



# Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
11 October 2012

English only

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## Committee on the Elimination of Discrimination against Women Fifty-third session

### Summary record of the 1075th meeting\*

Held at the Palais des Nations, Geneva, on Thursday, 4 October 2012, at 10 a.m.

*Chairperson:* Ms. Pimentel

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\* No summary records were issued for 1073rd and 1074th meetings.

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** (*continued*)

*Combined sixth and seventh periodic reports of Togo (CEDAW/C/TGO/6-7; CEDAW/C/TGO/Q/6-7 and Add.1)*

1. *At the invitation of the Chairperson, the members of the delegation of Togo took places at the Committee table.*
2. **Ms. Dagban** (Togo), introducing the report (CEDAW/C/TGO/6-7), said that her Government endorsed the cardinal principle that women should be reinstated as actors in development, with full rights and on equal, dignified and representative terms. Its commitment to that position translated into the implementation of relevant policies and strategies. At all levels, emphasis was placed on the need to mainstream women into the process of governance and government, in order to ensure that the drive to integrate and reintegrate women in the development process was far-reaching. A multisectoral committee composed of representatives from the public and private sectors and national civil society organizations, in particular those involved in women's rights, had drafted the report with technical and financial support of the United Nations Development Programme.
3. During the reporting period, Togo had faced challenging socioeconomic conditions in the wider international environment of recession. Severe climatic events had caused considerable damage to infrastructure and crops in addition to population displacements, making people more vulnerable. At the same time, the population had increased substantially. With regard to the macroeconomic framework, the Heavily Indebted Poor Countries Initiative had been completed, and the second poverty reduction strategy paper had been approved; reforms were under way in public finance, banking, insurance and numerous other sectors. Considerable qualitative and quantitative progress had been made in social sectors such as education and health. Governmental and human rights bodies were actively involved in the promotion and protection of human rights.
4. In respect of article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, the Constitution prohibited all forms of discrimination and that prohibition was evident in other key legislation, including the Personal and Family Code and the Labour Code. The preliminary draft of the Criminal Code had adopted the definition of discrimination contained in the Convention.
5. An appropriate legal and institutional framework had been established to eliminate discrimination, as required under articles 2 and 3 of the Convention. The draft Criminal Code contained a chapter on discrimination against women and applicable penalties. In 2008, the Government had adopted a national strategy to combat violence against women that had recently been updated. As a result of legislative changes and awareness campaigns, the rate of female genital mutilation had fallen considerably, from 12 per cent in 1996 to 2 per cent in 2012; the draft Criminal Code provided for related penalties against perpetrators and their accomplices.
6. In accordance with article 4, positive discrimination had been introduced in order to accelerate equality, particularly in the sphere of education. In other areas and in certain bodies and organizations, quotas had been imposed for the same purpose. As required under article 5, educational and training activities were conducted on a regular basis with a range of key social actors, including educators, religious figures, community leaders and the military, in order to tackle gender stereotyping and contribute to harmonious development based on the concept of equality.

7. Serious efforts were being made to suppress trafficking in persons, particularly children, in line with article 6 of the Convention, and a legal and institutional framework had been established that reintegrated victims and punished perpetrators. While some perpetrators had been sentenced, further efforts were needed. In that connection, Togo had ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol) and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. It had further approved a preliminary draft law on trafficking in persons. A draft decree establishing a national commission on trafficking was before parliament for adoption.

8. Progress had been made towards attaining the objective of equality set forth in articles 7 and 8. One major advance was the bill on quotas in respect of election to public office and appointment to senior, decision-making positions. Women were employed in the civil service, military and diplomatic posts, although numbers remained low.

9. The discriminatory provisions in existing legislation relating to nationality had been amended, in line with article 9 of the Convention, by the 1992 Constitution and by the Personal and Family Code.

10. Considerable efforts had been made to ensure equal opportunities in the sphere of education as required under article 10, in terms of school admissions, subjects and training. However, further efforts were needed and were being made in the context of the Education for All programme.

11. Reforms introduced to social legislation since 2006, in addition to the international conventions ratified by Togo, had substantiated the principle of gender equality in employment, in line with article 11. Recent legislation on the free trade zone prevented discrimination by employers against women working in that sector. A related collective bargaining agreement was being finalized. The real obstacles to equality were established customs and practices; sustained action against them was required to ensure respect for the legal framework. The Government had commissioned a study on which a plan of action to tackle those obstacles would be based. New employment, labour and social protection policies were being developed that would address women's concerns and combat inequality.

12. In connection with article 12 of the Convention, overall health sector reforms had benefited women and men alike. Improved delivery of health services, awareness programmes and care and support for women had reduced maternal mortality, and free health care and medical subsidies had improved their access to it.

13. A national commission on maternal and child health had been established in the context of the Campaign on Accelerated Reduction of Maternal Mortality in Africa subsequently, caesarean sections had been subsidized, two national fistula campaigns had been conducted and a five-year plan for the achievement of Millennium Development Goals 4 and 5 had been drafted. All childbirth-related costs of those eligible were covered by the national health insurance scheme. Furthermore, some cross-cutting programmes, such as literacy programmes, contributed to improving women's access to health care. In 2010, the legislation on HIV/AIDS had been amended to incorporate a gender- and human rights-based approach and antiretroviral drugs had been provided free of charge since 2008. The prevention of mother-to-child transmission was essential.

14. In principle men and women had equal access to the benefits and other facilities specified under article 13 of the Convention. The difficulties that women encountered in practice were due to social and cultural factors, the bureaucratic banking system and the fact that interest rates charged by microfinancing mechanisms, which frequently targeted women, could be high. Some private enterprises and the Government made equipment and

tools available to women to protect them against situations of risk, and a project to support group economic activities had granted subsidized credit to a considerable number of women in rural areas. With regard to recreational activities, the national sports policy placed particular emphasis on women and girls.

15. In connection with article 14, various national policies, including the national policy on gender equality and equity, paid particular attention to rural women, who constituted the majority of the population. The autonomy of that group was essential to combating poverty; therefore, a raft of measures had been introduced to facilitate their access to resources, including water.

16. The new Family Code enshrined the principle of equality. In conformity with article 15 of the Convention, men and women had full and equal capacity to conclude contracts of all kinds, in addition to freedom of movement. The principle of equality in marriage set forth in article 16 was enshrined in the new Personal and Family Code, which, moreover, had been brought into line with the Children's Act concerning the age of marriage. The new Code gave women various rights, including equal parental authority with men in respect of their children. In addition, it gave a surviving spouse the right to refuse to take part in degrading mourning rituals, without consequences for inheritance and prohibited levirate and sororate marriage.

17. In conclusion, she expressed the hope that the international community would support Togo in overcoming the remaining significant challenges, as much as at stake.

#### *Articles 1 to 3*

18. **Ms. Ameline** said that she welcomed the progress achieved by the State party and the incorporation of a number of international conventions into its legal framework, which had strengthened governance and human rights. Civil society had contributed to that progress as well as international technical assistance. Major challenges remained, however. Factors that exacerbated inequalities included the remoteness of some areas, rural dwellings and illiteracy.

19. She asked the delegation to clarify the status of the Constitution and its position on the Optional Protocol, which had been discussed at the review of the State party's previous periodic report. The Constitution did not contain a definition of discrimination. She requested further information on the main thrusts of the new Criminal Code, particularly in connection with violence, domestic violence and polygamy, and asked whether discriminatory measures persisted despite the new legislation. In addition she asked about measures to protect women against customary rites and those accused of witchcraft under national legislation. She enquired whether the State party had a legislative timetable in place, as it was necessary to accelerate change and ensure that the reform process was comprehensive, results-based and involved civil society. Lastly, she asked for further information on legislative efforts to eliminate discrimination against women in parliament.

20. **Ms. Zou Xiaojiao** said that she welcomed the news that the Government had taken strong institutional action in support of the full participation of women in public life. She requested detailed information concerning the structure and functions of, and human and financial resources available to the Ministry for the Advancement of Women. She wished to know whether the Ministry had sufficient capacity to influence policy development, what role it played in the implementation of the Convention and whether it had local branches. Were policies to eliminate discrimination against women coordinated at lower levels? In that connection, she asked for information concerning the scope and composition of the General Directorate for Gender Affairs and the Advancement of Women, and its relationship with the Ministry.

21. Furthermore, she would appreciate additional information on specific action taken by the Government to ensure that its programmes and action plans to promote gender equality were implemented, whether they were subject to monitoring and what progress had been achieved so far. In addition, she requested further information on the national policy on gender equality and clarification of the distinction drawn by the State party between the words “equity” and “equality” in the report.

22. **Ms. Dagban** (Togo) said that the draft Criminal Code placed great emphasis on discrimination. The issue of violence was addressed by current legislation, and the national strategy to combat violence of 2008 had been updated in 2012. The new Personal and Family Code represented a step forward. The changes that had been introduced in respect of the former relevant legislation were progressive, in line with the Convention. Polygamy had been retained on a provisional basis; local customs had to be taken into account in order to ensure that the new Code was acceptable to the population.

23. **Mr. Yacoubou** (Togo) said that his Government was committed to improving conditions for women. Its efforts to fulfil its international obligations sought to ensure that legislative changes kept pace with developments in society, and it pursued the same approach in respect of amendments to the Constitution and the Optional Protocol. Togo was a developing country; some changes required groundwork in order for them to take root. For example, it was necessary to address the issue of illiteracy so that legal provisions could be properly understood. Moreover, the constitutional changes that were required before certain laws could be passed required internal consensus to be built. It was a gradual process, but all of the Committee’s concerns were being taken into account. The timetable for legislative reform was necessarily held up by the upcoming elections. However, some legislation was already before the Cabinet and would soon be adopted. Parliament and civil society should be involved in any efforts concerning the establishment of a monitoring mechanism for gender equality programmes and action plans.

24. Violence was addressed in Togolese legislation. Once the draft Criminal Code was adopted, the definition of violence it contained would cover all aspects of violence, including violence against women. Monogamy was clearly defined as the norm under current legislation, but polygamy had been retained for sociocultural reasons. Efforts to reduce the number of polygamous households were directed at raising awareness among women, since their consent was required for marriage. Civil society was playing an important and active role in raising awareness nationwide with regard to such customs.

25. The terms “equality” and “equity” used in the report were not identical: the word “equality” was used with reference to quantity, whereas the word “equity” was used with reference to justice. Equality could be ensured, while equity could not. The Ministry for the Advancement of Women had a governmental framework, with decentralized regional directorates.

26. **Ms. Tebie** (Togo) said that the Ministry for the Advancement of Women, established in 2010, was supported by three technical directorates responsible for gender and women’s rights, education and training for girls and women, and women’s economic activities. The directorates operated from branch offices to ensure that women’s rights were promoted nationwide.

27. **Ms. Soukoude** (Togo) said that significant progress had been made towards changing traditional customs and practices harmful to women. The new Personal and Family Code was progressive in that it recognized certain customs, but specified that they were only applicable if consistent with human rights and the basic principles of the Constitution. The Code prohibited the customary practices of levirate and sororate, and measures had been taken to address polygamy. Marriage was monogamous by default, unless the option of polygamy was specifically requested from the outset. That change

represented progress; equality would be attained. The draft Criminal Code addressed five main aspects of violence against women: the involvement of women in armed violence; violence against pregnant women; all forms of forced marriage; degrading widowhood rites; and economic violence.

28. **Ms. Acar** said that, as a State party, Togo had an obligation to implement the provisions of the Convention without delay. Responsibility for improving the situation of women lay primarily with the Government and should not be delegated to NGOs or to women themselves. The Government needed to issue a clear signal regarding its position on the issue of polygamy and other harmful practices by passing specific laws and not waiting until society evolved to a point that women no longer accepted those practices.

29. **Ms. Zou Xiaqiao** said that the delegation had failed to respond to her request for information on the functions, staffing and budget of the Ministry for the Advancement of Women and to explain its relationship with the General Directorate for Gender Affairs and the Advancement of Women. She also enquired what measures had been adopted to implement the national policy on gender equality and equity and what mechanisms had been established to monitor its impact.

30. **Ms. Halperin-Kaddari**, noting that the State party had expressed the need to accommodate the norms and will of the people of Togo, said that the Committee wished to know who the Government viewed as the people and how the Government determined its will. Had surveys been conducted and consultations held? If so, had women been involved, or did only men and village elders speak for society at large?

31. **Ms. Šimonović** said that she wished to know how the Ministry for the Advancement of Women applied the Convention in its daily work and requested clarification of the Convention's status in the State party's legal system. In its previous concluding observations, the Committee had noted that, in Togo, the Convention on the Elimination of All Forms of Discrimination against Women had lower status than the Convention on the Rights of the Child.

32. **Ms. Patten** asked what action the Ministry had taken to ensure that members of the judiciary were trained to apply the Convention and that it was invoked in the courts. Female genital mutilation was entrenched in Togolese culture, and, according to independent sources, affected as many as 33 per cent of women in some areas. She would like to know whether any studies had been done to assess the scale of the practice and of other types of violence against women. She also requested information on the action being taken to address the needs of older women and women with disabilities.

33. **Ms. Schulz** enquired how the new Criminal Code and its penalties for discrimination would be implemented if the laws of the State party themselves were discriminatory.

34. **Ms. Ameline** said it was essential to adjust the legal framework to ensure that there was no gap between de jure and de facto equality. She requested information on the outcome of the work of the Truth, Justice and Reconciliation Commission and on the training of judges and magistrates.

35. **Ms. Dagban** (Togo) said that, to address the gap between the law and its implementation, the Government was focusing on raising awareness among the population in general and among village chiefs in rural areas in particular. Work was being done at the grass-roots level since the illiteracy rate was high in Togo.

36. **Mr. Deo Ahondo** (Togo) said that the Truth, Justice and Reconciliation Commission had recently completed its report, which contained recommendations for ensuring the rehabilitation of those physically and materially affected by the armed conflict and for strengthening the law so that those who committed crimes, even in crisis situations,

were brought to justice. The Commission's mandate had been extended to allow it to recommend the steps that should be taken to implement its recommendations.

37. In Togo there was no difference between the status of the Convention on the Elimination of All Forms of Discrimination against Women and that of the Convention on the Rights of the Child. All international treaties ratified by Togo became law, and domestic legislation had to be brought into line with the provisions of those treaties. The Constitution clearly prohibited discrimination on the basis of a person's gender, ethnic origins or convictions. There was no special law on older adults, but there was a national policy to protect them as a particularly vulnerable group. There was a special law on persons with disabilities.

38. **Ms. Esseh-Yovo** (Togo) said that the Ministry for the Advancement of Women had 80 members of staff, as well as a number of volunteers, and had both central and regional offices. Its budget in 2011 had been 108 million CFA francs, which was 0.2 per cent of the national budget. In addition it had received 110 million CFA francs under another budget. It had received 700 million CFA francs in funding for its activities in 2012. Its operating budget was 127 million CFA francs. There were several mechanisms for monitoring its activities, including a technical coordination committee, which comprised section heads, civil society and representatives of the private sector, and an autonomous national gender and development observatory.

39. **Ms. Tebie** (Togo) said that a study had been conducted on female genital mutilation in 2008 and again in 2012, and that a study of gender-based violence had been performed in 2010. The results were used as the basis for the strategies developed to eliminate violence against women and protect their rights.

40. **Ms. Azambo** (Togo) said that there were two directorates for protecting persons with disabilities and the elderly. Togo had ratified the Convention on the Rights of Persons with Disabilities and national legislation was being reviewed with a view to incorporating its provisions. Older persons were supported through grants programmes that raised the living standards of families in general. Special attention was being given to ensure access to education for children with disabilities, especially girls, who were particularly vulnerable.

41. **Ms. Soukoude** (Togo) said that justice officials were being trained to apply the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. Modules on human rights and gender issues had been incorporated into the initial training programmes given to trainee justice officials, and ongoing professional development programmes had been arranged for lawyers, court clerks and magistrates as well.

42. **Mr. Yacoubou** (Togo) said that the fact that Togo had ratified the Convention without reservations was a clear demonstration of its determination to move forward with women's rights. The Government was having difficulty implementing the provisions of several international treaties, however, due to the prevailing attitudes and mindset of the population; not all the people of Togo were on the same page as the Government. Efforts therefore focused on raising awareness to gain support for the necessary legal changes. The Government would appreciate the Committee's assistance on how to proceed more quickly with the implementation of the Convention and its Optional Protocol. The Government was extremely grateful to the NGOs, but was well aware that the State was primarily responsible for protecting and promoting women's rights in Togo. There was no lack of will on the Government's part: it wished to move forward quickly, but had to do so surely.

#### *Articles 4 to 6*

43. **Ms. Schulz** said that the measures described in paragraphs 117 to 123 of the State party's report on the enhancement of equality between men and women, were not all

temporary measures, referring in that connection to the Committee's general recommendation No. 25 to indicate how temporary special measures should be applied to overcome obstacles to equality. She asked whether the State party would like help with training public officials in the implementation of such measures. She requested information on the bill on quotas, specifically on which authorities at what level were involved in drafting the bill, how the quota system would work and what the timeline was for the bill's passage into law. It seemed that an opportunity had been missed in the decentralization of authority in Togo to guarantee the political participation of women in all parts of the country.

44. **Ms. Acar** requested information on the results of the studies and awareness-raising campaigns conducted by the Government. The Committee wished to understand the link between its strategies and the studies on which they were reportedly based. The fact that the legislature had refrained from recognizing polygamy as an infringement on women's rights was a source of concern to the Committee, and she would like to know when the bill on the subject would be passed into law. Good policy was always based on good statistics, and she asked the delegation to provide the Committee with data on all harmful practices, including female genital mutilation, early, forced, levirate and sororate marriages, and bondage. Having laws that prohibited practices such as female genital mutilation and child marriage, on the one hand, and a criminal code that failed to penalize them, on the other, perpetuated those harmful practices. They should be abolished without delay.

45. **Ms. Awori** said that no specific data on violence against women had been provided in the State party's report. Other sources, however, reported that violence against women, both in the form of domestic violence and sexual violence, including rape and incest, was common. In addition, despite the adoption of the Children's Code, the harmful practices of female genital mutilation and forced marriage persisted. The Committee wished to have complete data, both figures and trends, on all forms of violence against women, as well as information on the measures taken to combat that violence, such as the provision of shelters for victims, and on the impact of the 2008 national strategy to combat violence against women. The Committee was concerned about the delay in the adoption of the new Criminal Code, which criminalized rape and other crimes of violence, and the law on violence against women. Togo had an obligation to bring its legislation into line with the international treaties it had ratified, and information on the steps being taken to expedite the process would be appreciated.

46. **Ms. Gabr** said that she had noted the State party's ratification of the Palermo Protocol and the introduction of a law on trafficking in children. She would, however, appreciate clarification regarding the status of the general bill on trafficking drafted by a consultant, which had not been approved. While consultants could be useful, she noted that they might also be costly. Information on provisions in the bill for victims' rights would also be appreciated.

47. She requested further details of the study on trafficking undertaken in cooperation with the International Labour Organization (ILO). The study could provide a basis for the national plan to combat human trafficking, on which she would also welcome more information. Likewise information on the national commission to combat trafficking would be useful. She asked whether domestic labour was a factor in trafficking and whether trafficking was prevalent in rural areas.

48. **Ms. Dagban** (Togo) said that note had been taken of the need to use temporary special measures where appropriate and that such measures were already in place in a variety of fields. One example was in the field of education, where school fees had been lowered for girls in order to encourage poor families to enrol girls in school, rather than only enrolling boys.



49. **Ms. Esseh-Yovo** (Togo) said that the bill on quotas covered posts in the administration and the public sector, as well as posts for elected representatives. The aim was to ensure that one third of party lists consisted of women, which would be achieved by reserving two thirds for men and women respectively, with the remaining third exclusively for women (since women had previously not participated in great numbers) or a mixture of men and women, as agreed by consensus.

50. **Ms. Dagban** (Togo) said that Togo would welcome a programme to train officials in the application of temporary special measures. Regarding violence against women, there was a comprehensive programme to combat early marriage and the International Day of the Girl Child was used to raise awareness of the issue. The Personal and Family Code addressed the matter by setting the marriageable age at 18.

51. **Ms. Tebie** (Togo) said that gender-based violence was prevalent in all regions of the country and took many forms, including institutionalized violence and sexual violence. A study from 2010 had revealed that rates of early marriage were almost twice as high in rural areas as in urban areas, although the number of early marriages in general was decreasing. Overall, the percentage of girls being subjected to female genital mutilation was also falling and was currently estimated at 2 per cent.

52. **Mr. Yacoubou** (Togo) said that the law on quotas would address women's public participation at both national and local levels. Legislation on the general status of women had been adopted to address gaps in legislation and bring it into line with the international obligations of Togo. He clarified that the Criminal Code had not been amended in either 2009 or 2011, but said that there were plans to modernize the justice system and therefore to amend the Criminal Code and the Code of Criminal Procedure. Contradictions between the more recent Children's Code and the Criminal Code were due to the age of the latter, which had been enacted in the 1980s. Many of the older pieces of legislation in force were similarly due for review.

53. **Ms. Azambo** (Togo) said that there was an extensive programme to care for the victims of violence. The most striking change in Togo regarding violence against women and children, previously a taboo topic, was that the issue had gained public visibility. It was becoming more common for the relatives of victims to report acts of violence against girls and to have recourse to judicial proceedings in cases of rape. The change in behaviour indicated a climate of confidence in which women felt able to address problems openly.

54. In cooperation with civil society partners, the Government had introduced a telephone hotline allowing victims of violence to report the offence without delay. A programme had been introduced to help doctors understand their role in the legal proceedings for cases of violence, and the University of Lomé was training psychologists to increase the availability of psychological support. Care for victims in general was available at the University Hospital Centre in Lomé and included social, psychological and legal support.

55. Trafficking in women and children in rural areas was of particular concern and was addressed in the law on trafficking being prepared, which focused on all aspects of trafficking in persons. A study on child labour had exposed the situation of girls involved in domestic work and led to the establishment of a committee to coordinate action for child domestic workers and to devise programmes that would help girl domestic workers in particular. A national plan to combat child labour was also in place.

56. **Ms. Esseh-Yovo** (Togo) said that a strategy paper had addressed the issue of combating violence against women in 2008. The strategy would prevent violence against women by raising general awareness of the problem and strengthening the relevant legal framework. The various aims of the strategy included reducing the economic and social problems related to domestic violence, fostering a legal and political environment

favourable to ending violence against women, and bolstering women's rights and their place in society.

57. **Ms. Murillo de la Vega** said that, while she welcomed the criminalization of incest in the Children's Code, no sanction for the crime was provided for in the Criminal Code and she wished to know the time frame envisaged for reform of the relevant provision. She asked whether any of the many campaigns on violence against women referred to by the delegation were targeted at men. Noting that early marriage was a form of violence against women, since it could lead to serious health problems in young girls, she suggested that early marriage should be included as a form of violence in the State party's future reports.

58. **Ms. Gabr** asked for information on the legal status of the bill on trafficking. She also requested information on plans to establish a national commission to combat trafficking, its membership and funding.

59. **Mr. Yacoubou** (Togo) said that, although the Government would support the bill on trafficking and hoped to accelerate its adoption, it was unable to say when it was likely to be adopted since the National Assembly determined the calendar for legislative reform. Once adopted, bills automatically became law and were immediately applicable, which would also be the case with the law on trafficking.

60. Awareness-raising campaigns on violence against women were indeed targeted at men, because men tended to be the perpetrators of violence, and women the victims.

61. **Ms. Azambo** (Togo) said that the mandate of the national commission to combat trafficking was yet to be determined but would include facilitating the prosecution of traffickers and support for victims. Although a commission for children had already been set up, under the Palermo Protocol a general commission to combat trafficking was required to support all victims of trafficking. A particular problem regarding trafficking in children was that relatives were often accomplices to the offence and measures were therefore required to assist children during the legal proceedings.

62. The bill on trafficking under consideration addressed both domestic and transnational trafficking, and protection for both victims and witnesses of trafficking. Criminal penalties also needed to be established in order to complement the provisions of the Children's Code.

63. **Ms. Dagban** (Togo) said that the rape and early marriage of young girls was a cause for concern and her delegation would welcome any suggestions on tackling the problem.

#### *Articles 7 to 9*

64. **Mr. Bruun** said that, evidently, little progress had been made in terms of women's participation in public life since the consideration of the State party's previous report in 2006. He asked how long the bill on quotas had been pending, what its present status was and whether it had strong Government support. He wished to know whether the bill would improve women's representation more broadly, such as in the public sector or in the judiciary, or would only impact on women's political representation through elections. He would be interested to know how the law on quotas would affect elections and when the next national elections would take place. Data on the number of female Togolese diplomats would also be appreciated.

65. **Ms. Schulz** asked for clarification of whether amendments to legislation meant that divorce never resulted in loss of nationality or whether there was still the risk that women might lose their Togolese nationality upon divorce. Furthermore, she asked whether legislation differentiated between the situation of a Togolese man marrying a foreign woman and a Togolese woman marrying a foreign man. She would also welcome

clarification of the situation for both sexes regarding the acquisition of nationality through marriage and from parents.

66. **Ms. Dagban** (Togo) said that, although women were poorly represented in decision-making positions, the Government was committed to accelerating women's participation and some positive progress had already been made. A poverty reduction strategy paper for the period 2013–2017 was due to be adopted and contained a number of measures to encourage women in sectors where they were poorly represented. The law on quotas had already been adopted on first reading by the Council of Ministers.

67. **Mr. Yacoubou** (Togo) said that the law on quotas had initially been drafted in 2010 but had not yet been adopted due to the current political situation in Togo, where the Government was unable to make such decisions and relied on the political parties to put forward candidates. The Government had appointed women to posts of responsibility, which was relatively easy to do, but in elections political parties were unlikely to put forward female candidates unless it was clear that they would win. Public awareness of the issue was of key importance, since political parties would follow suit if women became more involved and interested in politics. It was important to take the situation on the ground into consideration when introducing new legislation.

68. The law on quotas would have an impact on the administration at all levels. Women could not be forced into decision-making positions, however, capable women could be invited to take up such roles. The Constitutional Court would announce the date of the next legislative elections and he was therefore unable to comment further on the matter.

69. The law on nationality did indeed contain discriminatory provisions but, since the amended Constitution took precedence over domestic legislation, discrepancies between the situation of men and women with regard to nationality had in practice been eliminated.

70. **Ms. Dagban** (Togo) said that women tended to hesitate to accept posts in the public sector and training was therefore required to make women more aware of the opportunities available. The Government intended to draw up a list of women eligible for senior posts and was open to the advice of the international community on improving women's representation in decision-making positions.

71. **Ms. Belmihoub-Zerdani** asked for figures on the number of women currently represented in the different levels of the judiciary and what percentage of the membership they accounted for. Similarly, how many women represented Togo in its foreign embassies?

72. **Mr. Bruun** asked what assurances could be given that the Constitutional Court would take the State party's obligations under the Convention into account when scheduling the legislative elections and wished to know more about the specific issue related to the elections being considered by the Court.

73. **Ms. Schulz** asked whether there was any time frame for ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. Despite the fact that the Constitution took precedence over domestic legislation, there were a number of discrepancies between men's and women's rights relating to marriage and divorce that should be addressed, particularly regarding the use of surnames and transfer of nationality.

74. **Mr. Deo Ahondo** (Togo) said that the Personal and Family Code was under review and that while the Constitution established equality in respect of the acquisition of nationality, in practice, children generally acquired nationality through their mother. All discriminatory provisions relating to nationality would be addressed by the review of the Code.

75. Although divorce was not a reason for the loss of nationality, certain situations might lead a judge to the conclusion that nationality should be removed, and in that respect it remained a possibility. While the law might appear to favour the husband over the wife, it was important to assign a head of household, which did not detract from the equality of husbands and wives. As the head of a household, the husband assumed certain obligations and legal action could be taken against him if he failed to fulfil them.

*The meeting rose at 1 p.m.*