

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/TGO/CO/3)

TOGO

(...)

C. Principal subjects of concern and recommendations

(...)

Fundamental legal safeguards

(...)

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;**

(...)

Pretrial detention

(...)

17. The State party should:

(...)

(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.**

(...)

Allegations of torture and ill-treatment

(...)

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

(...)

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;

(...)

Conditions of detention

(...)

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;

(...)

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.
