

Kohnert, Dirk

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## Togo – 2011

### Domestic politics, foreign affairs, and socio-economic development

Dirk Kohnert <sup>1</sup>

**Abstract:** - The coalition government continued on the path to establishing democracy, good governance and the rule of law in Togo in 2011. Its efforts were honoured by the international donor community with growing commitments and the cancellation of foreign debt. Domestic politics were dominated by simmering confrontations within both the opposition and the ruling Gnassingbé clan. The president successfully followed the divide-and-rule strategy of his late father, Eyadéma. The radical opposition remained isolated and its MPs excluded from parliament, despite a ruling of the ECOWAS Court of Justice to the contrary. The showdown between the president and his rivals within the Gnassingbé clan culminated in the conviction of Kpatcha Gnassingbé and his followers as ringleaders of the 2009 coup attempt.

**Résumé:** - Le gouvernement de coalition a poursuivi sur la voie de l'instauration de la démocratie, de la bonne gouvernance et de la primauté du droit au Togo en 2011. Ses efforts ont été honorés par la communauté internationale des donateurs avec des engagements croissants et l'annulation de la dette extérieure. La politique intérieure était dominée par des affrontements qui couvaient au sein de l'opposition et du clan Gnassingbé au pouvoir. Le président a suivi avec succès la stratégie de son défunt père, Eyadéma, de diviser pour régner. L'opposition radicale est restée isolée et ses députés exclus du parlement, malgré une décision contraire de la Cour de Justice de la CEDEAO. L'affrontement entre le président et ses rivaux au sein du clan Gnassingbé a culminé avec la condamnation de Kpatcha Gnassingbé et de ses partisans en tant que meneurs de la tentative de coup d'Etat de 2009.

**Keywords:** countrywide study, Togo, West Africa, domestic politics, foreign affairs, socio-economic development

**JEL-code:** A14, F35, N97, O17, O55, Z13

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<sup>1</sup> Associated research fellow at the Institute of African Affairs (IAA) at the German Institute of Global and Area Studies (GIGA), Hamburg.

The coalition government continued on its way to establish democracy, good governance and a state of law. Its efforts were honoured by the international donor community with growing commitments and cancellation of foreign debt. Domestic politics were dominated by simmering confrontations both within the opposition and the ruling Gnassingbé clan. The President followed the divide and conquer policy of his late father Eyadéma successfully. The radical opposition remained isolated and its deputies excluded from parliament despite a ruling of the regional ECOWAS Court of Justice to the contrary. The showdown between the President and his major contenders within the Gnassingbé clan culminated in the conviction of Kpatcha Gnassingbé and his followers as ringleaders of the 2009 coup attempt.

### **Domestic Politics**

President Faure Gnassingbé and his party Rassemblement du Peuple Togolais' (RPT) that ruled the country for the past four decades, controlled by the Gnassingbé family, continued to consolidate their positions after the peaceful and largely credible presidential elections of 2010. The coalition government, formed with the entry of Gilchrist Olympio's 'Union des Forces du Changement' (UFC) as a junior partner, the shift of allegiances of the latter after decades of radical opposition, and the resulting schism of the major opposition party still dominated the politics of the day.

The segregated majority wing of the old UFC, which in October of last year had constituted its own party l'Alliance Nationale pour le Changement (ANC), headed by Jean-Pierre Fabre, the succumbed presidential candidate of the UFC of 2010, continued to protest against political repression as they viewed it. Together with the **opposition** umbrella group Front Républicain pour l'Alternance et le Changement (FRAC) they upheld regular demonstrations in Lomé throughout the year. On 17 March they mobilized against the adoption of a new bill on the exercise of freedom and public meetings. The law was introduced as part of the coalition agreement in order to replace colonial regulations often used in the past to suppress opponents of the regime. It was drafted with the assistance of the Office of the UN High Commissioner for Human Rights (OHCHR) and largely corresponded to international HR standards. However, although the new bill liberalised demonstrations by permitting it without prior official permission, they still can be banned because of disturbance of public order. Draconic penalties apply to those who defy the ban and for any damages of public property. Therefore, the FRAC suspected that the law could still be used by the government to clamp down on the opposition under the guise of rule of law. The bill passed (13.5) in parliament with the 50 votes of the RPT and 18 of the UFC, in absence of 13 members of the opposition parties (notably of the CAR, Comité d'Action pour le Renouveau) and nine excluded deputies of the ANC. Earlier, in March the coalition and 12 smaller parties adopted a new electoral code of conduct. It had been drafted with the assistance of the renowned US non-profit organisation National Democratic Institute and the UNDP and was meant to guide future democratic elections. Again the FRAC boycotted the signing of the code, among others because the nine ANC members were still suspended from the National Assembly following a ruling of the notoriously biased Constitutional Court of November 2010. They remained excluded throughout the year, although an appeal to the regional ECOWAS Court of Justice in Abuja (Nigeria) revealed the verdict of the Lomé Court as a violation of fundamental Human Rights (7.10). The former condemned the government to reinstall the nine ANC legislators in their rights, including indemnity for damages. Already in June the Human Rights Committee of the Inter-Parliamentary Union (IPU, Geneva) had castigated the exclusion in a confidential note to the government which had leaked to the media. Though

compensation of 3 mio. F CFA (4,573 €) each was paid by the Ministry of Finance one month later, the government refused the return of the parliamentarians. The opposition and the Ligue Togolaise des Droits de l'Homme condemned again the stubborn attitude of the government on 7.11.

The delayed **trial** (15.9) against the presumed plotters of the thwarted 2009 coup d'état brought the long-expected show-down between antagonized contenders for power within the Gnassingbé clan. The key person in the trial was the younger half-brother of the President and former minister of defence **Kpatcha Gnassingbé**. Kpatcha himself, a full Kabyè (contrary to the President who's mother is a Ewe from Southern Togo) firmly rooted in the Eyadéma fief in Northern Togo, a hardliner well connected within the military hierarchy and the RPT mandarins, who had brought his half-brother to power in an unconstitutional enthronization in the bloody aftermath of the death of his father Eyadéma (2005), together with all other accused, denied all charges as fabricated. Ten out of 33 suspects had been released from jail already in mid-April, among them another half-brother of Faure, Essolizam Gnassingbé and two cousins. After a two week trial, the Supreme Court of Lomé sentenced the three ringleaders, Kpatcha, the retired army chief General Assani Tidjani, and Abi Atti a commander of gendarmerie, to heavy jail terms of 20 years each. The same applied to the alleged financier of the coup attempt, Bassam El-Najjar a Lebanese citizen who was at large and sentenced *in absentia*. Other eight accused soldiers and civilians, among them Esso Gnassingbé, a cousin of the President, were sentenced to varying sentences between two and 15 years. The 21 remaining suspects were acquitted, including a third brother of the President, Rock Gnassingbé, a young career officer and commander of a tank unit that had intervened in the coup to protect the residence of Kpatcha against an assault of security forces in 2009. Amnesty International and the UN Human Rights Commission were concerned about accusations of tortured confessions. Under international pressure, the official HR organization Commission Nationale des Droits de l'Homme (CNDH) was mandated by the Ministry of Justice on 18.9 to investigate in these allegations. Independent Togolese HR organizations like l'Action chrétienne de l'abolition de la torture (ACAT-Togo) and la Ligue Togolaise des droits de l'Homme (LTDH) as well as the opposition complained that a state-financed institution like the CNDH could hardly be considered as impartial, notably because of the *laissez faire* attitude of the latter which delayed the investigations and did not deliver its report in time. On 29.12 the 17 new members of the CNDH were elected by the National Assembly. The outcome of the trial was seen as another sign of the strengthening of the power of the President who had successfully styled himself as reformist both inside his clan and the ruling civil and military elite. All military personnel accused, including the acquitted were degraded. During the presentation of the military's annual report at the end of the year senior officers of the Army (Forces armées togolaises, FAT) were accused of involvement in inciting violence and undermining reconciliation. To be on the sure side, the President rotated key post within the security forces regularly as a coup prevention strategy. Thus colonel Dokissima G. Latta was appointed Minister of security in a minor cabinet reshuffle already in February, as a consequence of the promotion of his predecessor, now Brigadier General Atcha Mohamed Titikpina, to be chief of general staff of the FAT three month before. In order not to disappoint the outgoing chief of staff General Ayéva Essofa, the latter was nominated minister of water and sanitation.

The successful divide and conquer policy of the president, which reminded of the equally cunning policies of his late father General Eyadéma, weakened the **opposition** severely. Only a minority of nine of the 27 members of the old UFC elected in 2007 had followed Gilchrist Olympio in joining the coalition government. The nine

other deputies who broke away after the lost presidential elections of 2010 to continue their radical opposition with the newly created ANC were suspended from parliament, and the remaining nine who refused loyalty to Olympio did not join the ANC only not to be expelled from parliament as well. André Johnson, a leading figure within the former UFC who had joined in between the ANC to become its deputy secretary general, returned again to the UFC (13.5) in denouncing the tactics of the ANC like the weekly demonstrations as too radical and ineffective. In May, another former radical critic of the Eyadéma regime, the lawyer and HR activist Jean Yaovi Degli, returned to Lomé after 17 years of political exile in France. He was invited by the powerful Minister for territorial administration, Pascal Bodjona, to assist in drafting the new demonstration bill. At the same time, Degli created a new front of pro-government parties (Front-Sage) to counteract the influence of the opposing FRAC.

The **multi-party dialogue** within the framework of the reformed Cadre Permanent de Dialogue et de Concertation (CDPC), founded in 2009 resumed on 15.9. It was to propose constitutional and institutional reforms, notably of the 2002 revisions of the 1992 constitution that had served to perpetuate the rule of late president Eyadéma and his family as well as of the electoral law. Both in order to prepare well in advance legal conditions for the next democratic elections with due consideration to the recommendations of EU election observers of 2010. The former Prime Minister and leader of the opposition party OBUTS, Agbéyomé Kodjo, withdrew from the CPDC in December, denouncing its structure as biased in favor of the ruling power and because demands of the opposition to limit the presidential term to two five year periods were allegedly rejected, which would have implied the withdrawal of Faure Gnassingbé from the presidential race in 2015. Other opposition parties including the CAR and the ANC still boycotted the debates for similar reasons. At the end of the year, persistent rumours substantiated, propagated already since long by the President's youth organization (Nouvelle jeunesse pour le soutien au Président Faure) about dismantling the RPT in favour of a new party of Faure in order to document a formal break with the past. If realized it would probably imply a clash between the old RPT barons with the young and smart architects of Faure's political success, and at the same time it would enhance the Presidents standing as a dedicated reformer. The first congress of the new party was allegedly scheduled for early 2012. The upcoming local elections, again postponed for one year to be held together with the legislative elections in October 2012, will reveal whether the rift within both the major opposition parties and the ruling RPT is doomed to last thus clearing the line for President Gnassingbé as laughing third party.

The truth, justice and reconciliation commission (CVJR) created in May 2009 to reconsolidate the Togolese people traumatized by the violent political past of the last four decades finished on 17.11 its auditions which had started in September. During nine weeks it had considered in detail 508 out of the total 20,011 depositions, thereof 425 in public audience, 28 in closed sessions, and 51 auditions in private. Its final report is awaited anxiously, although the CVJR has only limited powers because it is not allowed to prosecute and its recommendations of compensation would have to be implemented by the government which reserves the right of final decision.

Though the **human rights** situation had further improved there were continuing concerns notably concerning press freedom and the closure of four private radio stations, as expressed by Togolese HR watchdogs, the International Federation of Journalist (Brussels) (24.2) and Reporters sans Frontières (Paris) (4.11). The Coalition for the International Criminal Court (ICC) urged Togo to become its member (02.02) in order to strengthen its commitment to international justice and the rule of law.

The evaluation report on Togo of the Inter-Governmental Action Group against **Money Laundering** in West Africa, published in May, considered the risk of money laundering and terrorist financing due to Togo's political environment, the predominant role of the informal sector (including alternative money transfer systems) and its geographical location (sea access, transit country for landlocked Sahel countries). The report concluded that although the country had a legal and institutional system in place to counter terrorist financing the law had major weaknesses: it did not criminalize some predicate offences of money laundering and did not cover self-laundering. In addition, the enforcement of legal provisions was rated as poor and no measures to freeze or confiscate criminal assets were taken nor had provisions elaborated for a mechanism to do so.

Togo continued to be used as a hub for **drug trafficking**. End of June the authorities in Lomé made two important seizures of cocaine containers from Brazil with 96 and 192 kg each in addition to considerable amounts of cannabis, derived from Nigeria, both in transit to Europe. Shortly before, 48 kg of cannabis had been seized at the airport on the way to China. By the end of the year (21.12) Togo appeared again in the headlines because of US accusations about a network of money couriers involving a Lebanese resident in Lomé collaborating with a Hezbollah operative who had allegedly transported tens of millions of US dollars and Euros of drug money from Benin to Lebanon through Togo and Ghana.

The threat of **piracy** in Togo and Benin increased drastically and had reportedly already negative effects on the local economy and regional trade flows, because of decreasing ship activities and higher insurance rates. In view of spreading threats of piracy in the Gulf of Guinea, Togo joined Benin and Nigeria in its combat. 53 attacks had been reported for the current year up to November for the 177 km of shared coastline, as compared to 47 in 2010. Four of them off Togo and 22 off Benin, which both had reported no incidences last year. However, the International Maritime Organization suspected the real figures to be considerably higher because many attacks went probably unreported by the ship owners, notably when the value of damages was below the insurance deductible and the ships feared to be deferred by protracted investigations. The trans-border cooperation started with joint sea patrols of the Benin and Nigerian navy, a naval alliance which Togo and Ghana wanted to join soon. However, UN investigators underlined that the combat of pirates would be useless without accompanying measures on shore, notably rule of law and anti-corruption measures, including operational and impartial port authorities, customs, prosecution and judiciary.

### **Foreign Affairs**

In February a Togolese delegation headed by Prime Minister Gilbert Fossoun Hounbo visited Brussels and the Netherlands (02.03). Louis Michel, co-president of the **ACP-EU** joint parliamentary assembly, commended the 'remarkable progress' of the government since the 2010 elections, following EU recommendations. Later in the year Togolese HR organisations castigated Michel, who apparently had fostered long-standing contacts to dictators in DR Congo and Togo, for his enduring and biased support of the ruling power elite in Lomé in its stand with the ECOWAS court of justice concerning the ousted ANC MPs. The opposition protested in a big demonstration in Lomé organized by the FRAC on occasion of the ACP-EU summit (23.11).

EU development commissioner Andris Piebalgs met the President and Prime Minister in Lomé on a West Africa tour in November in order to launch officially the resumed economic cooperation suspended from 1993 to 2008 because of HR deficits.

Piebalgs took the occasion to participate in the 22<sup>nd</sup> Joint Parliamentary ACP-EU Assembly in Lomé (20.11). In stark contrast to public talk about EU-African partnership a report of the Confederation of European development NGOs, CONCORD, published in time to coincide with the assembly, criticised double talk of the EU which continued to undermine seriously people's rights. The EU and its member states failed to comply its own treaty obligations, e.g. in pursuing a selfish European agricultural policy that was counteracting its development objectives in Africa, thus threatening food security in Togo and elsewhere. Moreover, ACP-EU parliamentarians expressed concern about the threat posed by the proliferation of arms from the Libyan civil war into the hands of terrorists (24.11). Already in mid-September, a member of the new Libyan revolutionary council had expressed concerns about mercenaries from Tchad, Niger and Togo, supporting Gadaffi's forces in its strongholds of Bani Walid and Syrte. Three months before, the head of seven of the eight member states of the WAEMU (Guinea-Bissau was not represented) welcomed the return of peace in Ivory Coast during an extraordinary summit in Lomé end of May. They also underlined the need to find sustainable solutions for the violent crisis in the sub-region.

On 21.10. Togo succeeded to be elected as a new non-permanent member of the 15-member **UN Security Council** for the 2012 to 2013 term beside Morocco, Guatemala and Pakistan. Thus Togo and Morocco replaced outgoing Nigeria and Gabon in the three-member African grouping alongside South Africa whose term ended at the end of the year. In the first and second round of elections, Lomé had failed to attract the required votes to secure a seat. Only in the third round, it obtained the two-thirds threshold with 131 votes. This was the second time since 1982 that Togo entered the UN security council. In view of simmering tensions concerning the Syrian crisis and other questions between the two blocks in the security council, i.e. Russia and China on the one hand and the Western powers on the other, Togo was expected to continue to back the latter. This expectation was honoured in another context when Togo as representative of 22 overwhelmingly francophone African countries in the administrative council of the IMF, backed the candidature of Christine Lagarde as new director general, proposed by the seven EU administrators, contrary to the five administrators of the non-aligned states, including Lesotho which represented another 21 African states, including South Africa.

The support of **key donors**, including EU, IMF and World Bank, who had suspended aid between 1993 and 2008 because of HR concerns and bad governance, continued to rise. The three year **IMF** assisted reform program (extended credit facility, ECF), which had started in 2008, ended in August after the sixth review (18.6) with a final tranche of US \$ 14m of the total \$ 151m though two of the six key reform issues were still not met: the privatisation of four state-owned banks and improved conditions for private sector investments (including the ailing phosphate sector). End of March the **WB** granted further \$ 93m for structural reforms, private sector development, urban infrastructure and agriculture. France and other Western donors wrote off most of its debts within the framework of the implementation of the HIPC initiative for which the country had reached the completion point already in December 2010. On 12.5 **France** annulled all bilateral debts which amounted to € 101m. In November it granted in addition € 2m to clear domestic commercial debts. Italy, Switzerland and Japan followed suit. The IMF and Germany had approved the cancellation of their debts already in the past two years. Because of the write-off, the debt burden fell from 52.7% of GDP (2009) to 17.2% (2010; 32.3% including debts of parastatals). **Germany's** minister for economic cooperation, Dirk Niebel, visited Lomé on 7.12 to announce the official resumption of bilateral aid to the tune of € 27,5m for the next two years. Earlier,

the West African Development Bank (BOAD) had signed already a loan agreement with Lomé for three development projects totalling US \$ 108m or FCFA 49bn.

In February, the **Chinese** Foreign Minister Yang Jiechi met the President in the northern town of Kara (15.2). Both visited the neighbouring village Pya, the spiritual centre of the Gnassingbé clan, where also the President was born, as well as most of the elite of the army and the security services. This was to be seen not just as reverence to his ancestors and to well-established practice of his late father Eyadéma but also as a diplomatic success because it was meant to demonstrate the President's rootedness in the socio-cultural setting of his home area which was respected by his Chinese partner. Both agreed to further deepen cooperation in bilateral and international fields. Apart from considerable economic cooperation Beijing reinforced also its socio-political links and provided Lomé beside its Confucius Institute (inaugurated 2009) with its effective news agency Xinhua. The latter was especially firmly rooted in Togo with its own local correspondents and personnel and offered since 2007 an increasing array of up to 1,000 news clips per day embedded in a comprehensive information service to propagate the Chinese view on global and African affairs. This service involved among others also advantageous agreements and win-win deals with Togolese journalists. Thus, the informal neo-colonial network of *Françafrique* was bit by bit replaced by an equally opaque system of 'Chinafrique' which has become to date one of the most important sources of information of the media on internal and international affairs in Togo.

The repercussions of the past Ivorian civil war on Togo continued though on a diminishing scale. On 14.11 the Ivorian President Alassane Ouattara visited Lomé to sign an agreement tripartite with Lomé and the UNHCR concerning the repatriation of the 5,000 **Ivorian refugees** living in Togo, more than half of them settled in the camp of Avepezo at the outskirts of Lomé. However, it was doubtful whether all the ancient barons of the defeated regime in Abidjan and their families would be willing to return. Many of them had moved from Ghana to Togo just two months before either because of security reasons, as their hideout had been discovered by the media and Ivorian intelligence services, or because of similar repatriation agreements between Accra and Abidjan.

### **Socioeconomic Developments**

A fourth general population and housing census whose preliminary results were presented on 3.5 by the government revealed that the population had more than doubled within the past 29 years. It was the **first census for almost 30 years** which had been conducted in November 2010 as part of the fulfilment of the comprehensive global political accord of 2006 and coalition agreement between RPT and UFC of 2010. Togo's population which had been estimated at 2,719,600 inhabitants in 1981, increased to 5,753,324. Mrs Ekoué, the Minister of Planning, explained the rapid growth with high birth rates (2.58 p.a.) and the decline in the mortality rate. Its impact on economic development could lead to increased unemployment, poverty and vulnerability, especially among the most fragile population, according to the Minister. Therefore, she proposed counteracting measures of the government, the civil society and the donor community. There were considerable regional variations in population growth. Most affected were the Savannah (2.96%) and the already densely populated Marine (2.88%) region, whereas Plateau (2.33%) and Kara (1.81%) remained below the national average, the latter probably because of the semi-official promotion of out-migration of ethnic Kabyé (to which also the Gnassingbé clan belongs) in the past to the more prosperous Southern parts where about 42% of Togolese live. More than one third (37.4%) reside in urban areas, including the capital Lomé with 750,757 (13%)



inhabitants, against 62.6% in rural areas. Apparently, these results will not only inform development planning but also influence future elections, because of the necessity to compile a new reliable electoral register as well as an adjustment of constituency boundaries (so far biased in favour of the RPT) – a controversial demand of the opposition in view of regional and ethnic political affiliations - prior to the upcoming legislative and local elections. Interestingly enough, the figures were considerably lower than the population estimates of 6.6m (2009) of IMF and World Bank, implying that also basic indicators of development like the GDP per capita would be more elevated as estimated previously, with possible repercussions on the future influx of anti-poverty aid.

The National Employment Agency, Agence National Pour l'Emploi (ANPE), created end of April 2009 as a joint representation of government, employers and trade unions, estimated the rate of **unemployment** at the end of the year at about 33 %. In September the government, assisted by PNUD, officially launched a new program of national volunteers in Togo (PROVONAT) specially directed at young graduates mostly affected by unemployment (actual rate about 50%), to improve their chances of integration in the labor market by offering them first professional experience for up to 12 months (renewable) in diverse occupations. Up to December about 700 of the 1.000 volunteers that had responded to the call of the government since the beginning of the year were sworn into the program. End of December the National Council of Social Dialogue signed a collective agreement between workers, employers and government concerning an increase of the minimum wage from 28,000 to 35,000 FCFA. (21.12).

The draft **budget** 2012 was presented in the cabinet on 17.11 and adopted in parliament on 31.12. Its forecast allowed for a high growth rate of 4.5 %, accompanied by decreasing inflation (from 2.1% in 2011 to 1.2% in 2012). In view of the vulnerability of the national economy because of the global financial crisis, climatic changes, fluctuation of world prices of raw materials, high unemployment and low productivity, the estimated increase in the 2012 revenue (FCFA 638.2bn or 18.9% over 2011) appeared to be overly optimistic. It included rising income from internal sources, notably of customs and duties, and notably of the extraordinary revenue to the tune of 298.5bn (mostly donor-financed), compared with 235.6bn a year before. The latter was meant to finance an estimated deficit of FCFA 310.2bn. Total government spending was up by 18.4%, including 295.2bn in primary spending and 17.2bn in debt interest, which was 30.5% higher than in 2011. Investment spending increased by 22.4% to FCFA 281.7bn. The opposition rejected the budget because it held that the investments would be too dependent on external resources.

Throughout the year students of the University of Lomé and Kara violently protested against the new Licence-Master-Doctorate System, suspended scholarships and the expulsion and **political persecution of students** leaders. The universities were closed temporally up to the end of the year. In November a series of **occult murders** of young girls troubled the population of Agoé and Adidogomé, two suburbs of Lomé. The perpetrators apparently wanted to profit from the sale of body parts and human blood for occult practices. Similarly, a ritual murderer in East-Mono who had killed his sister in law and her child was lynched by an outraged mob in Kpékplémé.

**Dirk Kohnert**

**Zusammenfassung:** Die Koalitionsregierung setzte 2011 in Togo ihren Weg zur Demokratiesierung, guter Regierungsführung und Rechtsstaatlichkeit fort. Ihre Bemühungen wurden von der internationalen Gebergemeinschaft mit wachsenden Zusagen und der Streichung von Auslandsschulden honoriert. In der Innenpolitik dominierten sowohl die Opposition als auch der herrschende Gnassingbé-Clan die Schlagzeilen. Der Präsident folgte erfolgreich der Strategie des Teilen und Herrschen seines verstorbenen Vaters Eyadéma. Die radikale Opposition blieb isoliert und ihre Abgeordneten wurden vom Parlament ausgeschlossen, trotz einer gegenteiligen Entscheidung des ECOWAS-Gerichtshofs. Der Showdown zwischen dem Präsidenten und seinen Rivalen innerhalb des Gnassingbé-Clans gipfelte in der Verurteilung von Kpatcha Gnassingbé und seinen Anhängern als Anführer des Putschversuches von 2009.