ELECTION BRIEF
May 2015

Togo 2015 presidential election: A peaceful election in an atmosphere of suspicion and mistrust

Initially scheduled to take place on 15 April 2015, the 2015 presidential election in Togo took place on 25 April 2015. Incumbent President Faure Gnassingbé, candidate of the Union for the Republic (UNIR), who sought a third term, contested against four other candidates in the election 1. Unlike previous elections that were marred with violence, it is noteworthy that the pre-election context was mostly calm, characterised by political consensus on the voter register after an audit conducted by the “Organisation Internationale de la Francophonie”, and peaceful electoral campaigns.

However, on the eve the election the situation became tense due to the refusal of the opposition leader and candidate of Combat for Political Change in 2015 (CAP 2015), Jean Pierre Fabre, to accept any result drawn from the electronic results management system proposed by the Independent National Electoral Commission (CENI). After an urgent meeting on 24 April 2015 convened by the Heads of International Election Observation Missions 2, and attended by representatives the Ministry of Territorial Administration, the Chairperson of the Electoral Commission and the candidates and candidates’ representatives, an agreement was reached. It was decided that only the hard copy of result sheets should serve as the valid basis for the result aggregation process.

Due to this last minute mediation by international observers, there were no incidents reported on polling day. Voting and counting took place in a calm and serene atmosphere. The special elections security forces (FOSEP) displayed a high level of professionalism in maintaining peace and order. However, this calm atmosphere was short-lived the next day with allegations of fraud being raised by candidate Jean-Pierre Fabre. To prevent possible escalation of this tension, both President John Mahama of Ghana and his counterpart from Côte d’Ivoire, President Alassane Ouattara, visited Togo on 28 April 2015. They urged the

1 The other candidates are: (1) Jean pierre Fabre of the coalition CAP 2015 (Combat pour l’Alternance Politique en 2015) which includes ANC, CDPA, UDS-Togo, PSR, PDP and Santé du Peuple. (2) Aimé Gogué de l’ADDI (Alliance des Démocrates pour le Développement Intégral) (3) Tchassona Traoré of MCD (Mouvement Citoyen pour la démocratie et le Développement) (4) Gerry Taama of NET (Nouvel Engagement Togolais)

2 These Missions included the African Union, ECOWAS (Economic Community of West African Countries), WAEMU (West African Economic and Monetary Union), OIF (Organisation Internationale de la Francophonie), CEN-SAD (Community of Sahel-Saharan States), GOREE INSTITUTE.
CENI to continue with the results tabulation process and proclaim the results as soon as possible and urged candidates that any appeal should be filed at the Constitutional Court. The same day the CENI proclaimed the provisional results declaring victory for the incumbent, President Faure Gnassingbé with 58.73% of the votes and his main opponent Jean-Pierre Fabre with 35.19% of the votes. CAP 2015 rejected the results and claimed victory for its candidate, though it did not file an appeal at the Constitutional Court. CAP 2015’s decision not to file an appeal was based on its perception of the Court’s lack of independence. On 3 May the Constitution Court confirmed President Gnassingbé’s as the successful candidate to serve as president for the next five years. President Gnassingbé was sworn in for his third term on 4 May 2015.

International as well as citizens observation missions concluded that the election was conducted in a manner that reflected the will of the Togolese voters. Though the peaceful post-election atmosphere could be commended, observers noted that the process was characterised by suspicion and allegations of fraud leading to misunderstanding among electoral stakeholders, mainly from the candidate of CAP 2015 who refused the electronic tabulation system put in place by the CENI, arguing that the system is not in line with the electoral law. These suspicions and allegations point to the need for inclusive and continuous political dialogue among Togolese stakeholders. Reforms provided for by the Global Political Agreement of 2006\(^3\) need to be fully implemented. President Faure Gnassingbé is now serving his third term, which he gained after a 2003 change of the Constitution, Article 59, which removed limits on presidential terms of office. Within Togo, most political stakeholders are in support of an amendment of Article 59 of the Constitution to re-introduce the limit on presidential terms of office. With a parliament where the ruling party has an overwhelming majority, the chance to pass such an amendment is virtually nil. More regrettably, the 47\(^{th}\) summit of Heads of States and Governments of the Economic Community of West African States (ECOWAS) held on 19\(^{th}\) May 2015 in Accra (Ghana) failed to restrict West African presidents to two terms in office because Togo and Gambia opposed the proposed ban on third term in the sub-region. The refusal of President Faure Gnassingbé to support the proposal is a worrying signal for the country’s democratic development. However, post-election political dialogue should open discussion on this crucial issue, and the regional body ECOWAS should lend support to such national talks.

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\(^3\) After almost 15 years of socio-political turmoil the Togolese stakeholders reached an agreement in Ouagadougou (Burkina Faso) in 2006. The agreement includes many reforms to undertake, the main ones being the limits on presidential terms of office and the introduction of a Two-Round System in the electoral system.