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FREEDOM OF THE PRESS

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Senegal

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Political tensions rose in Senegal in the run-up to the February 2012 presidential election, in which incumbent Abdoulaye Wade ran for a constitutionally questionable third term. Wade's attempt to remain in power beyond a two-term limit gave rise to a rejuvenated opposition movement led by civil society groups, journalists, and popular musicians. The government responded with increased attempts to silence criticism, ranging from clampdowns on protests to arrests and harassment of activists and journalists. Despite this unrest, the February election was deemed free and fair, and Wade unexpectedly and quickly conceded defeat to opposition candidate Macky Sall, leading to some improvements in the media environment by year's end.

Article 8 of the 2001 constitution ostensibly protects freedoms of expression and the press, and Article 10 guarantees the "right to express opinions freely, in words, in writing, in images, [and] by peaceful marching." However, these freedoms have been limited in practice, particularly under the Wade administration, which used provisions of the 1977 penal code—including Article 80, which criminalizes vaguely defined threats to national security—to harass, prosecute, fine, and incarcerate critical journalists. Defamation, libel, and insult are criminal offenses, and such charges are occasionally brought against journalists to block or punish critical reporting or commentary. Fewer cases were brought against journalists in 2012 than in previous years. In January, editor Mamadou Biaye and reporter Mamadou Ticko Diatta of the private daily *Le Quotidien* were convicted of criminal libel and received suspended three-month prison terms for alleging that a deputy mayor in the south had ties to armed insurgents in the region. At the annual African Media Leaders Forum in November, President Sall expressed his support for an independent and pluralistic press, as well as his intention to decriminalize defamation. Nevertheless, El Malick Seck, editor of the weekly newsmagazine *L'Exclusif*, was convicted in December of criminal defamation for a story that was critical of Sidy Lamine Niassé, head of the Walfadjri media group. Seck was sentenced to a suspended six-month prison term and ordered to pay 100 million CFA francs (\$196,000) in damages, while publication of *L'Exclusif* was suspended. The threat of legal action has led to an increase in self-censorship among some journalists in recent years. Still, many media outlets continue to publish and broadcast strident antigovernment views and reports.

Following a seminar with civil society leaders and journalists in June 2011, legislators and the minister of communication made a commitment to adopt access to information legislation. However, no such law was passed by the end of 2012.

Journalists occasionally face harassment, detention, and assault, mainly by the authorities. These problems increased in late 2011 and early 2012 in the run-up to the February election. The Committee to Protect Journalists documented at least 12 incidents in which journalists reporting on the presidential campaign or its results were either threatened or harmed. In January, one reporter for Agence France-Presse and two from the Senegalese daily *Le Populaire* were beaten by police officers while reporting on protests in Dakar, despite identifying

2013 SCORES

PRESS STATUS

Partly Free

PRESS FREEDOM SCORE

52

LEGAL ENVIRONMENT

20

POLITICAL ENVIRONMENT

18

ECONOMIC ENVIRONMENT

14

themselves as journalists. Several other journalists were threatened or assaulted by security officers or ruling party members for their coverage of election-related events outside the capital. Following the election, attacks and harassment aimed at journalists began to wane in the more open media environment fostered by Sall.

Many private, independent print publications and three government-affiliated newspapers publish regularly in the capital, though their distribution in rural areas is irregular at best. Radio is the most important source of news due to high illiteracy rates, and a number of community, private, and public radio stations operate across the country, with more than 80 radio frequencies allocated to date. The five private television channels that now operate carry mostly entertainment programming. The only national television station, state-owned Radiodiffusion Télévision Sénégalaise (RTS), generally favors the government in its news coverage. Under Wade, the government had also been accused of selectively granting or withholding state subsidies to influence media outlets; it remains to be seen whether these practices will continue under Sall. Foreign satellite television and radio stations, including Radio France Internationale and the British Broadcasting Corporation, are available and unrestricted. The internet is also unrestricted, and access continues to grow, with 19 percent of the population using the medium in 2012.

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