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PARADIGM INITIATIVE

TOGO

2

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

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3

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

Togo

The state of digital technology in Togo in 2023 reflects significant progress, particularly in the implementation of the "Togo Digital 2025" strategy. This strategy focuses on several key aspects such as the digitalisation of the economy, the modernisation of public administration, and strengthening the regulatory framework for electronic transactions. The Togolese government's effort to secure digital transactions and promote cybersecurity, as well as its focus on training young people in the digital field, marks significant progress in the country's technology sector. Regarding digital inclusion, efforts are being made to digitise public services, to facilitate citizens' access to these services. However, the government's approach focuses on rapid technological advancements rather than a long-term, multi-stakeholder and inclusive process. This direction risks limiting the reach and sustainability of the country's digital initiatives.

The methodology adopted for this report included a review of relevant literature, an in-depth review of nearly 42 government projects in the digital field, as well as discussions and interviews with national stakeholders and experts. These methodological approaches made it possible to obtain an informed overview and valuable awareness of the current state and prospects of digital technology in Togo, thus enriching the analysis with an empirical and contextual dimension.

Moreover, the situation regarding freedom of expression online in Togo remains worrying. Reports indicate that journalists and activists continue to be arrested and imprisoned for their opinions expressed online. This situation suggests significant challenges to digital rights and freedom of expression in the country. Although the government strengthened legislation in 2020, there appears to be a gap between regulation and the effective protection of individual freedoms online. Finally, although progress is notable in the technology sector, there is a mismatch between the government's strategic plans and concrete achievements, revealing a gap between ambitions and actual results. Togo's digital strategy, focused on rapid technological leaps, could benefit from deeper thinking and long-term planning to ensure a truly inclusive and sustainable digital transformation.

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

Introduction

Located in West Africa on the Gulf of Guinea, Togo, bordered to the west by Ghana, to the east by Benin, and to the north by Burkina Faso, is a narrow country with great linguistic diversity, a complex religious history, and an interesting political history. The majority of the population lives in small rural villages, while Lomé, the largest urban center, stretches along the coast. Togo has significant phosphate reserves, around 60 million tonnes, making it the 19th largest mineral producer in the world. The country also has untapped potential to produce minerals such as limestone, gold, diamonds, iron ore, bauxite, manganese, zinc and rutile. However, low market prices for Togo's main exports, combined with the volatile political situation of the 1990s and early 2000s, had a negative impact on the economy.

The country, which has gone through various political periods, continues to face political challenges, particularly in terms of governance and respect for human rights. The government announced that legislative and regional elections will be organised in Togo by April 2024[1]. The last legislative and regional elections took place in 2018 and were boycotted by the opposition which denounced irregularities in the electoral census. The current Head of State has been in power since 2005 after succeeding his father, Gnassingbé Eyadéma, who ruled the country with an iron fist for 38 years.

Digitally, Togo has made significant progress with 3.13 million internet users, an internet penetration of 35%, and nearly 776,000 social network users.

Mobile connections have also increased, reaching 68.7% of the population. However, these digital advances contrast with persistent socio-economic challenges such as poverty, unemployment and social inequalities.

[1]   Official, T. (2023, November 28). The next elections must be held "at the latest at the end of the first quarter of 2024". Official website of Togo, Togolese Republic. https://www.republiquetogolaise.com/politique/2811-8646-les-prochaines-elections-devront-se-tenir-au-plus-tard-a-la-fin-du-1er-semestre-2024
2   3 Ecofin, A. (2022, September 4). In Togo, Canalbox targeted by a sanction procedure led by Arcep, for recurring malfunctions. Ecofin Agency. https://www.agenceecofin.com/communication/0409-100852-au-togo-canalbox-vise-par-une-procedure-de-sanction-conduite-par-l-arcep-pour-dysfonctionnements-recurrents 4 RFI, (2023, November 19). Togo: The CPJ calls for the release of journalists Loïc Lawson and Anani Sossou. https://www.rfi.fr/fr/

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

Country Analysis

Digital Rights, Artificial Intelligence and Privacy

Togo appears to be embarking on ambitious technological initiatives without consulting all stakeholders, raising concerns about sustainability and respect for digital rights. Despite various stakeholders, such as government, legislature, regulator, Internet service providers, academic community and civil society, public consultation and stakeholder participation in government projects are rare, or even non-existent.

A striking example of this approach is the launch of the "e-ID Togo" project. This project aims to provide an identity to all people residing in Togo and to guarantee access to basic social services. However, this initiative was adopted without consulting the diversity of internet stakeholders, leading to the hiring of foreign companies like ATOS and IDEMIA to build the country's biometric identification system. This decision shows a preference for the systematic importation of skills rather than locally developing a strong community of practice around the problems addressed, even if it means resorting to capacity building and improving digital inclusion.

In addition, the use of biometric technology in this project raises concerns regarding the protection of personal data, particularly in the absence of an adequate regulatory framework to govern the collection of this data. Although the government intends to accelerate social inclusion and economic development through digital technology, it appears to be neglecting the implementation of appropriate regulations to protect citizens' digital rights and privacy.

Another area of concern is the use of artificial intelligence (AI) without a clear legal or regulatory framework in Togo. Agencies have already used artificial intelligence for initiatives such as the Novissi program, raising questions about the transparency and ethics of these practices. The machine learning algorithms used to determine eligibility for the Novissi fund are based on telephone metadata and telephone surveys, without appropriate safeguards in place to avoid causing harm to vulnerable groups.

Finally, the use of artificial intelligence to establish proof of life by the National Social Security Fund (CNSS) through the Biosécu[2] application also raises questions about the protection of citizens' digital rights.

In summary, Togo appears to be opting for short-term technological approaches without adequately consulting all stakeholders and without putting in place the necessary regulations to protect digital rights and privacy. This risks compromising the long-term sustainability of these initiatives and endangering the human and digital rights of citizens.

6

Internet access and disruptions

In 2023, Togo did not experience a major internet outage. The rare disruptions that have been reported have been dealt with rigorously by the regulatory authorities, and severe sanctions have been imposed on the operators and suppliers responsible. The Regulatory Authority for Electronic Communications and Posts (ARCEP) has taken measures in response to recurring problems linked

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

afrique/20231119-togo-le-cpj-demande-la-lib%C3%A9ration-des-journalistes-lo%C3%AFc-lawson-et-anani-sossou
[5]   ARCEP, T. (Ed.). (2021, September 20). ARCEP - ARCEP strategic plan 2021-2023. ARCEP - TOGO. https://arcep.tg/wp-content/uploads/2022/02/ARCEP_Plan-strate%CC%81gique_ARCEP_2021-2023_20092021_17h.pdf

to the availability of services on optical fiber Canalbox, by opening a sanctions procedure against the Group operator Vivendi Africa Togo (GVA Togo)[3].

Civil society demonstrated to prevent any major disruption during the next elections, to avoid repeating the episodes of internet cuts that affected the country during the previous elections in 2018 and 2020. Access to the Internet and the preservation of the free flow of information during electoral periods can be protected through such protests and demands made by civil society.

Data Governance

In Togo, the issue of data is governed by Law No. 2019-14 of October 29, 2019 relating to the protection of personal data. This law came into force as soon as it was promulgated in 2019.

According to the recommendations of Additional Act A/SA.1/01/10 relating to the protection of personal data and the Malabo Convention on cybersecurity and the protection of personal data, the law on the protection of personal data has established an authority. This is the Personal Data Protection Authority or IPDCP. It is the national board responsible for the protection of personal data.

It is responsible for ensuring that the processing of personal data is carried out under the provisions of the law on the protection of personal data. It ensures that ICT does not threaten public freedoms and privacy by informing data subjects and data controllers of their rights and obligations.

The National Board has very significant powers of action concerning those responsible for data processing, such as the ability to search (under the conditions provided for by law and in compliance with procedures), control, injunction and sanction, but also the capacity to take emergency or precautionary measures when the processing or exploitation of personal data causes damage or harm.

However, even if the institutional framework of the law on the protection of personal data may seem attractive, it will be necessary to wait for a decree to be issued before it comes into force. The organisational and operating rules of the Personal Data Protection Authority are established by decree of the Council of Ministers. The decree is still pending since the law was promulgated.

Digital Identity

A law is in place to identify people in Togo ("e-ID Togo"). It was approved by parliament on September 3, 2020. It establishes a legal framework for biometric identification data. This law provides for the system's supervision mechanisms. This is, for example, a national identification organisation responsible for guaranteeing the security, confidentiality and respect of data. Thus, the second law governing personal data after Law No. 2019-014 of October 29th, 2019 relating to the protection of personal data is "e-ID Togo".

The "e-ID Togo" biometric national identification project aims to assign a unique identification number (NIU) to any person of Togolese nationality or resident in Togo based on their demographic

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

[6]   ARCEP, T. (Ed.). (2018). Decree 2018-070 governing the Universal Service Fund (USF) in Togo. ARCEP - TOGO. https://arcep.tg/wp-content/uploads/2020/11/Decret_n2018-070-PR_relatif_au_service_universel_des_communications_electroniques_du_21-01-19_n066.pdf7 MENTD, M. Economy N. and T. D. (Ed.). (2022, June). Togo Digital Plan 2025. Togo Digital Agency. https://digital.gouv.tg/wp-content/uploads/2023/05/FR-Strategie-Togo-Digital-June-2022.pdf
[7]   MENTD, M. Economy N. and T. D. (Ed.). (2022, June). Togo Digital Plan 2025. Togo Digital Agency. https://digital.gouv.tg/wp-content/uploads/2023/05/FR-Strategie-Togo-Digital-June-2022.pdf

and biometric data. The NIU and this data will make it possible to create a central, secure and reliable database that will serve as a reference to verify the identity of beneficiaries of public, private or social services. The Togolese government claims that this system, which is inspired by the Aadhaar identification model in India, will allow each Togolese citizen to obtain a distinct proof of identity, regardless of their origin or place of residence.

The "e-ID Togo" project benefits from the support of the World Bank through the Unique Identification for Regional Integration and Inclusion (WURI) program in West Africa. This program aims to provide unique identification credentials recognised by governments to all individuals present in project-participating countries, regardless of their nationality, legal status or place of residence. The program includes Ivory Coast, Guinea, Benin, Burkina Faso, Niger and Togo.

Online freedom

In Togo, the State recognises and protects freedom of the press. Since 2004, the custodial sentence is no longer provided for in the Press Code. However, social networks are not part of the scope of this Code, which means that the comments disseminated by these journalists fall under the Penal Code and cannot benefit the guarantees of sectoral texts.

During the year 2023, two journalists were convicted and then imprisoned following their use of social networks in the context of processing information4. Following a publication on social networks, the publishing director of the newspaper Flambeau des Démocrates, Loïc Lawson, and the independent journalist Anani Sossou were prosecuted for "defamation", "attack on honour" and "incitement to revolt". On his X account (formerly, Twitter), the first report was that Kodjo Adedze, Minister of Urban Planning, Housing and Land Reform, had been the victim of a theft of 400 million CFA francs (around USD 650,000)

The second journalist took this amount and also questioned its source on Facebook. The Minister then filed a complaint against the journalists, even though he had declared that he had been the victim of a burglary to the police without disclosing the amount.

In the previous year, the same Minister had imprisoned two other journalists. In March 2023, the Lomé high court sentenced two Togolese journalists to three years in prison and a fine of 3 million CFA francs (approximately USD 5000) for "contempt of authority" and "dissemination of false comments on social networks" due to complaints from two Ministers, Kodjo Adedze being one of them. Journalists Ferdinand Ayité and Isidore Kouwonou, who were placed under an arrest warrant in 2021 and then released, left Togo at the beginning of 2023 to avoid conviction and a permanent prison sentence.

8

Digital Inclusion

Togo launched the Digital Work Environment (ENT) project in 2018, as part of its digitisation and digital inclusion strategy, particularly in the education sector. This project aims to integrate information and communication technologies (ICT) into educational establishments, in an effort to address the economic and social needs of the country, for all students, regardless their place of residence. or their origin. This project, in harmony with the sectoral policy of the Ministry of

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

Posts and the Digital Economy, highlights the crucial importance of the integration of ICT in the educational field.

The ENT project is structured into four main components. The first concerns the installation of the necessary IT equipment in schools. The second is capacity building for teachers and administrators in the use of ICT. The third component consists of supporting the actors in the conduct and implementation of the project, both at the establishment level and at the institutional level. The fourth and final component is the creation of a sampling platform, facilitating access to educational resources.

An important component of the project is the training of teachers and learners in the effective use of ICT in education. Several teachers successfully participated in the Level One Certification of the Mooc CERTICE Scol, offered by the Agence Universitaire de la Francophonie in partnership with the University of Cergy-Pontoise, UNESCO and RIFEFF. This program aims to train and certify teachers in the effective use of ICT, especially in developing French-speaking countries.

These initiatives are an integral part of Togo's broader digitalisation efforts. They aim to improve digital infrastructure and connectivity, as well as integrate digital technologies in various sectors, including education, to promote digital inclusion and boost the socio-economic development of the country.

However, the biggest challenge remains full coverage of the territory. The majority of initiatives are concentrated in urban areas, which raises the question of equitable access to digital technologies in rural areas. Achieving true digital inclusion therefore requires particular attention to the extension of these services and infrastructure to underserved regions, thereby ensuring that the benefits of digitalisation are shared more uniformly across the entire Togolese territory.

The Universal Service Fund

Togo's digitalisation strategy, supported by ARCEP5 and the government, is constantly strengthening with the revision of the decree governing the Universal Service Fund (FSU). This fund, which was expanded to cover technological developments, now encompasses a wider range of communications services, including access to the Internet at a minimum speed and the provision of public access points, to ensure complete communication coverage on the national territory[6].

The reform introduced by decree 2018-070, particularly through articles 10 and 11, establishes a precise regulatory framework for the Fund. This revision led to creating a special account, explicitly intended to finance operations linked to universal service, managed directly by the regulatory authority. This account is funded by various sources, including and in particular, contributions from operators and network operators, subject to licenses or authorisations, as well as by donations, legacies, subsidies from development partners, and a contribution from the regulatory authority itself.

However, it is important to note that the decree does not explicitly specify the contribution percentages required from operators and contributors. The terms of recovery of these contributions are referred to another regulatory text, without providing precise details on the applicable rates or percentages. In addition, a crucial element is missing in this equation: transparency in the management of the FSU. To date, neither the Fund manager nor the Ministry, which authorises

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

expenditure, explicitly mentions the management of these funds in the strategic documents or the annual reports. This omission is concerning because it raises questions about governance and accountability in the use of resources allocated to such a crucial project.

The absence of detailed impact reports and mention of the Fund in documents as important as the 2020-2025 government roadmap, highlights a lack of transparency in the management of the FSU[7]. This gap hinders a clear and objective assessment of the effectiveness of the Fund and its contribution to Togo's digitalisation strategy.

For a successful and truly inclusive digital transformation, enhanced transparency and better accountability are essential. The clarity in the management of the FSU is not only a question of financial accountability; it is also crucial for gaining and maintaining public trust in digitalisation initiatives. In the absence of such transparency, it is difficult to ensure the optimal use of resources and maximise the impact of investments and the achievement of the country's ambitious digitalisation goals.

10

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

Conclusion & Recommendations

Conclusion

In conclusion, the state of digital technology in Togo in 2023 presents a picture of progress and challenges. On the one hand, the implementation of the "Togo Digital 2025" strategy demonstrates a clear desire to promote digitalisation and integrate digital technologies in various sectors, thus aiming to improve access to public services and stimulate socio-economic development.

Conversely, concerns about freedom of expression online, consultation of stakeholders, protection of personal data, and transparency in the management of funds highlight the importance of a more inclusive approach and regulation to guarantee the digital rights and privacy of citizens. To effectively navigate the digital future, Togo must balance its technological ambitions with the principles of democratic governance, inclusion, and respect for human rights, thereby ensuring sustainable digital transformation.

Recommendations

Government:

» Strengthen public knowledge and understanding of Togo's digital projects;

» Legally regulate technological and digital innovations such as the use of artificial intelligence;

» Promote multi-stakeholder governance of the Internet;

» Invest in infrastructure to expand internet coverage and mobile connectivity in rural areas, to reduce the digital divide between urban and rural areas;

» Propose well-structured training programs with clear objectives in information and communication technologies for teachers, students, and professionals in the public and private sectors, to develop digital skills at all levels ;

» Encourage digital entrepreneurship and support technological start-ups, in particular through tax incentives, subsidies, and support programs;

» Continue and intensify the digitalisation of public services to make administration more efficient and more accessible, in particular by developing online platforms for government services;

» Establish and strengthen partnerships between the public sector and private companies in the technology sector to promote innovation and knowledge sharing;

» Strengthen laws, institutions and infrastructure regarding cybersecurity

and the protection of personal data, to build trust in the use of digital services;

» Ensure that digital initiatives take into account the needs of marginalised groups, including women, people with disabilities, and populations in remote areas, to ensure full digital inclusion;

» Improve transparency in the management of the universal service fund by regularly publishing detailed reports on the use of funds, the projects financed and their impact on communities, to increase public confidence and the effectiveness of the resource use;

» Explicitly integrate the management of the universal service fund into government strategic documents and annual reports, to ensure that the objectives of the fund are aligned with national digitalisation strategies and that their implementation is appropriately monitored and evaluated;

» Strengthen collaboration with telecommunications operators and other stakeholders to ensure widespread and equitable coverage of communications services, including in rural areas, by encouraging innovation and investment in communications infrastructure.

Civil Society:

» Raise awareness and educate the community on the benefits and risks of digitalisation, particularly in terms of data security and responsible use of technologies;

» Actively collaborate with local authorities to identify and respond to the specific needs of communities in terms of connectivity and access to digital technologies;

» Encourage innovation and digital entrepreneurship within the community, in particular by supporting local initiatives and creating spaces for collaboration and learning;

» Demand total transparency in the management of the universal service fund, by requesting the regular publication of detailed reports on the use of resources;

» Encourage the active participation of citizens in the supervision of universal service fund projects to ensure efficient use of funds and equitable digital coverage;

» Establish digital literacy programs to raise awareness and train local communities in the use of technologies, thereby strengthening the impact of universal service fund initiatives.

Private Sector:

» Invest in training employees to improve their digital skills and adapt to technological developments;

» Collaborate with the public sector and other businesses to share resources, and knowledge and drive innovation in the digital domain;

» Develop solutions and products adapted to local needs, focusing on

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

accessibility and social impact in rural and urban areas;

» Increase investments in the expansion of communications infrastructure, particularly in rural areas, to contribute to national digital coverage;

» Encourage partnerships with the government to support the deployment of fiber optics and other advanced technologies, while ensuring equitable and affordable access for all;

» Promote innovation by developing digital solutions adapted to local needs, while investing in workforce training to meet the growing needs of the ICT sector.

13

LONDA
2023
DIGITAL
RIGHTS AND
INCLUSION
IN AFRICA
REPORT

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