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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-first session
Agenda item 2

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,
INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION, IN
ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER
DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION
UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Mr. Bossuyt, Ms. Daes, Mr. Diaz-Uribe, Mr. Eide, Mr. Fix-Zamudio,
Mr. Goonesekere, Mr. Guissé, Ms. Hampson, Mr. Joinet, Mr. Mehedi,
Ms. Motoc, Mr. Oloka-Onyango, Mr. Pinheiro, Mr. Sik Yuen,
Ms. Warzazi and Mr. Weissbrodt: draft resolution

1999/... Situation of human rights in Togo

The Sub-Commission on the Promotion and Protection of Human Rights,
Guided by the principles of the Charter of the United Nations, the
Universal Declaration of Human Rights and the International Covenant on Civil
and Political Rights,

Bearing in mind that Togo is a party to the International Covenant on
Economic, Social and Cultural Rights, the International Covenant on Civil and
Political Rights and Protocol I thereto, the Convention against Torture and
Other Cruel, Inhuman or Degrading Treatment or Punishment, the International
Convention on the Elimination of All Forms of Racial Discrimination and the
Convention on the Rights of the Child,

Concerned about the allegations of serious violations of the human dignity, physical integrity and life of certain persons, especially in the form of extrajudicial executions,

Taking note of the controversy brought to the Sub-Commission's attention concerning the truth or otherwise of these allegations or their extent,

Mindful of the urgent need to ensure that appropriate and effective investigations are undertaken in order to establish the truth in an impartial and independent manner,

1. Welcomes the announcement made by the Togolese authorities of the Government's approval of the establishment for this purpose of an international commission of inquiry into these allegations;

2. Expresses the hope that initiatives will quickly be taken, in cooperation with the Government, to ensure the earliest possible establishment of the commission, its independence and its impartiality, in particular taking into consideration guiding principles 5 to 12 relating to the establishment of extrajudicial commissions of inquiry, adopted by the Sub-Commission at its forty-ninth session (E/CN.4/Sub.2/1997/20/Rev.1, annex II);

3. Suggests to this end that an initiative should be taken in the context of the mandate of the United Nations High Commissioner for Human Rights, or by any other qualified authority;

4. Calls on the Togolese Government, first, to provide the international commission with support and assistance to enable it to perform its task competently and within a reasonable time, and secondly, to take concrete initiatives to enable the competent police and judicial authorities to cooperate fully with the commission;

5. Recommends to the Commission on Human Rights that it consider the development of the human rights situation in Togo at its next session or, failing that, decides to continue consideration of the development of this situation at the fifty-second session of the Sub-Commission, under the same item of its agenda.
