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**BTI -2022 Togo Country Report :
political and socio-economic
development, 2019-2020 [enhanced
author's version]**

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Togo's Political and Socio-Economic Development (2019 – 2021)

Dirk Kohnert ¹



Source: "No, to 50 years more",
Africa Youth Movement statement on protest in Togo
#TogoDebout/ iDA

Abstract: The Gnassingbé clan has ruled the country since 1967. The demand for political alternance, constituted the major contentious issue between the government and the challengers of the Gnassingbé regime throughout the survey period. The first local elections since more than 30 years took finally place on 30 June 2019 and resulted in the victory of the ruling party. Shortly afterwards, in February 2020, the President won also the disputed presidential elections and thus consolidated his power, assisted by the loyal army and security services. The outbreak of the Corona epidemic in Togo in April 2020 and the subsequent economic recession may have contributed to limit popular protest against the Gnassingbé regime. The human rights record of the government has improved but remains poor. 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, 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 (before Corona). Public investment in infrastructure 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. Moreover, it was overshadowed by increasing inter-personal and regional inequality as well as an increase in extreme poverty. Money-laundering, illegal money transfers and trafficking grew alarmingly. Nevertheless, the business climate improved considerably.

Keywords: democratization, governance, fragile states, political and socio-economic development, development co-operation, EU, Togo, West Africa, ECOWAS

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

¹ Author's extended and annotated version of 'BTI 2022 – Togo Country Report', with hyperlinks to additional sources, references as well as a list of further readings – The 'BTI 2022 - Togo-Country Report' is part of the Bertelsmann Foundation's Transformation Index (BTI) 2022. It covers the period from 31 January 2019 to 31 January 2021. 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 (2022). More on the BTI at <http://www.bti-project.org>. Draft: revised, 6 April, 2021.

Executive Summary

The Gnassingbé clan has ruled the country since 1967. The demand for political alternance, initiated by institutional and electoral reforms, constituted a major contentious issue between the government and the challengers of the Gnassingbé regime throughout the survey period. An alliance of opposition parties and civil society groups organized peaceful demonstrations in opposition to the regime, which were often violently suppressed. Civil society organizations and representatives of the Christian church supported the demands of the opposition. Controversial constitutional and institutional reforms voted in May 2019 in parliament opened the way for President Gnassingbé to stand for a fourth and fifth term because the law does not apply retroactively. The first local elections since more than 30 years took finally place on 30 June 2019 and resulted in the victory of the ruling party, much to the disappointment of the opposition, last, but not least, because the local elected officials would be entitled to elect two-thirds of the future Senate. Shortly afterwards, in February 2020, the President won also the disputed presidential elections and even consolidated his power, assisted by the loyal army and security services. The outbreak of the Corona epidemic in Togo in March 2020 with 3,014 confirmed cases and 65 death up to 3 December and the subsequent economic recession – mostly due to external shocks - may have contributed to limit popular protest against the Gnassingbé regime. The human rights record of the government has improved, but remains poor. 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, followed a 'laissez faire' approach in the interests of regional stability and their national interests in dealing with Togo. The economy dropped into recession in 2020 due to the world-wide economic negative effects of the corona-crisis. The informal sector still dominates the economy. Economic freedom remained with the overall status 'mostly unfree. The government tried to counteract with the continuation of public investment in infrastructure (e.g. roads, harbour) and increases in agricultural productivity. Export crops, had been the key drivers of economic growth. However, growth remains vulnerable to external shocks like the Corona pandemic 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, illegal money transfers and trafficking grew alarmingly. The business climate improved considerably nevertheless. Though the World Bank still defines Togo as low-income, fragile state, the government aims to achieve the status of a developing economy. The overall effects of the COVID-19 pandemic on democratization and governance remained negligible because the government handled the crisis largely satisfactory in the view of the majority of the population. Moreover, the economic impact of the Corona-crisis superimposed the simmering discontent of the opposition. However, growth remained vulnerable to external shocks like the COVID-19 pandemic and its impact on the global economy with repercussions on the domestic labour market and social security, notably of the poor working in the informal sector.

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) was the first violent coup in the history of independent Sub-Saharan Africa. After another coup d'état on 13 January 1967, ousting President Nicolas Grunitzki, Lt. Col. (later General) Gnassingbé Eyadéma became president of Togo on 14 April 1967. Establishing a one-party government, Eyadéma ruled as Togo's authoritarian head of state for 38 years. In July 1991, influenced by the implosion of the Soviet empire and by apparently successful democratization efforts in a number of African countries – including neighbouring 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 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 neighbouring countries Benin and Ghana as well as to Europe. In 1993, the European Union, and other major international and bilateral donors (e.g., Germany), officially suspended development cooperation with Togo due to gross human right abuses. 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.

When Gnassingbé Eyadéma died unexpectedly in February 2005 after nearly four decades of autocratic rule, 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 neighbouring countries. The economy of the country further declined. Finally, massive international pressure forced the government into negotiations with 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, since 2012 renamed UNIR), won an overwhelming majority under questionable frame-conditions. Contested presidential elections in March 2010, April 2015 and February 2020 paved the way for a second, third and fourth five-year mandate for Faure Gnassingbé against limitations of presidential mandates to two consecutive terms in the 1992 constitution.

Status Index

Democracy Status

Q1 | Stateness

Q1.1 | Monopoly on the use of force

9

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. The security apparatus is substantial for such a small country. It consists of the Togolese Armed Forces (Forces armées togolaises, FAT), including the army, navy, air force, and gendarmerie with an estimated total of 11,000 military as well as the secret service (Agence Nationale des Renseignements, ANR, number of personnel unknown) and the national police. In times of elections, an additional Election Security Force (Force sécurité élections, FOSE) composed of personnel of the gendarmerie and the national police (total 8.000) is charged to secure the elections. Findings from the most recent [Afrobarometer survey \(2019\)](#) show that fewer than half of Togolese trust the army, think it effectively protects the country, and say it acts with professionalism and respect for citizens' rights –all assessments marked by strong ethnic, regional, and socio-economic cleavages.

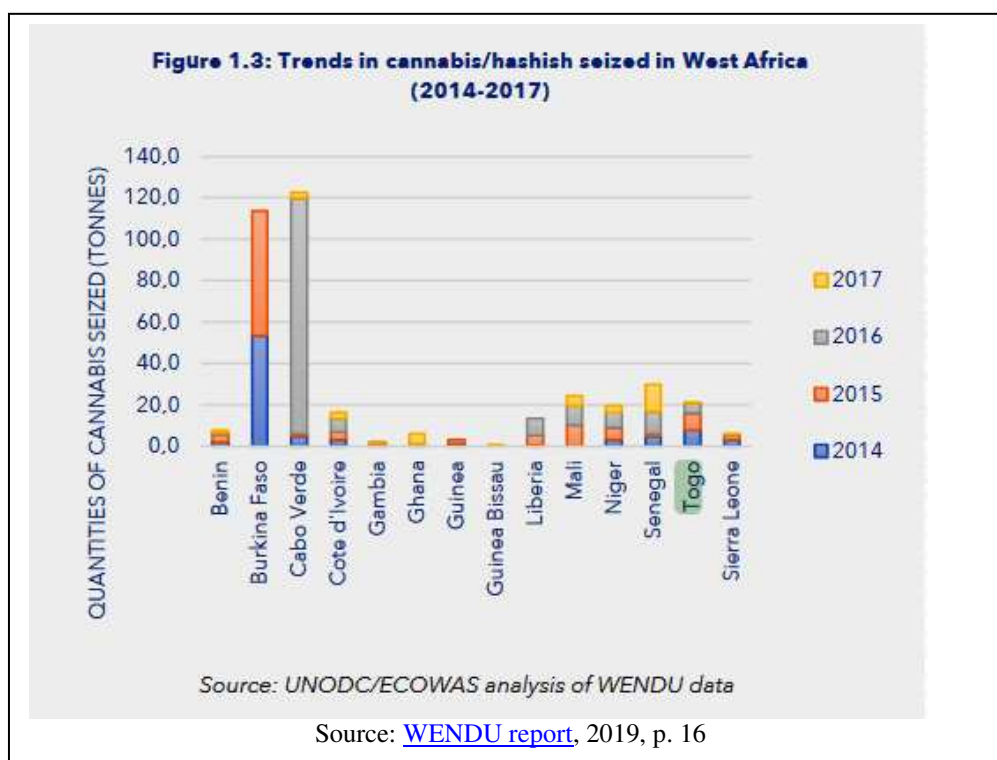
The loyalty of all these security units goes back to historically grown strong ethnic (Kabyé) and interpersonal links between the army leadership and the presidential extended family. The power struggle within the Gnassingbé clan, and between hardliners and modernizers among its followers in the security forces and the ruling party (RPT/UNIR), was decided in favour of the president. In September 2011, the assumed ringleaders of a 2009 coup attempt, led by the younger half-brother and former defence minister Kpatcha Gnassingbé, Commandant Atti and Tcha Kokou Dontema were convicted by a Lomé court which re-enforced the command by the president. 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). Kpatcha was hospitalized because of illness in 2018, however he was not released. On 6 September 2020 he could celebrate his 50 anniversary, thereof 11 years in prison.

After an unprecedented wave of desertions of officers of Togo's armed forces (FAT) in early 2018, and three other militaries committing suicide in April and June 2018, a phenomenon that was hardly unknown until then, there followed another remarkable incidence in 2020. On May 4, 2020, Colonel Bitala Madjoulba, Commander of the 1st Rapid Intervention Battalion (BIR) was murdered, shot with his proper revolver, in his office. The fact that this crime concerned a senior officer responsible for the protection of senior state officials, turned this assassination into a state affair. Only one day after the assassination, Faure Gnassingbé nominated Lieutenant-Colonel Atafai Tchangané to replace him. The latter was head of a section at the [Special Military School of Saint-Cyr](#) (École spéciale militaire de Saint-Cyr, ESM, the foremost French military academy) and Commander of the [United Nations operation in Côte d'Ivoire, UNOCI](#) Battalion. On May 7, three human rights organizations - the Togolese Human Rights League (LTDH), the Association of Victims of Impunity in Togo (Asvito) and the Ligue des consommateurs du Togo (LCT) - had called on the family of Lieutenant-Colonel Bitala Madjoulba to file a complaint against the Togolese state, which is supposed to guarantee the security and integrity of people on its territory. Also, a group of lawyers seized the United Nations Human Rights Council (HRC) in Geneva on July 10 to put "the international pressure" on the Togolese State, so that "justice is done". The commission of inquiry set up by the government in May, headed by the Minister of Security and Civil Protection, Brigadier General [Yark Damehame](#), did not reveal any results.

On October 3, 2020, President Gnassingbé made several appointments by decree, within the Togolese Armed Forces (FAT). Brigadier General Komlan Adjitowou was appointed Chief of Staff of the President of the Republic. His former post of Chief of Staff of the FAT will now be held by Colonel Kodjo Ekpe Apedo. Colonel Kassawa Kolémaga, previously Director of Operations of the FAT and former head of the National Intelligence Agency (ANR) was

promoted to Chief of Staff of the Army. Finally, Colonel Tassounti Djato, until then commander of the Lower Hunting of Niamtougou, the capital of Doufelgou prefecture in the Kara region, the homeland and fief of the Gnassingbé family, was appointed Chief of Staff of the Air Force. He was before in charge of the Niamtougou air base (north). General Chief of Staff of the Togolese Armed Forces remained Brigadier General Félix Abalo Kadhanga. As a reminder, the General Chief of Staff of the Togolese Armed Forces is Brigadier General Félix Abalo Kadhanga, whereas the Ministry of Defences remains in the hands of Faure Gnassingbé to prevent any coup attempts.

Weak, corrupt states are ideal for cocaine barons. 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 neighbouring 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. Another domain of illicit trade was smuggling of African ivory to Vietnam and China. According to scientific investigation published on 19 September 2018, the trade is dominated by three criminal cartels, one of them based in Lomé which coordinates the shipment of ivory for the whole of West Africa.



Although cannabis production in Togo is illegal, Togo counts among the ten African countries with significant cannabis production, i.e. CAR, DRC, Gambia, Ghana, Ivory Coast, Malawi, Nigeria, Sierra Leone, Togo and Uganda according to the Africa Organized Crime Index (OCI) Togo. On 17 May 2020, the Togolese customs intercepted in Tchalo (south of Sokodé), 1,042 loaves of cannabis hidden in a banana car ([Afrik.com](#)). Most cannabis is for trade, the local population consumed just 1% (2009, most recent data available) cannabis itself according to the UNDOC [World Drug Report](#).

Since 2008 there is an ever-growing number of Togo natives being arrested for trafficking, not only in Togo, but also outside the country, especially in Europe. There is also a growing number of foreigners being arrested in Togo for trafficking, generally passing through Togo,

on their way elsewhere ([fides, 2008](#)). On 19 January 2020 seven African leaders from the Republic of Congo, Gambia, Ghana, Niger, Senegal, Uganda and Togo signed an agreement for stronger legislation to criminalize the sale of fake drugs at the two-day France-Africa summit on counterfeit medicines, a deadly trade that claims hundreds of thousands of lives every year in Africa and funds transnational crime and terrorism ([NV, Kampala, 2020](#)).

In October 2019, the WENDU Report, the first-ever regional report on illicit drug trafficking and drug abuse in West Africa, covering the period of 2014 to 2017, was published, assisted by the collaborative efforts of the Economic Community of West African States (ECOWAS) and the United Nations Office on Drugs and Crime (UNODC) with the financial support of the European Union. Among others, Tramadol seizures were recorded in Togo and other West African States. Alcohol was a commonly reported principal psychoactive substance among people in drug treatment in West Africa in the reporting period. The countries with the highest alcohol use disorders treatment rates in the reporting period were Cabo Verde, Togo, and Senegal. In 2017, 14 persons per 100,000 population were treated for alcohol use disorder in Cabo Verde, five per 100,000 in Togo, and four per 100,000 in Senegal. In the same year, a total of 2073 (one per 100,000) persons were in treatment for alcohol use disorders in West Africa (WENDU report, 2019, p.9). Concerning overall criminality Togo scored 5.57 (of max. 10 points) as 18th of 54 African countries and 5th of 15 West African countries in 2020 ([OCI-Togo](#)).

Q1.2 | State identity

8

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, football championnat) are inscribed into the collective memory. The Togolese Football Federation (*Fédération Togolaise de Football, FTF*) is the governing body of football in Togo. Togo's national football team aroused international attention when it participated for first time in the World Cup 2006 in Germany, although it lost all games in its [FIFA World Group \(G\)](#) against South Korea, Switzerland and France. Togo's most renowned footballer, [Emmanuel Adebayor](#), who played for English clubs Arsenal, Manchester City, was voted African Footballer of the Year for 2008 while playing at Arsenal. He represented the Togo national team at the 2006 FIFA World Cup in Germany, the country's debut, and to date only, appearance at the World Cup. However, 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 [Kabyé](#) of northern Togo, who dominate Togo's politics and security services, and the economically more powerful [Ewé](#) of southern Togo. The lack of a consensus regarding national benchmarks to date may be an indicator of the deficient consolidation of Togo as a functioning nation-state. An example of self-interested nationalism includes calls by trading elites, like the influential '[Nana-Benz](#)', politically influential cloth-trading women of Lomé, 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

9

The formally established religious groups – Christians (about 48% of population, 28% Roman Catholics, 10% Protestants, 10% others), 33% traditional African religion, 14% Sunni Muslim (most recent data: Univ. Lomé, 2004 survey; most Muslims are 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 Sovereign [National Conference of 1991](#), the 2007, 2013 and 2018 legislative elections as well as the active participation in the Truth and Reconciliation Commission ([Commission Vérité, Justice et Réconciliation](#), Togo) since 2009. Numerous animated Pentecostal and evangelical free churches (about 12,000, often just one man shows) had applied for official registration, but are less active in secular public life. Approximately 900 remained pending end of 2019. The Ministry of Territorial Affairs (MTA) continued to organize meetings with religious leaders and communities to discuss pending draft legislation regarding religious freedom (US-Gov, 2019). The religious cohabitation was disturbed the first time in July and August 2018 when four mosques in the suburbs of Lomé were looted by unknown perpetrators. The conference of bishops of the catholic church as well as the Union of Muslims, civil society organisations and the government unanimously condemned these desecration.

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. However, the past instrumentalization of African religions and occult belief systems by the ruling powers for political motivated witch-hunts, as demonstrated by the now defunct Eyadéma regime, can be revived at any time.

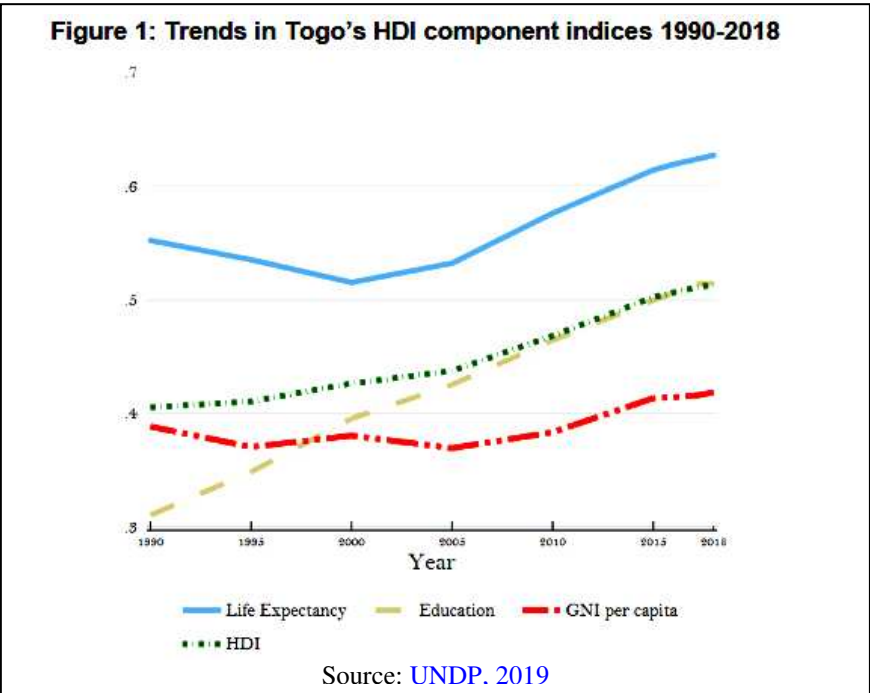
Q1.4 | Basic administration

6

Whereas the state's basic administration extends throughout the entire territory, it is functionally deficient. The urban centers of Lomé, Tsévié, Kpalimé and Sokodé were put under quarantine beginning from 21 March up to June 9 and a state of emergency introduced on April 1 for three months and extended until August 16. Additional travel bans and restrictions concerned limitation on public transport (limit of number of passengers in vehicles, city taxis, buses, ban on tricycles) in April and the temporary closure of land borders on March 20, excluding circulation of goods, for 2 weeks, including the suspension of all flights coming from affected countries and the mandatory quarantine for all people coming from affected countries as well as the ban on official travel to risky countries [Italy, France, Spain and Germany]; suspension of all international events taking place in Togo and all non-essential official missions to high risk countries from 16 March onwards. Schools and universities were closed on 20 March up to June 5, when schools were reopened for examinations classes, starting June 8.

Gatherings of more than 100 people were banned beginning 19 March, restricted further more on gatherings of more than 15 people (for religious ceremonies); closure of public spaces (beaches, nightclubs, etc.) and suspension of sporting and cultural events; closure of places of worship (beginning March 21) and the mandatory use of masks for market vendors on 21 March as well as the restriction of working hours from 8am to 4pm.

Togo’s HDI value for 2018 was 0.51 ([HDI-report, 2019](#), most recent report in Nov. 2020), which put the country in the low human development category, positioning it at 167 out of 189 countries. However, between 1990 and 2018, Togo’s HDI value increased from 0.405 to 0.513, an increase of 26.6 %. However, when the value is adjusted for inequality, the HDI falls to 0.350, a loss of 31.7 percent due to inequality in the distribution of the HDI dimension indices. The 2018 female HDI value for Togo is 0.459 in contrast with 0.561 for males, resulting in a Gender Development Index (GDI) value of 0.818. Yet, concerning the Gender Inequality Index (GII) Togo’s GII value scored only 0.566, ranking it 140 out of 162 countries in 2018. In Togo, 17.6 % of parliamentary seats are held by women, and 27.6 % of adult women have reached at least a secondary level of education, compared to 54.0 % of their male counterparts. For every 100,000 live births, 368 women die from pregnancy related causes. Female participation in the labour market is 76.1 % compared to 79.3 % for men (HDR, 2019). 48.2% of people live in multidimensional poverty (HDR, 2009-2018). They are likely to be impoverished even more by the economic effects of the Covid-19 crisis.



Key public goods are not available to large parts of the population. Only 13.9% of the population have access to improved sanitation facilities and 62.8% to improved drinking-water sources (HDR, 2018).

The basic public administration continues to suffer from the parallel structures of formal and informal institutions (e.g., traditional chieftaincies) inherited from colonial rule. 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. The political 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.

The long-expected first local elections for over 30 years (1987), reported many times, took finally place on 30 June 2019. The municipals were seen as an important step by all political parties, last, but not least, because the local elected officials would be entitled to elect two-thirds of the future Senate. On 25 June 2019, only a few days before the local elections, scheduled for June 30, the law on decentralization and local freedoms was amended.

Basically, the new text establishes the limitation of the mandate of local elected officials to 6 years, renewable twice. For the 1.527 seats in the 117 municipalities, finally, a total of 570 lists of political parties and independents and 114 municipalities had been approved by the Supreme Court. Yet, the pious wishes of the opposition which had hoped for a fundamental change at least at the grass-roots were again utterly dashed. UNIR gained 895 of 1,490 (65%) of municipal councillor seats according to the provisional results, as proclaimed by the National Election Commission CENI on 5 July 2019. As expected, the victory of UNIR had been especially huge in northern localities, the traditional fief of the ruling party. The oppositional ANC, the Opposition Coalition (C14), the Union of Forces for Change (UFC) and Nouvel Engagement Togolaise (NET) had to be content with 134, 131, 44, and 33 municipal councillors respectively. The CENI reported deplorably low participation. Just 52,5% of the 3.466.524 voters enrolled went to the polls, the lowest participation rate since the presidentials of 2005 that brought Faure Gnassingbé to power. On 6 December, the government fixed the date for the next presidential elections 22 February 2020.

Q2 | Political Participation

Q2.1 | Free and fair elections

5

The largely peaceful, but unfree legislative elections of December 2018 as well as the bogus presidential elections of 22 February 2020 resulted in a victory of the ruling party UNIR and the incumbent, Faure Gnassingbé. The parliamentary elections of 20 December 2018 were boycotted by the coalition of major opposition parties (C14) because of the president's refusal to cancel his proposed constitutional reform allowing him to run for a third and eventually fourth consecutive term in 2020. Therefore, the ruling party 'Union pour la République' (UNIR) gained an easy victory with 59 of the 91 seats in parliament. The remaining seats were shared between minor opposition parties and a relatively high number (18) of independent candidates.

Controversial constitutional and institutional reforms voted in May 2019 in parliament opened the way for President Gnassingbé to stand for a fourth and fifth term because the law did not apply retroactively. Moreover, the ruling party had greater access to media during the campaign and also to public means.

Unsurprisingly, the President won also the disputed presidential elections of 22. February 2020 and thus consolidated his power, assisted by the loyal army and security services. Shortly before, the government had cancelled the election observer credentials of the largest independent civil society organization, Concertation Nationale de la Société Civile, as well as that of the Catholic Church monitors. Besides, the National Democratic Institute (NDI, Washington) had its accreditation retired and one of its staff members expelled from Togo. The EU did not monitor the elections, last but not least, because the government in Lomé had not honored the recommendations of the EU election monitoring missions in the past. An electronic system specially created for recording the election results was reversed by the electoral authority two days before the election. On election day, internet access was restricted and social networks, as well as critical media websites, were blocked.

The new electoral code of May 2019 and the endorsement of diaspora votes by parliament on 5 November 2019 had made it possible for Togolese from the diaspora (estimated at 2 m people) to vote, the first time in the countries' history. However, on 13 November 2019 the

government decided that the Togolese diaspora, could only vote in six selected countries: France, United States, Democratic Republic of Congo (DRC), Gabon, Nigeria and Morocco. The numerous Togolese refugees living in Germany for example, who had developed an especially critical stance against the ruling regime because most of them had been politically persecuted by the Gnassingbé dictatorship in the 1990s, were denied the right to vote. Moreover, implementing provisions assured that hardly any oppositional voter would dare to register for voting at his embassy. Finally, just 348 citizens from the diaspora participated.

Thus, Faure Gnassingbé secured his fourth five-year term, consolidating the Gnassingbé clan's 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 according to the Global Political Agreement (2006) between government and opposition had been postponed time and again. Nevertheless, the international community declared the elections free and fair, given their security interests in the region. However, according to the EIU democracy index 2020, Togo was beside Mali the big loser in a dire year for African democracy. Because of deeply flawed elections and the subsequent crackdown on the opposition Togo fell 15 places, further down the ranks of "authoritarian regimes" (overall score: 2.8 (2020), 3.3 (2019); rank 141 of 167 (North Korea) 2020).

According to opinion surveys in 2017, 85% of the population was 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. Therefore, in September 2017 the government introduced in parliament a draft reform law of the constitution providing for a limitation of the president's mandates to two consecutive terms (however, not to be applied retroactive as requested by the opposition), and a change in the voting method used for the presidentials, with a two-round majority vote instead of the previous first-past-the-post system (single majority vote). However, the law failed to gain the four-fifths majority necessary for a revision of the constitution. Of the 91 members of parliament only the 61 members of the ruling party voted for it. The opposition boycotted the vote because the reform would have allowed the president to stand for a fourth and fifth term in 2020 and 2025. Nevertheless, the voting result qualified for being decided by a referendum, which was to be held on 16 December 2018, but was adjourned *sine die*, i.e. actually cancelled. Moreover, the Togolese government refused to adopt draft constitutional amendments proposed by an ECOWAS constitutional expert.

Already on 23 June 2017 the parliamentary majority of the ruling party UNIR had voted a draft law on the creation of 116 municipalities. They were divided between the five regions and 39 prefectures of the country, including 14 new communes, whereby each prefecture enclosed at least two communes. The opposition denounced the method of delimitation as a tribalistic exercise which allegedly had the major aim to assure the maximum of communes in favour of the Gnassingbé regime. For example, the latter had created relatively more municipalities in the sparsely populated North, considered to be the traditional fief of the ruling party, compared with the densely populated South, held to be the stronghold of the opposition.

Q2.2 | Effective power to govern

3

The president has the support of the country's administration as well as that of the security forces. He faces few 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. Prime Minister Selom Klassou, together with his government, demanded his demission on 4 January 2019, apparently in reaction to the disappointing outcome of the legislative election of 20 December 2018, when the ruling party UNIR had failed to win the constitutional amendment majority as expected in view of the boycott of the elections by the C14. Yet, on 26 January 2019, Klassou was re-elected prime minister by the president. On September 28, 2020 a new prime minister, Victoire Tomegah Dogbé (born December 23, 1959) was nominated as Prime Minister. She is the first woman to hold the office and is educated as an economist and was since 2010 Minister of Grassroots Development, Handicrafts, Youth and Youth Employment as well as Cabinet Director of President Gnassingbé. In general, the prime minister needs the president's support more so than that of parliament if he or she wants to implement important public policies.

An unprecedented wave of desertions in early 2018 alarmed the command of Togo's armed forces (FAT) and the government. About 40 officers and ordinary ranks of different security forces left their position. Six of them belonged to the National Gendarmerie, commanded by Col. Yotrofei Massina, a notorious securocrate of the Gnassingbé regime, accused of torture in 2012 by the National Human Rights Commission (CNDH). These defections added to six desertions and demands to leave of four officers that had however been denied by the military hierarchy already in 2017. Three other militaries committed suicide in April and June 2018, a phenomenon that was hardly unknown till then.

Q2.3 | Association / assembly rights

6

The guarantee and protection of rights to freedom of assembly and association have improved since 2007. The constitution and law provide for the right of workers, except security force members (including firefighters and police), to form and join unions and bargain collectively. However, limitations persist, particularly on assembly rights. In August 2019, the parliament passed a law on national security which enabled the Minister of Territorial Administration, in some cases even local authorities, to ban assemblies and to restrict other civic rights (see Q3.4). Moreover, the regime still interferes with demonstrations, including temporary blocks on mobile phone and internet service, to prevent social networking and it banned weekday protests. Member states of the UN Human Rights Council (OHCHR, Geneva) as well as Amnesty International (AI) were alarmed about continuing impunity, excessive violence of police and gendarmerie, arbitrary arrests, and restriction of freedom of expression. On April 13, 2019 security forces beat a protester in Bafilo who was participating in an unauthorized demonstration organized by the opposition Pan-African National Party (PNP). He died in transit to the hospital. The same day protesters detained at the Central Service for Criminal Investigation (SCRIC) were beaten repeatedly with cords and sticks. He was tried and convicted without legal representation. On April 20, 2019 PNP counselor Ouro-Djikpa Tchatikpi was detained for organizing unauthorized protests at the SCRIC for more than three months without appearing in court or being charged. On August 10, 2019 authorities released him without charge. In short, the assembly rights do not meet the requirements of legality, necessity, proportionality and they are of discriminatory character. The restrictions concerning demonstrations and the articulation of discontent with the ruling elite mentioned

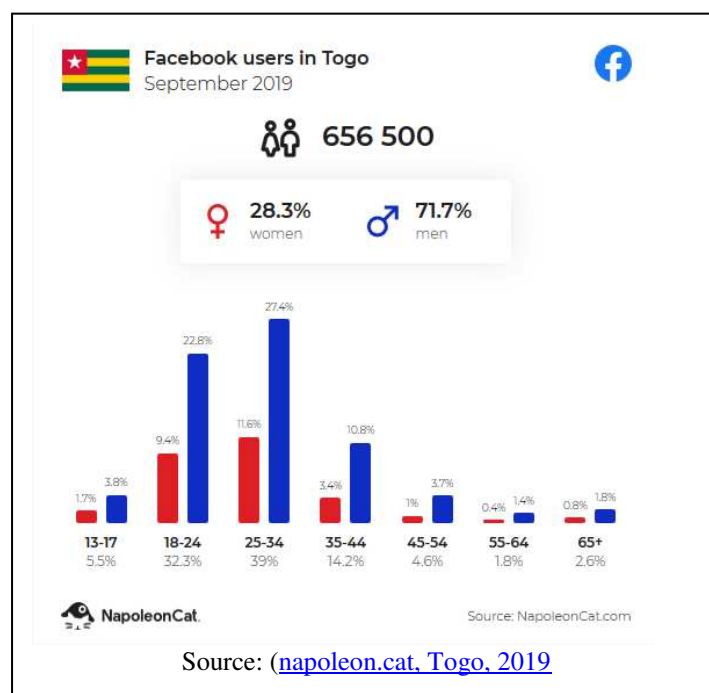
above (see Q2.4) were still in place in January 2021. However, for a majority of Togolese (53%-59%) freedom of association had improved in comparison to the past according to Afrobarometer (2017). There have been no additional COVID-19 related official restrictions on assembly rights.

Q2.4 | Freedom of expression

6

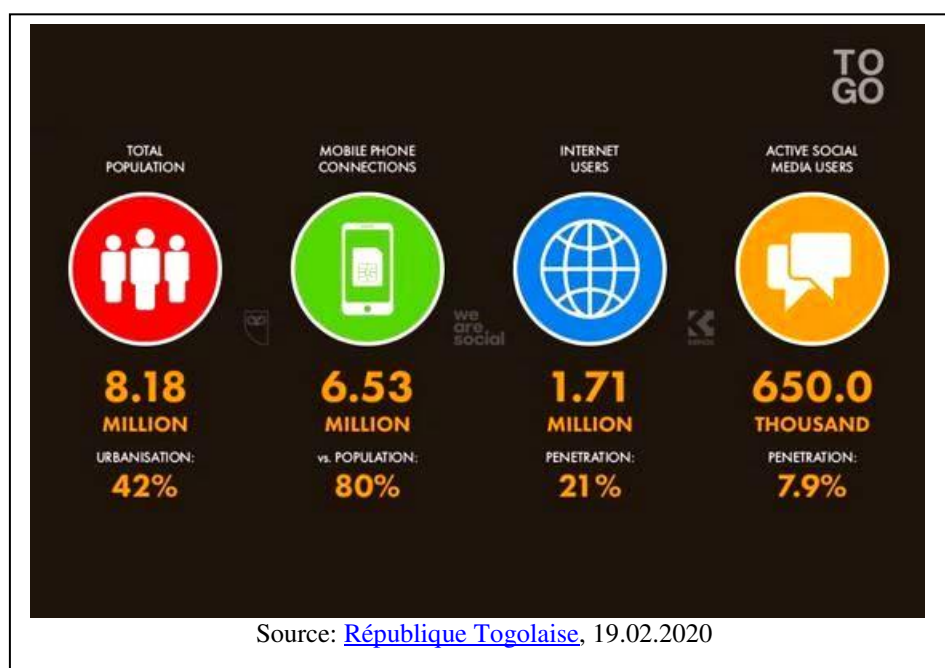
Freedom of expression and the media is constitutionally guaranteed, but restricted in reality. According to Afrobarometer (2018, 'Togo round 7 data', compared with 'Togo Round 6 data (2015)') just 13% of interviewed persons (2017-2018) felt entirely free to say what they thought. 45% of Togolese feel that political leaders are more concerned with advancing their own ambitions. 43% of Togolese prioritised health as the most important issue facing Togo. 85% of Togolese "agree" and "strongly agree" for a two-term limit on the presidential mandate. ([Afrobarometer, Togo, 2020](#)). African Media Barometer (AMB) Togo also confirmed in their its report (2017) that freedom of media was protected by a very important arsenal of laws, but implementation was more problematic.

Because of the Covid-19 pandemic various civic rights had to be restricted. The pandemic started in early March 2020. In an attempt to control the spread of the virus in Togo, all borders to the country were closed and a quarantine applied to the cities of Lomé, Tsévié, Kpalimé, and Sokodé on 20 March for two weeks. Until September there were 1,795 confirmed cases. The death toll rose to 48. On March 16, the government announced an F CFA 2 billion fund to fight the pandemic. It also suspended flights from Italy, France, Germany, and Spain and cancelled all international events for three weeks; requiring people who were recently in a high-risk country to self-isolate ([Covid-19 pandemic in Togo, Wikipedia](#)). From September 14, 2020, all travelers to Togo must install the 'Togo Safe' application on their arrival in the territory. However, access to information has not been restricted due to COVID-19 and no journalists or citizens who reported on COVID-19 had been harassed nor was the pandemic used as justification to pass or enforce legislation on "fake news" or COVID-19 related misinformation.



There is a wide range of daily and weekly newspapers, as well as a vibrant private press. Radio is the most popular medium, particularly in rural areas. The government-owned radio network includes multiple stations, while there are also several dozen private radio stations and a few community radio stations. Most of the private radio networks are religious stations (33; 30 Christian and 3 Muslim; HAAC, 2017). Moreover, there are two state-owned and five private TV stations that regularly broadcast news. However, only a limited percentage of the population had access to it. In addition, a number of foreign stations can be followed freely. Social media are used increasingly. There were 656 500 Facebook users in Togo in September 2019, which accounted for 7.7% of its entire population. The majority of them were men (71.7%), and people aged 25 to 34 were the largest user group (256 000) ([napoleon.cat, Togo, 2019](#)).

Togo's Minister of Posts, Digital Economy & Technological Innovations, Cina Lawson, announced on February, 28, 2020 that by 2022, 90% of the population will have access to fixed and mobile broadband internet services. The actual fixed/mobile broadband penetration was estimated at 35% at end-2019.



In January 2020 1.71 million Togolese were connected to the internet according to a study published by 'Hootsuite and We Are Social' on the use of the web and social networks in Togo. An increase of 7.8% compared with 2019. The overall internet penetration rate was now 21%, including 43.1% via mobile, 56.1% by computer, 0.7% by tablet. 650,000 subscribers were active on social networks (+ 14% between April 2019 and January 2020). 580,000 users regularly access Facebook (95.9% by mobile), 72,000 to Instagram, 170,000 to LinkedIn ([republicoftogo.com, 19.02.2020](#)). There were 3 Instagram macro influencers in Togo with an average following of 81 860 followers. The total reach of all Togolese Instagram macro influencers combined is 245 581 followers ([Hypetrace.com, 2020](#)). TikTok is said to be used increasingly by Togo's teenagers too. Influencers like the comedian influencer #Roland_Tikena allegedly count more than 12 Mio. views.

Twitter and other social media networks are increasingly used both by the government and the opposition. Internet access is improving with 17% of the population with regular access to the internet in December 2017, compared to 2.4% of the population in 2008. Nevertheless, the

penetration rate is well below the African average of 21%. Furthermore, the mobile phone user penetration rate soared by 700% in the past five years from 2013 to 2018, with about 80% of the population using a mobile phone in 2018 (WB, 2018, no update available).

Freedom of speech and freedom of the press are guaranteed by law, but the law is not always respected. Togo adopted several laws curtailing the rights to freedom of expression and peaceful assembly. 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. However, according to AI, the criminalization of the media created a climate of fear and self-censorship and discouraged journalists and the civil society from criticizing HR abuses, notably on subjects such as corruption, the army, the President, and the President's family. Increasing encroaching on internet media freedom, took various forms, ranging from subtly increasing regulatory powers over social media to country-wide internet shutdowns. In June 2020 the HAAC suspended the bimonthly '*Panorama*' for violating the professional rules of journalism and a critical report on the Head of State in May 2020. On 25 March, the HAAC withdrew the licence of the newspaper '*La Nouvelle*' for publishing "unverified information", incitement of ethnic and religious hatred ([AI, Togo, 2020](#)). On 4 November, the director of the oppositional journal *L'Alternative*, Ferdinand Ayité, as well as the journal itself were condemned each to a fine of two million F CFA for defamation in the 'Pétrolegate-affaire', because Ayité had accused the manager of the Committee to monitor the petroleum product price fluctuations, Fabrice Adjakly, to be responsible for the diversion of F CFA 500 Mrd. On 29 December night, Carlos Kétohou from the *L'Indépendant Express* was arrested by heavily armed men of the Central Criminal Investigation and Investigation Service (SCRIC), a special unit of the national gendarmerie. Two days later, Togo press organizations like OTM, CONAPP, PPT, URATEL, ATOPPEL, UJIT and SYNJIT condemn the arrest that according to them amounted to a "kidnapping".

Government interference with the internet and mobile phones was of special concern in view of the growing reliance on digital information and communication technologies (ITCs) in the context of participatory development approaches of international donor agencies. Therefore, the EIU democracy index 2019 (published 31 January 2019) ranked Togo medias all in all as '*unfree*' as against Freedom House (2020) that upgraded Togo's overall status, including freedom of press status, since 2014 from "*not free*" to "*partly free*", with an aggregate status of 47 (of 100) already in 2018.

Q3 | Rule of Law

Q3.1 | Separation of powers

4

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 crucial domains. Among others, it changed article 59 of the constitution to allow for a third consecutive presidential term.

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. The referendum on the government's proposal of a constitutional reform scheduled for 16 December 2018, that was meant for reconciliation with the opposition, was cancelled in 2019 without reason and prior notice.

On October 19, 2020, the president reorganized his 'kitchen cabinet', i.e. his team of close collaborators. Beside his old guard of special advisers², Faure Gnassingbé surrounded himself with young and discreet new advisors ([JA, October 19, 2020](#)). Because of the Covid-19 pandemic various civic rights had to be restricted. The pandemic started in early March 2020. In an attempt to control the spread of the virus in Togo, all borders to the country were closed and a quarantine applied to the cities of Lomé, Tsévié, Kpalimé, and Sokodé on 20 March for two weeks. Until early December there were over 3,000 confirmed cases. The death toll rose to 64. Togo also suspended flights from Italy, France, Germany, and Spain and cancelled all international events for three weeks; requiring people who were recently in a high-risk country to self-isolate. From September 14, 2020, all travelers to Togo must install the 'Togo Safe' application on their arrival in the territory.

There was no state of emergency declared because of the Corona-crisis. ? The emergency measures were enacted by the government without prior consultation of the parliament or the judicial which – however – was accepted as corresponding to existing and legal procedures, the more so because the measures were time-bound and subject to review. There was no objection by the general public to the requirements of necessity, proportionality and they were non-discriminatory. The parliament was not restricted in its oversight role due to the pandemic (dissolution of parliament, abandonment or restriction of parliamentary control functions). But there was also no attempt to restore judicial review of the emergency measures.

First, Ablamba Sandra Johnson, she has the rank of minister as new Secretary General of the Presidency and replaced Patrick Daté Tévi-Benissan, who died on September 2. She also heads the civil cabinet of the Head of State since [Victoire Tomegah Dogbe](#) was promoted to the prime minister's office. Thus, she was rewarded for having contributed to the successful completion of the reforms that have enabled Togo's spectacular progress in the 2019 and 2020 rankings of the World Bank's "Doing Business" reports. Second, Kouessan Joseph Yovodevi, New director of communication to the presidency, this journalist trained at the Higher Institute of Press, in Lomé, is expected on the site of the restructuring of government communication. Third, Komlan Adjitowou took over as head of the military cabinet of the Palace. He was former deputy chief of staff of the Togolese Armed Forces, raised to the rank of general in 2018. He succeeds Colonel Awoki Panassa appointed, in January 2020, Ambassador of Togo to Ghana. In this post, Adjitowou will serve as an interface between the

² Faure's brother Amah Gnassingbé, former party's Second Vice-President of the oppositional [UFC](#), who had accepted in 2006 a post in the government as Minister of State, but also the notorious French lawyer [Charles Debbasch](#), who allegedly had played a crucial role in the "constitutional coup d' État" by which Faure Gnassingbé succeeded his father Eyadéma, as well as [Barry Moussa Barqué](#) and [Koffi Sama](#), In October 2020, [Carlos Lopes](#), said to be one of the principal architects of Togo's National Development Plan (PND) joint the crew of retired senior advisors of international standing of Faure Gnassingbé, like [Tony Blair](#), [Dominique Strauss-Khan](#) and [Lionel Zinsou](#). Lopes, is a Bissau-Guinean development economist and former executive secretary of the United Nations Economic Commission for Africa (ECA, 2012–2016). In addition, in June 2020, [Lotfi Bel Hadj](#), a French-Tunisian essayist, economist, and businessman, became Togo's communicator. Having seen part of his online political marketing operations unveiled last month by the renowned American think-tank Atlantic Council, the Franco-Tunisian communicator signed communication and influence contracts with the Togolese presidency.

president and the defense forces. Fourth, Djibril Mohaman Awalou, as national coordinator for the management of the response to Covid-19. He is university professor and central director of the army health service and of the medical and surgical clinic (allegedly close to the Military) of the Sylvanus-Olympio CHU clinic in Lomé. ,Awalou reports daily to Faure Gnassingbé, who is the head of the crisis committee fighting the pandemic ([Togo-tribune, Oct. 19, 2020](#)).

Q3.2 | Independent judiciary

4

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. In September 2014, the head of state and the UNIR majority in parliament, boycotted by the opposition, re-installed the majority of the notorious Constitutional Court judges that had been already chosen in 2007, including its president Abdou Assouma, who was re-appointed again in December 30, 2019. The Court confirmed on March 3, 2020 that incumbent President Faure Gnassingbé won the February 22 presidential election.

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 one of the Judges' Professional Association (l'Association Professionnelle des Magistrats du Togo, 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. This holds up to date. 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.

Apart from that, 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 (see Q 5.2). 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. This holds especially for land related conflicts, that constitute more than 70% of all pending cases. A new land code was adopted on June 5, 2018, aimed at making land transactions safer, to deal with multiple registration of one land, construction in flood-prone areas, and to tackle land speculation and expropriation.

Q3.3 | Prosecution of office abuse

4

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. The regime delayed the implementation of most of the recommendations for judicial reforms made by the Truth and Reconciliation Commission

(CVJR) in 2012, including the cancelation of a constitutional referendum proposed by the CVJR. Recent examples for impunity for Human Rights violations by the security services concerned the persecution of the new political movement 'Dynamique Monseigneur Kpodzro' (DMK) that had been formed by supporters of widely respected archbishop Mgr. Kpodzro, to back the candidacy of Agbéyomé Kodjo for the presidentials in 22 February 2020. Its members, including the lawyer and human right activist Brigitte Kafui Adjamagbo-Johnson, the first woman to stand for presidential elections in Togo in 2010, and Gérard Djoussou were imprisoned by the security services because of alleged attack on the internal security of the state on 27 and 30 November 2020. Another example was the 'Pétrolegataffaire', where the manager of the Committee to monitor the petroleum product price fluctuations, Fabrice Adjakly, had been accused to be responsible for the diversion of F CFA 500 Mrd. Finally, not the accused, but the journalist who had uncovered the scandal was prosecuted (s. Q 2.4).

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. Although Amnesty International (AI) recognized slight improvements relating to human rights the culture of impunity still prevails, notably concerning security forces (ai, 2020), trafficking and money-laundering (see Q15.3). The regime delayed the implementation of most of the recommendations for judicial reforms made by the CVJR in 2012. 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, although a bill to improve the composition and organization of the CNDH, particularly with respect to the prevention of torture, had been adopted in parliament already in mid-October 2015.

Q3.4 | Civil rights

5

In August 2019, the parliament passed a law on national security which enabled the Minister of Territorial Administration, in some cases even local authorities, to order house arrests, identity controls and interpellations of up to 24 hours. Besides, they had the right to evict foreign nationals, to ban assemblies, suspend associations, and close establishments, including places of worship, hotels and "other meeting places". The law also allowed the Minister of Territorial Administration to order the removal of or blocking access to internet online content and to shut down online communications. According to an report of Amnesty International on the human rights situation in Togo, to be presented at the UN-Human-Rights-Committee 2 to 27 March 2020, the human rights situation in Togo sharply deteriorated due to growing political and social tensions related to the prospects of the head of state running for a fourth and fifth term and the contested 2019 constitutional reforms. Moreover, laws were revised to further curtail peaceful dissent. Thus, Lomé failed to revise its criminal procedure code to build in fair trial standards and legal safeguards against torture and other ill-treatments. Moreover, the harassment of journalists and media continued. On 25 March 2019, the High Authority for Audiovisual and Communication (Haute Autorité de l'Audiovisuel et de la Communication, HAAC) withdrew the license of the newspaper '*La Nouvelle*' because it published "unverified information", incited ethnic and religious hatred, abused the privacy of citizens. On 4 November, the director of the oppositional journal *L'Alternative*, Ferdinand Ayité, as well as the journal itself were condemned each to a fine of two million F CFA for defamation in the 'Pétrolegataffaire', because Ayité had accused the manager of the Committee to monitor the petroleum product price fluctuations, Fabrice Adjakly, to be responsible for the diversion of F CFA 500 Mrd. (see Q2.4).

On 13 April 2019, the Panafrican National Party (PNP) of Tipki Atchadam organized nationwide protests to call for constitutional reforms. These protests were banned by the Ministry of Territorial Administration, except in Lomé, Afagnan and Sokodé, on the grounds that they would “undermine public order”. Dozens of protesters and bystanders were injured. At least one man died during demonstrations in the northern town of Bafilo. At least 30 people were arrested during the 13 April protests and 19 were sentenced to 24 months imprisonment, with suspended sentences ranging from 12 to 24 months, for aggravated public disorder.

Although the civil rights situation in Togo has improved substantially, serious problems persist. Overcrowding of prisons continued to be a serious problem. As of August 28, 2019 there were 5,277 convicted prisoners and pretrial detainees (including 158 women) in 13 prisons and jails designed to hold 2,720 inmates. For example, the Tsevie Prison was 570 percent above capacity with 319 inmates held in a prison designed to hold 56. Pretrial detainees and persons in preventive detention totaled 3,386 inmates constituting 64 percent of the total prison population ([US. Govt. Togo-HR report, 2019](#)).

Serious human rights issues included arbitrary deprivation of life, the use of excessive force by security forces, lack of due process, harsh and life-threatening conditions in prisons and detention centres, arbitrary arrest, executive influence on the judiciary, government restrictions on freedom of assembly, corruption of officials, criminalization of same-sex sexual conduct, although not enforced, and trafficking in persons (US Gov, 2019). Human trafficking concerned especially children, both internally and across the borders, e.g. to Nigeria and Gabun. In 2019, officials reported 225 child victims of trafficking (19 boys and 206 girls) and 87 adult victims (38 men and 49 women), compared with 118 child victims and 86 adult victims in 2018 ([AI, Togo, 2020](#)). The new Penal Code of 2015 increased penalties for human trafficking and established penalties for the worst forms of child labour. However, the government did not devote sufficient resources to combat child labour, and enforcement of laws related to child labour remained weak.

The intimidation of the opposition continued with all means. According to a survey conducted by *Le Monde* (Paris) and *The Guardian* (London), published on 3 August, based on the research of the renowned [Citizen Lab](#) (Toronto), the government in Lomé had used a highly sophisticated Israeli software ‘Pegasus’ to target Catholic clerics and Civil Society militants to spy on mobile phones and internet traffic of the oppositional DMK. Officially, the software had been sold to the government in Lomé to fight terrorism and serious crime. The long-standing close collaboration of Israel and Togo in African politics, military cooperation and espionage, based on mutual benefit since the time of late dictator Eyadéma, had aroused protest of HR organizations and the opposition already in the past.

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 of them hand-selected by the ruling regime, corresponds all too often to the interest of the local power elite. The police and gendarmerie were reported to regularly use torture to extract confessions. 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.

On December 23 2020, the government presented its draft law relating to the 'automated national criminal record' which aimed to improve the automated national judicial framework. This will eventually allow everybody to apply for a criminal record online. This reform part

of the government's desire to dematerialize the main administrative procedures, and it is also meant to make everyday life easier for the population. The device will be operational from April 2021. This improvement is part of the modernization process of the justification initiated since 2005. However, according to Afrobarometer (Togo, 2021) two thirds of Togolese citizens think that people are treated unequally under the law and that officials who commit crimes go unpunished while only a quarter of ordinary people who break the law go unpunished. Overall, almost six in ten citizens don't trust their judiciary system.

Violence against women and the practice of female genital mutilation continues, though on a diminishing scale, last but not least, because of donor assisted awareness campaigns. Female genital mutilation (FGM) was formally outlawed in 1998 and has decreased by more than half since 1996. According to UNICEF data from 2017, FGM/C had been performed on 3.1 % of girls and women between the ages of 15 and 49. The most common form of FGM/C was excision, usually performed a few months after birth. The practice was most common in isolated Muslim communities in the sparsely populated Central and Savanes Regions (US Gov, Togo-HR, 2019). The region with the highest prevalence is Centrale, at 17.4%; the lowest is Maritime in the south, at 0.4% ('28 Too Many', 2018). The prevalence of excision decreases with women's age, ranging from 10.2% among women aged 40-45 to 0.3% among girls under age 15, according to Togo's third Demographic and Health Survey of 2013. The prevalence of childhood marriage (before age 15) also declined, ranging from 11.1% among women aged 45-49 to 1.9% among those aged 15-19 (Afrobarometer, 2018).

Togo has ratified most international human rights treaties and it is a member of the U.N. Human Rights Council for the period 2016-2018. Nevertheless, important omissions still remain. By the end of February 2014, the U.N. Human Rights Council encouraged the government to endorse U.N. treaties not yet ratified, including the Rome Statute of the International Criminal Court (ICC) and the Agreement on Privileges and Immunities of the ICC, still not endorsed end of 2020.

There were no significant and enduring additional restrictions on fundamental rights (like the right to life, freedom from torture, slavery etc.) because of the COVID-19 pandemic. The temporary restrictions mentioned above (Q3.1) met the requirements of time-boundness, legality, necessity, proportionality. The right to privacy was affected by emergency measures only in so far as all travelers to Togo had to install the 'Togo Safe' application on their arrival in the territory from September 14, 2020. However, citizens cannot seek redress for their rights violations.

Q4 | Stability of Democratic Institutions

Q4.1 | Performance of democratic institutions

4

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 the government and to formulate alternative policy proposals. Togo's population became increasingly frustrated by the regime's inability

to initiate meaningful reforms. Judicial reform is underway, but the aforementioned challenges (see 'independent judiciary') persisted throughout the assessment period. In Freedom House's 2020 Freedom in the World rating, Togo's overall status remained 'partly free' as in the previous two years. In the Economist Intelligence Unit's democracy index 2019, Togo was upgraded from rank 130 (2015, 3.32 of 10 points) to rank 126 (2019; 3.30) out of 167 countries, mainly due to its political culture (5 of 10) (see Q2.1). For the rest, EIU classified Togo as an 'authoritarian regime' as before.

Q4.2 | Commitment to democratic institutions

3

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 the legitimacy of its irregularly acquired grip on power through peaceful although not democratic legislative (2007, 2013, 2018) and presidential (2010, 2015, 2020) elections. However, as far as the existing institutions are concerned, a high degree of scepticism remains, since the president was not elected democratically and parliament, still dominated by the RPT/UNIR, has not shown its real potential yet. The personality 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. The executive unwillingness to uphold its commitment to democratic institutions (parliaments, judiciary, oversight and watchdog institutions) was not additionally reinforced by introducing the temporary state of emergency because of the Corona-crisis mentioned above.

Q5 | Political and Social Integration

Q5.1 | Party system

5

Although there exist 34 noteworthy political parties (2020) in total, Togo is *de facto* heading towards a two-party system, involving the ruling Union pour la République ([UNIR](#)) party, and the oppositional [ANC](#) (l'Alliance Nationale pour le Changement) under its head Jean-Pierre Fabre, leader of the opposition up to the strategic error to boycott the 2018 parliamentary elections. 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, represented in parliament as well up to the boycotted legislative elections of December 2018, is 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. Shortly afterwards, in August 2012, a confederation of smaller moderate opposition parties, the [Action Committee for Renewal](#) ('Comité d'Action pour le renouveau', CAR) joined the foundation of a [rainbow coalition](#), 'Arc-en-ciel'. The extra-parliamentary opposition embraced the '[Nouvel Engagement Togolais](#)' (NET), '[Organisation pour Bâtir dans l'Union un Togo Solidaire](#)' (OBUTS), the '[Parti National Panafricain](#)' (PNP)' under its charismatic leader [Tipki Atchadam](#), founded in August 2017, and over 80 other smaller parties. Atchadam and his PNP created the 'C14', a common front of the most important 14 opposition parties. However, this

new coalition did not last very long in view of quarrels between its members, and Tipki Atchadam retreated into exile in neighbouring Ghana. Capitalizing from the disunity of the opposition, Gabriel Agbéyomé Kodjo, former prime minister under late Eyadéma Gnassingbé, backed by some of the parties of the C14 as well as by the retired archbishop of Lomé Mgr [Phillippe Kpodzro](#), who still had a high standing in the Togolese civil society because of his mediating role during the democratic renewal of Togo in the early 1990s, contested the leadership of the opposition by Jean-Pierre Fabre shortly before the presidentials of February 2020. Kodjo dived the opposition further up to the point of arousing suspicion of acting in the interest of the ruling powers. However, the new political movement 'Dynamique Monseigneur Kpodzro' (DMK) that had been formed by supporters of archbishop Kpodzro, to back Kodjo for the presidentials in 22 February, was targeted by the security services of the regime as potential menace. Therefore, its members, including the lawyer and human right activist Brigitte Kafui Adjamagbo-Johnson, the first woman to stand for presidential elections in Togo in 2010, and Gérard Djoussou were imprisoned because of alleged attack on the internal security of the state on 27 and 30 November.

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 ANC and CAR opposition parties. The new electoral code of May 2019 and the endorsement of diaspora votes by parliament on 5 November 2019 made it possible for Togolese from the diaspora (estimated at 2 m people) to vote, the first time in the countries' history. However, the National Election Commission CENI registered just 212,538 Togolese citizens in the diaspora entitled to vote. On 13 November 2019 the government had decided that the Togolese diaspora, represented by the newly created 77 members of the Togolese High Council for Foreign Affairs (HCTE), organized by the government in Lomé, could only vote in six selected countries: France, United States, Democratic Republic of Congo (DRC), Gabon, Nigeria and Morocco. The numerous Togolese living in Germany, who had developed an especially critical stance against the ruling regime because most of them had been politically persecuted by the Gnassingbé dictatorship in the 1990s, were denied the right to vote. Moreover, implementing provision assured that hardly any oppositional voter would dare to register for voting at his embassy. Finally, just 348 citizens from the diaspora participated.

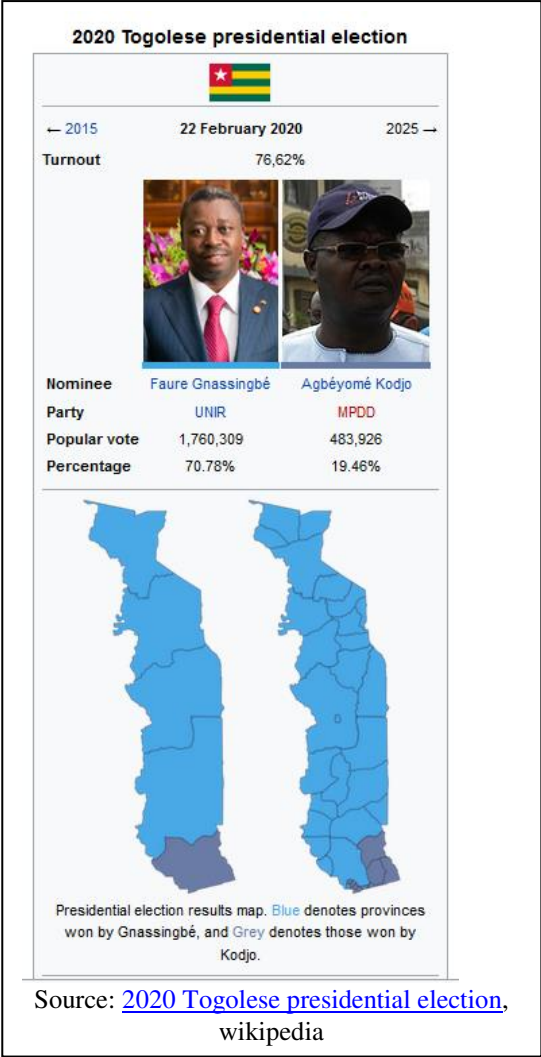
Q5.2 | Interest groups

6

There exists a broad range of interest groups. The most influential Christian churches as well as the two [Muslim organisations](#), the Union of Muslims in Togo (UMT, founded in 1964) and the Association of Muslim Executives of Togo (l'Association des Cadres Musulmans du Togo, ACTM, founded in 2003), exert a mediating and constructive political influence which has been recognized far beyond their own followers. These Christian and Muslim organisations closely cooperate in combating terrorism. Earth priests (chef de terre) and traditional chiefs still wield a strong influence at the local level. Yet, many traditional chiefs were still entangled to such extent with the Gnassingbé regime which had manipulated and instrumentalized them since generations that they hardly dare to take an independent stance, contrary for example to the Christian bishops.

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 (Haut Conseil de Coordination des Associations et Mouvements Etudiantins, HaCAME) degenerated into a pro-government militia which actively supported the incumbent’s bloody ‘enthronement’ in 2005. Since 2011, oppositional student organizations have come to the fore, staging periodic anti-government demonstrations in the universities of Lomé and Kara. 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, most of them are either biased and closely linked to the former unity party RPT/UNIR or they have little political influence. Although there are a large number of labour unions in Togo, none of them has the strength or capacity to significantly influence the policymaking process. The unions nevertheless succeeded in convincing the government to continue paying subsidies for fuel, some staple foods and fertilizers so as to avoid a serious social crisis.



With the democratic renewal of the early 1990s civil society organizations (CSOs) mushroomed. According to informed estimates about 41% of the population are organized in one or other CSO. There existed about 2,000 CSOs already in 2012, of which just 325 were officially registered NGOs. 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 rights and impunity. Some of these organizations co-operate with political parties in broad anti-government movements, such as the Let's Save Togo Collective (Collectif Sauvons le Togo, CST).

The Covid-19 pandemic severely affected CSO activities too. The most common challenges have been the loss of funding, bringing operations to a stand-still. Reduced funding led also to major operational and structural changes and the inability to implement program activities because of the government's preventive measures against the pandemic.

Q5.3 | Approval of democracy

n/a

According to a representative survey of [Afrobarometer](#) published in 2018, 75% affirmed that democracy would be the best of all forms of government. Last, but not least, 87% of respondents “agreed” or “strongly agreed” that there should be a two-term limit on the presidential mandate (which is not in effect). Whereas the high level of participation (85%) at the legislative elections of 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 in subsequent elections showed voter fatigue, reflected in only 61% and 59% participation during the presidentials of 2015 and the legislative elections of 2018, and just 52,5% in the 2019 local elections, the lowest participation rate since the presidentials of 2005 that brought Faure Gnassingbé to power. These figures were interpreted also by independent observers as a sign of general disappointment of the opposition with the biased organization of the electoral process. However, the high turnout (76,62 %) during the presidentials of February 2020, 15 points more than in 2015, proved to the contrary. The COVID-19 response of the government did not have any significant effect on people's attitude towards democratic institutions

Q5.4 | Social capital

7

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 the violent political oppression of the dictatorial Eyadéma 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 was 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 Q5.2 “interest groups”). However, there was no evidence that the Corona pandemic had affected the sense of solidarity and trust and the self-organizational capacities of civil society in addition.

Market Economy Status

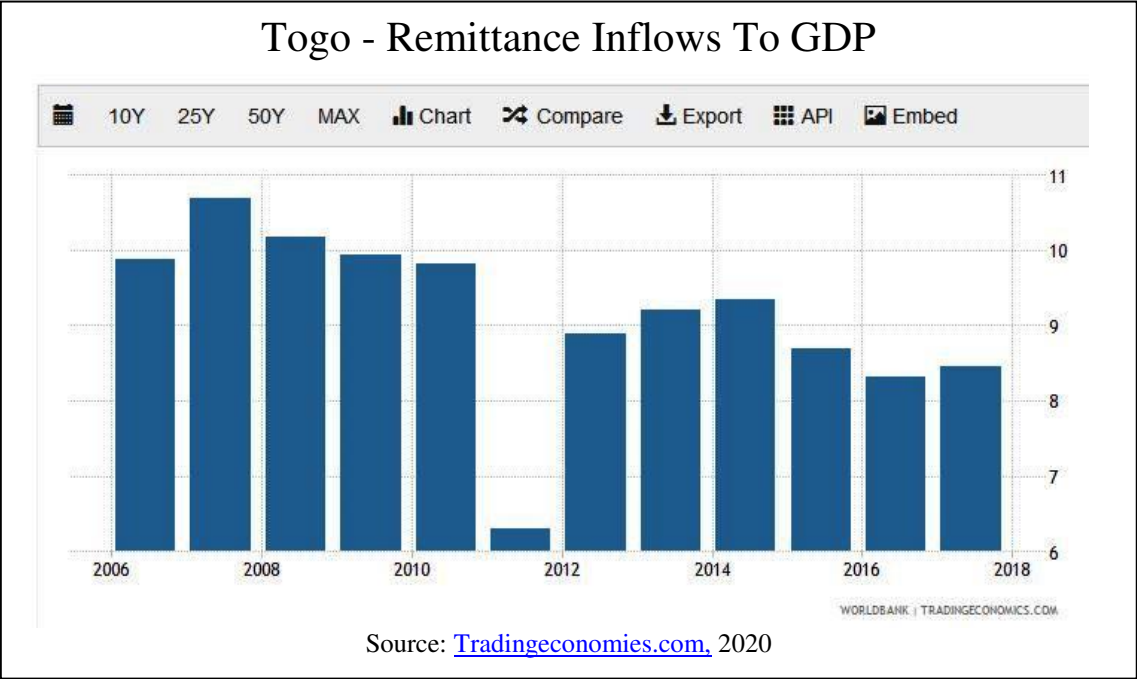
Q6 | Level of Socioeconomic Development

Q6.1 | Socioeconomic barriers

3

Although the current socioeconomic situation in Togo remains precarious, it improved considerably over the past decade. Thus, Togo’s HDI trend progressed over the past three decades from 0.4 in 1990 to 0.51 for 2018 ([HDI-report, 2019](#), most recent report in Nov. 2020), an increase of 26.6 %. which put the country in the low human development category, positioning it at 167 out of 189 countries. However, when the value is adjusted for inequality, the HDI falls to 0.350, a loss of 31.7 % due to inequality in the distribution of the HDI dimension indices. The 2018 female HDI value for Togo is 0.459 in contrast with 0.561 for males, resulting in a Gender Development Index (GDI) value of 0.818. The overall trend was reflected too by the [UN World Happiness Report of 2020](#) where Togo ranked still at the bottom (135) of 153 states evaluated for the period 2017 to 2019, although it counted, alongside neighbouring Benin, among the best performers in changes in happiness from 2008–2012 to 2017–2019.

Because of the Corona crisis, economic growth which had been estimated at 5.1 % in 2019, will probably contract by about 4 % in 2020. The COVID-19 pandemic could wipe out four-fifths of Togo’s projected growth in 2020 according to a WB-report ([WB, Togo, September 2020](#)).



Moreover, growth was not inclusive. Poverty remained at a high level, with 53.5 % of the population living below the poverty line in 2017 (AEO, 2018; GNI per capita 1,620 intern. \$,

PPP-2017), Though the poverty rate decreased since from 61.7 % in 2006 58.7 % in 2011 to 53.5 % in 2017. Moreover, inequalities continue to widen with the Gini index rising from 0.380 in 2015 to 0.427 in 2017 ([AEO, 2018](#), most recent in Sept. 2020). Moreover, the depth and severity of poverty worsened, with about 80% of the population now at risk of falling below the poverty line. The rate of extreme poverty (49.2%) in Togo was almost twice the poverty rate in Ghana (25.2 %).

In addition, there was an alarming variation in poverty between the so-called leading and lagging areas of Togo. In the countryside the rural poverty rate decreased from 73.4 % to 68.9 % between 2011 and 2015, whereas it mounted in the urban centers. However, this trend reversal must be linked to rural exodus, according to a WB publication on the geographical concentration of welfare, published in November 2017. Poverty in the far North of Togo was up to three times as high as in the South. Moreover, nearly half of Togolese people had neither access to pipe born drinking water (40%, 2016) nor to electricity 48% (2017) or sanitation (50%, 2015), and the country had just one doctor per 14,500 inhabitants ([AEO, 2020](#), no updates of individual figures available, as of Oct. 2020).

In addition to the regional-, the inter-household income inequality was increasing. The Gini coefficient for Togo increased from 0.34 in 2013 to 0.43 in 2017 nationwide (HDR, 2018). The rural exodus continued. About 40% of the population live in urban areas, an increase of 160% between 1990 and 2014 (AEO Togo, 2020). The inequality is more pronounced in urban centres than in the countryside. Urban unemployment and underemployment persist, with an estimated 33% of the urban population either unemployed or underemployed. Official rates of unemployment 1.8% (HDR, 2018) are questionable (see Q10.1).

Discrimination against women is widespread, but decreasing gradually (see “Equal opportunities”). Available figures concerning the prevalence of HIV are only estimates, they varied from 2.3% to 3.6% of adults aged 15 to 49 in 2001, decreasing to 1.4% to 2.3% of adults in 2018 (WDI, 2018;index mundi, 2020). This decrease was partly attributable to the introduction of free anti-retroviral treatment in November 2008.

The subsistence economy in rural areas, the potential of the informal sector in urban areas, and remittances from expatriated Togolese (see Q17.1) have helped to avoid a more severe crisis. Last, but not least, Togolese citizens lack adequate freedom of choice and an effective decentralization policy including a real devolution of power and resources.

The COVID-19 pandemic had discernible effect on the level of social exclusion, notably of people employed in the informal sector. The pandemic could wipe out four-fifths of Togo's projected growth in 2020 according to a WB-report. Roughly 62% of jobs are at risk, 49% in the service sector and 13% in the industrial sector. Small and medium enterprises have been particularly hard hit. Poverty rates, inequality and human development will most likely be additionally aggravated. For 2020, the fiscal deficit and the balance of payments financing gap were forecast to widen due to additional healthcare spending and other impacts of COVID-19 on the economy. Growth projections for 2020 were lowered from 5.5% to 3%. In order to counteract the negative effects on the poor and vulnerable, the African Financier of Micro-Projects (Financière Africaine de Micro-Projets, FINAM), the first public limited company for microfinance, embarked on the digitalization of its services by creating “Finam Mobile” in response to the Covid crisis. The App allows to manage ones account at home, including making deposits and withdrawals starting on September 11, 2020.

Q7 | Organization of the Market and Competition

Q7.1 | Market organization

4

Once euphemistically called the “Switzerland of West Africa”, Togo today strives to transition from a low income, fragile state to an emerging economy. Yet, Togo still lacks the foundations for credible market-based competition and good governance, although there have been undeniable improvements. Togo has been a WTO member since May 1995 and grants Most Favoured Nation (MFN) treatment to all countries. Agricultural imports face higher barriers (14.6 %) than non-agricultural imports (11.5 %). Togo's Herfindahl-Hirschman (HH) Market concentration index (2014-2018) that measures dispersion of trade value across exporter's partners is very low (0.09 of 1.0) although increasing since 2014 (0.08). The index of export market penetration is equally low (0.09) which signals the presence of trade-barriers preventing firms from expanding the number of markets to which they export.

As alternative to the long-established Washington Consensus, upheld by the Bretton-Woods Institutions, that support financial discipline and the market economy, six francophone members of the WAEMU, including Togo, proposed the so-called ‘Dakar Consensus’ during a development conference with the IMF in Dakar on 19. December, 2019. The African side maintained that the deficits of African economies should be handled more flexible, last but not least, because of the heavy security costs of their combat against terrorism. Nevertheless, entry and exit barriers to FDI are still considerable as shown by the WB Togo Doing Business Report 2020. Moreover, the government's influence on crucial sectors like the phosphate and cotton industry, trade transition, including the deep-water harbour of Lomé, and the banking system is still considerable.

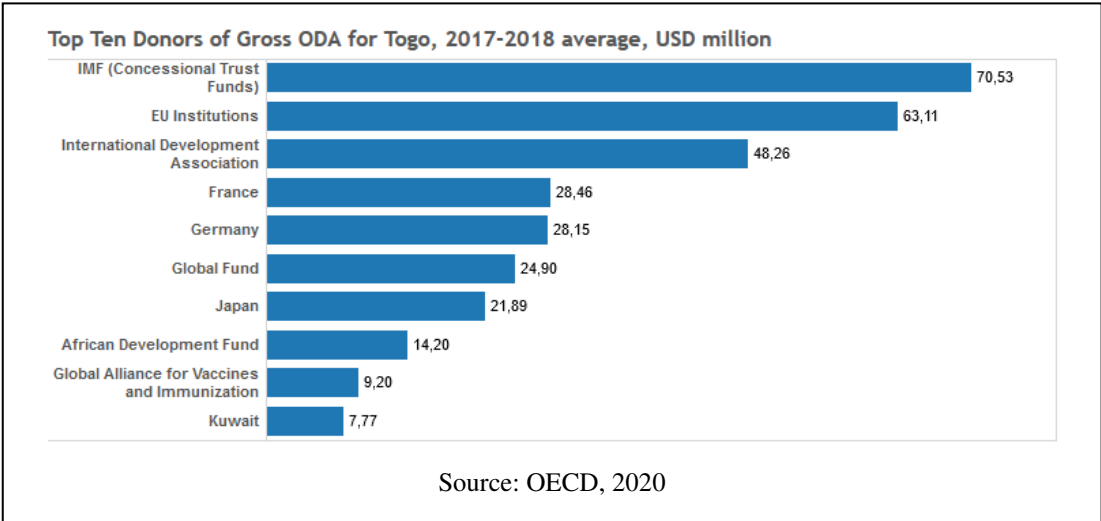
According to the most recent country-wide business survey conducted by the national statistics institute (INSEED) in January and March 2018, released on 24 June 2019, more than 85% of business in Togo operates in the informal sector. The Lomé region hosted by far the most businesses (63,4%), the Plateau region followed far behind (10,1%), the Maritime region (outside Grand Lomé) (8,3%), Kara (6,8%), the Central region (6%) and Savanes region (5,4%).

Moreover, there are several sign of a flourishing irregular trans-border trade, sarcastically labelled *l'état-entrepôt* with respect to neighbouring Benin that equally participates from this longstanding lucrative trade over the green border, notably in used cars, imported from Europe, mainly with destination for the Nigerian market. Also illicit African gold exports came in the spotlight on 29 May 2019. Although in Togo there is hardly any domestic gold production, it was listed as the seventh-largest source gold exports to the United Arab Emirates (UAE). This indicated significant illicit cross-border movement of gold, probably from Ghana and Burkina Faso (Werthmann, 2017: 422), key sources of gold for the UAE, including illegal mining. Migrant Togolese gold diggers worked not only in Burkina Faso's irregular gold mines. Burkinabè buying companies smuggled also gold into Togo where it was purchased by Lebanese companies (e.g. Wafex Sàrl, Ammar Group) that export it to Switzerland. The reason for this illicit trade is tax evasion. Burkinabè buyers avoid paying export taxes of 500 F CFA per gram of gold (in addition to all other corporate taxes on grams traded and corresponding profits), which costs the treasury in Ouagadougou about 6.47 m CHF per year, equivalent to 25% of total Swiss aid to Burkina Faso. Ammar Group on the other hand profits from Togo's generous export rates that are ten times cheaper (Werthmann, 2017).

Receipts for Togo			
	2016	2017	2018
Net ODA (USD million)	168,2	344,4	296,4
Net ODA/GNI (%)	3,8	7,2	5,6
Gross ODA (USD million)	200,7	385,0	333,6
Bilateral share (gross ODA) (%)	34,7	22,2	35,7
Total net receipts (USD million)	152,1	380,4	356,4
For reference			
	2016	2017	2018
Population (million)	7,5	7,7	7,9
GNI per capita (Atlas USD)	610,0	590,0	650,0

Source: OECD, 2020

On 20 August 2019, the Nigerian president Muhammadu Buhari surprisingly closed Nigeria’s borders and suspended imports and exports across all of Nigeria’s land borders. His primary goal was to stop rampant informal trade and smuggling from Togo and Benin across the notoriously porous frontiers. Shortly before this, on 24 June, the Nigerian government had warned Ghana and Togo to stop attacking Nigerian traders in their countries, who had been maltreated because of accusations of unfair competition and law-breaking. The ‘partial closure’ (maritime export, e.g. of crude oil, was excluded) was considered an early warning sign against optimism concerning the AfCFTA. The closure, with no timeline for the reopening of the borders, not only had devastating effects on neighbouring Benin and Togo – key exporters of foodstuffs to Nigeria – but also pushed up prices for staples such as rice at markets around Nigeria. It was especially hard for Togo’s tomato producers and their Nigerian clients because the tomatoes rotted during transport at the frontier.



Togo remains dependent on development aid. It fluctuated (in current US\$, millions) between 258.2 in 1990, 165.0 in 2017 and 296.4 in 2018 (OECD, 2020). Europe (EU, France, Germany) is by far the biggest provider of development assistance, beside China. On 22 June 2017, the EU, France and Germany agreed in Lomé to harmonise their aid to Togo which amounted to about 715 m € in total for the period 2014 to 2020. Therewith, Europe remained the most important partner of development cooperation with Togo. However, China follows

suit. Togo has long-standing good relations with China since 1972. Sino-Togolese aid concentrated in recent years on big prestigious infrastructure projects, like the stadium of Kégué and the new international airport of Lomé, the new parliament building in Northern Lomé and the big bypass road, linking the harbour to the east of Lomé directly to the Ghanaian border at Noépé in the West. The deep-water harbour of Lomé is an 'anchor-point' in China's ambitious Belt and Road initiative in West Africa.

In the World Bank 2020 index of trade- and business freedom, based on business regulations in 190 economies, the best improvers were Togo (rank 97 of 190 (Somalia at the bottom end); change in DB score 7.0, DB score 62.3), alongside with Saudi Arabia, Jordan, Bahrain, Tajikistan, Pakistan, Kuwait, China, India and Nigeria. However, the WB Doing Business Index came under severe criticism in 2020 because of its alleged political and methodological (free trade) bias. The more regulations are slashed, the better a country does in the ranking.

Therefore, on 27 August 2020 the World Bank announced that it will suspend the Doing Business Report over data irregularities, until it conducts a review and audit. The halting of the report was welcomed by trade unions, academics and human rights groups. In fact, the Doing Business Report undermined social progress and promoted inequality. Since it was launched in 2003 it has generated outrage for its anti-regulation bias. Inspired by the "Index of Economic Freedom" at the conservative Heritage Foundation, the report encouraged countries to take part in the "deregulation experience" including reductions in employment protection, lower social security contributions (denominated as "labor tax") and lesser corporate taxation. Thus, a country ranks better when its social security contributions are low, that is, when employees have lesser social protection benefits for their families and retire with low pensions. Countries also get better rankings if corporate tax is low, no matter if this will generate further inequality and starve resources for national sustainable development.

Economic Freedom, as measured by the Heritage Foundation's Economic Freedom Index 2019 improved also, but only slightly by 2.5 points to 50.3. This was due to improvement in fiscal health and rising scores for the tax burden and property rights. Yet Togo's economy still ranks at the bottom (158th freest) of the 2019 index, and its overall score was below the regional and world averages. In short, Togo's economic freedom too remained with the overall status of 'mostly unfree'.

In summary, Togo's political and administrative operating environment constituted a barrier to the growth of private direct investment and private sector activities. A thorough reform was prevented by vested interests, lacking administrative and judicial transparency and widespread corruption.

Q7.2 | Competition policy

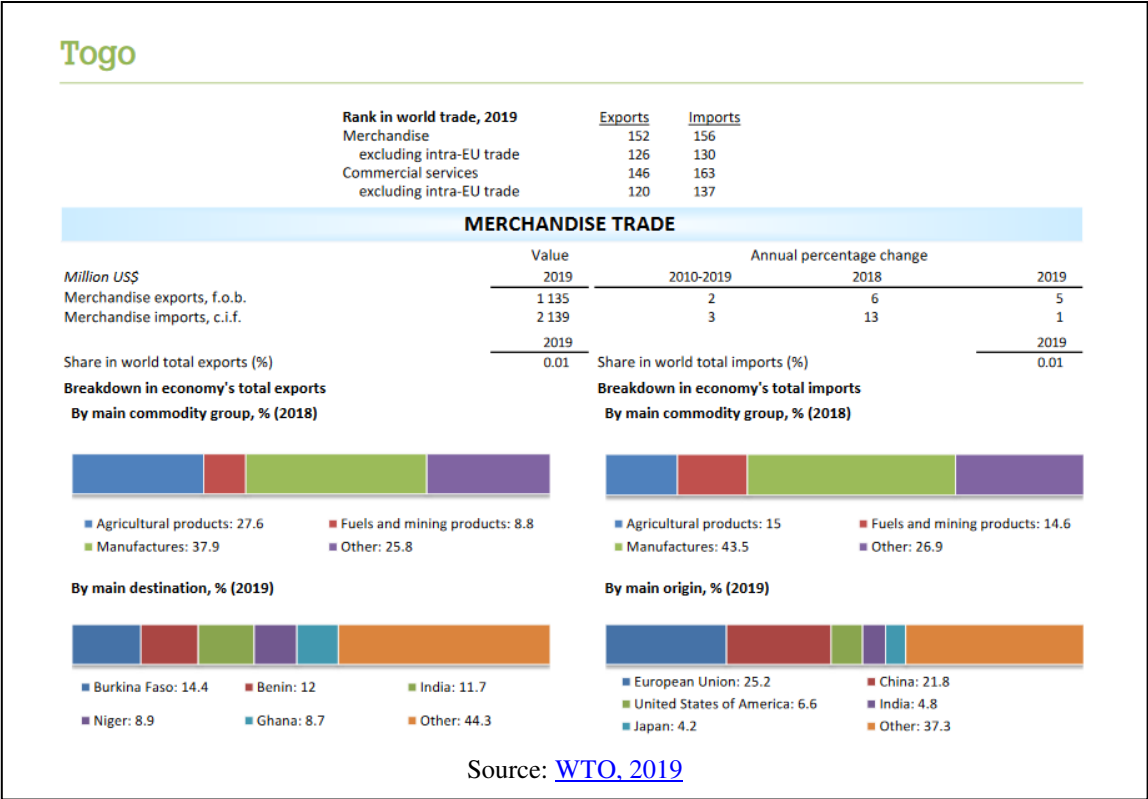
6

There is currently no domestic competition law in most ECOWAS member countries, including Togo. Gambia and Nigeria are the only to have competition legislation in place. Countries with insufficient resources like Togo find it more effective to rely on antitrust enforcement by regional authorities, than to establish their own national authorities. The WAEMU (UEMOA), including Togo, adopted competition legislation in May 2002, which became operative from January 1, 2003. Early July 2019 the ECOWAS launched a new competition regulator with the ECOWAS Regional Competition Authority (ERCA), as announced in Banjul, Gambia.

Key sectors of the economy, notably the banking, cotton and phosphate sector, are still in the hands either of a few individuals or parastatal. The electricity sector is still characterized by high costs and limited penetration. The Compagnie Energie Electrique du Togo (CEET), created in 1963, is a state monopoly company that provides electricity to about 166 000 clients (CEET 2018). Since 1999 it is linked to the West African Power Pool (WAPP). The CEET is mainly a distribution company, purchasing 50% of its electricity from the joint public Benin/Togo Generation and Transmission Power Utility (Communauté Electrique du Benin, CEB), and 50% from Contour Global, a private power producer.

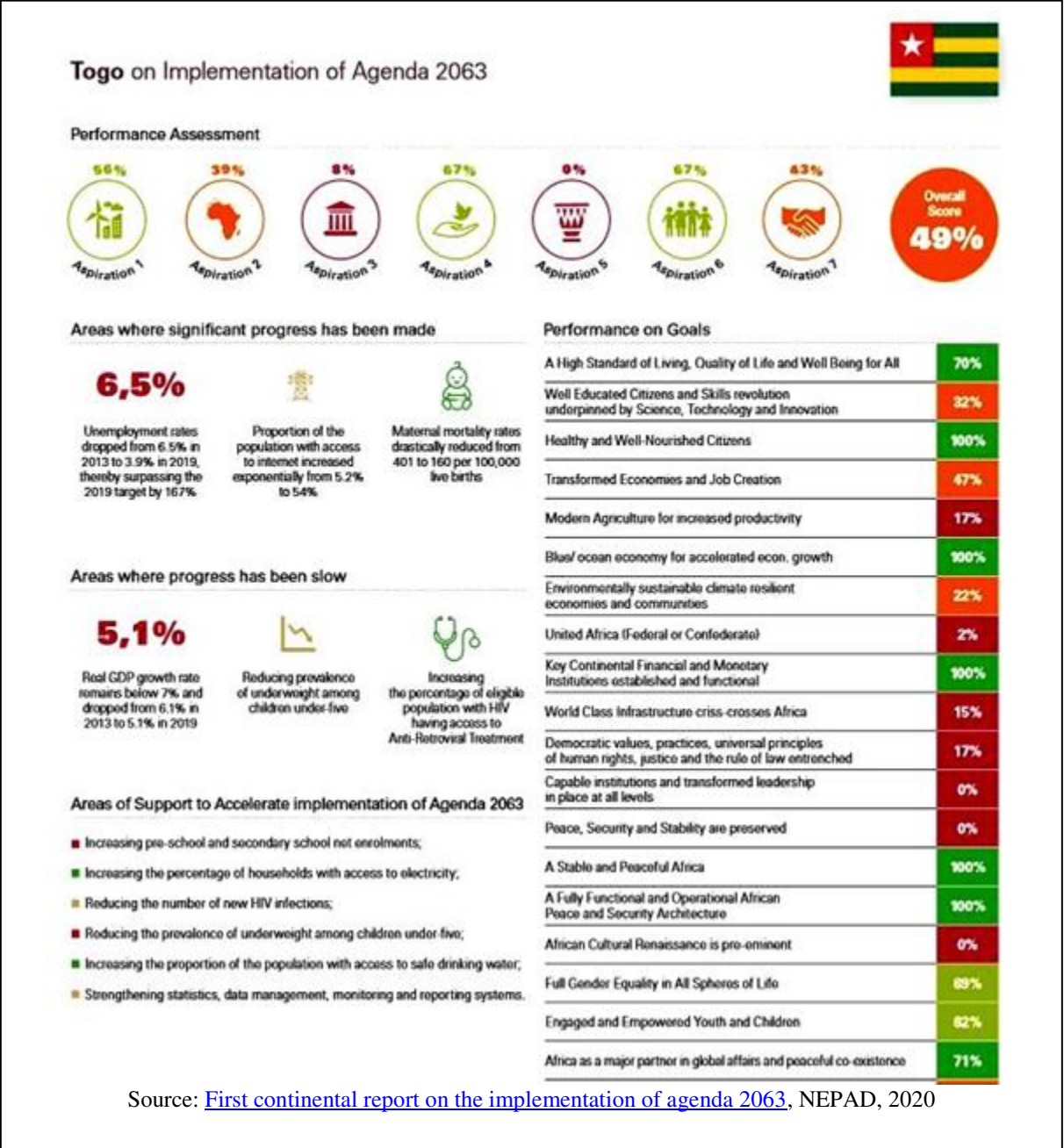
The privatization of the state-owned banks was further delayed (see ‘Banking System’). Reforms of the mining, telecommunications and energy sectors progressed slowly under resistance from vested interests. The mining industry has the potential to develop into one of Togo’s largest economic sectors, with the country being the world’s fourth largest phosphate producer. Phosphate production, the major export industry, which had been nationalized under late Eyadéma Gnassingbé (the father of Faure) in 1974, was boosted in 2017 by the completion of a 1.4bn US\$ project to mine 5 m tonnes per year of phosphate rock. The production was managed by the Société Nouvelle des Phosphates du Togo (SNPT), a public-private venture (60% state- and 40% private-owned), supplemented by the construction of a phosphoric acid and fertiliser plant, built by Elenilto, an Israeli mining company. However, the SNPT apparently underperformed because of large-scale corruption (see Q15.3).

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. Cotton production grew by 17% in

2018/19, to 137,000 tons. Cotton production for the 2019-2020 season gave a poor yield of 116,000 tons, against the forecast of 150,000 tons, according to the New Cotton Company of Togo (NSCT). An increase in the area of land under cultivation triggered by government efforts to boost efficiency in this sector by the extension service propagating best-practice techniques and improved co-ordination of producers are meant to result in the cotton output to grow, although cotton prices will probably be lower in the 2020-21 season than in 2019.



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 neighbouring Benin. Therefore, foreign trade is decisive to Togo’s economy. The combined value of exports and imports of the so-called entrepôt trade (legal transit and mostly illegal re-export/smuggling combined) amounted to 105% of GDP (Heritage 2018 Index of Economic Freedom). 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.

In 2015, Togo ratified the WTO free-trade agreement, with a third of the LDCs having now signed the treaty. Togo has four Export Processing Zones (EPZ); three in Lomé and one in Kara, managed by the company SAZOF. Lomé's EPZ were created in 1989 with the aim to promote foreign trade and attract investments by granting benefits and privileges (tax, financial and administrative) to encourage participating companies to increase employment and value added in the country. Trade freedom scored better with 67.2 of 100 points, compared with investment- and financial freedom of 65.0 and 30.0 respectively, according to the 2018 Index of Economic Freedom of the Heritage Foundation.

Economic Freedom, as measured by the Heritage Foundation's Economic Freedom Index 2019 improved slightly by 2.5 points to 50.3. This was due to improvement in fiscal health and rising scores for the tax burden and property rights. Yet Togo's economy still ranks at the bottom (158th freest) of the 2019 index, and its overall score was below the regional and world averages. In short, Togo's economic freedom too remained with the overall status of '*mostly unfree*'. However, according to the latest Doing Business Indicators Togo ranked amongst the best-reforming countries in the World, although it remained well below that of its UEMOA regional peers. This could constrain Togo's ability to attract sufficient FDI which might induce the government to resort again to debt-financed infrastructure development

The African Continental Free Trade Area (AfCFTA) which had been signed by Togo in March 2018 was ratified on 9 January 2019 and deposited 2 April. It was a key element of the AU's ambitious 'Agenda 2063' and had been heralded as a milestone for regional integration and continental unity, leading ultimately to a future African Economic Community (AEC).

China, one of Togo's major export partners envisaged to use the deep-water port of Lomé as a hub of China's Belt and Road Initiative (BRI) in West-Africa. The traditionally close relations between China and Togo were re-enforced when a Togolese follow-up group for the past Forum on China-Africa Cooperation (FOCAC, 2018) visited Peking on 26 June 2019, to track potential partnerships and investments. The headquarters of the China Road and Bridge Corporation were of special interest because that construction group had been keen to handle Togo's transport corridor project falling under Togo's national development plan. It centres on the construction of a new heavy haul railway line of about 760 km, in combination with upgrades for road and telecommunication infrastructure systems, extending from the Port of Lomé to the Northern border post of Cinkasse on the borders with Burkina Faso and Ghana. The only existing, but outdated railway that finished at Blitta, some 400 km south of Cinkasse, ceased operations mid-1990. The new railway will complement the Tema - Ouagadougou mainline in neighbouring Ghana to which it will constitute in fact a modern and more performant alternative, connecting sea-ports of the Bight of Benin to the hinterland. Before, on 24 April 2019, President Gnassingbé had inaugurated the new administrative services centre for the education-, health-, and agriculture ministries in the Lomé II area, near the new presidential office, constructed by the Shanghai Construction Group for around US\$ 31 m.

From 13 to 14 June 2019 the first Togo-EU Economic Forum, labelled 'Le Rendez-vous des opportunités' had been held in Lomé, to mobilise higher levels of private investment in priority sectors in Togo. At the end of the year (3.12.) the EU disbursed € 17 m for the current year within the framework of the EU grant of € 33 m for 2019-2020 to support the PND.

Following Togo's first axis its national development plan (2018-2020, PND) to make the nation a logistics hub in the Gulf of Guinea and a first-class business centre in West Africa,

Lomé confirmed on 15 May 2019 the country's adhesion to the international maritime transport convention which it had signed already in London on 9 April 1965. Because of increasing threat of piracy in the Gulf of Guinea, drug-trafficking, and illegal fishery in the Gulf of Guinea, the EU promised the co-funding of regional maritime security to the tune of € 155 m (US\$ 173 m) during the ECOWAS' maritime stakeholders meeting in the Nigerian capital, Abuja on 8 May 2019. On 4 November, a big crude-oil tanker 'Elka Aristotle' (94,143 t DWT) flying the Greek flag, had been attacked about 18 km of the Togolese the port of Lomé by armed pirates who took four crew member as hostages and injured one.

On December 1, 2020 the National Assembly adopted a law authorizing the Togolese state to ratify the treaty of 2015 to join the [African Regional Intellectual Property Organization](#) (ARIPO). One month before (November 4) Togo had ratified another convention with neighbouring Benin on the statute of the Mono-river and the creation of the Mono-Basin-Authority which had been signed already on 30 December 2014 in Cotonou.

Q7.4 | Banking system

6

The banking system in Togo 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 the 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% 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. The call of the IMF for privatization of the two remaining state-owned banks, the Bank for Trade and Industry (BTCI) and , the Union of Togolese Banks (UTB), which had been opposed by the government for years, was finally heeded by the National Assembly on 16. November 2018, by authorizing the privatization. However, the government extended the deadline for submitting bids for the privatization of BTCI and UTB even further. The new deadline for bids was shifted to December 6, 2019. The two banks, which were originally to merge, must now open their capital to 85 to 90%. [KPMG Côte d'Ivoire](#), one of the Big Four global accounting organizations, was supporting the privatization process. In October 2020 five possible candidates had been selected for the takeover of the banks. The selection will be done in one batch. Slowed down by the Covid-19 pandemic, the process of selling the two public banks had been relaunched by the Privatization Commission led by the Minister of Finance, [Sani Yaya](#), with the opening of the 'data room'. It was up to the prequalified candidates to make their offers now.

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 \(SME\)](#), notably in the informal sector. The SME were aided by the African Guarantee Fund (AF West Africa) that declared in July 2018 to help the SME to gain access to bank credits to the tune of US \$ 150 m for the next five years, by providing US \$ 75 m guaranties for the banks and other financial institutions in Togo. Moreover, in August 2018 the Professional Association of Decentralized Financial Systems in Togo ([APSFD-Togo](#)) was founded with the aim to help the government to end the practice of illegal microfinancing. Mutual tontines had an estimated 2.4 m beneficiaries by end of June 2018 (BCEAO, 2018; no update available, as of Oct. 2020). These beneficiaries included 660,000 women and 86,000 entrepreneurs from the formal sector (APIM, 2015; AFD 2016; AEO -Togo, 2016). In the

microfinance, savings and loans system, overall savings amounted to 249 m US\$ and credits to about 207 m US\$, representing 12% of savings collected by financial institutions as a whole. Despite the large number of SFDs the sector remains concentrated in a few cooperative networks. The largest of these networks is the 'Umbrella Organisation of Cooperative Savings and Credit Units of Togo' ([FUCEC Togo](#)) and the 'Women and Associations for Gain both Economic and Social' ([WAGES](#)), which accounted for about 70% of the market. In September 2018, the African Financier of Micro-Projects ([Financière Africaine de Micro-Projets, FINAM](#)), the first public limited company for microfinance, founded in 2015, launched the first edition of its 1,000 micro-projects campaign to combat youth unemployment. These can benefit, without prior deposits, but with simple guarantees from members of FINAM, loans up to 600,000 F CFA for the realization of their micro-projects. On September 11, 2020 FINAM embarked on the digitalization of its services by creating "Finam Mobile" in response to the Covid crisis. The App allows to manage your account at home, including making deposits and withdrawals.

On 21 October 2019, the Minister of Economy and Finance, Sani Yaya, deplored the high-risk investment structures operating illegally in Togo and ordered them to immediately cease their activities. According to him these fundraising structures irregularly collect funds from the public against equity or investment securities by promising returns of up to 360% of the initial stake and annual interest rates of around 90 % on investments. They cast a damning light on the 200 formal microfinance initiatives, with ca. 500 service points nationwide. These initiatives were assisted by the Association Professionnelle des Institutions de Microfinance du Togo (APIM-Togo) which was created in 2004 to promote the development of the microfinance industry in Togo. In October, the government banned 7 microfinance structures.

According to available data the banking sector has not yet been affected by a credit crisis due to non-performing loans from clients not meeting their repayment commitments because of the Corona-crisis.

Q8 | Monetary and Fiscal Stability

Q8.1 | Monetary stability

8

Consumer price inflation remained low, ranging from 0.4% in October 2019 to 2.7% in June 2020, due to the economic effects of the Corona-crisis.

The [West African CFA franc](#) is pegged to the euro at a rate of F CFA 657.88 to €1. Integration into the franc zone is still mainly justified for political rather than economic reasons. According to a survey by Afrobarometer on the much-criticised F CFA currency, published on 13 February 2019, two out of three Togolese believed that the CFA should be replaced. 66% responded that "the currency profits France more than members of the Franc zone such as Togo". The richest and most educated among the surveyed were most hostile to the neo-colonial currency (73%).

Accordingly, the eight West African nations of the [WEAMU](#) (UEMOA in French), adopted at a meeting of Economic Community of West African States (ECOWAS) in November 2019 a proposal to withdraw their currency reserves from the French central bank, evoked controversial reactions. The proposal was an outcome of the long-standing controversy on the ill-adapted and increasingly anachronistic CFA franc, harshly condemned as neo-colonial heritage by internationally renowned (former) African officials and critics of the CFA franc,

including Togo's [Kako Nubukpo](#), ex-officer at the Central Bank of West African States ([BCEAO](#)) and former Togolese minister. Already in July 2019, the leaders of the sub-region had adopted a proposal to introduce a single currency, labelled '[ECO](#)', originally restricted to the the [West African Monetary Zone](#) (WAMZ), for the entire SSA-region by 2020. In the first phase, countries with their own currencies (Gambia, Ghana, Guinea, Nigeria and Sierra Leone) are to launch the ECO. In a second phase, the eight UEMOA (West African Economic and Monetary Union) member countries that have in common the CFA franc (Ivory Coast, Senegal, Burkina Faso, Mali, Togo, Niger, Benin and Guinea-Bissau) would follow-suite. Even though these eight West African countries had gained independence years ago, they continued to vest their foreign exchange reserves with the French central bank. Now they decided to vest the reserves with the Senegal-based Central Bank of West African States. Ghana, that had expressed its determination to join the 'ECO' on 29 December 2019, although it did not belong to the CFA-zone, but had its own currency the [cedi](#), urged the members of the currency union to ditch a planned peg to the euro. Nigeria, the by far biggest player in the [ECOWAS](#), showed interest as well to join, but only if economic and monetary independence would be guaranteed. In September 2020, [Alassane Ouattara](#), President of Côte d'Ivoire, announced the decision of the 57th ordinary session of the Conference of Heads of State and Government of ECOWAS to proceed with the implementation of the ECO "Within three to five years".

The controversial subject was likely to be treated on the long-delayed successor to the [Cotonou Agreement](#) between the EU and African, Caribbean and Pacific ([ACP](#)) community. The latter appears to be approaching the finish line with a '99%' chance of success this year, according to ACP and EU sources, according to [EURACTIV-sources](#) on September 2, 2020. On the eve of the pandemic in mid-February, the EU and the ACP's negotiating teams, led by EU International Partnerships Commissioner [Jutta Urpilainen](#) and Togolese foreign minister [Robert Dussey](#), agreed to extend the existing agreement until December 2020.

Q8.2 | Fiscal stability

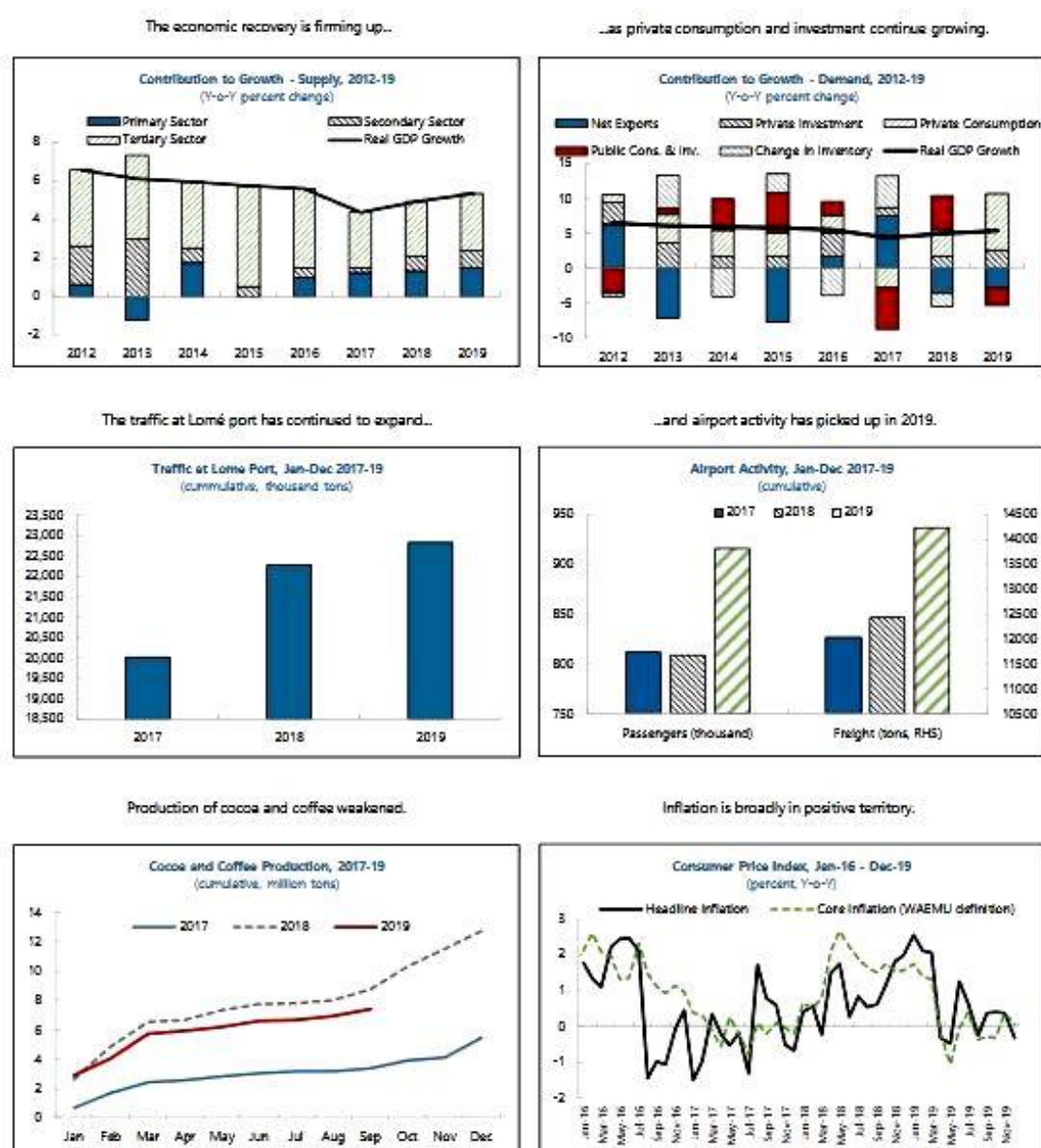
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In the past, the government pursued a stability oriented monetary and fiscal policy. According to the IMF Togo complied with the [WAEMU convergence criterion](#) of a fiscal deficit not exceeding 3% of GDP. For 2020, the fiscal deficit and the balance of payments financing gap were forecast to widen due to additional healthcare spending and other impacts of COVID-19 on the economy. In early April a Joint Pandemic Task Force was created, consisting of 5 000 defence and security force officers; establishment of mobile laboratories for screening and testing throughout the country; equipment of treatment centres, improvement of drug availability and launch of a vast program to rehabilitate hospitals and provide health centres with standard infrastructure to screen and treat people with Covid-19. Imports of medical equipment and other products used exclusively in the fight against Covid-10 were exonerated from taxes and duties. The estimated costs of a total multi-phase health plan amounted to XOF 110 billion (USD187 million; 3.3% of GDP), of which XOF 20.8 billion (USD34 million, 0.6% of GDP) for the immediate Covid-19 response and the remainder for the strengthening of the health system.

However, fiscal consolidation and public debt reduction continued in 2019. Reforms are being pursued to boost domestic resource mobilization, strengthen the PFM system, and improve the business environment. Growth projections for 2020 were lowered from 5.5% to 3%. The fiscal deficit was expected to widen from an initial projection of 1.9% of GDP to 3.6%, due to higher healthcare spending and revenue loss. The balance of payments showed a financing

gap of 1.7% of GDP. The government requested in 2020 an augmentation of access of 48.7% of quota (SDR 71.49 m) to address the urgent financing need stemming from their plan to control the spread of the COVID-19 and mitigate its economic implications. In addition, the WAEMU (UEMOA) authorities extended by one year the five-year period initiated in 2018 for the transition to Basle II/III bank prudential requirements. In particular, the regulatory capital adequacy ratio will remain unchanged at end-2020 from its 2019 level of 9.2%, before gradually increasing to 11.5% by 2023 instead of 2022 as initially planned. On March 21, the BCEAO had already announced: i) the extension of the collateral framework to access central bank refinancing to include bank loans to prequalified 1,700 privates companies; ii) a framework inviting banks to accommodate demands from firms with COVID-19-related repayment difficulties to postpone for a 3 month renewable period debt service.

Figure 1. Togo: Real Sector Developments



Source: MF Country Report No.20/107, April 2020

On 24 October 2020 Togo entered the first time the public securities market of the West African Monetary Union (UMOA), for the first exit under the last semester of 2020. The country collected 27.5 billion CFA francs from investors, according to the [Agence UMOA-Titres](#). The operation consisted of a simultaneous issue of Assimilable Treasury Bonds (OATs) with a maturity of 5 and 7 years, raised FCfa 27.5 billion. At the respective annual interest rates of 6.4% and 6.5%, the 5-year OAT collected 3.3 billion CFA francs, the last 7-year maturity retained 24.2 billion CFA francs. For this 4th quarter, Togo plans to mobilize 60 billion CFA francs from investors in the UMOA zone. The country has already collected 573.43 billion CFA francs on the regional financial market for the first three quarters of the year.

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. On December 18, 2020 the parliament voted on the financial law for 2021. According to the provisions, the budget 2021 the budget will be balanced in resources with expenses at 1 521.6 billion FCFA, or 2.84 billion \$. The budget revenue stands at CFAF 839.6 billion (\$ 1.57 billion), lower than the budget expenditure of CFA 1120.4 billion (\$ 2.09 billion), showing a budget deficit of 280.8 billion CFA (\$ 524.78 million). The deficit represents 6.1% of GDP and would be 'entirely financed by the surplus balance of treasury operations' according to the Minister of Finance, Sani Yaya.. The budget devotes 445.1 billion CFA (\$ 831.83 million) to the social sectors, up 10.8% compared to 401.7 billion CFA (\$ 750.73 million) in 2020. CFA 65.9 billion (\$ 123.16 million), or 8.2% of the budget, is allocated to the water sector, with the aim of achieving an average service rate of at least 80% in urban and rural areas. Agriculture will benefit from 65.7 billion CFA (\$ 122.78 million), while 77.9 billion CFA (\$ 145.58 million) will be reserved for the health sector, i.e. 10%, and education is allocated 195.5 billion CFA (\$ 365.36 million), or 25.1% of the allocation of the 2021 budget.

Concerning Togo's huge Chinese debt's, Peking pondered in September 2020 to expand Chinese banks dad debt write offs for certain African countries from interest-free loans due by the end of this year. However, President [Xi Jinping](#), who at a summit about how China and Africa could fight the Covid-19 pandemic together, did not say which African countries would be exempt or how much debt would be erased outright.

There are no data available yet on likely decline of state revenues due to a lockdown-related contraction of domestic economic activity or a reduction of global demand and limited export earnings. For 2020, the fiscal deficit and the balance of payments financing gap were forecast to widen due to additional healthcare spending and other impacts of COVID-19 on the economy.

The World Bank and IMF envisaged additional support to counteract the economic impact of the Corona-crisis. On April 29, the World Bank approved USD 8.1 million in financing from the International Development Association (IDA) to help Togo combat Covid-19 and better respond to public health emergencies. One day before, the World Bank had approved already USD273 million in International Development Association (IDA) financing for Togo, Benin, Burkina Faso and Niger to facilitate access to services for vulnerable people (especially women and the poorest segments of society), through the West Africa Unique Identification for Regional Integration and Inclusion (WURI) Program. And on April 3, the IMF had

authorised already an immediate disbursement of USD 131.1 million to Togo in line with the completion of the 6th and final review of the country's economic performance under the programme supported by the Extended Credit Facility (ECF) agreement. The disbursement was four times greater than what was initially planned (USD 35 million) due to the human and economic implications of Covid-19.

Q9 | Private Property

Q9.1 | Property rights

6

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. Where they exist, they are not adequately enforced. The new [land code of 2018](#) is meant to check this development. However, 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 customary and modern 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 chieftains 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-Togo](#). Only about 36% of arable land is under a tenure system that provides long-term security. Land conflicts and frauds concerning land sold twice are steadily increasing. According to a common saying, conflicts over land are the third important cause of death, behind malaria and HIV. Property rights on land are complex (see traditional authorities) because of the plurality of legal rights and asymmetrical power relationships (between men and women, migrants and 'first comers', elders and young people). In addition, the land tenure regimes changes over time because of the historical impact of the introduction of cash crops, the impact of public projects (resettlement, forest reserves, etc.) and contested land privatization through the registration of property titles. Especially poor farmers, migrants and women who have no secure rights are affected negatively. The fight against [land grabbing](#) threatens 25,000 ha in Togo, including 53 cases of lease contracts or large-scale land acquisitions (Forum national sur l'accaparement des terres, FOPADESC 2018).

In August 2019, the government expropriated more than 10,000 hectares in the [Zio](#) river flood valley (North of Lomé) in order to protect the population against the harmful effects of recurrent floods, as experienced during the scourges in 2008, 2010, 2012. The area had been classified as a "non-building area" already by the Master Plan and Urban Planning (PDU) of Lomé in 1981. But the populations had continue to erect precarious habitats there, subject to recurrent floods. In February 2018, the Rural Development Project of the [Djagblé plain](#) was being implemented on 340 ha for rice and horticultural production with the creation of 4,124 jobs.

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 labour force in both subsistence and small-scale commercial farming. The informal sector still prevails, it provides employment for more than three times as many labourers than the formal sector (see Q 7.1).

The protection of real property is frequently contentious because of Togo’s mix of civil and traditional law. Property registration remains difficult, despite recent reforms and contracts are difficult to enforce. The judicial system lacks resources and is heavily influenced by the presidency. Most individual indices, apart from Government Integrity, went up according to the Heritage Foundation’s 2020 Index of Economic Freedom (see table).

Togo: Index of economic liberty, Heritage Foundation, 2020

Togo		Previous: #139 Nepal	Next: #141 Burma
OVERALL SCORE 54.1		WORLD RANK 140	
RULE OF LAW		GOVERNMENT SIZE	
Property Rights	41.6 ▲	Tax Burden	67.5 ▼
Judicial Effectiveness	31.7 ▲	Government Spending	78.6 ▲
Government Integrity	31.2 ▲	Fiscal Health	59.4 ▲
REGULATORY EFFICIENCY		OPEN MARKETS	
Business Freedom	55.0 ▲	Trade Freedom	63.2 ▼
Labor Freedom	46.9 ▲	Investment Freedom	65.0 —
Monetary Freedom	79.5 ▲	Financial Freedom	30.0 —

On May 29, 2019, the government adopted a bill for a new investment code to “make the country’s legal investment framework more appealing to investors. The new code amends the 2012 investment code by incentives that are proportional to investment (tax reduction varies based on investment size or impact on job creation); incentives varying according to business operating zones; fixed exoneration rates on dues as well as indirect and direct taxes over a five-year period. Other amendments focus on status of holdings’ headquarters, regional headquarters of an international firm or their operational centres, meant to foster job creation. The new code aligns with the three axes of the [2018-2022 national development plan](#) (PND).

Up to now, the lack of transparency and predictability and the high informal transaction costs inhibit robust FDI. The average applied tariff rate is 11.4%. However, multiple non-tariff barriers to trade impede foreign trade. Nevertheless, the 2020 index of trade- and business freedom improved , mainly due to improvements in starting business, dealing with construction permits, getting electricity, property registration and getting credit (see above Q.7.1). The reform of the investment code was inspired by Rwanda’s progress over the past 10 years in this respect. Several Togolese delegations visited Kigali to learn about successful reforms. President Faure Gnassingbé apparently held the vision to be number one in West Africa in the “Doing Business” report of the WB. To achieve this target, Togo made significant reform efforts in the areas of starting business, registering property, and getting credit (WB, 2020:9). However, the [Heritage Foundation Index of Economic Freedom 2020](#)

classified Togo still among the “mostly unfree” countries (rank 140 of 100, score: 54.3, +3.8, see Q7.1). As for the COVID-19 pandemic, the government was not yet taking equity stakes in troubled firms or nationalizing companies to prevent bankruptcy because of the Corona-crisis.

Q10 | Welfare Regime

Q10.1 | Social safety nets

4

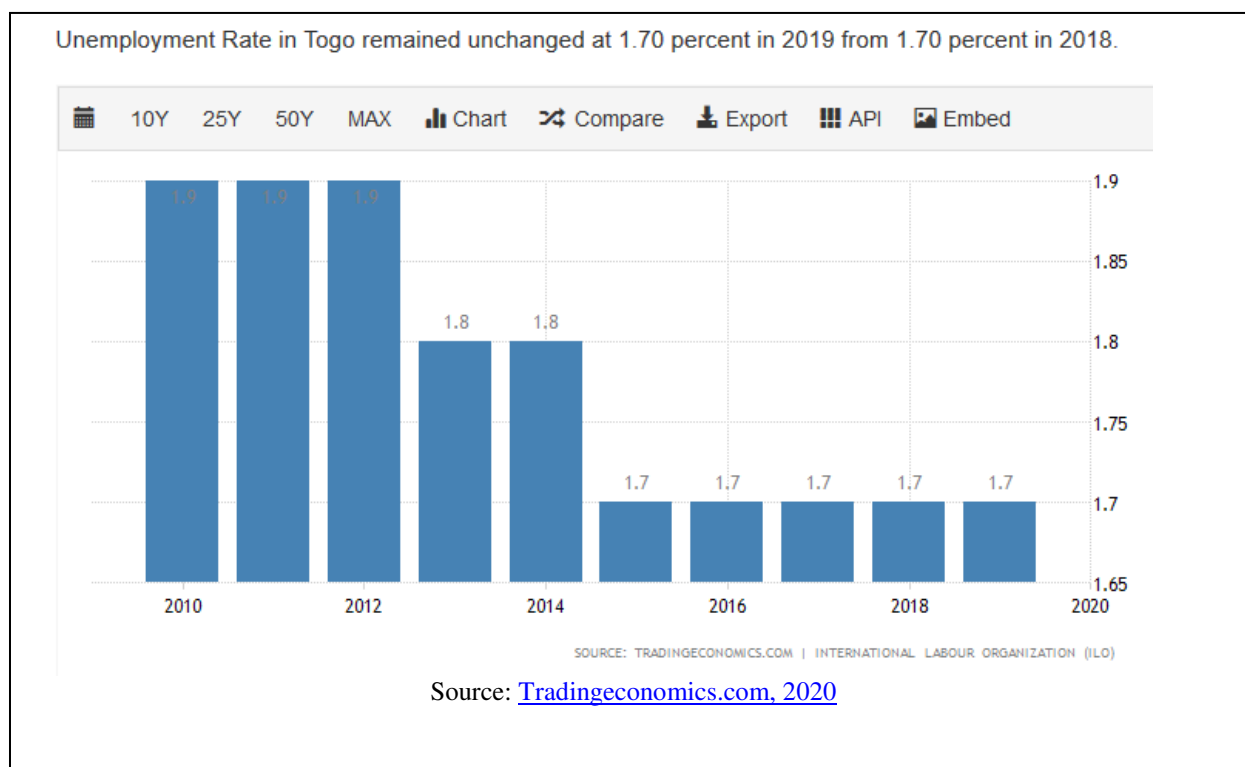
Togo's welfare system is underdeveloped. Life expectancy at birth is low (male, 60.2 years, female 61.9). Current health expenditure equal to 6.2 % of GDP). 6.2. The welfare system is available only to government employees and those few employed in the formal sector. On October 9, 2020, the government announced that the Togolese minimum wage (guaranteed minimum wage , [SMIG](#)) could soon be revised upwards. In force since 2012, the minimum wage, which hovered around 35,000-38,000 F CFA (€ 64.03), is not always applied everywhere. Workers complained regularly about precarious working conditions characterized by bad hygienic and security conditions and non-payment of the minimum wage.

The coronavirus-crisis accelerated the establishment of an universal solidarity income, called ‘*Novissi*’ by the National Solidarity and Economic Fund in April. It was a 100% digital device that reached nearly 570,000 of the deserving poor between 8 April and 6 June 2020, the date of the lifting of curfews in Grand Lomé and in the prefecture of Tchaoudjo. The program was extended to the rural canton of Soudou when the circulation of the coronavirus forced a drastic reduction in activities. To support individuals and households that had been affected by the COVID-19 pandemic, a mobile-based cash transfer program for informal workers was introduced who will receive directly through mobile enrolment a state grant of at least 30% of the minimum wage, with payouts ranging from XOF 10 500 million (USD 18 million) to XOF 20 000 million (USD 34 million). As of May 5, 1.3 million individuals had registered, of whom 500.000 received a NOVISSI payment. Based on program data, 65% of the beneficiaries are women. The cash transfer program was expected to last 3 months at a cost of XOF 36 billion (USD 61 million; 1.1% of GDP). The NOVISSI program was revised in late June with eligibility limited to workers in specific districts recording a high contagion rate. In total, 1.4 million individuals had registered and close to 600.000 received a NOVISSI payment at a total cost of XOF 11.4 billion (USD 19 million; 0.3% of GDP) up to end of 2020.

Women received a higher allowance per month (12,250 CFA F or 18.60 €) than men (10,500 CFA F or 16 €). In total, 11.3 Mrd. CFA F (17.2 m €) were distributed, financed by Togo's National Solidarity and Economic Recovery Fund and by aid-partners such as the French Development Agency (AFD) and private donations. It was paid twice a month and mainly intended for people living on daily earnings, without social security and affected by a decline in activity as explained by Cina Lawson , the Minister for Digital Economy. The government intended to continue on this path, relying on its mobile coverage to move forward and wanted to ensure that every citizen would have three essential things: a digital biometric identity, a cell phone and a mobile bank account.

This innovative emergency measure was the first to be employed on this scale in SSA and could inspire other universal income programs on the continent. Similar programs had been tested also in South Africa and Kenya ³.

Concerning the minimum wage, the SMIG is hardly enough to feed an individual for a month, besides it applies only to the formal sector. Of the economically active population (85%), just 9.3% were employed in the formal sector. The majority (51%) were small farmers, 39% independent non-agricultural workers. The latter comprised 88,000 jobs, 67% in the public sector and 33% in the private sector. Togo belongs to the 10 African countries in which the public sector represents less than 5% of total employed (Ibrahim-2018 Index).



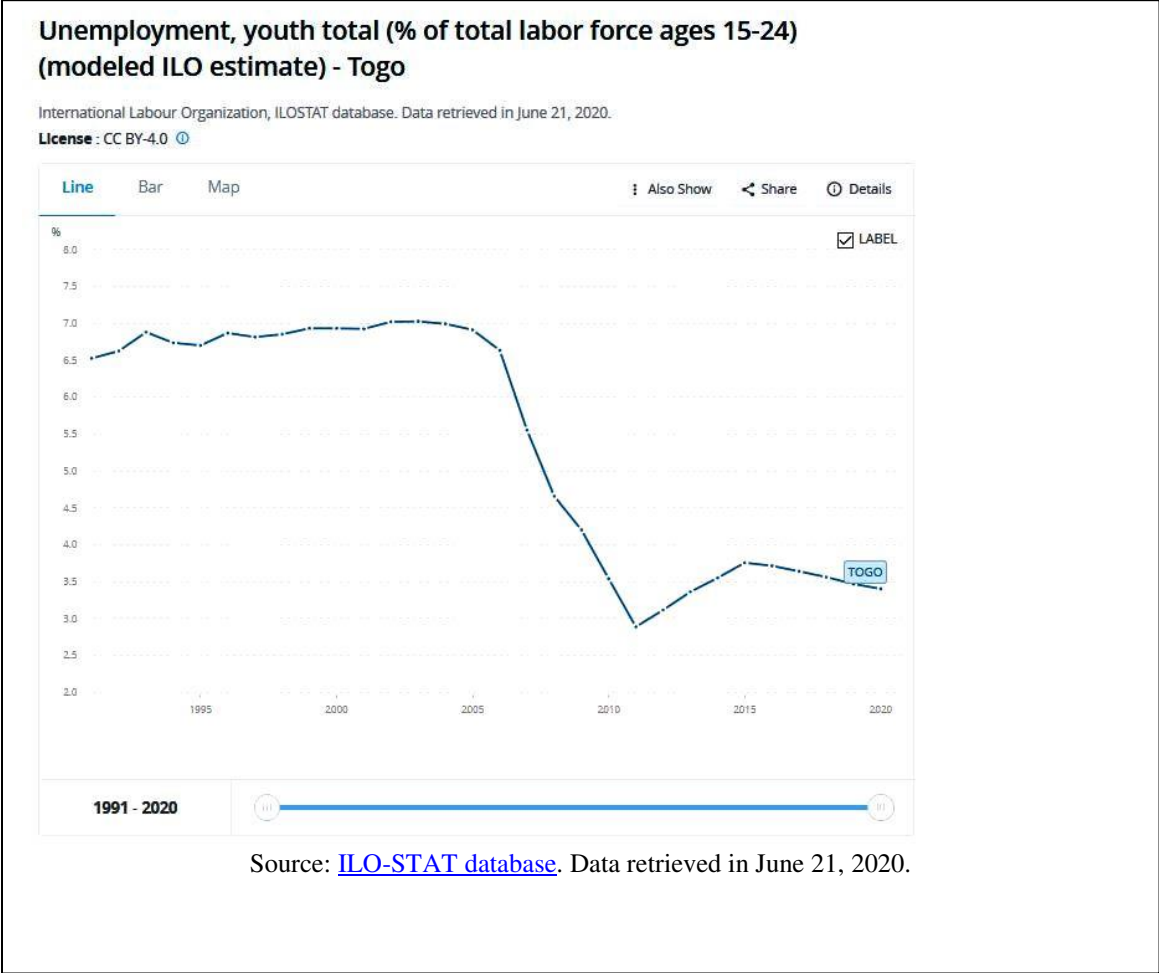
According to official data presented by the government in 2020, the (official) unemployment rate ranged between was 1.7%. and 1.9% during the past ten years (2010-2020, see table). That of youth unemployed (total, 15 to 24 years old) at about 3.4% in 2020 before the economic impact of the Corona-pandemic. For comparison, the world average in 2020 based on 182 countries before Corona was 15.90% (WB; [Global Economy.com](https://www.globaleconomy.com)). However, the rate of under-employment had increased from 22.8% (2011) to 24.9% (2015; INSEED; no update available as of Nov. 2020), making a total of at least 28.3% un- and under-employed, mostly young people who represented about 35% of the population.

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). Since 2011 more than 43,000 candidates have been registered. Overall, 8,989 people, i.e. 4,610

³ Sall, Rouguyata (2020): [Au Togo, le coronavirus a accéléré la mise en place d'un revenu universel de solidarité](#). Paris: *Le Monde*, October 23, 2020.

women and 4,348 men, including 31 disabled people, were affected in 2020 (ANVT, October 2020).

Pension schemes in Togo do not guarantee beneficiaries a decent living. Only about 6% of the social security programs concern pensions⁴. Theoretically, the coverage includes employed persons, including public-sector salaried employees, salaried agricultural workers and household workers; self-employed persons; and informal-sector workers⁵. In practice, however, most informal sector workers do not have access. Despite the fact that the median age in Togo is 18.9 years (i.e., almost half of the population is younger than 18), the current system is no longer financially sustainable. The pension entry age for civil servants is 60, which puts further pressure on the labour market. The state of Togo’s health services system is lamentable. Most individuals suffering hardship or accidents rely either on the help of family (or clan) members or that of 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 (see Q 7.4).



⁴ Barbone, Luca & L.A. Sanchez (1999): [Pensions and social security in Sub-Saharan Africa - Issues and Options](#). ResearchGate,

⁵ [Social Security Administration, Research, Statistics & Policy Analysis, Social Security Programs Throughout the World: Africa, 2017](#)

Q10.2 | Equal opportunity

5

According to the World Bank's [Women, Business and the Law 2020 report](#), Togolese women enjoy 84% as much rights as men. This is above the average in sub-Saharan Africa. Togolese women and men enjoy the same rights, relative to freedom of movement, employment, wages, and retirement pensions. However, with respect to property and inheritance, women only have 80% of the rights men have. The gap is even far wider for marriage, maternity, and entrepreneurship. Legal constraints regarding marriage have increased over the period reviewed (June 2017 and September 2019). For maternity many laws keep impacting, negatively, the work-life of mothers. In the area of entrepreneurship, there are still barriers impeding business creation and management by women. According to data from the Togolese center for business formalities (CFE), women held only 27% of businesses created in 2019. This is slightly above what was recorded the year before; In spite of the government's promise to set aside 25% (up from 20% previously) of procurements for youths and women. At the regional and global levels, laws enhancing women's economic empowerment have improved in the past two years. In Africa, Togo is behind Mauritius, South Africa, Zimbabwe, Cape Verde, Sao Tomé and Príncipe, and Tanzania ([Togo-First, 2020](#)).

Most Togolese express tolerant attitudes toward people of different ethnic origin, religion, and nationality. However, very few extend the same tolerance toward people in same-sex relationships. Lesbian, gay, bisexual, and transgender ([LGBT](#)) persons in Togo face legal challenges. Both male and female same-sex sexual activity is illegal in Togo. LGBTI persons faced societal discrimination in employment, housing, and access to education and health care. LGBTI groups may register with the Ministry of Territorial Affairs as health-related groups, particularly those focused on HIV/AIDS prevention. Activists reported violence against LGBTI persons was common, but police ignored complaints. Most human rights organizations, including the CNDH, refused to address LGBTI concerns ([US-Gov. HR, 2019](#)). Same-sex sexual activity is illegal, with a penalty of one to three years imprisonment and a fine of 100,000 to 500,000 CFA francs (Art. 88 of penal code).

A new penal code, adopted in November 2015 after years of advocacy by human-rights organizations, strengthened the protections against gender-based violence and discrimination based on gender, ethnicity, religion, and other factors. However, the new law reinforced sanctions against people in same-sex relationships. In some regions it is common for a wife to be considered as her husband's property (SIGI, 2016). 33.8% of women between 15 and 49 are in a polygamous union according to another survey (MICS, 2010).

While access to education has improved for girls, there are still severe disadvantages notably with regard to secondary and higher education. Mean years of schooling of females was only half (3.3 years) of that of males (6.6 years). Just 27.6% of females (% ages 25 and older) had at least some secondary education, against 54.0% of men ([HDI-Togo, 2020](#)).

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.

Nevertheless, 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. In the most recent UNDP Gender Inequality Index (GII, 0.567, 2017), Togo ranked 140 out of 189 countries. The mean years of schooling for girls (3.3) was only half of that of boys (6.5) (HDI 2018). Girls are increasingly more disadvantaged vis-à-vis boys as the level of education increases. Only 26.3% of females had at least some secondary education (% ages 25 and older) against 52.5% for the same category of males.

However, gender inequality is most pronounced concerning property rights (land tenure), access to credit and employment. A legal step forward was a law on land rights, adopted by the National Assembly in June 2018, which reconciles traditional and modern law in a statute promoting equality for women and men. Another step to protect the rights of women and minorities had been implemented already two years before.

Women representation in the political arena (i.e., government, parliament and political parties) improved significantly with [Victoire Tomegah Dogbe](#) (61 years) becoming Togo's first female Prime Minister on October 29, 2020. She appointed a new government with a record 30% of the 33 ministerial positions given to women, including Essozimna Marguerite Gnakade as defence minister - the first time a woman has held that role. ([Reuters, 2020](#)). In the National Assembly there were 17 women MPs (19%) out of 91 (20 December 2018; [idea, 2020](#)). Yet, on 20 January 2019, a woman was elected the first time in history as head of the Togolese parliament. The candidate, Chantal Yawa Tségana, replaced Dama Dramani, also from the ruling party UNIR. Togo had amended the national electoral law in 2013, which now requires that candidate lists include equal numbers of men and women. This amendment applied the first time for the 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.

In the [municipal elections of June 2019](#), which had been repeatedly postponed since 1987, new majors were elected in 117 newly designated cities and municipalities, among them 20 lady mayors ([L.frii, 2020](#)). Because there were no subsidies and therefore no compensation for mayors after ten months in office; in some prefectures relations between prefects and mayors were knife-drawn ⁶. On September 7, 2020, the Minister of Territorial Administration Payadowa Boukpassi announced that the State would proceed in the coming weeks to the payment of allocations under the Support Fund for Local Authorities (FACT), estimated at around 3 billion FCFA ([RT, 07.09.20](#)). Besides, two territorial prefects out of 39 were female.

Q11 | Economic Performance

Q11.1 | Output strength

7

The COVID-19 pandemic could wipe out four-fifths of Togo's projected growth in 2020 according to a WB-report. A host of sectors were affected, particularly those where telework is not possible, such as manufacturing, retail trade, construction, and tourism. Roughly 62% of jobs are at risk, 49% in the service sector and 13% in the industrial sector. The number of employees at retail sale and leisure locations has declined by 30% and the number of persons going to their workplaces, by 12% relative to pre-COVID-19 pandemic levels. Small and medium enterprises have been particularly hard hit. According to the report, 41% of

⁶ Dogbe, Peter (2020): [Togo: quel bilan de la première année de mandat pour les maires?](#) rfi, 09/07/2020

enterprises in the agricultural and agribusiness sector experienced a 75% to 100% decline in their sales, as did 33% of enterprises in the tourism sector, 36% in the manufacturing sector, and 35% in the transport and logistics sector ([WB, Togo, September 2020](#)).

The production of cereals for the domestic market was satisfactory, however, problems of outlets could discourage farmers, according to a statement of Ouro-Koura Agadazi, director-general of the National Food Security Agency (ANSAT) on May 3. On average 70,000 tons of grain surplus were recorded in the 2019-2020 crop year, however, several production zones displayed quantities of unsold cereals, like the region Northeast of Sokode (more than 4,200 tons) and Elavagnon in East Mono (more than 5,000 tons of corn). The prefectures of Bassar, Dankpen, Mo, Sotouboua, Blitta, Tchamba, Doufelgou, Binah, Keran, South Oti, Kpendjal, Tandjoare, Tone were also affected. Agadazi warned that there was a risk that farmers could be demotivated if there were no measures to make it easier for them to market their products, which could have harmful implications for food security. To loosen up the speculative trading attitude of some traders due to the Corona-crisis, ANSAT opened its reserves and in five weeks, 91.5 tons of cereals were placed on the local market on more than 13,000 tons of national security stock. Thereby the price of 2.5 kg corn, which had risen from 400 F CFA to 700 or even 800 relapsed to the normal price. ANSAT announced to increase the security stock from 13,000 to 15,000 tons and to help farmers to export their surpluses if requested, as it had done already in the past ten years, to countries in the subregion and even to Europe, Asia and the US.

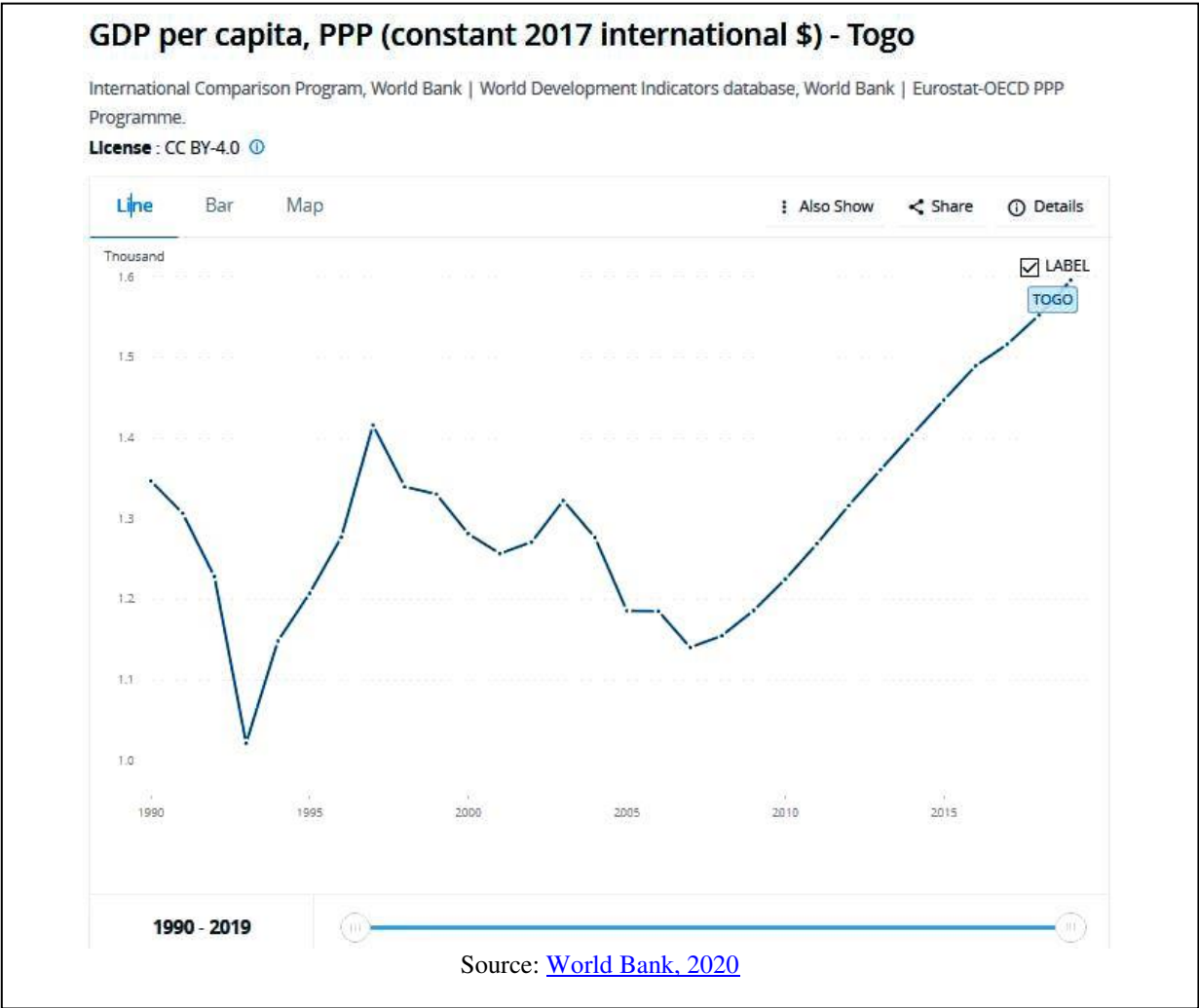
Cotton production for the 2019-2020 season gave a poor yield of 116,000 tons, against the forecast of 150,000 tons, according to the New Cotton Company of Togo (NSCT). An increase in the area of land under cultivation triggered by government efforts to boost efficiency in this sector by the extension service propagating best-practice techniques and improved co-ordination of producers are meant to result in the cotton output to grow, although cotton prices will probably be lower in the 2020-21 season than in 2019. The new cotton campaign 2020-2021 was officially launched in Kara on May 19. The price of seed cotton was fixed at 225 F / kg for the first choice.

In April 2020 Togo reported the outbreak of African swine fever in a farm northwest of Lomé, where 44 pigs died of the disease since April 18. The government took a series of prevention and disinfection measures to curb the spread of the disease, including the slaughter of all pigs in the farm area.

In August, Togo announced the eradication of a scourge, the African trypanosomiasis, better known as "sleeping sickness", a public health problem and disease, endemic in 36 countries in sub-Saharan Africa where tsetse flies are found. It affects both humans and animals, especially livestock. Thanks to the actions of the Togolese government, local communities, and the World Health Organization (WHO), the disease had been eradicated. Sustained controls had reduced the number of cases by 95% from 10,000 in 2009 to 977 in 2018. However, estimates were that 300 000 cases in SSA were undiagnosed and therefore untreated. The estimated population at risk was 65 m people. Togo had not reported any new cases for over a decade. The most recent epidemic in SSA started in 1970 and lasted until the late 1990s. Trypanosomiasis did not pose a public health problem by 2020 and interruption of transmission (zero cases) was envisaged for 2030.

Togo still belongs to the low-income countries with a per capita income of (US\$ 995 or less) .

The per capita income in [Purchasing Power Parity](#) (PPP) in constant 2017 prices was 1,553 \$ ([World Bank, 2020](#)). The economy is undiversified, with a limited industrial structure and low manufacturing value added (16% of GDP on average in 2015–18). Before the Covid-19 pandemic economic prospects were encouraging, with growth expected to reach 5.3% in 2020 and 5.5% in 2021, on the back of good performance in agriculture and sound monetary management ([AfDB, 2020](#)). However, under the COVID–19 shock Togo is likely to record a loss of growth of between 4.6% and 6.8 % points in 2020, but it would avert a recession. Real GDP in 2020 would grow by just 0.9% if the pandemic subsides by July (baseline) and contract by 1.3% if it continues through December (worst case).In the worst-case scenario, the fiscal deficit, initially forecast at 1.5% of GDP in 2020, will widen to up to 6.4% due to the increase in health expenditure and the fall in tax revenues caused by the fall in the general level of economic activity. The current account deficit is expected to follow a similar trajectory. Forecast at 3.2% of GDP, it is projected to worsen to 5.7% or possibly 7% of GDP in 2020 under the effect of lower exports, migrant remittances, and FDI in the main economic sectors ([AfDB, 2020](#)). Togo’s main exports include re-exports, cotton, phosphates, coffee, and cocoa. High rates of underemployment in general (estimated 28% to 33%), notably among recent school leavers (65%), remain alarming (see Q10.1).



For a small country like Togo, where the domestic market is extremely limited, with the purchasing power not bigger than a small European city, the export sector is of crucial importance. The expanding of the export sector can also serve to attract foreign direct investment which eventually brings in the finance, technology and market access generally

lacking in such countries. However, the nominal value of Togo's exports of goods and services stagnated since 2013 and even declined in real terms. Exports of goods and services decreased when compared to GDP, from an average of 41.5% in 2005-07 to 34.8% in 2015-17⁷.

Togo once counted among the largest phosphate producers in Africa. [Phosphate](#) from the Kpémé deposit in Southern Togo provided 40% of the country's revenues from exports and made up more than 20% of Togo's GDP. The mines are situated in the maritime region to the North-East of the [Lake Togo](#) in Hahotoé and Akoumape. The processing plant is located in Kpémé, near a large loading dock (jetty 1,200 meters long) and has a production capacity of 3.4 m tons per year. The output of the Société Nouvelle des Phosphates du Togo (SNPT) in 2019 stood at nearly 800,000 t according to data gathered by the Central Bank of West African States (BCEAO). This is 21.5% lower compared to the 1.02 million tons produced the year before, and far below exports recorded in previous decades, with an average of about 2 m tons in the 1990s (almost 3 m tons in 1991 alone), and 1 m tons in the 2000-2010 decade ([TogoFirst, June, 2020](#)).

In November 2019, the Nigerian multinational [Dangote Industries](#) and the Togolese Government concluded an agreement to develop and transform Togolese phosphate by a \$2 billion phosphate project in Togo, positioning itself to become a main supplier of fertilizer in West Africa. Dangote will be the largest [ammonia](#) producer on the African continent with the completion and commissioning of the Dangote Petroleum Refinery and Fertilizer complex in [Ibeju-Lekki](#), Lagos. The project should enable the production of more than 1 m tons of fertilizers derived from phosphates once completed. However, as a result of the global impact of the coronavirus, shipments of phosphate in the foreseeable future will drop markedly, given the lockdown in India, one of the most significant phosphate buyers so far (EIU, 3/2020).

On this occasion, Dangote Group also announced the establishment of a cement manufacturing plant with an annual capacity of 1.5 m tons in Lomé. This plant will use [clinker](#) from Togo and Nigeria and will meet both local and neighbouring countries' demand. The construction of the Lome plant is announced to start in the first quarter of 2020 and its commissioning scheduled to take place before the end of 2020. The investment is estimated at \$ 60 m and is expected to create 500 direct jobs. ([Mining review Africa, November 11, 2019](#)). In January 2020 the first contract of a 2.5 million tpa cement grinding plant with VRM from the Cimenterie de Côte Ouest-Africaine (CimCo) was awarded to the Intercem Group (Cimfaso & Cimasso /Burkina Faso and CimIvoire/Ivory Coast) by the CimMetal Group. The start of production was scheduled for the first quarter of 2021. For its establishment and expansion in Togo, CimCo will receive a CFA20 billion loan from the BOAD. The long-term facility was approved on 28 September by the Bank's board of directors. The new facility, named Cimco SA, will be strategically situated at the port of Lomé and become the country's largest grinding plant by capacity. HeidelbergCement announced to expand its Togolese subsidiary, Cimtogo, spending more than \$30 million in the process which would create 30% more direct jobs in addition to nearly 4,000 direct and indirect jobs in Togo already provided. Heidelberg had already a grinding station in Kara and an integrated clinker plant in Tabligbo. In January, HeidelbergCement group and the German Cooperation in Togo (GIZ) announced the co-financing the training of 200 residents of the Tabligbo clinker mining area (80 km northeast of Lome) with no experience to become carpenters and bricklayers.

⁷ World Bank (2019): [Togo - future sources of growth](#). December 19, 2019. WB-Report No: AUS0000520

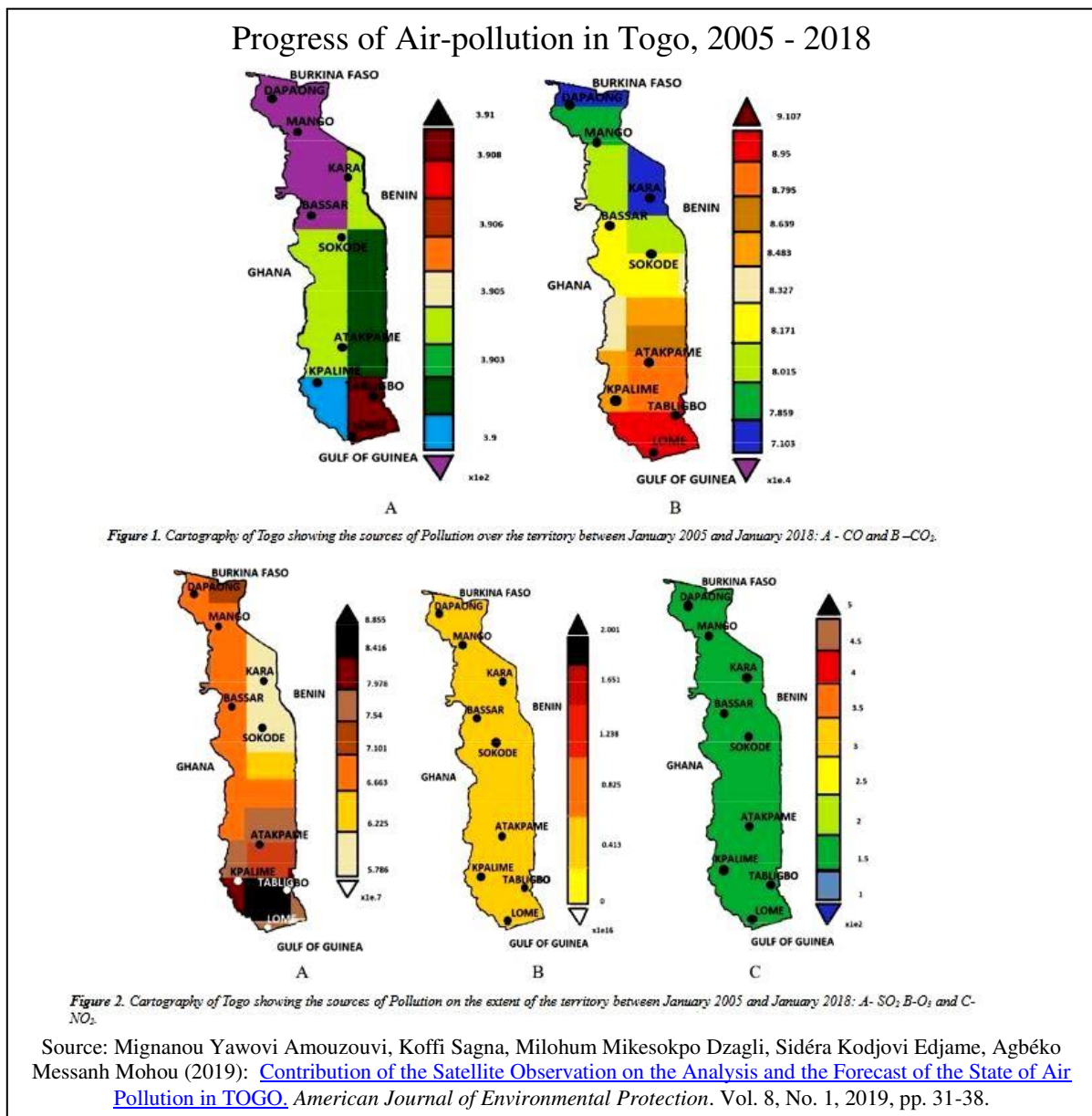
Q12 | Sustainability

Q12.1 | Environmental policy

4

A National Environmental Policy Executive Policy was enacted already in 1998. It aimed at defining specific actions to protect the environment in Togo and ensure a sustainable growth to the country in the medium to long term. However, up to now it had little effect.

Environmental degradation and natural resource depletion are 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 adjusted net savings, including particulate emission damage (as % of GNI), became increasingly negative, falling from -22.1% in 2010 to -31.0% 2015 when adjusted for environmental degradation (WDI, 2016; [WB, 2020](#)).



Coastal erosion is a major problem. The waterside of the capital losses about 10 meter p.a. because of man-made erosion and smaller villages situated along the coast like Baguida, Gbodjomé, Agborrafo successively immerse in the sea. Since the extension of the port of Lomé in 1968, the Togolese shoreline to the east recedes, while work on Aného beach that aimed to protect the coastline of municipalities east of Togo actually caused coastal erosion to worsen. Its subsequent impacts are sufficiently severe that there is a medium-term risk that the municipalities of Aného and Grand Popo could fall away into the ocean, a fate experienced by Hillacondji's fishing village between 2002 and 2011⁸ (see Q14.2). In June 2020, the village of Doevikope on Baguida beach, to the east of Lomé, three-quarters of residents have moved away since the ocean swallowed precious agricultural land, the school's playing field and the cemetery. Coastal erosion that affected the ocean coastline and its adjacent Lake Togo and Lake Boko during the period 1988-2018, resulted in the Lake Togo widening on average by 1.55 m/year while the coastline of the Lake Boko shrank by 1.25 m/year. For the coastline of the Ocean, the regression ranged from 1.66 to 5.25 m/year. The barrier beach experienced an average immersion of 9.25 ha/year. Predictions on the basis of the average rate of immersion of the barrier beach of 9.25 ha/year showed that the latter is exposed to a continuous immersion hazard that would affect more than 7% of its current area (6557.33 ha) by the year 2070⁹. (see Q14.2).

In the global country ranking of deforestation Togo ranked at the bottom range (rank 165 of 190 countries) in 2015 (Indexmundi). From 2001 to 2019, Togo lost 55.9 kha of tree cover, equivalent to a 10% decrease in tree cover since 2000, and 11.3Mt of CO₂ emissions. From 2002 to 2019, the country lost 299 ha of humid primary forest, making up 0.56% of its total tree cover loss in the same time period. Total area of humid primary forest in Togo decreased by 82% in this time period ([Global Forest Watch, 2020](#)). The top regions in Plateau and Center regions were responsible for 58% of all tree cover loss between 2001 and 2019. This region had the most tree cover loss at 32.6 kha compared to an average of 11.2 kha. Forest loss was apparently particular severe in the Western region of the woods between Atakpamé and Sokodé. ([interactive map, Global Forest Watch, 2020](#)).

Environmental laws and programs were adopted long ago but are insufficient and poorly enforced. Reforestation attempts have been unable to counteract this development. The high rate of demographic growth (2.84% p.a.), the slash-and-burn agriculture and the use of wood for fuel have been identified as major source of deforestation (REDD+, 2018). Water pollution presents health hazards and hinders the fishing industry. Air and water pollution is increasing rapidly in urban areas, notably in Lomé (aggregated pollution index: 72.13%; air pollution 62.5%, water pollution 75%; Numbeo, 2018). The government has yet to formulate more specific policies on pollution.

Togo joined the [Climate and Clean Air Coalition](#) (CCAC) in 2014. A significant portion of the country's population is consistently exposed to levels of indoor and outdoor air pollution that exceed World Health Organization (WHO) guidelines. According to [WHO guidelines, the air quality in Togo](#) is considered unsafe. The most recent data (April 2020) indicate the country's annual mean concentration of PM_{2.5} is 36 µg/m³, exceeding the recommended maximum of 10 µg/m³. Contributors to poor air quality in Togo include the mining and cement industries, vehicle emissions, and waste burning. The government noted an

⁸ Clarke, Richard (2020): [Strengthening the climate resilience of cities through cross-border co-operation](#). OECD, 25 September 2020

⁹ Konko, Yawo et al (2018): [Multitemporal Analysis of Coastal Erosion Based on Multisource Satellite Images in the South of the Mono Transboundary Biosphere Reserve in Togo \(West Africa\)](#). ResearchGate, April 2018

exponential growth of cars and motorcycles. According to a study on sustainable low-emission transport, the numbers went from 371,346 in 2005 to 1,011,925 in 2016, an annual growth rate of 6 % for cars and 13 % for motorcycles. This problem has been made worse by the fact that these vehicles are often old and imported from abroad and therefore use low-quality, high-polluting fuels.

In February 2020, the ECOWAS, including Togo, agreed to adopt a regional standard on imported gasoline and diesel fuels of 50 parts per million (ppm) starting in January of 2021, with local refineries given until January 2025 to comply. Four years before, in December 2016, Togo and four neighbouring countries (Nigeria, Ghana, Benin, Côte d'Ivoire) had already agreed in principle to ban imports of dirty fuels from 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 should have reduced the Sulphur limit in fuels exported to Africa from 3,000 parts per million to 50 (still above the EU limit of 10 p.p.m). However, in Nigeria, a hub of (mostly illegal) fuel exports into the West-African sub-region, including Togo, stakeholders were still awaiting the enforcement of the ban end of 2018. Thus Nigeria became an easy haven, as well as an illegal entry port for dirty fuels into Togo.

In September 2020, a new report of the international resource watchdog group Stakeholder Democracy Network (SDN) partly-funded by the UK Foreign Office's anti-corruption conflict, stability and security fund, revealed that even black market fuel made from stolen oil in rudimentary "bush" refineries hidden deep in the creeks and swamps of the Niger delta, was less polluting than the highly toxic diesel and petrol that Europe exports to Africa. Shell, Exxon, Chevron and other major oil companies extract and export up to 2 m barrels a day of high quality, low sulphur "[Bonny Light](#)" crude from the Niger delta. But only small amounts of this oil is refined in the own country because its [four state-owned refineries](#) are dysfunctional or have closed. Instead, international dealers export to Nigeria around 900,000 tons p.a. of low-grade, "dirty" fuel, made in Dutch, Belgian and other European refineries. Around 80% of Nigeria's petroleum products come from the Netherlands and Belgium. The average "unofficial" imported diesel tested exceeded the level of EU sulphur standards 152 times, and 40 times the level for gasoline. As consequence, Nigeria ranks fourth in the world for deaths caused by air pollution. It has been estimated that 114,000 people die prematurely from air pollution each year ¹⁰.

Yet, the bush refineries too are highly dangerous. They frequently explode, adding to air, water and soil pollution in the mangrove swamps. But they are an important source of income for communities and therefore are growing fast in number and scale. They now produce 5-20% of all the gasoline and diesel consumed in Nigeria from the estimated 175,000 barrels of crude oil stolen each year. An open-air market for illegal crude oil operates off the Niger Delta, called the [Togo Triangle](#), because of the massive involvement of Togolese traders in this market for stolen oil. The Triangle has been compared to an "open-air drug market" for which Lomé has become already the hub for the whole of West Africa (see Q1.1).

The [Dangote Refinery](#) under construction in [Lekki](#), Nigeria, will add significantly to the import-substitution of petroleum products from Europe into the sub-region when completed in 2022, having a capacity to process about 650,000 barrels per day of crude oil (see Q11.1). Moreover, the recent collapse in oil prices because of Covid-19 may be a blessing in disguise,

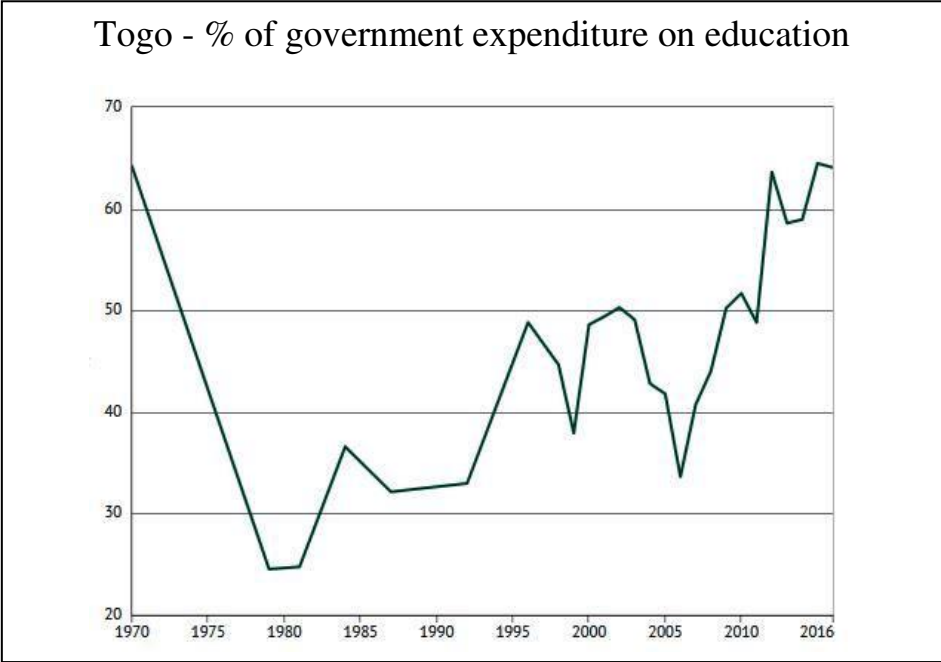
¹⁰ Vidal, John (2020): [Petrol sold to Nigeria from Europe 'dirtier' than black market 'bush' fuel](#). London: *The Guardian*, Oct. 15, 2020.

because it could mean that imported fuel no longer needs to be subsidized and should no longer be a barrier to Nigeria adopting higher standards ¹¹.

The four neighbouring countries (Nigeria, Ghana, Benin, Côte d’Ivoire) also agreed that all imported petrol and diesel vehicles, both new and used, would be required to meet Euro 4/IV emission standards or higher starting January 2021. The age limit of used vehicles that can be imported was set to 5 years for light-duty vehicles and 10 years for heavy-duty vehicles. Work is currently underway to introduce tax incentives on low emission and electric vehicles in the region. The UN Environment Program is supporting Togo to implement these standards nationally. Togo’s most ambitious effort, however, is the National Plan for the Reduction of Air Pollution and Short-Lived Climate Pollutants, adopted by the Minister of Environment in 2020. This policy will implement priority measures and actions which will significantly reduce **SLCPs** which will reap the multiple benefits of improving air quality, fighting climate change, and realizing co-benefits like improved health and agricultural productivity. Fully implementation would result in 67 % reduction in black carbon, 70 % reduction in fine particulate matter, and 56 % methane reduction by 2040.

It should be mentioned, 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) and health hazards.

Q12.2 | Education policy / R&D



¹¹ Vidal, John (2020): [Petrol sold to Nigeria from Europe 'dirtier' than black market 'bush' fuel](#). London: *The Guardian*, Oct. 15, 2020.

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 rose from 3.4% in 2008 to 5.1% in 2016, it totaled 5.05% of GDP in 2016 (WDI, 2018, no update available Oct. 2020). In 2019, the government spent CFA F 174 billion (€36.3 m) on education, seven times more than the amount spent in 2005. It also used a US\$ 27.8 m (€24.6 m) grant from the [Global Partnership for Education](#), a World Bank fund for education in lower-income countries, to strengthen girls' enrollment in school.

Because of its history as a French colony, education follows the French model of schooling. Starting at age six, primary education is mandatory for six years. In 2008, public primary school fees were abolished. Togo's net primary school enrolment was 90 % in 2017 which is high, compared with African standards. However, only 41 % of children eligible enrolled in secondary education in 2017 compared with only 23,53 % in 2000. The large enrolment gap between primary and secondary education is due to costly secondary education fees, poor quality of primary education and the lack of access to schooling in rural areas. Recurrent strikes of teachers because of low payment and bad working conditions contribute to the problem. Teacher salaries in Togo range from \$ 33 to \$ 111 p.m. while the minimum wage is \$ 64 p.m. After months of strikes, the Togo government signed an agreement with trade unions in the spring of 2018, but the future will tell whether this will improve teaching conditions.

Despite having more children enrolled in school, increasing numbers of students had to repeat school years, failing to graduate. 37.6 % of students dropped out of primary school in 2012, and 32.42 % of secondary school in 2015. In every level of schooling except pre-primary, there are about 10 % fewer girls enrolled than boys. The literacy rate for males in Togo is 77.26 % and only 51.24 % for women. Early or forced marriages contribute to this difference. International NGO's such as [Girls Not Brides](#) are working in Togo to meet its commitment to end child, early and forced marriages by 2030. Moreover, there exist a considerable disadvantage that results in low educational equality for the rural population and the poor. In rural areas 69 % of households live under the poverty line. Besides, secondary schools tend to be sparse in rural areas with few resources, while urban areas tend to have more clusters of secondary schools with more resources. 68 % of eligible males and 54 % of females in urban areas enrol in secondary education while only 45 % of eligible males and 33 % of females enrol in rural areas. Adult literacy is around 64 % while the literacy of the younger population aged 15-25 is significantly higher (84 %). The government's education strategy for 2014 to 2025 includes developing quality universal primary by 2022 and extending pre-primary coverage to rural and poorer areas. In addition, it plans to develop quality secondary, vocational and higher education and decrease the illiteracy rate (Source: [Facts About Education in Togo](#), July 16, 2019)

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 2015 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](#)).

However, the absorption rate of school leavers into the national economy is limited and un- or underemployment among recent school leavers is alarmingly high (estimated 28% to 33%). Research and development remains a neglected area. According to the latest available World Bank figures, R&D expenditure stood at only 0.3% of GDP in 2014 (no update available, Oct. 2020).

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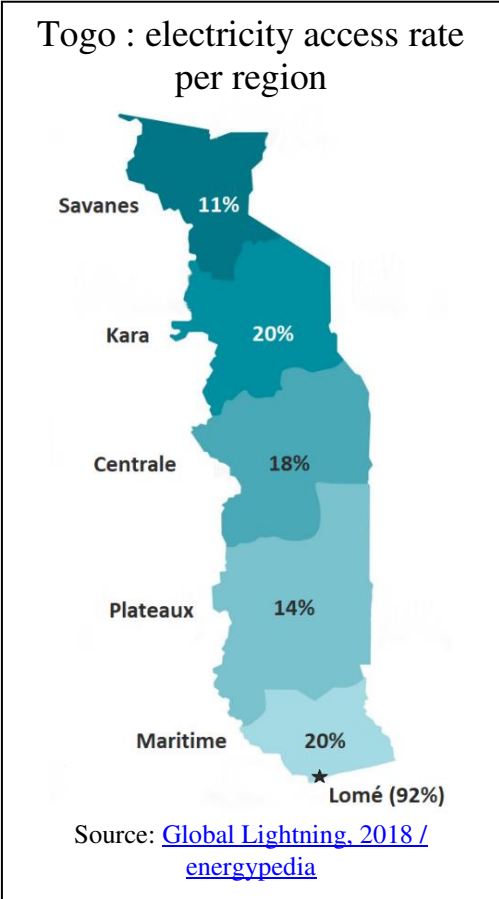
Level of Difficulty

Q13 | Level of Difficulty

Q13.1 | Structural constraints

7

Togo is a small country with promising natural resources. The population still depends to a large extent on subsistence farming. Major foreign exchange earners are the 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 neighbouring 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. Togo’s electricity production and access has been below the average of regional peers (see Q7.1).



Togo’s performance in terms of providing energy access is improving. The rate of access to electricity increased (from 17 % in 2000 to 45 % in 2018). But there are large differences between urban (access rate = 88.8%) and rural areas (access rate = 8%) (Source: [Togo – Energy situation](#). energypedia, 2020). Most of electricity is imported from the countries of the

sub-region (Benin, Ghana, Nigeria, Cote d'Ivoire) through an interconnection network. However, the continuity of the electricity supply service is not guaranteed and constitutes a challenge for the national company CEET in charge of distribution. Most of the electricity produced domestically is based on hydropower and fossil fuels. The amount of electricity produced fluctuates greatly from year to year. In 2017, hydropower had a 69.1% share and the share of electricity produced by petroleum products was 24.7%. Renewable energy sources (solar, wind, etc.) in the country's electricity generation capacity are still in its infancy but growing rapidly. The latest figures (2017) assume a share of 6.2% (Source: [Togo – Energy situation](#). energypedia, 2020).

In July 2017, the government concluded a contract with the English enterprise Bboxx to provide 300,000 domestic solar-home-kits to be distributed in rural areas in the next five years within the framework of the CIZO (enlighten, in Mina, the local language) initiative at an estimated cost of about 117 m US\$. Thereby, the electrification rate in rural areas was meant to rise from the present 6% to 35% in 2022. Togo’s Project CIZO aims to meet 50% of the electricity needs with solar power by 2030. By the end of 2018 BBOXX had supplied electricity to 26,000 Togolese and opened 20 shops.

In February 2020, three new actors joined the “Cizo” project that had already successfully met the challenge of electrifying 40,000 households in neighbouring Benin in 2019. These are off-grid suppliers *Fenix International*, *Solergie* and *Moon*. Subsidiary of the French energy giant *Engie*, the Ugandan-based company *Fenix International* will compete with *Solergie*, which operates in Togo under a partnership with French oil giant *Total*. The Belgian company offers a solution called *SolergieBox*. It is a mini-grid made up of solar panels, an inverter and a battery for storing electricity. This off-grid solar system can supply 8 households in rural areas. Households connected to the mini-grid can pay their bills via “mobile money”, a mobile phone payment system. The mobile phone is also a key piece of equipment in the service offered by *Moon*. This French company, which is also involved in the “Cizo” project, offers solar home kits. Its own is made up of solar panels, a storage system, and USB ports for recharging mobile phones. Unlike other suppliers of solar kits, its solution is accompanied by a smartphone (*Moonphone*) on which is installed an application that allows the payment of the solar kit in small amounts (in pay-as-you-go) ¹².

Refugees living in Togo, December 2020

Country of origin	Source	Data date	Population
Ghana	Government, UNHCR	31 Jan 2020	9,768
Côte d'Ivoire	Government, UNHCR	31 Jan 2020	1,544
Central African Rep.	Government, UNHCR	31 Jan 2020	236
Others	Government, UNHCR	31 Jan 2020	127
Rwanda	Government, UNHCR	31 Jan 2020	120
Dem. Rep. of the Congo	Government, UNHCR	31 Jan 2020	101
Mali	Government, UNHCR	31 Jan 2020	72

Source: [UNHCR, 2020](#)

¹² Takouleu, Jean Marie (2020) : [Togo: Fenix, Solergie and Moon join Cizo project to electrify villages](#). *Afrik21*, February 17 2020.

Migration, accelerated by the political crisis has had a dramatic impact on the country's labour force in the last two decades. The International Organisation for Migration (IOM, Geneva) disclosed on 28. November 2017 that in 2016 more than 330,000 migrants had passed the frontier between Niger and Libya for a European destination, among them at least 300 Togolese. Togo's Net Migration Rate (2015-2020) was -0.3 migrants/1,000 population (IOM, 2020). According to the UNHCR there were a total of 11,866 refugees in the country (31 Dec. 2020) , most of them from Ghana (s. table) and 665 Asylum seekers (31 Dec. 2020).

Over the past decades hundreds of thousand Togolese refugees migrated to Europe in view of political persecution during the political crisis of the 1990s and 2005, notably to France and Germany. However, many of them had to return.. Out-migration of Togolese was as well focused on neighbouring states (total 378,439 in 2013), but among the five top destinations figured also France with 23,367 in 2013 (no update available, Dec. 2020).

Moreover, trans-national migration of children in search of labour or out of cultural reasons is common not only in Togo but in the whole of West Africa. A project of «Terre des Hommes» registered about 7 million migrant children in the corridor Côte d'Ivoire, Ghana, Togo, Bénin and Nigeria, including about 1 m children from Togo, as revealed during a conference on child-migration in Lomé on 8 November 2018. Many qualified Togolese can be found in Europe but also in neighbouring West African countries. The lack of good governance, including the ruling elite unwillingness to devolve political power, still constitutes the major single development barrier. The U.N. Special Rapporteur on contemporary forms of slavery revealed on 7 June 2019 in Dakar that an estimated 50,000 people were treated as slaves among the 7,4 m people of Togo. Thereby, Togo ranks 45th out of 167 countries on the Modern Slavery Index. Many children had been forced into domestic servitude or hard labour, driven by poverty and cultural tradition of '*confiage*' which involves sending a child to a relative or friend to attend school in a larger town or city. This could place children at risk of exploitation by internal human trafficking. Parents are often complicit in child trafficking, and many traditional chiefs and leaders do not discourage the practice. On the contrary, boys, known as *talibés*, are sent to Koranic schools for education and subsequently forced by their teachers to beg in the streets

According to available data there is up to now no disruptive shock concerning transnational migration caused by the Covid-pandemic (infection rate, excess death rate, effects on economic performance) and the limitations it imposes on political and economic transformation are so far negligible.

Q13.2 | Civil society traditions

6

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 Q5.2 '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.

In Togo, like in other West African countries where psychiatry is virtually unknown, the society struggles to care for people with mental illness. Chaining is often a last resort for desperate families who cannot control a loved one in the grip of psychosis. Often, religious retreats, known as prayer camps, set up makeshift psychiatric wards, usually with prayer as the only intervention. The camps range from small family operations to large camps of up to 150 people, like the camp 'Jesus Is the Solution' in Kpové, some 70 km north-east of Lomé, by far the largest and most elaborate camp in Togo (Carey, 2015). Traditionally, mental illness are at the bottom of African health priorities, last, but not least, because mental ill people are often feared and outlawed because they are believed to be driven by ghosts.

Q13.3 | Conflict intensity

5

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 pastoralists and agriculturalists are still virulent beneath the surface. Occasional instances of violence occur in about one third of prefectures, notably in northern and central Togo. In 2016, the government put in place a Transhumance Management Plan (TMP) for the regulation of conflicts. The 2019 transhumance campaign review, presented at a conference from 16 to 17 December in Blitta, revealed for the transhumance-period 2019, there had been no deadly conflicts as in 2018 and 2017, but only 8 minor incidents. In total 10,370 head of cattle had been registered for a tax collection of F CFA 56,548,000 (€ 86,206). According the Ministry in charge of Livestock, the [2019/2020 transhumance campaign](#) that came to an end on May 31st, 2020 went off without a major incident. In total, some 30,000 head of cattle circulated in the territory during that period. Strong seasonal livestock cross-border movements originating primarily from Burkina Faso and Niger but also between Togo and Nigeria were reported during the survey period. Strong livestock cross-border trade ties were reported by the OECD in 2020.

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 Kabyé still hold an unduly high number of relevant public offices compared to their counterparts in the south, notably in the security services. 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 centres, notably in Lomé.

Governance Performance

Q14 | Steering Capability

Q14.1 | Prioritization

5

It remains unclear whether the political leadership as a whole is committed to political democratization, decentralization and economic liberalization. Nevertheless, major improvements are undeniable. Togo's National Development Plan (PND, 2018-2020) focused on establishing Togo as a financial and logistics hub in the Gulf of Guinea and a first-class business center in West Africa. It aimed at creating jobs, developing agricultural processing, manufacturing and the extractive industries, and stimulating inclusive growth. Unfortunately, the slow recovery from the recession induced by the global impact of the Corona-pandemic, hampered the realization of the over-ambitious PND. Additional mechanisms to enhance strategic capacities have been implemented assisted by the World Bank and IMF. However, they are unlikely to impact on the basic unwillingness of the regime in power to promote democratization and to give off power to the population.

According to the [Ibrahim Index of African Governance 2020](#) Togo counted among the top five best improvers over the past decade for overall governance (rank 30 out of 54 in 2019; score 49.1, +5.2, since 2008). Actual politics point in 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 of 37 CSOs, hand-selected by the government, and members of the public administration. The auto-evaluation directed by the national APRM commission was still in progress in Oct. 2020. Platform members reviewed the Togo State report in the period between May and August 2018, the results are still pending ([APRM-toolkit, Oct. 26, 2020](#)).

Existing long-term plans of the government are not yet affected by the impact of COVID-19.

Q14.2 | Implementation

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The administration has the support of the international donor community for these efforts. In September 2011, a new defence 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 (see Q7.1). 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 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. The Sixth Review under the Extended Credit Facility, completed on March 26, 2020 and published in April 2020, allowed for an immediate disbursement of US\$ 131.3 m to Togo. This was almost four times larger than previously foreseen. The augmentation was meant to help the authorities address the human and economic implications of COVID-19 pandemic. After three years of implementation of the Fund-supported program, the IMF saw the performance of the government as satisfactory in most sectors. Only in the financial sector reforms encountered delays.

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 National Development Plan (NDP; 2018-2022) that replaces SCAPE focuses on stimulating growth by establishing Togo's deep water port in Lomé as a logistics hub, creating jobs, agricultural processing, as well as upholding the extractive industries and encouraging manufacturing. Another aim, to establish Lomé as a dynamic financial centre will build on the presence of headquarters of several regional banking and insurance groups, and the development of the digital economy. Coastal erosion is a major problem (see Q12.1).

The implementation of major policy priorities identified by the government has up to now not been delayed, postponed or shelved in reaction to the Corona pandemic. The transformation of the political system from an autocratic government to democratization is still not in sight. The transformation towards a market economy apparently is not (yet) affected by anti-Corona-measures.

Q14.3 | Policy learning

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The presidential elections of 2010, 2015 and 2020 as well as the legislative elections of 2013 and 2018, passed by largely peacefully, and were considered basically democratic by African peers. 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 largely peaceful but unfree elections and modernization of the ruling party. In addition, it confirmed its outward legitimacy by raising international political support. Concerning domestic legitimacy, Faure Gnassingbé and his party (RPT/UNIR) successfully employed the same 'divide and rule' policy that already his father Eyadéma had used for decades to weaken the opposition movement both by legal and extra-legal means. A recent example was the 'Kodjo-affaire'. [Agbeyome Kodjo](#), the leader of the opposition Patriotic Movement for Democracy and Development (Mouvement patriotique pour la Démocratie et le Développement - MPDD), who came second in Togo's disputed presidential election of 22 February 2020, was later arrested for failing to appear before the country's intelligence and security police - 'Service central de recherches et d'investigations criminelles de la gendarmerie' after proclaiming himself "elected president" of Togo on April 21, 2020, because he and the opposition contested the results of the election. His immunity, as a former Prime Minister, was lifted by the country's Parliament in March 2020. Togo's Catholic Bishops condemned the brutal arrest of opposition leader in a move that underlies continuing post-election tensions in the country. However, the president's power could also be contested any time by competitors 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. Therefore, they supported the government's commitment to political 'modernization' by providing substantial aid. In general, the transition process remains volatile and might be reversed when pressure is put on the president, e.g. by hardliners in the military or within the ruling party.

Another example of policy learning in the economic sector was Togo's stance in the currency question. Lomé joined increasing African sentiments against any post-colonial institutions by supporting the replacement of the F CFA by a truly African currency. Eight West African countries adopted a proposal to withdraw their currency reserves from the French central bank at a meeting of Economic Community of West African States (ECOWAS) in November 2019. In September 2020, Alassane Ouattara, President of Côte d'Ivoire, announced to proceed with the implementation of the ECO, the common new currency to replace the CFA, "Within three to five years".

The controversial subject was originally to be treated on the long-delayed successor to the [Cotonou Agreement](#) between the EU and African, Caribbean and Pacific (ACP) community expiring end of 2020. Re-negotiations appeared to be approaching the finish line with a '99%' chance of success this year', according to ACP and EU sources ([EURACTIV-sources](#)) on 2 September. However, on the eve of the pandemic in mid-February, the EU and the ACP's negotiating teams, led by EU International Partnerships Commissioner [Jutta Urpilainen](#) and Togolese foreign minister [Robert Dussey](#), agreed to extend the existing agreement until the 6th EU-Africa summit, projected for December 2020, in case the summit would not be postponed because of the Corona-pandemic.

From 23 to 24 October 2019 Faure Gnassingbé and his delegation attended the first-ever [Russia-Africa summit](#) in Sochi, Russia, to attract investments for the PND 2018-2022. The long-time special relations between France and Togo were confirmed by support from French military cooperation.

The government apparently has not been willing and able to improve institutional learning with respect to democratization in response to COVID-19, it still holds to preserve its political and economic power at all cost.

Q15 | Resource Efficiency

Q15.1 | Efficient use of assets

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The IMF fourth review of Togo under the Extended Credit Facility Arrangement (2019) confirmed that public financial management reforms in Togo were advancing. Thus, a methodological guide for the cost-benefit analysis of public investment was finalized and a comprehensive review of public expenditure completed. Overdue debts were gradually being cleared in line with program objectives. However, the IMF underlined also that further efforts would be needed to strengthen permanent revenue in order to consolidate the reforms and to create the fiscal space for much-needed social and infrastructure spending. The orientation of the government in Lomé for a more efficient use of assets was also confirmed by the WB Doing Business Report 2020. It stated that Togo counted among the ten economies worldwide that improved the most in reforms making it easier to do business after implementing regulatory reforms for a more sufficient use of resources. The most notable reforms concerned the following five categories: starting a business, dealing with construction permits,

registering property, getting credit and access to electricity. In short, the new reform processes, assisted by the international donor community, notably the [Bretton Woods institutions](#), have improved an efficiency-oriented governance approach in areas like public administration and finance as well as infrastructure rehabilitation. Major investments of the state included the construction of a new heavy haul railway line of about 760 km, in combination with upgrades for road and telecommunication infrastructure systems, extending from the Port of Lomé to the Northern border post of Cinkasse on the borders with Burkina Faso and Ghana. The new railway will complement the Tema - Ouagadougou mainline in neighbouring Ghana to which it will constitute in fact a modern and more performant alternative, connecting sea-ports of the Bight of Benin to the hinterland (see Q7.3).

Other testimonies of a more efficient use of assets concern public-private partnerships, e.g. the agreement between the government and the Nigerian tycoon Dangote to develop and transform Togolese phosphate by a \$2 billion phosphate project in Togo, positioning itself to become a main supplier of fertilizer in West Africa. Dangote will be the largest ammonia producer on the African continent with the completion and commissioning of the Dangote Petroleum Refinery and Fertilizer complex in Ibeju-Lekki, Lagos (see Q11.1). Last, but not least, education remains a key sector. Donor confidence constitutes the most important resource in pushing development in Togo. Nevertheless, decades of political crisis and deficient economic freedom still discouraged private foreign investment, although enhanced competition with new global players like China is good for business.

The reallocation of resources because of the Corona-pandemic has this been done largely in an efficient and transparent manner.

Q15.2 | Policy coordination

6

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 had not always been smooth, improved with the nomination of Women representation in the political arena (i.e., government, parliament and political parties) improved significantly with the nomination of [Victoire Tomegah Dogbe](#) becoming Togo's first female Prime Minister on October 29, 2020. The secret service and the military still lack parliamentary control and are still dominated by members from the [Kabye](#) Gnassingbé-clan in [Pya](#) and [Kara](#), its homeland and spiritual center. Thus Faure Gnassingbé continued the policy inherited from his father [Eyadéma](#), to secure key positions of the security services for trusted persons of the same ethnic group and regional origin only. Nevertheless, he still manages the portfolio of defence himself, for fear of coup attempts. The new [Kitchen Cabinet](#) of the new guard of young and dynamic councilors, including an liaison-officer of the army, may alleviate the problem (see Q3.1). However, enhanced alertness by the donor community still seems advisable in view of high levels of corruption and criminal practices (drug trafficking, capital flight and money-laundering) at all levels, including members of the current administration. As far as the pandemic brought with it additional challenges to policy coordination and coherence this has been done in an effective and transparent manner.

Q15.3 | Anti-corruption policy

3

Togo ratified the UN Convention against Corruption, the AU Convention on Preventing and Combating Corruption and the ECOWAS Protocol on Combating Corruption. The government is also aiming to make Togo's legislation conform with WAEMU norms and FATF (Financial Action Task Force) standards. Besides, corruption is forbidden in Art. 46 of the Constitution of 1992. Moreover, there exist a money laundering law, a procurement law and a criminal code adopted in 2015 that strengthened anti-corruption measures. Togo also adopted legislative and regulatory texts and created control institutions such as the General State Inspectorate, the General Inspectorate of Finance (IGF), the Court of Accounts and the Togolese Revenue Office (OTR). However, the independence of the supreme audit institution is restricted by jurisdictional limitations in the Constitution and the lack of freedom to publish an annual report. Thus, the overall inherent risk of the Togo's public financial management (PFM) system was rated high (IDA, 2017).

The High Authority for the Prevention and Fight against Corruption and Similar Offenses (Haute Autorité de Prévention et de Lutte contre la Corruption et les Infractions Assimilées, HAPLUCIA), founded as independent organisation in 2015, replaced the National Anti-corruption Commission (Commission nationale de lutte contre la corruption et le sabotage économique – CNLCSE) created in 2001. The HAPLUCIA became operational in 2017 (IMF, Dec. 2018). It is equipped with power of investigation, prosecution and corruption prevention. However, it has no budget autonomy and its annual budget is rather low with US \$ 20,000.

According to the electoral code, vote buying is forbidden (Art. 72 and 136), and the expenses incurred by parties during the election campaign are limited. For example, any list of candidates for a local election is prohibited from incurring more than five million CFA francs in election campaign expenses per candidate (Art. 120) (International IDEA, 2020). Yet, there are apparently no limits on the amount that third parties can spend on election campaign activities nor on media advertising spending, including online media. Finally, judicial corruption was a problem. The court system remained overburdened and understaffed (US-Gov., HR-2019). The Criminal Code, adopted in 2015, strengthened the anti-corruption measures.

However, despite all declarations and formal commitments the government lacks the political will to combat corruption effectively. Apparently, members of government and the civil service were involved in corruption up to the highest ranks. This was indicated among others by the 'Pétrolegate-affaire' (2020, see Q2.4), the Bollorée-affaire (see below) and the high level of illicit financial flows (IFF) that attracted the concern of the international donor community (OECD, 2018). IFF strongly correlates with money-laundering and attracted the concern of the international donor community (OECD, 2018).

In April 2018 the French daily *Le Monde* revealed details about another corruption scandal. Apparently, the Gnassingbé clan was probed by the French justice in connection with the Bollorée-affaire. The notorious French tycoon Vincent Bolloré, prominent member of Françafrique, a neo-colonial network of the political and business elites in France and francophone Africa, had been suspected of having secured port concessions in Lomé by undercharged services (800,000 € for merely 100,000 €) provided by the international advertising agency *Havas* (up to 2017 a 60% dependency of Bolloré, then sold to *Vivendi*) to help Faure Gnassingbé elected in 2010. On 26 February 2021, Bolloré pleaded guilty to be culpable of active corruption.

Table 2.8. Legislation enacted to combat money laundering and terrorist financing

ECOWAS Country	Criminalised drug money laundering	Criminalised money laundering beyond drugs	Know your customer Provisions	Report large transactions	Report suspicious transactions	Maintain records over time	Disclosure protection ¹ safe harbour ²	Criminalise ³ tipping off ⁴	Cross-border transportation of currency	Financial Intelligence Unit	International law enforcement co-operation	System for identifying/forfeiting assets	Arrangements for asset sharing	Criminalised financing of terrorism	Report suspected terrorist financing	Ability to freeze terrorist assets without delay	US or international sanctions/penalties
Benin	Y	Y	Y	N	Y	Y	Y	Y	Y	Y*	Y	Y	N	N	Y	Y	N
Burkina Faso	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	N	Y	Y	N	N
Cabo Verde	Y	Y	Y	Y	Y	Y	Y	N	Y	Y*	Y	Y	N	Y	Y	N	N
Côte d'Ivoire	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y
Gambia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y*	Y	Y	N	Y	Y	Y	N
Ghana	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N
Guinea	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	N	N	Y	N	N	N
Guinea-Bissau	Y	Y	Y	N	Y	Y	Y	N	N	Y*	Y	Y	Y	Y	N	N	Y
Liberia	Y	Y	Y	N	Y	Y	Y	Y	Y	Y*	Y	Y	N	Y	Y	N	N
Mali	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	N	N
Niger	Y	Y	Y	N	Y	Y	N	Y	Y	Y*	Y	Y	N	Y	Y	N	N
Nigeria	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N
Senegal	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Sierra Leone	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y*	Y	Y	N	Y	Y	N	N
Togo	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N

Notes: Y = Yes, N = No.

Source: OECD. 2018

Togo still ranks among the most corrupt states worldwide (rank 134 of 179 countries (Score: 29, out of 100; [CPI-2020](#)).

As for the IFF, it came mainly from three sources, i.e. commercial tax evasion, trafficking of bills in international trade and abusive transfer prices, criminal activities such as the drug dealing, illegal transactions on weapons, smuggling, active corruption and the conclusion of corrupt civil servants. In comparison, IFF represented almost 500% of tax revenues, this ranks Togo second in the world. In relation to the expenditures in the fields of education and health, the IFF are thought to stand respectively for 243.9% and 1,088% of the rates which place Togo as first perpetrator worldwide according to the international NGO Global Financial Integrity (2018) and ANCE-Togo, 2018.

On September 20, 2020, CENOZO, an investigative reporting unit in West Africa, revealed that 'Kassoum Zombre, Sarl U', a Togolese company in Lomé, had been identified in a suspicious transaction with Saber Pte Ltd, a company in Singapore, known as a tax haven for Asian giants. The case was allegedly linked with illegal financial transaction via the Iran to finance terrorist networks in the frontier zone in the north of Togo, where the jihadist threat had increased in recent years on the border with Burkina-Faso¹³. Already in 2019, the government in Lomé had announced the creation of an "Interministerial Committee for the Prevention and Fight against Violent Extremism" in response to this jihadist threat.

The fast growing sector of money transfer by mobile phones has been linked to human trafficking, money laundering and the global drug trade, among other crimes. Although it had been proven to be a positive force for financial inclusion and economic development in Togo

¹³ Kuvo, Pierre-Claver (2020): [Blanchiment d'argent et financement du terrorisme : Une société togolaise en affaire avec une entreprise Offshore à Singapour](#). CENOZO, *Investigative Reporting in West Africa*, September 20, 2020 .

and many other African countries, the more cash-based informal economy present grave challenges to law enforcement. The lack of robust identity checks to verify users combined with the lack of sufficient law enforcement institutions created a financial system distinctly vulnerable to criminal infiltration. Last, but not least, because the types of ID required to register for a mobile money account are not standardized and range from national identity cards to company IDs, tax certificates or drivers licenses (Interpol (2020): [Mobile money and organized crime in Africa](#), Lyon: ENACT / Interpol, June 2020)

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 August 2018 the French secret service revealed that Colonel Neyo Takougnadi, imprisoned in 2018, was one of the principal members of a cocaine trafficking network, close to highest circles of the regime in Lomé. He was officer of the FAT who had been promoted shortly before by the head of state to become chief of the General Staff of the president. Before, he had been director of the national police. In May 2017, the Franco-Togolese lawyer, [Pacôme Adjourouvi](#)¹⁴, a former classmate of Faure Gnassingbé, was nominated special councilor of the Togolese head of state in the rank of minister. This happened despite corruption-accusations against Adjourouvi, investigated by the French counter-espionage DGSE shortly before. He was accused of having facilitated corruption as a go-between to hand over a 'gift' (7.5 Mio €) of Faure Gnassingbé to the then French prime minister [Manuel Valls](#) during his official visit to Lomé in 2016, in order to promote the latter's election campaign for the upcoming French presidentials in 2017. During the presidential elections of February 2020, Pacôme Adjourouvi led the group of 18 'independent' deputies voting for the president.

Apparent large-scale corruption affected also the construction of the Gnassingbé Eyadema airport terminal. Its US\$ 75m budget mysteriously doubled without any reciprocal improvements. At the Togotelecom US\$ 30m was allegedly spent on defective equipment. In both cases obscure deals of Chinese companies with the government arouse suspicion of corruption.

Q16 | Consensus-Building

Q16.1 | Consensus on goals

6

Democracy

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 half-heartedly and finally declared obsolete by the government in 2014. The delayed implementation of major GPA reforms remained a point of contention. 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 which were held in 2019, whereas the constitutional referendum had been cancelled, are still a major point of contention. Representatives of the Christian churches appealed repeatedly to the political class

¹⁴ JA / Togo-tribune (2017): [Togo : Pacôme Yawovi Adjourouvi, le proche de Manuel Valls qui conseille Faure Gnassingbé](#). *jeuneafrique / Togo-tribune*, May 18, 2017.

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.

From 3 to 9 July 2017 the government organized in addition nationwide 'purification ceremonies'. The latter made allusion to customary religious practices in order to "exorcise the evil", i.e. to appease the victims of gross human rights violations committed in the period 1958 to 2005. Although the four big religious entities (catholic and protestant church, Islam and vodun) acknowledged the importance of such symbolic acts, the population, in general, was little impressed. Therefore, the church took sides with the opposition. The Episcopal Conference also denounced the wave of repression as well as "the excessive use of force against fellow citizens, sometimes even in their homes". Last, but not least, it urged the army to adopt a Republican attitude of political neutrality in accordance with the Constitution and advised the regime to refrain from inciting ethnic hatred in the media and social networks.

Market Economy

According to Informal Sector Organization, a Togolese government entity, about 85% of the country's economic activity is in the informal sector, both urban and rural (see Q 7,1). 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 as well by the economic effects of the Corona pandemic. 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 neighbouring 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). The EU's trade relationship with ACP countries had been governed by the [Cotonou Agreement](#) of 2000, which however is expiring end of 2020. "Post-Cotonou" negotiations resumed at ministerial level on 12 June 2020. The Parties involved are currently negotiating a successor agreement (the so-called 'post-Cotonou' agreement) to be decided during the 6th EU-Africa summit, projected for December 2020, but postponed to 2021 because of the Corona-pandemic.

Q16.2 | Anti-democratic actors

6

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. Besides, UNODC and Togolese authorities work together to develop a national strategy to prevent violent extremism. On 10 September 2020 experts from the UNODC Terrorism Prevention Branch held an initial consultative meeting with the Inter-Ministerial Committee on Preventing and Combating

Violent Extremism (CIPLEV) of Togo, within the framework of the Global Counter-Terrorism Forum (GCTF) project on capacity building in the West African region.

However, anti-democratic actors within the ruling elite are still strong enough to endanger any serious attempt by President Faure Gnassingbé to further democratization and devolve power. 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 political alternance. The murder of Colonel Bitala Madjoulba, Commander of the 1st Rapid Intervention Battalion (BIR), a senior officer responsible for the protection of senior state officials, on May 4, 2020, indicated the simmering unrest among the army. Besides, 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 favour 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.

In Togo the jihadist threat had increased in recent years on the border with Burkina-Faso. Cinkassé, on the borders with [Burkina Faso](#) and [Ghana](#), about 38km from [Dapaong](#), was renowned as the Dubai of the sub-region, an epicentre of wealthy traders (moguls) and a hub for contraband and obscure activities, e.g. of fighters of the dreaded [Ansaroul](#) group degrading the security situation. Even if Togo had been hitherto apparently spared actual terrorist acts, the risk of infiltration remained evident. Dapaong, Cinkassé, Yemboate and other localities in the Savannah region in northern Togo bordering Burkina Faso were classified as "Red Zone" where the presence of jihadists had been noticed by the population. On February 15, 2019, Father César Fernández, one of the first Spanish Salesian priests on a mission in Togo since 1982, had been killed in a terrorist attack at the Nouhao customs checkpoint located between Cinkasse (Togo) and Bittou (Burkina Faso).

UNODC and Togolese authorities work together to develop a national strategy to prevent violent extremism. On 10 September 2020 experts from the UNODC Terrorism Prevention Branch held an initial consultative meeting with the Inter-Ministerial Committee on Preventing and Combating Violent Extremism (CIPLEV) of Togo, within the framework of the [Global Counter-Terrorism Forum \(GCTF\)](#) project on capacity building in the West African region. The trade in fake drugs kills people and funds terror. African leaders hope to do something about it. On 18 January 2020 it was reported that fake pills had been imported to Togo, coming surreptitiously from China, India and Nigeria. They were packaged like cures for fever and rashes and were distributed on street corners e.g. in Lomé promising to ease suffering at a fraction of the cost. But fake drugs kill tens of thousands of people each year in a global counterfeit trade worth an estimated \$200 billion, thwarting progress in the fight against malaria and other life-threatening diseases, experts say, while funding organized crime.

Also, France extended in August 2020 its support to Togo and Ghana for anti-jihadist aerial surveillance: Already committed to Benin, Burkina Faso, Mali and Guinea, Paris will expand its support program for West African air forces in Togo and Ghana, threatened by terrorist groups from the Sahel within the framework of its West African light observation aviation development program to Togo and Ghana. As part of the Defense Forces Enabling Development (DEFEND) cooperation project led by the Department of Security and Defense Cooperation (DCSD) of the Ministry of Foreign Affairs, Paris had already committed itself to

supply ultralight aircraft (ULMs) CS *Grouse* observation in Benin and Burkina Faso. Bamako currently had six copies of *Tétrás* and Conakry three. Moreover, on November 16, Paris supported the Togolese navy for the combat of piracy in the Gulf of Guinea with *Sillinger* sea hunters of the same type already intended for the Libyan coast guard.

In November 2020, Lomé was also involved in mediation efforts in the Malian crisis. In the August coup of the Malian Armed Forces, President Ibrahim Boubacar Keïta had been forced to resign and the government had been dissolved. Several countries like France, the United States and representatives of the AU, EU and the United Nations Security Council, as well as Amnesty International, unanimously condemned the coup, calling on the soldiers to return to their barracks. The Organisation Internationale de la Francophonie (OIF) even suspended Mali from membership. On September 7, the ECOWAS gave the Malian military rulers a deadline of 15 September to appoint a new civilian President and Prime Minister. Lomé, on the other side, remained open for negotiations and assumed a mediation role to save the junta. On November 13, the transitional president in Bamako, Bah N'Daw, visited Lomé for negotiations. But behind the scenes, contacts had been made in the greatest secrecy already the day after the putsch, including an exchange of visits in private jets and clandestine meetings

Q16.3 | Cleavage / conflict management

4

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 Kodjo-affaire in 2020. 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. 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. 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. In addition, some few trade unions, NGOs, religious organizations and media outlets created transnational partnerships for conflict prevention, like the [West African Network for Peacebuilding](#) (WANEP-Togo) and the Togolese section of WPP-Africa (Women Peacemakers Program – Africa).

Q16.4 | Civil society participation

5

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. An enhanced dialogue 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. There been up to now little attempts to actively involve civil society actors in the COVID-19 response by the government (deliberation or implementation).

Q16.5 | Reconciliation

5

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. 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). In 2020, the HCRRUN contacted people who had suffered damage during the 1990s in the context of wildlife-protection, and the Barkoissi incident between Anoufo and Moba, in order to implement the reparations recommended by the Truth, Justice, Reconciliation Commission (CVJR) whose goal was to achieve better living together between communities. The implementation of the recommendations of the CVJR in this part of Togo was spread over several days in different localities (Tône, Cinkassé, Mandouri, Kpendjal etc ...) in order to respect the precautionary measures in the context of the fight against Covid-19. Nearly 35,000 people, victims of socio-political violence from 1958 to 2005, have been identified throughout Togo..

Q17 | International Cooperation

Q17.1 | Effective use of support

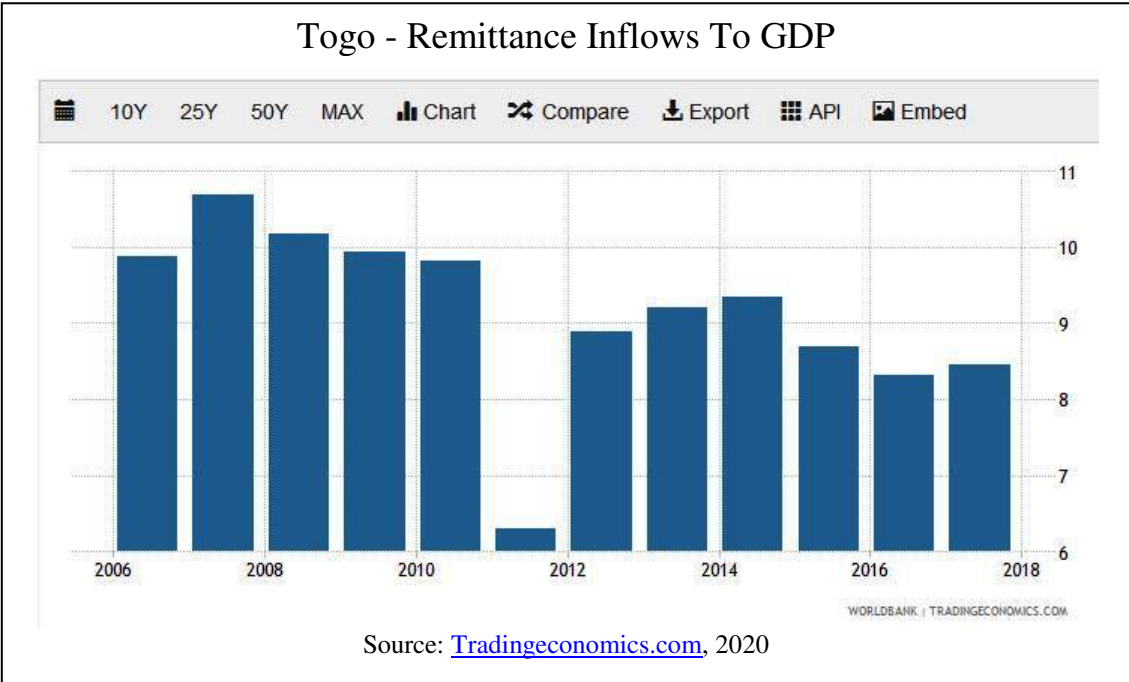
7

Togo remains dependent on development cooperation. Aid fluctuated (in current US\$, millions) between 258.2 in 1990, 165.0 in 2017 and 296.4 in 2018 (OECD, 2020). Europe (EU, France, Germany) is by far the biggest provider of development assistance to Togo beside China (see Q7.1). Starting in the late 1970s, international aid dependency increased considerably. Its highest value over the past 55 years was 17.64% in 2009, while its lowest value was 0.09% in 1960. 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. Togo's performance under the ECF-supported program had been broadly satisfactory according to the IMF (2020). Economic recovery progressed until it had been hindered by the COVID-19 pandemic in 2020.

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 allowed Togo to re-adopt a see-saw policy, which it had practiced during the Cold War, off-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 soared steadily from US\$ 34 m in 2000, 337 m in 2010 to 402 m 2017 (WDI, 2018). Remittance inflows to GDP (%) in Togo was reported at 8.4479 % in 2017, according to the World Bank collection of development indicators, compiled from officially recognized sources in 2020. A scholarly study, published in April 2017, revealed that social groups, including religious and students organizations, were powerful vehicles for the adoption of mobile money in Togo. In contrast, being unemployed decreased the likelihood to adopt mobile money. Although no direct link between remittances and economic growth is discernible, remittances constitute an important supplementary source of financial inflows because – as a rule - 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 - as well as the nefast impact of the global Covid-19 pandemic - could threaten future flows of remittances. According to World Bank estimates global remittances fell by 7% in 2020, surpassing the 5% decline seen during the global financial crisis in 2009 (EIU, 2021).

Q17.2 | Credibility

7

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 and money laundering 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 continued to participate in peacekeeping missions of the AU and ECOWAS with about 1,400 soldiers and policemen, especially in Mali. The government's use of external support of the World Bank and IMF in connection with the fight against the Corona pandemic has so far no visible impact on the "long-term strategy of development". International credibility has been so far not affected by the government's engagement in international or multilateral efforts to coordinate the COVID-19 response (transparency in reporting, provision of additional support).

Q17.3 | Regional cooperation

8

Togo is a member of all relevant regional, African and international organizations, notably of ECOWAS and WAEMU in the West African sub-region. 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. On 9 September 2019, [ECOWAS](#) announced that it would gradually withdraw its intervention force in Guinea-Bissau. A first group consisting of 130 men mainly from the Togolese Special Forces who arrived in [Guinea-Bissau](#) in November 2019 to reinforce the sub-regional contingent stationed in Bissau since 2012, had already left Bissau on August 27. The other ECOWAS troops, notably Nigerians, Senegalese and Burkinabe, will gradually leave by December 2020, handing over to the army of Guinea-Bissau.

Moreover, Lomé contributed to the [African-led International Support Mission to Mali](#) (AFISMA) organized by ECOWAS against the growing threat 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. From 15 to 18 May 2018 Togo participated in a joint anti-terror operation of 2,902 security forces of Burkina Faso, Benin, Ghana and Togo against banditry and trans-border criminality in the border region.

In early November (4 November, 2020) Lomé was preparing to ratify the convention with neighbouring Benin on the status of the Mono river bordering the two countries and the creation of the [Mono Basin Authority](#) (ABM). The preliminary draft law authorized Togo to ratify the Mono convention that would bind Togo and Benin on their border river had been signed on December 30, 2014, in Cotonou. The bill aimed to ensure integrated and sustainable development of the Mono basin in close collaboration between Benin and Togo.

On 1 December 2020, the National Assembly adopted a bill authorizing the Togolese state to ratify the agreement establishing the [African Intellectual Property Organization](#) (OAPI), headquartered in [Yaoundé](#), which embraced 17 mostly francophone African states. The ratification of this agreement adopted in December 2015 in [Bamako](#) will allow Togo to better protect the inventions and creations of its citizens and to fight effectively against

counterfeiting. The agreement represented also a step forward in strengthening the modernization of the private sector and the Togolese legal arsenal for controlling pharmaceutical products at the borders.

From 17 to 21 March 2018 African leaders held an extraordinary summit in Kigali (Rwanda) to create an [African Continental Free Trade Area](#) (Af-CFTA / [ZLECA](#), in French). In total 44 out of 55 AU members signed the agreement, 47 signed the complementary Kigali Declaration and 30 the Protocol on Free Movement. Togo signed all three agreements. On 1 July 2018, five additional countries, including South Africa joined in, bringing the total number of signatories to 49. The Agreement envisages to create a free market for the 55 African states with a population of more than one billion inhabitants. It requires members to remove tariffs from 90% of goods allowing free access to commodities, goods and services across the continent. According to the United Nations Economic Commission for Africa (ECA) estimates the Agreement will boost Intra-African trade by 52% percent by 2022. The heavy-weight Nigeria refuses for years to sign, because it wanted to protect its infant industry. Finally, Nigerian President Muhammadu Buhari signed the landmark agreement at the African Union (AU) summit in Niger on July 7, 2019¹⁵. This leaves Eritrea as the only African country not to be part of the trading bloc.

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 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. Ghana). In view of the turmoil of the large-scale anti-government protests of September 2017 and December 2018 Togo's government should not reduce its democratization efforts, in order to win the trust and confidence of its own population and the international community. Democratic and institutional reforms implemented over the recent years are not sufficient to gain the confidence of the vast majority of the people, at least concerning the major issue of content, the retroactive limitation of the mandate of the president and political alternation. 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 inclusive and sustainable economic development on the base of internationally accepted principles of good governance.

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 good governance. 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

¹⁵ Jones, Mayeni (2019): [Nigeria signs African free trade area agreement](#). London: BBC, 7 July 2019.

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.

The new gain in domestic legitimacy of the government because of its largely satisfying handling of the COVID-19 pandemic will reduce the pressure by the opposition for more democratization on the short- and medium-run. In addition, the health and economic impact of the Corona-crisis superimposed the simmering discontent of the opposition. However, the negative global economic effects of the COVID-19 pandemic will have also long-lasting negative impact on the domestic labour market and social security, notably in the informal sector.

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