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U.S. Department of State

Togo Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

TOGO

President General Gnassingbe Eyadema and his Assembly of the Togolese People (RPT) party, strongly backed by the military, continue to dominate the exercise of political power. During the year, the RPT used its parliamentary majority in the National Assembly to create a Constitutional Court, an Audio-visual and Communications Authority, and a Supreme Council for the Magistrature. Despite the Government's professed intention to move from an authoritarian legacy to democracy, in practice the new legislation ensures that President Eyadema and his supporters continue to maintain firm control over all facets of government. As all of these new bodies are filled with allies and supporters of President Eyadema, their authority is thus limited, and their autonomy and effectiveness is very much in doubt. The Government also moved forward unilaterally to update electoral lists and make preparations for the presidential election, scheduled for June or July 1998. Despite opposition demands to establish an electoral system free from government influence for the election, the RPT majority in the National Assembly passed a new Electoral Code that gives responsibility for organizing elections to the Minister of Interior, an army general. The National Electoral Commission, whose own independence is not guaranteed by the new legislation, is merely charged with confirming the results of the election. The Government also exerts control over the judiciary.

The security forces consist primarily of the army (including the elite Presidential Guard), navy, air force, the Surete Nationale (including the national police), and the Gendarmerie. Approximately 90 percent of the army's officers and 70 percent of its soldiers come from the President's northern (Kabye) ethnic group. The Minister of the Interior is in charge of the national police, and the Defense Minister has nominal authority over the other security forces. In practice there is little differentiation between civilian

and military authorities. Security forces remain overwhelmingly loyal to their chief, President Eyadema, subject to his direct control, and carry out his orders. Some members of the security forces committed serious human rights abuses.

About 80 percent of the country's estimated 4.25 million people are engaged in subsistence agriculture, but there is also an active commercial sector. The main exports are phosphates, cotton, and cocoa, which are the leading sources of foreign exchange. While there has been considerable recovery in the gross domestic product (GDP) since the severe political and economic crisis of the early 1990's, annual per capita GDP remains below \$400. The country is slowly moving toward structural adjustment under programs of international financial institutions and has resumed moderate growth.

The Government's human rights record continued to be poor. The Government restricted citizens' right to change their government. Security forces were responsible for extrajudicial killings, beatings, arbitrary detentions, and interference with citizens' movement and privacy rights. The Government did not, in general, investigate or effectively punish those who committed such abuses. Prolonged pretrial detention was commonplace, and prison conditions remained very harsh. The Government continued to influence the judiciary; defendants' rights to fair and expeditious trials are not ensured, and some detainees wait years to be judged. The Government and the security forces restricted freedom of speech and of the press, often using investigative detention and suspension of newspaper publication to harass journalists and political opponents. Government intimidation limits freedom of assembly. The National Assembly renewed the mandate of the National Human Rights Commission, but it is dominated by supporters of Eyadema. Societal discrimination and violence against women, as well as abuse of children, continued.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

A heavy security presence combined with habitual impunity enjoyed by members of the security forces has created a climate in which excessive force can be used without legal consequences. There were two confirmed cases of extrajudicial killing by members of the security forces. Dosseh Danklou and Agbodjinshie Yakanou, supporters of prominent self-exiled opposition leader and former Interior Minister Alphonse Kokouvi Masseme, were killed in detention by security forces following their arrest on June 15 on weapons charges in the border village of Akato. Two other men, arrested at the same time, were later released (see Section 2.d.).

In addition to these confirmed incidents, opponents of the Government alleged other killings and attacks linked to security forces. Apetse Koffi Edem, a former member of the Togolese armed forces who had been living in Ghana as a refugee, was killed by heavily-armed men in an ambush on February 3 on the road to Kpalime. His body, along with that of another man, was found the next day in a field near the town of Notse, 90 kilometers north of Lome. On February 19, an unidentified young man was killed by members of the security forces, who knocked him off his motorcycle as he passed in front of a military checkpoint near the Ghana border. Komlan Hofia Pomeavo, a family member of Alphonse Kokouvi Masseme, was arrested by security forces on March 1. His body was found the next day in a ditch by the side of the road near his village of Akato.

The bodies of two men were found on June 29 near a village close to the Ghana border. Reliable sources claimed that the two men were killed by members of the security forces in retaliation for a series of

attacks on police in the Sanguera region, 20 kilometers north of Lome.

In December the Lome Court of Appeals sentenced Aleka Kpakou and Kouma Dolla, the soldiers accused in the murder of German diplomat Thomas Rupperecht in February 1996, to 10 years in prison. There were, however, no developments in the 1996 murders of Captain Philippe Azote or Anthony Dogbo. Likewise there was no progress i