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President Macky Sall (2012 – present) reverses his promise to reduce his presidential mandate from seven to five years, after the Conseil constitutionnel (constitutional council) deems it “neither consistent with the spirit of the constitution, nor its practice”. United States-based Kosmos Energy announces the discovery of 450 billion cubic metres of a “world class gas resource” at Guembuel-1 well. Transparency International’s Corruption Perceptions Index ranks Senegal 61st worldwide, ninth in Africa. Senegalese authorities detain and interrogate over 900 individuals in Dakar and Thiès, in response to heightened terrorist threats in the region.

Macky Sall reverses on mandate promise of five-year term

The **Conseil constitutionnel** (constitutional council) has barred President **Macky Sall’s** (2012-present) request to decrease his presidential term in office from seven to five years.¹ The constitutional council approved the decrease in principle, but rejected Sall’s petition that it apply to his current mandate. Sall has repeatedly promised constitutional reform since the beginning of his electoral campaign in February 2012, before his election as president in April of the same year (see *ARC Briefing Senegal October 2014* and *January 2016*). Sall aimed to “set an example” for the African continent, to demonstrate that “power is not an end in itself”.² This became a key issue for his government as media pressure increased on him to uphold his commitment. The new term limits would have meant presidential elections in 2017 – the same year as legislative elections.³ However, Sall announced on 16 February that the constitutional council had rejected the proposal. According to Sall,

*“With regard to the application of the reduction of the current presidential mandate, the constitutional council considers that this disposition should be eliminated, as it is neither consistent with the spirit of the constitution, nor its practice... I have accepted to abide by the constitutional council’s decision. Consequently, the current presidential mandate will end in 2019.”*⁴

Sall cited article 92 of the 2001 Senegalese constitution as justification.

*“The decisions of the constitutional council are not susceptible to a right of appeal. This applies to all public powers... I would not derogate from this rule.”*⁵

Nonetheless, the constitutional council did approve the principle of reducing the presidential term more generally, for which Sall has committed to hold a referendum on 20 March.⁶ The referendum will also allow the Senegalese public to vote for the 14 other points of Sall’s proposed constitutional reform (see *ARC Briefing Senegal January 2016*).

Opposition members were disappointed at the constitutional council’s decision, which they believe to be a step backwards and reminiscent of former president **Abdoulaye Wade’s** (2000-2012) reinstatement in 2008 of the seven-year mandate, after establishing the five-year term in 2001.⁷ Sall

¹ RFI, 16 Feb 2016.

² Jeune Afrique, 20 Jan 2016.

³ Leral, 1 Jul 2015.

⁴ Macky Sall quoted in RFI, 16 Feb 2016.

⁵ Macky Sall quoted in RFI, 16 Feb 2016.

⁶ RFI, 16 Feb 2016.

⁷ RFI, 16 Feb 2016.

had on several occasions explicitly promised not to reverse his commitment to reduce the length of his mandate.

*"I am a man who does not commit to something lightly. Once I make a commitment, I aim to respect it. Nothing has changed since I made this declaration [to reduce the presidential mandate for the current term]."*⁸

Wade's **Parti Démocratique Sénégalais (PDS)** has criticised Sall's **Alliance pour la République (APR)** for excluding it from the supposedly non-partisan reform initiative.⁹ However, not a single minister within Sall's government voiced concerns about his promise to reduce the presidential mandate.¹⁰ However, not all APR members were in favour of the initiative to reduce the presidential mandate. **Assemblée Nationale** (national assembly) vice president **Moustapha Cissé Lo** has been a vocal critic of the initiative since January.¹¹ Lo has been an outspoken critic of Sall for some time: several incidences of Lo insulting Sall were caught on camera in 2012.¹²

Whilst some legal experts, including constitutional law professor **Ismaila Madior Fall**, have affirmed the validity and legality of the decision, several jurists do not believe that Sall is obliged to respect the constitutional council's advice, stating that this was "*a simple consultative opinion*".¹³

*"Whatever happens, Senegal will vote in 2017, though only for members of parliament in the assemblée nationale. It will still be a good occasion to see if the reversal on the length of the current mandate will have cost President Sall dearly or not."*¹⁴

Kosmos Energy announces large gas discovery

New York Stock Exchange (NYSE)-listed **Kosmos Energy** has announced that it has discovered offshore gas reserves in the **Guembuel-1** exploration well in excess of 450 billion cubic metres.¹⁵ Kosmos Energy described it as "*a significant discovery*" and "*a world class gas resource*".¹⁶ Kosmos holds 60% of the exploration rights to Guembuel-1, while **Timis Corporation** holds 30% and state-owned **Société des Pétroles du Sénégal (Petrosen)** 10%.¹⁷

*"After Cairn Energy, along the Sangomar stretch, this second discovery is the largest deposit in West Africa."*¹⁸

Kosmos first arrived on the **African** continent in 2007 with licences for the **Jubilee** offshore oil field in **Ghana**; the **C8, C12** and **C13** blocks in **Mauritania** in 2013; and, in 2014, the **St Louis Offshore Profond** and **Cayar Offshore Profond** blocks in Senegal.¹⁹ Elsewhere in Africa, Kosmos is also present in **Morocco, Western Sahara** and **São Tomé and Príncipe**.²⁰

For the Guembuel-1 discovery, Kosmos drilled to a depth of 5,245 metres, where it found 101 metres of net gas pay in two high quality reservoirs, as Kosmos came across no water.²¹ The well – part of the **Ahmeyim** (formerly **Tortue West**) exploration permit in the St. Louis Deep Offshore block – straddles the Senegal-Mauritania border.²² As a result, Kosmos signed a memorandum of

⁸ Macky Sall speaking at the US-Africa Leaders Summit in Washington, United States, 2014

⁹ RFI, 16 Feb 2016.

¹⁰ Source, journalist, Dakar

¹¹ Source, journalist, Dakar

¹² Leral.net, 12 March 2012.

¹³ France 24, 17 Feb 2016.

¹⁴ Source, journalist, Dakar

¹⁵ AFP, 28 Jan 2016.

¹⁶ AFP, 28 Jan 2016.

¹⁷ Jeune Afrique, 27 Jan 2016.

¹⁸ Macky Sall, RTS, 28 Jan 2016.

¹⁹ www.kosmosenergy.com

²⁰ www.kosmosenergy.com

²¹ Business Wire, 27 Jan 2016.

²² Jeune Afrique, 27 Jan 2016.

understanding in early January with Petrosen and the Mauritania state-owned **Société Mauritanienne des Hydrocarbures et du Patrimoine Minier (SMHPM)** setting out principles of intergovernmental cooperation on the Ahmeyim permit.²³

In April 2015, Kosmos announced a similar discovery within the Ahmeyim exploration permit, in the C8 block in Mauritania.²⁴ Kosmos' share value on the NYSE increased \$0.60 in three days following the announcement to over \$4.50, though this meant little in comparison to the drop from just over \$10 in April 2015.²⁵

Energy minister **Thierno Alassane Sall** stated that this discovery would allow Senegal to become "*self-sufficient in energy and also export gas to the rest of the world*".²⁶

*"Now all opinions are converging to say when the gas will begin to be exploited. Guillaume Defaux [local head of Kosmos] told me that it is not realistic to think... that full operations will start soon."*²⁷

Exxon Mobil's latest energy outlook predicts that global energy demand will increase 25% by 2040, and natural gas will grow more than any other energy source, 40% by 2020, a further indication of investor confidence in gas exploration, despite the world commodities slump.²⁸

Senegal improves marginally on Corruption Perceptions Index

Senegal saw a small increase in its score on **Transparency International's 2015 Corruption Perceptions Index (CPI)**. A country or territory's score indicates the perceived level of public sector corruption on a scale of 0 (highly corrupt) to 100 (very clean).²⁹ This year's index ranks Senegal 61st (with a score of 44) out of 168.³⁰ This makes Senegal the 9th least corrupt African country (6th on mainland Africa), following **Botswana** (28), **Cape Verde** (40), **Seychelles** (40), **Rwanda** (44), **Mauritius** (45), **Namibia** (45), **Ghana** (56) and **Lesotho** (61).³¹ This rating is one point higher than Senegal's 2014 score, with a notable improvement from its score of 36 in 2012.³² The rating methodology – an average of standardised ratings from 12 "*valid sources*" whose data fulfils Transparency International's criteria³³ – has since 2012 been exclusive to one year of data.³⁴

	2015	2014	2013	2012
CPI Country Score				
Senegal	44	43	41	36
Côte d'Ivoire	32	32	27	29
Gabon	34	37	34	35
Guinea	25	25	24	24
Nigeria	26	27	25	27
Ghana	47	48	46	45

²³ Jeune Afrique, 27 Jan 2016.

²⁴ Business Wire, 27 April 2015.

²⁵ Financial Times, 18 Feb 2016.

²⁶ AFP, 28 Jan 2016.

²⁷ Source, journalist, Dakar

²⁸ Exxon Mobil, *The Outlook for Energy: A View to 2040*, 2016.

²⁹ Transparency International, Corruption Perceptions Index 2015

³⁰ Transparency International, Corruption Perceptions Index 2015

³¹ Transparency International, Corruption Perceptions Index 2015

³² Transparency International, Corruption Perceptions Index 2015

³³ 1) Reliable data collection and methodology from a credible institution, 2) data addresses corruption in the public sector, 3) quantitative granularity (minimum four-point scale), 4) cross country comparability and 5) multiyear data-set.

³⁴ Transparency International, Corruption Perceptions Index 2015

Interior ministry interrogates 900 people

The Senegalese government confirmed that it had, in the space of 48 hours, interrogated over 900 people with suspected terrorist links in capital **Dakar** and second largest city **Thiès**.³⁵ The extraordinary checks are related to increased regional terrorist activity in **Mali** and **Burkina Faso**.³⁶ An interior ministry statement claimed that the interrogations were “*in the special context of a prevention and riposte to the terrorist threat*”.³⁷

Senegal has never had a major terrorist attack.³⁸ However, Mauritanian jihadist **Saleck Ould Cheikh** escaped from prison in Mauritania on 31 December and successfully crossed two Senegalese borders until his eventual arrest in **Guinea** (see *ARC Briefing Guinea January 2016*).

*“With regards to Saleck Ould Cheikh, the fact that a wanted terrorist, searched for in **Saint-Louis** [Senegalese border town with Mauritania], was found in Guinea is of course, a worrying failure of security in this country. The authorities refused to comment on this when journalists raised the issue.”*³⁹

The attack on the **Radisson Blu** hotel in **Bamako** (Mali) on 20 November and the **Splendid** hotel in **Ouagadougou** (Burkina Faso) on 15 January resulted in 50 deaths. These incidents were the furthest south of any **Al-Qaeda in the Islamic Maghreb (AQIM)** attacks in West Africa in the last three years.⁴⁰ They accounted for the second and fourth most casualties in AQIM attacks, and the first and second major AQIM attacks on capital cities.⁴¹ Mali announced a three-month state of emergency following the attacks,⁴² while Burkina Faso lifted a curfew on 26 January that had been in place since a failed coup in September.⁴³ As a result, many coastal countries in West Africa have implemented heightened security measures to combat the seemingly increased threat of terrorism domestically – including Ghana, **Cote d’Ivoire**, Senegal and Guinea (see *ARC Briefings Ghana/Cote d’Ivoire/Guinea/Senegal January 2016*). However, there are suggestions that the government interrogations were not according to normal procedure.

*“Many people were arrested just on the base of suspicion. We have the feeling that the government wants to dissuade at all cost people who may be tempted to engage in terrorist acts. The detentions were not made transparently, and some weren’t even detained in the company of ordinary prisoners. In short, the government gave the number of 900, but we have no way to verify the real extent of the interrogations.”*⁴⁴

Implications

The reversal of Sall’s commitment to reduce the term of his current mandate could significantly damage Senegalese popular confidence in him. There is uncertainty about whether he ever intended to keep his populist election promise. If the legal experts are correct, there is a certain degree of interpretation in the constitution, and Sall may not need to obey the constitutional council. If this is the case, it could suggest a possible fracture within the APR.

The size and quality of Kosmos’ discovery is encouraging for Senegal, which is still heavily dependent on oil and gas imports. However, the timeframe of development – as yet unannounced – may curb the sense of excitement surrounding the deal, as deep offshore operations in West Africa are notoriously

³⁵ Reuters, 26 Jan 2016.

³⁶ Reuters, 26 Jan 2016.

³⁷ RFI, 25 Jan 2016.

³⁸ Reuters, 26 Jan 2016.

³⁹ Source, journalist, Dakar

⁴⁰ Multiple Sources: RFI, 21 Nov 2015; AFP, 17 Jan 2016.

⁴¹ Multiple Sources: RFI, 21 Nov 2015; AFP, 17 Jan 2016.

⁴² RFI, 21 Nov 2015.

⁴³ Le Faso, 25 January 2016.

⁴⁴ Source, journalist, Dakar

difficult and expensive to exploit. Nonetheless, long term projections for gas demand is a reason for optimism.

Senegal's marked improvement in perceived corruption appears to show the positive impact of Sall's government's efforts. This also contributes to a change in perceptions of **sub-Saharan Africa** as an investment destination, as the aforementioned top African countries can rank significantly higher than many **Latin American, Middle Eastern, Asian,** and even **European** countries.

The amplified security threat in the West African region is undeniable, as recent attacks have demonstrated. Areas previously unaffected have increasingly become targeted. To what extent Senegal in particular is a possible target, however, is unclear. Sall will need to follow the example of many countries in the region and boost preventative efforts by increasing security measures nationally and in particular on Senegal's borders, to reduce the chances of being targeted.

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