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TOGO
AN ELECTION TAINTED
BY ESCALATING
VIOLENCE



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TOGO : AN ELECTION TAINTED BY ESCALATING VIOLENCE

The presidential election that took place in Togo on 1 June 2003 resulted, as many independent observers feared, in clashes between opposition supporters and the security forces, who made arrests and used force to suppress demonstrations and discontent in several parts of the country. During the last month, the security forces have arrested about forty people who the military suspect of voting for opposition candidates or inciting other people to do so. One person was shot in the back in an extrajudicial manner by a member of the security forces. The man was escaping on a motor bike when he was shot. Another person was seriously wounded in this incident.

Security forces are on patrol throughout the country, especially in Lomé. Passers-by, some of whom were suspected of being close to the opposition, have been stopped in the street by the security forces and beaten up. The authorities have also put pressure on journalists to publish only the results announced by the *Commission électorale nationale indépendante* (CENI)¹, National Independent Electoral Commission. On 4 June 2003, CENI officially declared the winner of the election to be the outgoing president, Gnassingbé Eyadéma, in power since 1967. Two days previously, two opposition candidates, Emmanuel Bob Akitani and Maurice Dahuku Péré, representatives, of *l'Union des forces du changement* (UFC) the Union of Forces for Change and the *Pacte socialiste pour le renouveau* (PSR), Socialist Pact for Renewal respectively, proclaimed themselves winners of the election. The UFC announced that it would form a “*government of national reconstruction*” in the next few days. On 3 June 2003, another candidate, Edem Kodjo, President of the *Convergence patriotique panafricaine* (CPP), Pan-African Patriotic Convergence, called for a “*a kind of Marcousis*” for Togo, referring to the accords signed in Paris in January 2003 aimed at finding a settlement to the Côte d’Ivoire crisis.

The situation in Togo became increasingly tense in recent months, as the June 2003 presidential election approached. On 25 April 2003, Amnesty International published a document entitled: *Togo: Quiet, there's an election!* in which the organization expressed its fears about the escalating repression of dissident voices by the authorities.² Events have, unfortunately, confirmed how well-founded those fears were. Amnesty International appeals to all parties in Togo to show restraint and therefore avoid the violation of human rights. In particular, Amnesty International urges the Togolese security forces to avoid the excessive use of force so that this presidential election does not lead to a major human rights crisis, as occurred with previous elections, in 1993 and 1998. Amnesty International also fears that an

¹ Members of CENI are nominated by the Constitutional Court, in accordance with a unilateral decision taken by the then Togolese Prime Minister, Agbeyomé Messan Kodjo.

² See the Amnesty International report: *Togo: Quiet, there's an election!*, 25 April 2003, AI Index: AFR 57/003/2003.

escalation of violence would result in a new wave of refugees fleeing from Togo into neighbouring countries.

Excessive use of force and extrajudicial executions

The 1 June 2003 election sparked off discontent among supporters of the opposition candidates. Demonstrations and incidents took place, especially where voters noticed that ballot boxes had been stuffed or when they did not receive their polling card. This discontent sometimes resulted in violence, leading to clashes with the security forces.

On the day of the presidential election, 1 June 2003, at Djagblé (in greater Lomé), two UFC activists, including Mr. Egbla Kossi Messan, reportedly surprised the district official at his home in the process of stuffing ballot boxes. They allegedly protested and the official called the security forces. They arrived around 11.00 a.m. as the two men were leaving on a motor bike. They shot Mr. Egbla in the back, killing him and seriously wounded the other man, who was driving the motor bike and who managed to escape. Amnesty International cannot, at the moment, reveal the identity of this person, who is fighting for his life. At 22.00, Mr. Egbla, a first aid worker, aged 32, died in hospital as a result of the wounds he sustained earlier in the day.

Security forces have been on patrol day and night throughout the country since the day of the election, on 1 June 2003. On several occasions, they have made excessive use of force to suppress demonstrations and discontent. On the day of the election, at Tsévié, a town about 30 kilometres to the North of Lomé, unrest degenerated into clashes with the security forces when, according to witnesses, the public noted serious electoral irregularities, including ballot box stuffing at some polling stations. There were also protests because many people did not receive their polling card. Protesters burned tyres and wrecked Tsévié town hall. Voting had to be interrupted at most of the town's polling stations at around 11.00 a.m. Gendarmes opened fire on the crowd, at first using tear gas, then bullets. The Togolese Minister of the Interior, Akila Eso Boko, confirmed that there had been confrontations at Tsévié, describing them as "*minor incidents*". Amnesty International has received corroborated information indicating that at least one civilian was killed and others wounded. A young primary school pupil, Akama Kokou, was shot in the Wémé neighbourhood and died in hospital from his wounds. Another pupil, Mawuki Adonyo, was also wounded by bullets in the Tsiapé neighbourhood. A witness claims to have seen a wounded person, bleeding from the head, being transported to hospital. Calm returned during the afternoon but the security forces, including the paramilitary commandos known as "*red berets*" reportedly occupied the town and patrolled it all night.³

Reports also indicate there was unrest on the same day in other neighbouring villages, notably at Gbatopé, where several people were allegedly wounded by bullets.

³ These "*red berets*" report directly to Ernest Gnassingbé, one of President Eyadéma's sons.

In some villages, the people beat up local officials. Their lives were only saved by the intervention of the security forces.

On the morning after the election, local opposition party activists, suspected of organizing the protests at Tsévié, had to flee to escape arrest. Some were arrested in the Ndalyi neighbourhood, including a young man, arrested by soldiers at his home on Tuesday, 3 June at 2.00 in the morning. On the same day, the security forces reportedly arrested a *Zémidjan* (motor bike taxi driver) and beat him up.

Clashes between opposition supporters and security forces in several parts of the capital

Amnesty International has received many accounts of clashes between opposition activists and the security forces in different parts of Lomé, especially in Bè, traditionally an opposition stronghold. Early in the morning of 3 June 2003, young UFC activists gathered in Bè to proclaim the victory of their candidate, Emmanuel Bob Akitani. They erected barricades across several avenues and set tyres alight. The security forces quickly intervened, using tear gas to disperse the young people, who responded by throwing stones. The security forces then chased them, even entering the homes of people in the neighbourhood to try and catch them. Passers by were allegedly stopped and beaten with "*cordelettes*".⁴ As at Tsévié, one witness saw the military beat a motor bike rider until he bled.

In the neighbourhood of Nyékonakpoé, passers-by were questioned, arrested and beaten up. An old woman, who was asking a group of young people to behave themselves, was accused by the military of inciting these young people against them. They beat her with *cordelettes* and sticks. In the West Tokoin neighbourhood, the military used their *cordelettes* to beat up several people.

⁴ A kind of belt made out of rope with a piece of iron at the end, and worn by some members of the security forces around their waist.

Arrests and the risk of torture

Arrests of civilians

Opposition party activists were arrested in the days immediately before and after the election of 1 June 2003. A local leader of the *Pacte socialiste pour le renouveau* (PSR), Socialist Renewal Pact, Mr. Agaté, was arrested in Sokodé (in the centre of the country) on 30 May 2003 and he is still detained at Kara. This man was arrested at about 19.00 in front of his home as he returned from a campaign meeting of his party, recently created by Mr. Dahuku Péré. An eye witness described the arrest:

“As he arrived at the gate to his house, the gendarmes intercepted Mr. Agaté and asked him to come with them. He refused. A FAT vehicle then pulled up. He still resisted and the chief gendarme ordered his men to shoot. Mr. Agaté’s wife intervened and calmed things down. She asked her husband to go with the gendarmes. They took the road to the North.”

Reports received by Amnesty International indicate that Mr. Agaté was taken to the Landja camp at Kara, where his wife caught sight saw of him. No official reason has been given for his arrest and Amnesty International fears that he may be tortured, as is common in this military camp.⁵

On 3 June 2003, in Lomé, two of the main UFC leaders, Jean-Pierre Fabre and Patrick Lawson were briefly questioned. The two men were arrested about 10.00 in the morning as they left the home of Mr. Fabre to go to a consultation meeting of their party. Patrick Lawson told Amnesty International:

“Our car was stopped by three national police vehicles. They took us to the National Security offices and interrogated us, especially about the burning of petrol stations [that took place at the beginning of May when the UFC candidate for President, Gilchrist Olympio, was rejected by the Constitutional Court]. They said that some young people had accused us of instigating the arson and that they had particularly implicated me. Police suggested a face to face meeting with them. I accepted and the young people then retracted their allegations. The police also accused us of complicity in the unrest that had taken place a few hours previously in Bè. They questioned us and kept us there until 21.00.”

At about 23:00 on the same day, the two UFC leaders were taken to the state prosecutor, then an examining magistrate, who charged them with causing a ‘breach of the peace’. The two men were released about midnight. Their bodyguard and driver, arrested at the same time as them, were released without charge.

⁵ See especially the Amnesty International documents, *Togo : State of Terror*, AFR 57/001/1999, 5 May 1999 and *Togo : Quiet, there’s an election!*, AFR 57/003/2003, 25 April 2003.

These are only the most recent of a long list of incidents since the beginning of the year, involving the harassment of opposition party activists. For example, Jude Aléké Prudence, organization officer for the *Nouvelle dynamique populaire* (NDP), New Popular Dynamic, created in January 2003 and grouping young activists from several opposition parties, was arrested on 7 May 2003 at his home in Atikoumé, in Lomé. He has since been detained without charge at the National Security offices. He does not even seem to have been questioned and his arrest seems to be an attempt by the authorities to intimidate and disorganize this new movement of young activists. On the same day, security forces raided the homes of other leaders of this movement. They were not at home at the time of the raids. Jude Aléké Prudence is allowed to receive visits from his wife, but he has not been allowed to contact his lawyer, despite repeated attempts to do so. No judicial procedure has been initiated against him.

Two opposition parties, the UFC and the PSR, have complained that their members were subjected to intimidation in the weeks prior to the election. On 6 May 2003, Mr. Tagba, a teacher at Kara college (in the North of the country), and regional co-ordinator of the PSR, the party led by Mr. Péré, was reportedly arrested at his workplace and taken to the local gendarme station. He was reportedly criticized for organizing the campaign of his party's candidate in this region of the country and released without charge a few hours later.

On 10 May 2003, the security forces burst into the home of a UFC activist who was organizing a weekly meeting of party members in his house. Thirty four people were arrested and taken to the gendarme's headquarters in Lomé. They were all released without charge on the following day. A similar incident took place on 18 March 2003, when about 30 people were arrested by the security forces while they were attending a weekly meeting of the UFC federation in the second *arrondissement* of Lomé.

Arrests of military personnel and other members of the security forces

Amnesty International has learned of the arrest of at least a dozen members of the security forces, accused of having voted for the opposition or of supporting the candidates opposing President Eyadéma. Mr. Douiti, police commissioner at Tabligbo (North West of Lomé), was arrested at his home by the Lomé security forces on 29 May 2003. He had reportedly voted for the opposition party, *the Comité d'action pour le renouveau* (CAR), Action Committee for Renewal, led by Yawovi Agboyibo. He is said to have voted for this candidate, contrary to the orders of his superior, who, stationed in front of the polling station, allegedly ordered him to vote for President Eyadéma. Reports received by Amnesty International indicate that Mr. Douiti is still being detained without charge.

On 10 May 2003, Captain Adjinon Kossi Lambert, in service at the Tchitchao military college (near Kara), was arrested and taken to the Landja camp at Kara, then

to the information services' office in Lomé. Togolese newspapers reported that the captain had been arrested because of his alleged links with the former Army Chief of Staff, Colonel Kouma Biténiwé, suspected of supporting Dahuku Péré's candidacy. The Colonel reportedly fled the country at the beginning of May 2003, after an altercation with members of the security forces. In a letter published on 30 May 2003, Colonel Biténiwé called on "*all members of the military to be ready to take appropriate steps after the elections of 1 June*". Amnesty International fears that this type of appeal may lead to unrest and human rights abuses.

In April 2003, at Lomé, a retired soldier and former member of the presidential guard, whose identity cannot be revealed by Amnesty International for security reasons, was arrested by the security forces as he was on his way to work. He was detained for three weeks without being given a reason for his arrest. The arrest could be connected to the fact that, two weeks previously, he had visited Colonel Biténiwé.

Intimidation of the media

In its document, *Togo: Quiet please, there's an election!* published in April 2003, Amnesty International described about 30 attacks on the media, including cases in which the authorities put pressure on journalists or intimidated them, seized editions of newspapers and closed radio stations.

The authorities have continued to put pressure on the press into not publishing information hostile to the government. In the days that preceded the election, at least two media figures, including Abbass Saibou, director of the weekly *Le Regard*, were told to publish only the official election results and to avoid commenting on the holding of the elections themselves.

In a broadcast transmitted on national television on the eve of the election of 1 June 2003, the Minister of Communication, Pitang Tchalla and the President of the *Haute Autorité de l'Audiovisuel et de la Communication* (HAAC), High Audiovisual and Communications Authority, Combévi Agbodjan, called on the media to only publish estimates or results announced by CENI. This same message, which constitutes a flagrant attack on the right to free expression, was repeated many times to many Togolese journalists at meetings convened by the communications authorities. It is interesting to note, however, that a newspaper close to the government was able, without problems, to publish estimates based on "*opinion polls*" showing a big victory for the outgoing President.⁶

Moreover, Amnesty International has received reports that the authorities informed an internet café owner that internet access would be cut during the hours

⁶ The European Union did not send observers to monitor the election because Togo did not authorize it to send an exploratory mission, which is required before it will send an observation mission.

immediately after the election. For some months now, Togolese authorities have, in fact, censored some Internet sites by preventing access from Togo. This measure seems to have been taken after September 2002 when the website *letogolais.com* published an interview with the former Prime Minister, Agbéyomé Kodjo, currently in exile, which criticized the way political power was exercised in Togo. In the same period, the authorities also prevented access from Togo to other websites, including that of the UFC.

Refugees and displaced people

The escalating violence experienced by Togo in the last few weeks has led an unknown number of people, especially in Lomé, to flee the country to find refuge in Ghana, which is only a few kilometres away from the Togolese capital. Amnesty International has received reports that some people have sent their families to Ghana for safety. The United Nations High Commission for Refugees (UNHCR), sent an evaluation mission to the Ghana border to evaluate the number of Togolese refugees.

Conclusion

As with the two preceding presidential elections in 1993 and 1998, Togo faces a major political crisis. The official results have been rejected by several opposition parties, who have accused the government of fraud and called on their supporters to mobilize against those who they consider are only interested in perpetuating their own power indefinitely in the country. In such a situation, everything is possible, including a vicious circle of violent protests by opposition supporters and fierce repression by the security forces.

The Togolese public has paid a high price for the political quarrels that have torn Togo apart since the introduction of a multi-party system in 1991. Police violence, intimidation by the military, extrajudicial executions, '*disappearances*' and arbitrary arrests followed by torture, have been used against anyone daring to oppose President Eyadéma. At worst – and this has been the case for months – the situation will become chaotic and the country will be plunged into a cycle of violence. At best, the already difficult living conditions of a large part of the population will worsen due to the European Union's decision to halt economic aid because of human rights violations committed by the security forces.