

EXTERNAL (for general distribution)

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TOGO **AttioGbé Stéphane KOUDOSSOU**
 Gérard AKOUME

The two men named above were each sentenced on 10 September 1993 to three years' imprisonment. Amnesty International is concerned that their conviction may be based solely on "confessions" extracted as a result of torture. The organization fears they may be at risk of further torture or ill-treatment.

AttioGbé Stéphane Koudoussou and Gérard Akoume were arrested around 26 July 1993. They were taken to the *Gendarmerie nationale*, headquarters of the paramilitary police force, where they were allegedly tortured. They later appeared on national television, where they confessed that they had been responsible for recent bomb attacks in the capital, Lomé. It seems that their "confession" was extracted under duress. They were held at the *Gendarmerie nationale* for a number of days but according to the authorities they were then transferred to the *Prison civile* in Lomé.

They appeared before the *Tribunal des flagrants délits* in August 1993, on charges of "association de malfaiteurs; destruction d'édifices publics et destruction d'immeubles" ("criminal association, destruction of public property and destruction of buildings"). Their lawyers called for the trial to be called off because the accused had been tortured at the *Gendarmerie* and their confessions made under duress. The request was rejected and the lawyers' demand for evidence from a forensic doctor about their physical state was also refused by the court. The final verdict was announced on 10 September.

Several bomb attacks occurred soon after the date for the presidential elections was announced. These included an attack on 24 July 1993 on the headquarters of an opposition party, *Comité d'action pour le renouveau (CAR)*, Action Committee for Renewal. Some reports suggest that AttioGbé Stéphane Koudoussou and Gérard Akoume, who are reportedly members of another opposition party, *la Convention démocratique des peuples africains (CPDA)*, Democratic Convention of African Peoples, had been asked by the CPDA to attack the CAR headquarters. This suggestion has been dismissed by other sources as an attempt to create discord between opposition parties before the presidential elections.

BACKGROUND INFORMATION

The much delayed presidential election took place in Togo on 25 August 1993 and General Gnassingbé Eyadéma was returned to power. Legislative elections are now due to take place before the end of the year. The election was widely criticised as unfair. Gilchrist Olympio, opposition leader, son of Togo's first President and victim of an attempted extrajudicial execution in May 1992, was excluded from standing because his medical certificate was not in order and two other serious contenders withdrew their candidature in protest at the inadequate preparation of electoral lists and the rejection of Gilchrist Olympio's nomination.

On the day following the presidential election, over 40 people were arrested in the villages

of Agbandi and Diguina in central Togo by the security forces after violent incidents in Agbandi on election day when opposition supporters apparently uncovered evidence of fraudulent practice. Twenty one people are reported to have died in custody following their arrest (see UA 298/93, AFR 57/11/93, 31 August 1993).

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

- expressing concern that, despite reports that they were subjected to torture, Attiogbé Stéphane Koudoussou and Gérard Akoume were convicted on 10 September 1993 and sentenced to three years' imprisonment;

- explaining that as the only evidence against them seems to be their "confessions", they should be re-tried and released if no clear and conclusive evidence is produced against them;

- urging the authorities to implement their commitments under the United Nations Convention against Torture to "...ensure that...competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed..." (article 12) and "...ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings..." (article 15);

- seeking assurances that they are being well-treated and allowed access to their families and necessary medical treatment.

APPEALS TO

1) President:

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) Prime Minister:

Monsieur Joseph Kokou Koffigoh
Premier Ministre
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

3) Minister of Justice:

Monsieur Aregba 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 de la Justice, 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

Telegrams: Monsieur le Lieutenant-colonel Walla, Lomé, Togo

Salutation: Monsieur le Lieutenant-colonel / Dear Lieutenant-colonel

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 12 November 1993.