

INTER-TOGOLESE DIALOGUE

LOME FRAMEWORK AGREEMENT

(ACCORD CADRE DE LOMÉ, ACL)

PREAMBLE

For years Togo has been in serious political crisis, with worsening economic and social circumstances following the suspension of cooperation with a number of other States.

On November 20, 1998, the Leader convened a meeting of the various political forces in order to define the process for a national dialogue to overcome the crisis.

On December 24, the President's party and all the opposition parties agreed that Facilitators should help the Togolese to establish the conditions needed for a calm and constructive dialogue between the country's political forces.

In response to this request, the European Union, France, Germany, and the International Organisation of La Francophonie nominated four persons to carry out this facilitation mission.

CONTENT OF THE NEGOTIATIONS

The parties involved have, by common agreement, prepared an agenda for the negotiations based on the proposals of the President's party and of the opposition parties (attached in annex).

The following conclusions were reached during discussion of the different agenda points:

The first objective agreed by the Togolese parties is to create a reciprocal climate of confidence, for the benefit of national reconciliation.

Indeed, all of the parties are clear that the proper and regular functioning of Togolese institutions depend on this.

All of the parties stated their commitment to democracy, the rule of law, respect for Human Rights, development and security for all.

There was discussion of the following themes:

RESPECT FOR THE CONSTITUTION AND CONDITIONS FOR POLITICAL ALTERNATION

Strict respect for the Constitution of the Fourth Togolese Republic and the proper functioning of all its institutions are essential requirements for free democracy and political alternation.

During preliminary meetings held in Paris and in Lomé, between March and June 1999, agreement was reached on a location, on the principle of an open agenda, and on the measures to be taken to ensure that the meeting would take place in complete calm and security.

The Inter-Togolese Dialogue opened in Lomé, on Monday July 19.

The parties present gave their views and made proposals on the different agenda points.

Throughout this period the debates took place in an atmosphere of calm, willingness to listen and respect for others.

The participants went beyond any differences in their analysis and proposals, to express their commitment to the principles of democracy, and their willingness to set Togo on the path of national reconciliation and to contribute to political appeasement.

In agreement with the participants, the College of Facilitators carried out an analysis of the discussions and prepared a list of the different points on which the parties present agreed.

Noting with satisfaction the encouraging conditions in which the Inter-Togolese Dialogue took place, the Facilitators were of the view that the advances made were likely to have a positive effect on relations between Togo and the European Union.

Finally, the participants in the Inter-Togolese Dialogue expressed the unanimous view that the European Union, the International Organisation of La Francophonie, France and Germany, using procedures yet to be agreed, should continue to be involved in implementing the undertakings made by the Togolese political leaders and in helping Togo on the path to democracy.

- **Status of former Heads of State, former political leaders, status of the opposition and Code of Good Conduct**

The rapid adoption of these statutes, designed to enhance the current measures, will contribute to national reconciliation. Within this framework, precise statutes shall be developed, including for the opposition, which will enable the rights and responsibilities of the opposition and the majority to be defined.

Over and above respect for the institutions, people, citizens and public goods, commitments made to the people and a sense of the common interest are the essential elements of a code of conduct, which should be accepted and respected by all the political players.

- **Financing political parties**

It is recognised that the development of specific rules in this area is necessary, both to ensure the proper functioning of the parties and fairness in public life, particularly during elections.

Public financing arrangements must be analysed in order to ensure ethical conduct in political life, based on criteria to be established, taking into account the actual representativeness of the different groups.

All of the parties favour a reduction in the level of deposits, for both the presidential election and for legislative and local elections.

- **Media**

Freedom of expression is a fundamental right. The quest for quality and moderation in practice must become the rule, in both the public and private media.

The High Audiovisual and Communication Authority (la Haute Autorité de l'Audiovisuel et de la Communication, HAAC) shall be reorganised, in order to reflect the range of views, fully deploy its regulatory role, and to guarantee access to all public media.

Respect for ethical standards, transparency of methods and the organisation of financial resources must all be arranged.

Journalists shall be trained and re-trained.

ORGANISATION OF DEMOCRATIC AND TRANSPARENT ELECTIONS

During the Inter-Togolese Dialogue, the President of the Republic announced his decision to dissolve the National Assembly, in March 2000, as authorised by the Constitution and, through early legislative elections, to enable the different political groups to be represented in the National Assembly.

The Leader also restated his attachment to constitutional legality, in particular Article 59 of the Constitution which states: "The President of the Republic shall be elected by universal direct suffrage for a mandate of five years renewable once. In no case may he serve for more than two mandates".

The Leader's declaration of July 23, 1999, and the official communique of the Togolese Government of July 24, 1999 are reproduced in annex.

The parties to the Dialogue note the desire of the President of the Republic to respect the Constitution.

The parties to the Inter-Togolese Dialogue considered the problem of the presidential election of June 1998.

The parties to the Dialogue consider that the election did not respect the legal framework and noted the numerous serious irregularities which marked the declaration of results in particular.

The presidential group, while recognising some inadequacies, reiterated that the election was conducted in strict compliance with the Togolese Constitutional framework.

The Union of Forces for Change (l'Union des Forces de Changement, UFC) insisted on the urgent need to identify a political solution for the problem as soon as possible, in order to establish a new timetable for the presidential elections.

The parties to the Inter-Togolese Dialogue agreed to move on from the past and look to the future.

The proper and transparent organisation of the next legislative elections, the results of which should be accepted by all, will be a decisive step for democracy and strengthening national reconciliation.

To ensure total transparency in future elections, in light of some weaknesses and declared irregularities, all the parties insist that improvements should be made to the electoral process, to be discussed by the Joint Monitoring Committee, within a period of two months. These should take into account in particular the proposals of the Renewed Action Committee for Unity (l'Union Comité d'Action Renouveau, CAR), the Democratic Party of Renewal (Parti Démocratique du Renouveau, PDR), the Togolese Union for Democracy (Parti Démocratique de Renouveau, UTD) and the parties associated with the Presidential Group, listed in annex.

An Independent National Electoral Commission (Commission Electorale Indépendante, CENI) tasked with organising and supervising the elections, in liaison with the Ministry of the Interior and other State services, shall be set up.

It shall be jointly made up of representatives from the Presidential Movement and the opposition parties.

Its remit and working methods shall be specified within one month by the Joint Monitoring Committee (Comité Paritaire de Suivi, CPS).

The Facilitators shall assess the results of CPS's work on this subject, guided by the principles established by the Lomé Framework Agreement.

The parties have already agreed that polling stations based on equal representation shall be set up, and agree on the principle of single voting forms using the candidates' emblems, for all the candidates in the constituency, and on the preparation of tamper-proof voter identification cards.

With regard to electoral disputes, a National Sub-Committee shall be created within CENI, equipped to receive any complaints and endeavour to resolve them amicably, or, failing this, to refer them to the Constitutional Court.

SECURITY AND THE RETURN OF REFUGEES

The parties are in unanimous agreement that mutual confidence is of fundamental importance to the security of people and property.

All parties present have also emphasised the crucial role of the army in a Republican State.

The army must essentially devote itself to external defence, except in exceptional circumstances which endanger the population. With regard to the physical and professional security of the leaders and soldiers of the opposition, the effective implementation of existing regulations should enable ongoing respect for citizens' rights.

Where these rights are violated, and particularly for acts of political violence, victims shall be compensated by administrative or legal means.

The Police and Gendarmerie shall be responsible for internal security.

Noting the measures currently being put in place, all parties present consider that a definitive solution to the return of refugees and displaced persons will be important for the success of the Inter-Togolese Dialogue. They have taken into account the significant outcome of the 1994 amnesty, corroborated by the HCR.

In the same spirit, they hope that the 1994 amnesty will continue, so that all refugees and displaced persons may return to their country and homes as soon as possible.

Measures shall also be put in place to enable refugees returning to Togo, displaced persons and beneficiaries of the amnesty law to recover their acquired rights.

The parties present insist that the militias shall be disbanded, that weapons stocks be dismantled and that illegally held weapons be collected from the population.

RESTORING TOGO'S INTERNATIONAL IMAGE

Adoption of the Lomé Framework Agreement, the Inter-Togolese Dialogue, respect for the Constitution and the commitments made, strengthening democratic life and respect for Human Rights, will all enable the Republic of Togo to present a positive international image and to develop its relations with international institutions.

MIXED MONITORING COMMITTEE (CPS)

The parties present underline the need to give political responsibility for the implementation of the Lomé Framework Agreement to the CPS.

The Mixed Committee shall be made up of 12 representatives of the presidential group and 12 representatives of the opposition. If possible, it shall be chaired by the Facilitators or their representatives.

The Committee shall nominate a Chair by rotation between the two parties, and shall meet regularly in a timetable to be specified.

The mandate of the Joint Monitoring Committee shall end following the forthcoming legislative elections.

The Joint Committee may set up qualified technical sub-committees on specific subjects.

The process of monitoring the dialogue, by the Facilitators, shall be examined in light of implementation of the Lomé Framework Agreement, and provided that the necessary finance is available from the European Union and the International Organisation of La Francophonie.

At the request of all the Togolese parties, the principle of Facilitator representation within the Mixed Committee shall apply. Hence, a solemn appeal is made to the countries and their constituent institutions, to implement the commitments they have made, leading up to the legislative elections.

Signature of the Lomé Framework Agreement is intended to send a strong signal to the Togolese people, who as its principle beneficiaries, should also be its primary guarantor.

Only through restabilising confidence, passionate desire, and the ongoing determination of all the players in Togolese political life, will it be possible to permanently transform the efforts being made into a better future for the children, women and men of this country.

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The parties present at the Inter-Togolese Dialogue signed at Lomé, July 29, 1999.

Signatures

For the Presidential Office:
the Gathering of the Togolese People (RPT)
the Convention of the New Forces (CFN)

Professor Fambaré Ouattara Natchaba,
RPT member of the Political Bureau

For the Committee of Action for Renewal (CAR)
Yawovi Agboyibo, National President

For Convention African Peoples Democratic (FDC)
Mr. Leopold Gnininvi, Secretary General

For Party for Democracy and Renewal (PDR)
Monseieur Zarifou Ayeva, President

For the Union of Forces for Change (UFC)
Mr. Emmanuel Akitani Bob, First Vice President

For the Togolese Union for Democracy (UTD)
the Party of the pure-Action on Development (PAD)
Democratic party pure Unite (PDU)

the Union for the Democracy and Solidarity (UDS)
Mr. Edem Kodjo, President

The Facilitators;

For the EU, Georg Reisch,

For the International Organization of Francophonie, Moustapha Niasse,

For the Republic of France, Bernard Stasi,

For the Republic of Germany, Paul von Stulpnagel,