

AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي African Commission on Human & Peoples' Rights		UNIÃO AFRICANA Commission Africaine des Droits de l'Homme & des Peuples
No. 31 Bijilo Annex Lay-out, Kombo North District, Western Region, P. O. Box 673, Banjul, The Gambia Tel: (220) 441 05 05 /441 05 06, Fax: (220) 441 05 04 E-mail: achpr@achpr.org ; Web www.achpr.org		

**Press Release by the Special Rapporteur on Freedom of Expression and
Access to Information in Africa on the continuous violation of Freedom of
Expression in the Republic of Senegal**

The Special Rapporteur on Freedom of Expression and Access to Information in Africa, is concerned about reports of the violation of the right to Freedom of Expression and Access to Information in the Republic of Senegal.

The Special Rapporteur has been reliably informed that on 18 September 2009, Mr. Papa Samba Sene and Mr. Abou Dia, journalists of privately-owned *L'As* newspaper and radio station, *Radio Futurs Médias (RFM)* respectively, were arrested, following a complaint brought against them by the Governor of Kaffrine Region, in Senegal. It is reported that they were arrested for publishing stories accusing the Kaffrine regional authorities of diverting seeds meant for distribution to local farmers. According to information, the journalists who were charged with defamation, disseminating false information and criminal conspiracy have been released on bail since 30 September 2009.

The Special Rapporteur has also been informed that on 25 September 2009, the *talibes* (disciples) of religious leader Serigne Modou Kara Mbacke allegedly attacked the *Wal Fadjri* Media Group and its journalists. According to reports, they allegedly broke into the premises of *Wal Fadjri*, a Media Broadcasting Company based in Dakar, using clubs and iron bars. Reports declare that the attack followed the publication of a story by *Wal Fadjri Daily* which stated that a religious leader was supporting the President of Senegal in return for donations. It is reported that the disciples allegedly wrecked part of the equipment in the marketing department.

In a letter of Appeal to the President of Senegal on 22 June 2009, the Special Rapporteur reiterated her appeal to States Parties, to bring their laws in line with Freedom of Expression

standards in general and in particular, the *Declaration of Principles on Freedom of Expression in Africa* (the Declaration), by amending any existing defamation laws to conform to Principle XII of the Declaration.

The Special Rapporteur welcomes the steps taken by the Government of Senegal to renew consultations with the press on the decriminalization of press offences in the country since September 2009, and urges the Government to expedite these steps and also punish perpetrators who attack the press. This will enable the Government of Senegal to fulfil its obligations under Article 1 of *the African Charter on Human and Peoples' Rights* (the African Charter), which requires States Parties to, "*recognise the rights, duties and freedoms enshrined in the Charter and to adopt legislative and other measures to give effect to them,*" and also to guarantee the right to freedom of expression and access to information as required by the Declaration.

Done in Dakar, 15 October 2009

Adv. Pansy Tlakula

A handwritten signature in black ink, appearing to read 'P. Tlakula', written in a cursive style.

**Commissioner, Special Rapporteur
On Freedom of Expression and Access to Information in Africa.**