



DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT

TOGO
COUNTRY REPORT

2024



Executive Summary

This report examines Togo's evolving digital landscape, highlighting both its advancements and the challenges that persist. Under the Stratégie Togo Digital 2025, Togo has made significant progress in expanding internet infrastructure, promoting digital identity through the e-ID Togo biometric system, and forming strategic partnerships, such as the connection to Google's Equiano undersea cable⁷⁴¹. These efforts aim to enhance connectivity, drive economic growth, and promote social inclusion, especially in underserved rural regions. Notable achievements include increased internet penetration rates and a growing commitment to digital public services and digital identity management.

However, significant challenges remain. The period surrounding the 2024 parliamentary elections saw intensified government control over digital expression, with arrests of social media influencers, activists, and journalists whose critical views gained viral attention. Freedom of expression online remains restricted, as laws governing dissent on digital platforms often lead to legal repercussions for those who voice opposition. The monitoring and penalization of online content highlight the need for reforms to align Togo's laws with international standards on freedom of expression.

In terms of data protection and privacy, Togo has taken important steps by enacting Law No. 2019-014 on personal data protection and establishing the Instance de Protection des Données à Caractère Personnel (IPDCP)⁷⁴² to oversee compliance.

The report also highlights limitations in access to information, as Togo's Freedom of Information law does not mandate disclosure of government handling of information requests, impacting transparency. Journalists, particularly those investigating government activities, encounter frequent

741 Voa (2022) Togo : Les Promesses d'Equiano, Le Câble sous-marin de google, Voice of America. <https://www.voaafrrique.com/a/togo-les-promesses-d-equiano-le-c%C3%A2ble-sous-marin-de-google/6502601.html> (Accessed: 13 November 2024).

742 Republique Togolaise (2024) Numérique : l'Instance de protection des données à caractère personnel entame son opérationnalisation <https://www.republiquetogolaise.com/gestion-publique/2310-9870-numerique-l-instance-de-protection-des-donnees-a-caractere-personnel-entame-son-operationnalisation> (Accessed: 13 December 2024).



access barriers. The case of Ferdinand Ayité⁷⁴³, a prominent journalist in exile who continues to expose government misconduct via social media, underscores the risks journalists face in Togo, where surveillance and legal action against critics are not uncommon.

In terms of emerging technologies, Togo has shown commitment to fostering innovation, particularly through initiatives like “Autour de l’IA,” which aims to position Togo as a leader in artificial intelligence (AI). However, regulatory frameworks to address the ethical and privacy implications of AI are still under development. A recent public call for input on the national AI strategy marks a positive step towards inclusive policy making.

While Togo has laid a foundation for digital transformation, the report identifies areas requiring immediate action to create a balanced, rights-respecting digital environment. The report provides an in-depth evaluation of Togo’s digital rights landscape across seven critical thematic areas, using The Score Index, developed by Paradigm Initiative, as a comprehensive measurement tool. The findings reflect extensive data collection from government publications, human rights organizations, online sources, and interviews with local stakeholders directly affected by these digital transformations. Each thematic area is benchmarked against the African Commission on Human and Peoples’ Rights’ Declaration of Principles on Freedom of Expression and Access to Information in Africa, revealing both Togo’s progress and the obstacles to achieving a fully inclusive digital society.

In tracking Togo’s trajectory toward its 2025 goals, this report highlights whether digitization efforts are equitably advancing the freedoms and opportunities essential to an inclusive digital society.

Introduction

Togo stands at a transformative juncture in its digital journey, led by the ambitious “Togo Digital 2025” strategy⁷⁴⁴, which seeks to usher in an era of connectivity, digital public services, and economic modernization. This framework, championed by the government, aims to expand digital access across the nation, enhance e-governance, and cultivate a digitally savvy workforce. Central to the strategy are initiatives focused on improving internet infrastructure, facilitating digital literacy, and ensuring that public services are increasingly accessible online. Through these actions, Togo aspires to establish itself as a regional leader in digital transformation, positioning digitalization as a critical tool for economic growth and societal inclusion.

Despite these bold goals, Togo’s digital ambitions face considerable hurdles. Approximately 30% of Togolese communities remain disconnected from the national electricity grid as of 2024⁷⁴⁵, presenting a significant barrier to achieving universal internet access and integrating rural areas into the digital economy. The lack of basic infrastructure, including reliable power and internet connectivity, particularly in rural and remote areas, creates challenges in fulfilling the national goal of inclusive digital access by 2025. These infrastructural gaps contribute to an ongoing urban-rural digital divide, leaving rural citizens unable to access the benefits of digital public services and online opportunities.

743 CPJ (2024) Ferdinand Ayité, Togo International Press Freedom Awards <https://cpj.org/awards/ferdinand-ayite-togo/> (Accessed: 13 December 2024).

744 Gouvernement Togolais (2023) Stratégie Togo Digital 2025 <https://numerique.gouv.tg/wp-content/uploads/2024/05/FR-Strategie-Togo-Digital-2025.pdf> (Accessed: 13 December 2024)

745 Tigossou, M. (2024, May 11). Au Togo, le taux d’accès à l’électricité devrait atteindre 70% à fin 2024. L’Economiste du Togo. Retrieved December 27, 2024, from <https://leconomistedutogo.tg/au-togo-le-taux-dacces-a-lelectricite-devrait-atteindre-70-a-fin-2024>

The cost of mobile data is another major barrier to internet adoption. In 2024, the average price for 1GB of mobile data in Togo was USD 1.45, with prices ranging from USD 0.27 to USD 3.63, depending on the plan.⁷⁴⁶ These costs are among the highest in West Africa, making internet access less affordable for many, especially in rural regions.

However, the “Togo Digital 2025” plan has yielded several notable achievements. For instance, the country’s internet penetration rate reached 37.6% in 2024, up from just 28% in 2021, representing a substantial increase in access over a short period.⁷⁴⁷

This growth has been partly driven by Togo’s strategic partnership with Google’s Equiano undersea cable, which, upon full implementation, is expected to double the nation’s internet speed and contribute approximately USD193 million to its GDP by 2025.⁷⁴⁸ Additionally, Togo was among the first countries in West Africa to launch a 5G network in 2020,⁷⁴⁹ a move intended to accelerate high-speed connectivity, especially for urban enterprises and digital services. By 2023, mobile broadband subscriptions had risen to 52% of the population, marking a significant increase in mobile internet availability.⁷⁵⁰

Despite these challenges, there have been some improvements in user satisfaction. A survey by the Autorité de Régulation des Communications Électroniques et des Postes (ARCEP) published on September 30, 2024, reported that overall consumer satisfaction with mobile services increased from 44% in 2023 to 51% in 2024. However, a significant portion of consumers still perceive tariffs as high, with 79% of Togo Cellulaire customers and 65% of Moov Africa Togo customers expressing this concern⁷⁵¹.

Strategic alliances and investments for a digital future

Togo’s diversified cable infrastructure proved particularly valuable in March 2024, when multiple subsea cables along the West African coast sustained damage⁷⁵². While nations like Côte d’Ivoire, Ghana, and Benin experienced severe connectivity disruptions, Togo managed to maintain comparatively stable internet access, aided by its multiple cable connections, including the Equiano. This resilience in the face of regional outages underscores the strategic impact of the Equiano project, strengthening Togo’s network stability and positioning the country as a digital hub in the region.

To extend the Equiano cable’s benefits, the Togolese government partnered with CSquared to form the joint venture CSquared Woezon. Through this entity, state-owned Société d’Infrastructures Numériques (SIN) and CSquared are tasked with deploying broadband infrastructure across the

746 Sasu, D. D. (2024, December 10). Togo: price for 1GB mobile data 2024. Statista. Retrieved December 27, 2024, from <https://www.statista.com/statistics/1272957/price-for-mobile-data-in-togo/>

747 Kemp, S. (2024) Digital 2024: Togo - DataReportal – global digital insights, DataReportal. Available at: <https://datareportal.com/reports/digital-2024-togo> (Accessed: 13 November 2024).

748 Africa Practice & Genesis Analytics. (2022). Economic impact assessment of the Equiano undersea cable in Togo. Retrieved December 27, 2024, from <https://africappractice.com/wp-content/uploads/2022/03/Togo-EIA-15-March-2022.pdf>

749 Nokia. (2020, November 30). Nokia and Togocom deploy first 5G network in West Africa. Available at: <https://www.nokia.com/about-us/news/releases/2020/11/30/nokia-and-togocom-deploy-first-5g-network-in-west-africa/>

750 L’observatoire des marchés des communications électroniques 3e Trimestre 2023 (2023) Arcep Togo . Available at: https://arcep.tg/wp-content/uploads/2023/09/Obs-marches_T3-2023.pdf (Accessed: 13 November 2024).

751 ARCEP. (2024, September 30). Enquête de satisfaction client 2024 : les consommateurs sont globalement plus satisfaits des opérateurs par rapport à 2023, mais dénoncent des tarifs toujours élevés. Retrieved December 27, 2024, from <https://arcep.tg/enquete-de-satisfaction-client-2024-les-consommateurs-sont-globalement-plus-satisfaits-des-operateurs-par-rapport-a-2023-mais-denoncent-des-tarifs-toujours-eleves/>

752 Aduloju, B. (2024) Internet disruption: Undersea cable repair might take two weeks, says mainone, TheCable. <https://www.thecable.ng/internet-disruption-undersea-cable-repair-might-take-two-weeks-says-mainone/> (Accessed: 13 November 2024).

nation⁷⁵³. CSquared Woezon supports the country's "Togo Digital 2025" strategy, which aims for 95% internet coverage, 75% digitalisation of public services, and universal digital identity access by 2025. This strategy, which prioritises high-speed connectivity in underserved regions, aims to bridge the digital divide and ensure more inclusive access to essential digital services.

Despite these efforts, challenges persist in achieving universal digital inclusion. While urban centers benefit from improved infrastructure, rural regions continue to face limited access and high data costs, exacerbated by infrastructural limitations such as unreliable electricity. Roughly 32% of Togolese communities remain unconnected to the national electricity grid, hindering consistent internet access in remote areas and complicating efforts to bring connectivity to all.⁷⁵⁴

To address these gaps, Togo established the Universal Service Fund (USF) under Decree 2018-070 to allocate resources for expanding internet access in underserved regions. However, during the period reviewed for this report, no impact assessment report was published regarding the fund, even though it remains operational under the leadership of the telecom regulator, ARCEP. Concerns also persist about the fund's transparency, as there is limited public disclosure on how resources are being allocated to effectively reach the most underserved populations.

Togo is also exploring new avenues to further expand connectivity, recently initiating discussions with Elon Musk's Starlink. Starlink's satellite-based internet service could extend high-speed connectivity to even the most remote parts of the country, bypassing the limitations of terrestrial infrastructure. While the talks remain preliminary, this potential partnership has generated significant interest. Digital rights advocates, including Internet Society Togo, have urged the government to prioritise affordability and transparency in these negotiations to ensure that any future agreement with Starlink truly advances digital inclusion across all demographics⁷⁵⁵.

Digital crackdown intensifies

In 2024, the Togolese government's control over digital expression intensified, especially during the lead-up to the parliamentary elections. Multiple arrests of social media influencers, activists, and educators highlighted the risks faced by citizens who share critical views online, where any content that gains significant attention can lead to legal repercussions.

In 2024, Togolese authorities increasingly leveraged the 2018 Law on Cybersecurity and the Fight Against Cybercrime (Loi n°2018-026)⁷⁵⁶ to curtail freedom of speech online. Articles 17 and 25 have become a primary tool in prosecuting individuals whose digital expressions are seen as critical or controversial.⁷⁵⁷

Article 17 criminalises any insult made through digital channels, with offenders facing six months to two years in prison and fines ranging from 500,000 to 2,000,000 CFA francs (approximately USD800 to 3,200). Similarly, Article 25 targets the spread of information deemed false, imposing penalties of one to three years in prison and fines from 1,000,000 to 3,000,000 CFA francs (about USD 1,600 to 4,800).

753 Dossavi, A. R. (2023, November 10). Togocom et Csquared Woezon signent un accord pour renforcer la connectivité Internet au Togo. Togo First. Retrieved December 27, 2024, from <https://www.togofirst.com/fr/telecoms/1011-12878-togocom-et-csquared-woezon-signent-un-accord-pour-renforcer-la-connectivite-internet-au-togo>

754 Edoh, E. (2024) Togo : Le taux d'accès à l'électricité est porté à 68% en 2023, Togo First - Actualité économique au Togo. Available at: <https://www.togofirst.com/fr/energies/0807-14401-togo-le-taux-d-acces-a-l-electricite-est-porte-a-68-en-2023> (Accessed: 14 November 2024).

755 Début des négociations avec Starlink (2024) République Togolaise. Available at: <https://www.republicoftogo.com/toutes-les-rubriques/high-tech/debut-des-negociations-avec-starlink> (Accessed: 14 November 2024).

756 Assemblée Nationale Togolaise. (2022). Loi portant modification de la loi n°2018-026 du 7 décembre 2018 sur la cybersécurité et la lutte contre la cybercriminalité. Retrieved from https://assemblee-nationale.tg/lois_adoptees/de-loi-portant-modification-de-la-loi-n2018-026-du-7-decembre-2018-sur-la-cybersecurite-et-la-lutte-contre-la-cybercriminalite/

757 Kaglan, E. (2024) Authorities in Togo are cracking down on media and the opposition, report says ahead of election, AP News. Available at: <https://apnews.com/article/togo-election-constitution-protests-arrests-freedom-1816c11e1562c630f05daf800c850354> (Accessed: 14 November 2024).

Throughout 2024, these provisions have been systematically applied against social media influencers, activists, and educators, especially in cases where their posts or opinions gain viral traction. By using this legal framework, authorities have intensified their crackdown on digital dissent, creating a climate of fear and self-censorship that discourages open and critical discourse online. This trend reflects a growing intolerance for public criticism in Togo, where expressing opposition or dissatisfaction on digital platforms can lead to severe legal consequences.

One notable case involved Togolese blogger Aristo le Bledard, who was sentenced to three months in prison following a defamation lawsuit filed by former national footballer Emmanuel Sheyi Adebayor. The blogger's comments, which criticised Adebayor and were widely shared online, led to charges of defamation and disrespect toward a public figure.⁷⁵⁸ At trial, Aristo partially admitted fault, yet the severity of the punishment - a custodial sentence - reflects the broader intolerance for public critique. Initially, the prosecutor had recommended a suspended sentence and a fine, but Aristo has remained in Lomé's civil prison since his arrest in late March because of the high-profile nature of the case⁷⁵⁹.

A similar incident involved two young men, Koffi Waze and Abiou Fousseni, aged 21 and 24, who were arrested after posting a TikTok video that criticized President Faure Gnassingbé and the recent adoption of constitutional changes⁷⁶⁰. The video, viewed over 500,000 times, expressed frustration with Togo's political direction, including issues like youth unemployment and economic governance. The two men were sentenced to six months in prison with suspended sentences, a ruling that drew widespread attention and concern from civil society groups. Many, including the NGO Tournons la Page, argued that the men's comments merely reflected the frustrations of a large portion of the population, and that their sentencing was an unnecessary punitive response to what was fundamentally an exercise in free expression.⁷⁶¹

Additionally, school headmaster Kokou Séka Agbenane found himself targeted after an interview with TV5 Monde in which he highlighted the challenges faced by his school, such as inadequate facilities and insufficient teaching staff. The interview, which came at a politically sensitive time, went viral online and quickly drew the attention of authorities. Shortly thereafter, Agbenane was dismissed from his role by the Ministry of Primary and Secondary Education, which cited "service necessities" in its termination order⁷⁶². His removal has been interpreted by many as a direct response to his public criticism of government education policies⁷⁶³.

Togo's application of the 2018 Law on Cybersecurity and the Fight Against Cybercrime reveals an increasingly restrictive approach to digital expression. While prominent cases have sparked public concern, numerous lesser-known incidents expose a broader suppression of online speech that impacts everyday citizens. Despite persistent calls for reform from civil society organizations like Amnesty International, Tournons la Page, and others, the Togolese government has shown no meaningful commitment to safeguarding digital freedoms. Instead, it continues to silence critical voices and stifle open dialogue within its digital space.

Commitment to privacy and international data protection standard

Togo has made notable advances in establishing a robust framework for data protection and privacy, reflecting an increased emphasis on digital security and citizen rights. The enactment

758 Actualité , T. (2024) Togo/dernières minutes : Aristo le bledard condamné à 3 mois de prison ferme , Togo Actualite - Premier site d'information du Togo. Available at: <https://togoactualite.com/togo-demieres-minutes-aristo-le-bledard-condamne-a-3-mois-de-prison-ferme/> (Accessed: 14 November 2024).

759 Kpogla-Anago, J. (2024, April 16). Togo : Aristo le Blédard condamné à trois mois de prison ferme. Togo Web TV. Retrieved December 27, 2024, from <https://togowebtv.tg/2024/04/togo-aristo-le-bledard-condamne-a-trois-mois-de-prison-ferme/>

760 Reuters. (2024, May 28). Togo's President Gnassingbé is set to switch job to stay in power. Retrieved December 27, 2024, from <https://www.reuters.com/world/africa/togos-president-gnassingbe-set-switch-job-stay-power-2024-05-28/>

761 RFI (2024) Togo: Deux élèves condamnés à la prison pour outrage au président en raison d'une vidéo tiktok, RFI. Available at: <https://www.rfi.fr/fr/afrique/20240530-togo-deux-élèves-condamnés-à-la-prison-pour-outrage-au-président-en-raison-d-une-vidéo-tiktok> (Accessed: 14 November 2024).

762 24 Heure Info. (2024, May 4). Délabrement des bâtiments du Lycée d'Alokoègbé : Kokoroko met fin aux fonctions du proviseur Agbenane après une interview à TV5 Monde. Retrieved from <https://24heureinfo.com/education/batiments-du-lycee-dalokoegbe-kokoroko-met-fin-aux-fonctions-du-proviseur-agbenane-une-interview-a-tv5-monde/>

763 Togo Web. (2024, May 4). Scandale: un reportage de TV5Monde fait démettre de ses fonctions le proviseur du Lycée Alokoègbé? [Vidéos]. Retrieved from <https://togoweb.net/scandale-un-reportage-de-tv5monde-fait-demettre-de-ses-fonctions-le-proviseur-du-lycee-alokoeg-bevideos/>

of Law No. 2019-014 in October 2019 introduced a comprehensive set of regulations governing personal data handling, including its collection, processing, storage, and transmission. To enforce this legislation, the Togolese government created the Instance de Protection des Données à Caractère Personnel (IPDCP) in December 2020, a dedicated authority responsible for monitoring compliance across various sectors and ensuring that personal data is managed in alignment with national standards. However, the IPDCP's establishment has been gradual, resulting in delays in full oversight capabilities.

A major step forward for Togo's data protection landscape came with the recent appointment of Lieutenant-Colonel Bédiani Belei as head of the IPDCP in September 2024⁷⁶⁴. Belei's leadership is anticipated to strengthen the agency's ability to oversee and enforce compliance with the nation's data protection laws, as well as to educate both the public and private sectors on their obligations under the legislation.

However, according to a civil society representative (Key Informant A), the appointment of a military officer as the head of the IPDCP, while justified by his technical expertise, is part of a government strategy to secure a sector considered sensitive, particularly in relation to digital sovereignty and national defense. However, this decision raises concerns about governance and public trust in the institution.

The case of the National Cybersecurity Agency (ANCy), also led by a military officer, highlights a broader trend of militarizing the management of strategic digital institutions. Such an approach could foster the perception of increasing military control over civilian sectors, potentially eroding trust among citizens and non-state actors.

In a country where civil-military relations have often been marked by tensions, this appointment risks reinforcing the perception of a lack of independence at the IPDCP. Yet, personal data protection relies on neutrality and public confidence in the institutions tasked with its regulation.

In addition to these internal developments, Togo has bolstered its commitment to international data protection standards by ratifying the African Union's Malabo Convention on Cyber Security and Personal Data Protection⁷⁶⁵. This ratification aligns Togo with continental frameworks for cybersecurity and personal data management, ensuring that its policies are consistent with broader African standards and highlights the country's commitment to addressing digital security challenges and sets the stage for enhanced regulatory practices to protect data at both national and international levels.

Togo's progress is further illustrated by the recent inauguration of the Lomé Data Centre, a state-of-the-art facility designed to support data localisation and reinforce cybersecurity⁷⁶⁶. The Lomé Data Centre provides a secure infrastructure for storing data within the country, a move that aligns with the national goal of data sovereignty. According to the authorities, Togo aims to control the data generated within its borders, reduce reliance on foreign storage facilities, and enhance the security of its information systems. The center serves as a key component of Togo's strategy to build a more resilient digital infrastructure, reflecting its focus on data security and privacy.

Another critical development is the launch of the "e-ID Togo" project, a biometric identification program aimed at providing each citizen with a unique identification number tied to biometric data⁷⁶⁷. This initiative facilitates streamlined access to public services and strengthens governance by centralizing identity management within a secure, digital framework. The biometric e-ID program is expected to support the government's broader digital transformation agenda, ensuring that personal identification aligns with modern data protection standards and offering citizens enhanced security and ease of access to services.

⁷⁶⁴ Ministère de l'Économie Numérique et de la Transformation Digitale. (2024, October 1). Communiqué de presse - Nomination du Président de l'Instance de Protection des Données à Caractère Personnel (IPDCP) : Début de l'opérationnalisation de l'Instance. Retrieved from <https://numerique.gouv.tg/communiquede-presse-nomination-du-president-de-linstance-de-protection-des-donnees-a-caractere-personnel-ipdcp-debut-de-loperationnalisation-de-linstance/>

⁷⁶⁵ DataGuidance. (2021, July 2). Togo: National Assembly authorises ratification of Malabo Convention and updates functioning of CNDH. Retrieved from <https://legacy.dataguidance.com/news/togo-national-assembly-authorises-ratification-malabo>

⁷⁶⁶ Ministère de l'Économie Numérique et de la Transformation Digitale. (2021, June 4). Inauguration de Lomé Data Centre. Retrieved from <https://numerique.gouv.tg/inauguration-lome-data-centre/>

⁷⁶⁷ Ministère de l'Économie Numérique et de la Transformation Digitale. (n.d.). e-ID Togo. Retrieved December 27, 2024, from <https://numerique.gouv.tg/projet/e-id-togo/>

These measures collectively indicate a proactive approach by Togo in safeguarding personal data and building trust in digital systems. With the strengthened mandate of the IPDCP under new leadership, alongside advancements in data localization and biometric identification, Togo is positioned to create a secure environment that respects the privacy rights of its citizens and meets international data protection expectations.

“In Togo, when data protection is placed under military command, the challenge goes beyond securing information - it becomes about preserving trust, transparency, and civilian oversight. The militarization of digital governance risks transforming institutions meant to protect citizens into instruments of state control, further deepening public skepticism in a country where civil-military relations have long been a sensitive issue.”

- Key Informant A (Civil Society Leader)

Freedom of Information Law

In 2016, Togo passed the Freedom of Access to Information and Public Documentation Act (Law No. 2016-006), aiming to enhance transparency by giving citizens the legal right to request and access public information from government institutions. The law was approved by the National Assembly on March 10, 2016, and promulgated by the President on March 30, 2016. . While the law initially signaled a positive move towards open governance, its full implementation has remained stalled, as the required implementing decree has yet to be signed, leaving the law largely ineffective in practice. While it exists on paper, the lack of enforcement mechanisms and clear procedures makes it difficult, if not impossible, for citizens to exercise this right meaningfully.

Also, the legislation does not require the government to publish any formal reports or statistics regarding the number of information requests made, nor does it detail how many requests are granted or denied. This lack of mandatory disclosure has resulted in a significant transparency gap, leaving the public with little insight into how the government handles access to information requests. Consequently, the effectiveness of the law remains difficult to assess, as there is no way to gauge compliance or understand trends in information accessibility across public institutions.

For two journalists and a lawyer interviewed for this report, Togo’s freedom of information law has become a significant obstacle to investigative journalism. These restrictions, they argued, compromise their ability to hold authorities accountable.

“Access to reliable information is essential for our work, yet we are constantly met with refusals or silence,”

- Key Informant B (Journalist)

“Without transparency, it’s impossible to inform the public accurately. We are left to piece together stories without the necessary facts.”

- Key Informant C (Journalist)

As a lawyer, I must emphasise that these restrictions severely compromise our ability - and that of our clients - to effectively hold authorities accountable and shed light on issues of public importance. Access to evidence is fundamental for legal proceedings, as it forms the foundation upon which cases are built and justice is pursued. By limiting the availability of critical information, these measures not only hinder transparency but also impede our ability to substantiate claims and present compelling arguments in court. Without unrestricted access to the necessary evidence, our ability to ensure accountability and uphold the rule of law is significantly undermined, leaving many critical issues unresolved and justice delayed.

- Key Informant D (Lawyer)

The withholding of information has made it difficult for journalists to report accurately on governmental activities and provide the public with critical insights into issues like budget allocations, development projects, and public procurement. The opaque implementation of the freedom of information law has, in effect, created an environment that stifles investigative

journalism and impedes public discourse on key matters of governance.

The struggle for freedom of expression in Togo is exemplified by the experiences of prominent journalists who face severe repercussions for exposing government misconduct and holding authorities accountable. One of the most high-profile cases is that of Ferdinand Ayité, an influential Togolese journalist and publisher of “L’Alternative”, known for his bold critiques of government corruption and public sector misconduct.

In August 2024, Togolese authorities accused investigative journalist Ferdinand Ayité of financing terrorism and conspiring against state security due to his publications and widely followed Sunday live broadcasts on social media⁷⁶⁸.

Ayité’s case is not isolated. In late 2023, two other journalists, Loïc Lawson and Anani Sossou, were jailed after posting allegations on platforms like X (formerly Twitter) that a government minister had been robbed of a substantial sum. Though they later clarified their claims, they were still charged with defamation. After 18 days in detention, they were released but face ongoing legal battles in 2024. An investigation by Reporters Without Borders (RSF) revealed that both journalists had previously been targeted by Pegasus spyware⁷⁶⁹. Lawson experienced over 23 intrusions within five months, and Sossou’s phone was similarly compromised. RSF labeled this as the first confirmed use of Pegasus against journalists in Togo and called for government accountability—though no response was provided.

These cases reveal an environment where restricted access to information, pervasive surveillance, and harsh legal penalties combine to severely limit freedom of expression.

Laying the ground for responsible AI

Togo has recently advanced its ambitions to establish itself as a leading technological hub in Africa through its comprehensive Togo Digital Strategy. Built on three foundational pillars - promoting digital inclusion, digitizing public services, and driving economic transformation through technology—this strategy envisions a competitive and inclusive digital ecosystem that leverages artificial intelligence (AI) and other emerging technologies to address both immediate and future challenges. The government’s approach is centered on using technological innovation to enhance governance, economic productivity, and overall societal well-being.⁷⁷⁰

A significant initiative under this digital strategy was the “Autour de l’IA” event, a collaborative platform held in November 2024 that gathered leaders from the public sector, private industry, and civil society to discuss Togo’s AI ambitions⁷⁷¹. Organized alongside the second edition of the Grand Atelier du Digital (GAD) and the fifth edition of IndabaX, this event served as a forum for sharing insights into Togo’s emerging AI strategy, spotlighting innovative AI research, and exploring practical solutions that could drive sustainable development. Through this gathering, Togo underscored its ambition to leverage AI to improve digital governance, enhance public services, and support environmental stewardship.

The “Autour de l’IA” event featured informative sessions on AI strategies from other nations—including Singapore, Rwanda, and Ghana—exploring how these approaches could inform Togo’s own framework. Organized in collaboration with the Ministry of Digital Economy and Digital Transformation (MENTD) and the Agence Togo Digital (ATD), the event was designed to provide Togolese leaders and other stakeholders with a foundation in AI best practices. These insights helped lay the groundwork for integrating AI into sectors critical to Togo’s national development, such as healthcare, agriculture, and education.

To further shape its AI policy, the government opened a public call for comments on the national AI

768 Icilome. (2024, August 10). Togo – Accusé de financer des terroristes, Ferdinand Ayité répond au régime. Retrieved from <https://icilome.com/2024/08/togo-accuse-de-financer-des-terroristes-ferdinand-ayite-repond-au-regime/>

769 Le Monde. (2024, January 23). Au Togo, deux journalistes ciblés par le logiciel espion Pegasus, selon Reporters Sans Frontières. Retrieved November 14, 2024, from https://www.lemonde.fr/afrique/article/2024/01/23/au-togo-deux-journalistes-cibles-par-le-logiciel-espi-on-pegasus-selon-reporters-sans-frontieres_6212482_3212.html

770 Togo Presidency (2024). Stratégie Togo Digital: Building a Competitive Digital Ecosystem through Innovation. Retrieved November 14, 2024, from <https://togo.gouv.tg>.

771 République Togolaise. (2024, November 8). Intelligence artificielle : une série d’activités immersives annoncée à Lomé. Retrieved from <https://www.republiquetogolaise.com/tic/0811-9937-intelligence-artificielle-une-serie-d-activites-immersive-annoncee-a-lome>

strategy in 2024⁷⁷², inviting contributions from experts, industry professionals, civil society, and the public. This initiative aims to gather a range of perspectives to inform a well-rounded, inclusive AI strategy that balances innovation with ethical considerations and social impact. The call for public input reflects the government's commitment to a collaborative approach, ensuring that Togo's AI policies align with the needs and values of its people.

The event also included hands-on workshops on MOSAICS, an AI tool developed by the University of California, Berkeley's Center for Effective Global Action (CEGA), which uses satellite data for environmental and resource management. This practical demonstration underscored Togo's commitment to deploying AI solutions that address urgent challenges, like sustainable agriculture and environmental monitoring, aligning with the nation's broader sustainability goals.

In line with this focus on AI and emerging technologies, the National Internet Governance Forum 2024 also centered its discussions on technological innovation and policy implications for emerging digital tools. The forum gathered experts, policymakers, and stakeholders from across the region to explore the opportunities and challenges associated with AI, data governance, and cybersecurity.⁷⁷³

Despite these advancements, Togo faces challenges in achieving full digital transformation. Building the necessary infrastructure, fostering public trust, and developing comprehensive AI governance frameworks remain key obstacles. To address these issues, the government launched a call for contributions in 2024 to involve experts, industry leaders, and the public in shaping a collaborative national AI strategy. This initiative reflects Togo's commitment to balancing innovation with ethical and social responsibilities, aiming to ensure that AI adoption aligns with national priorities and is governed responsibly.

Through the Stratégie Togo Digital and initiatives like "Autour de l'IA," Togo has laid a strong foundation for integrating AI and emerging technologies into its national development agenda. While challenges persist, the government's forward-thinking approach positions Togo as a pioneering force in Africa's digital landscape, committed to building a resilient, inclusive, and ethically responsible digital economy.

Digital Identity for all

Togo has launched a nationwide enrollment initiative for its digital identity system, e-ID Togo, led by the Agence Nationale d'Identification (ANID)⁷⁷⁴. This program provides each resident with a unique identification number linked to biometric data, such as fingerprints and facial recognition, to enhance secure and efficient access to public services. The e-ID Togo project is a cornerstone of the government's "Stratégie Togo Digital", aimed at modernising public administration and fostering social inclusion by providing reliable identification to all citizens.

As of December 2024, Togo's digital identity initiative, e-ID Togo, has made significant progress toward nationwide implementation⁷⁷⁵.

The e-ID Togo system streamlines identity verification processes, reduces fraud, and strengthens the government's capacity to deliver social services. The system's design facilitates interoperability across various sectors, enabling institutions such as banks and healthcare providers to verify identities more efficiently and expand services to underserved populations according to the government⁷⁷⁶.

ANID remains responsible for overseeing the continued rollout and integration of e-ID Togo, ensuring that the digital ID aligns with international standards for data protection and privacy. The agency's efforts also include integrating the digital ID system with a range of public and private

772 Gneni, T. (2024, October 6). Togo/Intelligence artificielle : vers l'élaboration d'une stratégie nationale. TIC Infos. Retrieved December 27, 2024, from <https://ticinfos.com/2024/10/06/togo-intelligence-artificielle-vers-lelaboration-dune-strategie-nationale/>

773 Togo First. (2024, October 28). Togo: L'intelligence artificielle au cœur du 10ème Forum sur la Gouvernance de l'Internet. Retrieved November 14, 2024, from <https://www.togofirst.com/fr/tic/2810-15078-togo-lintelligence-artificielle-au-c-ur-du-10eme-forum-sur-la-gouvernance-de-linternet>

774 Zambo, J. M. (2024, December 12). Identification biométrique : La carte « e-ID Togo » gratuite est opérationnelle. 225 Tech. Retrieved December 27, 2024, from <https://www.225tech.info/identification-biometrique-la-carte-e-id-togo-gratuite-est-operationnelle/>

775 Elephantech Afrique. (2024, December 12). e-ID : le Togo modernise son système d'identification. Retrieved December 27, 2024, from <https://elephantech.ci/e-id-le-togo-modernise-son-systeme-didentification/>

776 Ministère de l'Économie Numérique et de la Transformation Digitale. (n.d.). e-ID Togo. Retrieved December 27, 2024, from <https://numerique.gouv.tg/projet/e-id-togo/>

sector services, expanding its utility and impact in everyday life for Togolese citizens.

Conclusion

The 2024 Londa Digital Rights and Inclusion Report for Togo captures a country at a pivotal point in its digital transformation journey. Under “Stratégie Togo Digital 2025”, initiatives such as expanded internet infrastructure, the e-ID Togo biometric identity system, and the Equiano undersea cable partnership illustrate the tiny West African nation’s commitment to advancing connectivity, economic growth, and digital inclusion. These projects represent tangible progress toward bridging digital divides and modernizing public services.

However, significant challenges persist. The report highlights ongoing issues surrounding freedom of expression, where restrictive regulations and arrests during the 2024 elections period raised concerns about limitations on online dissent. Additionally, while progress has been made in data protection with the establishment of the Instance de Protection des Données à Caractère Personnel (IPDCP), gaps in enforcement hinder comprehensive privacy safeguards. Journalists and citizens continue to face barriers to accessing public information, underscoring a need for transparency in government operations.

Achieving a rights-respecting digital environment will require focused efforts to strengthen regulatory frameworks, support data protection initiatives, and promote equitable access to digital infrastructure across all regions.

Recommendations

Government

- The government should invest in extending the national electricity grid and broadband infrastructure to improve internet access and address the urban-rural digital divide.
- Legal frameworks for freedom of expression need alignment with international standards to safeguard freedom of speech, particularly online, and provide clear legal protections for dissent.
- Additional resources should be allocated to the Instance de Protection des Données à Caractère Personnel (IPDCP) to enforce data protection laws effectively.
- Amendments to the freedom of information law should be considered to require public reporting on government response rates to information requests, enhancing transparency.
- A clear regulatory framework addressing ethical considerations, privacy, and security within AI applications is essential for managing emerging technologies responsibly.

Civil Society

- Civil society should partner with international bodies to monitor and respond to infringements on digital rights, particularly around elections and public dissent.
- Outreach programs to increase digital literacy should be prioritized, focusing on safe internet practices and data privacy rights in rural areas.
- Civil society can collaborate with the IPDCP to educate citizens on their data rights and the protections offered under current laws.
- Active engagement in shaping ethical AI frameworks is necessary to ensure public interest remains a priority in the development of emerging technologies.

Technical Community

- The technical community should work with platforms to develop culturally relevant moderation tools, especially for content in local languages.
- Support for tools that align with Togo's data protection laws can assist organizations in maintaining secure data handling practices.
- Collaborate on projects to provide affordable access to the internet in underserved areas, potentially partnering with satellite providers like Starlink to improve connectivity.
- Focus on deploying AI tools to address local challenges

Academia

- Academic institutions should prioritize studies on the impact of digital rights restrictions on economic and social development, providing data-driven recommendations to policymakers.
- Digital literacy education should be integrated into curricula in schools to prepare students for a digitally connected world.
- Programs in data protection compliance and cybersecurity should be developed to help fill skill gaps within the government and private sectors.
- Engage in research on AI and ethics to develop frameworks that are contextually relevant and ethically grounded for the responsible governance of AI.

Private Sector

- The private sector should collaborate with the government on extending connectivity to rural areas and offer affordable internet services to improve digital inclusion.
- Businesses need to strengthen data protection and privacy practices in line with national law, leading by example in compliance and transparency.
- Support civil society's digital literacy initiatives through funding and resources, focusing particularly on disadvantaged communities as part of corporate social responsibility.
- Develop AI solutions that address local needs, such as agriculture or healthcare, while ensuring ethical deployment and adherence to regulatory standards.

The Score Index

Thematic Area	ACHPR Declaration (P stands for Principle)	Score	Justification
Internet Shutdowns	P38(2)	4	No internet shutdowns reported; considerable compliance with no significant restrictions.
Inexistent laws, policies and other measures to promote universal, equitable, affordable and meaningful access to the internet	P37	3	Efforts like the Equiano cable and Universal Service Fund, but gaps remain in rural coverage.
False News Criminalisation	P22(2)	2	Criminal laws (e.g., Article 25) still penalize dissent; reforms are needed.
Sedition Legislation	P22(2)	3	Provisions criminalising dissent (e.g., cybercrime laws) remain active.
Arbitrary Arrests and Harassments of the Media, HRDs and Citizens	P20(1) & (2)	1	Arrests of bloggers and activists (including minors) highlight ongoing repression.
Data Protection Legislation	P42	4	Frameworks exist (e.g., IPDCP), but enforcement and transparency remain weak.
Online Content Removal Without Process	P38 and P39(4)	2	Politically motivated takedowns lack clear, justifiable processes.
Invasion of Privacy of Communications	P41	1	Reports of surveillance (e.g., Pegasus spyware) on journalists indicate privacy violations.
Failure by the government to proactively disclose and disseminate information digital technologies	P29(3)	3	Weak implementation of the Freedom of Information law; lack of transparency.
AI and Emerging Technologies national strategies	P39(6)	2	AI strategy consultation ongoing, but frameworks are still under development.
Adoption of specific child laws, policies and measures promoting children's digital safety and privacy online	P37(5)	2	Togo has child protection policies like the 2007 Child Code, but lacks comprehensive digital safety measures and provisions
Digital Inclusion	P37(3)	2	Efforts like e-ID Togo and digital services exist, but rural inclusion remains a challenge.
TOTAL SCORE (Up to 60)		29	

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Note:

Togo's 'Moderately Compliant' rating (29/60) reflects progress across several areas of digital rights and inclusion. This score comprises improvements such as the development of internet infrastructure (3/5) and efforts toward a national AI strategy (2/5). However, challenges remain in critical areas like freedom of expression, where arbitrary arrests and restrictive laws result in lower scores (3/5) for Sedition Legislation, False News Criminalization, and Arbitrary Arrests). Data protection legislation is moderately compliant (4/5), but enforcement and transparency require significant strengthening. Similarly, access to information and proactive disclosure received low ratings (2/5), highlighting the need for greater transparency and accountability.

The government's efforts in children's digital safety (2/5) and digital inclusion (2/5) indicate moderate progress, yet these areas still face barriers, especially in underserved rural communities. Togo's overall compliance is hindered by its approach to online content removal (2/5) and privacy protections (2/5), reflecting weaknesses in adhering to international human rights standards.

To advance from Moderately Compliant (29/60) to a Considerably Compliant rating (45+), Togo must reform restrictive laws to safeguard freedom of expression, improve data protection enforcement, enhance transparency in public information access, and address the digital divide with affordable internet access for all. These reforms will position Togo as a leader in digital rights and inclusion while aligning with the ACHPR Declaration of Principles.

