

**BRIEFING PAPER: SENEGAL'S ELECTORAL AND POLITICAL ENVIRONMENT
AHEAD OF THE FEBRUARY 25, 2024 ELECTIONS**

1.0 Introduction

On Sunday, 25th February 2024, Senegalese will go to the polls to choose their new president. This will be a groundbreaking election, as it will be the first time in the history of the West African nation that an incumbent president opts not to seek re-election after serving two terms. President Macky Sall steps down after his constitutionally limited second term and following his declaration on July 3, 2023, that he will not seek a third term though he insists that Senegal's constitution would have allowed him.

While Senegal has often been lauded as the lone surviving democracy in the Sahel and a beacon of democratic values in Francophone West Africa, the upcoming elections serve as a litmus test for rule of law in a region marred by instability and coups.

This briefing paper provides an overview of Senegal's electoral and political environment, and key issues likely to shape the conduct and outcome of the February election. It takes into cognizance the political landscape; frontrunners; the electoral system; women's inclusion; the youth factor; the electoral management bodies' preparedness and a review of the frameworks for the elections; the socio-economic outlook that is at the heart of the elections; assessment of the civic space and the security situation and other key issues that will play a defining role in shaping the forthcoming elections.

2.0 The Political Landscape & Context

Senegal obtained full independence from France in 1960 and briefly joined the Mali Federation until its dissolution¹ in August of the same year. Leopold Sedar Senghor emerged as the first elected President shortly thereafter, securing victory in the parliamentary elections of that year.

Following a political rivalry between the heads of the two-tier executive, the parliamentary system was discarded in 1962 in favor of a presidential system with an executive president.² Senghor stood as a single candidate and remained president in the elections of 1963, 1968, and 1973 under a single-party regime until 1981 when he hand-picked Abdou Diouf as his successor.³ Similar to his predecessor, Diouf served as president for two decades until his defeat by opposition leader, Abdoulaye Wade in the 2000 presidential elections, making the first peaceful transition of power between parties. In 2012, Wade sought a third term justifying that he could reset his term following the introduction of the 2001 constitution but was defeated by Macky Sall.

A 2016 constitutional referendum barred presidents from serving more than two five-year terms⁴ but President Sall, elected four years earlier, had long maintained that he was eligible to stand for another

¹ See: <https://history.state.gov/countries/senegal>

² See: <https://2001-2009.state.gov/r/pa/ei/bgn/2862.htm>

³ See: <https://www.eisa.org/wp-content/uploads/2023/05/2013-journal-of-african-elections-v12n1-party-voter-linkage-senegal-rise-fall-abdoulaye-wade-parti-democratique-senegalais-eisa.pdf>

⁴ See: <https://epthinktank.eu/2016/03/17/constitutional-referendum-in-senegal-shorter-presidential-term-a-half-kept-promise/>

mandate. Like his predecessor, the new law, he argued, effectively reset the clock on his behalf – a tactic mostly employed by many African leaders to elongate constitutionally mandated terms.

An instrumental factor in Senegal's political landscape has been its active and organized civil society, characterized by vibrant youth and social group activism, which has held public officials accountable for upholding term limits and democratic progress. It must also be said that Senegal has distinguished itself from its neighbors in West Africa by sustaining an apolitical military with a strong culture of military professionalism and service to its citizens. According to Afrobarometer data, about 85% Senegalese population say they trust the military - a major factor that has led to the country's stability. Indeed it is one of the few countries in Africa to have never experienced a military coup.

In spite of these commendable democratic credentials, the final years of President Sall's tenure have been marked by heightened tension and threats to the country's democratic gains.

3.0 Front Runners

The sponsorship phase under the Senegalese electoral code requires potential candidates for the election to collect signatures demonstrating support from at least 0.6% of the electorate, 13 members of the National Assembly, or 120 mayors and heads of regional councils, to undergo validation by the Constitutional Council as per Article L.125 of the Electoral Code.⁵

The Constitutional Council on January 20, 2024, released the final list of 20 candidates out of 93 candidates who had put their names forward for February's presidential election. The list excludes opposition leaders Ousmane Sonko and Karim Wade, the son of former president Abdoulaye Wade.

The Council's list of approved candidates includes Sall's hand-picked successor, Prime Minister Amadou Ba of the Benno Bokk Yaakaar (BBY Coalition), his two predecessors and rivals, Idrissa Seck, who came second in the 2019 presidential election and former chief of staff, Mahammed Abdallah Dionne, Aly Ndiaye, former minister of agriculture and majority dissident, Malick Gakou, former Macky Sall's sports minister, and Khalifa Sall, former Dakar mayor.

The final list also includes Bassirou Diomaye Faye, whom members of Sonko's now-partly-dissolved Pastef party in November nominated as a backup candidate in the event of Sonko's disqualification. Like Sonko, Faye is in detention but he remains eligible to run as there has been no ruling yet on the case against him. He faces charges including defamation and contempt of court.

The final list includes two women, Rose Wardini, gynecologist and civil society activist, and entrepreneur Anta Babacar Ngoum.

3.1 Rejected Candidates

More than 70 candidates faced rejection either due to missing documents in their submissions or an insufficient number of sponsors.⁶ Some candidates also listed sponsors who were already supporting other candidates, a violation of the rules. Notably, former Prime Minister Cheikh Hadjibou Soumaré and Adama

⁵ See: <https://wademosnetwork.org/2024/01/download-senegal-presidential-election-electoral-code/>

⁶ See: <https://www.aa.com.tr/en/africa/senegals-presidential-race-includes-20-candidates-with-2-main-opposition-leaders-left-out/3114902>

Faye, who is the brother-in-law of President Macky Sall, are among those rejected. Former Prime Minister Aminata Touré, one of the few women in the race, was not selected as she failed to secure the required number of sponsors.⁷

The Council said opposition firebrand Ousmane Sonko's bid was rejected due to a six-month suspension sentence linked to a defamation case, rendering him ineligible for five years. Fears that his exclusion could lead to more protests have waned since Sall's announcement he will not use a 2016 constitutional referendum to reset his mandate.

Another opposition leader and son of former president, Karim Wade has also been excluded from the list on grounds that his "candidacy is inadmissible" due to dual French and Senegalese citizenship, the Council said. Wade has announced on X (formerly Twitter) to challenge the decision to exclude him from international courts, including the ECOWAS court.

4.0 Electoral System

Senegalese presidential elections operate under a two-round majoritarian system, requiring a candidate to secure more than 50% of the vote. In the event that no candidate reaches this threshold, a runoff election will be organized. The president is elected through universal adult suffrage, and the term of office, initially seven years until the 2016 constitutional reform, is now set at five years, renewable once.

Voters (18+ years) registered on the electoral roll and in possession of an ECOWAS biometric identity card can cast their ballot at the designated voting center.

Voting takes place from 8 am and ends at 6 pm.

4.1 The State of Parliament

Senegal's parliament has also become unicameral, following the elimination of the Senate, for the second time, in 2012 (*it was restored in 2007 before the most recent elimination in 2012*).

The current parliament (National Assembly) is made up of 165 members elected through a mixed system – consisting of a simple majority winner-takes-all system and a proportional representation system for a five-year term. Candidates for legislative elections must be at least 25 years old. In the last legislative elections in 2022, Senegal's ruling Benno Bokk Yakaar (BBY) coalition led by President Sall lost its absolute majority in parliament for the first time since the country's independence in 1960. From 125 in the previous election, they dropped to 83 seats, while the largest opposition coalition made up of Yewwi Askan Wi and Wallu Senegal, won 82 seats.

⁷ See: <https://www.france24.com/en/africa/20240121-senegal-s-presidential-candidate-list-excludes-opposition-leader-sonko>

5.0 Women Inclusion

Senegal is among the countries with high women's political participation in Africa and the world. Article 7 of the 2001 Constitution⁸ guarantees equality between men and women. The 2010 Gender Parity Law⁹ requires all political parties to introduce absolute gender parity in electoral lists for all elected representatives, national or local. According to the law, Party Lists that do not comply with the law will be void.

Following the 2022 parliamentary elections, women's representation increased. 76 women were elected out of the 165 MPs, accounting for 46% of the seats in the National Assembly¹⁰. Again, women head two of 14 parliamentary committees. This marks a 5-percentage point rise from the 2017 elections, where women held 41% of the total seats.

In the 2024 presidential elections, two women candidates out of the 20 will contest for the high office.

However, like many other African countries with gender laws, the unpopularity and lack of adherence to the Senegalese Gender Parity Law; lack of understanding of the law, and lack of clarity to fully engage men are challenges impeding the full implementation of the law.

Other identified hurdles also hinder the full participation of women in Senegalese elections, with one notable obstacle being the challenge of obtaining financial support for their campaigns. While Article 374 of the Family Code¹¹ grants women the right to have bank accounts and loans, the reality in Senegal is that women often face difficulties in securing loans due to a lack of land ownership, making it challenging to provide the necessary collateral. Again, women encounter restricted access to the political party hierarchy, leaving them unpopular within the party and limiting their ability to influence key decisions, gain crucial endorsements, and secure essential resources for their political campaigns.

It must also be said that the rise in women's representation, although has resulted in the push for the passage of some laws related to women's rights, has not substantially addressed the major concerns of the ordinary woman in Senegal. Women still grapple with issues of gender-based violence, discrimination, access to loans and mortgages, and land ownership amongst others.

6.0 The Youth Factor

Senegal has a total population of more than 18 million¹² with more than 60% composed mainly of young people under 35 years. Over 7 million people have registered to vote in this year's elections. The Autonomous National Elections Commission (CENA) is yet to provide segregated data on the voter register. In a country where the median is 18 years¹³, with a massive youth unemployment rate of 5% - one of the highest in West Africa, youth voters could very well be a decisive factor in the forthcoming elections.

⁸ See: https://www.equalrightstrust.org/sites/default/files/ertdocs//Microsoft%20Word%20-%20SenegalC%20_english%20summary_rev_.pdf

⁹ See: <https://www.loc.gov/item/global-legal-monitor/2010-06-07/senegal-adoption-of-gender-parity-law/>

¹⁰ See: <https://www.ipu.org/parliament/sn>

¹¹ See: https://www.girlsnotbrides.org/documents/1635/Senegal_Mini_PEA_-_English_Final_Doc.pdf

¹² See: <https://www.worldometers.info/world-population/senegal-population/>

¹³ See: https://www.worldometers.info/world-population/senegal-population/#google_vignette

7.0 Administration of Elections

Government institutions directly involved in the organization of electoral activities include the Ministry of the Interior, and the Autonomous National Electoral Committee (CENA). Other institutions such as the Constitutional Court, and the Court of Appeals of Dakar (in charge of election dispute adjudication), all play key roles in the electoral processes.

7.1 Autonomous National Elections Commission's Preparedness – CENA's Preparedness

The 2024 election will be conducted under the supervision of 12 independent commissioners including a Chairman, a Vice Chair, and a Secretary General. The President appoints them through a decree to serve for a period of 6 years.

Ninety-three (93) political parties or coalitions are registered with the Constitutional Council, however, only twenty (20) have been validated for this year's election.

As part of the electoral administration processes, there are a total of 6,919 polling centers and 15,397 polling stations created for the 14 electoral districts nationwide. CENA has to release the voter register to candidates 15 days before voting day according to Article L.11 of the Senegalese electoral code.¹⁴ Voting is expected to start at 8 am and end at 6 pm.

7.2 Review of the Electoral Framework/Code

The reliability of and access to the electoral register is a nebulous issue on the eve of every election in Senegal. It has been at the heart of the opposition's demands since 2012. In Senegal, CENA, the body responsible for overseeing the electoral process, must ensure that the electoral register is handed over 15 days before the vote to all candidates and candidate lists, in compliance with article L48 of the Electoral Code.

Again, as part of the electoral processes, candidates are required to collect signatures demonstrating support from at least 0.6% of the electorate amongst others.

7.2.1 Observations from the Electoral Code:

i. Political candidates and their teams, as well as election observers, may have limited time to thoroughly scrutinize and verify the electoral register. A shorter period for review may raise concerns about the accuracy and completeness of the voter list.

¹⁴ See: <https://wademosnetwork.org/2024/01/download-senegal-presidential-election-electoral-code/>

- ii. Should there be discrepancies or inaccuracies in the electoral register, disputes and complaints from political candidates or parties may arise. The compressed timeline may hinder the resolution of such issues before the election day, potentially undermining the credibility of the electoral process.
- iii. It may also lead to some transparency and trust issues. Releasing the electoral register close to the election may raise questions about transparency and fairness. Adequate time for all stakeholders to review and understand the voter list is important for building trust in the electoral process.
- iv. Lastly, the failure of CENA to provide the electoral register 15 days before the vote may lead to legal challenges, may lead to possible postponement, and further undermine the legitimacy of the election.
- v. The 0.6% threshold may disproportionately impact candidates from smaller parties or independent candidates who may find it more challenging to garner the required number of signatures, as it happened in the case of Aminata Toure, the former prime minister and minister for justice.
- vi. The requirement could lead to the exclusion of legitimate candidates who may have significant public support but struggle to meet the signature threshold. This might undermine the principle of inclusivity in the democratic process.
- vii. Lastly, the signature collection requirement may be susceptible to manipulation or fraudulent activities. Many disqualified candidates faced challenges in ensuring the authenticity of the signatures; some candidates also listed sponsors who were already supporting other candidates.

8.0 Socio-Economic Context

Despite a legacy of competitive elections and peaceful transfers of power, the country enters this election under the strain of heightened economic and political tensions.

Youth unemployment currently stands at 5% - one of the highest within the subregion as indicated above. There is a sense of great distress, and to the youth, the February 25 election represents both a crucial turning point and an opportunity for profound change. The stakes are high, and the anticipation is palpable as they see this electoral process as a pivotal moment to shape the future trajectory of their nation and address the pressing issues that resonate with their aspirations. Per capita income as of 2021 stood at \$500, a 2% increase from 2020 with almost two-thirds (60%) of the population falling below the poverty line.

Global events, including the COVID-19 pandemic and Russia's invasion of Ukraine, have led to significant terms-of-trade shocks in Senegal. These external factors have had a profound impact on the country's economic landscape, resulting in substantial challenges such as persistently high budget deficits and debt levels. World Bank¹⁵ estimates indicate a notable slowdown in real GDP growth, dropping to 4.2% in 2022 from the pre-shock forecast of 5.5%. The economy has faced additional pressures, including rising food and energy prices, trade disruptions, and increased uncertainty, leading to a decline in private investment. An inflationary surge since early 2022, reaching 14.1% year-on-year in November 2022, followed by a

¹⁵ See: <https://www.worldbank.org/en/country/senegal/overview>

slowdown to 9.4% in February 2023, has been driven by a substantial increase in food prices, averaging 15% for 2022 compared to 2.9% in 2021.

The economic conditions will undoubtedly play a crucial role in influencing voters' decisions as they assess the candidates' competence in tackling these challenges. Whoever emerges as the winner of the upcoming elections will be faced with the arduous task of implementing policies and strategies to stabilize the economy, alleviate inflationary pressures, and steer the nation toward sustainable growth and recovery.

9.0 The Civic Space and Security Outlook

On the security front, data from ACLED¹⁶ suggests that Senegal has experienced a total of 138 events including riots, battles, and confrontations with security forces with 49 reported fatalities including deaths over the past year.¹⁷ Many of the events occurred following the conviction and arrest of opposition figure Ousmane Sonko. Concerns about potential protests stemming from his exclusion have diminished following Sall's declaration that he will not seek a third term. His party, Pastef, has replaced him with another candidate for the February polls as explained above.

Civics Monitor rates Senegal's civic space as "repressed"¹⁸ amid a sustained crackdown on journalists, human rights defenders, and political opponents.

10.0 The Media

The State has established the Conseil National de Régulation Audiovisuelle (CNRA)¹⁹ as a supervisory body to guarantee equal access to airtime for all candidates. The airtime allocation, broadcast schedules, and the conditions governing these broadcasts are determined by decree, following consultations with the CNRA.

Within the realm of public broadcasting, particularly Radio Télévision Sénégalaise (RTS), candidates are treated impartially, ensuring each has equal access to airtime. For the private press, the Electoral Code mandates adherence to rules promoting fairness and balance among candidates.

Conclusion

The forthcoming election is wide open as many political analysts have indicated that it seems unlikely for any of the 20 candidates to secure the threshold of 50%+ of the vote which is needed to avoid a second round. Many have flagged divisions in President Sall's party as four other candidates have resigned to stand independently. There are also concerns that, unlike his rivals, Ba (*Sall's handpicked successor*) has never contested a presidential election, and that he doesn't have the political market compared to other rivals.

¹⁶ See: <https://acleddata.com/dashboard/#/dashboard>

¹⁷ See: <https://acleddata.com/dashboard/#/dashboard>

¹⁸ See: <https://monitor.civics.org/presscentre/senegal/>

¹⁹ See: <https://www.refram.org/Les-membres/CNRA-Senegal>