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Togo: Truth and justice demanded for victims

The setting up of a Commission of Inquiry into hundreds of extrajudicial killings in Togo in 1998 is a step toward the establishment of truth and justice, Amnesty International said today, welcoming the joint announcement by the United Nations and Organization of African Unity made on 7 June.

After three decades in which Togolese civilians and soldiers have been arrested, tortured, killed, or have been "disappeared" with complete impunity, the setting up of an international investigation is a crucial step to guarantee that - at least for the most recent killings - the truth is revealed and justice is done, Amnesty International said.

Amnesty International urges the Togolese authorities immediately to stop their attempts to silence witnesses and to fully collaborate with the Commission of Inquiry so that officials suspected of human rights violations are brought to justice.

In a report in May, Amnesty International called on the Togolese authorities to accept an international investigation into widespread human rights violations including hundreds of political killings committed during the 1998 election period. Amnesty International's findings were corroborated by investigative reports undertaken by journalists and the League for Human Rights Defence of Benin (LDH).

Since May 1999 the Togolese government has systematically intimidated, threatened with death and bribed witnesses, destroyed evidence and pursued Togolese human rights defenders and journalists suspected of providing information to Amnesty International. The criminal charges against Togolese human rights defenders, including Nestor Tengue, who were arrested in connection with the Amnesty International report, are still pending.

Unprecedented court orders for Amnesty International's Secretary General, Pierre Sané, to appear before a Togolese judge on charges of "contempt, dissemination of false news, incitement to revolt and conspiracy against the external security of the state" were suspended in November 1999 following international pressure, but they have not been dropped pending the outcome of the international commission of inquiry.

Steps have now to be taken for the Inquiry to be credible and effective. The security of investigators and witnesses must be guaranteed. The investigators must be free to visit all areas of Togo as well as neighbouring countries, must be given access to government records, and must have the authority to oblige officials allegedly involved in human rights violations to appear and testify. The Commission of Inquiry must also be provided with adequate resources, including forensic experts.

Before the beginning of the investigation, detailed information about mechanisms and measures for protection of witnesses and their families, including guarantees of confidentiality, should be publicised. Advance notices spelling out the purpose of Inquiry and inviting persons inside and outside the country to present evidence to the Commission of Inquiry should also be publicised in Togo and abroad. The final report of the investigation should be published promptly after the completion of the Inquiry.

Amnesty International calls on the United Nations and the Organization of African Unity to make sure that the mandate and the terms of reference of the Commission of Inquiry conform strictly to UN standards for investigations into extrajudicial executions, including the 1995 Guidelines for the Conduct of UN Inquiries into Allegations of Massacres and the 1991 UN Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions.

"This investigation will be a unique opportunity to shed light on at least some of the killings committed by the Togolese security forces. Hundreds of Togolese victims and their families deserve truth and justice and they should not be failed," Amnesty International said.

Background

Since the beginning of the decade Amnesty International has regularly called for independent, impartial and thorough inquiries to be opened into killings committed by the Togolese security forces, in particular the 1991 Bé lagoon massacre in which at least 28 non-violent demonstrators were killed by the army and the January 1993 killing of more than 20 people by the Togolese armed forces during a peaceful demonstration in the capital, Lomé.

The organization has also demanded investigation of the killing of at least 20 people on 25 March 1993 following an attack on the Régiment interarmes togolais, Togolese Combined Regiment and of another 48 people, including civilians, on 6 January 1994 at the Togolese Combined Regiment barracks.

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For more information or video footage from Togo, please call Amnesty International's press office in London, UK, on +44 20 7413 5566

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