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Trouble beneath the palm trees

Turmoil brews in Lomé. Togo's constitutional reforms ignite chaos — but also the potential for change?

With its palm-lined beaches, modern high-rise buildings and exquisite hotels, the port city of Lomé, Togo's capital, still retains the dull glow of the country's reputation as a regional jewel and tourist destination of the 1960s. Yet, here, over the course of March and April, tempers flared and a descent into chaos seemed imminent as incumbent President Faure Gnassingbé introduced constitutional changes designed to alter the country's system of governance.

The reforms, passed by the country's parliament early last month, sought to transform Togo's presidential system into a parliamentary one. As a result, future presidential elections will no longer be by universal suffrage. It also created the post of 'president of the council of ministers', a position with wide-ranging powers. But the move has sparked furious accusations from the country's opposition and civil society, claiming that the changes are a manoeuvre by Gnassingbé to maintain his grip on power.

'The adoption process wasn't legal or legitimate. The process never took into account the opinion of the people. So, it is a real constitutional coup', argues Prof. Ekoué David Dosseh, spokesperson for the *Front Citoyen Togo Debout* civil society platform.

Power grab

In response to the unfolding situation, the regime postponed the legislative elections initially scheduled for 20 April. When they were eventually held a few days later, the ruling *Union pour la République* (UNIR) swept the polls, winning 108 out of 113 seats in the National Assembly. Nevertheless, the opposition and civil society denounced the vote as fraudulent.

Attacks on democratic rights have increased in recent months. Protests have been banned, and an opposition press conference under the banner

of '*Touche pas à ma constitution*' ('Hands off my constitution') was broken up by security forces.

The regime also arrested nine members of the opposition coalition, *Dynamique Monseigneur Kpodzro* (DMK), although they have since been released. This was followed by a crackdown on press freedom in the country. In April, a number of foreign journalists had their accreditation revoked by the country's media regulator, citing 'serious shortcomings' in their coverage of the country. On 14 April, French journalist Thomas Dietrich was arrested and brutally beaten by the police before being expelled from the country. Dietrich, who was on assignment for the privately-owned *Afrique XXI* was accused of 'speaking badly about the president'.

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'These reforms, technically, put the clock back to zero', highlights Alex Vines, Africa director at Chatham House. Normally, Togo would have held a new presidential election next year. It could have been Gnassingbé's fifth and final term in office, were it not for the newly-passed reforms that have significantly altered the country's political landscape.

'By turning the presidency into a figurehead and shifting power to the office of the president of the council of ministers – an office that is not subject to term limits – this move [the reform] will allow Gnassingbé to remain in power as long as his party retains a majority in parliament', explained Alix Boucher, Assistant Research Fellow at the Africa Center for Strategic Studies in Washington. For the amended constitution states that it is the president of the majority political party or coalition in the National Assembly who will be appointed president of the Council of Ministers. As things stand today, Gnassingbé, as the head of the majority party in parliament, could ease into the new role — a position he can hold for as long as his control of the parliament remains unbroken.

A family dynasty

A sliver of land on the West African coast, Togo has been ruled by the Gnassingbé family dynasty since 1967. With 60 per cent of Togo's eight million people below the age of 25, there are only a few Togolese alive who have lived under a president or head of state who wasn't a Gnassingbé — making it the longest ruling family dynasty in Africa. The current president was less than a year old when his father, General Gnassingbé Eyadéma or '*le patron*' (the boss), seized power in 1967. Upon his death in 2005, after 38 years at the helm, the Togolese army

carried out a constitutional coup by installing Faure, triggering deadly protests that were heavily repressed by the army, with over 700 people killed and several others injured.

Since assuming power 19 years ago, Faure Gnassingbé has maintained an uneven political playing field, periodically modifying the constitution to ensure his grip on power. The opposition faces repression, as do civil society and the media. In 2017 and 2018, another cycle of protests broke out, demanding that he step down in accordance with the two-term limit set out in the country's original 1992 constitution. The presidential term limit had been scrapped by the parliament in 2002. To placate critics, Gnassingbé restored term limits in 2019, but this only served as a pretext to reset the term limit 'clock', giving him the possibility to run again in the 2020 and 2025 presidential elections.

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Critics have accused former colonial power France of backing Gnassingbé despite his undemocratic actions against the country's constitution. 'To last this long in power, you need the support of Western powers. It is no secret that Togo is one of France's backyards in Africa', says Abdou Aziz Cissé, advocacy officer and programme manager at the pan-African organisation *AfricTivistes*.

Criticism of France's support for dictatorial regimes in its former colonies is widespread and explains the growth of anti-French sentiment in the Sahel. It is also one of the reasons why support for Russia has recently grown within the region, as a number of pro-Moscow military leaders have taken power in Burkina Faso, Mali and more recently in Niger. Nevertheless, many Togolese citizens continue to look to France to condemn what is happening in the country. 'France has regularly supported the regime in Togo, but we think that the new situation might make it reconsider continuing to support a dictatorship. That is our hope', says Dosseh. So far, there hasn't been a word from the *Élysée Palace*.

Gnassingbé has also benefitted from a fractured and weak opposition. 'Within the country, civil society is not very well structured. And that's understandable; when 100 of your compatriots are killed during a post-election crisis, it makes you think twice before engaging in an arm-wrestling match with a regime that hasn't hesitated to liquidate its opponents since the father's tenure', Cissé explains.

In 2018, the opposition boycotted the parliamentary election, a move

that turned out in Gnassingbé's favour as it allowed the ruling UNIR to sweep the polls unchallenged and subsequently dominate the parliament.

Instability

Togo, which shares a border with Burkina Faso, has seen an increase in militant Islamist violence since 2021, with nearly 200 people killed, including around 50 soldiers. This has led to concerns over how the political crisis may impact the security situation within the country.

Unrest in Togo could also have ripple effects on trade across the region. Togo is a maritime trade hub in Africa and a gateway into the landlocked countries to its north. Many goods destined for Burkina Faso, Mali and Niger transit through the port of Lomé. The country has a massive phosphate reserve – globally sought for a wide range of industrial and other uses – while also serving as a transit route for heroin.

Togo also commands significant political clout in the region, including mediating political crises among its neighbours. Until the closure of the UN mission in Mali last year, Togo contributed more than 1 200 troops to UN missions, mostly in Africa. Yet, most have now come home.

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'The stability of coastal states is important to ECOWAS (the Economic Community of West African States) and international partners', observes Vines. But as critics claim, ECOWAS has long been reticent to criticise Togo for failing to enforce term limits. Indeed, it failed to do so in 2019, when Gnassingbé forced through another constitutional modification. However, Togo's latest constitutional changes contradict Article 2 (1), ECOWAS' Protocol on Democracy and Good Governance, which stipulates that 'no substantial modification shall be made to the electoral laws in the last six months before the elections, except with the consent of a majority of political actors.'

That the regional body has failed to call out the violation of its rules is an indication that 'an erosion of regional principles is underway', notes Vines. Unfortunately, the body's muted response 'may encourage further constitutional sleight of hand as well as extraconstitutional power grabs in the region', says Boucher, adding that 'ECOWAS, the African Union and democratic global powers should condemn this change and encourage Gnassingbé to abide by his previous commitment to leave

power by 2030.'

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What's next?

Under the Gnassingbé family's rule, which has so far lasted a total of 57 years, Togo has suffered from a lack of economic development. Around 50 per cent of its population lives below the poverty line of $1.25 a day, while it ranks as one of the most underdeveloped countries in the world and 126th out of 180 in Transparency International's Corruption Perceptions Index.

'Given UNIR's stranglehold on state institutions, including on the legislature, it's unlikely that Gnassingbé could be removed from office through democratic elections', explains Boucher. Nonetheless, the Togolese opposition and civil society are adamant. 'Togo is not a monarchy, and as citizens, our duty is to fight against any usurpation of the constitution', says Dosseh.

'Although the fight will be a long one, the world must know that we will never accept this constitutional coup', he adds.



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