

- (e) victim died;
- (f) the victim was subjected to medical experiments;
- (g) victim acquires HIV/AIDS;
- (h) victim was under the age of eighteen years;
- (i) the victim is incapacitated;
- (j) the act of torture is recurring; and
- (k) offender commits any act which court considers aggravating.

the offender and any other person jointly connected with the commission of an act of torture is liable, on conviction to life imprisonment.

7. Reparations to be made by court in certain cases

(1) The court may, in addition to any other penalty under this Act, order for reparations, which may include -

- (a) restitution of the victim, his or her family or dependents, to the greatest extent possible and such restitution may include-
 - (i) the return of any property confiscated,
 - (ii) payment for harm or loss suffered,
 - (iii) payment for the provision of services and restoration of rights, or
 - (iv) reimbursement of expenses incurred as a result of victimization;
- (b) compensation for any economically assessable damage resulting from torture such as -
 - (i) physical or mental harm, including pain, suffering and emotional distress,
 - (ii) lost opportunities, including employment, education and social benefits,
 - (iii) material damage and loss of earnings, including loss of potential earnings,
 - (iv) costs required for legal or expert assistance, medicines, medical services, and psychological and social services; and

- (c) rehabilitation including -
 - (i) medical and psychological care, or
 - (ii) legal and psycho-social services to the victim in case of trauma.

(2) Restitution, compensation, rehabilitation or any payment ordered by the court under sub-section (1) may be satisfied from the property of the person convicted of torture.

8. Cruel, inhuman or degrading treatment or punishment

(1) Cruel, inhuman or degrading treatment or punishment committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official or private capacity, which does not amount to torture as defined in section 2, is an offence.

(2) The person who commits an offence under subsection (1) is liable on conviction to a fine of five hundred thousand dalasis or imprisonment for seven years or to both.

(2) For the purposes of determining what amounts to cruel, inhuman or degrading treatment or punishment, the court or any other body considering the matter shall have regard to the definition of torture as set out in section 2 and the circumstances of the case.

(3) In a trial of a person for the offence of torture the court may convict the person for cruel, inhuman or degrading treatment or punishment, where it is of the opinion that the act complained of does not amount to torture.

PART III - OTHER PARTIES TO THE OFFENCE OF TORTURE

9. Accessories to the offence of torture

A person who, whether directly or indirectly-

- (a) procures;
- (b) aids or abets;
- (c) finances;
- (d) solicits;
- (e) incites;
- (f) recommends;
- (g) encourages;