

EXTERNAL (for general distribution)

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UA 115/93 Legal concern/Fear of Torture

15 April 1993

TOGO:

Latévi Prosper LAWSON, nephew of Tévi Jacob Lawson

Laté Jean LAWSON, brother of Tévi Jacob Lawson

Jules GAGLI, uncle of Tévi Jacob Lawson

Rosali GAGLI, aunt of Tévi Jacob Lawson

Koffi AGBALI

and at least 20 others, including:

Sossouvi AFATCHAWO

Agbévé TOYO

Tchassé KOUMI Koffi TOYO

Kossi AMEDEGOUNOU

Komi KPETIGO

Ahamadou BOUKARI

Koudjo ATSU

Sévi SADI

Komi HOUNKPATI

Kodzo AKAKPO

Antoine ABOUDOU

Ekue KOULEPATO

Kossi ASSIGNON

Kossi FIAGNON

Folly ANANOU

Alphonse ADJEVI

Folly KUEGAN Yao AGBAGNON

Kokou GAKOTO

Amnesty International is concerned about the continuing detention without charge or trial of at least 25 civilians, including two people who are described as being mentally ill, who were arrested in the aftermath of an attack on President Gnassingbé Eyadéma's residence at a barracks in the capital, Lomé, on 25 March 1993. The detainees listed above were arrested in what appears to be an arbitrary round-up of suspected government opponents following the events of 25 March. They are detained at the Gendarmerie headquarters in Lomé, where they were reportedly tortured at the time of their arrest.

Amnesty International fears that they may be at risk of further torture and ill-treatment and is calling on the Togolese authorities to ensure their physical well-being and investigate reports that they have been tortured, with a view to bringing those responsible to justice. Amnesty International is additionally concerned at reports that persons suffering from mental illness have been arrested and tortured. The United Nations' Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care adopted in 1991 underlines the need to protect the human rights of the mentally ill and states that : "all persons with a mental illness, or who are being treated as such persons, have the right to protection from ...physical or other abuse and degrading treatment" (Principle 1.3).

Four of those arrested, Latévi Prosper Lawson, Laté Jean Lawson, who is described as being mentally ill (*aliené mental*), Jules Gagli and Rosali Gagli appear to have been arrested solely because of their family relationship with Mr Tévi Jacob Lawson, a customs official who has been declared wanted by the Togolese authorities in connection with the attack of 25 March and the alleged discovery of weapons at his home in Lomé. According to reports, they were arrested at separate locations in Lomé after Mr Tévi Jacob Lawson's house in the Tokoin quarter of Lomé was searched by the security forces on 7 April 1993. They were reportedly tortured in an attempt to obtain information about Mr Tévi Jacob Lawson's alleged involvement in the attack of 25 March.

Other detainees were arrested arbitrarily in areas of Lomé considered to be opposition strongholds. They include a 55-year-old man, Koffi Agbali, who is described as being mentally ill. He was reportedly arrested by the security forces on 25 March 1993 on suspicion

of involvement in the attack on President Eyadéma's residence, because he was allegedly found in possession of live ammunition.

BACKGROUND INFORMATION

After months of violent confrontations between the security forces and opponents of one-party rule in early 1991, President Eyadéma and his government agreed to introduce a multi-party political system and hold a National Conference, which took place from July to August 1991.

It elected Joseph Kokou Koffigoh as Prime Minister, who nominated a transitional government to run the country until elections could be held. These were scheduled first for early 1992 but were repeatedly delayed and are now scheduled for June 1993. President Eyadéma has remained Head of State during this transitional period.

A Franco-German delegation attempting to resolve the worsening political crisis was in Togo on 25 January 1993 when at least 19 civilians were extrajudicially executed by the Togolese security forces, who opened fire on peaceful demonstrators without warning. The situation further deteriorated in March and April following the attack on President Gnassingbé Eyadéma's residence at a barracks in Lomé on 25 March 1993 by unknown assailants. The assailants apparently escaped after the attack, following which dozens of soldiers were detained and at least 20 people - mainly military personnel - were extrajudicially executed by Togolese soldiers (for further information see UA 92/93, AFR 57/04/93, 30 March 1993). The authorities stated that these killings were the responsibility of loyalist soldiers, but have not ordered an inquiry nor made any attempt to bring those responsible for unlawful killings to justice.

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

- expressing concern at the arbitrary arrest and torture of at least 25 civilians following the attack at President Gnassingbé Eyadéma's residence at a barracks in Lomé on 25 March 1993, including four people who appear to have been arrested solely because of their family relationship with Mr Tévi Jacob Lawson, who is wanted for questioning by the authorities;
- expressing additional concern that two of the detainees who are among those who have reportedly been subjected to torture, are described as being mentally ill, and urging the Togolese authorities to issue orders forbidding the use of torture in all cases, in line with the United Nations' Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Togo is a party. You could also note that the United Nations' Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care adopted in 1991 specifically underlines the need to protect the human rights of the mentally ill;
- calling on the Togolese authorities to investigate all reports of torture, with a view to bringing those responsible to justice;
- calling for these detainees to be given immediate access to their families, legal representatives and necessary medical treatment;
- calling for these detainees to be released forthwith if they are not to be promptly charged with a recognizably criminal offence.

APPEALS TO

1) President:

Son Excellence Monsieur le Général
Gnassingbé Eyadéma
Président de la République
Palais présidentiel
Avenue de la Marina
Lomé, Togo

Premier Ministre, Ministre de la Défense
La Primature
Lomé, Togo

Telegrams: Premier Ministre, Lomé, Togo
Faxes: + 228 21 20 40; + 228 21 08 50
Salutation: Monsieur le Premier Ministre
/ Dear Prime Minister

Telegrams: Président de la République,
Lomé, Togo

Faxes: + 228 21 18 97; + 228 21 32 04

Telexes: 5319,5419, 5201 TMS THG

Salutation: Monsieur le Président / Dear
President

2) Prime Minister:

Monsieur Joseph Kokou Koffigoh

3) Minister:

Monsieur Georges Combévi Agbodjan
Ministre de l'Administration territoriale
et de la Sécurité
Ministère de l'Administration territoriale
et de la Sécurité
Rue Albert Sarrault
Lomé, Togo

**Telegrams: Ministre Agbodjan, Lomé,
Togo**

**Salutation: Monsieur le Ministre / Dear
Minister**

4) Minister of Justice:

Monsieur Arégba Polo
Ministre de la Justice et Garde des Sceaux
Ministère de la Justice
Avenue de la Marina
Rue Colonel de Roux
Lomé, Togo

**Telegrams: Ministre Arégba Polo, Lomé,
Togo**

**Salutation: Monsieur le Ministre / Dear
Minister**

COPIES OF YOUR APPEALS TO:

Mme Régine Wère Gazaro
Ministre du Bien-Etre Sociale,
de la Solidarité nationale et des Droits
de l'Homme
Lomé, Togo

Monsieur le Commandant Djoua
Commandant de la Force d'Intervention
Rapide
Camp militaire RIT
Boulevard des Armées
Lomé, Togo

Monsieur Ouatara Fambaré Natachaba
Ministre des Affaires étrangères et de la
coopération
Ministère des Affaires étrangères et de la
coopération
Place du Monument aux morts
Lomé, Togo

and to organizations representing the mentally-ill in your country and diplomatic
representatives of Togo accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section
office, if sending appeals after 28 May 1993.