



**Q10981 - Togo - Researched and compiled by the Refugee Documentation Centre of Ireland on 29 September 2009.**

**Information on effectiveness of police/corruption in the police force?**

According to the *US Department of State* under the heading 'Prison and Detention Centres' it states:

"In April 2007 a delegation of the UN Special Rapporteur on Torture visited prison, gendarmerie, police, and military detention facilities throughout the country without prior announcement and met with detainees. The special rapporteur stated that prisons were overcrowded. He noted evidence of ill-treatment by law enforcement officials, mainly inflicted during interrogation to obtain a confession, and that conditions in police custody and in most prisons amounted to inhumane treatment. He reported that soldiers at the military camp of Kara insulted and threatened the members of his delegation and prevented them from visiting cells inside the camp." (US Department of State (25 February 2009) *Togo: Country Report on Human Rights Practices – 2008*)

Under the heading 'Role of the Police and Security Apparatus' it notes:

"Police generally were ineffective and corrupt, and impunity was a problem. Police often failed to respond to societal violence. The government in general did not investigate or punish effectively those who committed abuses, nor did it prosecute persons responsible in previous years for unlawful killings and disappearances. No progress was made in examining complaints from a collective of more than 100 victims of human rights abuses committed during the 2005 presidential election. In 2007 the victims were asked to pay 25,000 CFA francs (approximately \$50) to the court to move their cases forward. Some of the victims were unable to pay and withdrew their complaints. Others paid the requested fee but still saw no progress on their cases during the year.

In August 2007 newly recruited police agents randomly beat civilians in an area of Lome; young men in the area had beaten a policeman a day earlier. The chief of police stated that the perpetrating police agents, as well as the men who beat the policeman, would be arrested and prosecuted. However, by year's end there was no new information available on the case." (ibid)

Under 'Arrest and Detention' it notes:

"The law authorizes judges, senior police officials, prefects, and mayors to issue arrest warrants; however, persons were detained arbitrarily and secretly. Although detainees have the right to be informed of the charges against them, police sometimes ignored this right." (ibid)

Under the heading Denial of Fair Trial the *US Department of State* notes:

“Although the constitution provides for an independent judiciary, the executive branch continued to exert control over the judiciary, and corruption was a problem. Lawyers often bribed judges to influence the outcome of cases. The court system remained overburdened and understaffed. A judicial reform process started in 2005 and intended to last until 2010 was significantly behind schedule.” (ibid)

Under the heading ‘Government Corruption and Transparency’ the report continues:

“The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. For example, in 2007 the CAC levied allegations of corruption against the director general of the Social Security Agency, who remained in his position at year's end.

According to the government's official interim poverty reduction strategy paper, prepared in April, corruption and lack of transparency in the management of public funds was a problem throughout the government. The constitution provides for the creation of a court of accounts to oversee public expenditures; however, the government had not established it by year's end.

Officials were not subject to financial disclosure laws.” (ibid)

Under the heading ‘Women’ the report notes:

“Police generally did not intervene in abusive situations, and women were not made aware of the formal judicial mechanisms designed to protect them.” (ibid)

It continues:

“Several prostitutes in Lome reported that they had to pay security forces to pass through certain parts of town; this payment most often took the form of sex or bribes. Members of the security forces raped prostitutes who protested the payment. The government did not act to stop this practice.” (ibid)

Under the heading ‘Trafficking in Persons’ the report notes:

“There were no reports that governmental authorities or security force members facilitated or condoned trafficking in persons. There were no reports that border guards, customs or immigration officials, labor inspectors, or local police received bribes from traffickers, although it was possible given the high level of corruption.” (ibid)

Under the heading ‘Political Rights and Civil Liberties’ a report from *Freedom House notes*:

“Corruption continues to be a serious impediment to development and stability, and the government took no significant steps to tackle the problem in 2008. Togo

was ranked 121 of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

Freedom of speech and freedom of the press are guaranteed by law. In 2004, the president abolished prison sentences for libel and prohibited the seizure or closure of media outlets without judicial approval. Nonetheless, these changes have been infrequently respected in practice and were blatantly disregarded during the 2005 presidential election. Self-censorship remained widespread in 2008 due to the prevailing impunity for crimes against journalists. Widely respected journalist Daniel Lawson-Drackey, who had been arrested in 2007 after accusing a cabinet minister of corruption, continued to be held without prosecution at the end of 2008, but there were no new reports of attacks or harassment aimed at journalists." (Freedom House (16 July 2009) *Freedom in the World 2009*)

According to a report by *Amnesty International* it notes:

"In January, the Special Rapporteur on torture noted in a report the commitment of the Togolese authorities to combat torture. However, in most police stations and gendarmerie posts visited, the Special Rapporteur found evidence of ill-treatment by law enforcement officials during interrogation of detainees, and beatings by prison guards as punishment.

The Special Rapporteur expressed concern that young people and children were at risk of corporal punishment while in detention and that prison conditions amounted to inhuman treatment." (Amnesty International (28 May 2009) *Amnesty International Report 2009 - Togo*)

## References

Amnesty International (28 May 2009) *Amnesty International Report 2009 -Togo*  
<http://report2009.amnesty.org/en/regions/africa/togo>  
(Accessed 28 September 2009)

Freedom House (16 July 2009) *Freedom in the World 2009*  
[http://www.freedomhouse.org/inc/content/pubs/fiw/inc\\_country\\_detail.cfm?year=2009&country=7718&pf](http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2009&country=7718&pf)  
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<http://www.state.gov/g/drl/rls/hrrpt/2008/af/119029.htm>  
(Accessed 28 September 2009)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

**Sources Consulted:**

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Amnesty International

BBC Monitoring

BBC News

Committee to Protect Journalists (CPJ)

Ethnologue

Danish Immigration Services

European Country of Origin Information Network

Google

Human Rights Watch

Immigration and Refugee Board of Canada

IRIN

Lexis Nexis

Refugee Documentation Centre Query Database

Relief Web

Sudan Tribune

UNHCR

UK Home Office

US Department of State