



COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

ON THE OPENING OF CONSULTATIONS WITH TOGO

PURSUANT TO ARTICLE 366a OF THE LOMÉ CONVENTION

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The running of Togo's electoral process in a transparent manner which respects human rights is a precondition for the resumption of cooperation between the European Union and that country.

A programme to support and monitor the electoral process was set in motion at the Togolese government's request. The measures it comprised included a European Union electoral observation mission, with medium-term observers recruited by an independent body providing coordination and logistical assistance, but also short-term observers proposed by the Member States.

In the run-up to the elections, the medium-term observers' findings included serious problems and delays with the revision of electoral rolls and distribution of voting cards. They considered that these factors were significantly affecting the electoral process, without decisively jeopardising it. They proposed a greater presence of short-term observers on election day.

The EU observers were present at over 500 of the 4700 polling stations, and monitored the vote-counting at around 30. Among their conclusions were that the election results had been announced before counting had finished, and that the procedures laid down in the Electoral Code had not been followed. On the basis of the observer mission's findings, the EU adopted a statement on 26 June 1998. This expressed its deep concern at the way in which the presidential election had taken place, and voiced its doubts about the credibility of the result announced by the Interior Minister, namely that President Eyadema had been re-elected at the first round.

Two candidates, the outgoing president Mr Eyadema, and opposition candidate Mr Olympio, both claimed to have obtained an absolute majority of the first-round votes. It is difficult to forecast the two sides' intentions. It is not possible to tell what the prospects are of the government engaging in dialogue with the opposition. The latter stated that once the presidential mandate had expired on 25 August 1998, Mr Eyadema would no longer have any constitutional legitimacy.

In the light of these considerations and pursuant to Articles 5 and 366a of the Lomé Convention, the Commission is proposing to the Council that the Togolese government be invited to consultations to look closely at the situation and if necessary to take remedial action, in accordance with the terms of the attached letters.

The aim of the consultations is to reaffirm the importance which the European Union attaches to respecting the essential elements referred to in Article 5 of the Lomé Convention and to find out the Togolese government's intentions regarding compliance with those essential elements.

Brussels,

DRAFT

H.E. Mr.....
Minister of Foreign Affairs
of the Togolese Republic

Sir,

In its statement of 26 June 1998, the European Union expressed serious concern at the manner in which the presidential elections held in Togo on 21 June 1998 had been conducted and cast doubt on the credibility of the results announced by the Interior Minister.

Pursuant to Article 366a of the Lomé Convention and the common provisions contained in paragraph 2 of the Joint Declaration on Article 366a, I have the honour, on behalf of the Community and of the Member States of the European Union, to invite your country to take part in consultations to make a detailed examination of the situation and if necessary to take remedial action, as the Convention stipulates.

These consultations would be conducted in accordance with the procedures and time-limits laid down in Article 366a(2) of the Convention.

Please accept, Sir, the assurance of my highest consideration.

For the Council,

For the Commission,

The President

The President

Copy to H.E. Mr Elliott Latévi-Atcho Lawson, ambassador of Togo to the European Union

Brussels,

DRAFT

H.E. Ms. B. Miller
President of the ACP Council of Ministers

Madam,

In its statement of 26 June 1998, the European Union expressed serious concern at the manner in which the presidential elections held in Togo on 21 June 1998 had been conducted and cast doubt on the credibility of the results announced by the Interior Minister.

Pursuant to Article 366a of the Lomé Convention and the common provisions contained in paragraph 2 of the Joint Declaration on Article 366a, the Community and the Member States of the European Union have today sent a letter of invitation to the Togolese Republic asking it to take part in consultations to make a detailed examination of the situation and if necessary to take remedial action, as the Convention stipulates.

These consultations would be conducted in accordance with the procedures and time-limits laid down in Article 366a(2) of the Convention.

Please accept, Madam President, the assurance of my highest consideration.

For the Council,

For the Commission,

The President

The President

Copy to H.E. Mr Kakima N'Tambi, President of the ACP Committee of Ambassadors