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Freedom in the World 2011 - Togo

Capital: Lome

Population: 6,800,000

Political Rights Score: 5 *

Civil Liberties Score: 4 *

Status: Partly Free

Overview

Faure Gnassingbé was reelected president of Togo in March 2010. While voting irregularities were reported, they were not serious enough to alter the outcome. The opposition bitterly contested the results and led weekly demonstrations in Lomé despite a temporary ban on post-election protests. After the Union of Forces for Change (UFC) splintered in May over the election controversy, a faction led by the party's historic leader, Gilchrist Olympio, entered into a coalition with the ruling party, giving the opposition representation in government for the first time since 1990.

Originally part of a German colony that fell under the control of France after World War I, Togo gained its independence in 1960. Gnassingbé Eyadéma, a demobilized sergeant, overthrew the civilian government in a bloodless coup in 1967. Using mock elections and a loyal military, he then presided over close to 40 years of repressive rule.

In 1991, under pressure from European governments, Eyadéma agreed to set up a transitional government and prepare for free elections. However, his soldiers and secret police attacked opposition supporters, ultimately forcing thousands to flee abroad, and the transitional government was later dissolved. A series of elections were held during the 1990s, but military harassment and legal manipulation ensured that Eyadéma and his Rally of the Togolese People (RPT) party remained in power. The president secured a new five-year term in 2003. Gilchrist Olympio, the most prominent opposition politician for the Union of Forces for Change (UFC), was prevented from running through a manufactured technicality.

Eyadéma died in February 2005, and the military quickly installed his son, Faure Gnassingbé, as president. While protests and opposition activity were formally banned, demonstrations remained frequent, and the police response was brutal.

Under international pressure, Gnassingbé held an April 2005 election that confirmed him

as president. The Economic Community of West African States was the only international organization to endorse the poll, which featured over a million phantom voters on the electoral rolls, widespread intimidation, and a complete communications blackout on election day. Subsequent clashes between opposition supporters and security forces killed almost 500 people, injured thousands, and forced 40,000 to flee the country.

In 2006, the promise of renewed economic aid from the European Union (EU) – which had cut off support in 1993 – spurred the RPT and opposition parties to schedule legislative elections. In the October 2007 polls, the RPT won 50 of the 81 National Assembly seats, with 85 percent voter turnout. The UFC secured 27 seats, while the Action Committee for Renewal (CAR), another opposition party, captured the remainder. Polls were deemed to have been transparent and relatively fair, though many observers noted that the lopsided electoral system enabled the RPT to win 62 percent of the seats with just 39 percent of the vote.

By the end of 2008, the EU had restored full economic aid, and the World Bank and International Monetary Fund also resumed cooperation. Relations with international donors were bolstered in part by Gnassingbé's appointment of Gilbert Fossoun Hounbo, a former UN Development Programme official, as prime minister in September.

In preparation for the 2010 presidential elections, an agreement was reached in 2009 over the reformation of the electoral code, including the removal of residency requirements that had previously barred Olympio from running. However, tensions remained high over the government's refusal to introduce further reforms, including updating the voter list; altering the constituency structure that favored the RPT; and, most notably, allowing a second round vote.

In February 2010, Olympio was disqualified for having missed a mandatory health inspection, leading the UFC to back Jean-Pierre Fabre as its presidential candidate. The UFC's inability to unite the other opposition candidates behind Fabre, the president's refusal to allow a second round in the election, and the RPT's dominance over the state media resulted in Gnassingbé's reelection in March with over 60 percent of the vote. While the elections were deemed largely free and fair by local and international observers, a number of irregularities were observed, including the lack of official seals on ballots, verified reports of vote-buying by the RPT, inconsistencies in early voting by the army, and partisanship within the electoral commission. However, the problems were not considered serious enough to have influenced the outcome of the vote.

Despite a temporary ban on post-election demonstrations, Fabre – who had immediately contested the results – led weekly protests in Lomé, which were dispersed with tear gas and water cannons. The UFC splintered in May following disagreements over how to address the contested election results. Fabre refused to accept the results and chose to boycott parliament, while a faction led by Olympio agreed to enter into a coalition government with the RPT. UFC members were subsequently appointed to high-level cabinet and ministry positions, including the foreign and communications ministries. The RPT-UFC coalition marked the first time the opposition had been included in the government since 1990. The coalition agreed to hold the country's first local elections, carry out the first population census in a decade, and create a new electoral list. Gnassingbé again appointed Hounbo as prime minister in May.

Political Rights and Civil Liberties

Togo is not an electoral democracy. Despite international consensus that the 2007 legislative elections and the 2010 presidential elections were carried out in a relatively free and fair manner, the structure of the electoral system largely ensures that President Faure Gnassingbé will remain in power. The president is elected to five-year terms and appoints the prime minister. Members of the 81-seat, unicameral National Assembly are also elected to five-year terms, using a party-list system that favors the RPT.

Corruption continues to be a serious impediment to development, and the government

took no significant steps to tackle the problem in 2010. Togo was ranked 134 of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

Freedom of the press is guaranteed by law, though it is often disregarded in practice. Blatant impunity for past crimes against journalists and frequent defamation suits encourage self-censorship. A 2009 law gives the state broadcasting council the power to impose severe penalties – including the suspension of publications and the confiscation of press cards – if journalists are found to have made "serious errors." The government runs Togo's only daily newspaper, *Togo Press*, as well as the only national television station. In August 2010, the Gnassingbé family took a series of legal actions against private media outlets, all of which were pending at year's end. President Gnassingbé filed defamation charges against three separate papers during the year, though he withdrew the suits in October. The government did not ban media coverage during this year's presidential election, but the state media was dominated by pro-Gnassingbé coverage. Private print and broadcast outlets are limited in capacity and often heavily politicized. Access to the internet is generally unrestricted, but few people use the medium due to high costs.

Constitutionally protected religious freedom is generally respected, though tensions sometimes arise between Togo's southern Christian majority and northern Muslim minority. Islam and Christianity are recognized as official religions, but other religious groups must register as associations. Political discussion is prohibited on religious radio and television outlets. While government informers and security forces are believed to maintain a presence on university campuses and in other public places, ordinary citizens are now able to speak more openly than in previous years.

Respect for freedoms of assembly and association has improved since 2006. However, the Ministry of Security temporarily banned post-election demonstrations in 2010, and security forces used water cannons and tear gas to disperse supporters of Jean-Pierre Fabre protesting the election results.

Togo's constitution guarantees the right to form and join labor unions, and most workers have the right to strike. However, collective bargaining is limited to a single nationwide wage agreement.

The judicial system, including the Constitutional Court, is understaffed, inadequately funded, and heavily influenced by the presidency. While the death penalty was abolished in 2008, extrajudicial killings remain a concern. Human rights groups and victims have repeatedly called for the prosecution of those responsible for the campaign of killings, abductions, and intimidation linked to the 2005 presidential election. A Truth and Reconciliation Commission launched in 2009 is tasked with investigating the abuses from the 2005 election, but it lacks the power to prosecute. While the commission can recommend prosecutions, no progress had been made by the end of 2010.

Discrimination is common among the country's 40 ethnic groups, and tensions have historically divided the country between north and south along political, ethnic, and religious lines. The army is traditionally composed of soldiers from the northern Kabiye group.

Togolese citizens are typically free to travel overseas and around the country, despite numerous roadblocks set up by vigilante groups or unemployed youths attempting to extort money. Citing security concerns, the government closed all international borders prior to the 2010 presidential election, prompting a number of Togolese to flee to Ghana before the closure in fear of post-election upheaval.

Despite constitutional guarantees of equality, women's opportunities for education and employment are limited. Nonetheless, the first female presidential candidate ran for office in 2010. Customary law discriminates against women in divorce and inheritance, giving them the legal rights of minors, and a husband may legally bar his wife from working or choose to receive her earnings. Child trafficking for the purpose of slavery remains a serious problem, and prosecutions under a 2005 child-trafficking law are rare.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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