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Togo - 2015

Dirk Kohnert

The presidential elections of 25 April resulted in a victory for the incumbent, Faure Gnassingbé. Thus, he secured his third five-year term, strengthening the autocratic grip of the Gnassingbé-clan, which had been in power since 1967. The institutional and constitutional reforms that would have been required for free and fair elections and which the opposition parties, civil society and international donors demanded, were postponed indefinitely. Nevertheless, the international community declared the elections free and fair, given their security interests in the region. Economic growth remained stable at about 5% p.a., although economic growth rates were not inclusive and benefitted the few. The business climate improved considerably.

Domestic Politics

Presidential elections had initially been envisaged for March and opposition and civil society groups pressed all the more urgently for constitutional and institutional reforms of the electoral system, which were assessed as a necessary precondition for free and fair elections. According to an Afrobarometer survey in October 2014, 85% of the population were in favour of procedural reforms, calling for the reestablishment of a limit on presidential terms, which the late head of state Gnassingbé Eyadéma had abolished in 2002 by an illegitimate amendment of the 1992 constitution. However, government and opposition could not agree on either the scope or the timetable of the reforms. The ruling party and the Constitutional Court had made it clear already in 2014 that they would not be interested in electoral reforms before the presidentials and that they considered the Accord Politique Global (APG) of 2006 between opposition and government on these reforms no longer as binding.

After two weeks of futile consultations, the draft electoral reform law was rejected at the end of January. Although the Constitutional Court had ruled that the polls should be held between 17 February and 5 March, Minister of Territorial Administration Gilbert Bawara announced that the elections would be delayed till mid-April, citing mainly logistical issues.

Opposition groups did not object because they felt that they would benefit from additional campaigning time, but were divided on the question of whether to boycott the elections, given these unfair conditions. In February, the 'Comité d'Action pour la Renouveau' warned the opposition and the international community not to participate in an "ongoing electoral charade". The opposition increasingly moved away from putting forward a joint opposition candidate, which was the only way to challenge the incumbent effectively. Given the biased electoral system, discord within the opposition, and the strength that the ruling party 'Union pour la République' (UNIR) had acquired, a victory for any opposition candidate seemed unlikely. Shortly before the elections, even the ex-president of the transitional parliament of 1991, former Archbishop of Lomé Mgr. P. F. Kpodzoro, who was still highly regarded by the Togolese, fustigated the present constitution as an 'one-armed bandit constitution' ('*constitution manchot*') which did not reflect the truth and reconciliation process (31. March).

In February, international and national human rights organisations, including the Truth and Reconciliation Commission (CVJR), the ‘Collectif des Associations Contre l’Impunité au Togo’ and the ‘Plateforme Citoyenne Justice et Vérité’ (PCJV), had advocated political reforms, warning that failure to implement them could lead to electoral violence. Nevertheless, a majority within the newly formed opposition coalition ‘Combat pour l’Alternance Politique en 2015’ (CAP 2015) was in favour of contesting the elections and supported Jean-Pierre Fabre, the leader of the main opposition party, the ‘Alliance Nationale pour le Changement’.

The *presidential elections* took place on 25 April, with about 3.5 m people entitled to vote. The disputed electoral system stipulated that the president would be elected for a five-year term, the winner being the candidate with the most votes after a single round of voting. That is, the winner did not need to have an absolute majority in the first round, as stipulated by the controversial 2002 amendment to the constitution, which favoured the incumbent. Apart from the incumbent, Faure Gnassingbé, and the leading opposition candidate, Jean-Pierre Fabre, there were three other contestants from smaller opposition parties: Aimé T. Gogué of the ‘Alliance des Démocrates pour le Développement Intégral’, Gerry K. Taama, the leader of ‘Nouvel Engagement pour le Togo’, and Mohamed Tchassona Traoré of the ‘Mouvement Citoyen pour la Démocratie et le Développement’. Mediated by the international donor community, it was agreed to establish a supplementary steering committee with the CENI to follow the processing operations. The latter was to be composed of international election observers from the AU, ECOWAS, WAEMU, OIF, the Community of Sahel-Saharan States, and an international electoral assistance commission of the Gorée Institute (a Pan African NGO based in Senegal, assisted by the francophone West African regional organisation Conseil de l’Entente and the EU) as well as representatives of the presidential candidates.

After three days of quarrelling and tension within the Electoral Commission (‘Commission Électorale Nationale Indépendante’; CENI), its president announced the results on 28 April – prematurely, as 28 of the 42 reports of the local electoral commissions had not yet been examined in plenary – and declared that *Faure Gnassingbé* had won an absolute majority with 58.8% of valid votes, against 35.2% for Jean-Pierre Fabre (CAP 2015) and 3% for Aimé T. Gogué. The unilateral decision of the ruling majority within the CENI on the early publication of results, mainly provoked by the drive of the majority to assure the inauguration of the president before the formal expiration of his mandate (3. May), put an abrupt end to the mediation attempts of the steering committee of international election observers. Nevertheless, AU, ECOWAS and UN observer missions declared the polls free and fair, despite opposition complaints on 30 April that irregularities had taken place. The ECOWAS chairman, the Ghanaian president John Dramani Mahama went even as far as declaring the presidentials ‘another milestone in the consolidation of democracy in the West African subregion’. A confidential report of an EU electoral mission, prepared between 12 March and 7 May, which was leaked to the press on 26 October, confirmed these claims. The report recognised the generally peaceful conduct of the polls but criticised irregular high rates of voter registration (99.9% nationwide), based only on simple testimony, notably in the northern districts, where support for the incumbent had historically been high: Centrale and Kara-Binah (137%), Bassar (121%), Dankpen (177%), Doufelgou (117%), Kozah (114%), Kéran (109%) and Assoli (106%). Registration rates were significantly lower in regions considered to be the stronghold of

the opposition (especially the Maritime region). In addition, the reported voter turnout was higher in the north. According to the CENI, turnout was initially estimated at about 53% nationwide, i.e. at least 10% lower than at the previous presidential elections in 2010 (64%), but this was later adjusted to 61% without explanation. The fall in turnout compared with the previous polls was interpreted as a sign of growing voter fatigue, which may have been aggravated by the boycott called for by smaller opposition parties and a potentially high number of voters who could not cast their vote because of technical problems, especially in the Maritime region. On 3 May, the Constitutional Court ratified the result, which was not challenged by the CAP 2015 because it did not believe in the impartiality of the Court, given its composition and similar decisions in the past. The Electoral Integrity Project (Los Angeles) classified the presidentials (2015) as well as the legislative elections of 2013 in Togo at the bottom range (rank 161 and 162 of 168) in its expert survey 2015 of 180 elections in 139 countries.

Thus, Faure Gnassingbé easily secured a *third five-year term in office* and thereby the extension of the autocratic rule of the Gnassingbé family, which had already been in power for 48 years, a world record, topped only by North Korea, as pointed out by the international NGO 'Tournons La Page'. The opposition had little opportunity to challenge the regime through democratic elections, given the extensive influence and material resources that were at the government's disposal. Apart from the biased electoral system and the state-controlled media, the opposition was subjected to additional forms of judicial and financial repression, including a policy of divide and rule, combined with a carrot and stick strategy, and systematic weakening of the opposition's local power base. The last had been effected by, among other things, the replacement of local mayors and communal councillors by special delegates nominated by the administration in 2001, and, most importantly, by the endless postponement of local elections since 1987, considered to be a pre-condition of a democratic legitimization of devolution of power. Thereby Togo remained the sole member within the West African Economic and Monetary Union (WAEMU/UEMOA) that did not implement an independent decentralization. Thus, in fear of a possible repetition of electoral violence in the aftermath of the 2005 presidentials, the ordinary voter had little choice between either voting for the ruling power or resignation and absenteeism.

After the resignation of Prime Minister Ahoomey-Zunu on 22 May, the president appointed *Selom Komi Klassou* as the new premier on 5 June. The 55-year-old Klassou, an Ewe originating from Notsè, and regarded as a hardliner and long-time ally of the Gnassingbé regime, had been a member of the politbureau of the former unity party, the 'Rassemblement du Peuple Togolais' (the antecedent of the ruling UNIR), and had served as cabinet minister under both the late dictator Eyadéma and his son Faure. He had also been the campaign manager in the disputed 2005 presidential election, which had assured Faure's succession to his late father Eyadéma on the latter's death. On 28 June, Klassou announced his *new cabinet*, reduced from 26 to 23 members. It included four women (a cutback from 26% in 2013 to 17%), including the third most important member of the government, Victoire Dogbé, director of the presidential cabinet, who kept her portfolio as minister of grassroots development, youth and youth employment. Twelve former cabinet members were reappointed, including Minister of Foreign Affairs and Cooperation Robert Dussey, and Minister of Security Colonel Yark Damehane. Adji Otèth Ayassor became the only minister of state, overseeing the Ministry of Economy and Finance, which now merged with the Planning Ministry and thus became a 'super-ministry'. Gilbert Bawara, former minister

of territorial administration, became minister of labour and social dialogue, responsible for, among other things, relations with civil society organisations, including labour unions. Abli Bidamon, former chief of Togolese customs, was awarded the strategic Ministry of Mines and Energy in recognition of his loyal service in the CENI. The junior coalition partners, the 'Union des Forces de Changement' (UFC) and 'Convergence Patriotique Panafricaine', kept the Ministries of Environment (André Johnson) and Higher Education (Octave Broohm), respectively, while the former foreign minister Elliot Ohin (UFC) was demoted to minister without portfolio to the prime minister. The Defence Ministry remained (as it had since 2008) in the hands of the president, apparently as precaution against possible coup attempts.

All in all, Togo was still rated as an 'authoritarian regime' in the democracy index of the Economic Intelligence Unit (London). In the global ranking of the independent Democracy Ranking Association (Vienna) published on 29 December, Togo was ranked 110th of 113 countries. The population was becoming increasingly frustrated by the regime's inability to initiate meaningful reforms. According to the World Database on Happiness (an index of subjective wellbeing), the Togolese came among the lowest of the 149 countries surveyed, and the UN World Happiness Report of 2015 ranked Togo as the lowest country worldwide, a drop since the previous report of 2005-7. According to a representative survey of Afrobarometer published in January about two third of the population held the opinion that the present electoral system does allow neither to vote the president out of office nor to vote for deputies who truly reflect the will of the electorate. Amnesty International (ai) and ACAT-France published a joint report in April titled 'Togo: one decade of impunity' proposing a road-map to end impunity, notably of members of the security forces. Nevertheless, AI recognized slight improvements of the human rights situation in its annual report on Togo published end of December, like the criminalization of torture in the new penal code adopted in parliament (2. Nov.). In contrast, the union of independent journalist complained about the drastically tightened sentences against diffusion of false news in the new code.

The regime delayed the implementation of most of the *recommendations for reform* made by the CVJR in 2012. In March, the government established an 'Haut Commissariat pour la Réconciliation et le Renforcement de l'Unité Nationale', supplemented by a civil-society platform, the PCJV, in order to accelerate implementation. The National Human Rights Commission ('Commission Nationale des Droits de l'Homme'; CNDH) complained of a lack of resources and of the government's unwillingness to cooperate. A bill to improve the composition and organisation of the CNDH, particularly with respect to the prevention of torture, was adopted in Parliament in mid-October. On 31 December, the CNDH handed to the government its report on the violence that had ensued following a government attempt to implement a nature conservation project in Mango (Northern Togo) without due popular consultation. In November, the intervention of the army to quell the local population's protests had resulted in eight deaths. AI and CAP 2015 activists called for an independent inquiry, the release of 11 persons detained in the Dapaong prison, and reparations for the families of the victims.

In late December, the government adopted a bill for the creation of a response force composed of retired military personnel to improve national security. On 28 December, another bill, providing guidelines for regional planning, was passed in parliament in order to enhance the national policy of comprehensive regional planning as enacted in the council of ministers in 2009.

Foreign Affairs

At the *ECOWAS* summit in Accra (Ghana) on 19 May, the heads of state dropped a proposal to restrict West African presidents to serving two terms in office. Togo and Gambia, the only *ECOWAS* members who had not yet introduced the limit, were reportedly the driving forces behind the rejection of the proposal.

Unlike in 2010, the *EU* did not send a delegation to observe the presidential elections because its recommendations concerning the previous 2010 and 2007 elections had not been implemented. However, the *EU* did assist the electoral process by, for example, co-funding 1,200 national election observers, a project launched by the 'Concertation Nationale de la Société Civile au Togo', a network of 53 civil society organisations founded in 2002. Jérôme Leyraud, an expert commissioned by the *EU* to monitor the elections, was expelled from the country shortly after his arrival in late March because of his critical remarks in a 2013 *EU* report on the parliamentary elections. Togolese Commissioner of Economy and Finance Adji Otèth Ayassor had already in February asked the resident representative of the *IMF*, Werner Keller, to leave the country ahead of schedule because of his outspoken criticism of the hesitant implementation of the *IMF*'s recommendations. The *IMF* responded by announcing the temporary closure of his office in Lomé one month later.

In February, *Germany* provided € 245,000 for the formation and training of administrators and local leaders (prefects, village heads, etc.) within the framework of a *UNDP* programme in order to guarantee their political neutrality in the electoral process.

At the Togolese government's request, the *OIF* assigned a committee of experts to assist the *CENI* from 14 March to 8 April in drawing up the electoral register. At the end of its mission, the *OIF* stated that the electoral register was incomplete but could nevertheless be accepted because it was not contested by the opposition.

During an official visit to Lomé in March, *UN* Deputy Secretary General Jeffrey Feltman expressed his concern about standards of democracy and the transparency and credibility of elections. *UNDP*, among others, had supported the formation of an 8,000-strong security force to oversee the presidential elections ('Force Sécurité Elections Présidentielles'; *FOSEP* 2015). In June, the *UN* High Commission for Human Rights closed its office in Lomé, which had been founded in 2006 to tackle human rights issues arising from political violence during the 2005 presidential elections. On 11 February, a *UN* working group on Togo had sought in vain the release of Kpatcha Gnassingbé, the president's half-brother, imprisoned in 2009 on charges of involvement in an alleged coup attempt, and of other prisoners facing the same charges, citing lack of evidence.

Following the terrorist attack on the newspaper 'Charlie Hebdo', on 11 January, Faure Gnassingbé attended a gathering in Paris of 50 world leaders, who met to show their solidarity with France. He underlined that his presence was also to make his European colleagues understand that *terrorism* had to be countered worldwide and to make them aware that he considered it to be the same evil, even if it took different forms in Africa. On 15 December, Saudi Arabia announced the formation of an Islamic military alliance to fight terrorism. The initiative was explicitly not restricted to countering the so-called Islamic State, but was intended to combat all forms of terrorism worldwide, and included 34 member countries. Besides ten Islamic countries, including

nations with large and established armies such as Pakistan, Turkey and Egypt, 20 African countries joined the alliance, including Togo, Nigeria and Ivory Coast.

At the end of September, Faure Gnassingbé addressed the 70th session of the UN General Assembly in New York on the progress made by his country in achieving the MDGs. Some days after the adoption of the new 17 sustainable development goals (SDGs), the UN selected Togo to host the first workshop of the working group of Francophone African countries to prepare for the implementation of the SDGs. According to the UN coordinator, Khardiata Lo N'Diaye, this was in recognition of Togo's constructive role in preparing the new SDGs agenda up to 2030.

After the abortive coup in Burkina Faso on 16 September, led by Gen. Gilbert Diendéré, the former chief of President Blaise Compaoré's security guard, Cote d'Ivoire and Togo were accused of having supported the coup attempt, according to international press reports based on the preliminary findings of an investigative commission in Ouagadougou.

The Forum on *China-Africa* Cooperation held its first summit on African soil in Johannesburg (South Africa) on 5 December. The summit was attended by most African leaders, including Faure Gnassingbé, who met Chinese President Xi Jinping one day before the opening. The latter praised the political and economic cooperation with Togo since the establishment of diplomatic ties in 1972 and pledged to strengthen cooperation in infrastructure projects (roads and development of the Lomé port area as a transregional industrial hub), agriculture and the health sector.

Socioeconomic Developments

Real *GDP growth* remained strong because of public investment in national road networks, mining and port infrastructure, as well as productivity gains in agriculture and the recovery of global commodity prices. It had averaged 5.6% in 2013-14 and was projected to remain at this level up to 2018, with inflation staying well below the UEMOA convergence rate of 3%. Industry was the fastest growing sector, last but not least because of recent developments in the key clinker and cement production, including the huge Heidelberg Cement plant in Tabligbo, 80 km north-east of Lomé, which opened in March, with capacity for annual production of 1.5 m tonnes.

Nevertheless, real GDP per capita remained below the UEMOA average and, importantly, growth was not inclusive. According to the latest available figures, income distribution had worsened (Gini coefficient increased from 0.36 to 0.39, 2006-11), and poverty remained high (although declining from 62% in 2006 to 59% in 2011) and, according to the IMF country report released in November, geographically concentrated in rural areas and the north. Moreover, the high level of public investment resulted in a visible increase in *public debt*, rising from 46% of GDP in 2012 to 58% in 2014, which the IMF viewed as unsustainable, although the current account deficit of recent years was projected to improve marginally to 12.5% in 2015 as result of lower oil prices.

Secondary income, especially private *remittances and donor grants* continued to be vital for the balance of payments. About 2 m Togolese were living abroad – 1.5 m within Africa and about 500,000 overseas. Remittances from the Togolese diaspora played a significant role in development. According to OECD statistics for 2014, Togo ranked high on a global scale not only for ODA per capita (\$ 91 in 2011, ranked 17th)

but also for remittances (\$ 52 per capita, ranked 7th). Remittances had steadily increased by 7% over the previous decade and represented 8% of GDP or CFAfr 182 bn (\$ 333 m) in 2014.

Tax revenues were expected to rise to 16.8% of GDP in 2015 because of improved revenue collection, but the fiscal deficit was expected to widen from 4.5% of GDP (2014) to 5.1%. The increase was due to public expenditure apparently related to the elections. Against this background, the general *budget* for 2016, approved by Parliament on 30 December, was based on optimistic predictions. With CFAfr 1,002.2 bn (€ 1.524.5 m) in expenditure to be set against CFAfr 962,8 bn in revenue (of which CFAfr 575 bn was projected internal revenue, compared with CFAfr 480 bn in 2014), the budget deficit of CFAfr 39.4 bn was to be financed mainly from extraordinary revenue.

Several *road projects* to improve national and trans-national trade flows were agreed upon in May. They included the upgrading of the vital transit axis Lomé–Ouagadougou that connected the deep-water port of Lomé not only with projected mining areas in northern Togo but also with the landlocked neighbouring countries of Niger and Burkina Faso, thus improving Togo's role as a major commercial and transportation hub within West Africa.

Apart from public works, private *commercial investments* were also implemented. A fertiliser plant managed by the 'Compagnie des Intrants Agricoles du Togo', a branch of the French Mambo Group, began production in the port area of Lomé in June with an installed capacity of 400,000 tonnes per year. It was to profit from the nearby phosphate mines, like an even bigger \$ 1.4 bn *phosphate mining and fertilisers* project with a nominal annual production of 3 m tonnes of phosphate rock concentrates, 500,000 tonnes of phosphoric acid, and 1.3 m tonnes of fertiliser, using energy supplied by the new West African Gas Pipeline. This huge project was the biggest of its kind in West Africa and was contracted in September between the government and a consortium of the Israel-based Elenilto and the Chinese state-owned Wengfu. Based in Kpémé near Lomé, it would significantly contribute upon completion in 2018 to Togo's main export (phosphates represented 11% of total exports in 2014) and to the resurgence in exploration and development of the sixth-largest phosphate mine in Africa. However, notwithstanding the recovery of the ailing phosphate production, which had increased by 9% to 1.2 m tonnes in 2014, equipment constraints slowed down production, and operational accidents and strikes affected the production of clinker and cement.

Cotton production, a major export earner, increased by 45% from 77,850 tonnes of cotton grain in the previous season (2013-14) to 113,000 tonnes in 2014-15, thanks to good weather and the government project to improve the agricultural sector ('Projet d'Appui au Secteur Agricole'; PASA) with an investment of \$ 75.5 m over six years. The PASA particularly emphasised cash crops, such as cotton, cacao and palm oil and the government tried to reduce dependency on some 18,000 tonnes of imported palm oil by assisting the Mauritanian company Kaylan Agrovét Investments to plant some 52,000 palm trees on 250 ha at Agou (south-west Togo), to be extended to 1,000 ha by 2016. The group invested \$ 65 m, including for the construction of an oil-mill with an annual capacity of 24,000 tonnes of oil by 2022. The *coffee* harvest was expected to yield 11,000 tonnes by the end of the cropping season, compared with 5,000 tonnes before the start of the PASA.

The *business climate* improved considerably. According to the 2015 Doing Business Report, Togo's country ranking improved by 15 places from 164th in 2014 to 149th, the

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third-best improvement worldwide, although starting from bottom place. Its rating in the Heritage Foundation's index of economic freedom also improved, by 3.1 points from 2014, resulting in Togo being ranked 138th of 166 countries worldwide and 30th of 46 countries in SSA.

On occasion of the annual Ramadan festivities on 17 July, El Hadj Inoussa Bouraïma, president of the most important Togolese Muslim organisation, the 'Union Musulmane du Togo', warned of the ambitions of terrorist groups to propagate Islam by violent means and declared that jihadis had no place in Togolese society. Although there had been no history of Islamist terrorism in Togo, the faithful who had gathered for the festival in Kégué stadium in Lomé were, for the first time, searched by security forces.

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