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Togo

Political and Socio-Economic Development (2015 – 2017)

Dirk Kohnert [1]

Executive Summary

The presidential elections of 25 April 2015 resulted in a victory for the incumbent, Faure Gnassingbé. Thus, he secured his third five-year term, consolidating the Gnassingbé-clan's grip on power. The latter have ruled the country since 1967. In view of the ruling party's absolute parliamentary majority, further meaningful constitutional and electoral reforms that would have been required for free and fair elections have been postponed indefinitely. Overriding concerns for stability in West Africa in view of the growing threat from Islamist terrorist organizations, combined with Togo's role as contributor of soldiers meant that the international community largely ignored the government's indefinite postponement of democratic reforms and local elections. However, the simmering discontent of hardliners within the security forces and the ruling party remained evident. The opposition tried unsuccessfully to overcome internal divisions between its moderate and radical wings. An alliance of opposition parties and civil society groups organized frequently peaceful demonstrations in opposition to the regime, which were violently suppressed. Yet, the human rights record of the government has improved but remains poor. A tense political climate persisted due to the presidential elections in April 2015, and the apparent determination of the president to stay in power for a third and possible a fourth term whatever the cost. Despite undeniable improvements to the framework and appearance of the regime's key institutions during the review period, democracy remains far from complete. However, the international community, notably Togo's African peers, the AU and ECOWAS, as well as the Bretton-Woods Institutions, China and the European Union (EU), followed a 'laissez faire' approach in the interests of regional stability and their national interests in dealing with Togo. Economic growth remained stable at about 5% per annum. Public investment in infrastructure (e.g. roads, harbor) and increases in agricultural productivity, notably of export crops, had been the key drivers of economic growth. However, growth remains vulnerable to external shocks and the climate and has not been inclusive. Positive growth was overshadowed by increasing inter-personal and regional inequality as well as an increase in extreme poverty. Moreover, money laundering and illegal money transfers grew alarmingly. The latter amounted to $1.9 billion p.a. between 2002 and 2011, greatly surpassing the national budget. The ratio of illegal financial transfers to GDP in Togo was among the highest in the world, with illegal financial transfers equivalent to 76.3% of GDP in Togo between 2008 and 2013. The business climate improved considerably nevertheless. Though the World Bank still defines Togo as low income, fragile stat, the government aims to achieve the status of a developing economy. Yet, in view of the country's vulnerability to political crise and social unrest the government's aim is quite ambitious.

[1] Author's extended and annotated version of '*BTI 2018 – Togo Country Report'*, amended with hyperlinks to several additional sources, references as well as a list of further readings (revised version of 6 September, 2017). – The '*BTI 2018 - Togo-Country Report*' is part of the Bertelsmann Foundation's Transformation Index (BTI) 2018. *It covers the period from 31 January 2015 to 31 January 2017*. The BTI assesses the transformation toward democracy and a market economy as well as the quality of political management in 129 countries. Gütersloh: Bertelsmann Foundation, forthcoming (2018). More on the BTI at http://www.bti-project.org .

History and Characteristics

Togo, established in 1884 as a German colony, became a U.N. trusted territory under French administration following World War II and wrested its independence from France on 27 April 1960. In the first democratic presidential elections of 1961 Sylvanus Olympio became president of the newly independent Togo. His assassination, on 13 January 1963, by a group of Togolese veterans of the French colonial army, led by Sergeant Etienne Gnassingbé (later called Eyadéma) opened up a Pandora's box. It was the first violent coup in the history of independent Sub-Saharan Africa. Although unanimously condemned by the Organisation of African Unity (OAU) in the beginning, African statesmen turned back to normal soon. After another coup d'état, ousting President Nicolas Grunitzki, Ltd. Col. (later General) Gnassingbé Eyadéma became president of Togo in 1967. Establishing a one-party government, Eyadéma ruled as Togo's authoritarian head of state for 38 years. Taking advantage of the support of Western countries, that appreciated Togo's capitalist orientation and its unwavering baking of Western positions in East-West cleavages, General Eyadéma went almost unchallenged until 1990. Over decades Togo was put on the drip of considerable development aid. Any efforts by the mostly clandestine opposition to expand freedom and democratic participation in the country were undermined. In July 1991, influenced by the implosion of the Soviet empire and by apparently successful democratization efforts in a number of African countries – including neighboring Benin – a Sovereign National Conference was organized with the objective of deciding on the country's new constitutional and political order. The assembly opted for a semi-presidential system and elected an interim prime minister. Four months later, however, President Eyadéma ordered the army to attack the interim government, re-establishing his dictatorial power.

The presidential elections that followed in 1993, 1998 and 2003 were not organized democratically, prompting major opposition groups to boycott them, which in turn resulted in overwhelming victories for Eyadéma. Attempts by opposition groups and civil society organizations to challenge the government through demonstrations and general strikes were brutally crushed in 1993 by the army and security forces. The political persecution of opponents over the following two years triggered an unprecedented wave of migration in which some 350,000 refugees fled to Togo's neighboring countries Benin and Ghana as well as to Europe. Political resistance gradually lost out to apathy, pessimism and frustration.

In 1993, the European Union, and other major international and bilateral donors like Germany, officially suspended development cooperation with Togo due to gross human right abuses. Nevertheless, Eyadéma maintained close ties with the French President Jacques Chirac. Notwithstanding political support from Paris, the substantial reduction in international aid and the decline in inward investments had severe effects on the country's economy. These effects were exacerbated by general apathy and the loss of human resources resulting from the out-migration of highly qualified Togolese citizens.

When Gnassingbé Eyadéma, died unexpectedly in February 2005 after nearly four decades of autocratic rule, Togo became a test case for independent democratisation efforts of African states. In defiance of the country's constitution, the military proclaimed Faure Gnassingbé, one of the sons of the late president, the new head of state. Widespread international protests compelled the new president to call presidential elections on 24 April 2005. Despite international protests against massive electoral irregularities, Faure Gnassingbé was sworn in

as president on 4 May 2005. The majority of the Togolese population protested against this manipulation of the public will, but the military brutally brought down the protests. About 700 people died, and more than 40,000 citizens migrated into neighboring countries. The economy of the country further declined. Finally, massive international pressure forced the antagonists of Togo's political class into negotiations, which included the opposition political parties and civil society groups. This resulted in the so called Global Political Accord (GPA; APG, in French) in August 2006. The first free parliamentary elections took place on 4 October 2007. The then governing party, the Rassemblement du Peuple Togolais (RPT), won an overwhelming majority with 50 seats against 31 for the opposition. The fact the RPT could achieve this broad margin with slightly more than a third of the general vote can be explained by the biased system of representation in which the less-populated north, the fief of the Gnassingbé clan, has more members of parliament than the more populated south. Presidential elections in March 2010 and April 2015 paved the way for a second and third five-year mandate for Faure Gnassingbé. The elections, although marked by the lack of electoral reforms essential for free and fair polls as well as flagrant irregularities, were largely peaceful. Therefore they were recognized as credible by the international community out of its overriding interest in the stability of the sub-region. The same applies for the legislative elections on 25 July 2013. Contested presidential elections in March 2010 and April 2015 paved the way for a second and third five-year mandate for Faure Gnassingbé.

Status Index

Democracy Status

Q1 | Stateness

Q1.1 | Monopoly on the use of force

Togo still belongs to the impoverished fragile states according to OECD criteria. The state's monopoly on the use of force is guaranteed in principle over all its territory and population. However, a long standing culture of impunity for extra-legal killings committed by the security forces persists. The army, gendarmerie and police are loyal to the incumbent government, apart from rivalries within its own ranks. This loyalty goes back to historically grown strong ethnic (Kabyè) and interpersonal links between the army leadership and the presidential extended family. The power struggle within the Gnassingbé clan, and between hardliners and modernizers among its followers in the security forces and the ruling party (RPT/UNIR), was temporarily decided in favor of the president. In September 2011, the assumed ringleaders of a 2009 coup attempt were convicted by a Lomé court which re-enforced the command by the president. Faure`s younger half-brother and former defense minister Kpatcha, as well as other family members, the retired army chief, General Assani Tidjani, and Abi Atti a commander of gendarmerie, were served partly long prison sentences. Their continued unlawful imprisonment was repeatedly criticized by the ECOWAS court of justice (2013 and 2014) as well as by the United Nations (February 2015).
The head of state was well aware of continuing discontent both within the security forces and the RPT, replaced in April 2012 by its 'modernized' successor UNIR (Union pour la Republique). Therefore, the ministry of defense remained attached to the presidency and a reform of the army (Forces armées togolaises, FAT) started in December 2013. The commanding heights of the military were replaced with the president's followers one for one. Thus, by the end of 2013 the Chief of Defense Staff of the Togolese Armed Forces (FAT), Major General Atcha Titikpina, was replaced after three years in office by Colonel, now General Félix Abalo Kadanga, who had been promoted already one year ago as Chief of Staff

of the Togolese Army (land forces of FAT). Colonel M'Ba Koffi Batanda, former head of the Presidential Guard (RCGP) was now entrusted with the latter post. Kadanga is brother in law of Kpatcha Gnassingbé, the imprisoned former minister of defense. As head of the Rapid Intervention Force (FIR) Kadanga had played a crucial role in the arrest of Kpatcha who had been accused of an coup attempt against his half-brother Faure in 2009. The Navy was entrusted to Captain Adjo Vignon Kwassiv, whereas Captain Takougnadi Nayo was appointed Chief of Military Staff of the President. By the end of 2014, two battalions of a newly created Rapid Intervention Force (BIR) of 550 well-equipped troops each were installed in Lomé and Kara, . , the respective head-quarters of the newly created Southern and Northern military region, each subdivided in five sectors. Col. Awoki Panassa, former head of the National Gendarmerie, turned into chief of staff of the president in replacing Néyo Takougnadi, who became head of the national marine. A fundamental reform of the national gendarmerie with the creation of two regional directorates was announced at the same time. Yotroféi Massina, the chef of the controversial intelligence agency (ANR), accused of torture in 2012 by the National Human Rights Commission (CNDH), became head of the gendarmerie.

According to U.N. reports, Togo has become a major hub of drug trafficking and money-laundering in West Africa related among other things to profits from re-exports of used cars from western Europe to neighboring markets (mostly smuggling to Nigeria). According to the U.N. Office on Drugs and Crime (UNODC), the proceeds of trafficking are increasingly used by Islamist terrorist groups. Lomé, that had been served already as a hub of cocaine trade in West Africa since several years, did now enter also the heroin trade from Asia via Eastern Africa. Moreover, piracy of the coast of West Africa – particularly in the Gulf of Guinea around Nigeria, Benin and Togo– had become a new international 'hot spot'. The region was classified as high risk zones by maritime insurance companies. In June 2013 the Joint War Committee (JWC) added the waters of Togo's exclusive economic zones north of latitude 3° to the West Africa high-risk area. Many of these pirates are said to be Nigerian gangs, cooperating with politicians, the military and custom officials, with intimate knowledge of the oil industry and oil tankers, probably derived from previous experience in the Nigerian Niger Delta. However, anecdotal figures on maritime piracy in the Gulf of Guinea showed a decreasing tendency of 47 acts recorded in 2013, 33 in 2014, 29 in 2015 and 19 in in the first 9 month of 2016.

Q1.2 | State identity

A basic patriotism is observable among the vast majority of Togolese citizens for generations. Particular dates and events in country's history (e.g. independence day) are inscribed into the collective memory, although commemoration of even these dates is still subject to inter-party haggling (Batchan 2014). Moreover, the sentiment of national belonging is often mitigated by intra-ethnic and regional cleavages. Tensions between ethnic groups, dating back to Togo's colonial past, still play a considerable role in limiting equal access to remunerative and strategically important public authorities, thereby abetting nepotism and compromising good governance. This holds particularly with respect to the divide between the Kabyè of northern Togo, who dominate Togo's politics and security services, and the economically more powerful Ewé of southern Togo. In 2012, the Truth and Reconciliation Commission (CVJR - Commission Vérité, Justice et Réconciliation) proposed to establish a national day of reconciliation in order to enable Togolese citizens to renew their commitment to live together in peace, despite their history of politically instrumentalized ethnocentrism and regionalism. The lack of consensus regarding national benchmarks to date may be an indicator of the deficient consolidation of Togo as a functioning Nation-State. Furthermore,

there were remarkable tendencies in the past for a political instrumentalized xenophobia that may be revitalized out of partisan reasons, notably before elections. An example are the politics of ‚Togolité', as codified by the revision of the constitution of 2002. Thereby, exiled opponents (like former opposition leader Gylchrist Olympio), and naturalized refugees were treated as 'foreigners', who could not stand for elections. Another example is the differentiation between 'authentic', 'original', or 'true' Togolese, as propagated by government media during pre-election periods vis à vis the so called 'Southern immigrants', i. e. the Ewé ethnic group, which immigrated centuries ago from neighboring Ghana. Apart from commonly recognize formal national symbols like the ensign and the national anthem (La Togolaise) a 'banal' everyday nationalism and a sense of belonging to the nation developed during the past decades among the population. This patriotism can be observed for example during international soccer events when Togolese celebrate their national pride in favour of their team, nicknamed Les Eperviers (The Sparrow Hawks). The team entered the FIFA World Cup in 2006, reached the quarter-finals of the Africa Cup of Nations for the first time in history in 2013 and also qualified in September 2016 for the Africa Cup of Nations, Gabon 2017. An example of self-interested nationalism includes calls by trading elites, like the influential 'Nana-Benz' (politically influential cloth-trading women, who during the 1970s earned more revenue than the phosphate industry) to limit market access for 'Foreigners'. These trading elites have been increasingly critical of a growth in the 'unfair' competition they face from small scale Chinese traders and Nigerians, who are often accused of drug dealing.

Q1.3 | No interference of religious dogmas

The formally established religious groups – Christians (about 48% of population, mostly Catholic) and Sunni Muslims (about 30%, mostly of the Sufi order of the Tidjaniya) – seek to play a neutral and constructive role in the political system and to make democracy more vibrant, as was observed during the National Conference of 1991, the 2007 and 2013 legislative elections and the active participation in the Truth and Reconciliation Commission (CVJR) since 2009. Numerous animated Pentecostals and evangelical free churches (about 12,000, often just one man shows, had applied for official registration up to 2015) are less active in secular public life. But many of them exacerbate tensions by encouraging intolerance, commercial orientation and extremely conservative attitudes, including the incorporation of sinister elements of traditional belief systems, such as witch hunting. The same holds for the few Qu'ran schools in the country led by radical imams. On occasion of the annual Ramadan festivities on 17 July 2015, El Hadj Inoussa Bouraïma, president of the most important Togolese Muslim organisation, the 'Union Musulmane du Togo', warned of the ambitions of terrorist groups to propagate Islam by violent means and declared that jihadis had no place in Togolese society.

African traditional religions, notably Vodun in the southern regions and occult belief systems all over Togo, still play an important role in everyday life. Their priests often act as esteemed conflict mediators at the local level. Ni-Mantche, the grand master of the Vodun goodness Maman Kole in Southern Togo was counted in October 2014 by Jeune Afrique in an non-exhaustive ranking of the 15 most influent religious leaders in Africa as one of the most celebrated African vodun priests. However, the past instrumentalization of African religions and occult belief systems by the ruling powers for political means and political motivated witch-hunts, as demonstrated by the now defunct Eyadéma regime, can be revived at any time. It is still an underlying current of all religious beliefs regardless of its spiritual orientation. It was – and probably is - not restricted to the person of late General Eyadéma,

nor to the ideological underpinning and legitimization of the worldly power of the head of state, but encompasses nearly all levels of public administration from the top, down to the level of simple district heads.

Q1.4 | Basic administration

Whereas the state's basic administration extends throughout the entire territory, it is functionally deficient. Key public goods are not available to large parts of the population. According to the latest figures in 2015, only 12% of the population have access to sanitation and 63% to a water source

Basic public administration continues to suffer from the parallel structures of formal and informal institutions (e.g., traditional chieftaincies) inherited from colonial rule. The role of traditional chiefs was adapted in decades of despotism to the needs of the ruling elite by the politics of 'authenticity', i.e. the reference to (re-invented) traditional rules, and by the forced 'alignment' of chiefs in the National Confederation of traditional rulers of Togo created in August 1969. In addition, the legitimacy crisis left behind by decades of despotic rule and growing corruption in a fragile economic environment are barriers to good government and a transparent administration. The state's administrative organizational structure is centralized. Devolution of the administrative system was one of the commitments made to the European Union (2004) before economic sanctions could be lifted. However, the power elite still lack the political will to devolve power and resources in order to enhance local autonomy, as demanded by the constitution, the opposition and the donor community. Local elections have been repeatedly postponed since 1987 when the last communal elections were held. The commitment of the government within the Global Political Accord (APG) of 2006 to replace discredited prefects have been implemented only halfheartedly by the reshuffle of 2007 and 2009 and the replacement of prefects in February 2016. Of 11 replaced prefects two were high-ranking militaries, i.e. Col. Biténéwé Kouma (East Mono), Mateindou Monpion (Tchaoudjo), the same holds for the sous-prefecture with Ctd Soufoloum Adam Kassim (Plaine de Mô). On 27 May 2016, four new prefectures were created: Mô, Agoé-Nyivé, Oti-Sud and Kpendjal-Ouest, the latter replacing Naki-Est.

Q2 | Political Participation

Q2.1 | Free and fair elections

The presidential elections of 25 April 2015 resulted in a victory for the incumbent, Faure Gnassingbé. Thus, he secured his third five-year term, consolidating the Gnassingbé's clan grip on power, which has held power since 1967. Only North Korea's ruling dynasty has held executive power for longer. The constitutional and electoral reforms that would have been required for free and fair elections and which the opposition parties, civil society and international donors demanded, have been postponed indefinitely. Nevertheless, the international community declared the elections free and fair, given their security interests in the region. On the contrary, the Electoral Integrity Project (Los Angeles) ranked the presidentials (2015) as well as the legislative elections of 2013 in Togo at the bottom range (rank 161 and 162 of 168) in its expert survey 2015 of 180 elections in 139 countries. Moreover, 85% of the population are in favour of procedural reforms, calling for the reestablishment of a limit on presidential terms, which the late head of state Gnassingbé Eyadéma had abolished in 2002 by an illegitimate amendment of the 1992 constitution.

Shortly before the elections, even the ex-president of the transitional parliament of 1991, retired Archbishop of Lomé Mgr. P. F. Kpodzro, who is still highly regarded by the Togolese, fustigated the present constitution as an 'one-armed bandit constitution' ('constitution manchot') which did not reflect the truth and reconciliation process. However, the ruling party and the Constitutional Court had made it clear already in 2014 that they would not be interested in electoral reforms before the presidentials and that they considered the Accord Politique Global (APG) of 2006 between opposition and government on these reforms no longer as binding.

In February, international and national human rights organisations, including the Truth and Reconciliation Commission (CVJR), the 'Collectif des Associations Contre l'Impunité au Togo' and the 'Plateforme Citoyenne Justice et Vérité' (PCJV), had advocated political reforms. Nevertheless, a majority within the newly formed opposition coalition 'Combat pour l'Alternance Politique en 2015' (CAP 2015) was in favour of contesting the elections and supported Jean-Pierre Fabre, the leader of the main opposition party, the 'Alliance Nationale pour le Changement'.

The *presidential elections* took place on 25 April, with about 3.5 m people entitled to vote. The disputed electoral system stipulated that the president would be elected for a five-year term, the winner being the candidate with the most votes after a single round of voting. That is, the winner did not need to have an absolute majority in the first round, as stipulated by the controversial 2002 amendment to the constitution, which favoured the incumbent. Apart from the incumbent, Faure Gnassingbé, and the leading opposition candidate, Jean-Pierre Fabre, there were three other contestants from smaller opposition parties: Aimé T. Gogué of the 'Alliance des Démocrates pour le Développement Intégral', Gerry K. Taama, the leader of 'Nouvel Engagement pour le Togo', and Mohamed Tchassona Traoré of the 'Mouvement Citoyen pour la Démocratie et le Développement'. Mediated by the international donor community, it was agreed to establish a supplementary steering committee with the CENI to follow the processing operations. The latter was to be composed of international election observers from the AU, ECOWAS, WAEMU, OIF, the Community of Sahel-Saharan States, and an international electoral assistance commission of the Gorée Institute (a Pan African NGO based in Senegal, assisted by the francophone West African regional organisation Conseil de l'Entente and the EU) as well as representatives of the presidential candidates.

After three days of quarrelling and tension within the Electoral Commission ('Commission Électorale Nationale Indépendante'; CENI), its president announced the results on 28 April – prematurely, as 28 of the 42 reports of the local electoral commissions had not yet been examined in plenary – and declared that *Faure Gnassingbé* had won an absolute majority with 58.8% of valid votes, against 35.2% for Jean-Pierre Fabre (CAP 2015) and 3% for Aimé T. Gogué. The unilateral decision of the ruling majority within the CENI on the early publication of results, mainly provoked by the drive of the majority to assure the inauguration of the president before the formal expiration of his mandate (3. May), put an abrupt end to the mediation attempts of the steering committee of international election observers. Nevertheless, AU, ECOWAS and UN observer missions declared the polls free and fair, despite opposition complaints on 30 April that irregularities had taken place. The ECOWAS chairman, the Ghanaian president John Dramani Mahama went even as far as declaring the presidentials 'another milestone in the consolidation of democracy in the West African subregion'. A confidential report of an EU electoral mission, prepared between 12 March and 7 May, which was leaked to the press on 26 October, confirmed these claims. The report recognised the generally peaceful conduct of the polls but criticised irregular high rates of voter registration (99.9% nationwide), based only on simple testimony, notably in the northern districts, where support for the incumbent had historically been high: Centrale and

Kara-Binah (137%), Bassar (121%), Dankpen (177%), Doufelgou (117%), Kozah (114%), Kéran (109%) and Assoli (106%). Registration rates were significantly lower in regions considered to be the stronghold of the opposition (especially the Maritime region). In addition, the reported voter turnout was higher in the north. According to the CENI, turnout was initially estimated at about 53% nationwide, i.e. at least 10% lower than at the previous presidential elections in 2010 (64%), but this was later adjusted to 61% without explanation. The fall in turnout compared with the previous polls was interpreted as a sign of growing voter fatigue, which may have been aggravated by the boycott called for by smaller opposition parties and a potentially high number of voters who could not cast their vote because of technical problems, especially in the Maritime region. On 3 May, the Constitutional Court ratified the result, which was not challenged by the CAP 2015 because it did not believe in the impartiality of the Court, given its composition and similar decisions in the past. The Electoral Integrity Project (Los Angeles) classified the presidentials (2015) as well as the legislative elections of 2013 in Togo at the bottom range (rank 161 and 162 of 168) in its expert survey 2015 of 180 elections in 139 countries.

Thus, Faure Gnassingbé easily secured a *third five-year term in office* and thereby the extension of the autocratic rule of the Gnassingbé family, which had already been in power for 48 years, a world record, topped only by North Korea, as pointed out by the international NGO 'Tournons La Page'. The opposition had little opportunity to challenge the regime through democratic elections, given the extensive influence and material resources that were at the government's disposal. Apart from the biased electoral system and the state-controlled media, the opposition was subjected to additional forms of judicial and financial repression, including a policy of divide and rule, combined with a carrot and stick strategy, and systematic weakening of the opposition's local power base. The last had been effected by, among other things, the replacement of local mayors and communal councillors by special delegates nominated by the administration in 2001.Most importantly, however, local democratization was obstructed by the endless postponement of local elections since 30 years, the last voted 321 municipal and 387 prefectural councillors had been elected on 5 July 1987 for the first time under the reign of Eyadéma (Marguerat 1988:54), although they were demanded by the constitution, because they were considered to be a pre-condition of a democratic legitimization of devolution of power. Thereby Togo remained the sole member within the West African Economic and Monetary Union (WAEMU/UEMOA) that did not implement an independent decentralization. Thus, in fear of a possible repetition of electoral violence in the aftermath of the 2005 presidentials, the ordinary voter had little choice between either voting for the ruling power or resignation and absenteeism.

All in all, Togo was still rated as an 'authoritarian regime' in the democracy index of the Economic Intelligence Unit (London), next to Cuba and Angola. In the global ranking of the independent Democracy Ranking Association (Vienna) published on 29 December 2015, Togo was ranked 109 th (2013-14) of 113 countries. The population was becoming increasingly frustrated by the regime's inability to initiate meaningful reforms. According to the World Database on Happiness (an index of subjective wellbeing), the Togolese came among the lowest of the 149 countries surveyed, and the UN World Happiness Report of 2015 ranked Togo as the lowest country worldwide, a drop since the previous report of 2005-7.

Q2.2 | Effective power to govern

The president has the support of the country's administration as well as that of the security forces. He faces few major structural constraints in putting his decisions into practice.

However, the president is possibly not always in command of the hardliners within the ruling party, army or secret service (Agence Nationale de Renseignement – ANR), accused of torture, other HR abuses and unlawful interference into government issues in a report of the Commission Nationale des Droits de l'Homme (CNDH, February 2012). In general, the prime minister needs the president's support more so than that of parliament if he wants to implement important public policies. However, the president does not yet enjoy full democratic legitimacy, and it remains to be seen whether the powerful military will remain loyal to the president in spite of countervailing pressure by hardliners within the army and the ruling party. Prime Minister Ahoomey-Zunu resigned on 22 May 2015 and the president appointed Selom Komi Klassou as the new premier on 5 June 2015. The 55 year old Klassou, an Ewé originating from Notsè, regarded as a hardliner and long-time ally of the Gnassingbé regime, had been a member of the politburo of the former unity party, the 'Rassemblement du Peuple Togolais' (the antecedent of the ruling UNIR), and had served as cabinet minister under both the late dictator Eyadéma and his son Faure. He had also been the campaign manager in the disputed 2005 presidential election, which had assured Faure's succession to his late father Eyadéma on the latter's death. On 28 June 2015, Klassou announced his *new cabinet*, reduced from 26 to 23 members. 21 ministers belonged to the ruling party UNIR, the two others to each of the small coalition parties, L'Union des Forces de Changement (UFC) und Convention Patriotique Panafricaine (CPP). All so called *postes de souveraineté* (security, Justice, economy, foreign affairs) were occupied by the ruling party. The Defence Ministry remained (as it had since 2008) in the hands of the president, apparently as precaution against possible coup attempts. The cabinet included four women (a cutback from 26% in 2013 to 17%) which was further reduced to 13% in a cabinet reshuffle (three women in the ministries of commerce, alphabetisation and postal services) in August 2016.

Q2.3 | Association / assembly rights

The guarantee and protection of rights to freedom of assembly and association have improved since 2007. However, limitations persist, particularly on assembly rights. On 5 May 2011 a new bill on the right to freedom of association and assembly was adopted in parliament by the RPT/UFC majority. The law had been introduced as part of the coalition agreement in order to replace colonial regulations often used in the past to suppress opponents of the regime. The new bill liberalized demonstrations by permitting demonstrations to be held without official permission, although they still can be banned if they disturb public order. However, the bill was contested by the opposition because it proposed draconian penalties for damages to public property. Therefore, the 'radical' opposition suspected that the law could still be used by the government to clamp down on the opposition under the guise of rule of law. On 31 December 2015, the CNDH handed to the government its report on the violence that had ensued following a government attempt to implement a nature conservation project in Mango (Northern Togo) without due popular consultation. In November, the intervention of the army to quell the local population's protests had resulted in eight deaths. Amnesty International (AI) and CAP 2015 activists called for an independent inquiry, the release of 11 persons detained in the Dapaong prison, and reparations for the families of the victims. In Oct. 2016 Amnesty International called for the protection of the rights to freedom of association, peaceful assembly and expression in Togo and detailed several cases involving the violation of these rights.

Q2.4 | Freedom of expression

There is a wide range of daily and weekly newspapers, a vibrant private press. Radio is the most popular medium, particularly in rural areas, provided by the government-owned radio network includes multiple stations, while there are also several dozen private radio stations and a few community radio stations. Moreover, there are two state-owned and five private TV stations that regularly broadcast news. In addition, a number of foreign stations can be followed freely. Twitter, Facebook and other social media networks are increasingly used both by the government and the opposition. Internet access is improving with 7.3% of the population with regular access to the internet in 2016, compared to 2.4% of the population in 2008. Furthermore, the mobile phone user penetration rate increased by 93% between 2009, with about 70% of the population using mobile phone in 2014 (HDR 2015).
Freedom of speech and freedom of the press are guaranteed by law, but the law is not always respected. The High Authority of Broadcasting and Communications (HAAC), meant to protect press freedom and to ensure basic ethical standards, is heavily biased in favour of the government, notably during election campaigns. The parliament passed a more restrictive media law on 19 February 2013 that would have given the HAAC greater power over media with sweeping powers of censorship. Although the Constitutional Court overturned some of the repressive amendments of the media law, the lack of press freedom remained a critique of national and international Human Rights bodies. A new penal code was adopted in parliament in November 2015. The union of independent journalists complained about the significant harsher sentences for reporting false news introduced by the new code, which the union considered an attempt to intimidate and suppress independent reporting. In the global ranking of the Press Freedom Index (FPI) of the Paris based 'Reporters sans Frontiers' Togo scored 60 out of 100 in 2015 for press freedoms (where zero refers to the most free), a slight improvement of two points over 2014. According to Freedom House (Oct. 2016) freedom of press status improved slightly (60 of 100, +2) since 2014 from 'Not Free' to 'Partly Free' due to improvements in the media environment during the election period 2015, including equal airtime for opposition candidates on the state broadcaster; a better relationship between the regulatory body and the press; and greater access for journalists to campaign rallies and other events.

Q3 | Rule of Law

Q3.1 | Separation of powers

The constitution of 1992 established the legal framework for a presidential multiparty system in Togo. The president is elected for five years and cannot be challenged by the legislature (excluding extraordinary circumstances, such as abuse of office or illness). In a 'constitutional coup' at the end of 2002, a majority of the then ruling party, the RPT (which had secured power through rigged elections), in parliament voted for constitutional change in order to guarantee the continuity of the political power of the Gnassingbé clan in three crucial domains. First, it changed article 59 of the constitution to allowed for a third consecutive presidential term. Second, it revised article 62, which in its new version reduced the minimum age of presidential candidates from 45 to 35 years, to allow the candidature of Faure Gnassingbé, the young heir to the throne of his father. Third, it effectively excluded the major opposition candidate, Gilchrist Olympio, from the electoral process. The latter stipulation, which still prevented the opposition leader to participate in the 2007 legislative elections, was eliminated by the new electoral law of August 2009. However, the new electoral law introduced a single run, first-past-the-post-system which provides the incumbent with a comfortable advantage vis à vis any challengers. The new procedure is unusual and problematic due to prevailing political conditions in Africa. The first-past-the-post system involves one round of voting, after which the leading candidate is declared the winner

regardless of whether he has secured an absolute majority or not. This eliminates the opportunity for opposition candidates to re-group for a run-off vote. The president offered the opposition to compromise in the latter point, however his own party UNIR rejected the draft bill introduced by the government in parliament in June 2014.
The prime minister is nominated by the majority group in the unicameral parliament and appointed by the president. However, a great deal of power is invested in the office of the president, which makes it difficult for the other sections of government to serve as a counterbalance. The legislature in particular needs much more technical and constitutional authority and capacity if it is to successfully act as a check on the president's power. In addition, the corrupt judiciary has yet to live up to its constitutional role.

Q3.2 | Independent judiciary

An independent judiciary does not exist. The Supreme Court and Constitutional Court, the latter inaugurated only in 1997, are dominated by members loyal to the Gnassingbé clan and the ruling party, as demonstrated by various biased decisions relating to recent elections and the exclusion of 9 ANC MPs from parliament in November 2010 proved. In September 2014, the president and the UNIR majority in parliament, boycotted by the opposition, re-elected the majority of the notorious Constitutional Court judges that had been already chosen in 2007, including its president Abdou Assouma. In early October 2014, the latter published a controversial interview declaring the Global Political Accord (APG) as void with the advent of a functioning pluralist parliament as allegedly proven by the decision of the UNIR and UFC majority in parliament on 30 June 2014 to vote against the draft law on constitutional changes submitted by its own government. There is a sharp discrepancy between the constitutional law and its implementation. A separation of powers between the judiciary and executive branches (attorney and police) is rudimentary. The president of the Judges' Professional Association (APMT) complained at the association's 2008 plenary that the Togolese people have to suffer from a two-speed judicial system, one for the poor and another one for those who are able to buy the judges' decisions. A World Bank survey of businesses (2010) revealed that 60% of respondents believed that the courts were neither impartial nor free from corruption. Moreover, it is necessary to belong to the ruling party's inner network to be nominated for any influential position in the judiciary. It is even difficult for an independent lawyer to run a law firm because his chances to win the respective court cases are much lower than for regime friendly colleagues.
Finally the judicial system suffers from legal pluralism, i.e. the separation of official and customary law derived from colonial times. The majority of poor people have limited recourse to official law in actual practice. Traditional chiefs are considered brokers between the state and local populations, and are recognized as custodians of customary law (*droit coutumier*) by constitutional stipulations. However, many of traditional chiefs have been discredited by decades of compliance with the autocratic Gnassingbé regime. In addition, the conservative and patriarchal structures of the *chefferie* in general counteract the devolution of power to the local people as well as gender equality.

Q3.3 | Prosecution of office abuse

There exists a long-standing culture of impunity vis à vis human rights abuses of the security forces. Abuse of public office is still endemic in Togolese society, and the embezzlement of public funds remains rampant. However, the political opening has meant that corrupt officeholders are subjected to somewhat more (negative) publicity. Nonetheless, due to the

judicial system's shortcomings, these officials are rarely prosecuted. Amnesty International (ai) and ACAT-France published a joint report in April 2015 'Togo: One Decade of Impunity'. The report proposed a road-map to end impunity, notably of members of the security forces. Nevertheless, AI recognized slight improvements relating to human rights in its annual report on Togo published in December 2015. These improvements included the criminalization of torture in the new penal code adopted by parliament on 2. Nov. 2015. In contrast, the union of independent journalist complained about the drastically tightened sentences against diffusion of false news in the new code.

The regime delayed the implementation of most of the recommendations for reform made by the CVJR in 2012. In March 2015, the government established an High Commissioner for Reconciliation and Reinforcement of National Unity ('Haut Commissariat pour la Réconciliation et le Renforcement de l'Unité Nationale'), supplemented by a civil-society platform, the Citizen Platform for Justice and Truth (Plateforme Citoyenne Justice et Vérité; PCJV), in order to accelerate implementation. The National Human Rights Commission ('Commission Nationale des Droits de l'Homme'; CNDH) complained of a lack of resources and of the government's unwillingness to cooperate. A bill to improve the composition and organization of the CNDH, particularly with respect to the prevention of torture, was adopted in parliament in mid-October 2015. On 31 December 2015, the CNDH handed its report to the government. The report focused on the violence that had ensued following a government attempt to implement a nature conservation project in Mango (Northern Togo) without due popular consultation. In November, the intervention of the army to quell the local population's protests had resulted in eight deaths. AI and CAP 2015 activists called for an independent inquiry, the release of 11 persons detained in the Dapaong prison, and reparations for the families of the victims.

Q3.4 | Civil rights

Although the civil rights situation in Togo has improved substantially, serious problems persist. Most Togolese rely on informal institutions of justice. They do not have access to the national judicial system because they are too poor and powerless. However, even the handling of the customary law by traditional authorities, many traditional chiefs are hand-selected by the ruling regime, corresponds all too often to the interest of the local power elites.
Deplorable prison conditions gained international attention. There were 4,422 prisoners (including 124 women) in 12 prisons designed to hold 2,720 people, according to a 2015 U.S. State Dept. HR Report for Togo. According to another report (1 September 2014) of the U.S. based Open Society-Justice Initiative, Togo counted among the 20 countries worldwide with the highest number of pre-trial detainees in relation to total prison population(65% in 2012). Detainees were penned up like sardines in prison cells of 6 to 7 meter, containing up to 55 inmates. They had to rely on their families for basic food and drinking water. Prison staff delegated much of its authority to capos who effectively control and terrorize their co-inmates. Torture to extract confession remained widespread at police and gendarmerie posts. Plagued by corruption, strong executive influence and lengthy pre-trial detention periods, the judicial system functions poorly. Civil rights for a number of groups are restricted. Freedom of speech and press as well as of peaceful assembly and association are still restricted, although provided by constitution and law (US Department of State: Togo HRR 2015; UNHRC 2014). According to Afrobarometer (2015) just 21% of interviewed persons (2011-2013) felt free to say what they thought.

Violence against women and the practice of female genital mutilation (FGM) continues, though on a diminishing scale because of donor assisted awareness campaigns. FGM was formally outlawed in 1998 and has decreased by more than halve since 1996. But it still exists on a considerable scale (FGM/C about 4 % on national average, US Department of State: Togo 2015 HRR), notably in the Central (up to 33%) and Savanna (up to 23%) regions (UNICEF 2008). According to a national survey (MICS 2006) it was more prevalent in rural areas (7.3%, against urban, 4.1%) and among older women (35-39 age group, 9.4%, against 15-29 years, 8.1%).

There is regional and ethnic favoritism in public services and among the security forces, which are dominated by northerners (Kabyè). Other problems include child labor and the trafficking of people, especially children. Children in Togo are engaged in child labor mainly in agriculture but also in quarries and sand mines and boys of some Koranic schools known as *talibés*, were forced into begging. The worst forms of child labor, including in forced domestic work, were also a result of human trafficking, according to the US Dept. of Labor 2015 Findings published 30. Sept. 2016. The new Penal Code of 2015 increased penalties for human trafficking and established penalties for the worst forms of child labor. However, the Government did not devote sufficient resources to combat child labor, and enforcement of laws related to child labor remained weak.
On 23 June 2009 parliament voted unanimously for the abolition of the death penalty. Togo thus became the 15th member state of the AU and the 94th country worldwide to renounce the death penalty for all crimes. However, the bill was rather symbolic since in practice legal executions had ceased 30 year earlier. The thorny problem that remained was the extra-legal killings committed or condoned by the state in the course of political persecution in the past and continuing impunity, as shown by the final report of the CVJR published in April 2012.
Togo has ratified 12 of 13 international HR-treaties. Only the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) still lacks ratification (UN HR-office, ratification status by country). Nevertheless, there still remain important omissions. End of February 2014 the special rapporteur of the UN-Human Rights Council, Margaret Sekaggya, presented the findings of her mission to Togo encouraging the government to endorse UN treaties not yet ratified, including the Rome Statute of the International Criminal Court (ICC). Togo remains the only ECOWAS member beside Mauretania not belonging to the ICC (renamed Global Alliance for National Human Rights Institutions (GANHRI) in March 2016). Following the first Universal Periodic Review (UPR) at the UN Human Rights Council (Geneva) in 2011, Togo submitted its second national report on 17 August 2016 in order to prove its commitment to consolidate democracy and strengthen the rule of law and to show how it had implemented the 122 recommendations accepted by Lomé in 2011. The UN HRC working group on the UPR adopted its report on 4 November 2016, proposing further 136 recommendations for the improvement of HR and the rule of law in Togo. Moreover Togo had ratified the WTO Trade Facilitation Agreement on 8 October 2015 as third LDC that did approve this treaty up to now. End of October 2016 an extraordinary AU joint summit of Heads of State and the AU commission on Maritime Security and Development in Africa in Lomé adopted a charter on maritime security and safety. The charter that will be incorporated into the 2050 Africa's Integrated Maritime Strategy (adopted in 2012) meant to combat piracy, illegal fishing and oil bunkering, trafficking in drugs, arms and human beings in the Gulf of Guinea.

Q4 | Stability of Democratic Institutions

Q4.1 | Performance of democratic institutions 3

Formal political institutions are only partially democratic and their performance remains deficient. The president's conduct of office shows more transparency and commitment to dialogue than has been the case during his father's regime. The question is whether his efforts are sincere and stable given that President Faure Gnassingbé is still surrounded by many figures of the old dictatorial regime. Whereas parliament now engages in controversial debates, its deputies often lack professional depth of knowledge. This is due, on the one hand, to the legislature's insufficient working conditions and, on the other hand, to the fact that the opposition has yet to move beyond criticizing government and to formulate alternative policy proposals. Judicial reform is underway (a website informs about current developments), but the aforementioned challenges (see "independent judiciary") persisted throughout the assessment period. In Freedom House's 2016 Freedom in the World rating the overall status was upgraded from "not free" in previous years to "partly free", mainly due to the peaceful conduct of the 2013 and 2015 free, although not fair elections. In the Economist Intelligence Unit's democracy index 2015, the situation in Togo remained largely unchanged, with Togo ranked at the bottom with 130th out of 167 countries and an overall low score of 3.41 out of 10. Togo was still classified as an 'authoritarian regime', ranking below Cameroon but above Côte d'Ivoire.

In the global ranking of the independent Democracy Ranking Association (Vienna) published on 29 December 2015, Togo was ranked 109th (2013-2014) at the bottom of 113 countries, with a slight improvement (+1%) against the foregoing period (2010-2011). The population was becoming increasingly frustrated by the regime's inability to initiate meaningful reforms. According to the World Database on Happiness (an index of subjective wellbeing), the Togolese came among the lowest of the 149 countries surveyed, and the UN World Happiness Report of 2016 ranked Togo as one of the lowest country worldwide (rank 155 of 157; (2013-2015).

Q4.2 | Commitment to democratic institutions

The commitment to democratic institutions has obviously increased in the wake of the political opening and continuing pressure of international donors. Apparently, the Gnassingbé regime has learned from the past, as indicated by the formal rupture with the legacy of the former unity party RPT and its replacement by a modernized conservative party UNIR in April 2012. The regime was eager to strengthen legitimacy of its irregularly acquired grip on power through peaceful although not democratic legislative (2007, 2013) and presidential (2013, 2015) elections. However, as far as the existing institutions are concerned, a high degree of skepticism remains, since the president was not elected democratically and parliament, still dominated by the RPT/UNIR, has not shown its real potential yet. The personal cult around the president is still present in daily life. All this, together with the unpredictable attitude of the hardliners within the RPT/UNIR and the security forces, raises further doubts about the level of commitment to democratic institutions.

Q5 | Political and Social Integration

Q5.1 | Party system

The multi-party system was introduced in 1991. Although there exists 108 more or less significant political parties in total, Togo is de facto heading towards a two-party system, involving the ruling UNIR party, and the ANC (l'Alliance Nationale pour le Changement) which split from the UFC (l'Union des Forces de Changement) during the schism within the major opposition party following the lost presidential elections of 2010. The dissolution of the

ruling RPT, the former socialist unity party founded in 1969, and creation of a modernized party UNIR in April 2012 was response by the ruling party to adopt o the requirements of a modern multiparty system. This has induced a gradual democratization of party processes and renewing of party members. However, the informal personalized party structures remained pretty much the same. In the 2013 legislative elections the UNIR gained the absolute majority with 62 out of 91 seats, while its coalition partner UFC won 3 seats. The reconciliation between RPT/UNIR and UFC resulted in a considerable weakening of the opposition. On 26 May 2010 the veteran leader of the UFC, Gilchrist Olympio, whose hopes of becoming president where declining due to his advanced age, surprisingly agreed to join a 'government of national recovery'. This constituted a landmark in Togolese politics, in view of the bitter generation-long rivalry between the Olympio and Gnasssingbé families.
The constitutional court then decided in a controversial decision on 22 November 2010 to deprive the ANC, the segregated part of the UFC, i.e. Fabre and eight other leading ANC members of their parliamentary mandate. The ECOWAS court of justice (Abuja) ruled in October 2011 the exclusion of the nine ANC legislators as unlawful.
The opposition split between a 'radical' and a 'moderate' wing, labels which were originally attributed by the government in the 1990s, with moderates more willing to cooperate with the government. The 'radical' wing, is represented by a broad opposition alliance, the Let's Save Togo Collective (Collectif Sauvons le Togo, CST) which was founded in April 2012. CST is composed of political parties and civil-society organizations led by the ANC and retained 19 parliamentarian seats in the legislative elections of July 2013. In August 2012 a confederation of smaller parties moderate parties (e.g. Parti Démocratique Panafricain (PDP) led by Bassabi Kagbara, CPP (Convergence Patriotique Panafricaine) of the former RPT founding member and former prime-minister Edem Kodjo, the PDR (Parti pour la Démocratie et le Renouveau) of Zarifou Ayéva, and Nouvel Engagement Togolais (NET), led by Gerry Taama) joint, by founding a rainbow coalition 'Arc-en-ciel', originally meant to complement the CST. The coalition won 6 seats in the 2013 elections. NET was expelled again from the coalition in December 2014. Other renown 'historical' opposition parties of the 1990s, like the CAR (Comité d'action pour le renouveau) led by Dodzi Apévon (up to Oct. 2016, deposed without replacement) and its former president Yaowi Agboyibo as well as the CDPA (Convention démocratique des peuples africains) led by Brigitte Adjamagbo-Johnson and its former president Léopold Gnininvi plunged into insignificance.

According to the stipulations of a revised electoral bill of 2013, the leader of the biggest opposition party ANC, Jean-Pierre Fabre, is officially opposition leader. However, the other opposition parties were reluctant to recognize this position. The national uprising against president Compaoré in neighbouring Burkina Faso in early November 2014 however, encouraged the radical Togolese opposition and impacted also on the moderate forces to give in and agree after quarrelling for month to nominate Fabre (ANC) as unique opposition candidate for the upcoming presidential elections and to create a new common opposition alliance called Fighting for the Political Alternative in 2015 (Combat pour l'Alternative Politique en 2015, CAP 2015). Nevertheless, the April 2015 presidential election again resulted in a victory for the incumbent candidate, because of the weakness of the opposition and democratic deficiencies in the electoral process. Consequently, there has been no change in power in Togo since 1967. To date, more than 88 % of the population have not experienced a transfer of power in their life-time.

The party system still mirrors to a considerable extent regional and ethnic divisions. Thus, political parties tend to have readily identifiable ethnic and regional bases. The RPT/UNIR party had greater representation among northern ethnic groups than among southern groups, while the reverse was true for the UFC/ANC and CAR opposition parties. However, the

presidentials of 2010 indicated a gradual departure from ethnic or regional voting. Although the incumbent won all 24 prefectures in four northern regions, and the opposition in the seven prefectures of the densely populated Maritime region, the election results revealed a gradual renunciation from established configurations of ethnic or regional voting and the resulting North-South divide in voting patterns. Both the president and the opposition leader gained historic scores in the former heartland of their adversary. Yet, the presidentials of 2015 did not confirm this trend. Voting and electoral politics remained regionalized along the north-south axis. But this reflected rather the regional poverty-divide and to a lesser extend ethnic differences in voting. Both, however, contributed to the consolidation of the rule of the Gnassingbé clan. According to a representative survey of Afrobarometer published in January 2015 about two third of the population held the opinion that the present electoral system does allow neither to vote the president out of office nor to vote for deputies who truly reflect the will of the electorate.

Q5.2 | Interest groups

Within the realm of informal politics there exists a broad range of interest groups, many of them biased in favour of the Gnassingbé regime. The most influential Christian churches and the Union of Muslims in Togo (UMT) however, exert a mediating and constructive political influence which has been recognized far beyond their own followers. Earth priests (chef de terre) and traditional chiefs still wield a strong influence at the local level. However, their role as guardians of tradition and customary law, as enshrined in the constitution, has not yet been determined by the national decentralisation program (Programme National de Consolidation de la Décentralisation, PNCD) initiated by the government in 2004. Student organizations consider themselves the political avant-garde and act accordingly. Until 2006 most of them were intimately linked to the ruling party. Thus, the High Council of Students' Associations and Movements (HACAME) degenerated into a pro-government militia which actively supported the incumbent's bloody ‚enthronement' in 2005. Since 2010, oppositional student organizations have come to the fore, staging periodic anti-government demonstrations in the universities of Lomé and Kara since 2011. Their leaders have suffered political persecution. In addition, there exist numerous professional representations of traders (e.g. the renown female cloth traders of Lomé, 'Nana Benz'), farmers, lawyers, and judges. However, they are either biased and closely linked to the former unity party RPT/UNIR or have little political influence. Although there are a large number of labor unions in Togo, none of them have the strength or capacity to significantly influence policymaking process. The unions nevertheless succeeded in convincing the government to continue paying subsidies for fuel, some staple foods and fertilizer so as to avoid a serious social crisis.

With the democratic renewal of the early 1990s civil society organizations (CSO) mushroomed. According to informed estimates there existed about 2,000 CSOs in 2012, of which just 325 were officially registered NGOs. Since 1986, the government has promoted its federation within FONTGO (Féderation des Organisations Non-Gouvernmentales au Togo, 150 members in 2016). Many CSOs were created in the 1990s on the initiative of the Gnassingbé regime in order to influence non-partisan political expression in Togo and to circumvent the suspension of development cooperation with state institutions in view of flagrant human rights violations. However, some of the most credible NGOs are not represented by this federation. Therefore, two concurrent umbrella organizations have been formed: in 1996 the UONGTO (Union des ONG du Togo, 124 members, 2016) and in May 2012 the umbrella organization FNRRT (Fédération Nationale des Réseaux Régionaux du Togo). Many, CSOs are covered job and income generating organizations of their founders

(so-called 'ONG-valises'). Their activities are mostly focused on Lomé and Togo's Southern regions. Their target-groups, especially the poor and underprivileged, including women, are rarely allowed adequate rights of participation or self-determination. However, there exist a handful of CSOs that are influential, viable and independent and operate nationally. These include ACAT-Togo (Action des Chrétiens pour l'Abolition de la Torture), which won the French Republic's human rights prize in 1997, the HR-organization LTDH (Ligue Togolaise des Droits de l'Homme), and the GF2D (Groupe de Réflexion et d´Action Femmes, Démocratie et Développement) concerned with gender equality. Some of these organizations co-operate with political parties in broad anti-government movements, such as CST.
Finally, there exist a semi-official organization meant to enhance human rights, the CNDH (Commission Nationale des Droits de l'Homme, accredited in 1987, reformed in 2005). In February 2012 it submitted a critical report on torture within the ANR, as demanded by the government in view of growing international pressure. After CNDH president Koffi Kounté uncovered the falsification of the report when it was published by the government in February 2012 he was forced to flee to France in view of threats against his life. In 2015 the CNDH complained of a lack of resources and of the government's unwillingness to cooperate. A bill to improve its composition and organization was adopted in Parliament on 11 March 2016. However, the HR organization Collectif des Associations Contre l'Impunité au Togo (CACIT) questioned (18.8.16) the independence of the CNDH in view of its domination by the ruling party and the government. On 31 December 2015, the CNDH handed to the government its report on the violence that had ensued following a government attempt to implement a nature conservation project in Mango (Northern Togo) without due popular consultation.

Q5.3 | Approval of democracy

There are no independent opinion polls conducted in Togo, but there is convincing anecdotal evidence that people indeed want a democratic system. This desire, however, does not so much express a reflected and informed approval of democratic principles and procedures than the profound desire for change. Nevertheless, the high level of participation (85%) at the legislative elections 2007 can be interpreted as an indication of the population's clear commitment to take part in building their democracy. The relative low turn-out of 64.7% and 66.1% during the presidentials of 2010 and the legislative elections of 2013 respectively was interpreted as sign of general disappointment of the opposition with the biased organization of the electoral process. This was confirmed by considerable regional variations in voter turn-out, with 70% to 90% in the northern strongholds of the ruling RPT/UNIR and far lower figures in the southern opposition strongholds during the 2010 presidentials. In the 2015 presidential turnout was initially estimated at about 53% nationwide, i.e. at least 10% lower than at the previous presidentials, but this was later adjusted to 61% without explanation. The fall in turnout compared with the previous polls was interpreted as a sign of growing voter fatigue, which may have been aggravated by the boycott called for by smaller opposition parties and a potentially high number of voters who could not cast their vote because of technical problems, especially in the Maritime region.

Q5.4 | Social capital

The history of informal political institutions in Togo shows the rich base of 'traditional' as well as 'modern' institutions which participate actively at all levels of society. The most visible outcome of people's participation was the Sovereign National Conference of 1991 with representatives of all social strata of the nation. However, because the visions of this

conference were dashed by violent political oppression of the dictatorial Eydéma regime up to 2005, similar social initiatives were difficult to re-establish. On the base of the general Global Political Accord (APG) of 2006 the general public were again more inclined to feel free to associate, to express their views and to organize themselves for self-help efforts, in spite of the government's attempts to restrict association and assembly rights (see "association and assembly rights"). There exists a variety of traditional associations (including a multitude of microfinance or credit institutions, see banking sector),trade unions, human rights, religious and media organizations as well as numerous local associations. Many of these self-help groups are based on traditional systems of mutual support, others have been stimulated by international NGOs, churches or the government (see "interest groups"). It is unclear whether many of the new groups that have emerged rather spontaneously will be strong enough to stand the challenges of time. They suffer from lack of functionality, difficulties concerning its legal demarcation, volatility of supporting financial institutions or other organizational weaknesses.

Market Economy Status

Q6 | Level of Socioeconomic Development

Q6.1 | Socioeconomic barriers

The current socioeconomic situation in Togo is precarious. According to the HDR, Togo scored 2.8 out of 10 for overall life satisfaction, one of the lowest scores worldwide. This corresponds with the UN World Happiness Report of 2016 where Togo occupies the last but two rank (2013-15) of 157 countries evaluated. Togo's HDI-rank decreased by three points to 162 (2014) of 173 countries compared with 2012. In the long run, Togo's HDI ranking has fallen from the bottom 23 % of all countries surveyed to the bottom 10%. Yet, economic growth perspectives remained favorable with a 5.5% average (2015-18; GNI per capita: 1,228 PPP US$, IMF 2015). Poverty remains at a high level, with 55.1% of the population living below the poverty line in 2015. Though the poverty rate decreased slightly since 2011 (59%; WDI 2015; QUIBB 2015). Although consumption increased in all parts of the income distribution between 2011 and 2015, the bottom 35 percent experienced a fall in consumption (INSEED 2015; WB 2016) However, the depth and severity of poverty has worsened, with about 81% of population now at risk of falling below the poverty line. The rate of extreme poverty (49.2%) in Togo is almost twice the poverty rate in Ghana (25.2 %). According to the IMF (2014), the distribution of regional poverty varies dramatically. For example, 91% of the population in the Northern Savanes region live below the poverty line, while 37.8% of population in Lomé live in poverty. The urban-rural divide is also pronounced: 68.9% of the population in rural areas live below the poverty line (i.e., €239 annual income, notably in the Savanes, Central, Kara, and Maritime region) and 37.8% in Lomé (i.e., € 369 annual income). The distribution of regional and inter-household income inequality is increasing. The Gini coefficient for Togo increased from 0.34 in 2013 to 0.38 nationwide (2015). The rural exodus continues. Today, about 40% of the population live in urban areas, an increase of 160% between 1990 and 2014 (AEO Togo, 2016). The inequality is more pronounced in urban centers than in the countryside (Noglo 2014). Urban unemployment and underemployment persists, with an estimated 33% of the urban population either unemployed or underemployed. Though officially the national rate of underemployment decreased from 6.5% (2011) to 3.4% (2015). Only 54% of the population has access to clean drinking water and 34% have access to sanitary equipment. In August 2016 the government signed a MoU with Ghana to construct a water pipeline from Sogakope at the Volta River to Lomé, in order to provide four Mio. people with clean drinking water. There is just one 8 doctor per 11,000, one nurse per 6,000, and one midwife per 14,000 inhabitants (UNHCR 2011). Maternal mortality declined considerably from 478 per 100,000 live births in 1998 to 401 in 2015. However, it remained far below the MDG target of 160 per 100,000 live births by 2015. Live expectancy at birth is 57.5 years (2012), while the mortality for children under 5 years old was 85 per 1,000 live births (HDR 2015). The infant mortality rate improved greatly from 78 ‰ in 2010 to 49‰ in 2015. However, it still fell short of the 29 ‰ MDG- target for 2015. Adult literacy rate stands at 57.1% (2005-2010) about 30% received secondary education (2010). The government adopted a Poverty Reduction Strategy within the framework of the Strategy for Accelerated Growth and Employment Promotion (SCAPE, in French; 2013–2017) on 29 August 2013.

Discrimination against women is widespread but decreasing gradually (see 'Equal opportunities'). Available figures concerning the prevalence of HIV are only estimates. They vary between 2.3% (estimate range: 1.4% - 4.1% in 2013) of adults aged 15 to 49 to 3,6% in 2001. The decrease is partly attributable to the introduction of free anti-retroviral treatment since November 2008. According to the National AIDS Committee (CNLS) the rate of HIV fell from 5% in 2001 to 2.3% in 2014.

All in all, the changes in the country since 2006 have not yet led to a substantial improvement in people's living conditions. The subsistence economy in rural areas, the potential of the informal sector in urban areas and remittances from expatriated Togolese have helped to avoid a more severe crisis. However, on balance, Togolese citizens lack adequate freedom of choice and an effective decentralization policy including a real devolution of power and resources.

At the end of September 2015, Faure Gnassingbé addressed the 70th session of the UN General Assembly in New York on the progress made by his country in achieving the MDGs. Some days after the adoption of the new 17 sustainable development goals (SDGs), the UN selected Togo to host the first workshop of the working group of Francophone African countries to prepare for the implementation of the SDGs. According to the UN coordinator, Khardiata Lo N'Diaye, this was in recognition of Togo's constructive role in preparing the new SDGs agenda up to 2030. In June 2016 the first session of the UN economic and social council to evaluate Togo's first SDG progress report took place. Togo was the first of 22 pilot countries that had obliged themselves to participate in this exercise. Prime Minister Selom Klassou underlined that the poverty rate decreased from 62.7% to 55.1% within the past ten years. The most significant challenge to achieving the SDGs by 2030 identified by the report included: youth unemployment, coastal erosion and an inadequate energy supply. A detailed planning to implement the 17 SDG goals was to be included in the National Development Plan (2018-2022) under progress, that was to replace the SCAPE (2013-2017). The report identified CSOs, the Togolese diaspora and its remittances as important to achieving Togo's SDGs.

Q7 | Organization of the Market and Competition

Q7.1 | Market-based competition

Once euphemistically called the "Switzerland of West Africa", Togo today strives to transition from a low income, fragile state to an emerging economy (WB 2016). Yet, Togo still lacks the foundations for credible market-based competition and good governance, although there have been undeniable improvements. Togo remains dependent on development aid. The EU, France and Germany signed commitments totaling 715 Mio. € (2014-2020) in 2016. Europe is by far the biggest provider of development assistance, beside China. Beijing committed itself to 114 Mio. € project-aid in July 2016. Insufficient access to credit constituted one of the major barriers to enterprise development, followed by meager results of the fight against corruption on all levels of administration, including the judiciary. Fiscal deficits increased in recent years, raising sustainability concerns. The revival of the phosphate and cotton sectors by improved governance, the attraction of private investors and the capacity-building of cotton producer's organisations, are still regarded by the World Bank and IMF as major drivers of growth. The Bretton Woods institutions cautioned the government in Lomé that although growth has picked up during the past few years, government should care to make it more broad-based and sustainable, and its dividends widely shared. Regulatory burdens mean that the business climate in Togo is not very investment-friendly. Togo's World Banks Doing Business indicator has improved little over the past six years. In 2009, Togo was one of the worst performing economies ranked 166 out of 183 economies. However, Togo's rank has since improved to 154 (2017) from 190 economies worldwide. As in the case of five other members of the West African Economic and Monetary Union (WAEMU), which equally ranked at the bottom, Togo's political and administrative operating environment constituted a barrier to the growth of private direct investment and private sector activities.

Concerning economic performance, Togo stand worldwide at the bottom range (145 in the ranking of 190 economies) on the ease of enforcing contracts (WB Doing Business 2017.Togo). However, since 2011 the government made enforcing contracts easier by creating specialized commercial divisions within the court of first instance. Major deficiencies in tax paying (high taxes and costly customs procedures), enforcing contracts, property registration and protecting investors impeded FDI. Private sector development is very slow. Private investment remained low, averaging 12% of GDP (1996–2014), and productivity growth, demand for labor, and wages were generally low (WB 2016). The allocation of foreign aid is crucial for investments into the country's neglected infrastructure. Regulations on the labor market make flexibility in staff management difficult, especially when starting a new business. The non-salary cost of employing workers is high, and it is almost impossible to dissolve contracts without legal consequences. In addition, there is little flexibility in working hours as provided by the law.

Q7.2 | Anti-monopoly policy

Key sectors of the economy, notably the banking, cotton and phosphate sector, are still in the hands either of a few individuals or parastatals. A further privatization and adequate steps to attract foreign and domestic private investment are part of a strategy to stabilize macroeconomic stability and growth, but they have still to be put into practice. The electricity sector is still characterized by high costs and limited penetration. On 2 September 2015, the government announced three bills aiming to eliminate the well-established monopoly held by Communauté électrique du Bénin (CEB), a public enterprise owned by the governments of Togo and Benin, on the purchase of electric power in Togo. In June 2016, the parliament adopted a law authorizing the ratification of the international Benin-Togolese accord of electrification, which ended CEB's monopoly and opened the market to competition. However, CEB retained its monopoly on purchases of energy imports for its own sources of production and transportation. Further privatization and adequate steps to attract foreign and domestic private investment are part of a strategy to stabilize macroeconomic stability and growth, but they have still to be put into practice.
Privatization of the state-owned banks was further delayed (cf. Banking system). Reforms of the mining, telecommunications and energy sectors progressed slowly under resistance from vested interests (IMF 2016). The mining industry has the potential to develop into one of Togo's largest economic sectors, with the country being the world's fourth largest phosphate producer. Togo's estimated 60 million metric tons of phosphate reserves have potential to give this industry a boost. However, the Société nouvelle des phosphates de Togo which is public-private (SNPT, joint-venture: 60% state, 40% farmers), was still looking for new partners worldwide for the planned expansion and modernization of ailing phosphate production, together with sand (which is used for cement) accounts for around a quarter of export earnings.

Q7.3 | Liberalization of foreign trade

Foreign trade is liberalized in principle, but significant limitations persist. Togo's major agricultural exports are cotton, cocoa, and coffee. These exports generate about 40% of export earnings, with cotton being the most important cash crop. Moreover, Togo is among the world's largest producers of phosphate. Re-exports are significant as well, as Togo is one of West African's most important 'transit-economies', along with neighboring Benin. The so-called entrepôt trade (legal transit and mostly illegal re-export/smuggling combined) amounted to 75% of GDP in 2008 (total imports 109% of GDP; Golup 2012). It consisted

mostly of petroleum products (from Nigeria), cotton from Burkina Faso and used cars (from Europe). The unofficial entrepôt trade contributed to a culture of corruption and tax evasion. 42% of firms responding to the 2015 Togo Formal Firm Survey (TFFS) cited corruption in the regulatory regime in particular (rather than all forms of corruption) as a major or severe constraint (World Bank 2016).

Togo's entrepôt trade is based on Lomé's deep-water port that provided attractive storage capacities for neighboring countries. Its capacity had been quadrupled by the construction of two additional docks in 2011. Because it is the only deep water port in the sub-region it increasingly attracts attention of global players. Thus, a Chinese company (CMHI) acquired a 50% stake in a Chinese-Dutch joint-venture for the development of the new container terminal (LCT) at the port of Lomé in 2012 in order to use it as transshipment harbor for the sub-region. High levels of corruption, slack enforcement and a laissez faire attitude of customs officials and politicians drive traders more and more into the informal sector of the shadow economy. The rising crime in the sub-region is mostly due to poor governance. Thus, moral hazard and competition with the rival port of Cotonou (Benin) concerning (mostly illicit) re-exports to Nigeria aggravated the negative effects on security. Lomé became even more attractive to all sorts of international trafficking in drugs, small arms, used cars. Moreover, the Togolese population has yet to reap the benefits expected from the development of the free port of Lomé because the harbor remains in the hands of a few businessmen close to the political elite, who share the profits.

In addition, the Togo Export Processing Zone (EPZ / SAZOF) created in 1989, aims to promote foreign trade and attract investments by granting benefits and privileges. It grants privileges (tax, financial and administrative) to encourage participating companies to increase employment and value added in the country. In 2016, the EPZ comprised 57 operational enterprises and additional 37 in construction. These companies are from 13 different nationalities, while 29% belong to Togolese investors (valued at about US $ 300). These companies provided over 13,000 full-time jobs, representing a significant proportion of employment in the formal private sector and exported US $ 260m. In 2012, the EPZ accounted for more than half of Togo's exports, 80% of its products were sold in ECOWAS countries. However, domestic value added in the EPZ declined over time, from 51% of the turnover of companies in the EPZ in 2001to 36% in 2008 and just 18% in 2012. The World Bank recommended a restructuration of the free zone in order to promote more labor-intensive export industries. However, Togo's economy remains vulnerable to shocks to export demand.

In general, the weighted average tariff rate decreased from 15.87% (2008) to 9.51% (2014).. Freedom of trade was further restricted by non-tariff barriers of trade. Nevertheless, economic freedom as measured by the Heritage 2016 index improved substantially over the past four years (score: 53.6; change since 2012: +5.3), making its economy the 135th freest of 178 countries worldwide, ranking 29th of 46 countries in Sub-Sahara Africa. Thus, Togo moved for the first time from the 'repressed' category, due to improvements in six of ten economic freedoms, notably investment-, trade- and business freedom. Nevertheless, the overall Economic Freedom Status still remained 'mostly unfree'. Among the key constraints to promoting shared prosperity the World Bank listed entry barriers, policies and regulations distorting private economic activity, high and distortionary taxation, apart from poor governance (WB 2016).
On 8 Oct. 2015 Togo ratified the WTO Trade Facilitation Agreement (TFA) as third of the LDCs that had had signed the treaty up to now. The TFA contains provisions for expediting the movement, release and clearance of goods, including goods in transit and for technical

assistance and capacity building in this area. The TFA broke new ground for least-developed countries. For the first time in WTO history, the requirement to implement the agreement was directly linked to the capacity of the country to do so. The TFA will enter into force as soon as two-thirds of the WTO members have formally accepted the agreement. Togo was one out of 106 of the 164 countries that had ratified the TFA. Only four further ratifications would be needed to enter the TFA into force. Togo has been a member of WTO since 31 May 1995. Moreover, since 2013 it fulfills the EITI guidelines on the extractive industry, notably concerning its phosphate exports. At the extraordinary summit of the AU on maritime security in Lomé (November 2016) the participants signed a Charta on Maritime Security within the framework of the Africa Integrated Maritime Strategy (2050 AIMS Strategy), including measures against piracy, illegal fishing and sea-trade.

Q7.4 | Banking system

The banking system in Togo has deteriorated since the early 1990s because of unprofessional government involvement in lending and banking decisions. As a consequence, the IMF has requested since 2007 a reform of the banking sector, including privatization of government-run banks and an increase in bank capitalization. The system was then put under the scrutiny of the WAEMU. More than 30 percent of loans issued by these banks were considered to be non-performing and strained by bad loans from parastatals. The government wanted to privatize public banks by the end of 2010. However, privatization of the four public banks had been delayed due to the bank's weak finances and the unwillingness of the government to sell according to market conditions rather than in the interest of the Gnassigbé clan and its followers. The nomination of a sister in law of the president, Magui Gnakadé, as director of the BTCI, one of the two state owned banks beside the UTB in October 2015 arouse further suspicion of the private media and the opposition in view of lacking declared qualifications of the new director. Allegedly Mrs. Gnakadé was to merge the UTB with the BTCI. According to the IMF actions are needed to tackle vulnerabilities in other banks.

In addition to formal institutional banking, the microfinance system (systèmes financiers décentralisés, SFD) and informal traditional African saving and loans schemes (tontines, known as *Adakavi* in Togo) play an important role, especially for small and medium sized enterprises, notably in the informal sector. Apart from widespread informal mutual tontines had an estimated 2.5 m beneficiaries by end of 2014. These beneficiaries included 660,000 women and 86,000 entrepreneurs from the formal sector (APIM, 2015; AFD 2016; AEO-Togo, 2016). In the microfincance, and savings and loans system, overall savings amounted to 249 m US$ and credits to about 207 m US$. The system included about 200 formal microfinance initiatives, with ca. 500 service points nationwide. These initiativesa are assisted by the Association Professionelle des Institutions de Microfinance du Togo (APIM-Togo) which was created in 2004 to promote the development of the microfinance industry in Togo. Despite the large number of SFDs the sector remains concentrated in a few cooperative networks. The largest of these networks is FUCEC Togo and WAGES, which accounted for about 70% of the market.

Q8 | Currency and Price Stability

Q8.1 | Anti-inflation / forex policy

Consumer price inflation remained low (below 2% on average between 2013 to 2015). The inflation rate should remain moderate over the coming years due to the currency peg and

government subsidies on fuel prices. As a member of the CFA franc zone, the country cannot pursue an independent monetary policy. The West African CFA franc is pegged to the Euro (F-CFA 657.88 : 1 €), and the central bank of WAEMU, the Banque centrale des Etats de l'Afrique de l'ouest (BCEAO), is meant to control inflation and the viability of the CFA franc's peg to the Euro. Integration into the franc zone is still mainly justified for political rather than economic reasons. This is because of high exposure of West African countries to political crisis. Had franc zone countries not been linked to a strong currency at times of recurrent political crisis (as in Togo 2005, Côte d'Ivoire in 2011 or Mali in 2012), instability would have been aggravated by sharp depreciation of the currency, high inflation and increased dollarization according to the rating of the international rating agency Fitsch (2014). However, crucial common denominators of the CFA-Zone are not necessarily in the economic interests of Africa. Its shared colonial heritage, including a social and economic infrastructure, oriented to the *mise en valeur* of African resources for the former colonial power, entails a considerable loss of economic and political sovereignty on the part of African member states. In addition, the volatility of the Euro, triggered by the global financial crisis and bad governance in some EU member states, shows that the perpetuation of the established monetary structure of the CFA-Zone is increasingly anachronistic. According to recent scholarly findings, membership of sub-Saharan African countries in the CFA zone amplified effects of global business cycles. Member countries were more likely to experience a contraction in credit during the financial crisis of 2008-2009 (Price & Elu 2014). The peg to the EMU, orientated at the interests of highly industrialized European countries, led to an overvaluation of the real exchange rate of the CFA. This could constitute an obstacle to sustainable indigenous development in francophone Africa. Yet, the major structural deficiencies within and between member states of each zone cannot be solved by monetary coordination alone. Tackling these structural deficiencies requires sustainable political and economic solutions, adapted to the specific needs of each of WAEMU member states, which would enable each member state to take ownership of the measures and instruments. In other words, each governments, including the government in Lomé, should get the priorities right, i.e. it ought to first implement sustainable solutions to the problems of crisis resolution and prevention, and the fight against corruption and rent-seeking, to then promote good governance, transparency and accountability.

Q8.2 | Macrostability 7

In the past, the government pursued a stability oriented monetary and fiscal policy. At the end of 2010, Togo had become the 31st country to successfully graduate from the HIPC process. The IMF and major bilateral donors, e.g. France, Germany and Italy, approved the cancellation of debts. Because of this write-off, the public debt burden fell from 52.7% of GDP (2009) to 17.2% (2010), or 32.3% including debts owed by parastatals. However, this negatively affected structural reforms which have since substantially slowed down. Though, the government finally implemented the unified revenue authority (Office Togolais des Recettes, OTR) in 2014, merging the customs and tax directorates. However, public debt, including the debts owed by public sector enterprises, increased from 48.6 % of GDP in 2011 to 75.4 % in 2015, which was above WAEMU's total public debt limit (70 % of GDP). Although this mainly reflected investment in public transport infrastructure, considered necessary by major economic actors, the large debt service repayments put significant pressure on the government budget. Urged by the IMF, the government agreed to refocus on sustainably-financed infrastructure spending and targeted social programs such as the Programme d'Urgence de Développement Communautaire (PUDC) and Programme d'Appui

aux Populations Vulnérables (PAPV), to be integrated in the National Development Plan (PND, 2018-2022). Reforms of the banking, phosphate and cotton sectors lagged behind.

Promising economic growth rates of 5.5 % on average (2015 to 2018, IMF 2015) are expected to continue up to 2021 due to the benefits of the improved transportation infrastructure and productivity gains in the agricultural sector. The agricultural sector accounted for 47.6% of GNP in 2015 and employs half the economically active population in Togo. The role of the private sector in driving economic growth was overshadowed by increasing individual and regional inequality as well as environmental degradation, which more than offset economic growth (see environment). All in all, the economy and government budget remain volatile and prone to external shocks.

Q9 | Private Property

Q9.1 | Property rights

5

The judicial system does not sufficiently protect private property. The influence exercised by the executive is too strong. Inheritance and property protection laws are deficient, notably for women. And where they exist, they are not adequately enforced. As for most of the laws, contracts are difficult to enforce. The ongoing reform of the judiciary needs to address these issues. Because of the state of quasi-lawlessness in many sectors, there is a substantial black market for illegally imported products, mainly electronics, computer software and cosmetics.
The problem of a complex land tenure system in which traditional and modem law coexist and compete is exacerbated by land scarcity. The land-tenure regulations are still dominated by traditional African customary laws, re-interpreted by traditional chieftain and local authorities, often to their own advantage, notably in the countryside. Most contracts on agricultural land are still verbal. Disputes over land are extremely common. 80% of court cases regard land-tenure questions according to the CVJR. Only about 36% of arable land is under a tenure system that provides long-term security. Especially poor farmers, migrants and women have no secure rights. The fight against land grabbing threatens 25,000 ha in Togo, including 23 cases of lease contracts or large-scale land acquisitions has gained momentum (Forum national sur l'accaparement des terres, FOPADESC 2012). Among the rural areas most affected are those with high agricultural potential, such as the prefectures of Amou, Ogou, East-Mono, Haho, Kpélé and Kloto in the plateau region, as well as those on the plain of Mô in the central region. The perpetrators are often affluent officials, politicians or businessmen. They use methods ranging from creating and sustaining inter-community conflicts to outright intimidation. Much of the at-risk land has not been cultivated for several decades and its value is largely speculative. These damaging practices threaten food security of Togo's rural poor, since land grabbing deprive rural populations of their main production tool. Stakeholders urged the government to reinforce the legal framework protecting the right to food within its national Food Security Program (PNIASA), and to implement as soon as possible land reforms corresponding to international standards that prevent land grabbing and forced evictions (ANoRF-Togo 2013).

Q9.2 | Private enterprise

A limited sector of small- and medium sized enterprises cover a greater part of the Togolese' day–to-day consumption needs. But the private sector is comprised primarily of the agricultural sector, which employs 65% of the country's labor force in both subsistence and

small-scale commercial farming. The informal sector still prevails, it provides employment for more than three times as many laborers than the formal sector. According to the WB-Enterprise Survey of Togo 2009, about 75% of the 155 firms surveyed started operation without being formally registered, an indicator of the prevalence of the informal economy. On a larger scale, there are still too many hurdles to developing a stable private sector. Government procurement contracts and dispute settlements are subject to corrupt practices. In 2012 government adopted a new investment code promising equal treatment of domestic and foreign investors. However, investment is permitted only in certain sectors. Every investment must have a minimum value, and is screened on a case-by-case basis, which opens doors to further bribery. The lack of transparency and predictability, and the high informal transaction costs inhibit robust FDI. Foreign exchange accounts need prior government approval. In November 2010 the government ratified a Charter of Small and Medium Enterprises meant to promote the informal sector by providing a more friendly administrative environment for the development of SMEs. So far, the part of SMEs in public orders remains negligible, i.e. below 5% on average in theWAEMU, because this sector was considered as the preserve of big enterprises and multinationals.

The overall tax burden equals 16.7% of domestic income. About one quarter of government revenue is provided by tariffs. Regarding business taxes, the government cut the rate of corporation tax to 30% (from 37%) for industrial firms and to 33% (from 40%) for other enterprises. The highest income tax rate is 45%, although this is rarely payed according the Heritage Foundation's Economic Freedom account.

Q10 | Welfare Regime

Q10.1 | Social safety nets

Togo's welfare system is underdeveloped. It is available only to government employees and those employed in the formal sector. The monthly minimum wage (salaire minimum interprofessionnel garanti, SMIG) was increased in August 2008 to CFA 28,000 (€ 42.68). The updated SMIG of CFA 35,000 (53 €) was applied to the Lomé free-trade zone in January 2012 by stipulations of the Convention Collective Interprofessionnelle du Togo. However, workers complained regularly about precarious working conditions characterized by bad hygienic and security conditions and non-payment of the minimum wage. The Togolese minimum wage is still rather low compared with 60,000 (91 €) in Côte d'Ivoire (2013) and 18,000 Naira (85 €) in Nigeria. In any case, it is hardly enough to feed an individual for a month, besides it applies to the formal sector. About 85% of population of the working age population is active and an estimated 33% under-employed (2011), while youth unemployment is a major problem in urban centers. The government tried to counteract this tendency with limited success by introducing in 2011 a program for unemployed school leavers. PROVONAT (Programme de Promotion du Volontariat au Togo), backed by UNDP was transferred in June 2014 into the National Agency of Volunteers in Togo (Agence Nationale de Volontariat au Togo, ANVT). The program secured volunteer positions for 2,334 people, of which 1,092 had secured employment by 2016. Overall, 8,906 volunteers (32% women) have participated in the programs since 2011 in one of the programs of which 44% found employment.

Pension schemes in Togo do not guarantee beneficiaries a decent living. Despite the fact that the median age in Togo is 18.6 years (i.e., almost half of the population is younger than 18), the current system is no longer financially sustainable. This is why the government has been negotiating with unions to increase the pension entry age for civil servants to 60, which would

put further pressure on the labor market. The state of Togo's health services system is lamentable. In February 2011 parliament adopted a new health insurance law covering the 80,000 public sector employees who have to contribute 3.5% of their monthly wages. Most individuals suffering hardship or accidents rely either on the help of family (or clan) members or that of a traditional mutual assistance schemes. These schemes are self-organized by their members, who provide services either on a rotating basis (e.g., rotating savings clubs (tontines)) or in the event of an emergency.

Q10.2 | Equal opportunity 4

Togo does not provide equal opportunities to all citizens. While the political factors that disadvantaged the southern part of the country until 2006 no longer play an important role (apart from the public and security services), having a sufficiently wealthy family or relations in the administration remain important when securing formal employment. Apart from these inequalities on the basis of family or clan background, there are severe disadvantages for girls in the Togolese education system, notably with regard to secondary and higher education. In 2015, the enrollment ratio of women to men was 0.9 in primary education, but 0.5 and 0.4 in secondary and tertiary education respectively). The literacy rate is considerably lower for women (73%) compared to men (90%).

According to an UNDP report of April 2010 the unequal distribution of the standard of living (Gini coefficient 33.5%) is overwhelmingly due to inequality in income differences according to region (North-South gap), gender and socio-economic strata. Although women are dominant in the informal sector (e.g. agriculture and petty trade), they have only very limited access to, and control of the factors of production (land, equipment, inputs, credit). In addition, it is highly unlikely that they will get equal access to wage employment in the formal sector in the foreseeable future.

The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) had been signed already on 26 Sep 1983; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women has not been signed yet. The exclusion of women from key activities in the economy and politics has slightly improved since 1990. In 2008, the government introduced a national action plan to correct gender inequality (PNEEG - Plan d'Action national pour l'équité et l'égalité de genre au Togo 2009-2013). However, the means to implement this policy are insufficient. Discrimination of women remains widespread. According to the latest Women's Economic Opportunity Index (EIU 2012) Togo ranked among the lowest countries globally (122 out of 128 countries; the most recent Gender Inequality Index (GII), rank 134 of 188 in 2014). The percentage of girls who completed primary education rose from 55% (2008) to 79% (2014), against boys from 77% to 91% (WB 2016). Girls are increasingly more disadvantaged vis à vis boys as the level of education increases. However, gender inequality is most pronounced concerning property rights (land tenure), access to credit and employment.

Women are underrepresented in the political arena, i.e. in government and parliament, in political parties and enterprises. Togo amended the national electoral law in 2013, which now requires that candidate lists include equal numbers of men and women. This amendment will be applied from the next (2018) legislative election. In addition, a 2013 law on Political Party and Electoral Campaign Funding provides that 20% of public funding allocated to political parties be distributed in proportion to the number of women elected in previous legislative elections. The last legislative elections (2013) resulted in the election of 16 women deputies out of a total of 91 deputies(17.6%) , compared with 9 (11%) in the previous parliament elected in 2007. Women have comprised 11.1% of mayors and 0.38% of canton chiefs since the 2000s (IMF 2014). All the same, the representation of women in the cabinet decreased

from 26% in 2013 to only 3 women (Alphabetization, Trade and Postal Service) (13%) in the 23 head cabinet since the latest government reshuffle in August 2016. The socio-cultural conditions for a stronger participation of Togolese women in politics are rather bleak. A survey of Afrobarometer (2014) revealed significant gender differences concerning men and women's interest in political affairs. Just 31% of women have participated in election campaigns against 52% of men, and three times more men (27%) assisted candidates as women (8%) during the presidentials of 2010.

Q11 | Economic Performance

Q11.1 | Output strength

Togo still belongs to the low-income countries with a per capita income of PPP-US$ 1.320 (WDI 2015). However, economic growth remained strong at about 5%, driven by investment in infrastructure and the key cement and clinker sector. Inflation has been below 2% since 2012 (when it surpassed 3% per annum). Foreign direct investment has been around 2% of the GDP since 2012 as well. Public debt, however, has increased since 2010 rising from 49.9% in 2010 to 62.3% in 2015.

Togo's main exports include re-exports, cotton, phosphates, coffee, and cocoa. High rates of underemployment in general (33%), notably among recent school levers (65%), remain alarming. The current account deficit widened from -7.4% of GDP in 2008 to -11.2 % in 2015, mainly financed by concessional external loans. Apart from domestic problems such as poor infrastructure, an erratic electricity supply, limited foreign investment, the suspension of international aid (1993 – 2007), and an adverse sociopolitical environment, the increase of imported food and fuel prices in the 1991-2008 period of political instability and subsequent aid crisis also had a severe impact on the economy. Factors like the foreign trade ratio, foreign capital investment and wage incentives have had a strong impact on efficiency.

Togo once counted among the largest phosphate producers in Africa. Phosphate provided 40% of the country's revenues from exports and made up more than 20% of Togo's GDP. Since 1997, however, production has fallen from an annual 5.4 million metric tons to 800,000 in 2010, primarily due to corruption and mismanagement. Production increased again to 900,000 tons in 2013 (27% of export earnings from minerals, compared with 49% for clinker and 24% for gold), and Togo again became the fifths largest phosphate producer worldwide. Further rise in output was envisaged to 1.11 m tons in 2014 and 1.5 m in 2015. However, phosphate earnings, representing about 14% of domestic exports (excluding re-exports) were affected by the volatility of world prices of phosphate, e.g. a price decrease of 24% in 2014, combined with a 9.4% reduction in production due to outdated technical equipment and prolonged strikes in the mining industry in 2015. In general Togo's foreign trade was marked by a strong decline of exportation of goods and services in 2014 (-17.2%) followed by robust growth in 2015 (23.0%), explained among others by the substantial increase of clinker production in 2015 (43%) accompanied by relatively feeble decrease of prices of raw materials exported by Togo. Privatization and ongoing new investment will contribute to a further recovery of phosphate exports.

Diversification of mining resources and more equal regional distribution of benefits was one of the major objectives promised by the president during the UNIR's foundation congress in April 2012. In 2012 the Australian iron-ore and manganese development company Ferrex (renamed Keras Resources) announced details on its current 92,390 ha exploration permits of the Nayega manganese project in northern Togo, which will be developed in cooperation with South African suppliers. The project expects low capital and operating cost of less than US $ 15 m for up to 250,000 t/per year because of shallow open pit techniques applied. The product

will be transported by road to the port of Lomé using the empty backload capacity of lorries in the transnational traffic from Burkina and Mali to Lomé. Ferrex expected to be granted the mining license and receive the environmental permit for Nayega from the government latest by the end of 2014. However, the start of production was retarded because of protracted negotiations on the mining permit, which was still lacking in July 2016. The company also completed a scoping study in 2014 on a proposed sintering and blast furnace facility to produce about 60 000 t/y of a 74% high-carbon ferromanganese alloy product, in Southern Togo, close to the port for the import of coke in the medium term. This would correspond to the government's request to have value-added projects in the minerals industry seriously investigated.

In Bangéli, Central Togo, another company, the Indian 'MM mining', started to exploit iron ore. In December 2012 mine workers complaint of harsh working conditions, low payment, health hazards to the population and harassment of syndical activities by local authorities collaborating with the company. In general, there is a growing awareness among the population about the economic and health hazards of mining, as already shown by local anti-mining activities in the phosphate mining areas southern Togo and concerning an aborted Indian bauxite mining project at the Mt. Agou, Kpalimé region, as well as reportedly illegal artisanal coltan mining activities of Chinese traders using child labor in the Ghanaian border region of Nyitoe, Kpalimé region.

Besides, Togo joint the Extractive Industries Transparency Initiative (EITI) in 2010.It reached compliance with the EITI in June 2013, but lack of transparency concerning pending phosphate mining tenders remained a problem . About half of the companies disclosed their legal owners but no company has yet disclosed the beneficial owners. Moreover, social conflicts around revenue redistribution to resource-rich communities and mine rehabilitations have been widespread. Therefore, the EITI status is still to be assessed. Cotton production, the most important cash crop and major income earner for about 275.000 peasants, managed by the NCST (Nouvelle société cotonnière du Togo), is highly volatile. It rose by 46.67% in 2014 and fell by -31.82% % to 67,000 t in 2014/15 and the subsequent cropping season because of declining international cotton prices, adverse weather and lower production. . Togo remains a 'transit-economy' dependent on its big neighbours Nigeria and Ghana. Re-exports, which constitute about 25% of total export earnings, continue to play a major role due to improved infrastructure (e.g. new container terminal at the deep-water harbour of Lomé and roads).

Q12 | Sustainability

Q12.1 | Environmental policy

Environmental degradation and natural resource depletion is mainly due to population pressure, outdated and neglected farming systems, and global climate change. According to the IMF, the current economic growth rates are offset by environmental degradation, primarily through soil and forest resource depletion, coastal erosion, and ambient air and water pollution. Due to the country's failure to accumulate and preserve its physical, financial, and natural wealth, Togo's net national savings rates are negative when adjusted for environmental degradation (WDI 2006-2012). The waterside of the capital losses about 10 meter p.a. and smaller villages situated along the coast like Baguida, Gbodjomé, Agborafo successively immerse in the sea. Since 1990, 43.6 % of its forest has been lost. Between 1990 and 2010, Togo has lost 58.1% of its forest cover, which represents roughly 398,000 hectares. Notably between 2000 and 2005, Togo had one of the highest deforestation rates in the world.

According to the Yale university's 2016 Environmental Protection Index Togo ranked 161 out of 180 countries; score 46.1). Environmental laws and programs were first adopted long ago but are insufficient and poorly enforced. Deforestation rates remain high at an annual rate of 1.4% (2015). They date back to the early colonial period, and the establishment of cotton production for export in a strange alliance between African American emancipation and German imperialism at Tove and surrounding villages. Reforestation attempts have been unable to counteract this development. This is attributable mainly to slash-and-burn agriculture and the use of wood for fuel. The government aims to influence a change in habits by subsidizing kerosene and household gas as a substitute for the domestic use of firewood, but to little avail. In October 2015, the government started a 4 m $ project (2015-2018) to reduce deforestation ("Projet de soutien à la préparation du processus de réduction des émissions à la déforestation et à la dégradation des forêts au Togo; P-REDD+). The project aimed at reinforcing the strategic planning capacity to encounter the environmental and socio-economic effects in view of the still lacking national forest register. Water pollution presents health hazards and hinders the fishing industry. Air pollution is increasing rapidly in urban areas. But the government has yet to formulate more specific policies on pollution. It should be mentioned, however, that the environment in most Togolese towns is much cleaner compared to years past, as some waste management efforts have begun to yield improvements.

In general however, eco-friendly consciousness is not well developed, neither by the population nor by producers, including the mining companies, which results in serious environmental pollution (e.g. by phosphate sludge; see report of FIAN international on the environmental consequences of phosphate extraction in the village of Gnita; FIAN 2016) and health hazards. In December 2016, Togo and four neighboring countries (Nigeria, Ghana, Benin, Côte d'Ivoire) agreed to ban imports of dirty fuels from Europe. The imports had been revealed by the Swiss campaign group, Public Eye, in September 2016. They had discovered that retailers were exploiting weak regulatory standards in West Africa, which dated from the colonial era, to export diesel containing levels of toxing that were illegal in Europe. The Who ranked these health risks among the top global health risks, associated with heart disease, lung cancer and respiratory problems. The new stricter standards have reduced the sulphur limit in fuels from 3,000 parts per million to 50 (still above the EU limit of 10 p.p.m).

Q12.2 | Education policy / R&D

After having suffered under the political and economic crises of the past decades, the entire education system has since recovered with remarkable success. Public spending on education averaged 4.6% of GDP (2008-2010, UNICEF 2014). Free primary school education was introduced in 2008. As a consequence, the gross enrollment ratio increased considerably. In 2012, the gross enrollment ratio was 133%, with the net enrollment ratio averaging 94.3% between 2008 and 2011 (UNICEF 2014). The gross enrollment ratio compares now favorably with neighboring African states. Overall primary school completion rate (TAP) increased from 57% to 77% between 2008 and 2012 (World Bank). Though gender inequality persists with the average female primary school completion rate at 52% and male primary school completion rate at 71% between 2005 and 2010 (PRB 2014). The youth (15 to 24 years) literacy rate stands at 87% (male) and 73% (female) (on average for 2008-2011; UNICEF 2014). However, the quality of education is worryingly poor. Insufficient and poorly qualified teachers, and classes of 50 pupils are common. Increasingly, children aged between 5 and 14 are forced into work due to the poverty of their families. The adult literacy rate remains low (total: 64%; male 76%; female: 53% on average for 2008-2012, UNICEF 2014). There are strong regional inequalities in education as well, as indicated by the literacy rate (for the same

age group) of just 25% in the Savanes region and 85% in Lomé, or in general of 43.5% in rural areas as compared to 79.2% in urban areas. Furthermore, universities are overcrowded, lack resources, staff and learning facilities. Because of a lack of state resources some local communities assumed responsibility for the running schools, notably in the poorest regions in the north. Thus, in the Savanes region, most of the schools were entirely funded by the local community, which supported the building classrooms and paying teachers' wages (UNDP-MDG-report, 2015:67). Private schools are expensive and not always of better quality. Secondary schooling remains still on a low level (35% completion rate in 2010). However, the absorption rate of school leavers into the national economy is limited and unemployment among recent school leavers is alarmingly high.
Research and development remains a neglected area. According to latest available World Bank figures, R&D expenditure stood at only 0.3% of GDP in 2014.

Management Index
Level of Difficulty

Q13 | Level of Difficulty
Q13.1 | Structural constraints

Togo is a small country with promising natural resources. The population still depends to a large extent on subsistence farming. Major foreign exchange earner are the ailing phosphate sector, clinker, cement and cotton production and (mostly illicit) re-exports, all dependent on volatile terms of trade on the world market. In addition, the country only produces some of the energy that it needs. Togo is dependent on neighboring Ghana and Nigeria for electricity and gas supply. Access to electrical power remains a luxury for most of the Togolese population, whose main source of energy is firewood and charcoal, which combined comprise 80% of the country's energy. The increases of food and energy prices, combined with the impact of the global economic crisis, have made matters worse for efficient governance. Migration, accelerated by the political crisis has had a dramatic impact on the country's labor force in the last two decades. Many qualified Togolese can be found in Europe but also in neighboring West African countries. The lack of good governance, including the ruling elite unwillingness to devolve power, still constitutes the major single development barrier.

However, increasing raw material demand of new global players like China and India provide the much needed stimulus to revive the export industries and to improve Togo's bargaining position in economic cooperation (aid), as big infrastructure projects financed by the Chinese show, e.g. the construction of a new Lomé international airport, the extension of the deepwater harbor, and the reconstruction of major national highways . At the same time good foreign relations with the new global players allow for a resumption of the see-saw policy already successfully practiced during times of the Cold War between competing major donor countries.

Q13.2 | Civil society traditions

Civil society development flourished with the second wind of change since the early 1990s. Today, there are thousands of NGOs and associations in all spheres of public life that exercise their right to freely express their opinion or form self-help groups (see 'Interest Groups'). This has resulted – mainly in the cities – in the creation of a multitude of different associations, often competing against each other for both the right to represent their clientele and for donor support. There are notable partnerships between various interest groups that have been forged around issues such as human rights, elections, gender and micro financing. This indeed is a clear sign of agency and a vibrant civil society determined to take its fate in its own hands. Some of these civil society organizations should exercise greater transparency in defining their operational mode and objectives. It remains to be seen whether such associations will gain the same strength in rural areas that they have in urban areas, especially Lomé.

Q13.3 | Conflict intensity

The high potential for conflict that existed under Gnassingbé Eyadéma's rule through the ethnic polarization and the militarization of society can no longer be considered the one crucial impediment to Togo's development. Yet, both elements still need to be considered.

The most important determining factor in conflict remains the power politics of the Gnassingbé clan and its followers. It should be mentioned that Togo has not yet encountered severe tensions between different religious groups. Generally, the relationship between Muslims and Christians is amicable. Cooperation is sought by both groups on many occasions. Transnational conflicts of transhumance between pastoralist and agriculturalist are still virulent beneath the surface. Occasional instances of violence occur in about one third of prefectures, notably in northern and central Togo. Thus, violent conflicts between Fulbe nomads and local peasants of Bago (Central Togo at the Benin border) resulted in 50 dead and over 100 injured persons in August 2011. Regional inequalities and sentiments of distrust and mutual antipathy between people in the south and north still need to be addressed. Having enjoyed the spoils of the system throughout much of recent history, northern Kabyè still hold an unduly high number of relevant public offices compared to their counterparts in the south. There are sharp and increasing differences between the poor and the rich in Togo, but these have not yet led to a situation of violent conflict. Yet, growing discontent among unemployed school leavers contributes to political unrest in urban centers, notably in Lomé.

Management Performance

Q14 | Steering Capability

Q14.1 | Prioritization

It remains unclear whether the political leadership as a whole is committed to political democratization, decentralization and economic liberalization. Nevertheless, major improvements are undeniable. According to the Ibrahim Index of African Governance 2016 Togo counted among the top five best improvers over the past decade for overall governance (rank 33 of 54 in 2015; score 48.5, +9.7, 2006-2015). It ranked on the second place behind Côte d'Ivoire (+13.1), followed by Zimbabwe (+9.7), Liberia (+8.7) and Rwanda (+8.4). Yet, on some individual indicators, Togo's performance deteriorated between 2006 and 2015. Actual politics point into the same direction. However, cleavages between hardliners and modernizers within the Gnassingbé clan, ruling party, and security forces are still simmering. These cleavages have the potential to erupt at any time, especially if the regime's power base in politics and economy is threatened by an electoral defeat. In addition, a broad coalition of radical and moderate political parties together with civic movements demand an end to Gnassingbé's rule.

In 2008 Togo joined the African Peer Review Mechanism (APRM; MAEP, in French) of the NEPAD as 29th member. The APRM is meant to enhance good governance in the sub-region. However, the first efforts to initiate a nationwide evaluation structure in Togo only reluctantly began in 2011. There is a national APRM commission, composed by 37 CSOs, hand-selected by the government, and members of the public administration. On 29 January 2014, Edem Kodjo, leader of the CPP, RPT founding member and former prime-minister, nominated by Lomé, was appointed to replace one of the outgoing APR-Panel members of Eminent Persons meant to oversight the APRM process. A mid-term-evaluation of the APRM, including stakeholder analyzes of five West African states (Togo, Ghana, Benin, Mali, Niger, Burkina Faso), completed in February 2016 as well as an ECOWAS APRM-workshop in Abidjan at end of November resulted in mixed findings. The auto-evaluation directed by the national APRM commission is still in progress, including regional seminars for capacity building of CSOs.

Q14.2 | Implementation

The administration has the support of the international donor community for these efforts. In September 2011, a new defense partnership between France and Togo came into force, which replaced the outdated secret military assistance agreements of the Eyadéma era. Apart from the traditional partners, such as France, Germany and the United States, China and India also supported the country with development aid during the review period. However, aid by the new Asian global players is usually not tied to political conditions. In addition to the revitalization of bilateral cooperation, international organizations like the IMF, World Bank, the BOAD and the European Union are also reinforcing their assistance in order to promote good government, democratization and inclusive growth in Togo. The first IMF financed three-year Extended Credit Facility (ECF), which had replaced the Poverty Reduction and Growth Facility, expired in 2011. A new ECF was delayed up to January 2017 when a staff-level agreement with the government, subject to approval by IMF Management and the Executive Board for a three year ECF with SDR 176 million (about USD 238 million) or 120 percent of Togo's quota in the IMF was negotiated The full Poverty Reduction Strategy Paper (PRSP) was implemented in 2014. This established the base for Togo's Strategy for Accelerated Growth and Employment Promotion (SCAPE, in French) for 2013-2017. The detailed planning for the National Development Plan (2018-2022) that replaces SCAPE is in progress. Following the political upheaval in the aftermath of the contested 2005 presidential elections, the donor community demanded a national dialogue in order to overcome the enduring political cleavages between the government, opposition and civil society, which resulted in the Global Political Accord (GPA) in 2006. However, it was implemented only halfheartedly and declared obsolete by the government in 2014, despite constituting a necessary precondition from the EU and other donors for the resumption of development assistance. The delayed implementation of major GPA reforms remained a point of contention.

Q14.3 | Policy learning

The presidential elections of 2010 and 2015 as well as the legislative elections of 2013, passed by largely peacefully, and were considered basically democratic by African peers and the donor community. This was in stark contrast to the previous 2005 presidential election, with its aftermath of bloody political persecution. Apparently, the Gnassingbé regime had learned from the past. The regime was eager to boost the legitimacy of its irregularly acquired power through peaceful and largely free elections and modernization of the ruling party. Nevertheless, Faure Gnassingbé and his party (RPT/UNIR) successfully employed the same 'divide and rule' policy that already his father Eyadéma had successfully used for decades to weaken the opposition movement both by legal and extra-legal means. However, his power is contested by hardliners from his own ranks. The international donor community, in the first place the EU, the IMF, France and USA, supported the government's commitment to modernize and consolidate public finances by providing substantial aid. Nevertheless, they were less concerned with democratization than with regional stability, and the growing terrorist threat of Islamism in the Sahel region (Mali) and Nigeria and Togo's support to combat it. In general, the transition process remains volatile and might easily be reversed when pressure is put on the president, e. g. by hardliners in the military or within the ruling party.

Q15 | Resource Efficiency

Q15.1 | Efficient use of assets

Togo is still suffering from an underutilization of assets and other opportunities which could be used by the government. The new reform processes, assisted by the international donor community, notably the Bretton Woods institutions, have improved an efficiency oriented governance approach in some areas, e.g. in public administration and finance as well as infrastructure rehabilitation. Examples include a new 100 mw multi-fuel power plant in Lomé connected to the West African Gas Pipeline (WAGP) inaugurated in July 2010 in order to overcome the regular power cuts, new telecommunications network, road rehabilitation, a new international airport and the extension of the deep water harbor as major hub of West African transit and maritime traffic. However, it will take some time before the structural reforms have an impact, and continuing aid will be crucial to promote the process. Donor confidence remains the most important resource in providing an initial push towards development in Togo.

A key sector remains education. Whereas most children are now attending school, there are not enough teachers to teach them, despite the high numbers of potential teaching personnel in the country. Most of the qualified Togolese teachers, waiting for an opportunity to work in their own country again, are still abroad because the former government, suspicious of educators, drove them away. Likewise decades of political crisis and deficient economic freedom still discouraged private foreign investment. It is difficult to revitalize confidence of foreign investors, although enhanced competition with new global players like China is good for business.

Q15.2 | Policy coordination

The commitment of the government to democratization and consolidation of public finances vis à vis the donor community conflicts with the determination of the president and his followers to remain in power whatever the cost. The coordination between the presidency and the prime minister's office, which has not always been smooth, improved with the nomination of Komi Klassou, a renowned as loyalist of the ruling elite, in May 2015. Because the president apparently still lacks overall control of the ANR and the military, he is at pains to restructure the security services' high command. Nevertheless, he still manages the portfolio of defense himself, for fear of coup attempts. Though, steps in the right direction have been made, these have been outweighed by high levels of corruption and criminal practices (drug trafficking, capital flight and money laundering) at all levels, including members of the current administration.

Q15.3 | Anti-corruption policy

Togo ranks among the most corrupt African states (rank 107 of 168 countries, CPI). Furthermore, Togo counts among the major culprits worldwide concerning illicit financial transfers, which averaged 76.3% of GDP (2008-2013) (WB 2016). A national anti-corruption commission (Commission nationale de lutte contre la corruption et le sabotage économique – CNLCSE) was created in 2001. However, it lacks the political will to combat corruption effectively. The World Bank survey of businesses in 2010 revealed that 60% of the Togolese population believed that the courts were neither impartial nor free from corruption. The whole

society is aware of the need to undertake decisive steps to eradicate this problem. However, this seems to be a difficult policy step to take because it would cut the lifeline of large parts of the current Togolese elite and administration. In July 2007, a law against money-laundering was enacted following serious debate in parliament, although the law has had little effect to date. There are serious concerns regarding the link of corruption, money-laundering and drug trafficking as Togo becomes a transit country for all forms of trafficking. In addition, the Inter-Governmental Action Group against Money Laundering in West Africa complained in May 2011 that the government does not persecute international money laundering although the legal framework to do so was established. The high level of illicit financial flows which strongly correlates with money-laundering attracted the concern of the international donor community According to the annual report of the international NGO Global Financial Integrity (GFI, Washington D.C., 2015) illicit outflows from Togo averaged 2,229 Mio US $ between 2004 and 2013, with a peak in 2008 when illicit outflows were equivalent to 160% of GDP and were four times greater than the annual government budget.

Q16 | Consensus-Building

Q16.1 | Consensus on goals

Democracy

A Global Political Accord (GPA; APG in French) was established in 2006 by major political parties and civic organizations, assisted by the EU. However, it was implemented only halfheartedly. A population census, the first since nearly three decades, was duly executed in 2010/2011 and recognized by the population. Moreover, the CVJR delivered its report on HR violations in April 2012. Other important measures meant to guarantee fair and free elections, including local elections, reported time and again since 1987, are still pending. A domestic process of dialog between major political parties (Cadre permanent de dialogue et de concertation, CPDC), established in 2009, got stuck several times (latest in May 2014) because of a lack of consensus. On 2 October 2014, the re-elected president of the Constitutional Court, Assouma, declared the APG as obsolete and void with the advent of a functioning pluralist parliament, as allegedly proven by the decision of the UNIR and UFC majority in parliament on 30 June 2014 to vote against the draft law on constitutional changes submitted by its own government. Representatives of the Christian churches had appealed repeatedly to the political class to reopen the discussions on contentious institutional and constitutional reforms. Thus, overall consensus on transformation goals remains fragile. There are still some key cleavages running through Togolese society that result from regional and ethnic discriminations, the exclusion of previous opposition movements, and socioeconomic disparities.

Market economy

The majority (e.g., the ruling party and most of the opposition) agree on the country's need to regain economic strength, a view shaped by the severe hardships experienced by many Togolese in everyday life. Political change, demanded by many, is seen as an instrument for achieving urgently needed social and economic development. On the one hand, daily hardships may lead to serious social strife. On the other hand, citizens appear willing to support any government that shows genuine concern for the problems of the majority. In general, the government, ruling party, opposition parties and CSOs are dedicated to the basic principles of a market economy. As a transit-economy, Togo depends on open markets and transnational trade, notably within ECOWAS, and with the markets in neighboring Ghana and

Nigeria. However, because a large part of this trade is informal (including smuggling) the recognition of official rules and regulations on taxation, tax-evasion, money-laundering, capital flight is rather weak. Apart from this, there are divergent views within the ruling elite on the need to protect infant industries and commercial agriculture from unfair foreign trade policies, e.g. within the framework of the controversial EU-West African Economic Partnership Agreements (EPAs). Negotiations on EPAs, which have dragged on since 2002, were increasingly under pressure, as the EU wanted to conclude the deal latest 1 October 2015. Although Brussels adopted a stick and carrot approach to the negotiations, apparently at least five countries, including Nigeria and Togo, still refuse to sign the deal.

Q16.2 | Anti-democratic actors

The RPT/UNIR's purely anti-democratic elements are no longer as important as they had been before the presidential elections of 2010 and 2015. They are still strong enough, however, to endanger any serious attempt by President Faure Gnassingbé to further democratization and devolve power, notably concerning the overdue local elections. President Faure Gnassingbé's imprisoned half-brother, Kpatcha, might play an important role in this respect. Kpatcha, and some within the military and RPT/UNIR leadership, know about the disadvantages they will have to face in the event of a change in government. Divisions within the ruling elite, i.e. the Gnassingbé clan, the RPT/UNIR and the security services, became apparent once more, during the modernization of the ruling party in 2012 as well as by the refusal of the UNIR majority in parliament to vote in favor of a draft law on changes of the constitution introduced by its own government in June 2014. In addition, democratic principles as well as a culture of transparency and accountability are not fully respected among the new elites of Togo, including the opposition. This was shown by the schism of the major opposition party, UFC and ANC.

Q16.3 | Cleavage / conflict management

The Gnassingbé clan and its followers continue to pursue a policy of creating or stimulating conflicts in order to exercise authoritarian power, as evidenced by the arson attacks on the central markets of Lomé and Kara (January 2013). The attacks were used by the government to harass opposition leaders prior to the 2015 presidential election. In contrast, a report on findings released by the CST on 11. November 2013 identified several key figures within the regime as the ring-leaders of the market fires.

There are no consistent policies in place to systematically address emerging conflicts in the country. Nevertheless, there have been some positive steps taken. Beside the nationwide capacity building of CSOs promoted by the APRM initiative (s. above), the administration recognized, for example, that the environmental problems arising from nomads and their cattle herds during transhumance, which often leads to problems with settled farmers, whose agricultural production is endangered. This situation must be addressed. A national committee is now trying to find lasting solutions to this conflict by taking into consideration views from both sides. Due to the oppressive and corrupt nature of the previous regime, which affected almost every institution in the country, there are few non-governmental actors that are powerful enough to mediate in actual or future conflicts, with one notable exception the Truth and Reconciliation Commission (CVJR) and the Catholic Church. In general, the NGOs that specialize in conflict prevention and management are not yet strong enough to play a decisive role. However, some 50 CSO joined in April 2013 to organize a platform for conflict

prevention which could work together with the government to prevent further conflicts. Approaches designed to prevent institutional crises can be found also in UNDP backed conflict prevention programs, e. g. concerning the training and deployment of national election observers and mediators. Besides, German political foundations (HSS, KAS) support small projects for crisis prevention in Togo. Examples are the backing of national and regional structures of the African Peer Review Mechanism (APRM) by the HSS and seminars to promote the dialogue between military and parliamentarians as well as the support of HR-organizations like the GF2D, the Conseil National de la Jeunesse (since 2012) and the Groupe de Réflexion et d'Action pour le Dialogue, la Démocratie et le Développement (GRAD). In addition, some few trade unions, NGOs, religious organizations and media outlets created transnational partnerships for conflict prevention, like the West African Network for Education & Peace (WANEP-Togo) and the Togolese section of WPP-Africa (Women Peacemakers Program – Africa).

Q16.4 | Civil society participation

The present government seems to be much more open to civil society participation than any previous government. The inefficient use of civil society organizations' capacities is sometimes more due to the weakness of the NGOs' administration and membership structure than to the government's reluctance to engage with them. Enhanced dialog between CSOs and government is becoming a reality within the APRM initiative. The APRM initiative is composed of 37 CSOs, in addition to members of the public administration. However, the CSOs are hand-selected by the government, which means that more critical parts of civil society tend to be excluded. Both sides must work hard to overcome the deep-rooted distrust in the present situation.

Q16.5 | Reconciliation

In May 2009 the truth and reconciliation commission ('Commission Vérité, Justice et Réconciliation', CVJR) was established to investigate human rights violations from 1958 to the bloody persecutions of 2005. It was presided by Mgr. Nicodème Benissan-Barrigah and supported by the UNHCR office in Lomé. The CVJR's 11 members represented different groups of civil society (excluding political parties) and notably involved religious leaders. During its enquiries it received over 20,000 petitions which indicated a high degree of trust within the population. It submitted its final report in April 2012. The most important recommendations included reparation, public documentation of HR violations, symbolic reconciliation (e. g. public condonation by perpetrators, monuments, memorial days), and last but not least criminal prosecution of perpetrators. The commission demanded that the government publish a White Paper stating how it intends to implement the recommendations of the CVJR and suggested two institutions for monitoring and evaluation. Unfortunately, the government is reluctant to implement the recommendations, because high ranking members of the government, military and administration continue to benefit from impunity. Apart from publishing a 'White Paper'(2014) on the implementation of the CVJR's recommendations, considered to be the precondition for the eventual payment of reparation and establishment of a High Commission on Reconciliation (HCR) in 2013 the government applied mainly delaying tactics. A High Commissioner's office for Reconciliation (Haut Commissariat pour la réconciliation et le renforcement de l'unité nationale, HCRRUN) installed in March 2015 was meant to speed up the implementation of the recommendations, assisted by a CSO-

platform (Plateforme citoyenne justice et vérité, PCJV). However, effective functioning was delayed again by transferring contested issues to national discussion groups in July 2016. .

Q17 | International Cooperation

Q17.1 | Effective use of support

Togo counts among the largest beneficiaries of international aid. Starting in the late 1970s, international aid dependency increased considerably. Net ODA received (as a percentage of GNI) amounted to 13.36% per annum on average between 1978 and 1996. After the resumption of international aid in 2008, aid dependency continued at 11.4% per annum between 2008 and 2014, peaking at 17.78% per annum in 2009 (indexmundi 2016). Resumption of aid and substantial support from donors to the Togolese government started in 2007 after the largely free legislative elections. The numerous activities and cooperation programs such as the ECF, PRGF, SCAPE and HIPC completion point were connected to the progress made in political transformation. However, support from donors was not always used efficiently and transparently. The increasing influence of Asian countries, notably China and India, among international aid donors allows Togo to re-adopt a see-saw policy, which it had practiced during the Cold War, of playing competing major donor countries against one another.

Apart from aid, remittances from Togo's diaspora (estimated 2 million people) play a significant role in development. Remittances have increased by an average of 9% per annum over the past decade. In 2011, remittances accounted for 11% of GDP, falling to $350 million or 8% in 2015. On average, they amounted to double the volume of ODA (3%) and FDI (4%; AEO 2016). According to OECD statistics, Togo ranked high on a global scale both with ODA per capita ($91 in 2011, the 17th highest worldwide) and remittances per capita ($52 in 2011, the 7th highest worldwide) respectively. In mid-October 2015, the foreign minister Robert Dussey launched a new initiative, Réussite Diaspora (Success Diaspora), in order to persuade Togolese migrants to return home and contribute with their skills to the development of their home country. The project was supported by the European Union, AfDB and UNDP but viewed skeptically by the Togolese diaspora. Although there no direct link is between remittances and economic growth is discernible, remittances constitute an important supplementary source of financial inflows because they act countercyclical (i.e., remittances increase during downturns) unlike other capital flows like FDI. It is considered to be a more effective means for poverty-alleviation than aid or FDI. However, growing xenophobia in Europe and Africa could threaten future flows of remittances.

Q17.2 | Credibility

International actors appear increasingly trusting of the current government. Traditional partners, such as France, Germany and the United States, and new partners, such as China and India. supported the country with development aid during the review period. In addition to the revitalization of bilateral cooperation, international organizations like the IMF, World Bank, the West African Development Bank and the European Union are also reinforcing their assistance in order to promote good governance, democratization and inclusive economic growth in Togo. To consolidate the government's newly acquired credibility among the international community and among the Togolese population, the government's most important task is to tackle corruption at all levels of the state, facilitate political competition and devolve power. There are currently two deeply contrasting interpretations of the

government's actual intentions, both among the Togolese population and the international donor community. One perspective holds that the government is genuinely pursuing political transformation and that a democratic era has just begun, while a second perspective holds that the government's attitude is camouflaging its attempt to stay in power at all costs. Given security concerns in the region, international donors increasingly trust - or want to trust - the Togolese government. The military cooperation agreement between Togo and France from 2010 is a case in point. Togo also actively participates in the peacekeeping missions of the AU and ECOWAS.

Q17.3 | Regional cooperation

Togo is a member of all relevant regional, African and international organizations, notably of ECOWAS and WAEMU in the West African sub-region. President Faure Gnassingbé and members of his government are trying to return to a situation where Togo plays a constructive role as regional mediator and host to international meetings as in the 'glorious past' of the father of the incumbent, General Eyadéma The latter was recognized as mediator in international African conflicts by his African peers, although being the longest serving African dictator. Togo remained a reliable and significant contributor to peacekeeping missions in the sub-region. In May 2012 Nigeria, Togo, Ivory Coast and Senegal contributed to the ECOWAS force's first troop deployment in the failed state of Guinea Bissau. Later on, Lomé contributed to the African-led International Support Mission to Mali (AFISMA) organized by ECOWAS against the growing thread of Islamist terror organizations in northern Mali as well as to the UN led MINUSMA (United Nations Multidimensional Integrated Stabilization Mission in Mali) corresponding to a Security Council resolution 2164 of 25 June 2014. On 15 December 2015, Saudi Arabia announced the formation of an Islamic military alliance to fight terrorism. The initiative was explicitly not restricted to countering the so-called Islamic State, but was intended to combat all forms of terrorism worldwide, and included 34 member countries. Beside 10 Islamic countries, including nations with large and established armies such as Pakistan, Turkey and Egypt, 20 African countries joined the alliance, including Togo, Nigeria and Ivory Coast. In November 2016 Togo signed the Charter on Maritime Security within the framework of the Africa Integrated Maritime Strategy (2050 AIMS Strategy).

Strategic Outlook

Like most sub-Saharan African countries, Togo faces several substantial challenges, including a lack of good governance, volatile economic growth, exposure to external economic shocks, rising food costs, erratic energy prices and major environmental risks. But there are a few key issues the country should address if it is to reach a level of development on par with that achieved by more successful West African countries (e.g., Benin and Ghana).

Following the recent, peaceful parliamentary and presidential elections, Togo's government should not reduce its democratization efforts, which are winning the trust and confidence of its own population and the international community. The democratic reforms implemented over the recent years have won considerable support both within and outside the country. Though many Togolese citizens and observers remain skeptical of whether these reforms reflect a genuine attempt by the Gnassingbé regime to promote democracy in Togo.

The government should transparently pursue national reconciliation, democratization and sustainable economic development on the base of internationally accepted principles of good governance. The postponed local elections should be managed effectively and impartially to be recognized internationally as "free and fair." In order to overcome some of Togo's endemic development problems (i.e., over-centralized decision-making processes, the undemocratic dominance of the ruling party, the distance between the ruling elite and political realities, and regionalism), support for decentralization should be enhanced. The government must stop obstructing the further devolution of power and resources, which is required by the constitution and necessary to enhance local autonomy. In addition, the devolution of power and resources should be accompanied by support for civil society organizations at local and national levels.

The transition process will not succeed if the government remains under pressure from hardliners within the ruling party and security services. Therefore, it is imperative to guarantee the strict political neutrality of the security forces, notably the military, intelligence service and gendarmerie.

Concerning economics, structural reform of the banking, and phosphate and cotton sectors is crucial. Donors should make additional efforts to support this process. The fight against corruption, money-laundering, capital flight and embezzlement of public funds in Togo's public administration constitutes another significant step on the road to democratization. Last, it is important to support the process of regional integration in West Africa. Any attempts to undermine political initiatives of regional integration (e.g., by special arrangements within the current negotiations on EU-West African EPAs) should be prevented. Greater economic and political integration would benefit all stakeholders. In addition, peacekeeping initiatives and observation measures in the West African region should be promoted.
Donors should further harmonize their approaches and align the priorities set by the current Togolese government, namely good governance, health, education, and infrastructure.

Last but not the least, it seems important to support the process of regional integration in West Africa. Any attempts to undermine sincere African political initiatives of regional integration, e.g. by special arrangements within the current negotiations on EU-West African EPAs should be prevented. Greater exchange – in both economic and political terms – would serve to benefit all stakeholders. In addition, peacekeeping initiatives and observation measures in the West African region should be promoted.

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