THE USE OF PREVENTIVE DIPLOMACY IN THE POST EYADEMA ELECTION CRISIS IN TOGO (2005)

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LEGON

JULY 2013
DECLARATION

I hereby declare that this dissertation is the result of an original research conducted by me under the supervision of Dr. Boni Yao Gebe and that apart from other works, which are duly acknowledged, no part of it has been submitted anywhere else for any purpose.

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DEDICATION

This work is dedicated, first and foremost to the Almighty God for the strength, knowledge and protection He gave me to complete this course; to my lovely mother, Mrs. Agnes Ewereko whose care from infancy has brought me this far; to my caring uncle Dr. Nicholas Adjabu of Ghana Health Service and wife Mrs. Dorcas Akyeba Adjabu for their advice and support all these years; to my cousins Yvonne Akissi Adjabu, Dr. Millicent Nyamekeh Adjabu and Donia Yaba Adjabu for the love and support. Above all, I dedicate this work to my late father Nana Simale Kpanyinli IV for impacting on my life greatly.
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ABBREVIATIONS

ACL - Accord Cadre de Lome
ADDI - Alliance des Démocrates pour le Développement Intégral
AU - African Union
CAR - Comité d’Action pour le Renouveau
CDPA - Convention des Peuples Africaines
CPP - Convergence Patriotique Panafricaine
CUT - Comité de l'unité Togolaise
ECOWAS - Economic Community of West African States
FAT - Forces Armees Togolaise
MPT - Mouvement des Personnes Togolaises
NGO - Non Governmental Organization
PSR - Pacte Socialiste pour le Renouveau
PTP - Parti Togolaise du Progres
RPT - Rassemblement du Peuple Togolaise
UDS-Togo - Union des Démocrates Socialistes du Togo
UFC - Union des Forces du Changement
UNIR - Union pour la République
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ABSTRACT

One-party states and dictatorial regimes were common in Africa after most African countries gained independence in the late 1960s, however, during the 1980s a lot of these regimes democratized due to internal and external pressure especially after the end of the Cold War. This period saw good governance, protection of human rights, citizens’ participation among others taking a centre stage in the governance system of countries mainly pushed by the Western European countries and the United States of America. Togo under President Eyadema who came to power in a military coup d’état in 1967 had been a one party state with dictatorial and one party leadership. This work therefore assesses how President Eyadema suppressed the opposition, filled the military with his Kabiye tribesmen and gave government positions to his cronies in order to have full control and dominance over the country. The work also examines the manipulation of legal institutions of the state, such as the National Assembly, Constitution among others by President Eyadema to ensure his continue stay in power as well as events that unfolded after his death in February, 2005. Analyses of both primary and secondary data reveal that, President Eyadema had prepared the ground for a continuation of his legacy by his son, Faure Gnassingbe. But for the timely application of Preventive Diplomacy by ECOWAS, AU the aftermath of President Eyadema’s death would have been brutal. The work reveals that, ECOWAS and AU engage in negotiations with the key political stakeholders in Togo and also placed sanctions on those who subverted the constitution to be able to resolve the political impasse. Again, in April, 2005 following the electoral violence, the ECOWAS and AU immediately called on the opposition leader, Bob Akitani who disputed the results and called for a revolt, and through negotiations and signing of Peace Accord, the two bodies prevented the internal violence in Togo from escalating. The work also proffers some recommendations for policy consideration which include among others, the need for early warning system, fact finding missions in place to avert possible conflicts and effective coordination between ECOWAS and its Member States, civil society groups and other organizations in the maintenance and promotion of peace and security.
CHAPTER ONE

RESEARCH DESIGN

1.1 Background to the Study

The end of the 1980s brought about electoral reforms in most African countries as Africa’s one party states and other dictatorial regimes faced internal and external pressures to conform to liberal democratic norms. As a result, many states adopted multiparty political systems and introduced constitutional provisions for periodic elections and presidential term limits. A clear case is Togo, where President Gnassingbe Eyadema came to power through a coup in 1967, and run a one party dictatorial regime for 38 years. He finally introduced a multiparty constitution in 1992 and secured elections in 1993, 1998 and 2003 which were criticised as unfair.

However, the sudden death of President Gnassingbe Eyadema in 2005 threatened to plunge Togo into chaos, when his son Faure Gnassingbe was installed as President by the Togolese Armed Forces led by the Army Chief of Staff, General Zachari Nandja instead of the President of the National Assembly, Fambare Natchaba Ouattara.

Both the African Union (AU) and the Economic Community of West African States (ECOWAS) condemned the succession process as illegal and demanded the restoration of the constitutional order and threatened sanctions against the new government. Even though, the constitutional order was restored, Faure Gnassingbe still remained the President and this was seen by AU and ECOWAS as an illegal seizure of power.
Thus, the preventive and the conflict resolution efforts of the regional body (AU) and the sub regional body (ECOWAS) was tested when Faure Gnassingbe won the Presidential election in April 2005, which was disputed by the opposition, Union des Forces du Changement (UFC) and international observers as unfair.

But despite the anomalies and criticisms that triggered the conflict, Faure Gnassingbe was accepted by the AU and ECOWAS as the President of Togo.

1.2 Statement of the Research Problem

Election and post election violence have plagued political successions in many African Countries and claimed hundreds of lives and displaced thousands. The post election violence in Kenya (2008), Guinea (2009) and Cote d’ Ivoire (2010) have sought to challenge the democratic credentials in Africa as violence have marred most of the elections. Even though, sub regional and regional bodies have adopted several strategies and measures to curb and eliminate violence associated with elections in Africa, the problem still persists.

However, in 2005, the post Eyadema electoral crises that erupted in Togo was resolved amicably by the regional and sub regional bodies through effective and timely preventive diplomacy. It is worthy of note that, President Eyadema came to power in 1967 through a military coup and led a dictatorial regime till his death in 2005. Even though some attempt was made to introduce democracy in early 1990s but he continued to hijack the democratic process which led to a silent opposition in the country.

As noted earlier, when President Eyadema died in 2005, the Togolese Armed Forces which is dominated by his tribesmen the Kabiye installed his son Faure Gnassingbe as President
instead of the President of the National Assembly, Fambare Natchaba Ouattara as stipulated by the 1992 Togolese Constitution amended in 2002. With the tendency of threatening the peace of Togo and the sub region, the international community, ECOWAS and AU condemned the installation of Faure Gnassingbe as a coup and called for a return to constitutional and democratic means of assuming power.

However, to avert the violence that loomed in Togo, both AU and, in particular, ECOWAS employed preventive diplomatic measures to curb the escalation of violence, because preventive diplomacy aims at stopping violence before they occur. One of such immediate preventive diplomatic measures applied by the regional bodies was the suspension of Togo from the activities of both AU and ECOWAS as a means of getting the military to conform to the constitutional provisions of assuming power.

Even though, both AU and ECOWAS have sometimes failed in applying preventive diplomacy in some cases, they however succeeded in the case of Togo in 2005. It is therefore necessary to investigate and assess the preventive measures, mechanisms and institutions put in place to deal with the post Eyadema constitutional and electoral crisis that erupted in Togo and how the crisis was eventually resolved through preventive diplomacy by AU and ECOWAS.

Research questions that come to the fore include the following: Has preventive diplomacy been successful in resolving post electoral conflicts in Africa? Was preventive diplomacy applied in a timely, coherent and decisive manner to resolve the post election violence in Togo? What role did international, regional and sub-regional groups such as the ECOWAS and AU play in resolving the post electoral violence in Togo?
1.3 Objectives of the Study

This research seeks to:

i. Examine the conditions and processes leading to the assumption of office by Faure Gnassingbe.

ii. To explore the preventive diplomatic measures employed by the AU and ECOWAS to resolve the crisis in Togo in 2005.

iii. To bring to attention why some preventive diplomatic measures fail and others succeed.

1.4 Scope of the Study

This work focuses primarily on the role and use of preventive diplomacy in resolving the election crisis in Togo in 2005. The focus is on post Eyadema election crisis in 2005, after several years of authoritarian rule.

1.5 Rationale/Justification of the Study

Africa has witnessed many post election violence which have hindered development and caused violation of human rights and increased the refugee situation in Africa. Taking a look at election violence in Kenya (2008), Cote d’ Ivoire, Guinea (2009), Sierra Leone (2009), Guinea (2009) and other African Countries, these have stained the democratic credentials of African countries thus portraying Africa in a negative light.

The case of Togo in 2005 is worth investigating to know the concrete preventive diplomatic measures put in place and the effective role played by the ECOWAS and AU to resolve the conflict that could have possibly escalated into a full blown armed conflict.
1.6 Hypothesis

Preventive Diplomacy was effective in resolving and containing the 2005 post-election crisis in Togo from spreading.

1.7 Conceptual Framework

The study is situated within the framework of Michael S. Lund’s concept of “Preventive Diplomacy”.

Michael S. Lund in proposing strategies for preventing violent conflicts defined Preventive Diplomacy as “an action taken in vulnerable places and time to avoid the threat or use of armed force and related forms of coercion by state or groups to settle the political disputes that can arise from destabilizing effects of economic, social, political and international change”. 5 For Lund, preventive diplomacy steps in at a point when relations between the parties are at a point of shifting from stable peace to unstable peace or worse. This, he states, is to keep potential disputes from becoming violent and to adopt the process of regular diplomacy to ensure peace. 6

Following from the above, it can be realised that the study is well situated within the framework of preventive diplomacy because the resolution mechanism adopted by the sub-regional, ECOWAS and the regional body, AU in resolving the post-Eyadema electoral crises in Togo in 2005 clearly employed suggestions and tools espoused in the “toolbox” of Michael S. Lund, where these bodies anticipating a potential conflict in Togo after the death of President Eyadema and the subsequent taking over of power by his son Faure Gnassingbe, quickly stepped in by declaring the take over as a coup, suspended Togo from ECOWAS and imposed other diplomatic sanctions. All these were done to curb any violent conflict from
occurring which would have been difficult to handle. This clearly indicates that conflict and violent conflicts can be avoided if preventive diplomatic measures are applied in a timely and coherent manner.

1.8 Literature Review

Though the idea of preventing conflict from occurring and escalating is not new, the end of the Cold War has generated much interest in the idea of dealing with conflicts at very early stages through the adoption of definite preventive procedures. This is due to the emerging trend and the form conflicts have taken.

As Özçelik Sezai puts it, the world has changed so the major conflicts posing a threat to world peace and security have also changed, the parties involved in the conflict have changed, the international environment has changed and that has affected the relationship between international organizations and the conflicting parties. Thus the attention of the international community has shifted to responding to emerging ethno-national conflicts in a world that is constantly changing with new threats and issues. For example, after the September 11 terrorist attack on the World Trade Centre in the United States of America, terrorism has gained the attention of countries with measures and policies been put in place to check its spread. This is because of the threat terrorism poses to the world, the actors involved and the kind of illicit activity they engage in to fund their activities.

According to Neil J. Krits, most of the conflicts plaguing the world today are intranational and that ethnic and religious conflicts, secession or disputes over self-determination and power, brutal power struggle involving domestic political groups have taken the form of armed conflicts. This has however called the attention of the international community to
resolve the causes of these conflicts, but in doing that, the conventional methods of ensuring human rights obligations and the traditional peacekeeping for resolving conflicts during the Cold War have not provided an effective guide to deal with these conflicts.  

Against this background, preventive diplomacy which Michael Lund attributed to Dag Hammarskjold in the mid 1950s and revitalized in 1992 by Boutros Boutros Ghali was adopted as the United Nations antidote to the various conflicts that have plagued the world. This led to the interest in preventive diplomacy by diplomats, state actors and in the academia on strengthening the strategies for dealing with violent conflicts around the world.

Michael S. Lund in discussing preventive diplomacy defined it as an “action taken in vulnerable places and times to avoid the threat or use of armed force and related forms of coercion by states or groups to settle the political disputes that can arise from destabilizing effects of economic, social, political and international change”. For him, the reason for preventive diplomacy is to avoid disputes from becoming confrontational or full blown violence which will be much more complex and expensive to handle. He further states that, preventive diplomacy ceases to apply when the situation worsens into crisis because it only applies at the point of unstable peace.

In proposing effective ways of resolving conflicts, Lund developed a preventive diplomacy “toolbox” consisting of instruments that can be employed for the prevention of conflicts. These include military approaches which consists of restraining the use of armed force that includes arms control regimes, confidence-building measures, non aggression agreements, pre-emptive peacekeeping forces (for deterrence and containment), demilitarised zones, arms embargoes, non-offensive defence force postures. Another is the threat or use of armed forces
which consists of deterrence policies, security guarantees, maintaining or restoring local or regional balances of power, use or threat of limited shows of force.

He further developed non military approaches which consist of two salient aspects. Firstly, coercive diplomatic measures which consists of diplomatic sanctions, economic sanctions, moral sanctions and war crimes tribunals. Also are the non coercive diplomatic measures which consist of international appeals (moral persuasion to conflicting parties to urge accommodation), propaganda, fact-finding missions, observer teams, bilateral negotiations between opposed parties, third party informal diplomatic mediation, conciliatory gestures and concessions, non-violent strategies, economic assistance or political incentives (to reduce parties cooperation). These strategies for effectively dealing with violent conflicts are offered by third party government, the United Nations through its Department of Political Affairs, regional organizations and prominent individuals.

In other words, if the violence appears to be impending, the states would not have the time to concentrate on the above mentioned preventive diplomatic tasks. Rather, the focus must be on stopping or deterring violence through sanctions or threat of force from the United Nations Security Council, powerful states or organizations vested with the power to ensure world peace.

However, despite the strong case and foundation Lund laid for preventive diplomacy and its relevance in ensuring peace, he fails to recognise that most conflicts around the world today do not occur out of vulnerable situations and times. Some of them are unanticipated and they happen and spread at a faster rate. Even though he goes on to appreciate that if the violence is
imminent then preventive diplomacy will not have the luxury to rely on the suggested tools but rather concentrate on stopping it through sanctions by the international community.

But it must be noted that preventive diplomacy cannot be effective and may even worsen the case if proper background checks are not done to know the cause or causes of the conflict, the parties involved, and potential third parties to the conflict, ethnic, historical, political, economic, social, cultural and religious issues which are mostly embedded in political tensions and conflicts. It is therefore proper for an effective preventive mechanism to investigate to know which of the issues play out in a conflict at a point in time in order to know how to apply the necessary tool to resolve it.

Bruce W. Jentleson on his part states that, preventing diplomacy entails acting early to prevent disputes from escalating or problem from becoming worse, so that there is reduction in tensions which when intensified could bring about war. 13 He therefore, like Lund and others, insists on the need for early warning which he described as “sounding alarm bells at the right time and in a salutary and appropriate manner”. 14 As if early warning does the magic in preventing violent conflicts, Jentleson adds that, it involves overcoming the informational problem of obtaining the necessary quantity and the quality of intelligence in a reliable form and timely manner as well as the analytical problem of overcoming various obstacles that can hinder or distort the accuracy of the analysis.

However, according to Alexander L. George and Jane E. Holl, if early warning is achieved, there is the problem of a “warning-response gap.”15 For them, the response gap is one of failure to use intelligence, the warning is there but actions are not taken to avert the imminent threat, this is what Jentleson refers to as missed opportunities in preventive diplomacy.
Thus, Kenneth Menkhaus stresses that, for preventive diplomacy to be more effective and deliver results, six prerequisites must be met: firstly, the analytical capacity to predict and understand conflicts should be present, secondly, the structural capacity to predict and alert should be present (the need for functional early warning system to be in place), thirdly, the operational capacity to prevent (the necessary toolbox of preventive methods), fourthly, a strategic framework to guide coherent preventive action (an effective strategy for preventing conflicts present to be able to determine which tool to use), the fifth one is the structural capacity to respond and finally the political will to prevent (the commitment to undertake and support preventive action).  

Oliver Ramsbotham et al argue that, there is usually more to the practice of preventive diplomacy when it comes to translating rhetoric to reality or action. But, Menkhaus explains that, for preventive diplomacy to be effective and yield results, it must combine various types of prevention and differentiate between preventive toolboxes to be applied appropriately for each stage of the tension and conflict.

Admittedly, it will be recognised that most preventive measures fail in resolving conflicts because of lack of understanding the issues involved which in turn leads to the misapplication of tools and strategies for resolving the conflict. But in as much as Menkhaus’ six prerequisites of preventive action proves to be effective in stooping conflicts, there are records to show that tensions have turned violent and escalated in situations where most of the prerequisites existed but could not be stopped even when preventive measures were later adopted and implemented. Situations like the war in Bosnia, Congo the invasion of Kuwait and the Rwandan genocide were all anticipated but no actions were taken to address and contain them till the actions became too late.
But these shortfalls notwithstanding, Francesco Mancini emphasizes that, the relevance of preventive diplomacy initiatives cannot be understated and underestimated as it has been successful in preventing violent conflicts in Macedonia, Serbia, Albania, Estonia, Togo, the maritime row between China and Japan. Even when the issues and violence have passed the threshold of preventive measures, there are often coercive preventive measures to halt the escalation and avoid the conflict from spreading. This is what Michael Lund does not appreciate when he stated that preventive diplomacy ceases to apply when the situation degenerates into crises because it only applies at the point of unstable peace.

It is however within this context that preventive diplomacy and the various literature discussed above become relevant in taking a critical look at the timely, effective and coherent manner in which preventive diplomacy was applied in the event leading to the ascension of power by the son of former President Eyadema, Faure Gnassingbe of Togo in 2005 after his death with the help of the military in a manner declared by the regional bodies that saw the peaceful return to constitutional rule as a coup d’état and the subsequent post electoral violence that nearly plunged the country into chaos.

Various discussions on the definition of preventive diplomacy, notably Michael S. Lund and Bruce Jentleson failed to recognise that most political tensions and violent conflicts have beneath them group interest, ethnic tensions, religious, cultural and historical factors. These issues are mostly embedded in political violence that if proper care and investigations are not done to know which one plays out in a conflict, preventive measures will always be in vain. Thus, this study discusses the application of preventive diplomacy in Togo in 2005 and show how ethnic and historical factors played out in the violence and the ability of the regional
bodies ECOWAS and AU in stopping the violence from escalating and the subsequent return to constitutional rule.

1.9 Sources of Data and Research Methodology

Data for this study was derived from primary and secondary sources. The primary data was collected by conducting unstructured interviews with Hon. Albert Kan Dapaah, former Minister of State under President Kufuor’s government and Member of Parliament for Afigya-Sekyere constituency. He was part of the Ghanaian delegation involved in the pre-negotiation stage during the resolution of the conflict. Again, unstructured interview was also held with Ambassador D. K. Osei a retired diplomat and the then Secretary to President Kufuor who was also actively involved at the pre-negotiation and the negotiation stages, and together with Hon. Kan Dapaah witnessed the signing of a Global Political Agreement between the parties in the conflict. Secondary data was collected from the internet and the Legon Centre for International Affairs and Diplomacy (LECIAD) library, the Balme Library and the Political Science library, University of Ghana. Secondary materials used include books, journal articles, research papers and documents. As a qualitative study, content analyses of published books, articles and journals and other studies related to the work was employed.

1.10 Arrangement of Chapters

The study is arranged in four chapters. Chapter one constitutes the Research Design. Chapter two constitutes the political history and governance of Togo. Chapter three focuses on the Post Eyadema election crisis and measures adopted by ECOWAS and the AU to address the
situation in Togo. Chapter four constitutes the summary of the findings, conclusions and recommendations.
End Notes

6 ibid., p. 41.
10 ibid., page 41.
11 ibid., pp. 203-204.
12 ibid., p. 46.
14 ibid., p. 10.
18 op cit., p. 423.
CHAPTER TWO

POLITICAL HISTORY AND GOVERNANCE OF TOGO UNDER EYADEMA

2.0 Introduction

The chapter traces the political history of the Republic of Togo from independence to the first coup by President Eyadema in 1967. The chapter also looks at the governance style of President Eyadema from 1967 to early 1990s when democracy was adopted in Togo, his subsequent Presidency till his death in early 2005.

2.1 Brief Overview of the Togo Issue

Togo, a Francophone country in the West African sub-region, became a subject of international discussion in February 2005 due to what the AU and ECOWAS declared as the unconstitutional and the undemocratic ascension to the Presidency by Faure Gnassingbe after the death of his father Gnassingbe Eyadema. Eyadema seized power in 1967 in a military coup, and had autocratically ruled the country for many years until 1991 when he allowed multi-party democracy due to international pressure. But he managed under contentious circumstances to win elections that were held in 1993, 1998 and 2003. However, he could not end his 5-year tenure which was to end in 2008 before his sudden death in 2005 which almost plunged the country into chaos.

2.2 Political History of Togo after Independence

Togo was a onetime German colony and later became partly a British and French protectorate. According to Kaniye, by a French statute of 1955, French Togo became an autonomous republic within the French Union, and in 1957 British Togoland also voted to
join the Gold Coast as part of Ghana.\textsuperscript{1} On 27\textsuperscript{th} April, 1960, French Togoland became an independent country as the Republic of Togo.

The country has however experienced political instability since independence. As noted by Kaniye, the independent Constitution provided for an executive President, elected for seven years through universal adult suffrage, and a National Assembly (Parliament).\textsuperscript{2} He goes further to state that, even though the Constitution provided for a multi-party political system, however, exclusionary politics later characterized elections in the country, which begun as early as 1957 and 1958 when the political party, Parti Togolaise du Progres (PTP) or Togolese Progress Party led by Nicolas Grunitzky was disqualified from taking part in the elections that gave independence to Togo.\textsuperscript{3} The exclusionary politics in Togo at independence was no different from most independent African countries at the time. In Ghana for instance, Dr. Kwame Nkrumah, the President of Ghana at independence adopted exclusionary measures such as the declaration of a one party state, the introduction of the Preventive Detention Act to sideline and silence the opposition. Such was and is still the case in Zimbabwe.

In the event, Sylvanus Olympio’s party, Comité de l’unité Togolaise (CUT) or Party of Togolese Unity became unopposed and thus won all the 51 National Assembly seats, Olympio then became the first executive President of independent Togo. This however made Togo a one party state, but austere economic policies and the anti military sentiments of President Olympio set the basis for the first military coup ever in Africa in January 1963.\textsuperscript{4} The coup which was carried out by non commissioned army officers was led by Lt. Col. Etienne Eyadema later called Gnassingbe Eyadema and led to the assassination of President Olympio. Most African leaders like Dr. Kwame Nkrumah who practiced one party states
suffered military coups. In the case of Togo, the then Col. Eyadema had hatched the ambition to take power therefore he had to assassinate President Olympio who would have been a threat to him if he allowed him to live during his dictatorial regime later on. This is based on his later actions towards the families of President Olympio and leaders that served in his government. As a result, Gilchrist Olympio became one time foe of President Eyadema.

Following the coup, Nicolas Grunitzky leader of the Togolese Progress Party was restored to power by the coupists under the Mouvement des Personnes Togolaises (MPT) or Togolese People's Movement which was an all inclusive government where all political parties were represented to be able to tackle the economic and political developments in the country. This move was used to initially deceive the Togolese people as though the coupists led by Col. Eyadema were not interested in taking power for themselves. But it was rather a way to step back and prepare to take power later in 1967 with Col. Eyadema as President.

Despite these efforts by Grunitzky to unite the country, on 13 January, 1967 the army removed Nicolas Grunitzky as President. The almost bloodless coup was lead by Lieutenant-Colonel Etienne Eyadema (who was the Army Chief of Staff) and Kléber Dadjo. Grunitzky was sent into exile in Paris. The army chiefs later claimed that Grunitzky had simply resigned the presidency after being faced with his political and economic shortcomings. On 14 April, Etienne Eyadema was installed as President and Minister of Defense. One of his earliest moves was to invite past political exiles back to Togo.\(^5\)
2.3 Togo under President Gnassingbe Eyadema

Following a successful and bloodless coup led by Eyadema in 1967 and his installation as the President of Togo on 14\textsuperscript{th} April, 1967, he banned all political parties and suspended all constitutional processes and that begun Eyadema’s 38 successive years in power. \textsuperscript{6}

By this, President Eyadema in 1969 started moves towards entrenching himself as the permanent and legitimate leader of the country. President Eyadema moved towards creating a single national party in Togo in 1969. The Rassemblement du Peuple Togolaise or the Rally of the Togolese People (RPT) was founded in late 1969, under President Gnassingbe Eyadema. The party's first Secretary-General was Edem Kodjo. It was the only legally permitted party in the country, a role further entrenched in a new constitution adopted in 1979. The legal mandate given to the RPT as the only nationally permitted party was to cripple and silence opposition in the administration of President Eyadema. How can a country of people with divergent views and interests be led by a single national party which has its own interest that contradicts the interest of most of citizens? But that was the strategy President Eyadema initially adopted as a way of perpetuating himself as the leader of Togo.

On 9 January 1972, due to increasing and popular criticism of his rule, President Eyadema ordered a referendum, which simply asked the question: "Do you want General Eyadema to continue the functions of president of the republic entrusted to him by the army and the people?" Predictably, given the dictatorial nature of the state, the yes vote garnered 99.9%. Two years later, President Etienne Eyadema was the 'only' survivor of an aircraft crash. The claim that he was the only survival of the crash fed into his growing cult of personality as proof of his invulnerability; although it has since been revealed that others did, in fact, survive the crash. \textsuperscript{7} Most leaders around the world try to create some mysterious aura around
them either to be feared or seen as powerful and that was President Eyadema did. Most Togolese and for that matter West Africans who heard of the claim of his survival in the crash saw him as powerful.

2.4 Africanization Policy and Coup Attempts under Eyadema

In 1974, President Etienne Eyadema introduced a program of Africanization, and set about strengthening nationalistic sentiments by demanding that Togo's elite adopt African first names (rather than the typical, popular French first names) -- he took the name of Gnassingbe. He went ahead to ensure that French geographical names were also changed. President Eyadema also began a program of nationalization of major industries such as phosphate production in 1974. This nationalization policy led to increase in state revenue which was supposedly ploughed back into development. This was a radical step President Eyadema took to ensure that Togo was in charge of its own destiny and resources. Every country has in ones in its development nationalized a foreign company based on its priorities, national interest and national security. Nothing stops a country from taking over a foreign company that controls a larger part of its economy and resources. President Eyadema nationalized phosphate production because he saw phosphate as one of Togo’s major resource and export commodity.

In December 1977, President Eyadema encountered an attempted coup against his government, which was led by Lieutenant-Colonel Merlaud Lawson of the Togolese army. He managed to escape the country, but 65 of his collaborators were arrested. Eyadema then publicly accused the exiled sons of late President Sylvanus Épiphanie Olympio (assassinated on 13 January 1963) of connivance in the coup attempt against him.
Again, in 1979 there was another attempted coup. This time, President Gnassingbe Eyadema did not only accuse the sons of late President Sylvanus Épiphanio Olympio exiled in France but also the family of Emmanuel de Souza who were also in exile in Ghana. Emmanuel de Souza's father had been involved in the Comité de l'Unité Togolaise (CUT, Committee of Togolese Unity), and had even served as Vice President to Sylvanus Épiphanio Olympio. Amidst these accusations against the two Families of ex political figures of Togo, members of both families were stripped of Togo nationality and the Togolese government contacted both French and Ghanaian authorities to extradite members of the two families from their country. Thus, in August 1979, Ghanaian authorities agreed to extradite Emmanuel de Souza to Togo- he was tried, found guilty and sentenced to death. This sentence was converted to life imprisonment, and was subsequently released.  

2.5 **New Constitution and Elections under President Eyadema**

In late 1979, Eyadema held another referendum in Togo with the view of returning the country to civilian rule. The said referendum resulted in a new constitution. Under its provisions, the constitution provided for the President of the party to be elected to a seven-year term as President of the republic. As a result, National elections were run in December with President Gnassingbe Eyadema as the only candidate. In 1979, however, Eyadema declared the country’s Third Republic and announced a transition to civilian rule.  

His inauguration as President - elect in January 1980 saw the release of some 32 political prisoners and the reinstatement of Togolese nationality for the De Souza family. Even though, Kaniye confirms that Eyadema still continued his dictatorial style of leadership of the country. The exclusionary politics which started at independence had been taken to another level under President Eyadema. This time it was given a legal backing. The RPT had been
legally permitted as the only political party in the country, this explains why President Eyadema won all elections that were held in Togo for the 38 years he ruled Togo.

The election of Eyadema as President in 1979 as the sole candidate in the polls that took place in 1967 began one party rule in Togo. By the mid-1980s, there were calls for democratic elections thus, in 1985, unlike previously where selected members were to contest for the legislature, any member of the Rassemblement du Peuple Togolais (RPT) or Rally for the Togolese People) was made to contest for seats in the legislature. However, most of the aspirants who put their names to contest were later encouraged to step down before the elections in 1986. This meant that he still had the choice to put his own people he trusted to contest for the seats in the legislature. He was not actually committed to seeing ‘any ordinary member’ of the RPT take up seats in the legislature which he consciously wanted to control to his advantage.  

As the move towards hijacking the electoral system met fierce resistance from the Togolese people, protests were carried out on the streets of Lome, the capital to register their displeasure. This was a clear sign that, the priorities of the government was in contrast to that of the general citizenry, the people wanted a free, fair and transparent governance system but President Eyadema had hijacked the process and was ruling according to his own tenets. Thus, the people of Togo registered their grievances with the least opportunity provided.

As a result, President Eyadema faced another failed coup attempt in September 1986. Neighbouring countries, namely Ghana and Burkina Faso were implicated by the Togolese government as masterminding the coup plot that sought to topple President Eyadema. It must be noted that relations between Ghana and Togo were not the best as President Eyadema consistently suspected and accused then President Rawlings of Ghana of harboring Togolese
dissidents, notably Gilchrist Olympio and other major opposition leaders and Togolese nationals who had run to the country from the dictatorial regime of President Eyadema. Gilchrist Olympio was always accused by President Eyadema of masterminding coups against his government because of his fear that Olympio could revenge the assassination of his father during his first coup in 1963. Therefore it was in the best interest of President Eyadema to keep Gilchrist Olympio and other dissidents away from active political activities in Togo, because that could have threatened his regime.

Following the 1986 attempted coup against President Eyadema, some Togolese nationals were arrested and detained. During the trial of the arrested persons in December, 13 of them were sentenced to death whilst 14 were given life imprisonment. However, Gilchrist Olympio who was also alleged to have master-minded the coup even though in exile was tried and found guilty in absentia. That notwithstanding, in 1986 when President Eyadema celebrated his 20 years in office, he released 200 political prisoners through a presidential pardon and announced the creation of a human rights commission. This move was seen by commentators as due to international pressure for reforms in the country. Even in exile, Gilchrist Olympio was a threat to President Eyadema thus he adopted every means possible to deny him of any involvement in the political activities in Togo but for reasons best known to Olympio, he kept on operating behind the scenes in events in Togo from his hide out in Ghana.

According to Dirk Kohnert, Togo in the 1980s was referred to as the ‘Swiss of Africa’. He noted that even though Eyadema’s economic policies were neither development oriented nor aiming at pro-poor growth, Togo benefitted immensely from trade due to its location and role as a transit point for neighbouring countries. It served as a sea port for Burkina Faso, Niger
and other Sahel countries. It also benefitted from the informal trans-border trade activities with Ghana which was experiencing economic decline and Nigeria which had introduced import restriction policy. Thus, when there was the need for consumer goods which were not on the markets of Ghana and Lagos, Lome was the place to go. This made Lome the centre of business among its neighbours and that in turn brought lots of revenue to the country.

2.6 **Instruments of Eyadema’s Despotism**

Historically, it has been noted that, during the German period, southern Ewes had been designated as German agents and had also benefited from missionary education. When the French succeeded the Germans in Togo, Ewes became administrators for the colonial management throughout French Africa. By the time of independence, Ewes played a significant role in the country’s civil service and dominated it politically, while northerners suffered economic backwardness, illiteracy, and few educational and social facilities. Yet, the Kabre and other northerners had been recruited for military service under French rule and the Togolese army at independence mostly consisted of ethnic Kabres.

Ewes supported and dominated Togo’s independence government, headed by Sylvanus Olympio. Under the rule of President Olympio (1960-1963) and Grunitzky (1963-1967), Ewes formed almost 70% of the cabinets whilst Kabres formed only 20%. However, this changed when President Eyadema, a Kabre, took power in a bloody coup in 1967 which resulted in President Olympio’s death. The Kabre became the dominant group in Togo, which has remained to date. Under Eyadema’s military regime (from 1967), however, only 25% of Ewes (half the Ewe proportionate share) were cabinet members, while northerners represented over 65% with Kabres alone forming 42%.
Taking a look at Eyadema’s style of governance from 1967 till his death in 2005, one can realistically state that he had a strong backing from highly placed individuals and surrounded himself with people he groomed and were highly loyal to him, thus it became extremely difficult to plan against the regime even though most people did not like President Eyadema’s control of the country as his personal venture.

As Kohnert puts it, Eyadema’s dictatorship was based on three strong pillars:
Firstly, the Togolese Armed Forces (Forces Armees Togolaise, FAT) as Kohnert revealed, was organized like a personal guard as well as a security service and pro-Eyadema militia which was dominated by members of Eyadema’s ethnic group – Kabiye or Kabre. President Eyadema spent and put emphasis on the military and security services because of the constant attempted coups he encountered during his regime, he needed to create a security service he could trust with his dictatorial regime.

Comi Toulabor, a well-known Togolese political analyst throws more light on Kohnert’s assertion about the army that, the ethnic composition of the Togolese Armed Forces has over the years had considerable implications on the country’s democratic process. The army behaves as a major political stakeholder interfering in political affairs, nepotism, and repression of civilians, including political leaders. The Togolese Armed Forces played a major role in the democratic process basically to protect their tribesman, President Eyadema who had promoted them to their various ranks to ensure their interest and the interest of the President.

To show how skewed the Togolese army is, Toulabor goes on to give a brief breakdown of the composition of the army as:
The Togo Armed Forces is made up of about 13,000 elements of whom 10,000 belong to the North and the 3,000 remaining from the South of the country. Among the 10,000 elements, 7,000 belong to the Kabiye, the Gnassingbe family ethnic group, and among the 7,000 elements, 3,000 are from Pya, the native village of the Gnassingbe’s. Worse yet, the managerial staff are also almost entirely between the hands of the same ethnic group. Among the 300 officers within the Togolese army, 250 are from the North and only 50 from the South. Among the 250 officers from the North, 200 belong to Kabiye ethnic group and 50 officers are from the sole native village of the Gnassingbe’s- Pya. The army was accordingly nicknamed in public as the army of cousins.\textsuperscript{21}

President Eyadema’s high security priority made him spend a lot of the country’s resources on the military. As Kohnert explains, over the years, the Togolese was regularly upgraded with funds from donors and human capacity mainly from France under the guise of secret pacts of mutual assistance.\textsuperscript{22} It is on record that, between 1963 and 1967, Togo’s military expenditure topped the expenditure of most of African countries.\textsuperscript{23} Having come to power through a military coup, he knew what the military was capable of doing if their grievances were not attended to. Being a former Colonel himself, President Eyadema spent a lot on the military to upgrade them to the level of modern military which was meant to protect his regime against aggression and coups. As a result he was able to foil all the attempted coups against him.

The second pillar of President Eyadema’s despotism was a centralized neo-patrimonial arrangement of political and economic power which was dominated by ethnicity and the politics of xenophobia.\textsuperscript{24} Thus, Toulabor gives an example of political institutionalized xenophobia which was about the politics of Togolité which was codified by the revision of the Togolese constitution of 2002. This treated exiled political opponents and refuges who had fled the country out of fear and repression as ‘foreigners’ so they could no longer qualify to take up public positions in Togo. He goes further to cite another example where there was distinction between ‘a true’ Togolese which was initiated by the government media houses as against the ‘Southern immigrants’ that represented the Ewe ethnic group in Togo who
migrated to Togo from Ghana, many of whom were members of the opposition and were as such labelled as traitors.\textsuperscript{25}

Meanwhile already in the 1970s, the government under President Eyadema had accused the so called ‘Brazilians’ who were descendants of returned ex slaves and slave dealers from Brazil, notably the families of De Souza and Olympio, among others, who lived in the Southern part of Togo of plotting against his government. This accusation by President Eyadema was as a result of the overthrow and assassination of Olympio in his first coup in 1963, and he feared the children of these leaders he had killed would come for him too.\textsuperscript{26} This was basically the reason why he kept frustrating Gilchrist Olympio and other dissidents of Togo from having anything to do with political developments and issues in Togo.

Repression, political assassination and witch hunting were so rampant and was almost institutionalized to the extent that, there were four existing concentration camps which held political detainees. These camps according to, Marcel Codjie were situated around Kazaboua, Agombio, Mandouri and Otadi all in the northern part of the country. The most infamous of these camps was Kazaboua which was just 12 kilometers from Kaza, and served as a concentration camp for those alleged witches and also for political opponents accused of occultism. These individuals were imprisoned, tortured and murdered. The Kazaboua camp was constructed with the help of the German army under the guise of military cooperation and armament grant which was reached between Togo and Germany in the 1980s.\textsuperscript{27} It is clear from the above that President Eyadema was bent on protecting himself and his regime from threats of opposition, thus he built these concentration camps to create a culture of silence in Togo, because one could easily be tagged as an opponent or an occultist and thrown into one of the camps.
The third pillar in the literature is the instrumentalization of African occult belief systems for political means. This particular pillar was not mentioned because according to Stephen Ellis, in the 1990s, it was hard to get reliable information on the real workings of the political system in Togo because of the fear the security forces created in the media and individuals.  

The occult belief system of Eyadema came to light in 1991 when testimonies and hearings were given during the National Conference. This revealed a very high structure of despotism which also included ritual murder and politically motivated witch hunt which occurred at all levels of public administration. This particularly created an aura around President Eyadema and his government that most people feared him.

President Eyadema became very powerful because of the above mentioned pillars which served as the backbone of his regime. Most opposition leaders who did not want to be detained in any of these camps went into exile, this nearly crippled active opposition activities in Togo until the early 1990s when democracy was accepted by President Eyadema due to international pressure.

2.7 Transition to Democracy and Constitutional Rule

Togo has since the late 1980s seen a transition to multiparty government which was accompanied by widespread ethnic violence, repression, displacements of persons into neighboring countries and the effective control of the “democratization” process. The army and the Rassemblement du Peuple Togolaise (RPT) which was the ruling party were the key vehicles of the veteran President Gnassingbe Eyadema. He had carefully constructed highly personalized lines since his accession to the presidency in 1967. Commentators have stated that Eyadema never had any intention of liberalizing the political system, and thus relied upon a combination of political maneuvering both open and hidden repression to divide and
demoralize an already fractured opposition.\textsuperscript{31} Looking at events and measures put in place by President Eyadema from 1967 to late 1980s, there was no sign to show that he was prepared to democratize. From the legal mandate given to the RPT as the sole national political party, the construction of concentration camps to deal with opposition elements and retaking of power from Prime Minister Koffigoh clearly showed that he was not willing to practice democracy.

However, Paul Simon Handy asserts that, when the democratization process began in 1990 in neighbouring Benin, Eyadema’s days in Togo seemed numbered. Under the pressure of the international community, internal factors, economic sanctions and suspension of development aid, Eyadema was forced to adopt steps towards the democratization of Togo.\textsuperscript{32}

\section*{2.8 Introduction of Democratic Elements in the 90s – National Conference}

The first move towards the democratization of the country was to hold discussions between the Togolese government under President Eyadema and the opposition groups in the country. On 12 June, 1991, the parties agreed to hold a national conference to discuss the political and the constitutional future of the country.\textsuperscript{33}

The national conference was the first attempt to open up the political system in Togo which showed the dawn of a new political era in Togo.\textsuperscript{34} The conference, among other discussions, brought the massive human violations in Togo to light and decided to limit the powers of the president which over the years gave him upper hand over the opposition to oppress, suppress, intimidate, control the National Assembly and manipulate the electoral system in the country to his advantage.
Thus to usher the country into democracy, on 26 June 1991, the conference elected Joseph Kokou Koffigoh from civil society as Prime Minister to head a transitional government to oversee elections scheduled for June 1992. Following this, a legislative organ was instituted to design a new constitution to strengthen the move to democracy. The position of the Head of State was therefore reduced to that of a representative figure.

As Ebeku Kaniye puts it, the holding of the national conference was crucial for the opposition in Togo because it led to the massive reduction of the powers of Eyadema, but the drastic measures taken by the power-hungry opposition in introducing political structures by force and to keep the powerful armed forces of the country out of the negotiation process worked against achieving a genuine national consensus for that important democratic development, and this paved the way for a military action against Prime Minister Koffigoh.

2.9 **Regaining of Control and Power and the 1992 Constitution**

The reduction of the powers of President Eyadema by the national conference in 1991, and the subsequent radical approach adopted by the opposition by introducing new political structures and side-lining the military in the negotiation process alerted both Eyadema and the military of losing grips of the erstwhile power they held in the country.

Determined to rule, Eyadema dwelling on his control of the Kabiye dominated army regained the power he had lost through the military. The house of the newly elected Prime Minister, Koffigoh was bombed by the army and he was arrested. Other opposition politicians were also hunted by the army as a move by Eyadema to again take back lost power.
As covertly planned by President Eyadema, this led to disruption of the progress of the conference, the elections slated for June 1992 could not be held, but a new constitution was approved in a referendum in September, 1992. The constitution for the first time provided for multi-party political system which legally ended decades of one party rule by the Rassemblement du Peuple Togolaise (RPT). Additionally, the constitution further created a system of checks and balances among the various organs of government and limited the presidential mandate to two five-terms.

Notwithstanding these provisions by the constitution, the military continued to hijack the democratization process mainly through killings and brutalizing opposition elements in the country. Even though France and Germany in 1993 tried to resolve the political impasse in the country by sending their Ministers of Cooperation to Togo it failed, because the army opened fire on the crowd that had gathered to welcome the ministers and they were however forced to leave Togo.

Many people including major opposition figures fled the country and that it obvious that no free, fair and credible elections could be held as planned. But despite the fact that many electorates had fled the country, in August 1993, presidential election was organized with Eyadema as the sole candidate because Gilchrist Olympio, the main contender was not allowed to contest. The other candidates, Edem Kojo and Yao Agboyibor also boycotted the elections.

All these were orchestrated by Eyadema through the military to frustrate and deter the opposition from contesting the elections because he wanted to still hold on to power.
2.10 **The 1993 Presidential Election and the Lome Framework Accord**

Eydema won the 1993 presidential election under controversial circumstances and continued with his dictatorial rule amidst massive human rights abuses to maintain power, though the fractured opposition still challenged Eyadema’s political control. As a result of the continued oppression of the opposition and the hijacking of the democratic process in Togo even after the 1993 election, the international community particularly the European Union and its member countries applied stricter economic sanctions on Togo as a measure to compel Eyadema to democratize.

However, in the parliamentary election that followed in 1994, the opposition secured majority of the seats, which encouraged them to actively participate in the 1998 presidential election. This was under the supervision of an independent electoral commission and a European Union observer mission. That election was hailed to have adopted international standards and norms. But in spite of the praises, before the counting of the ballots could end, the government sensing failure due to unofficial comments that Gilchrist Olympio the presidential candidate of Union des Forces de Changement (UFC) had won the election quickly dismissed the electoral commissioner and declared Eyadema as the winner with 52% of the vote cast.

The election results as expected led to mass protest throughout the country, and the international community responded timely to normalize the tensed political climate. The international community facilitated and launched negotiations between Eyadema and six opposition leaders in Togo which led to the signing of the Accord Cadre de Lome (ACL) or the Lome Framework Agreement in 1999. The Lome Framework Agreement created structures and processes for resolving the country’s political problems and the lifting of
international economic and political sanctions. Additionally, the Accord provided for a consensus-based electoral code and the creation of a new independent national electoral commission with equal representation between government and the opposition parties.\(^45\) The provisions in the ACL was meant to resolve all political impasse in the country in a peaceful manner because all the various political leaders committed themselves to it, but as will be seen later on, President Eyadema disrespected and violated the accord which again brought about political tension in Togo.

To show commitment to implementing the issues raised in the Accord, President Eyadema publicly declared that he would not contest the next presidential which was due in 2003. President Eyadema’s decision not to contest the 2003 election was publicly affirmed until 2001.\(^46\) This decision was seen as his commitment to respect the constitutional provision which limited a President to two five year terms.\(^47\) As will be seen subsequently, President Eyadema was not committed to his declaration not to contest the 2003 election, he did that for reasons best known to him and his cronies.

Unfortunately, Eyadema and his cronies went against the word of retiring in 2003. In October 2002, the government violated the Lome Accord and frustrated the opposition to boycott the parliamentary elections that was held.\(^48\) The government unilaterally amended the electoral codes and the composition of the National Electoral Commission, in the months that followed. The Togolese Constitutional Court established a Committee of Magistrates to replace the multi partisan election commission and Koffi Sama replaced Agbéyomé Kodjo as Prime Minister.\(^49\)

These measures made the opposition boycott the elections, which however gave Eyadema’s RPT a massive win at the polls being challenged by newly formed government sponsored
opposition parties. With that victory, the RPT dominated the National Assembly and therefore began to make changes to the 1992 Constitution. The speed with which the National Assembly developed, debated, and approved the constitutional changes caught the opposition and many other Togolese and international observers by surprise. In December 2002 it repealed the two term limit on presidency, obviously to enable Eyadema to run again in 2003. Moreover, a 12 month residency requirement for presidential candidates was added to the Constitution (Article 62), with the practical effect of barring Gilchrist Olympio who had lived in exile since surviving assassination attempt in 1992 from contesting. Here again President Eyadema adopted exclusionary measures to sideline all opposition political leaders he saw as a threat to him to have his way.

2.11 Eyadema’s Uncompleted Presidential Tenure

As already noted, notwithstanding his public declaration to retire in 2003, Eyadema contested the 2003 presidential elections and won even though there were reports of massive irregularities and malpractices. But reports were that Emmanuel Bob-Akitani who was designated by Gilchrist Olympio who could not run because of the 12 months residency requirement had won the election. Eyadema’s dominance continued after winning the 2003 elections.

After the presidential election in 2003, Eyadema had started to groom his eldest son Faure Gnassingbe as his successor, thus Legislative elections planned for the end of 2005 were meant to secure Faure Gnassingbe ‘s appointment as Speaker of Parliament. Although rumours of Eyadema’s ill health had been circulating in Togo and within the region for months, his sudden death caught his entourage by surprise. Eyadema’s death after 38 years rule radically altered the move to making his son his successor. The death of President
Eyasema did not stop his son from succeeding him as the President of Togo as already planned. The move by the military to install Faure Gnassingbe as President was confirmation of a plan well orchestrated even before the sudden death of President Eyadema.

But to forcibly achieve that, the army on the 6th February, 2005 a day after Eyadema’s death led by the army Chief of Staff quickly swore allegiance to Faure Gnassingbe and pronounced him as the head of state. This overrode the constitutional provision that provided for the Speaker of Parliament to take over if the president dies whiles in office, but because the Speaker of Parliament was abroad at the time, the officers took advantage to appoint Faure Gnassingbe as successor. This however led to protest and condemnation from the international community especially ECOWAS and AU for the return to constitutional rule. Developments that occurred out of this will be discussed extensively in the next chapter.

ibid., p. 8.

ibid., p. 8.

ibid., p. 8.


Kaniye S. A. E., p. 8.

ibid., p. 8.

http://africanhistory.about.com/od/togo/ss/Bio-Gnassingbe-Eyadema.htm, accessed on 10/06/2013

Kaniye, S. A. E., p. 8.


http://africanhistory.about.com/od/togo/ss/Bio-Gnassingbe-Eyadema.htm, accessed on 10/06/2013


Kohnert, D., p. 4.


ibid., p. 4.

Kohnert, D., p. 4.

As a military man who seized power twice in Togo and survived almost 4 coup plots against his regime and with many Togolese political dissidents just around neighbouring countries amidst the Cold War tensions between the United States of America and the Soviet Union, it was only rational that he beefed up the security around him and in the country because the political and the international system he operated in was unpredictable with the major powers sponsoring their cronies to overthrow governments that were not in their favour and installing their puppet regimes. It is however not a surprise that he prioritized security matters as crucial.

op cit., p. 5.


ibid., p. 465.


ibid., p. 1.


ibid., p. 8.

35 op cit., p. 8.
36 Handy, S. P., p 48.
37 Kaniye, S.A. E., p. 9.
38 ibid., p. 9.
39 ibid., p. 9.
42 Kaniye, S. A. E., p. 10.
43 op cit., p. 10.
45 Kaniye, S. A. E., p. 10.
46 op cit., p. 4.
47 Kaniye, S. A. E., p. 10.
48 ibid., p. 10.
50 ibid., p. 10.
51 Constitution of the Republic of Togo, 1992, Articles 59 (as amended by Law No. 2002-029 of December 2002) and Article 60.
54 ibid., p. 48.
55 ibid., p. 48.
CHAPTER THREE
REGIONAL AND INTERNATIONAL REACTIONS AND PREVENTIVE MEASURES IN THE TOGO CRISIS

3.0 Introduction

This chapter discusses and examine the events that led to President Faure Gnassingbe’s assumption of office as President of Togo after the death of his father, President Gnassingbe Eyadema who ruled Togo for 38 years. It also looks at the international community’s reaction towards President Gnassingbe’s take over with focus on the reactions of both ECOWAS and AU. The chapter also looks at the preventive diplomatic measures employed by both AU and ECOWAS to halt escalation of violence after the unconstitutional take over. It again discusses the controversial Presidential election in April 2005 that followed, the violence that erupted after the election and how it was resolved.

3.1 Faure Gnassingbe’s Assumption of Office

As already noted in the previous chapter, after President Eyadema won the 2003 presidential election, he had started preparing his son Faure Gnassingbe to take over from him as the president of Togo. There were plans to appoint President Faure Gnassingbe as the Speaker of the National Assembly in the parliamentary election scheduled in 2005. This was as a result of the Togolese constitutional provision of Article 65 which stated that:

In case of vacancy of the Presidency of the Republic of death, resignation or permanent incapacity, the presidential office is temporarily exercised by the President of the National Assembly. The vacancy is found by the Constitutional Court, by the government. The Government shall convene the electorate within sixty days of the opening of the vacancy for the election of a new President of the Republic for a period of five years.

From the above constitutional provision, the Speaker of the National Assembly of Togo, Fambare Ouattara Natchaba should have taken over as president for a period of sixty days
within which election would be held. However, in contravention of Article 65 of the constitution of Togo, as soon as the death of President Eyadema was confirmed, the army suspended the constitution whiles Prime Minister, Kofi Samma ordered the closure of all borders, radio stations and demonstrations were banned.\(^2\) Closing the borders was the very first step in ensuring that no external intervention stopped the imposition and installation of then Minister Faure Gnassingbe as president. As a result, the Speaker of the National Assembly, Fambare Natchaba who was authorised by the constitution to take over as interim president was refused entry into Togo on his return from Paris, he therefore had to remain in Benin hoping to return home to take over as interim president, but that was never achieved.\(^3\) Whiles the constitutional heir to the presidency remained in Benin, the army in collaboration with the National Assembly which was dominated by members of the RPT held an emergency session and removed Fambare Natchaba as the speaker of the house.\(^4\) These were all manifestation of President Eyadema’s plan to have his legacy continued by his son, thus, the army, also dominated by his tribesmen with the support of RPT majority in the National Assembly, helped in the realization of that plan.

As a result, on February 6, 2005, then Minister Faure Gnassingbe was imposed as president of Togo by the military. Through constitutional manipulation, he was to serve the remaining term of his father till 2008. That would have gravely violated Article 65 of the constitution, which held that elections must be held within Sixty days after the demise of a president. The army contended that, the action was taken to avoid any political vacuum that would have been created due to the absence of Fambare Natchaba in the country who was supposed to take over as acting president.\(^5\) However, RPT used its majority in the National Assembly backed by the army to easily amend the constitution to elect President Faure Gnassingbe as the Speaker of the National Assembly which then mandated him to be the acting President of Togo. This
radical development led to mass opposition protest and demonstrations throughout the country, but despite the protest, the unconstitutional take over stood until negotiations were held with all the parties in the country.

3.2 Reactions towards the Unconstitutional Take Over

As already contained in various protocols and declarations to ensure good governance and promote democratic institutions, the international community through the United States of America, European Union and the British Commonwealth Office unanimously called for a return to constitutional rule in the country or face severe economic sanctions. It must be noted that together under President Eyadema had been under various economic sanctions for 12 years, thus failure to comply with a return to constitutional rule after his death would have called for stricter sanctions by the international community.

Similarly, the African Union (AU) through its Chairman President Alpha Oumar Konare and ECOWAS both declared the takeover by President Faure Gnassingbe as a coup d’ tat thus called for a return to constitutional order in Togo. AU went ahead to further suspend Togo from all its activities and summits until the constitutional order was restored. Also, the La Francophonie, which is an organization of French speaking countries, suspended Togo from its activities for the constitutional violation. West African leaders through ECOWAS also suspended Togo from its activities and even threatened to apply sub-regional sanctions such as freezing the assets of the new Togolese leaders and travel bans if the constitutional order was not restored. These calls by the international community showed that, military intervention and violation of constitution in Africa could not be allowed to stand in any country.
International pressure and calls for President Gnassingbe to step down was too much that he had to renounce his position as the president of the National Assembly to make way for restoration of the constitution. This decision was clearly seen as a major step in achieving and promoting democracy in Togo. This is because, with the support of the military and the National Assembly of Togo, President Gnassingbe could have decided not to relinquish power despite the opposition, after all he had the security forces with him, the National Assembly, the Judiciary and many other state agencies supported him. Again, President Eyadema had already prepared the grounds for his legacy to be continued by President Faure Gnassingbe, therefore just as President Eyadema barely paid heed to international pressure to democratise and allow opposition participation in Togo, President Gnassingbe could have as well not given in to international pressure to step down and restore the constitutional order. But in his own interest and in the interest of the country he stepped down to allow the institutions in Togo to operate legally.

As Adewale Banjo rightly indicated, the decision of President Faure Gnassingbe to step down made it possible for the National Assembly to appoint the vice president of the National Assembly, Abass Bonfoh as the interim president of Togo. But as will be seen later, President Gnassingbe’s decision to renounce his position as the president of the National Assembly did not kill his presidential ambition. Ambassador Osei revealed that, the appointment of Abass Bonfoh as the substantive president of the National Assembly and the interim president of Togo was also opposed by the opposition and initially by ECOWAS and AU. But later, as he further maintained, the appointment had to be accepted because that was a sure way of ensuring and maintaining the peace of Togo at the time as the military would have taken over if he was rejected.
3.3 Application of Preventive Diplomacy at the Beginning of the Crisis

According to Ambassador D. K. Osei, a Ghanaian diplomat who was the Secretary to President Kufuor at the time, alerted on the consequences the situation in Togo could have brought to the sub-region, ECOWAS appointed a five member delegation made up of Nigeria, Benin, Niger, Mali and Ghana to meet with Togolese delegation in Niamey to resolve the political impasse. With the mandate of ECOWAS and AU, the delegation engaged the key actors in Togo namely, the military, President Faure Gnassingbe, Fambare Natchaba and the National Assembly in a discussion to ensure the restoration of the constitutional arrangements and also to ensure that there was no instability in Togo. The delegation was led by President Obasanjo of Nigeria and President Kufuor of Ghana.

3.4 Why Ghana and Nigeria were Involved in the Negotiations in Togo

According to Hon. Albert Kan Dapaah and Ambassador Osei, President Kufuor and President Obasanjo were actively involved and played leading roles in the resolution of the crisis in Togo because the two countries are seen as major leaders in West Africa’s peace and security issues. Again, they were involved because of a probable adverse effect an escalation of conflict in Togo would have had on both Ghana and Nigeria as neighbouring countries. Because Ghana which has many of its nationals in Togo had already received thousands of refugees from Togo as a result of the crisis, therefore it was only in order that the country under president Kufuor engaged in the negotiation to ensure lasting peace in Togo.

In addition, it would be recalled that Ghana was not friendly with President Eyadema under President Rawlings because, Ghana was accused of harbouring Togolese dissidents who made several failed attempts to topple the government in Togo. However, things changed
when president Kufuor came to power, he established a very strong cordial relationship with President Eyadema to ensure good neighbourliness and cooperation. According to both Ambassador Osei and Hon. Kan Dapaah, President Kufuor and President Eyadema became very good friends and constantly discussed sub-regional peace and security issues. Thus, it’s within these contexts that Ghana and Nigeria’s involvement in the negotiation in Togo should be looked at. It was basically about ensuring the peace and stability of Togo, neighbouring countries, the sub-region and Africa as a whole.

3.5 **Negotiations with Key Actors in the Crisis - Fambare Ouattara Natchaba**

Firstly, as stated by Ambassador Osei, a delegation was sent to Cotonou to discuss with Fambare Natchaba who was in exile on the need to stop any move to return to Togo to assume the post of an interim president. Initially, as stated by Ambassador Osei, Natchaba’s point was that the constitution allowed him to be the interim president to succeed President Eyadema, thus he had the legal mandate to be sworn in as such, but on the other hand, there could also not be a political vacuum as argued by the military when he (Natchaba) was out of the country. Meanwhile, the military maintained that if only Natchaba could physically be present in the country, he would be sworn in as the interim president. Ironically, the closure of all entry points in the country whiles the military demanded the presence of Natchaba to be sworn in clearly demonstrated that, they did not want him to be the interim president, thus maintaining that Natchaba could not be sworn in as president when he was in exile in Cotonou. However, Ambassador Osei pointed out that, the reason behind the discussions with Natchaba to stay out was not to prevent the law from taking its course, but it was evident from the actions of the military that, unless an arrangement was arrived at which allowed the RPT to stay in power, there was no way the military would have allowed the constitutional
order to prevail in Togo and in the worse case were prepared to take over militarily, and that was exactly what ECOWAS and AU wanted to prevent. Thus, the removal of Natchaba as the president of the National Assembly with the support of the army meant that, they were not sure of an RPT led government if Natchaba was allowed to take over as the interim president of Togo. Therefore they actively manipulated the system to their advantage.

Ambassador Osei further stated that, discussions with Natchaba basically centred on the caveat the military put on him that he should physically be present in Lome to be sworn. The delegation as noted, appealed to Natchaba to soften his stands on becoming the interim president since it could not be possible. He was asked to consider the interest of the country and allow the National Assembly to swear in a speaker to be the interim president since he could not physically arrive in Lome. Initially, the National Assembly opted to swear in then Minister Faure Gnassingbe as the speaker despite the presence of the vice president of the House, Abass Bonfoh because the RPT had the majority in the National Assembly with the support of the military and. This clearly showed that, if there was going to be a vote over the next speaker, Bonfoh was not going to win because the RPT dominated House and had already decided on President Faure Gnassingbe.

3.5.1 President Faure Gnassingbe

At the centre of the whole crisis was the assumption of office by President Faure Gnassingbe as the president of Togo with the support of the military, therefore he became a major stakeholder in the negotiations. Therefore, Ambassador Osei stated that, discussions with President Gnassingbe was mainly on the fact that, ECOWAS and AU could not allow him to be acting president of Togo without going through the constitutional means. Even though ECOWAS and AU maintained that they could not dictate to the Togolese National Assembly
what it should do, however if the military wanted him to be acting president then the
constitution should be allowed to function. He maintained that on the contrary, the Togolese
army preferred Faure Gnassingbe to announce himself as president without going through
parliament, but that would have intensified the demonstrations by the opposition and caused
brutal violence. Thus, AU and ECOWAS negotiated and discussed with President Faure
Gnassingbe to ensure that he did not break the constitutional provisions to further worsen the
tension. It was clearly stated to President Faure Gnassingbe that, if he continued with the
unconstitutional arrangement he would not be recognised but if he followed the constitutional
order they would have no choice than to recognise him as President of Togo. Clearly, the two
organizations were very firm on this because even though, they wanted peace and stability in
Togo which to the military could be ensured by accepting President Gnassingbe as the
unconstitutional president, they could also not allow the violation of the Togolese
constitution to stand as that would have been a bad precedence for others to follow suit and a
defeat of democracy.

Hon. Kan Dapaah added that, President Faure Gnassingbe was been pushed by the military to
be hurriedly sworn in as the acting president and that left him with no choice than to succumb
to the demands of the military. However, he further stated that, because the two key
negotiators, President Obasanjo and President Kufuor had good relations with President
Faure Gnassingbe prior to the crisis, it was not difficult for them especially President Kufuor
who had very personal relations with him to discuss and negotiate with him to allow the
constitution to work. The choice of President Kufuor and President Eyadema as key
negotiators was rightly informed because it took only negotiators with very cordial relations
with President Gnassingbe to resolve the volatile situation the country found itself in by
getting President Gnassingbe to declare himself the president as the military opted. The
stepping down of President Gnassingbe as the president of the National Assembly was very crucial in the resolution of the conflict in Togo, if he had insisted to hold on, the situation could have been different.

3.5.2 The Togolese Armed Forces

As both Ambassador Osei and Hon. Kan Dapaah stated, much of the resolution of the situation in Togo depended heavily on the military as they had violated the constitution and installed President Gnassingbe as the National Assembly leader and threatened to take over if an RPT government was not allowed to stay in power. This then called for intensive discussions to halt any violence. The key issue in the negotiations with the military as presented by Ambassador Osei was that, there was the need for democracy to prevail in Togo because ECOWAS and AU could not allow the military to impose its will on the people of Togo. For that matter, they were asked to allow the democratic institutions to function. But it must be noted as Ambassador Osei stated, most of the key Generals who were involved in the negotiations had been special envoys of President Eyadema to both President Kufuor and President Obasanjo earlier in his administration, this created a rapport which existed between the two main negotiators representing ECOWAS and AU and the key military negotiators, therefore because the two sets of negotiators knew the people involved, it was possible and comfortable to negotiate with them to allow the constitutional provisions to operate for the stability of Togo. It must be noted here that, even though, it was ECOWAS’ major test case of applying preventive diplomacy in preventing the conflict from escalating, the organization performed creditably well in negotiating the conflict. The organization got it right in choosing both President Kufuor and President Obasanjo as the key negotiators in the crisis. This is because, as already noted, Faure Gnassingbe knew and had some personal relations with these two leaders before the dead of President Eyadema in 2005. Again, the negotiators from
the military side had dealt with the two leaders before during President Eyadema’s tenure, thus there could not have been well positioned negotiators from the two Heads of States to get the new Togolese leaders led by President Faure Gnassingbe supported by the military and the National Assembly to step aside and allow the constitution of Togo to function. This was realised when Abass Bonfoh, the vice president of the National Assembly was sworn in as the substantive president of the National Assembly and the acting president of Togo after the negotiations paved way for the constitution to function. It is worthy of note that, the appointment of Abass Bonfoh as the president of the National Assembly met resistance from the opposition and initially ECOWAS and AU but was later recognised.

3.5.3 **Opposition to the Appointment of President of the National Assembly**

When ECOWAS and the AU delegation successfully negotiated for the restoration of constitutional order in Togo, the big question was who to take over as the speaker of the National Assembly and act as the president of the country till elections were held in sixty days. As already noted, the National Assembly with the support of the military from the beginning opted to have President Faure Gnassingbe as the president of the House after Natchaba was barred from entering the country to take over as the acting president. However, when President Faure Gnassingbe renounced his new position and the military backed down on taking over the country militarily, the opposition, ECOWAS and AU expected Natchaba to be reinstated as the president of the National Assembly, but in a very subtle manner, the National Assembly according to Hon. Kan Dapaah, elected Abass Bonfoh as its new president thus making him the acting president of Togo to oversee elections within Sixty days. Even though, the opposition according to Adewale Banjo led by Professor Leopold Gnininvi protested the appointment of Abass Bonfoh but had to accept it in the interest of the country. They feared that the refusal to reinstate Natchaba and the installation of Abass
Bonfoh as the interim president was planned by the RPT to be able to manipulate the electoral process to the advantage of President Faure Gnassingbe. Similarly, as noted by Ambassador Osei, ECOWAS and AU on the other hand initially protested the appointment of Abass Bonfoh as the acting president but later had to accept it because, the issue became very complicated and they were found hand tied.

3.5.4 International Recognition and Acceptance of Bonfoh’s Appointment

Even though, there were internal and external opposition against the appointment of Abass Bonfoh as noted earlier, however the opposition could not hold due to the complex nature within which ECOWAS and AU found itself in negotiating the crisis. As rightly noted by both Hon. Kan Dapaah and Ambassador Osei, RPT had the majority in the National Assembly with the military support, again the supposed to be acting president, Natchaba, was out of the country when President Eyadema died and was physically prevented from entering, meanwhile there could also not be a power vacuum, thus parliament in its sovereignty entirety after President Gnassingbe renounced his post appointed Abass Bonfoh as the president of the House and acting president of Togo. Thus, following from this background it can be seen that, ECOWAS and AU were compelled to accept what was irregular but constitutional at the time. In a normal democratic system this would not have occurred, but with the case of Togo at the time, there was no way ECOWAS and AU could have annulled or not recognise the appointment of Abass Bonfoh which was constitutionally done by the National Assembly. The fact that RPT had the majority in the House and used it to their advantage did not make the verdict of the Togolese National Assembly unconstitutional, after all the international community called for the restoration of constitutional order but did not specify how it was supposed to be done. In the end, ECOWAS, AU and the international community as a whole had to accept and recognise the authority of Abass Bonfoh as the
leader of Togo. Any rejection of his appointment would have amounted to interference in the internal affairs of a sovereign state which could have further worsened the crisis in the country. In the interest of Togo, the National Assembly acted in a manner that conformed to the constitution as requested by the international community therefore they could not have rejected that decision passed by a democratic organ of the state of Togo.

3.5.5 Preparation Towards Elections in April

In response to the interim provision by the Togolese constitution which provided for a Sixty days period for presidential elections to be held to elect a substantive president, the interim government under the supervision of ECOWAS and AU started preparations towards holding elections in April 2005. As Ambassador Osei stated, ECOWAS and AU as part of the negotiated agreement with the parties asked that, to respect the constitutionality of the leadership and act within the constitutional provision of Togo, elections had to be held as quickly as possible, here again, the opposition protested and demanded a new date. Meanwhile, as pointed out by Hon. Kan Dapaah, President Gnassingbe and few Togolese elites in another arranged circumstance held an emergency RPT congress to have him endorsed unopposed by the delegates as the presidential candidate of RPT. Having imposed Abass Bonfoh through the National Assembly as the acting President with the military still behind him, the endorsement of President Gnassingbe automatically gave the hope to RPT party leaders that, there was going to be RPT led government in Togo again. The fact that nobody within the party contested President Gnassingbe during the party’s congress meant that the military together with some elite wanted him to succeed his father but this time through constitution means.
3.6 **Opposition against the Election Date, ECOWAS and AU Insistence**

Even though, the interim provision requested the government to hold elections on April 24, 2005, the opposition called for the elections to be postponed. The fears of the opposition as noted by Banjo came from the fact that, previous elections have always been manipulated to favour the RPT under President Eyadema with much emphasis on the 2003 election.\(^9\) Again, he further stated that, the opposition demanded rescheduling of the election because, to them the absence of key preconditions of free and fair elections in terms of security and the revision of the electoral register coupled with the short period for campaigning could not guarantee a credible election. The call and concerns by the opposition were genuine because, having witnessed several manipulated election results, it was obvious they were going to be cheated again.

Despite these calls by the opposition and civil society groups for the election to be postponed, the government which had demonstrated its preparedness to hold the election with the sixty days time frame with the support of ECOWAS and AU paid no heed to the demands of the opposition. This in the view of Ambassador Osei was because ECOWAS and AU wanted to stick to the constitutional provision of Togo and follow it through. He further pointed out that, the demands by the opposition was also unconstitutional. The constitutional provision stated that elections be held in Sixty days by the interim government to elect a substantive president, but the opposition in their interest asked for postponement which would have violated Article 65 of the Togolese constitutions which strictly states a Sixty days period for elections. Thus, ECOWAS and AU as regional and sub-regional organizations with the mandate of protecting and promoting democracy in member states, could not have dictated and violated the constitution of Togo by giving in to the demands by the opposition, that
would have opened the flood gate for more demands from various sectors and a test case for other countries to follow.

3.6.1 **Pre-Election Atmosphere and Events in Togo**

Though, the election was supposed to be democratically free and fair, but in a clever move to silence the opposition to ensure victory for President Faure Gnassingbe at all cost, the Independent National Electoral Commission according to Kohnert, barred the leaders of the opposition parties namely, Gilchrist Olympio (UFC), Yawovi Agboyibor (Comité d'Action pour le Renouveau, CAR), Leopold Gnininvi (Convention des Peuples Africaines, CDPA), Tchessa Abi (Pacte Socialiste pour le Renouveau, PSR), Nagandja Kampatib (Alliance des Démocrates pour le Développement Intégral, ADDI) und Antoine Folly (Union des Démocrates Socialistes du Togo, UDS-Togo), from taking part in election by the interim government. However, the opposition parties came together to nominate a sole candidate Bob Akitani of the UFC to contest against President Gnassingbe.  

Reports showed that, there was high political tension and general insecurity, people feared the election would lead to violence. There were also reports of street violence and alleged politically motivated killings became rampant especially in the south the stronghold of the opposition. To show how intense the tension was, there is evidence that the then Minister of Interior Francois Boko had to seek refuge and apply for political asylum in the German embassy in Lome after he added a voice to the calls for the elections to be postponed for a year. This goes to confirm that, President Gnassingbe with the support of the military could not wait to succeed his father as the president of Togo, thus the election in April 2005 was a sure way of achieving that after their first attempt at imposing him on the people failed. Elections in Africa always come with serious tension and insecurity, however, the case of Togo was different because the Togolese
military as already indicated would have taken over militarily had the RPT lost the April election.

3.6.2 From Ballot to Declaration of Results

ECOWAS and AU’s action against the political succession in Togo proved successful in that it helped in the restoration of constitutional order through the election in April. Reports on the election day of April 24, 2005, revealed act of violence, ballot box stuffing and theft of ballot boxes in the opposition strong holds by military personnel, there was also a nationwide telecommunication shut down and internet service, interruption of phone and fax services. It must be noted that, the interruptions in telecommunication was possible because President Gnassingbe before the election was the Minister responsible for telecommunication, thus it was easy for him to have ordered the shutdown to block foreign media and the international community from getting access to intelligence and events during the ballots till declaration of results which they knew would be skewed to favour the RPT.

The elections got underway on 24th April, 2005 as stipulated by the constitution and supervised by both ECOWAS and AU observer mission. On 25th April, 2005, the Togolese Independent Electoral Commission announced the provisional results, as already expected, President Faure Gnassingbe’s RPT had 60.22% of the vote cast according to Banjo, whiles Bob Akitani the coalition candidate had 38.6%. As a result, the Constitutional Court of Togo confirmed a victory for President Faure Gnassingbe on 3rd May, 2005 in Lome, the opposition protested against the results declared.

The official results as confirmed by the Court were as follows:

**Table 1:** Togo - Presidential elections of April 24, 2005

(Official election results)

Registered voters: 3,599,306
Total number of votes: 2,288,279 (63.6%)
Invalid votes: 88,005
Valid votes: 2,200,274

<table>
<thead>
<tr>
<th>Candidate, (Party) [Coalition]</th>
<th>Num. of Votes</th>
<th>Percentage of Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faure Gnassingbe (RPT)</td>
<td>1,325,622</td>
<td>60.15%</td>
</tr>
<tr>
<td>Emmanuel Bob-Akitani (UFC) [Democratic Opposition]</td>
<td>841,642</td>
<td>38.25%</td>
</tr>
<tr>
<td>Nicolas Lawson (PRR)</td>
<td>-</td>
<td>1.04%</td>
</tr>
<tr>
<td>Harry Olympio (RSDD)</td>
<td>-</td>
<td>0.55%</td>
</tr>
</tbody>
</table>


The April 2005 election results, as announced by the Independent Electoral Commission and confirmed by the Constitutional Court of Togo as well as accepted by ECOWAS and AU, was in the view of Ambassador Osei and Hon. Kan Dapaah was the most credible, considering the history of elections in Togo right from the first president to President Eyadema.

But this notwithstanding, the opposition together with some independent international NGOs which monitored the election revealed a different results from that of the Electoral Commission. They revealed that, Bob Akitani won the election with 72% while President Gnassingbe had 26%, thus, Akitani declared himself president on April 27, 2005. Not even the allegation of irregularities by some observers from the European Union would make ECOWAS and AU reject the results as announced by the Commission. In the interest of
peace and security of Togo, ECOWAS accepted the results, again, it could not have interfered in the activities and imposed its will on the authority of the Independent Electoral Commission of a sovereign state which had declared the results of an election it held. Besides, ECOWAS and AU probably accepted the election results because, as Ambassador Osei stated that, the then Chairman of ECOWAS set up a parallel observation team led by a Ghanaian diplomat that stayed all through the elections up to the declaration of results. This was because, the organization wanted to have a credible way of monitoring the election in Togo. The team according to Ambassador Osei was to produce an alternative observation report to guide ECOWAS in its decision after the results. This is not captured in the literature because it was done behind the scenes purposely for ECOWAS. But this could not stop the opposition from brutally demonstrating against the results.

3.6.3 Post Election Issues and Violence

Even though, ECOWAS and AU did its best to ensure that the election was violent free, however, that could not be achieved due to different results released by the opposition and some independent observer missions which claimed that Bob Akitani won by 72%. As a result, Bob Akitani rejected the results declared by the Togolese Electoral Commission and as already noted declared himself as the elected president. That obviously led to armed rebellion against President Gnassingbe’s leadership by the opposition. Supporters of the opposition clashed with Togolese security personnel and as a result several hundred died, others severely injured. About 40,000 people crossed the border to neighbouring Ghana and Benin for fear of escalation of violence. 

12 Probably, Bob Akitani incited his supporters against the RPT to cause mayhem based on the history of rigged elections by the RPT, coupled with the malpractices that took place before and on the elections day. Thus, when the other international observers supported his claim that he won the election with 72% but was
skewed to favour President Gnassingbe, he saw it as a platform for the world to listen to his story.

The very reason for which the regional and sub-regional organization initiated a negotiation with all stakeholders in Togo when President Eyadema died could not be dealt with completely. In order to contain the conflict from escalating, ECOWAS and AU quickly intervened and initiated another negotiation with the stakeholders to effectively bring the conflict to an end. This crisis had the potential of destabilizing the sub-region because it would have had spillover effect in Ghana, Benin and other neighboring countries because these countries had most of their citizens in Togo engaged in economic activities.

3.6.4 Effective Application of Preventive Diplomacy in Resolving the Crisis

The very reason why ECOWAS and AU intervened in Togo to negotiate for the restoration of the constitutional order after the death of President Eyadema was to ensure the peace and stability of Togo, defend and promote democracy in Africa and to ensure the peace and stability of the sub-region and the whole of Africa. Even though, the post election violence in Togo sought to challenge these very reasons but, ECOWAS made sure it avoided Togo from sliding into the level of chaos that occurred in other West African countries like Liberia, Sierra Leone and Cote d’Ivoire. As already indicated by Michael S. Lund and supported by Ambassador Osei, effective preventive diplomatic strategy must do a proper analyses of a situation or conflict in order to have a long term plan on potential conflict and how to resolve them if they re-escalate. ECOWAS in negotiating for the return to constitutional rule with the military might have done a thorough fact finding and conflict analyses and considered a possible unrest after the elections. Therefore according to Ambassador Osei, they started right
after the election in April 2005 to negotiate with key opposition leaders including President Faure Gnassingbe on new rules of engaging in future elections in Togo.

As a result as Ambassador Osei noted, ECOWAS started negotiation between the opposition and President Gnassingbe to have a political dialogue. ECOWAS and AU proposed a government of national unity but it somehow failed because how ECOWAS and AU wanted it was different from what President Gnassingbe did. In violation of parliamentary procedure, he appointed Edem Kodjo, leader of a small opposition party Convergence Patriotique Panafricaine (CPP) as the acting Prime Minister instead of the representative of the largest opposition party. This attitude could be seen as a blatant attempt to silence the opposition in Togo especially Gilchrist Olympio, because if he had given the Prime Minister to the representative of the largest opposition party, it surely would have been UFC, Olympio’s party and that would have given Olympio a stake in the administration of the country which could have threatened the chances of President Gnassingbe in subsequent election.

But despite all these, Hon Kan Dapaah stated that, ECOWAS and AU continued negotiating for political dialogue between the government and the opposition in ensuring effective coexistence and peace. According to him, President Faure Gnassingbe appreciated the effort to negotiate the political stalemate in the country to ensure absolute peace with the opposition. In view of that, Ambassador Osei confirmed that, several discussions were held between Olympio’s party, other opposition leaders and President Gnassingbe’s RPT in Ouagadougou with the aim of sanitizing the Togolese electoral process, addressing some of the major challenges identified during the April elections and to make sure that future elections in Togo would be more credible. The 10-day negotiated Global Political Agreement brokered by President Blaise Compaoré of Burkina-Faso, on 20 August 2006, introduced several electoral and general reforms in Togo. Among other reforms, the agreement modified the composition
of the National Electoral Commission, granting 10 seats to the opposition, 5 seats to the ruling RPT party and 2 each to the cabinet and civil society groups. It provided for a transitional unity government with the mandate of supervising legislative elections in June 2007. Yawovi Agboyibor (Comité d'Action pour le Renouveau, CAR), became the Prime Minister in September 2006, Leopold Gnininvi was appointed the Minister of State for Mines and Energy, even though UFC declined to join the Unity government but agreed to participate in national dialogue.\(^{14}\) This was seen by the international community as a step in the right direction, as a result most foreign donors lifted economic sanctions imposed on Togo which hurt the Togolese economy for 12 years.

Even though, ECOWAS and AU faced several challenges in applying preventive diplomacy in their first test case, it really worked in resolving the conflict in Togo. From the death of President Eyadema to the unconstitutional take over by the military and the subsequent imposition of President Faure Gnassingbe to succeed his father, ECOWAS and AU took a firm stand in calling for the restoration of the constitutional order without favour. Both organizations successfully saw a return to constitutional rule through negotiation with the various Togolese stakeholders. They supervised an election which was criticized as skewed in order to secure a win for the RPT but had its own reason for accepting the results in that, it had its own parallel observer mission which monitored and informed its decision. Based on proper conflict analyses, they successfully negotiated the post election violence that erupted after the opposition led by Bob Akitani disputed the election result and called for a nationwide arms revolt against the RPT government. This led to the signing of the Global Political Agreement which introduced several reforms in Togo which has guided elections in Togo till date. This agreement halted the violence through the provision of a transitional unity
government because all the opposition elements in the country became part of the
government led by President Gnassingbe.

But it must be noted that, due to the negotiations led by ECOWAS and AU, Gilchrist
Olympio and President Gnassingbe have now signed an agreement to work together in
President Gnassingbe’s new party Union pour la République (UNIR) or Union for the
Republic with the assurance that Gilchrist Olympio would take over in 2015. The UFC now
has ministers in the UNIR government. This according to Ambassador Osei was realized
through effective negotiation that took place between the opposition and the ruling party after
the disputed elections in 2005.

It can therefore be said that, the timely and firm manner in which ECOWAS and AU
intervened and applied preventive diplomacy in the wake of the violence in Togo really
worked. This is because, as seen from the discussions so far, if ECOWAS and AU had not
been so engaged in the negotiations in Togo, there would have been extreme violence in
Togo in that, the people would not have allowed President Faure Gnassingbe to be president,
in response, the military would have violently suppressed them. This was what ECOWAS
and AU wanted to prevent, because the army was firmly on President Gnassingbe’s side and
would not have tolerated any other person as president according to the Generals in the army.
Thus without the timely intervention of ECOWAS and AU, as rightly indicated by
Ambassador Osei, warning signals were all clear that Togo was heading into extreme and
uncontrolled violence.
END NOTES

4 op cit., p. 7.
5 ibid., p. 7.
7 ibid., p. 152.
8 ibid., p. 155.
9 Op cit., p. 156.
11 Banjo, A., p. 159.
13 op cit., p. 13.
CHAPTER FOUR

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

4.0 Introduction

Having looked at political developments in Togo since independence to the constitutional overthrow after the death of President Eyadema in 2005, with its associated political violence and resolution by ECOWAS and AU by restoring constitutional order and political dialogue between all parties through preventive diplomacy, this chapter concludes the study with findings, conclusions and recommendations.

4.1 Summary of Findings

The study traced a brief history of the introduction of democracy by the end of 1980 and how it affected many dictatorial regimes especially in Africa. Africa had suffered from dictatorial regimes and one party governance system after dependence, thus by the end of the Cold War, internal and mostly external pressures led to many African countries adopting democracy as the ideal form of governance. As a result, President Eyadema who ran a one party and dictatorial regime in Togo was forced to adopt democracy in Togo in the late 1980s.

The study established that, through constitutional manipulations, political witch haunting, oppression of the opposition, rigging of elections among others, President Eyadema’s party, RPT consistently stayed in power for 38 years under his reign. That there was already a succession plan by President Eyadema and the military to have his son, President Faure Gnassingbe to succeed him as president of Togo to continue his legacy, thus his imposition on the people of Togo through constitutional changes by the RPT dominated National
Assembly when President Eyadema died in 2005, was a realization of that plan which the opposition in Togo, the international community, regional and sub-regional groups unanimously condemned.

It also established that, the restoration of constitutional order in Togo after President Gnassingbe had been imposed was very crucial in maintaining the status quo in Togo, the peace and security of the West African sub-region and Africa as a whole. This is because, any escalation of violence would have had adverse effect on neighbouring countries which have most of their nationals across the Togo border and landlocked countries like Burkina Faso, Niger and other Saharan regions which relay on Togo as a sea port.

From the above discussions, it has been realized that the conceptual framework chosen, preventive diplomacy fits well within the borders of the study. The concept provided a platform on which the events in Togo in 2005 after the demise of President Eyadema and the subsequent political impasse was discussed, examined and analyzed.

In meeting the objectives of the study, the researcher examined the processes that led to President Gnassingbe’s assumption of office in 2005 after the death of his father when the army with the support of the National Assembly imposed him on the people as president, how he eventually became the elected president in the controversial election in April 2005. The researcher also looked at the timely manner in which ECOWAS and AU quickly adopted preventive diplomatic measures through effective negotiations and political dialogue to halt the almost brutal violence from escalating. It also found that, the success of the preventive diplomatic measures adopted in Togo was as a result of the timely and quick manner in which
they were applied with very credible, trustworthy and skilled negotiators who already had very good relations with all the parties involved in the crisis.

The study by the end of chapter three affirms the hypothesis that, preventive diplomacy was effective in resolving and containing the 2005 post-election crisis in Togo from spreading. Had ECOWAS and AU not intervened timely and firmly through effective negotiations, there could have been brutal conflict in Togo after the 2005 election.

4.2 Conclusions

Dictatorial and one party regime was common in Africa during the period after independence, however, most countries during the 1980s adopted democracy had to adopt democracy due to internal and external pressure especially after the end of the Cold War when good governance, protection of human rights, citizens participation among others came to be conditionalities for economic assistance by the Bretton Wood institutions and donor countries. President Eyadema of Togo came under severe pressure to democratize since he came to power through a coup in 1967. He won several disputed elections and ruled Togo for 38 years. Thus, his sudden death in 2005 nearly plunged the country into brutal violence when the military together with the National Assembly manipulated the constitution to aid the installation of his son President Gnassingbe as the president of Togo. The international community, regional and sub-regional groups, ECOWAS and AU condemned his take over and asked for a return to the restoration of the constitution. The opposition in Togo violently protested against the 2005 election results meant to restore constitutional rule which President Gnassingbe won, this led to widespread violence in the country. ECOWAS and AU quickly moved to resolve the crisis from escalating know it’s consequences for the region and Africa as a whole.
Even though, ECOWAS and AU faced several challenges in applying preventive diplomacy in their first test case in Togo, it really worked in resolving the conflict. From the death of President Eyadema to the unconstitutional take over by the military and the subsequent imposition of President Faure Gnassingbe to succeed his father, ECOWAS and AU took a firm stand in calling for the restoration of the constitutional order without favour. Both organizations successfully saw a return to constitutional rule through negotiation with the various Togolese stakeholders. They supervised an election which was criticized as skewed in order to secure a win for the RPT but had its own reason for accepting the results in that, it had its own parallel observer mission which monitored and informed its decision. Based on proper conflict analyses, they successfully negotiated the post election violence that erupted. This led to the signing of the Global Political Agreement which introduced several reforms in Togo which has guided elections in Togo till date. This agreement halted the violence through the provision of a transitional unity government because all the opposition elements in the country became part of the government led by President Gnassingbe.

It is worthy of note that, due to the negotiations led by ECOWAS and AU, Gilchrist Olympio and President Gnassingbe have now signed an agreement to work together in President Gnassingbe’s new party Union pour la République (UNIR) or Union for the Republic with the assurance that Gilchrist Olympio would take over in 2015. The UFC now has ministers in the UNIR government. This according to Ambassador Osei was realized through effective negotiation that took place between the opposition and the ruling party after the disputed elections in 2005.

It can therefore be said that, the timely and firm manner in which ECOWAS and AU intervened and applied preventive diplomacy in the wake of the violence in Togo really
worked. This is because, as seen from the discussions so far, if ECOWAS and AU had not been so engaged in the negotiations in Togo, there would have been extreme violence in Togo in that, the people would not have allowed President Faure Gnassingbe to be president, in response, the military would have violently suppressed them. This was what ECOWAS and AU wanted to prevent, because the army was firmly on President Gnassingbe’s side and would not have tolerated any other person as president according to the Generals in the army. Thus without the timely intervention of ECOWAS and AU, warning signals as seen from the discussions so far were all clear that Togo was heading into extreme violence which would have had severe effects on neighbouring countries, West Africa and Africa as a whole.

4.3 Recommendations

From the above discussion, the following recommendations are therefore made here for considerations:

- It must be noted that, conflicts cannot be avoided completely in any society, but there is however a challenge as to how to manage and to prevent conflicts from causing loss of lives and destruction of property. But over the years, African leaders especially in West Africa have not done much to pre-empt and prevent the occurrences and recurrence of conflicts. There must therefore be appropriate measures in place to avoid potential conflicts from arising and do curb them from escalating into full blown war when they do occur in order not to have a spillover effects on other countries and regions.

- Strict adherence to democratic norms and conditions and good governance practices like rule of law, citizens participation, accountability and transparency, freedom of speech and multi party political systems must be adopted and given a centre stage in all policy formulation issues in African countries. The practice of democracy must be
seen as the ideal governance system through which countries can ensure peace, stability and development. Africa’s development lags behind because of incessant conflicts and wars.

- ECOWAS has tried and has been successful in preventing most conflicts from arising; however there is still a long way to go. The election violence in Cote d’ Ivoire goes to affirm this point. Therefore, for ECOWAS to be efficient and successful in achieving prevention of conflict in the sub-region, much attention must be given to preventive measures and mechanisms, fact finding missions, early warning systems to identify flash points and vulnerable situations and countries, quiet diplomacy where there is constant, direct interactions and engagement between political and other leaders in society to ensure that potential conflicts are diffused. In doing so, the occurrence and recurrence of war in West Africa will effectively be reduced.

- For effective prevention of conflicts in the West African sub-region, ECOWAS has established conflict prevention organs such as the Mediation and Security Council, Offices of the Special Representative, the Council of the Wise and Special Mediators. However, the works of these organs have actually not been felt in the sub-region, they have not been proactive in most conflicts resolution. For these organs to function to ensure that West Africa is free of conflicts, they must be empowered both technically and financially to enhance their effectiveness and efficiency.

- ECOWAS and member countries must also do well to pay particular attention to human security issues in the region and group interests, conditions must be created to eliminate all kinds of pervasive threats to the rights of citizens, more importantly their safety and livelihoods. This is because when people feel threatened in any form, they do and adopt all means possible to protect themselves to survive which can sometimes be very violent and brutal.
• Unlike Michael Lund’s assertion that, preventive diplomacy ceases to apply when the situation worsens into crisis because it only applies at the point of unstable peace, the study recommends that, preventive diplomacy through pressure and mediation can still work when a crisis develops. Because the ultimate goal of any preventive activity is to stop conflict from arising, contain it when it arises and to prevent it from spreading, so whatever way that will solve the crisis must be adopted and implemented.

• Again, there must be an effective coordination between ECOWAS and its Member States, civil society groups and other organizations in the maintenance and promotion of peace and security. They must work together to facilitate creative conflict management systems to provide prompt rapid responds to situations that have the potential of causing violence in Member countries and in the sub-region.

• In the case of Togo, there is the need for early warning system, fact finding missions and further preventive measures to be adopted because, President Gnassingbe has radically abandoned his father’s party that put him in power and formed his own party, UNIR. There is currently tension between President Gnassingbe and members of the military backed RPT, the division within the RPT with some support for President Gnassingbe can lead the country into conflict if proper measures are not put in place by ECOWAS to mediate between leaders of now President Gnassingbe led UNIR and the RPT which has become an opposition party.
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