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Senegal: The sentence of a political opponent must be quashed

Amnesty International is worried about the sentencing of a political opponent, Malick Noël Seck, to two years imprisonment by a court in Dakar and asks that the Court of Appeals overturn this verdict.

Malick Noël Seck, general secretary of a movement affiliated to the Socialist party, has been convicted, on 20 October 2011, for “death threats” and “contempt of court” after having delivered a letter to the Constitutional Council wherein he asked members of this legal body not to accept President Wade’s candidacy for a third term.

Amnesty International considers that neither the act of delivering this letter nor its content justifies being prosecuted for such offences. The letter given to the Constitutional Council does not contain death threats against the members of this body. Moreover, this letter does not constitute a “contempt of court” as, under Senegalese law, the members of this Council are not magistrates of the Senegalese legal or administrative system.

Amnesty International considers, as a result, that Malick Noël Seck was convicted for expressing political opinions, in accordance with his right to freedom of expression as enshrined in article 10 of the Senegalese Constitution.

Amnesty International asks therefore that this verdict regarding Malick Noël Seck be quashed and that he be provisionally released whilst awaiting the appeal of this judgement. The organisation also asks that the authorities put an end to any harassment of, or any threats made against, anyone expressing a dissenting political opinion four months before the coming presidential election.

BACKGROUND INFORMATION

The run up to Senegal’s February 2012 presidential election and particularly President Abdoulaye Wade’s candidacy for a third term has generated a lot of legal and political debate, including large demonstrations, particularly in Dakar.

Article 26 of the Senegalese constitution, modified in January 2001, stipulates that, “the President of the Republic’s term of office is five years and can be renewed once.”

The political opposition argues that this text specifically prohibits President Wade from running for a third term whilst the President’s supporters claim that this provision is only applicable after the end of his first term.

President Wade announced his intentions to present his candidacy to the Constitutional Council and to ask this legal body to rule upon the validity of his request. President Wade confirmed that he will respect the Constitutional Court's judgment.

The opposition fears that the Constitutional Council may be subject to pressure from the Executive Authority to ratify the current president's candidature.