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Covering events from January - December 2003

President Eyadéma, head of state since 1967, won another presidential election marred by violence and repression. There were no investigations into reports that the security forces had used excessive force when dispersing protesters, or into the apparent extrajudicial execution of an opposition activist. Arbitrary detentions and torture of critics and opponents continued, including of the supporters of opposition candidates before and after the election. Some prisoners of conscience were released after serving prison terms for criticizing the head of state. Other political prisoners suspected of opposition activities were detained without charge or trial for long periods, sometimes years.

Background

Opposition candidates called for the results of the June presidential election to be annulled on the grounds that it had been seriously marred by fraud and intimidation. Gilchrist Olympio, President of the *Union des forces du changement* (UFC), Union of Forces for Change, was barred from contesting the election. The results were confirmed by the Constitutional Court in June.

In July the European Union (EU) expressed concern about "the restrictions on the opposition in the form of disqualifications, harassment and detentions, the obstacles to freedom of expression, the refusal of access for certain people to electoral rolls and the difficulties for local electoral commissions in collecting and transmitting results".

Killings

There were no independent investigations into reports that the security forces had used excessive force in suppressing popular protests. In incidents of unrest around the country over electoral irregularities, a number of people were injured or killed when opposition supporters clashed with the security forces.

- On 1 June, the day of the election, the security forces fired on people protesting at the stuffing of ballot boxes in Tsévié, 30km north of the capital, Lomé. A primary school pupil, Akama Kokou, was killed in gunfire, and another, Mawuki Adonyo, was injured.
- At least two people were killed and several others wounded when the security forces fired to disperse demonstrators in Mango, northern Togo, in September. The protesters were opposing the visit of government officials and EU representatives to

launch a campaign to protect the environment while the government was not protecting people's welfare and fundamental rights.

At least one opposition supporter was shot dead in an apparent extrajudicial execution.

- On 1 June, Egbla Kossi Messan and another UFC activist reportedly surprised the district official at Djagblé, an area of Lomé, in the act of stuffing ballot boxes at his home. When they protested, the official called the security forces, who arrived as the two men were leaving on a motorbike. They allegedly shot and killed Egbla Kossi Messan and seriously wounded the other man.

Arbitrary detentions and torture

Arbitrary detentions and ill-treatment of suspected critics and political opponents continued, including around the election.

- Marc Palanga, a UFC leader in Kara, northern Togo, was detained twice in February. He was first detained for a fortnight with five other UFC members. The second time, he was arrested on suspicion of having held a meeting in Sokodé, central Togo, and was still detained, without charge or trial, at the end of 2003. Reports indicated that he and others detained at the gendarmerie in Kara were beaten and held in harsh conditions.

Opposition activists and others were detained in the days and weeks following the election on suspicion of voting for opposition candidates or encouraging others to do so. Some were illegally detained for several weeks without charge. Most were still imprisoned at the end of the year, the charges unknown. They included members of the security forces arrested because of alleged links with former Army Chief of Staff Colonel Kouma Biteniwé, who reportedly supported an opposition candidate and had to flee the country in May. Most of the officers were detained without charge or trial.

Seven out of a group of nine refugees arrested in Ghana in December 1997 and handed over to the Togolese authorities remained in detention. They had not been charged or tried, and reports suggested that no investigating magistrate had interrogated them.

The authorities failed to improve conditions of detention. Prisoners awaiting trial and sentencing, often for prolonged periods, were held in overcrowded and insanitary conditions. In particular, conditions at Lomé prison were frequently so harsh as to amount to cruel, inhuman or degrading treatment.

Release of prisoners of conscience

In February, Claude Ameganvi, President of the *Parti des travailleurs* (PT), Workers' Party, and Julien Ayi, publisher of the weekly journal, *Nouvel Echo*, were released after serving full prison terms. They had been convicted in September 2002 of "attacking the honour" of the head of state and sentenced to four months' imprisonment, increased on appeal to six months in December 2002.

Attacks on freedom of expression

Human rights defenders, including journalists, remained at risk of arrest and intimidation, and continued to receive anonymous threats.

- In February the *Action des Chrétiens pour l'abolition de la torture au Togo* (ACAT-Togo), Christian Action for Abolition of Torture-Togo, was targeted after its report on the human rights situation in Togo was widely distributed to members of the European Parliament. The report said that people in Togo did not dare to speak about

political matters in public for fear of intimidation, harassment and arrest by the authorities. Yannick Bigah, President of ACAT-Togo, was summoned to meetings, first by the Ministers of Justice and the Interior and then by President Eyadéma. He was accused of writing a defamatory political document and threatened with legal proceedings.

Freedom of the press was under frequent official attack. In some instances when the government came under criticism, journalists were summoned by the Minister of Communications. In others, a radio station was ordered to stop broadcasting and another had its transmitter seized.

- On 14 and 15 June, three journalists were detained on charges of "spreading false information and public disorder". Dimas Dzikodo, Chief Editor of *l'Evènement* newspaper, was arrested in a cyber café in Lomé while scanning photos of people allegedly injured by the security forces during the election. Philippe Evegno, Publishing Director of *l'Evènement*, and Colombo Kpakpabia, a journalist on the *Nouvel Echo* newspaper, were acquitted and released on 23 July. Dimas Dzikodo was convicted, fined and released on 24 July. Dimas Dzikodo and Colombo Kpakpabia, who was reportedly beaten on his back and feet, told the court that they had been ill-treated in custody.

