

SENEGAL

@The murder of Maître Babacar Sèye - a political killing?

The assassination of Maître Babacar Sèye, Vice President of the Constitutional Council, on 15 May 1993 - the day after the National Assembly elections results were announced - has provoked much speculation in Senegal. Several people have been arrested in connection with his murder, which appears to have had a political motive. At least five members of the *Parti démocratique sénégalais* (PDS), Senegalese Democratic Party, Senegal's main opposition party, including its Secretary General Maître Abdoulaye Wade, have been formally charged in connection with the murder. Maître Wade, Viviane Wade (his wife) and Abdoulaye Faye have been accused of *complicité d'assassinat et atteinte à la sûreté de l'Etat*, complicity in the murder and endangering the security of the state, although they remain at liberty.

Amnesty International has repeatedly raised concerns about serious allegations that Mody Sy, an elected PDS member of parliament, was tortured - including with electric shocks - in the Gendarmerie du Thiong in Dakar soon after his arrest on 20 May 1993. He remains held at Dakar's central prison on charges related to the murder; requests for him to be released on bail have been rejected. He has been formally examined by a doctor but the findings have not been made public. A first examination was carried out by the Gendarmerie, and is believed to have recommended medical treatment without specifying that he had been tortured. The second was in response to a request by his lawyers. It was carried out by a military doctor on 11 June, but his lawyers have still not been allowed to obtain a copy of the report. It is, however, believed to have recommended further medical treatment, with hospitalisation if there was no improvement in his condition.

In July, a young woman, Ramata Guèye, who was in Gendarmerie custody for two days was reportedly tortured while being questioned by the Gendarmerie in both Pout and Thiès. She had apparently been arrested to obtain information about where a friend of hers, detainee Pape Ibrahima Diakhite, had hidden the weapon which he was alleged to have been used in the murder of Maître Babacar Sèye. At a press conference on 19 July, lawyers defending Mody Sy and others held in connection with this murder case displayed photographs of Ramata Guèye's injuries and a copy of a medical certificate which specified that following her release she was found to have serious bruising, a sprained thumb and that some of her hair had been pulled out. Neither of these two cases of torture has been the subject of an official investigation.

Also arrested in connection with Maître Babacar Sèye's murder are Samuel Sarr, Maître Wade's personal advisor, and Assane Diop, a former member of the military, who was arrested in the Gambia and extradited to Senegal.

The speculation surrounding the case has centred on conflicting statements made by one of the suspects, Clédor Sène, who following his arrest by the police apparently made a confession saying he had been the driver of the car used in the murder of Maître Babacar Sèye. He first claimed that he had been paid by the PDS leadership to carry out the crime. The PDS had been a vociferous critic of the Constitutional Council and of fraud during the elections. However, within two hours of the murder, and even before Clédor Sène's statements had been made, leading members of the PDS had already been detained for questioning and later released. When Clédor Sène appeared before an examining magistrate in early June, he withdrew the statement he had made to the police implicating the PDS, and said instead that he had been approached by an intermediary of the Prime Minister, Habib Thiam, a member of the ruling *Parti socialiste (PS)*, Socialist Party, to carry out the murder and to announce it as a PDS attack.

Amnesty International is in no position to assess the various claims and counter-claims for responsibility for Maître Babacar Sèye's murder. The organization is however concerned that the authorities seem to have been selective in pursuing lines of inquiry involving the opposition rather than those close to the government. Amnesty International is urging the authorities to investigate thoroughly all aspects of this case with a view to bringing to justice those suspected of involvement in the murder and also those suspected of responsibility for acts of torture. It is also essential, in line with Senegal's commitments under the UN Convention against Torture, that no statements made as a result of torture are invoked as evidence in any proceedings and that an impartial investigation is carried out "whenever there is reasonable ground to believe that an act of torture has been committed."

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