

TAVIO AMORIN

human rights defender

“We will fight so that the memory of the victims will be honoured”

Seven years ago on 23 July 1992 in the heart of Lomé, Tavio Amorin, a member of the *Haut Conseil de la République* (HCR), High Council of the Republic, and Chair of the *Commission des affaires politiques, des droits de l'homme et des libertés*, Political Affairs, Human Rights and Liberties Commission, was waiting for a car at the side of the road after visiting a relative. Suddenly, two people opened fire on him before escaping. Tavio collapsed. First taken to a hospital in town, he was evacuated in a critical state to a Paris hospital. He died four days later at the age of 34, leaving a widow and a child barely a year old.

The day of his murder, he was not wearing the bullet-proof vest he had just bought after hearing rumours that people were looking for him, to kill him. He had spent the whole afternoon going from one political meeting to another. At 8pm when he left his colleagues, he decided to visit a sick cousin. A friend urged him not to stay out too late and to be careful. Tavio, who already no longer slept at home and avoided certain journeys, reassured him and asked those who had come with him to his cousin's to drop by and pick him up in half an hour. He came out earlier than arranged and waited. In the dark, his assassins who got out of a car disguised as a taxi, asked him, "Is that you, Tavio?" and fired before fleeing amidst the screams of people in the neighbourhood. In their panic, they left behind a bag containing weapons and identity cards. A member of Tavio's Against the advice of those close to him, Tavio decided to return to Togo. He firmly believed that it was possible to establish the rule of law, contribute to the

family who had been informed of a plan to kill Tavio that day, had started to look everywhere to warn him. She did not find him in time.

Soon after his murder, Prime Minister Joseph Koffigoh let it be known that the identity cards of two police officers found in a bag not far from the scene of the shooting, proved that the security forces were responsible. But the complaint which was apparently lodged with the court has never been acted on. The two members of the security forces implicated in the murder who were first hidden and protected in the Kara region, the President's fiefdom, are still in active service. In 1996 the Togolese Minister of Justice stated that the murder case opened against persons unknown before the Lomé Tribunal was closed following the December 1994 amnesty law.

At the time, while welcoming the release of prisoners of conscience which resulted from the law, Amnesty International emphasised that there was every indication that this law simultaneously offered impunity to those responsible for violations of human rights. The organisation urged the authorities to set up, without delay, independent and exhaustive inquiries into all cases of alleged extrajudicial killings, "disappearances" and torture.

The Fight against Impunity

In the 1980s Tavio Amorin sought refuge in France, where he studied as an engineer. In 1991, after increasingly strong pressure from the Togolese people, President Eyadéma decided to legalise political parties and agreed to call a sovereign national conference which established transitional institutions, including the HCR.

birth of democracy and liberty and shed light on human rights violations committed during Eyadéma's rule. At the time, he said to his family: "I do not want

to miss such an event, I really believe that things will change in Togo. I want to play an active part in those changes."

First as a member of the National Conference and then as a member of the HCR, he quickly became known for his commitment and the stands he took. Tavio never missed an opportunity to denounce publicly abuses and excesses of the government. "Enough blood has flowed as a result of the will of one man. I believe that will suffice," he said during an interview, "we will fight so that the memory of victims in the fight for democracy will be respected."

In his role as Chair of the Political Affairs, Human Rights, and Liberties Commission, he fought right from the start to shed light on the excesses of the Togolese security forces. He was among those who publicly urged the army and President Eyadéma to ensure that those responsible for the Bé lagoon massacre (28 people killed by the army during a demonstration in 1991) be brought to justice.

Forced to leave Togo after the December 1991 attack on the offices of the Prime Minister, he returned in 1992 and said: "We have lost much of the work done by the HCR, but we must do everything possible to save what we can." Shortly before his murder, he had criticised some members of the government during a television broadcast. These words seem to have signed his death warrant.

As rapporteur for the Constitution which had been approved by referendum in September 1992, he constantly maintained his determination that the fundamental principles of the Universal Declaration of Human Rights should be enshrined not only in the Constitution, but also into

national legislation. He also insisted that articles dealing with the National Commission of Human Rights should be written into the Constitution itself. With other members of civil society he fought in vain to include in the Constitution the principle that military personnel have the right and the duty to refuse an order which violates human rights. Tavio also dreamt of creating a tribunal where ordinary citizens could seek redress when their rights were infringed.

Working for change

As a member of his family said, "unlike others who took up arms, Tavio firmly believed that he could win over his political opponents and work for change, through dialogue and discussion within a democratic framework. It was his way of fighting." He leaves behind the memory of a motivated, spirited and passionate person. One of his party colleagues described him as brilliant, intelligent, determined, someone who took risks: "he was so full of energy that he forged ahead often without really taking the dangers into account". He was sometimes criticized for being a dreamer and idealist.

That may be true, but for the youth of Togo, he became a symbolic figure, their spokesperson. When he was reminded that he was taking serious risks, he would reply: "if I must die, let it be for a good cause".

A committed panafricanist, he repeated that he was determined "to defend respect for the dignity of each human being whatever their origin or ethnic group. I am fighting against all forms of tribalism and make no distinction between the north and south of Togo."

In 1997 the Togolese government offered financial compensation to the family of Tavio Amarin. The family was furious and took the proposal as an insult: "we do not want that money. We demand that justice is done and that the perpetrators of this crime are arrested." The whole Amarin family live in exile. Only Tavio's mother has remained in Lomé to be close to her son's grave.

"Old stories...."

Just like Tavio Amarin, hundreds of Togolese have been killed by the security forces for their political activities or opinions.

Since 1990 there has been a dramatic increase in the scale of human rights violations committed by the Togolese security forces. The security forces, and principally the armed forces and the gendarmerie, have persistently and with total impunity been responsible for extrajudicial executions, "disappearances", arbitrary detentions followed by torture or ill-treatment.

In 1992, 1993 and 1994, Amnesty International published reports on Togo and urged the Togolese authorities to open independent and impartial inquiries to shed light on extrajudicial executions, "disappearances" and cases of torture. Amnesty International members and groups throughout the world have sent appeals to the Togolese authorities in the hope that those responsible for the execution of Tavio Amarin and others would be brought to justice.

But to date, the Togolese authorities have taken no steps either to reveal the truth about past and present events or to bring those responsible for these violations to justice.

When an Amnesty International delegation reiterated their recommendations to the authorities during a visit in November and December 1998, they were reproached for stirring up "old stories". For the family of Tavio and the families of other victims of human rights abuse in Togo, these "old stories" have left an indelible mark on their lives. They are still, and more than ever, current issues.

A Togolese Minister also declared that Amnesty International irritated him and bored him with these allegations. Another member of the government accused Amnesty International of "always going back over the same things". Amnesty International will continue to "go back over the same things" until justice is done.

The members of Amnesty International will continue to send their appeals. They will commit themselves to the end, to inform public opinion in their country about human rights violations in Togo and to ensure their government puts pressure on the Togolese government so that inquiries are pursued and justice is finally done.

During the last three decades, there are men and women in Togo who have been arrested, killed, massacred or who have "disappeared". These victims and their families are demanding that the truth be known and that inquiries and criminal investigations are pursued. It is in the name of these victims that Amnesty International is determined to continue its fight that human rights be respected.

Recommendations

After more than three decades of human rights abuses, it is time for the Togolese government to ensure justice is done.

The truth must be revealed about the April 1991 massacre of at least 28 people whose bodies were retrieved from the Bé lagoon in Lomé. Justice must be done for the January 1993 executions when more than 19 people were killed by the Togolese armed forces during a peaceful demonstration in the capital. Those responsible for the executions on 25 March 1993 - when at least 20 people, including civilians, were extrajudicially killed by the army following an attack on the *Regiment interarmes togolais*, Togolese Combined Regiment - must be found. Today, those responsible for the killings on 6 January 1994 remain immune. During this massacre, 48 prisoners, of whom 36 were civilians and 12, military personnel, were killed by the army at the barracks of the Togolese Combined Regiment. Thorough investigations must also be carried out into hundreds of extrajudicial executions committed during the election period in 1998. These executions were documented in the May 1999 report, *TOGO: State of terror*, which provoked violent reactions from the Togolese authorities.

In addition to this list of massacres, there are the individual killings which Amnesty International will continue unceasingly to recall until those responsible are found and brought to justice.

1. Recommendations to the Togolese government

Amnesty International again urges the Togolese authorities to open an independent and impartial inquiry into the death of Tavio Amarin and other cases of extrajudicial killings in Togo; to make public the truth about these events; to bring those responsible before the courts; and to urgently take all measures to put an end to extrajudicial executions in the country.

2. Recommendations to the international community

Amnesty International is also appealing to foreign governments to, in their contacts with the Togolese authorities, stress the necessity to guarantee respect for human rights and to carry out independent and impartial inquiries into the extrajudicial killing of Tavio Amarin and other extrajudicial executions in Togo.

3. Suggestions for action by the public

- Send a letter to President Eyadéma (His address is: His Excellency Général Gnassingbé Eyadéma, President of the Republic Palais Présidentiel, Avenue de la Marina, Lomé, Togo) to urge that an independent and impartial inquiry be opened into the death of Tavio Amarin and into other cases of extrajudicial executions. Emphasise that the truth behind these events should be made public and those responsible brought to justice.
- Send a letter to your government to urge that they put pressure on the Togolese government so that independent and impartial inquiries are undertaken into the

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