



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture

### Concluding observations on the third periodic report of Togo\*

1. The Committee against Torture considered the third periodic report of Togo (CAT/C/TGO/3) at its 1765th and 1768th meetings (see CAT/C/SR.1765 and CAT/C/SR.1768), held on 26 and 29 July 2019, and adopted the present concluding observations at its 1780th meeting, held on 7 August 2019.

#### A. Introduction

2. The Committee commends the State party for having accepted the simplified reporting procedure. It welcomes the submission of the third periodic report of the State party but finds it regrettable that the report was submitted two years late.

3. The Committee appreciates the constructive dialogue held with the State party's delegation, which it thanks for the replies and additional information provided.

#### B. Positive aspects

4. The Committee notes with satisfaction that, since the issuance of its previous concluding observations (CAT/C/TGO/CO/2), the State party has ratified or acceded to the following international instruments:

(a) The International Convention for the Protection of All Persons from Enforced Disappearance, in 2014;

(b) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, in 2016.

5. The Committee also welcomes the following legislative and administrative measures taken by the State party to give effect to the Convention:

(a) Organic Act No. 2018-006 of 20 June 2018 on the composition, organization and functioning of the National Human Rights Commission, which establishes the Commission as the national mechanism for the prevention of torture;

(b) The Personal and Family Code (Act No. 2012-014 of 6 July 2012), as amended by Organic Act No. 2014-019 of 17 November 2014;

(c) Act No. 2013-010 of 27 May 2013 on legal aid in Togo;

(d) The new Criminal Code (Act No. 2015-010 of 24 November 2015), as amended by Act No. 2016-027 of 11 October 2016;

\* Adopted by the Committee at its sixty-seventh session (22 July–9 August 2019).



- (e) Act No. 2015-005 of 28 July 2015 on the special status of police personnel;
- (f) The new Code of Military Justice (Act No. 2016-008 of 21 April 2016);
- (g) Decree No. 2013-013/PR of 6 March 2013 on maintaining and restoring public order;
- (h) Decree No. 2014-103/PR of 3 April 2014 amending Decree No. 2013-040/PR of 24 May 2013 on the establishment of the High Commission for Reconciliation and Strengthening of National Unity.

6. The Committee further welcomes the State party's cooperation with the special procedures mandate holders of the Human Rights Council.

## C. Principal subjects of concern and recommendations

### Pending follow-up issues from the previous reporting cycle

7. In paragraph 24 of its previous concluding observations, the Committee requested the State party to provide, by 23 November 2013, information on the follow-up given to the following recommendations: (a) ensure the entry into force of the new Criminal Code and the new Code of Criminal Procedure as a matter of urgency; (b) urgently improve conditions of detention; (c) strengthen or ensure respect for the legal safeguards to which detainees are entitled; and (d) prosecute and punish perpetrators of acts of torture and ill-treatment. In the light of the information received from the State party on 25 November 2013 under the follow-up procedure (CAT/C/TGO/CO/2/Add.1), the Committee considers that its recommendations have only been partially implemented. The above issues are addressed in paragraphs 9, 11, 25 and 27 of these concluding observations.

### Definition and criminalization of torture

8. Recalling paragraph 7 of its previous concluding observations and the recommendations of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT/OP/TGO/1, para. 109), the Committee welcomes the adoption of the new Criminal Code (Act No. 2015-010) and of Act No. 2016-027 amending it – which contain, in article 198, a definition of torture in line with article 1 of the Convention, make torture a separate offence and set forth punishments commensurate with the gravity of the offence – but remains concerned at the lack of provisions that explicitly provide for: (a) complicity in torture or attempts to commit torture; and (b) the criminal responsibility of superior officers who are aware of acts of torture or ill-treatment committed by their subordinates. The Committee is also concerned about the delayed adoption of the preliminary draft Code of Criminal Procedure, which will give effect to the above-mentioned provisions (arts. 1 and 4).

#### 9. The State party should:

(a) **Introduce the necessary provisions into the Criminal Code so as to explicitly provide for complicity in torture and attempts to commit torture, in accordance with article 4 (1) of the Convention, and to ensure that superior officers are held criminally responsible when acts of torture are committed at their instigation or with their consent or acquiescence;**

(b) **Take the necessary measures to ensure that the Criminal Code is widely publicized, that it is disseminated among the general public and that judges and public prosecutors are made familiar with its contents, in order to ensure in practice that acts of torture are criminalized and punished;**

(c) **Promptly adopt the preliminary draft Code of Criminal Procedure.**

### Fundamental legal safeguards

10. While it welcomes the preliminary draft Code of Criminal Procedure, the Committee remains concerned that there is presently a legal vacuum when it comes to fundamental legal safeguards. Recalling paragraph 10 of its previous concluding observations, the

Committee remains concerned that in practice fundamental legal safeguards are not respected during arrest and detention, something which the State party itself acknowledged in its third periodic report. The Committee is concerned about reports that arrested persons are not informed of their rights; moreover, although in theory article 16 of the Constitution provides for the right to consult a lawyer of one's choosing from the outset of police custody, this safeguard appears not to be applied in practice and arrested persons are often questioned or even tried in the absence of counsel. With regard to the rights of remand prisoners, the Committee notes with concern that: (a) in police stations and gendarmeries, their right to communicate immediately after their arrest with their family is generally not guaranteed; (b) their right to be examined immediately by a doctor is restricted by the requirement that they obtain prior authorization from the prosecution service; and (c) their right to be brought as soon as possible before an independent and impartial tribunal in order to obtain a ruling on the legality of their detention is not respected (art. 2).

**11. Reiterating the recommendations set forth in paragraph 10 of its previous concluding observations, the Committee recommends that the State party should:**

**(a) Promptly adopt the bill on the organization of the judicial system and the preliminary draft Code of Criminal Procedure and ensure that the latter enshrines all fundamental safeguards applicable to arrest and detention;**

**(b) Ensure, in law and in practice, that from the outset of their deprivation of liberty detainees are informed without delay of the charges brought against them and can inform a family member or other person of their choice of their detention or arrest, that they have access to counsel from the moment of arrest, and that details regarding every stage of their detention are recorded in a log book;**

**(c) Ensure that detainees enjoy their right to undergo an independent medical examination by revoking the requirement that they obtain prior authorization from the prosecution service;**

**(d) Ensure detainees' right to be brought before a judge at the end of police custody and to challenge the legality of their detention at any stage of the proceedings.**

#### **Maximum duration of police custody**

12. The Committee remains concerned about the lack of respect for legally binding time limits on police custody, as well as the significant number of periods of custody prolonged arbitrarily without the authorization of a prosecutor or a prosecuting judge, which is required by law. The Committee is also concerned about the legal provisions allowing for the extension of police custody for up to eight days, which is excessive and exposes remand prisoners to a high risk of torture or ill-treatment (art. 2).

**13. The State party should:**

**(a) Take all necessary measures, including adopting the new Code of Criminal Procedure, to ensure that the maximum duration of police custody does not exceed 48 hours, with the possibility of one extension in exceptional circumstances, if justified by tangible evidence;**

**(b) Ensure that the procedures for extending police custody are strictly respected by police and gendarmerie officers, as well as by the judicial authorities responsible for exercising effective and regular control in this respect.**

#### **Legal aid**

14. While noting the State party's efforts to provide legal aid to some destitute detainees, the Committee notes with concern that Act No. 2013-010 on legal aid in Togo is not being implemented owing to the absence of an implementing decree. The Committee is therefore concerned about the ability of indigent and marginalized persons to obtain access to criminal justice (art. 2).

**15. The State party should promptly adopt an implementing decree for Act No. 2013-010 to ensure that indigent defendants have access to a lawyer from the moment they are taken into police custody.**

### **Pretrial detention**

16. The Committee notes that since the issuance of its previous concluding observations, in which it invited the State party, in paragraph 12, to expedite the reform of its justice system in order to introduce the position of liberties and detention judge as a means of reducing the incidence of pretrial detention, the situation remains worrying, with more than 62 per cent of detainees awaiting trial, compared to 37 per cent having been convicted, which directly contributes to prison overcrowding (art. 2).

17. **The State party should:**

(a) **Promptly adopt the preliminary draft Code of Criminal Procedure, which provides for the appointment of liberties and detention judges responsible for making decisions about the imposition of pretrial detention and related requests for release;**

(b) **Ensure that pretrial detention is effectively reviewed, that its duration does not exceed the legally established maximum and is as short as possible, and that its use is exceptional, necessary and proportionate;**

(c) **Actively promote, within the prosecution service and among judges, the use of alternatives to pretrial detention, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);**

(d) **Review the case files of all detainees in pretrial detention and immediately release all persons who have already been in detention for a period exceeding the maximum sentence carried by the offence of which they stand accused.**

### **Administration of justice**

18. While it welcomes the legislative and institutional reforms undertaken in the administration of justice in Togo, including the construction of courts of appeal in Lomé and Kara, the ongoing construction of the court of first instance in Sokodé, the training and recruitment of judges and the ongoing reform of the Council of the Judiciary, the Committee is concerned at reports that the executive branch exerts a significant influence over the judiciary, resulting in arbitrary arrests and the detention of political opponents, while the perpetrators of these offences enjoy impunity. The Committee is also concerned about the insufficient number of judges in Togo (241), the slowness of the judicial system and the lack of legal aid (arts. 2 and 13).

19. **The State party should:**

(a) **Ensure effective access to justice for all defendants by operationalizing the legal aid system, ensuring access to a lawyer and recruiting more judicial officials;**

(b) **Ensure that judges and prosecutors are appointed on the basis of objective and transparent criteria and safeguard the work of the judicial branch from any interference.**

### **Principle of non-refoulement**

20. While it welcomes the adoption of new legislative provisions that enshrine the principle of non-refoulement, namely article 208 of the Criminal Code and article 20 of Act No. 2016-021 of 24 August 2016 on refugee status in Togo, the Committee is deeply concerned about reports that the principle is not respected in practice. These reports are corroborated by the fact that in 2018 the Togolese judicial authorities acquiesced to an extradition request made by the Government of Equatorial Guinea in respect of Fulgencio Obiang Esono and Francisco Micha Obama, despite the proven risk that they could be subjected to torture and ill-treatment. With reference to its general comment No. 4 (2017) on the implementation of article 3 of the Convention in the context of article 22, the Committee reminds the State party that it was incumbent upon its competent judicial and administrative authorities to undertake an individualized assessment of the request for the surrender of the two persons concerned and to refrain from expelling them if the risk of torture and ill-treatment was established, irrespective of the international arrest warrant

issued against them, given the absolute nature of the obligation of non-refoulement (arts. 3 and 7).

21. **The State party should ensure full respect for the principle of non-refoulement enshrined in its legislation and in article 3 of the Convention, and therefore refrain from expelling, returning or extraditing a person to another State where there are substantial grounds to believe that he or she would be in danger of being subjected to torture or ill-treatment. Refoulement decisions should be subject to judicial review on a case-by-case basis, and carry a right of appeal that has suspensive effect. The State party should also include in its next periodic report information on the number of persons expelled or extradited, specifying to which countries, the number of judicial decisions overruling or cancelling expulsion orders on the basis of the principle of non-refoulement, and any other relevant measures taken. It should also inform the Committee of the diplomatic follow-up it has given to the above-mentioned case, if any.**

#### **Allegations of torture and ill-treatment**

22. Recalling paragraphs 9 and 10 of its previous concluding observations, the Committee remains concerned about allegations of torture and ill-treatment in detention, in particular of persons held in custody in police stations and gendarmeries. The Committee is particularly concerned about allegations of torture and ill-treatment in the jails of the Central Criminal Investigation and Research Service, in particular of persons arrested on account of their participation in demonstrations or their support for the political opposition. The Committee welcomes the State party's intention, announced orally during the interactive dialogue with the Committee, to launch an investigation into the practices of the Central Criminal Investigation and Research Service and would appreciate being informed of the findings of this investigation (art. 2).

23. **In the light of the recommendations made by the Committee in paragraph 9 of its previous concluding observations, the State party should:**

(a) **Clearly reaffirm the absolute prohibition of torture by publicly condemning the practice of torture and raising awareness of and disseminating the content of the Criminal Code;**

(b) **Give clear instructions to members of the security forces (police, gendarmerie and Central Criminal Investigation and Research Service), which state that the prohibition of torture is absolute, that torture is a criminal offence and that the perpetrators of acts of torture will be prosecuted;**

(c) **Ensure that the competent authorities routinely launch an investigation whenever there are reasonable grounds to believe that an act of torture has been committed and enlist the support of civil society in documenting such acts. In addition, ensure that suspects duly stand trial and, if found guilty, are given sentences that are commensurate with the seriousness of their acts.**

#### **Conditions of detention**

24. The Committee remains deeply concerned about the persistence of conditions of detention amounting to ill-treatment in the majority of institutions in the country. The Committee is concerned that the budget of the prison administration has not been increased since 2015, and notes the unsanitary conditions, lack of ventilation and light, insufficient quantity of food – consisting of only one meal a day – and the limited recreational or training activities to foster rehabilitation in places of detention. In addition, the Committee regrets the absence of any effective separation between categories of detainees and the lack of qualified prison staff, which means that inmates themselves are responsible for supervision, resulting in violence and corruption. While welcoming the opening of the new prison in Kpalimé, which has helped to ease overcrowding at Lomé prison, the Committee remains concerned at the rate of overcrowding in all places of detention; the national occupancy rate is currently 182 per cent, and there is no comprehensive prison policy to address the multiple causes of overcrowding. The Committee regrets that the alternatives to detention set forth in the new Criminal Code cannot be applied because of the present lack of a Code of Criminal Procedure. Moreover, the Committee is concerned that there are

currently no sentence enforcement judges owing to the fact that the bill on the organization of the judicial system is yet to be adopted by the National Assembly. The Committee is also concerned about the fact that all visitors, with the exception of “visiting permit” holders and lawyers, are required to pay a lump sum of 200 CFA francs, which could amount to a restrictive measure contrary to rules 43 (3) and 58 (1) (b) of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). Lastly, the Committee notes with concern that conditions in the custody facilities of police stations and gendarmeries are unsanitary and lacking in natural light, and that the persons detained there are not fed (arts. 2, 11 and 16).

**25. Reiterating the recommendations made in paragraph 13 of its previous concluding observations, the Committee urges the State party promptly to take all necessary measures to bring detention conditions in prisons and custody facilities in line with the Nelson Mandela Rules. In particular, the State party should:**

(a) **Close Lomé prison definitively and without delay and draw up a general plan on the prison situation in Togo;**

(b) **Improve physical conditions in all other places of deprivation of liberty by ensuring that prisoners have access to a sufficient amount of adequate food and enjoy decent, sanitary conditions and adequate ventilation in cells that is appropriate to the prevailing climatic conditions;**

(c) **Reduce prison overcrowding by making greater use of alternatives to detention such as house arrest and judicial supervision and, to this end, promptly adopt the Code of Criminal Procedure and the bill on the organization of the judicial system in order to facilitate the appointment of a sentence enforcement judge;**

(d) **Provide prisons with a sufficient number of qualified, trained members of staff, including medical personnel, ensure that internal regulations are adopted in all places of detention and investigate all cases of corruption and privileges, punishing the persons found responsible;**

(e) **Abolish the lump sum payment required of prison visitors.**

#### **Impunity and investigations**

26. The Committee is deeply concerned at reports of impunity for past acts of torture or ill-treatment. In particular, it notes there have been no investigations into the events that occurred between 2009 and 2012, when numerous acts of torture are reported to have been committed, including, it is alleged, by agents of the National Intelligence Agency, despite the recommendations made by the National Human Rights Commission in 2012 in that regard, which have gone unheeded. Likewise, there have been no investigations into the events linked to the post-election violence of 2005. To date, none of the 72 claims filed by victims of torture and ill-treatment has been investigated by the national courts and no one responsible for these crimes has been punished. While it notes the information provided orally by the State party regarding two claims currently being processed, the Committee is of the view that the virtual absence of investigations into and prosecutions for acts of torture contributes to the creation and maintenance of a situation of impunity (arts. 2, 12 and 13).

**27. Reiterating the recommendations made in paragraph 11 (a), (d) and (e) of its previous concluding observations, the Committee urges the State party to open an investigation into the actions of the National Intelligence Agency and to end impunity by ensuring that all persons who have committed acts of torture are systematically brought to justice and punished in accordance with the seriousness of their acts.**

#### **National Human Rights Commission and designation of a national preventive mechanism**

28. The Committee welcomes the adoption of Organic Act No. 2018-006 on the composition, organization and functioning of the National Human Rights Commission, which establishes the Commission as the national mechanism for the prevention of torture within the meaning of article 3 of the Optional Protocol and grants it the power to conduct

regular and unannounced visits to all places of deprivation of liberty. It takes note of the appointment of new multidisciplinary members of the Commission, their recent assumption of office on 25 April 2019 and the visits so far conducted, and welcomes the objective criteria and independent status enshrined in article 8 of Organic Act No. 2018-006. However, it is concerned about the perceived lack of effective independence of some of the current members of the Commission, specifically those who also work as civil servants. The Committee is also concerned that the Commission's budget has not been increased in line with the new responsibilities it has taken on as the national preventive mechanism, and that its annual budgetary allocation is provided in the form of a grant, which is negotiated on a yearly basis and is therefore unpredictable, all of which raises questions as to the Commission's managerial autonomy, effective independence and ability to carry out its mandate as the national preventive mechanism (art. 2).

**29. The Committee urges the State party to ensure that the members of the National Human Rights Commission are fully independent, both from a personal and institutional standpoint, and to provide the Commission with adequate and predictable financial, human and material resources to enable it fully to perform its duties as a national institution and as the national preventive mechanism in an independent, impartial and effective manner.**

#### **Violence against women and girls**

30. While it welcomes the provisions set out in the new Criminal Code, whose articles 212 and 232 define, criminalize and sanction gender-based violence, including domestic violence and marital rape, and further welcomes the adoption of the Personal and Family Code, the implementation of a national strategy to combat gender-based violence in 2012 and the implementation of numerous awareness-raising campaigns, the Committee regrets that, in practice, many Togolese women continue to be victims of violence. Women continue to be subjected to forced and early marriages and the practice of female genital mutilation, which has continued despite the adoption of Act No. 98-016 of 17 November 1998 prohibiting female genital mutilation in Togo and the extensive efforts made to raise awareness in this regard. While it thanks the State party for having provided statistics on the convictions secured between 2016 and 2019, the Committee regrets that these data have not been disaggregated by age, ethnic origin, nationality, region, type of complaint and sentencing court, in such a way as to make it possible to identify the root causes of such violence and to design strategies to prevent and limit it (arts. 2 and 16).

**31. The State party should:**

(a) **Ensure the effective implementation of the provisions of the Criminal Code sanctioning gender-based violence and thoroughly investigate all cases of such violence to ensure that the perpetrators are prosecuted and duly punished and that victims obtain redress;**

(b) **Organize mandatory training on the prosecution of acts of sexual and gender-based violence for all law enforcement and judicial officers and pursue existing awareness-raising campaigns;**

(c) **Ensure that all victims of gender-based violence have access to shelters and receive the necessary medical care, psychological support and legal assistance;**

(d) **Continue efforts to eliminate female genital mutilation.**

#### **Violence against children**

32. With reference to its previous concluding observations, the Committee is concerned that, in spite of articles 353–356 and 376 of the Children's Code, which criminalize the corporal punishment of children in all settings and contexts, many children continue to be victims of multiple forms of abuse on a daily basis and are exposed to various harmful practices, such as forced and early marriage, or face accusations of witchcraft. Taking note of the recent findings of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her visit to Togo from 27 to 31 May 2019, the Committee is deeply concerned about the exploitation of children, with many children

working as domestic servants, porters or market vendors, performing the worst forms of labour in agriculture or being subjected to sexual exploitation and prostitution, despite the provisions of the new Criminal Code, which, in article 317, defines and sanctions the various forms of trafficking in persons and, in article 338, criminalizes and sanctions forced labour (arts. 2, 11–14 and 16).

**33. The State party should:**

(a) **Introduce legislation that expressly and comprehensively prohibits all forms of violence against children in all settings;**

(b) **Implement existing relevant legislation and systematically launch investigations and proceedings whenever cases of suspected child abuse, including sexual violence, are uncovered, so that the perpetrators are punished and the victims receive reparation, including rehabilitation and health care services that encompass psychological support;**

(c) **End the phenomenon of domestic servitude by establishing effective monitoring mechanisms and ensure the effective and systematic registering of complaints, investigations and convictions;**

(d) **Continue awareness-raising and training campaigns on child protection for teachers as well as traditional and religious leaders.**

**Human rights defenders, suppression of demonstrations and excessive use of force**

34. The Committee is deeply concerned at reports of repeated attacks against political opponents and human rights defenders seeking to exercise their right to freedom of association or expression, who have reportedly been regularly subjected to acts of torture or ill-treatment in places of police custody and detention following arbitrary arrest and detention. While it notes the State party's recent efforts to observe public demonstrations and ensure that they pass off safely, the Committee regrets the excessive and disproportionate use of force by law enforcement officials during peaceful public demonstrations, which is at odds with the legislative framework governing the exercise of freedom of peaceful assembly and protest. The Committee notes with concern that on 28 February 2018 law enforcement officials reportedly fired live ammunition to disperse protesters who had spontaneously gathered in Lomé to denounce a rise in the price of petroleum products, resulting in the death of one person and leaving several others injured. While the Committee welcomes the investigations launched with regard to the 2017 demonstrations, the State party should expedite their progress and report their findings to the Committee. Lastly, the Committee is alarmed by reports of the intimidation, arrest and arbitrary detention of human rights defenders. In August 2017, several human rights defenders, members of the Nubueke and En Aucun Cas movements and the Front Citoyen Togo Debout movement, were reportedly threatened, attacked, intimidated, arbitrarily detained and, in some cases, tortured and subjected to ill-treatment (arts. 2, 12, 13 and 16).

**35. As a matter of urgency, the State party should:**

(a) **Release all persons who remain in custody for having defended their opinions or demonstrated peacefully, and guarantee the payment of compensation to victims of arbitrary detention;**

(b) **Ensure that political opponents, human rights defenders and other representatives of civil society are protected from acts of intimidation and violence to which they may be exposed because of their activities;**

(c) **Ensure that impartial and effective investigations are conducted without delay into any allegation of excessive use of force, torture, ill-treatment or extrajudicial executions targeting political opponents, human rights defenders and members of civil society organizations, and bring proceedings as necessary;**

**Training on the provisions of the Convention**

36. While it welcomes the State party's efforts to educate and train law enforcement officials, including criminal investigation officers and gendarmes, in human rights-related

issues, including torture prevention, as reported on orally by the delegation of the State party, the Committee regrets that these programmes do not include any specific training or instruction regarding the Convention itself. Furthermore, while it welcomes the information that military doctors receive training that covers forensic examinations, in accordance with the guidelines for the detection of signs of torture and ill-treatment based on the standards set out in the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), the Committee notes that such training is not offered to all officials likely to interact with persons deprived of liberty (art. 10).

**37. The State party should enhance training programmes for officials likely to be involved in monitoring, questioning or handling persons deprived of their liberty (police officers, gendarmes, judges and prison officials) and ensure that these programmes include in-service training covering the provisions of the Convention, non-coercive investigatory techniques and the Istanbul Protocol. The State party should also establish methods for assessing the effectiveness of its training courses.**

#### **Redress**

38. While the Committee welcomes the fact that the State party has granted compensation to victims of torture pursuant to a decision issued by the Court of Justice of the Economic Community of West African States and takes note of the establishment of the High Commission for Reconciliation and Strengthening of National Unity, which, among other things, is responsible for implementation of the reparations programme developed by the Truth, Justice and Reconciliation Commission, it is concerned that the Criminal Code, in articles 199, 202 and 204, provides for redress in the form of monetary compensation only and does not contemplate all forms of redress set forth in article 14 of the Convention. The Committee also regrets the lack of statistical data relating to claims for compensation for acts of torture or ill-treatment, successful claims and the rehabilitation measures taken in those cases (art. 14).

**39. The Committee recalls its general comment No. 3 (2012) on the implementation of article 14 by States parties and urges the State party to:**

(a) **Take the necessary legislative and administrative measures to ensure that victims of acts of torture and ill-treatment have access to effective remedies and can obtain redress, including in cases where the perpetrator has not been identified;**

(b) **Conduct a comprehensive assessment of victims' needs and ensure that specialized rehabilitation services are promptly available;**

(c) **Provide the Committee, in its next periodic report, with detailed information on cases where victims of acts of torture and ill-treatment have had access to effective remedies and have obtained redress.**

#### **Follow-up procedure**

40. **The Committee requests the State party to provide, by 9 August 2020, information on follow-up to the Committee's recommendations on the reform of its judicial system, in particular the adoption of the bill on the organization of the judicial system and the Code of Criminal Procedure, the situation of persons in pretrial detention, the issuance of instructions on the absolute prohibition of torture and the closure of the Lomé prison (see paras. 11 (a), 17 (d), 23 (b) and 25 (a) above). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.**

#### **Other issues**

41. **The Committee invites the State party to consider ratifying the core United Nations human rights instruments to which it is not yet party.**

42. **The State party is requested to disseminate widely the report submitted to the Committee and the present concluding observations, in appropriate languages,**

through official websites, the media and non-governmental organizations, and to inform the Committee about its disseminating activities.

43. The Committee requests the State party to submit its next periodic report, which will be its fourth, by 9 August 2023. For that purpose, and in view of the fact that the State party has agreed to report to the Committee under the simplified reporting procedure, the Committee will, in due course, transmit to the State party a list of issues prior to reporting. The State party's replies to that list of issues will constitute its fourth periodic report under article 19 of the Convention.

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