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Africa : Togo

REPUBLIC OF TOGO

Head of state: Faure Gnassingbé (replaced Gnassingbé Eyadéma in February and Abass Bonfoh in May)

Head of government: Edem Kodjo (replaced Koffi Sama in June)

Death penalty: abolitionist in practice

International Criminal Court: not signed

UN Women's Convention: ratified

Optional Protocol to UN Women's Convention: not signed

Overview - Covering events from January - December 2005

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A UN fact-finding mission concluded that hundreds of people were extrajudicially executed and thousands wounded by the security forces and armed militia groups close to the ruling party before, during and after the presidential election which brought Faure Gnassingbé to power in April. Widespread arbitrary detentions, torture and violence against women were reported. Throughout the year critics of the government and human rights defenders faced harassment and intimidation.

Background

President Gnassingbé Eyadéma, who had ruled Togo for 37 years, died on 5 February. The Togolese Armed Forces (Forces armées togolaises, FAT) then proclaimed Faure Gnassingbé, his son, as President. The following day, the President of the National Assembly who, according to the Constitution, should have become interim President pending elections, was dismissed and replaced by Faure Gnassingbé. The Constitution was modified to allow the new head of state to serve the rest of his father's term, until 2008. This



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unconstitutional transfer of power was condemned by the main opposition parties and by the international community including the African Union (AU) and the European Union (EU). The AU and the Economic Community of the West African States (ECOWAS) imposed sanctions and Togo was suspended from the International Francophone Organisation (Organisation Internationale de la Francophonie, OIF).

In the face of international pressure, Faure Gnassingbé stepped down and called presidential elections in April. He won the elections amid widespread violence and allegations by opposition parties of vote-rigging and law-breaking. The European Parliament considered that the elections were not free and fair.

Attacks on civilians by the FAT and militia groups during and after the presidential election led to the displacement and flight of tens of thousands of people. Humanitarian agencies reported that by August, more than 40,000 people had sought refuge in neighbouring Benin and Ghana. At the end of 2005, several thousand refugees were still in neighbouring countries.

In October, Togo ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

Unlawful killings and 'disappearances'

Both government forces and armed militia groups close to the ruling party, the Rally of the Togolese People (Rassemblement du peuple togolais, RPT), unlawfully killed civilians between February and April. Some were killed in indiscriminate attacks, others were deliberately targeted and extrajudicially executed.

In the days following President Gnassingbé Eyadéma's death and during the presidential election, the security forces and members of the militias fired indiscriminately at opposition supporters on protest demonstrations. These attacks were particularly violent in Lomé and the towns of Atakpamé and Aného. Thousands of people were reportedly injured, with gunshot wounds to the upper parts of the body and head. Some people reportedly "disappeared" after their arrest by the FAT.

- On the day of the election, soldiers burst into several polling stations firing their weapons and tear gas grenades. According to an election observer from the opposition Union of Forces for Change (Union des Forces de Changement, UFC), assigned to the polling station at Be Plage, Lomé, two military vehicles containing members of the Presidential guard's commando regiment arrived, firing in the air as the votes were being counted. Many people panicked and tried to leave, but there was only one exit. The soldiers entered the room, fired tear gas grenades and live rounds and took the ballot boxes. The observer said he had to step over about 30 bodies to escape.
- On 26 April, the day on which the provisional election results were announced, soldiers and militiamen reportedly entered the home of an apprentice driver who lived in the Ablogamé district of Lomé, firing bullets. He said that they shot at people as they tried to flee, killing his mother and one of his friends.
- Kogbe Koffi, a 28-year-old sheet metal worker, was reportedly shot in the back in Atakpamé, on 26 April, when the security forces fired live ammunition at demonstrators protesting against the election results.

UN report

In September a fact-finding mission set up by the UN High Commissioner for Human Rights concluded that between 400 and 500 people were killed and thousands wounded at the time of the presidential election. The report found the state security forces and militia groups responsible for the political violence and the violations of human rights, and noted evidence that commando units within the FAT had been primed "not only to crush the demonstrators and militants but also to round up the corpses and systematically dispose of them so that they could not be counted." The report also criticized opposition groups for their part in serious violence.

Arbitrary arrests and detentions

Dozens of people were arrested during 2005, most apparently for their peaceful political opposition activities. Some were released within hours or days but others remained in detention without charge or trial for more than two months.

- A woman shopkeeper named Dalas was arrested on 7 May in Aklakou, suspected of preparing food for people who demonstrated in Aného shortly after the presidential election. She remained in detention without charge or trial until 15 July.

- In Aklakou, at least seven school students were arrested and accused of demonstrating after the presidential election. They were detained for more than two months without charge or trial at Vogan prison.

Torture

Dozens of people were tortured or ill-treated by the FAT and militia groups between February and April. Some people were beaten to death in front of their family.

- At Bé Chateau in Lomé, in front of witnesses including foreign journalists, a motorcyclist trying to cross town was stopped by soldiers. A soldier hit him several times with a stick, made him pull down his trousers and kicked him in the testicles.
- At Tokoin Séminaire, 15 soldiers entered the house of an opposition member and dragged him outside. They made him lie down, then held his arms and feet while others hit him with cudgels and thin cord. He was unconscious when they left.

In May the UN Committee against Torture postponed its consideration of the report of Togo, given the absence of a Togolese government delegation.

Violence against women

Gender-based violence, in particular rape of women, was reported, including cases from Atakpamé where FAT members and militia groups allegedly raped women suspected of supporting the opposition.

- On 26 April, members of a militia group entered a house and beat the husband, the wife and three children. They then held the arms and feet of the woman while one of them raped her.

Attacks on freedom of expression

Repressive measures against the media, particularly those critical of government policies and the FAT, increased during 2005. Media workers were harassed and journalists were beaten for criticizing the government or trying to disseminate information about the repression that followed the death of President Gnassingbé Eyadéma.

A senior official intervened several times to prevent the radio station *Nana FM* broadcasting certain programmes, including a roundtable discussion which was suspended while on air three days after the President's death. In a meeting, in the presence of the FAT communications officer, the official reportedly threatened some private radio stations including *Nana FM*, *Kanal FM* and *Radio Nostalgia*.

The transmitters of *Radio France Internationale* (RFI) stopped broadcasting on FM for several months. The Minister of Communications publicly accused RFI of having launched "disinformation and destabilization campaigns".

- Thierry Tchukriel, a radio journalist with *Rd'autan*, who went to Togo to cover the presidential election, was beaten by four soldiers on the night of 24 April, after being detained by the Togolese police. His press card and camera were confiscated.

Human rights defenders

Members of human rights organizations continued to face harassment, intimidation and to be at risk of attacks. Perpetrators were believed to be linked with the ruling party and to criminal gangs.

- On 13 May, a group of young people associated with the ruling party prevented the Togolese Human Rights League (Ligue togolaise des droits de l'homme, LTDH) from holding a press conference. The LTDH had planned to publicize human rights violations since the death of President Eyadéma.
- On 9 October, Dimas Dzikodo, an outspoken human rights defender and journalist, was assaulted by a group of unidentified men on his way back from work.

AI country visits

AI delegates visited Benin in May to carry out research on human rights violations in Togo.

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