



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

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Consideration of reports submitted by parties to
the Convention under article 35

Replies of Togo to the list of issues in relation to its initial report*

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* The present document is being issued without formal editing.



I. Purpose and general obligations (arts. 1–4)

Reply to paragraph 1 (a) of the list of issues (CRPD/C/TGO/Q/1)

1. The principles of equality and non-discrimination are enshrined in articles 2, 11 and 33 of the Togolese Constitution of 14 October 1992 as follows:

Article 11: All human beings are equal in dignity and rights. Men and women are equal before the law. No one shall be favoured or disadvantaged by reason of family, ethnic or regional origin, economic or social status, or political, religious, philosophical or other convictions.

Article 33: The State shall take, or cause to be taken, measures to protect persons with disabilities and older persons from social injustice.

Reply to paragraph 1 (b)

2. The domestic legal definition of persons with disabilities is contained in Act No. 2004-005 of 23 April 2004 on the social protection of persons with disabilities and Act No. 2009-007 of 15 May 2007 on the Public Health Code. Article 1 of Act No. 2004-005 of 23 April 2004 defines a person with disabilities as any person who, as a result of a congenital or acquired motor, sensory or mental impairment, is unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life and is prevented from enjoying the same rights and meeting the same obligations as other citizens of the same sex or age, or is limited in his or her opportunities to do so.

3. Act No. 2009-007 of 15 May 2007 on the Public Health Code incorporates the definition contained in the Convention.

4. Indeed, under Article 1 of the Convention, “persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others”.

5. After ratifying the Convention on 1 March 2011, Togo embarked on a process to revise the law on the social protection of persons with disabilities, which has passed a first and second reading in the Council of Ministers, in order to bring it into line with the provisions of the Convention, including the definition of disability.

Reply to paragraph 1 (c)

6. A revised bill on the promotion and protection of the rights of persons with disabilities has passed a first and second reading in the Council of Ministers. A task force has been set up to incorporate the Council’s observations. It should be noted that the bill is one of the priorities of the Government’s reforms.

Reply to paragraph 1 (d)

7. The Togolese Government grants the Togolese Federation of Associations of Persons with Disabilities an annual subsidy to enable it to function properly. The Federation carries out its activities with the technical support of the Department for Persons with Disabilities of the Ministry of Social Action, Advancement of Women and Literacy. A committee responsible for monitoring the inclusion of persons with disabilities was established by order of the Minister for Social Action, Advancement of Women and Literacy on 4 November 2016. Persons with disabilities are formally represented on this committee by their representative organization, which is the Federation.

8. Thus, they are consulted and involved in the design, planning, implementation and evaluation of development policies and programmes such as the National Sectoral Plan for Education 2020–2030.

II. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

Reply to paragraph 2 (a)

9. The principles of equality and non-discrimination are enshrined in article 11 of the Togolese Constitution of 14 October 1992 as follows: “All human beings are equal in dignity and rights. Men and women are equal before the law. No one shall be favoured or disadvantaged by reason of family, ethnic or regional origin, economic or social status, or political, religious, philosophical or other convictions.”

10. The new Criminal Code of Togo defines and penalizes discrimination in general, including in respect of employment and occupation, education, HIV and gender. Article 304 of the new Criminal Code provides that “the term ‘discrimination’ shall mean any distinction, exclusion, restriction or preference based on sex, gender, disability, race, colour, descent or family, ethnic or regional origin, economic or social status, political, religious, philosophical or other convictions, or HIV status, that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social or cultural spheres or any other field of public life.”

11. Articles 305 et seq. of the Criminal Code provide for criminal liability for discrimination. Article 305 provides that “any discriminatory act is punishable by 6 months’ to 2 years’ imprisonment and a fine of CFAF 500,000 to CFAF 2 million or either one of those penalties”.

12. Article 5 of the Children’s Code stipulates that: “Every child shall enjoy all the rights and freedoms enshrined in the present Code. Any discrimination based on race, ethnicity, colour, sex, language, religion, political or other opinions, national and social origin, wealth, birth, disability, state of health or any other status is prohibited.”

13. Act No. 2004-005 of 23 April 2004 on the social protection of persons with disabilities states, in article 6, that: “Persons with disabilities shall enjoy, either personally or through a third party, the rights recognized to all citizens by the Constitution. No discrimination of any kind may be made in respect of a person with a disability other than for reasons relating exclusively to the nature of an activity and the disability of the person in question.”

Reply to paragraph 2 (b)

14. Act No. 2004-005 of 23 April 2004 on the social protection of persons with disabilities provides for specific protection for women with disabilities.

15. Pursuant to article 39 of the Act, the State provides special protection to women with disabilities with the aim of preserving their dignity. Where necessary, children born to a woman with a mental disability or multiple disabilities whose relatives cannot be identified may be removed from her care.

16. Article 41 stipulates that: “Women with disabilities shall receive administrative and legal assistance in relation to any marriage dispute.”

17. The new Criminal Code of Togo defines and penalizes discrimination against women, including women with disabilities, in its aforementioned article 304.

18. Although the national policy on equity and gender equality, the strategy against violence and the Personal and Family Code contain no specific provisions on women with disabilities, these women do benefit from the measures and actions in those texts on the basis of equal opportunity pursuant to article 11 of the Constitution.

Women with disabilities (art. 6)

Reply to paragraph 3 (a)

19. The new Personal and Family Code contains the following provisions aimed at eliminating discrimination against women:

- Identical age of marriage for men and women;
- Identical inheritance conditions for men and women;
- Prohibition of levirate;
- Consensual choice of the matrimonial home;
- Right of both spouses to refuse to submit to degrading mourning rites;
- Removal of the provisions making the husband the head of the family. Now both spouses assume joint responsibility.

Reply to paragraph 3 (b)

20. There is no law establishing quotas for women with disabilities in elected and administrative positions, but it should be noted that women's candidacies for these positions are often encouraged and supported by the Government's inclusion policy. Indeed, article 220 of the 2013 Electoral Code requires parity between men and women on electoral lists, while article 225 reduces the amount of the election deposit by half for women candidates.

Reply to paragraph 3 (c)

21. Discrimination in all its forms, including that based on the disability of women and girls, is punishable under article 304 (which defines discrimination) and articles 305 and 306 of the Criminal Code.

Children with disabilities (art. 7)

Reply to paragraph 4 (a)

22. Togolese law affords special protection to children with disabilities.

23. Article 5 of Act No. 2007-017 of 6 July 2007 on the Children's Code establishes that: "Every child shall enjoy all the rights and freedoms enshrined in the present Code. Any discrimination based on race, ethnicity, colour, sex, language, religion, political or other opinions, national and social origin, wealth, birth, disability, state of health or any other status is prohibited."

24. Any parent who abandons a child unable to protect itself, a child with disabilities or a seriously ill child shall be liable to imprisonment for 1 to 3 years. If the abandonment results in illness or inability to work for more than six weeks, the penalty may be increased to 5 years' imprisonment. If it results in the child's death, the person responsible shall be liable to 5 to 10 years' imprisonment (article 370 of the Children's Code).

25. Article 385 of the Code stipulates that: "Anyone who abandons a child unable to protect itself, a child with disabilities or a seriously ill child shall be liable to the penalties provided for under article 378 of the present Code."

26. The State establishes the minimum standards of care for institutions responsible for receiving and educating orphans, children with disabilities and other vulnerable children. It ensures that these standards are met and imposes sanctions for non-compliance. The local authorities have the same obligations as the State (article 440 of the Children's Code).

27. The following child protection measures have been taken:

- The establishment of the National Children's Advisory Council to promote the participation of children in efforts to eliminate violence against children, including trafficking;

- The establishment of the “Allô 1011” helpline for children to report cases of violence against them, including trafficking.

Reply to paragraph 4 (b)

28. It is often challenging to find a foster family for children with disabilities. However, the next of kin are willing to provide for the needs of these children, particularly in cases where the disability is not severe. The main focus in such situations is on raising awareness among families and the community. Families that are found to foster children with disabilities receive financial and material support from the ministry responsible for persons with disabilities amounting to twice as much as that given to families that take in children without disabilities.

Awareness-raising (art. 8)

Reply to paragraph 5 (a)

29. The following measures have been taken to raise awareness of the rights of persons with disabilities among the various sectors of the population:

- The observance of international days: International Day of Persons with Disabilities (3 December); International Day of the African Child (16 June); World Children’s Day (20 November); White Cane Day (15 October); World Braille Day (4 January); International Day of Sign Languages (23 September); International Albinism Awareness Day (13 June); International Women’s Day (8 March), etc.;
- Capacity-building of national stakeholders, including the National Institute of Statistics and Economic and Demographic Research and organizations of persons with disabilities, on the importance of the census of persons with disabilities in 2021;
- Awareness-raising on coronavirus disease (COVID-19) with sign language interpretation on national television during the pandemic, in 2020 and 2021.

Reply to paragraph 5 (b)

30. The Government of Togo, through the Togolese Federation of Associations of Persons with Disabilities, grants an annual subsidy to organizations of persons with disabilities to enable them to function better and carry out their awareness-raising and other activities. The Federation, which is the umbrella organization of associations of persons with disabilities and a member of the committee responsible for monitoring the inclusion of persons with disabilities, participates fully and effectively in the planning and implementation of awareness-raising activities. The public and private media allocate time slots to raise public awareness of disability issues.

Accessibility (art. 9)

Reply to paragraph 6 (a)

31. The following measures have been taken:

- Circular No. 165/2021/MEPSTA of 7 October 2021 on access to classrooms for learners with reduced mobility;
- The persons responsible for public procurement in the various ministries are encouraged to include accessibility requirements in the tender documents for public construction projects;
- The gradual installation of audible signals in lifts in public buildings (art. 2 of Interministerial Order No. 0115/MVUHSP/MIT/MATDCL/MSPC/MEDDPN of 3 February 2020 on the classification of buildings and installations).

Reply to paragraph 6 (b) (i)

32. There is currently no official strategy to guarantee access to information and communications technology for persons with disabilities. However, the State provides a grant to special education centres. Most centres for persons with visual impairments have Braille printing facilities for the production of manuals and other books; some have special computer science training units. Centres for persons with hearing impairments provide training in sign languages and share their expertise on this form of communication. The Association of Parents and Friends of Persons with Encephalopathy and the Envol Children's Medical and Psychological Institute provide expertise in easy-to-read language on awareness-raising materials.

Reply to paragraph 6 (c)

33. Steps are being taken by the Ministry of Health, Public Hygiene and Universal Health Coverage. These include the establishment and definition of health system standards by Order No. 168/2014/MS/CAB/SG of 2 December 2014, which takes into account the accessibility needs of persons with disabilities. Specifically, paragraph 4.1.1.3.7 of the health facilities standards document, volume 1, provides for "the protection of persons living with disabilities" through the construction of facilities equipped with ramps and/or lifts where necessary.

34. Accordingly, 44 facilities have been built with access systems (ramps) in the six health regions: 5 in Lomé, 8 in Maritime, 7 in Plateaux, 6 in Centrale, 9 in Kara and 9 in Savanes.

35. The National Centre and Regional Centres for Orthopaedic Appliances give persons with disabilities the chance to benefit from assistive devices. In the framework of the Disability and Trauma Prevention and Rehabilitation Programme, the Ministry of Health and Social Welfare has undertaken social actions with the financial support of its partners by distributing nearly 350 wheelchairs and tricycles per year to indigent persons with disabilities since 2012.

36. Since 2011, in order to ensure the mobility of persons with disabilities, including the use of signage, the Ministry of the Economy and Finance has been renovating lifts fitted with a visual and audio system.

Access to care and prevention services

37. In order to reach these vulnerable groups that are deprived of existing services, the Government of Togo, with the support of technical and financial partners and through community-based rehabilitation programmes, has been initiating projects for the promotion of the rights of children with disabilities in collaboration with local NGOs. In addition, a national platform for community-based rehabilitation has been set up by the Ministry of Health and includes several actors working in the field. Community-based rehabilitation is a participatory development strategy that involves the community and persons with disabilities themselves in the carrying out of activities. The goal of the strategy is to provide, at the community level and at low cost, the essential services that persons with disabilities need for self-fulfilment, namely rehabilitation, equal opportunities and social integration.

38. Key interventions include training and awareness-raising. Training is provided to community workers with a view to equipping them with the knowledge, skills and attitudes required for the prevention, detection and early care of disabilities and with effective tools for raising awareness about disabilities.

39. Awareness-raising is carried out in the community in order to promote a better understanding of disabilities, free from prejudice or taboo, as well as the need for early detection and treatment.

Reply to paragraph 6 (b) (ii)

40. In order to guarantee access to information and communications technology for persons with disabilities on an equal basis with others through the provision of information, news broadcasts on national television are interpreted live into sign language for persons with

hearing impairments and Braille courses are made available online for persons with visual impairments.

Right to life (art. 10)

Reply to paragraph 7

41. The right to life is a fundamental right guaranteed by article 13 (2) of the Constitution as follows: “No one may be arbitrarily deprived of his or her liberty or life.” The new Togolese Criminal Code of 24 November 2015 prescribes penalties for offences against the life of the person through crimes such as intentional homicide (murder and assassination, arts. 165 et seq.), poisoning and the administration of harmful substances (arts. 173 et seq.), manslaughter (arts. 178 et seq.) and endangerment of the person (art. 181).

42. Act No. 2004-005 of 23 April 2004 on the social protection of persons with disabilities stipulates in article 3 that “a person with a disability has the same right to life and fulfilment as any other person”.

43. Article 359 of Act No. 2007-017 of 6 July 2007 on the Children’s Code establishes criminal liability for infanticide as follows: “Infanticide is classified as the murder of a child under 15 years of age. A parent who commits, as principal or accomplice, the infanticide of his or her child shall be sentenced to 5 to 20 years’ imprisonment; this provision shall not benefit the co-perpetrator or accomplice.”

44. In Togo, there is no legal provision that allows anyone to take the life of a child with disabilities. However, it is important to note that this practice is followed in some parts of the country, in accordance with traditions and customs.

45. In order to effectively combat this phenomenon, which is rooted in traditional practices, the Government of Togo has undertaken a series of actions with the support of its partners, in particular the United Nations Children’s Fund, the most recent of which are the 2012 study on infanticide, accompanied by a communications strategy on the practice, and discussions held with traditional and religious leaders on cultural practices harmful to children. The discussions culminated in a declaration by those leaders in which they pledged to combat community practices that have a negative impact on children.

Situations of risk and humanitarian emergencies (art. 11)

Reply to paragraph 8 (a)

46. With a view to aligning the Emergency Relief Organization Plan and the National Contingency Plan with the Convention and the Sendai Framework for Disaster Risk Reduction 2015–2030, the Government of Togo developed a national disaster risk reduction strategy for the period 2013–2017, following on from the 2009 strategy, that specifically aims to:

- Improve the policy, legal, regulatory and institutional framework for disaster risk reduction;
- Strengthen the technical, material and financial capacities of institutions and other stakeholders in disaster risk reduction;
- Improve the disaster risk reduction information system;
- Reduce risk factors underlying disasters;
- Strengthen disaster preparedness.

47. The implementation of this strategy is the responsibility of the national platform comprising various actors, including civil society organizations. The Togolese Federation of Associations of Persons with Disabilities, which represents persons with disabilities, has been involved in the work of this platform on several occasions. It should also be recalled that, as part of disaster preparedness, a hundred tricycles were purchased and distributed to persons with disabilities in high-risk areas throughout the country in 2014.

Reply to paragraph 8 (b)

48. In response to the COVID-19 pandemic, a national coordination body has been created with the aim of taking action to prevent and manage the health crisis. Persons with disabilities have been taken into account in the actions of this body through awareness-raising programmes and adverts interpreted into sign languages on national television and through the development and implementation, in 2020, of the action plan for vulnerable groups of the Ministry of Social Action, Advancement of Women and Literacy.

Equal recognition before the law (art. 12)**Reply to paragraph 9**

49. Discussions on replacing the guardianship regime with a supported decision-making regime began in a training workshop for judges. The objective of these workshops, which took place in two phases — one for judges from the northern regions and another for those from the southern regions of the country — was to familiarize the judiciary with the Convention on the Rights of Persons with Disabilities and, above all, to acknowledge the legal capacity of persons with disabilities by supporting them in making decisions that concern them, for example by providing sign language interpretation for persons with hearing impairments at trial or by obtaining the consent of a person with a mental impairment for treatment following an interview with a social worker. These practices are repeated in order to facilitate their legal formalization.

Access to justice (art. 13)**Reply to paragraph 10 (a)**

50. The Government has adopted Act No. 2013-010 of 27 May 2013 on legal aid in Togo. This law protects vulnerable groups, including persons with disabilities, given that legal fees can be exorbitantly high. Owing to a delay in drafting the implementing legislation for the law, statistics are not yet available on this matter.

Reply to paragraph 10 (b)

51. Access to justice is guaranteed without distinction by article 19 of the Constitution as follows: “Every person shall have the right in any matter to have their case heard and decided equitably within a reasonable period by an independent and impartial court.”

52. In addition, the Code of Civil Procedure provides that “Proceedings may be initiated by anyone who has a legitimate interest in the success or failure of a claim, except where the right to bring proceedings is reserved to persons authorized by law to file or contest a claim or to defend a particular interest” (art. 3).

53. In order to facilitate access to justice, the Ministry of Justice, through the national programme for the modernization of justice, has set up a department for accessing the law and justice, which is responsible for disseminating all national and international texts related to human rights. A guide on accessing justice has also been published and is now available. Legal assistance is provided to vulnerable detainees, including persons with disabilities, through two projects entitled “Use of volunteers for legal support in prison settings” and “Supporting access to the law and justice”, both initiated by the Ministry of Justice with the support of the United Nations Development Programme.

54. A capacity-building process for judges has been initiated on the subject of disabilities with a view to ensuring respect for the rights of this vulnerable group.

55. The Government has adopted Act No. 2013-010 of 27 May 2013 on legal aid in Togo. This law protects vulnerable groups, including persons with disabilities, given that legal fees can be exorbitantly high.

56. Lastly, the Ministry of Justice has appointed juvenile judges in all courts to take into account the specificities of this age group, which includes children with disabilities.

Reply to paragraph 10 (c)

57. Articles 10 to 26 and 33 of the 1992 Constitution and article 6 of Act No. 2004-005 on the social protection of persons with disabilities guarantee the freedoms and rights of persons with disabilities. Specifically, article 26 stipulates that: “Every person shall have the right to freedom of thought, conscience, religion, worship, opinion and expression. These rights and freedoms shall be exercised with due respect for the freedoms of others, and for public order and the norms established by the law and by regulations.”

58. Obstructing freedom of expression and communication is punishable by a fine (art. 99 (2) of the Constitution). In cases of obstruction with violence, the provisions of the Criminal Code on wilful violence, destruction and degradation are applicable.

59. Moreover, in 2016, Togo adopted a law on freedom of access to public information and documentation, thereby enhancing the legal and institutional framework governing access to sources of public information.

Reply to paragraph 10 (d)

60. Training and awareness-raising workshops on the Convention on the Rights of Persons with Disabilities and on inclusive development have been conducted for judges and law enforcement officers to enable them to better understand disabilities in order to take them into account in the judicial process. This has allowed these legal practitioners to become familiar with the rights of persons with disabilities. Other capacity-building meetings for judicial personnel have been held on international humanitarian law and peace. Law enforcement agencies regularly organize army-nation exchanges in order to lay the foundations for peaceful coexistence and social cohesion between them and the population, including persons with disabilities.

Liberty and security of the person (art. 14)**Reply to paragraph 11**

61. Articles 130 and 131 of Act No. 2009-007 of 13 May 2009 on the Health Code do not refer to persons with disabilities in general. They concern mentally ill persons whose violent behaviour may be detrimental to public order or to themselves.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15) and protecting the integrity of the person (art. 17)**Reply to paragraph 12**

62. Forced sterilization, particularly of women with intellectual or psychosocial disabilities, is not authorized by any law of the Togolese Republic. Thus, any natural or legal person who engages in this practice is liable to criminal punishment. In order to prevent this practice, which is tantamount to gender-based violence, the Ministry of Social Action, Advancement of Women and Literacy has set up a programme to combat gender-based violence and a 1011 helpline to report it.

63. There is also a family planning service in all health facilities that can benefit women and girls with disabilities, particularly women with intellectual or psychosocial disabilities, on the basis of their consent.

Freedom from exploitation, violence and abuse (art. 16)**Reply to paragraph 13 (a)**

64. The Government of Togo has established a psychiatric centre that provides medical care to persons suffering from mental disorders. The staff at the centre have been trained to avoid acts of violence against patients. In addition to official centres, there are religious or

traditional centres for which there are not yet any official data to assess the extent and evolution of the situation in order to take appropriate measures.

Reply to paragraph 13 (b)

65. In order to tackle discrimination against and abuse of children and women with disabilities, the Government of Togo has put in place the following mechanisms for reporting these despicable acts:

- An “Allo 1011” helpline to facilitate the reporting of cases of exploitation, violence and abuse;
- Counselling centres and psychological care centres for victims of gender-based violence.

Reply to paragraph 13 (c)

66. The current legal framework for the criminalization of trafficking in persons in Togo is provided by the new Criminal Code of 2015, articles 317 to 334 of which define and punish trafficking in persons in accordance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

67. Togo has also ratified almost all regional and international instruments on trafficking in persons and has signed several bilateral and multilateral agreements to effectively combat the practice.

68. Concerted efforts are being made to strengthen the fight against child trafficking. An example is the cooperation agreement to combat trafficking in children signed by the Gabonese Republic and the Togolese Republic on 25 September 2018.

69. These instruments cover women, including women and girls with disabilities.

Reply to paragraph 13 (d)

70. The National Human Rights Commission is a quasi-judicial body responsible for promoting and protecting human rights and protecting human rights defenders. It was designated an institution of the Republic under article 152 of the Constitution of 14 October 1992. It acts alongside the public administration to put an end to cases of human rights violations. As the national mechanism for the prevention of torture, it is responsible for preventing torture and other forms of cruel, inhuman or degrading treatment in places of deprivation of liberty or any other place that it may identify.

71. This mission gives it full powers to monitor all places where persons with disabilities are deprived of their liberty, including private and public rehabilitation centres (art. 4 of Organic Act No. 2021-015 of 3 August 2021).

Liberty of movement and nationality (art. 18)

Reply to paragraph 14

72. Birth registration is governed by Act No. 2009-10 of 11 June 2009 on the organization of civil status in Togo. Article 3 of this law provides that a civil status record must be created for all births, marriages and deaths of Togolese or foreign nationals residing in Togo whenever such events occur on the national territory.

73. Article 18 of the Act makes it compulsory for all births to be declared within 45 days of the birth of the child, at the civil registry of the place of birth, or at a Togolese diplomatic mission or consulate if the child is born abroad. When the birth is declared, an authentic document – the birth certificate – is issued.

74. From 2012 to 2014, the implementation of a project to promote the rights of children with disabilities enabled 150 young persons with disabilities to obtain birth certificates, which was one of the conditions for benefiting from the project.

75. The Government, through civil registrars, is focusing on raising the population's awareness of the need to declare births and regularly organizes mobile campaigns to issue birth certificates, with the effective involvement of organizations of persons with disabilities.

76. In order to encourage birth declarations, the Government has decided to make declarations within the legal deadline of 45 days after the birth free of charge as of 1 January 2022.

Living independently and being included in the community (art. 19)

Reply to paragraph 15

77. The law on the social protection of persons with disabilities is partially in conformity with the Convention as regards living independently and being included in the community. Article 22 provides that the State, local authorities and public or private entities must take the necessary measures to:

- Ensure that persons with disabilities can participate in socioeconomic, cultural and sporting activities;
- Facilitate the lives of persons with disabilities by adapting and improving the accessibility of public transport vehicles;
- Support the training of members of the Paralympic Federation through grant allocation;
- Support the activities of the paralympic championships.

78. Accordingly, in September 2015, 27 persons, including 9 women, from the Ministry of Sports, the Togolese Federation of Paralympic Sports, non-governmental organizations and Plan International received capacity training on inclusive sport and practised sport with 100 children with and without disabilities.

79. The Government has set up:

- The National Fund for Inclusive Finance to contribute, in a significant and decisive way, to expanding the frontiers of financial inclusiveness by putting in place a powerful financial instrument for tackling the constraints that inhibit the access of mainly poor populations, including persons with disabilities, to basic financial services;
- A microcredit programme for women with disabilities and the mothers of children with disabilities.

80. In addition, the Government of Togo, in collaboration with its technical and financial partners and with civil society organizations, implemented the "Decent Employment for Persons with Disabilities" project over the period 2017–2020, which resulted in 229 persons with disabilities, including 83 women, receiving entrepreneurship training and in 207 persons with disabilities, including 91 women, being recruited.

Personal mobility (art. 20)

Reply to paragraph 16

81. The National Centre and Regional Centres for Orthopaedic Appliances give persons with disabilities the chance to benefit from assistive devices free of charge or at reduced costs depending on the contribution of donors.

Freedom of expression and opinion, and access to information (art. 21)

Reply to paragraph 17 (a)

82. News broadcasts on national television are interpreted live into sign language for persons with hearing impairments. Print media, including newsletters issued by the Togolese

Press Agency and the daily newspaper Togo-Presse, is currently available in electronic format.

Reply to paragraph 17 (b)

83. To officially recognize sign language, a training manual on hearing impairment and sign language has been approved.

84. Furthermore, training modules in Braille and sign language have been introduced in teacher training colleges. Thus, all teachers initially trained in these colleges are automatically trained in Braille and sign language.

Reply to paragraph 17 (c)

85. News broadcasts on Togolese national television are interpreted live into sign language.

86. After a temporary interruption caused by the departure of the sign language interpreter for training, the signed news on national television has resumed with another sign language interpreter. Actions are currently being taken to increase the number of interpreters.

Respect for home and the family (art. 23)

Reply to paragraph 18 (a)

87. Article 31 of the Constitution provides that the State has the obligation to assure the protection of marriage and the family.

88. Article 41 of the Personal and Family Code dealt with the problem of consent to marriage by providing as follows: "Marriage is a solemn and public civil act by which a man and a woman establish between them an enduring legal union, and concerning which the conditions of formation, effects and dissolution are determined by this Code."

89. Article 81 adds that "spouses marry by mutual consent". However, despite these provisions, which are designed to uphold equality, negative perceptions of disability persist today.

90. The above provisions apply to all citizens, including persons with disabilities.

Reply to paragraph 18 (b)

91. Article 39 of Act No. 2004-005 concerns mothers who have advanced mental disorders and whose children's lives are in danger.

Reply to paragraph 18 (c)

92. Decree No. 2008-103/PR of 29 July 2008 on the procedure for adopting children in Togo and Decree No. 2008-104/PR of 29 July 2008 on the creation of the National Child Adoption Committee in Togo authorize all persons who meet the conditions for adoption, without distinction, to adopt a child. These are some of the measures taken to provide support services to children with disabilities and their parents and to give parents with disabilities the means to fulfil their parental responsibilities.

Education (art. 24)

Reply to paragraph 19 (a)

93. The piloting of inclusive education in the Savanes and Kara Regions resulted in the training of 102 sign language teachers, 39 Braille teachers and 40 educational assistants.

Reply to paragraph 19 (b)

94. Since 2011, teachers and central directors of the Ministry of Education have received training in inclusive education with a view to successfully generalizing initiatives to promote the enrolment of children with disabilities.

95. Actions taken by the Government to facilitate the enjoyment of the right to education by persons with disabilities include:

- The services in charge of official examinations, namely the baccalaureate office and the department of examinations and competitions, are equipped with Braille printers to prepare Braille copies for visually impaired candidates;
- The Braille printing houses of centres for the blind are responsible for printing textbooks in Braille;
- As part of the back-to-school solidarity programme, the Ministry of Social Action, Advancement of Women and Literacy provides special schools with school supplies, including Braille paper;
- Persons with cerebral palsy are assisted in official examinations.

Health (art. 25)**Reply to paragraph 20 (a)**

96. The ongoing revision of the 2004 law on the social protection of persons with disabilities includes specific provisions on this matter.

Reply to paragraph 20 (b)

97. With a view to ensuring the health of persons with disabilities, the Government adopted the national policy on rehabilitation for persons with disabilities in 1997 and amended it in 2005, and the Ministry of Health has set up the Disability and Trauma Prevention and Rehabilitation Programme. The Programme is run by the National Centre for Orthopaedic Appliances, which assists the Regional Centres in providing support to persons with disabilities.

98. As part of its services, the National Health Insurance Institute takes into account the needs of employees with disabilities in terms of orthopaedic appliances, functional therapy, ophthalmology, ear, nose and throat services and speech therapy. The programme for the provision of support to pregnant women and newborns and the campaign for the accelerated reduction of maternal mortality in Africa also benefit women with disabilities.

Reply to paragraph 20 (c)

99. In an effort to bring health-care facilities closer to persons with disabilities, the Government of Togo has increased the number of rehabilitation services in all regions.

100. There are also regular mobile screening and fitting campaigns, along with vaccination campaigns against disabling illnesses.

Work and employment (art. 27)**Reply to paragraph 21 (a)**

101. In Togo, candidates are recruited on the basis of their qualifications and professional experience, without discrimination (arts. 3 and 39 of the Labour Code, art. 45 of the Civil Service Regulations). In the workplace, all employees with the same responsibilities are treated equally, without discrimination.

Reply to paragraph 21 (b)

102. Discrimination in all its forms on the basis of disability, including the denial of reasonable accommodation, is punishable by law. The denial of reasonable accommodation is contrary to the principle of equal opportunity promoted by the laws of the Togolese Republic.

Reply to paragraph 21 (c)

103. In implementing the Accelerated Growth and Employment Creation Strategy, the Government, in collaboration with non-governmental and civil society organizations, has undertaken various initiatives that have had an impact on persons with disabilities, including:

- Entrepreneurship training involving the drafting of a business plan;
- Enrolling persons with disabilities in the national volunteers' programme;
- Providing financial support to certain groups of persons with disabilities to develop their agricultural and livestock activities.

Reply to paragraph 21 (d)

104. The Togolese Federation of Associations of Persons with Disabilities has established a collaborative relationship with the Fund to Support Young People's Economic Initiatives. Since the Fund is public, its budget depends on the State's financial capacities and on opportunities for support from technical and financial partners.

Reply to paragraph 21 (e)

105. The Government has made efforts to recruit persons with disabilities into the public administration through a series of competitive examinations. Persons with disabilities are now employed in all ministries except for the Ministry of Defence. As far as the private sector is concerned, information, training and awareness-raising workshops have been organized for employers and managers of private companies on the employment of persons with disabilities. Some companies have benefited from accessibility work with the contribution of partners.

Reply to paragraph 21 (f)

106. Specific provisions in this regard are being considered as part of the revision of the law on the social protection of persons with disabilities.

Adequate standard of living and social protection (art. 28)**Reply to paragraph 22**

107. As part of its efforts to reduce poverty, the Government has set up programmes to support vulnerable groups in general and persons with disabilities in particular. These include: the services of the National Solidarity Agency, which provides support in the form of food, non-food items, school supplies, contributions to medical expenses and other financial support; cash transfers through social safety nets for pregnant women and children under 5 years of age in two regions of the country (Savanés and Kara); and, during the health emergency, the Novissi solidarity programme, through which cash transfers were made to individuals whose livelihoods were affected by the crisis.

Participation in political and public life (art. 29)**Reply to paragraph 23 (a)**

108. Despite a willingness on the Government's part, it must be said that it is difficult to ensure that all polling stations are accessible to persons with disabilities and that voting material is available in Braille. However, the population is aware of the need to give priority access to the elderly, pregnant women and persons with disabilities.

109. The Electoral Code allows visually impaired persons to be accompanied by a person of their choice who is registered on the same electoral roll as them in order to exercise their right to vote independently.

Reply to paragraph 23 (b)

110. The laws of the Republic do not permit discrimination on the basis of disability with respect to participation in political and public life. Moreover, political parties are encouraged to be as inclusive as possible. This is evidenced by the existence of a visually impaired member of the National Assembly and, at the local authority level, by the election of five municipal councillors with disabilities, including one mayor and one deputy mayor.

Participation in cultural life, recreation, leisure and sport (art. 30)

Reply to paragraph 24 (a)

111. Act No. 2021-008 of 17 May 2021 establishing rules for the organization, development and promotion of physical activity and sport in Togo includes provisions that take into account the concerns of persons with disabilities, namely:

Article 16: “It is essential to take into account persons with disabilities in the organization of physical activities and sports, and in the teaching of physical education. The State and the branches of government shall take the necessary measures to support sports associations in this respect.”

Article 24: “The State shall encourage the participation of persons with disabilities in physical activity and sport. Persons with disabilities shall be allowed to form sports associations and federations suited to their specific conditions, in accordance with legal and medical instructions and guidelines.”

112. Departments of the Ministry of Sports and Leisure and sports facilities are equipped with ramps to facilitate the mobility of persons with disabilities.

113. In addition, the Ministry of Culture has created the Culture Fund, which provides financial support to cultural actors on an annual basis to help them to carry out their projects. Artists with disabilities are among those who have benefited from the Fund.

Reply to paragraph 24 (b)

114. Efforts to ratify the Marrakesh Treaty are still at the stage of discussions with organizations of visually impaired persons.

III. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

Reply to paragraph 25

115. As part of the fifth population and housing census in Togo, for which the operational phase of data collection was scheduled from 23 October to 12 November 2022 and was extended to 16 November 2022, the collection guide included a brief questionnaire from the Washington Group that was expanded to include albinism. Census takers, supervisors and monitors were trained in the use of this guide prior to the process. In addition, the various ministries are reviewing their information collection systems in order to include the disability dimension. For example, the Ministry of Primary and Secondary Education has done this with the Education Management Information System.

International cooperation (art. 32)

Reply to paragraph 26

116. To ensure effective cooperation in the protection of the rights of persons with disabilities, the Government has signed establishment and programme agreements with international organizations involved in the protection of persons with disabilities: Handicap International, Christoffel-Blindenmission, Plan International Togo and the Special Fund for the Disabled of the International Committee of the Red Cross. Cooperation efforts between Togo and Germany through the health system strengthening, sustainable economic development and good governance and decentralization programmes of the German Agency for International Cooperation focus on the needs of persons with disabilities.

117. The support of these technical and financial partners enables national actors working in the field of disability to plan and carry out activities to improve the living and working conditions of persons with disabilities.

118. The Government has signed funding agreements with technical and financial partners.

119. The measures taken to guarantee the appropriate use of funds include the establishment of:

- The institutional mechanism for the coordination, follow-up and assessment of development policies, through Decree No. 2010-170/PR of 13 December 2010, in order to ensure effective and optimal coordination, decision-making, management and execution in development programmes and projects;
- The Aid Management Platform, which enables the State, through the Ministry of Planning, to centralize the resources from donors and assess their use;
- The State and Donors Committee to improve the follow-up mechanism under the national development strategy, make aid more effective and propose the adoption of good practices in the areas of coordination and information-sharing.

National implementation and monitoring (art. 33)

Reply to paragraph 27

120. As part of efforts to monitor the implementation of the Convention, a committee was established to monitor the inclusion of persons with disabilities in Togo. The committee is currently considering expanding to include focal points from all ministries and adopting an action plan.

121. The Government of Togo has implemented the recommendations made by the Global Alliance of National Human Rights Institutions in 2019. The National Human Rights Commission is now fully carrying out its mandate as an independent institution in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights.
