, 2019.

<https://www.state.gov/documents/organization/277283.pdf>.

<sup>6</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> Ibid. U.S Department of State.

<sup>10</sup> Ibid. U.S Department of State.

<sup>11</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>12</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2018. Accessed February 4, 2019. <https://rsf.org/en/ranking#>

<sup>13</sup> "Country Reports on Human Rights Practices for 2017 Senegal." U.S Department of State. January 1, 2018. Accessed February 4, 2019.

<https://www.state.gov/documents/organization/277283.pdf>.

<sup>14</sup> Ibid. U.S Department of State.

<sup>15</sup> "Senegal." International Religious Freedom Report for 2017. January 1, 2018. Accessed February 4, 2019.

<https://www.state.gov/documents/organization/281024.pdf>.

<sup>16</sup> "Country Reports on Human Rights Practices for 2017 Senegal." U.S Department of State. January 1, 2018. Accessed February 4, 2019.

<https://www.state.gov/documents/organization/277283.pdf>.

<sup>17</sup> Ibid. U.S Department of State.

<sup>18</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>19</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>20</sup> "Senegal." Freedom in the World 2018: Senegal. January 1, 2018. Accessed February 4, 2019. <https://freedomhouse.org/report/freedom-world/2018/senegal>

<sup>21</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>22</sup> "Senegal." Freedom in the World 2018: Senegal. January 1, 2018. Accessed February 4, 2019. <https://freedomhouse.org/report/freedom-world/2018/senegal>

<sup>23</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>24</sup> "Senegal." Corruption by Country. January 1, 2018. Accessed February 4, 2019, 2014. <https://www.transparency.org/country/SEN>

<sup>25</sup> "Country Reports on Human Rights Practices for 2017 Senegal." U.S Department of State. January 1, 2018. Accessed February 4, 2019.

<https://www.state.gov/documents/organization/277283.pdf>.

<sup>26</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 8, 2017 <http://peoplesunderthreat.org/>.

<sup>27</sup> "Senegal." Peoples under Threat, Minority Rights Group International. 2018, or most recent data. Accessed Feb. 4, 2019. <http://peoplesunderthreat.org/>.

<sup>28</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>29</sup> "Senegal." World Economic Forum. January 1, 2018. Accessed February 4, 2019. <http://reports.weforum.org/global-gender-gap-report-2018/economies/#economy=SEN>

<sup>30</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>31</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed February 4, 2019. <http://www.kidsrightsindex.org/>

<sup>32</sup> "Senegal". Amnesty International Annual Report 2017-2018. Accessed February 4, 2019. <https://www.amnesty.org/en/countries/africa/senegal/report-senegal/>

<sup>33</sup> "Country Reports on Human Rights Practices for 2013 Bahrain." U.S Department of State. January 1, 2013. Accessed November 23, 2014.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>34</sup> Ibid. U.S Department of State.

<sup>35</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2018. Accessed November 25, 2014. <http://ilga.org/>. See also Ibid. Amnesty International Annual Report.

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<sup>36</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>37</sup> "Country Reports on Human Rights Practices for 2017 Senegal." U.S Department of State. January 1, 2018. Accessed February 4, 2019. <https://www.state.gov/documents/organization/277283.pdf>.

<sup>38</sup> Ibid. U.S Department of State.

<sup>39</sup> Ibid. U.S Department of State.

<sup>40</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at [http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>41</sup> "Global Employment Trends." International Labour Organization. January 1, 2018. Accessed February 2, 2019. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).