

EXTERNAL (for general distribution)

AI Index: AFR 57/14/93  
Distr: UA/SC

4 October 1993

Further information on UA 298/93 (AFR 57/11/93, 31 August 1993) - Death in detention/Fear of torture/Legal concern

TOGO:Deaths in detention: at least 21 people including:

Kassegné ASSOGBA, aged 14

Anani AKAKPO, aged 13

Maurice NAOUDJE, aged 12, (note corrected name)

and new name:

Kodjo Fiagbé MENSAH, aged 15

also: detained without charge or trial:

Kokou Okessou MBOOURA, teacher, arrested soon after the death of detainees from Agbandi

and at least 19 other prisoners arrested in connection with events in Agbandi

---

Amnesty International has learned that four young boys, aged between 12 and 15, were among at least 21 people who died in detention at the *gendarmerie* in Blitta following their arrest in Agbandi, central Togo, on 26 August 1993.

Amnesty International has also learned of the arrest of Kokou Okessou Mbooura, who is apparently suspected of involvement in the deaths of the detainees. He is reportedly held without charge or trial at the *gendarmerie* in Kara, in north Togo. Amnesty International is concerned that he and at least 19 other prisoners arrested in connection with events in Agbandi, now believed to be detained in Kara, in north Togo, may be at risk of torture and ill-treatment while held incommunicado.

Over 40 people from Agbandi and the neighbouring village of Diguina in central Togo were arrested by the security forces on 26 August 1993 and detained at the *gendarmerie* in neighbouring Blitta. The arrests followed violent incidents in Agbandi during polling for the presidential election the previous day, when opposition supporters apparently uncovered evidence of fraudulent practice.

At least 15 of the detainees - including the four youths named above - died during the night of 26/27 August 1993 and others died subsequently.

Shortly after the deaths the Togolese authorities announced that 15 members of an opposition party had died in custody after being poisoned by members of their own party who, it was alleged, had brought them contaminated food.

However, other sources state that no relatives visited the prisoners on the day of their arrest. On 19 September 1993, M. Polo Aregba, Minister of Justice, announced that an investigation carried out on 10 September by a French toxicologist revealed that a previously unidentified liquid contained in syringes allegedly concealed in food consumed by the prisoners, contained a strong poison, commonly used as an insecticide. The Minister also stated that the food had apparently been brought to the prison by people claiming to be relatives of the detainees. He further stated that the toxicologist's report would be passed to the relevant judicial authority in the capital, Lomé.

Amnesty International is concerned that the investigation into the deaths at the *gendarmerie* in Blitta has been neither independent nor thorough. There have been no autopsies carried out on the bodies of those who died, so there has been no examination of the cause of death. Also, there has been no investigation of allegations that those who died had been seriously ill-treated and tortured at the time of their arrest and may have suffered asphyxiation

as a result of being held in a very small cell.

Amnesty International is also concerned about Kokou Okessou Mbooura, a teacher from Kétao, who was arrested on 27 August 1993 in Blitta when he was trying to trace a relative whom he learned had been arrested the previous day. The Minister of Justice, apparently referring to Kokou Okessou Mbooura, said someone had been arrested for passing food containing a syringe to a detainee. It appears that he is suspected of involvement in the deaths which occurred at the *gendarmerie* in Blitta. However, by the time he arrived in Blitta, at least 15 of the detainees had already died and their bodies had been transferred to the morgue in Sokodé. Other detainees who later died were already seriously ill. He is currently detained at the *gendarmerie* in Kara - together with at least 19 other prisoners arrested in connection with the events in Agbandi. They are held incommunicado and there are fears for their safety.

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

- expressing concern that at least four young boys, aged between 12 and 15, were among those who died in detention following the arrest of over 40 people in Agbandi on 26 August 1993; You could refer to Articles 6.1 and 37(c) of the Convention on the Rights of the Child, which Togo ratified in 1990) which state respectively: "State Parties recognize that every child has the inherent right to life" and "Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age..."
- expressing concern that the investigation into the deaths at the *gendarmerie* in Blitta has been neither independent nor thorough;
- urging that an independent and impartial inquiry - including autopsies - be carried out as a matter of urgency to establish the cause of these deaths in custody;
- expressing concern for the safety of Kokou Okessou Mbooura, currently detained incommunicado at the *gendarmerie* in Kara - together with at least 19 other prisoners arrested in connection with the events in Agbandi;
- repeating calls for those detained to be given access to their families, legal representatives and any necessary medical attention and for them to be released immediately if they are not to be charged with a recognizably criminal offence.

**APPEALS TO:**

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

**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) Monsieur Polo Aregba  
Ministre de la Justice et Garde des Sceaux

Ministère de la Justice  
Avenue de la Marina  
Rue Colonel de Roux  
LOME, Togo

**Telegrams: Ministre de la Justice, Lomé, Togo**  
**Salutation: Monsieur le Ministre / Dear Minister**

3) 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**

**COPIES OF YOUR APPEALS TO:**

Monsieur le lieutenant-colonel Walla  
Chef de la Gendarmerie nationale  
Gendarmerie nationale  
Lomé, Togo

and to 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 15 November 1993.