

## **ADVANCE QUESTIONS TO TOGO – Add.1**

### **NETHERLANDS**

#### **Detention conditions**

The Netherlands compliments Togo with approving the abolition of the death penalty in 2009. Though Togo also made some other progress in the field of protection of human rights, the Netherlands emphasizes that continuous progress will need continuous commitment from the Togolese authorities. One area of particular concern of the Netherlands is the substandard living conditions in prisons in combination with and partially caused by the large number of pretrial detainees. From stakeholders submissions to the Universal Periodic Review we also understand that inhuman and degrading treatment still occurs in detention facilities. What specific action is undertaken by the Togolese authorities to completely eliminate all forms of ill treatment in detention facilities?

#### **Criminal Code**

We took note of paragraph 20 of the national report and paragraph 17 of the stakeholder's report which addresses the draft Criminal Code. The draft criminal code, that will include a definition of torture, has not yet been adopted. What are the reasons for the delay in the approval of a revised Criminal Code that includes a definition of torture?