

TOGO

CAT Article 20 Examinations Re: Systematic Torture

CAT, CAT/C/37/2 (2006)

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment

1. At the 36th in May 2006 the Committee against Torture requested that the Secretariat provide it with a note on the experience to date of article 20 inquires as well as elements for possible inquiry in several countries: Colombia, Guatemala, Nepal, Togo and Uzbekistan. The present conference room paper seeks to respond to that request.

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31. The information below recapitulates references to torture as a common or systematic practice in Togo in documents which the Committee against torture examined at its 36th session (1-19 May 2006), during the consideration of the initial report of Togo, under Article 19 of the Convention.

32. The Committee, in its Concluding Observations⁹, "was concerned at allegations received, in particular after the elections in April 2005, whereby torture, disappearances, arbitrary detention, detention in secret places, as well as frequent rapes of women by military personnel, often in the presence of family members, are common practice (in the State party)." (unofficial translation from the original French version).

33. The Human Rights Committee, in its Concluding Observations¹⁰, "note(d) with concern the many allegations that torture is common practice in Togo, particularly on arrest, during police custody and in places of detention" (...).

34. OFFICIAL SUBMISSIONS BY NON-GOVERNMENTAL ORGANIZATIONS WHERE REFERENCES ARE MADE TO THE WIDESPREAD PRACTICE OF TORTURE IN TOGO:

a) FIDH, " Mission d'enquête internationale ", novembre 2005, pages 18 to 20. (available in French only)

b) OMCT, "State violence in Togo", April 2005, page 1; page 7.

Individual cases

c) "Informations de la Ligue togolaise des droits de l'homme (LTDH) et de la FIDH, Cas de torture ou de traitements cruels, inhumains ou dégradants au Togo", April 2005 (available in French

only).The report provides information on 10 individual cases of persons who suffered torture in 2003.

35. BACKGROUND DOCUMENTS BROUGHT TO THE ATTENTION OF THE COMMITTEE AT THE 36TH SESSION WHERE REFERENCES ARE MADE TO THE WIDESPREAD PRACTICE OF TORTURE IN TOGO:

- a) Inquiry Mission of the Office of the High Commissioner for Human Rights on violence and allegations of human rights allegations in Togo before, during and after the presidential election of 24 April 2005, 29 August 2005, page 22, para 4.1.3 and page 25, para. 4.1.5, (available in French only).
- b) Ligue Togolaise des Droits de l'Homme, " Stratégie de la terreur au Togo ", mars 2005, pages 8, paras 2 and 3 ; page 14 and 21 (available in French only).

Individual cases

- c) Ligue Togolaise des Droits de l'Homme, " Stratégie de la terreur au Togo ", mars 2005. The report includes a list of 155 persons who suffered torture between February and March 2005, page 28 to 33.
- d) Ligue Togolaise des Droits de l'Homme, Togo : " Du coup d'Etat monarchique du clan Gnassingbe au jeu de massacre électoral ", décembre 2005. The report provides an update of the previous report. It also provides a list of 346 persons deceased between February and June 2005, the majority of whom died as a result of torture.

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9/ CAT/C/TGO/CO/1, para.12, 18 May 2006

10/ CCPR/CO/76/TGO, para. 12, 28 November 2002