
amnesty international

West African Human Rights Defenders Under Attack Togo: imprisonment and ill-treatment of an independent journalist

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Lucien Messan, editor of the Togolese newspaper, *Le Combat du Peuple*, was sentenced on 5 June 2001 to 18 months' imprisonment, with six months suspended. He had been convicted of "forgery and use of forgeries" ("*faux et usage de faux*") in relation to a communiqué released by the *Association Togolaise des Editeurs de Presse Privée* (ATEPP - Togolese Association of Private Press Editors).

Amnesty International believes he was convicted solely because of his activities as an independent journalist and in an attempt to silence him, and considers him a prisoner of conscience.

The contentious communiqué challenged the government to provide evidence for its statement to the

United Nations (UN) Commission on Human Rights on 27 March 2001 that the Togolese press had unanimously denied that hundreds of people were killed by government forces. Allegations about these killings had been reported both by Amnesty International and by a Commission of Inquiry conducted jointly by the United Nations and the Organisation of African Unity.

Lucien Messan is held in Lomé civil prison where conditions are so harsh as to amount to cruel, inhuman and degrading treatment. He is currently appealing against his sentence.

BACKGROUND INFORMATION:

Lucien Messan is an outspoken journalist critical of the government. Editions of his weekly newspaper have been regularly seized. On 2 July 2001, a group of armed men, some of whom were dressed in military uniform, entered the print works of the newspaper and seized printing plates and printed pages. In 2000, following complaints made to the police by the Minister of Communications about an article he had written, he went into hiding as security forces sought him. He is currently suing the Minister of Interior for abuse of power over the numerous seizures of *Le Combat du Peuple*.

The government frequently attacks independent news media which play a key role in exposing human rights violations committed by the Togolese security forces. Journalists are regularly harassed, intimidated and arrested. *In January 2000, an amendment to the law dealing with the press (Code de la Presse et de la Communication) was passed, which limited press freedom and made defamation of the government an imprisonable offence. Amnesty International believes this is a further measure to silence critics, in particular independent journalists. Some have been imprisoned for offences such as "Aspreading false information" ("diffusion de fausses nouvelles"). Others have been forced to flee or go into hiding.*

Human rights defenders who monitor and expose human rights violations in Togo are regularly exposed to harassment, intimidation and threats. In 1999, following publication of the Amnesty International report "Togo: Rule of Terror", human rights defenders - including Amnesty International members - were arrested and tortured, while others were forced into hiding or fled the country with their families.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French or your own language:

- expressing concern at the conviction on 5 June 2001 of Lucien Messan on forgery charges;
- saying that AI considers him to be a prisoner of conscience, imprisoned solely for exercising his freedom of expression;
- calling for his immediate and unconditional release;
- expressing concern that conditions at Lomé civil prison are so harsh as to amount to cruel, inhuman and degrading treatment;
- calling on the authorities to ensure that he is treated according to the UN Standard Minimum Rules for the Treatment of Prisoners, and in particular that he is kept in humane and hygienic conditions;
- urging the Togolese authorities *to abide by their obligations under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples= Rights, in particular the right to freedom of expression, by allowing everyone in the country to enjoy these rights without interference;*
- *urging the Togolese authorities to respect the UN Declaration on Human Rights Defenders adopted by the UN General Assembly on 9 December 1998 which states in Article 1 that "Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels."*

Support human rights defenders in Togo!

Please send your appeals to:

President of the Republic

Son Excellence

Monsieur le Général Gnassingbé Eyadéma

Président de la République, Palais présidentiel, Avenue de la Marina,

Lomé, Togo

Telegrams: Président, Lomé, Togo

Faxes: + 228 21 27 01 (attention of Président de la République)

Email: presidence@republicoftogo.com

Salutation: Monsieur le Président/Dear Mr President

Minister of the Interior

Général Sizing Akawilou Wala

Ministre de l'Intérieur et de la Sécurité

Ministère de l'Intérieur et de la Sécurité, rue Albert Sarraut, Lomé, Togo

Telegrams: Ministre l'Interieur, Lomé, Togo

Faxes: + 228 22 16 96

Salutation: Monsieur le Ministre/Dear Minister

Minister of Justice

Général Seyi Mémène

Garde des Sceaux, Ministre de la Justice, Ministère de la Justice, Avenue de la Marina, rue

Colonel le Roux, Lomé, Togo

Telegrams: Ministre Justice, Lomé, Togo

Faxes: + 228 21 22 06

Salutation: Monsieur le Ministre/Dear Minister

COPIES TO:

Le Regard, BP 81213 Lomé, Togo and to the offices of newspapers in your own country

La Commission Nationale des Droits de l'Homme du Togo, fax + 228 21 24 36, email

cndhtogo@yahoo.fr

and to diplomatic representatives of Togo accredited to your country.

An extensive range of our materials on this and other subjects is available at

<http://www.amnesty.org>

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