

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Amnesty International urges Togo to expressly commit to protecting the rights to freedom of association, freedom of expression and peaceful assembly**

#### ***Human Rights Council adopts Universal Periodic Review outcome on Togo***

Amnesty International has consistently raised concerns with the Togolese authorities that law enforcement officials use excessive force against peaceful demonstrators and torture and other ill-treatment against arrested or detained persons. On 28 February 2017, for example, the army used live ammunition to disperse a spontaneous protest against the rise in petroleum prices in Lomé, killing one person and wounding several others. According to human rights defenders who observed the demonstration, protestors were peaceful until the security forces charged them with batons, tear gas and live ammunition. Amnesty therefore welcomes Togo's commitment to take the necessary steps to prevent torture and other human rights violations by the security forces,<sup>1</sup> and ensure adequate investigation and prosecution of those suspected of being responsible for these violations.<sup>2</sup> Togo accepted similar recommendations during its first UPR in 2011.<sup>3</sup> As the death toll rises, Amnesty International calls on Togo to take concrete steps towards their immediate implementation.

Amnesty International also welcomes the Togolese authorities' acceptance of general recommendations to protect freedom of expression.<sup>4</sup> However, these commitments ring hollow in light of Togo's rejection of more specific and measurable recommendations to create an enabling space for human rights defenders and journalists, including by revising laws used to crackdown on dissent.<sup>5</sup> The Togolese authorities continue to arbitrarily curtail freedom of expression. This creates a climate of self-censorship and discourages civil society from speaking out about abuses and lack of accountability.

On 6 February, the High Authority for Audiovisual and Communication (HAAC) withdrew the frequencies of radio station *CityFM* and TV station *La Chaîne du Futur* for breaching licensing rules. The HAAC statute does not provide for any appeal mechanism for this kind of decision. Withdrawal of the frequency is a disproportionately heavy measure, which should be reserved only for the most serious breaches and be ordered by an independent court of law rather than an administrative body.

On 7 February, journalist Robert Kossi Avotor was documenting an eviction in Lomé, when gendarmes told him to stop taking photographs. He was beaten with batons, handcuffed with

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<sup>1</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review - Togo*, A/HRC/34/4, recommendations 128.68 (Netherlands), 128.21 and 128.69 (Serbia), 128.71 (South Korea), 128.97 (Uruguay), 129.24 (Canada).

<sup>2</sup> A/HRC/34/4, recommendations 128.82 (Belgium), 128.83 (United Kingdom), 128.84 (Netherlands), 128.88 (Ghana), 128.90 (Guatemala), 128.93 (France), 128.96 (United States of America), 129.19 (Mexico).

<sup>3</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review - Togo*, A/HRC/19/10, 14 December 2011, recommendations 100.19 (United States of America), 100.21 (France), 100.23 (Benin), 100.48 (Morocco), 100.49 (Sweden), 100.50 (Slovenia), 100.51 (Slovakia), 100.53 (Chile), 101.5 (Norway), 101.6 (Germany),

<sup>4</sup> A/HRC/34/4, recommendations 128.85 (Liechtenstein), 128.98 (Brazil), 129.22 (Australia).

<sup>5</sup> A/HRC/34/4, recommendations 131.19 and 131.20 (Canada), 131.21 (Germany), 131.22 (Switzerland).

his hands behind his back, and no attention was paid when he indicated the cuffs were too tight. When he asked to urinate, he was told his genitals would be beaten. The gendarmes detained him for three hours and deleted his photographs. He was then released without charge. He filed a complaint the next day and, since then, has been receiving calls from members of the security forces advising him to drop his complaint. On 22 February, the general prosecutor issued a statement warning anyone reporting on this case of the risk of criminal prosecution for “disseminating false news”.

Amnesty International calls on Togo to protect journalists and human rights defenders, including by amending legislation to ensure it protects the right to freedom of expression.

Amnesty International is disappointed by Togo’s decision to reject all recommendations to protect Lesbian Gay Bisexual Transsexual and Intersex (LGBTI) persons and to investigate allegations of attacks and bring perpetrators to justice<sup>6</sup>. We call on Togo to end discrimination on the basis of sexual orientation and gender identity, including by revising the Criminal Code and ensuring LGBTI persons are protected against violence.

## **Background**

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Togo on 16 March 2017 during its 34<sup>th</sup> session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Togo: <https://www.amnesty.org/en/documents/ior40/4720/2016/en/>

Public Document

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<sup>6</sup> A/HRC/34/4, recommendations 131.8 (Australia), 131.9 (Chile), 131.10 (Mexico), 131.11 (France), 131.12 (Slovenia), 131.13 (Spain), 131.14 (Uruguay), 131.15 (Uruguay), 131.16 (Argentina), 131.17 (Belgium), 131.18 (Brazil), 131.19 (Canada).