

TOGO

In June 2005, EAAF was part of a fact finding mission to Togo conducted by the Office of the United Nations High Commissioner for Human Rights to investigate recent human rights violations in the country.

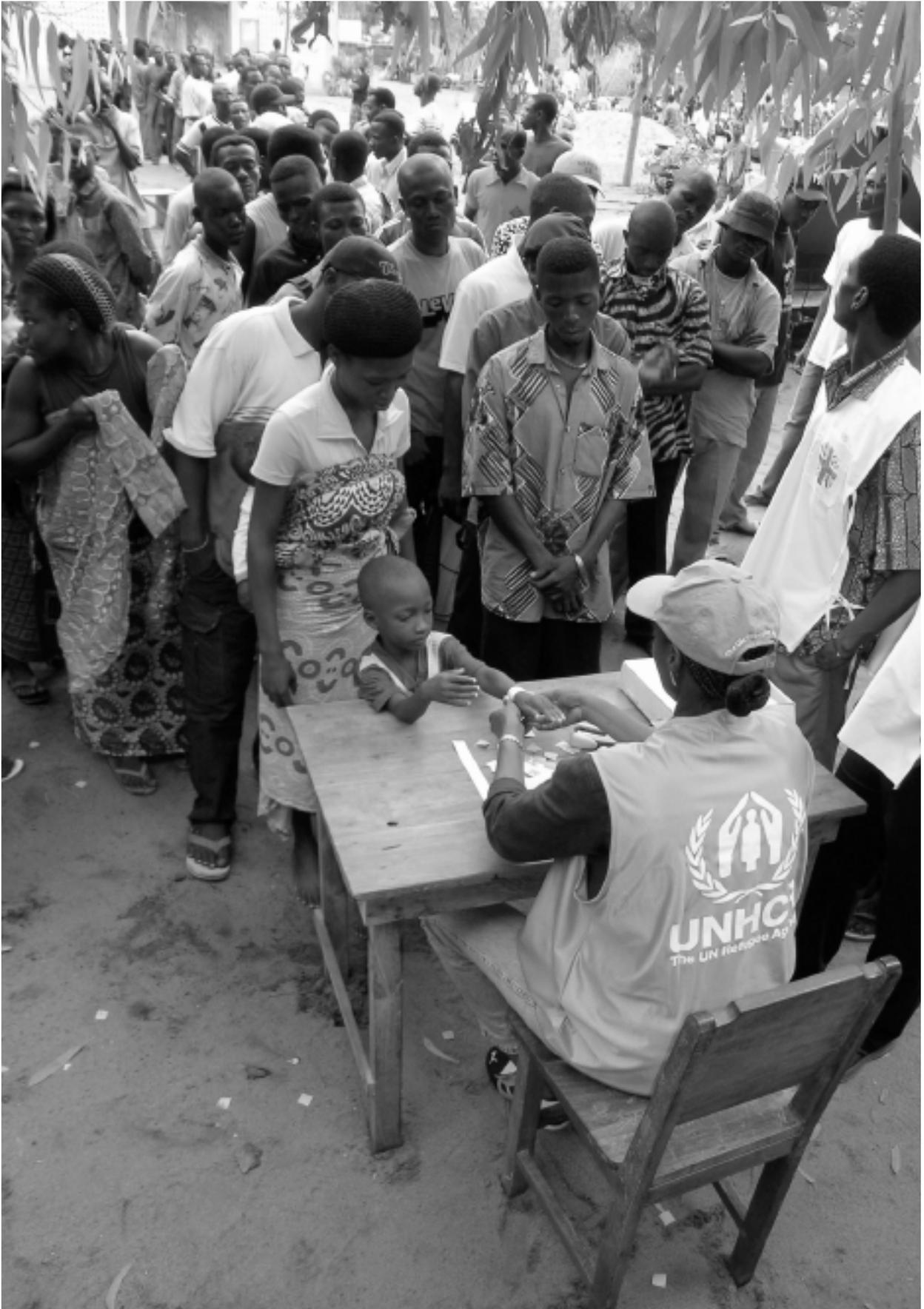
BACKGROUND

Beginning in the sixteenth century, the West African country of Togo, largely controlled by the Portuguese, was a major source of slaves destined to Europe and the Americas.¹ Togo came under German rule in the late 19th century and was invaded during World War II by French and British forces. After World War II, Togo was put under trusteeship of the United Nations, although France and Britain continued to share the administration of the country.² Between 1956 and 1960, Togo was split in two. Citizens who lived in British Togo voted to become part of the British Gold Coast—present-day Ghana—and French Togo gained independence from France in 1960.³ Sylvanus Olympio became Togo's first elected president following a U.N.-backed election. After his assassination in 1963 by military officers during a *coup d'état*—the first in Africa—the country experienced a period of destabilization.⁴ In 1967, General Gnassingbé Eyadéma, leader of the 1963 takeover, came to power following a military coup and ruled unchallenged for thirty-eight years. As head of the only political party allowed in Togo, *Rassemblement du Peuple Togolais* (Rally of the Togolese People, RPT), Eyadéma reportedly exercised his power over the security forces to prevent political rivals from gaining strength.⁵ During this period, elections were uncontested and the National Assembly had no decision-making powers. Security forces reportedly stifled political discussion and committed massive human rights violations, including torture, arbitrary detention, and threats and attacks on human rights defenders, among others; many opposition leaders fled to neighboring Ghana, Benin, and Burkina Faso.⁶

Economic depression, popular protests, and international criticism eventually led Eyadéma to

loosen societal controls. In 1991, political parties were legalized and a multi-party national forum, the National Conference, began to rework the constitution, which was adopted in 1992.⁷ Despite these pro-democratic changes, negotiations for Eyadéma to relinquish power in favor of a representative government failed. According to Amnesty International, in the 1990s, the Togolese armed forces persecuted alleged dissenters, resulting in hundreds of civilian casualties.⁸ Eyadéma maintained control of the government until his death on February 5, 2005. The Togolese armed forces installed his son, Faure Gnassingbé, as president, disregarding the constitutional mandate that the president of the national assembly, Fambaré Natchaba Ouattara, should assume the office in a caretaker role until elections could be organized. In what was denounced by the African Union (AU) as a military *coup d'état*, the constitution was amended to allow Gnassingbé to serve until 2008, the end of his father's term.⁹ In response, the AU and the Economic Community of West African States (ECOWAS) imposed sanctions on Togo and there was widespread international condemnation of this transfer of power.

Thousands of Togolese citizens also demonstrated against Gnassingbé's appointment.¹⁰ Coupled with international pressure, the massive protests led to a new presidential election in 2005.¹¹ The opposition parties organized themselves into a coalition in an attempt to defeat Gnassingbé. However, on April 24, 2005, despite claims of fraud by the opposition, Gnassingbé and the RPT were declared the winners. As a result, between April 26 and April 28, there were several confrontations between the armed RPT militia and the opposing coalition, which were violently repressed by the Army and police. During this time, the government prohibited public demonstrations. According to



Benin. Newly arriving Togolese refugees register in a church yard near the Hilakondji border town, which has turned into a makeshift reception and transit center. Here, UNHCR workers hand out wristbands. *Photo courtesy of J. Bjorgvinsson/UNHCR.*



Agoue, Benin. Emergency refugee camp in Agoue, near Lokossa, with newly arrived Togolese refugees. May 2005.
Photo courtesy of J. Bjorgvinsson/UNHCR.

Amnesty International, security forces, principally the Army, used disproportionate strength against dissenters. It was reported that, “Togolese security forces, supported in most cases by military-trained militias, have committed very serious violations of human rights, including extrajudicial executions, kidnappings, torture and ill-treatment, rape, attempted rape and arbitrary arrests.”¹²

On May 5, 2005, Faure Gnassingbé took office. Within weeks, he created an Independent National Commission by decree to investigate violence before, during, and after his election in April. However, the Commission was accused by the opposition of corruption and of having close links to the government.¹³ Though the violence had decreased, refugees continued to leave the country throughout

2005, citing fear of abduction.¹⁴ In July 2005, a U.N. commission reported the continuation of repression and other core problems, and affirmed the need to reform the judicial system, the military, and to improve the human rights record.¹⁵

According to the United Nations, the exact number of dead, wounded, missing, and displaced is uncertain, but they estimate that approximately 500 people were killed and thousands more were injured during this period. In addition, over 40,000 Togolese were reportedly forced to seek refuge in neighboring Ghana and Benin as a result of the violence.¹⁶ In August 2006, an agreement was reached between Gnassingbé’s government and the opposition, Union Forces of Change, calling for reforms in the 2007 parliamentary election process and the restructuring

of the security forces. The agreement also included the establishment of a commission to investigate past abuses and reform the armed forces.¹⁷ The U.N. reported that 16,000 refugees remained out of the country at the time of the signing of the accord.¹⁸

EAAF Participation

Shortly after the violence ended, the Office of the U.N. High Commissioner for Human Rights (OHCHR) created a Special Commission to investigate human rights violations, including illegal and forced disappearances and extrajudicial executions, between February 5 and May 5, 2005. At the request of OHCHR, EAAF consultant Mercedes Salado participated in the *Mission d'Établissement des Faits au Togo* (Fact Finding Mission to Togo) from June 20 to 24, 2005.

The mission to Togo was comprised of seven people under the direction of OHCHR special envoy Doudou Diène, United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance. The mission aimed to:

- Establish the circumstances surrounding human rights violations in Togo between February 5 and May 5, 2005.
- Verify allegations and gather information about those responsible and the nature of the violations committed in Lomé, Atakpamé, Aného, Palimé, Sokodé, and Mango.
- Evaluate the presidential elections of April 2005 from a human rights perspective.
- Evaluate the causes and consequences of the violations, and consider their impact in the region.
- Evaluate the need for a larger OHCHR investigatory mission.
- Prepare a report for the High Commissioner, including recommendations on combating impunity around human rights abuses and preventing future violence.

- EAAF's role was to assess the possibility of a forensic investigation and to make recommendations on how it might be successfully conducted.

The details in the report are confidential.

ENDNOTES

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