



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### **Combined fifth and sixth periodic reports submitted by Togo under article 44 of the Convention, due in 2017\***

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\* The present document has not been formally edited.



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## Introduction

1. Togo ratified the Convention on the Rights of the Child on 1 August 1990.
2. Pursuant to article 44 of the Convention, Togo presented its combined third and fourth periodic reports on the implementation of the Convention to the Committee on the Rights of the Child on 23 January 2012 at the Committee's fifty-ninth session. The Committee adopted its concluding observations on 3 February 2012.
3. Togo ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 22 June 2004. It presented its initial report at the Committee's 1681st meeting, held on 24 January 2012 (CRC/C/SR.1681). The Committee adopted its concluding observations on 3 February 2012.
4. The present document, which contains the combined fifth and sixth reports of Togo, was prepared in accordance with the relevant guidelines through a participatory and inclusive two-stage process. The first stage involved the collection of information from various actors. The second stage involved workshops for the technical validation of the report held by the Interministerial Commission for Reporting and Follow-up to Recommendations on Human Rights, an enrichment workshop held by the Resource Persons Select Committee and a national validation workshop involving the National Human Rights Commission, other State institutions, children's associations and groups, and civil society organizations working in the field of human rights, especially children's rights.
5. The reports comprise the following two parts:
  - (a) Legislative, administrative and other measures taken in response to the Committee's recommendations;
  - (b) Implementation of the Optional Protocol on the sale of children, child prostitution and child pornography.
6. The reports contain information on the specific measures taken to give effect to the Committee's recommendations and observations and to implement the Convention. They refer to the allocation of budgetary resources by the State and the input from partners. They also cover statistical data, challenges and future prospects.
7. It should be noted that there are some shortcomings in the collection of statistical data in Togo and that, where such data exist, they are not disaggregated to the extent stipulated in the guidelines. The statistics in the reports are therefore provided for illustrative purposes only.

## I. Legislative, administrative and other measures taken in response to the Committee's recommendations

### A. General measures of implementation (arts. 4, 42 and 44 (6) of the Convention)

#### Previous recommendations of the Committee

##### (a) Coordination

8. Strengthening coordination in the area of children's rights has been a priority for the Government and its technical and financial partners. Between 2012 and 2017, several measures were taken, including:
  - The issuance of Order No. 028/MASPFA/CAB/SG of 5 October 2016 on the creation, responsibilities and functioning of the National Framework for Consultations on Child Protection. The Framework is represented at the regional and prefectural levels and is made up of representatives of government departments, civil society organizations and technical and financial partners. It facilitates the operational coordination of child protection initiatives at all levels.

- The establishment of a unit for the coordination of health, food and nutrition programmes in schools within the Ministry of Primary and Secondary Education in 2014.

(b) *Data collection*

9. The system for the annual collection of data on vulnerable children was introduced in 2011 and has allowed for the creation of the Child Protection Dashboard. It is based on key indicators approved by all members of the National Framework for Consultations on Child Protection.

(c) *Birth registration*

10. A technical committee on civil registration was established on 18 April 2018 to take stock of the situation, define the roles of the various actors that issue or make use of civil status certificates, and submit proposals to the supervising authorities. Its members were appointed by Decree No. 2018-132/PR of 28 August 2018 and took up office on 12 February 2019.

11. One of the aims is ultimately to put in place a system for issuing birth certificates to all Togolese persons and therefore to register all births.

12. The committee held consultations with actors involved in civil registration in the regional capitals from 4 to 6 April 2019. These actors included traditional leaders, members of cantonal development committees, representatives of parents, health workers and civil registry officers.

13. Other initiatives undertaken to promote civil registration include:

- The organization of a national workshop on the progress made in implementing Act No. 2009-010 of 11 June 2009 on the Civil Registration System, in March 2018
- The dissemination of Act No. 2009-010 by civil society organizations between 2012 and 2015
- The completion of a study entitled “Analysis of the national birth registration system in Togo”, along with a strategic plan for 2013–2017, in 2012. The implementation of the plan has had a positive impact on the systematic birth registration rate in the Bassar, Doufelgou and Haho Prefectures. This rate increased from 56 per cent in 2015 to 74.1 per cent in 2017.

(d) *Practices that discriminate against girls and children with disabilities*

14. Several measures have been taken with the support of technical and financial partners:

- The improvement of the legal framework through the adoption of the new Criminal Code and amendments to the Persons and Family Code. Article 305 of the new Criminal Code states that “any discriminatory act is punishable by 6 months’ to 2 years’ imprisonment and a fine of 500,000 to 2 million CFA francs or either one of those penalties”.
- The implementation of the national programme to combat teenage pregnancy and early marriage in school and out-of-school settings, from 2015 to 2019
- The production of a documentary entitled *Married Too Soon*, on the consequences of discrimination against girls and the impact of early marriage on children’s well-being, in 2013
- A survey of gender-based violence in schools in 2014, followed by the organization of regional forums in 2015
- The implementation of phases 1 and 2 of the “Educate Differently” project by the Togolese National Coalition for Education for All and BØRNEfonden to raise awareness among teachers, supervisory staff, students and other actors in the field of education of the need to protect children’s rights, the harmful effects of corporal

punishment, and the use of positive and non-violent disciplinary methods in classroom management

- A study on gender-based violence in schools carried out by the Ministry of Education in 2014
- The establishment of an intersectoral thematic group to combat violence in schools in 2014
- The development of a standardized teacher training manual on gender-based violence and the establishment of a coordination committee on the subject in 2015
- The training of teachers in two regions, Plateaux and Savanes, on a pilot basis
- Participation in the multi-country pilot project under the “Eliminating Gender-Based Violence in Schools” initiative
- Targeted awareness-raising based on Christian, Muslim, cultural and traditional guidance on gender-based violence
- A study on the causes of and possible ways to address gender disparities in the primary school teaching force in Togo, carried out in May 2015
- The development of a standardized teacher training manual on combating violence in schools in 2016 and the piloting of this manual in two education regions, Plateaux and Savanes
- A scoping study on violence in schools, conducted in 2016. This was an intercountry evidence-based study conducted on a pilot basis with a view to sharing information about violence in schools and seeking solutions.
- The establishment of a committee responsible for monitoring the inclusion of persons with disabilities in Togo by Order No. 030/2016/MASPFA/CAB of 4 November 2016
- The implementation of the action plan to increase access to the labour market for persons with disabilities
- The approval of the inclusive education training manual by Order No. 048/MEPSA/CAB/SG of 11 May 2012
- The provision of specialized teacher training to improve the management and integration of children with disabilities in all regions
- The provision of training in inclusive education to 243 teachers and 1,200 trainee teachers in the Savanes and Kara regions
- The piloting of inclusive education with the support of Handicap International and the Togolese Federation of Associations of Persons with Disabilities in the Savanes and Kara regions
- Measures to ensure that inclusion is taken into account in technical and vocational training programmes
- Measures to ensure that the registration forms for national examinations and the examinations themselves are inclusive
- An annual budget allocation of 90 million CFA francs (CFAF) to special schools since 2012

(e) *Harmful traditional practices*

15. Harmful traditional practices persist in some communities, despite the existence of a national legal framework that addresses some of these practices. The following initiatives have been undertaken:

- A national study entitled “Situation analysis focusing on traditional practices that are harmful to children, including infanticide, early marriage, the placement of children in convents and the issue of so-called witch children” was conducted in 2012. It was accompanied by a behavioural change communication strategy. The study contained

a strong recommendation that community leaders and children should be involved in the action taken to combat these scourges.

- Traditional and religious leaders demonstrated their commitment by signing the Notsè Declaration on 14 June 2013 and an additional declaration on child marriage in March 2016.
- Priests and priestesses have conducted awareness-raising campaigns on children's rights within their communities, and unannounced visits to convents have been carried out.
- Awareness-raising on traditional practices that harm children, including children with disabilities, was carried out on the Day of the African Child in 2013, reaching 46,194 people.

16. These initiatives led to the following developments between 2014 and 2017:

- A reduction in the length of time spent by children in convents, from three years to three months during the vacation period, and greater compliance in this area
- The early release from voodoo convents of 486 children, of whom 315 were released at the request of their parents

(f) *Economic exploitation*

17. As part of its efforts to combat the economic exploitation of children, the Government implemented the National Project to Combat Child Labour through Education from 2010 to 2014, with financial support from the Department of Labor of the United States of America.

18. Twelve action programmes have been developed with technical support from the International Labour Office and civil society partners. These programmes have benefited approximately 12,000 children in situations of economic and sexual exploitation. They have also served to strengthen community-based mechanisms for protecting children from child labour.

19. These programmes include:

- An action programme aimed at protecting 500 at-risk children, especially girls, through social mobilization, awareness-raising, capacity-building through training, and the direct involvement of the target population: under the programme, 225 girls under 15 years of age who were street vendors in the commune of Lomé and in five villages of the Maritime Region (Gamé-Séva, Melly-Domé, Havé, Davédi and Awavé) were removed from this work and reintegrated into society.
- A programme for building the capacities of community organizations helped to protect 1,800 vulnerable children from hazardous agricultural work by ensuring that they were removed from such work and reintegrated into society, in five regions (Maritime, Plateaux, Centrale, Kara and Savanes) and seven prefectures (Zio, Moyen-Mono, Ogou, Tchamba, Dankpen, Tone and Kpendjal).
- A protection and school enrolment programme: under this programme, 200 children were removed from domestic employment in the city of Lomé and a preventive mechanism was put in place for the benefit of 300 at-risk children in Sotouboua, Blitta and Agou.
- A programme aimed at building the capacities of schools to prevent child labour: its goal was to protect 900 children, half of whom were girls, from hazardous work and child trafficking in five rural towns, namely Adétikopé, Kpindele, Modoukou, Tapoune and Kolbigue.
- A support programme to protect at-risk children from trafficking through an increase in their families' income: this programme reached 500 child victims and their families, including 250 vulnerable girls, in the prefectures of Yoto, Anié and Mô and in the villages and towns of Sikakondji, Tokpli, Anié-Centre, Kolokopé, Dotè, Kpendèlè, Oké-Adogbénou, Djarkpanga and Tindjassi.

- A programme for the establishment of mechanisms to prevent children from working as porters led to the removal and reintegration of 625 children working as porters in the markets of the city of Lomé.
- A programme for the protection of children from commercial sexual exploitation: under this programme, assistance was provided to 100 girl victims of commercial sexual exploitation in the commune of Lomé.

20. Under the child labour observation and monitoring system, labour inspectors monitor the application of the relevant legislation in companies, in sand and gravel quarries and, increasingly, in the informal economy.

21. An apprenticeship code that would regulate the employment of children as apprentices was approved by the National Labour Council in 2015 but has not yet been adopted.

(g) *Administration of juvenile justice*

22. Several measures have been taken in the area of juvenile justice, namely:

- The establishment of juvenile courts in all regional capitals and within category two courts
- The appointment of children's judges in all jurisdictions of Togo between 2012 and 2016
- The organization of capacity-building training on restorative juvenile justice for 37 members of the judiciary, 66 criminal investigation officers, 10 clerks and 50 prison guards

**Recommendation 10: Legislation**

23. This recommendation is taken into account in the proposed revision of the Children's Code.

24. In accordance with article 454 of the Children's Code, a national committee on the rights of the child has been set up.

25. Act No. 2012-014 of 6 July 2012 establishing the Persons and Family Code was amended in 2014, as was Act No. 2015-010 of 24 November 2015 establishing the new Criminal Code.

26. Under the new Criminal Code, the fact that the victim is a minor is considered an aggravating circumstance. Unlike the Children's Code, which provides for a prison term of 2 to 5 years and a fine of CFAF 1 to 5 million for perpetrators of child trafficking, the new Criminal Code provides for a prison term of 20 to 30 years and a fine of CFAF 20 to 50 million in such cases.

27. The sexual exploitation of children in prostitution is also punishable under the Code, which establishes a penalty of 5 to 10 years' imprisonment and a fine of CFAF 10 to 30 million for procuring a minor (art. 405).

28. Modules have been developed for inclusion in the training provided to law enforcement and justice system officials, including the police and security forces and the judiciary.

29. In order to ensure that these modules were incorporated into the training given to criminal investigation officers, the Ministry of Security and Civil Defence issued Order No. 0235/MSPC-CAB of 8 November 2013 on the permanent inclusion of a compulsory course on children's rights and child protection in the training curricula for the police and the national gendarmerie. Since then, 2,002 police officers and 2,600 gendarmes have taken the course.

30. In addition, a reference document entitled "National Guidelines on Juvenile Justice in Togo" has been drawn up for the relevant actors.

31. Capacity-building on the implementation of the Children's Code has been organized for criminal investigation officers, members of the judiciary, lawyers, notaries and health

workers. Between 2012 and 2015, 720 criminal investigation officers and 960 social workers attended training sessions on children's rights and child protection that were organized in all six regions of the country with financial support from the United Nations Children's Fund (UNICEF).

32. During the same period, 126 criminal investigation officers, 100 social workers, 80 prison guards, 40 members of the judiciary and 15 clerks received training on various topics relating to restorative justice for minors.

#### **Recommendation 12: Coordination**

33. The National Committee on the Rights of the Child was established pursuant to Decree No. 2016-102/PR of 20 October 2016 on the composition, organization and functioning of the National Committee on the Rights of the Child. This decree provides for the Committee to receive a specific budget allocation in order to ensure its independence.

#### **Recommendation 14: National plan of action**

34. The draft national child protection policy of 2008 became obsolete and could not be adopted. A new national policy on child welfare for the period 2019–2030 has been drawn up with a view to securing, by 2030, the well-being of all children without discrimination, in a protective environment where the State, families, communities and civil society organizations perform their roles effectively in order to ensure sustainable development.

35. As regards incorporating child protection into strategic documents, it should be noted that the third strategic focus of the National Development Programme, which concerns the consolidation of social development and the strengthening of inclusion mechanisms, covers aspects relating to the health, education, protection and vocational training of children, through its outcomes 1 to 4.

#### **Recommendation 16: Independent monitoring mechanism**

36. Between 2011 and 2016, the number of administrative staff employed by the National Human Rights Commission increased from 52 to 64.

37. The Commission's budget has also risen steadily, from CFAF 250 million in 2013 to CFAF 280 million in 2014, then to CFAF 350,680,000 in 2017.

38. Following the Committee's recommendations, the Commission, in collaboration with the Forum of Organizations for the Defence of Children's Rights in Togo and Plan International Togo, has drafted a plan to set up a complaints mechanism for children.

39. The plan provides for the creation of a child rights division responsible for investigating violations of children's rights. It establishes who is entitled to submit complaints to the division, how such complaints are to be submitted, how their admissibility is to be determined, how they are to be investigated, how the implementation of the resulting recommendations is to be monitored and what forms of appeal are available. The draft plan will be approved during a workshop in preparation for its implementation.

40. Between 2013 and 2017, the Commission organized 45 activities to raise awareness of children's rights among students and teachers in primary and secondary schools. These activities involved nearly 20,000 children and helped teachers to better understand their responsibilities towards their students.

41. For the moment, the National Human Rights Commission has not requested technical support in this area from the Office of the United Nations High Commissioner for Human Rights or UNICEF.

#### **Recommendation 18: Allocation of resources**

42. The budget allocated by the State to child protection more than doubled between 2012 and 2017, from CFAF 6,878,646,000 in 2012 to CFAF 15,450,612,000 in 2017. (See the annex for more details.)



43. The Government does not currently follow a child rights-based approach to budgeting. However, it is trialling a programme budget that will make it possible to link investments to public policies.

44. At present, the Government allocates funding by government department rather than by sector. The programme budget will make it possible to earmark allocations for children's rights.

45. Strategic budget lines for children in disadvantaged or vulnerable situations do exist, but they need to be strengthened. For 2017, they are as follows:

	<i>Amount (CFAF)</i>
Tokoin nursery	20 000 000
Orphanages and rehabilitation centres	45 000 000
Terre des Hommes Oasis Centre for lost children	50 000 000
Envol Medical and Psychosocial Centre	70 000 000
Togolese Federation of Associations of Persons with Disabilities	20 000 000
Provision of care to child trafficking victims	18 000 000
Committee on the Adoption of Children from Togo	20 000 000
SOS Children's Villages	12 500 000
Dapaong Children's Hospital	20 000 000
Project to support maternal and child health and nutrition services in Togo (UNICEF grant)	3 185 640 000
Child survival and development (UNICEF)	2 209 200 000
Caesarean section subsidy	1 058 000 000
"Reach Every Child" approach to vaccination	50 000 000
School canteens	1 000 000 000
Cash transfer to poor households	750 000 000
Support for free schooling	1 920 000 000
Denominational primary education	3 500 000 000
Denominational secondary education subsidy	400 000 000
Additional denominational education subsidy	850 000 000
Support for special schools	25 000 000

See the information on the High Authority for Preventing and Combating Corruption and Related Offences in the common core document.

See paragraph 18 (c).

#### **Recommendation 20: Data collection**

46. The system for the annual collection of data on vulnerable children introduced in 2011 with technical support from the National Institute of Statistics and Economic and Demographic Studies has allowed for the creation of the Child Protection Dashboard. The Dashboard shows administrative data collected from the ministries responsible for social action, health, education, security and justice and from civil society organizations working in child protection.

47. The indicators used relate to topics such as birth registration, child victims of violence, abuse and sexual exploitation, abandoned children, children in conflict with the law, and victims of child trafficking and child labour. The data are disaggregated by sex and place of residence (urban or rural).

48. The annual publication and dissemination of the Dashboard scorecard enables the Government, international institutions and non-governmental organizations to assess the extent of the problems to be addressed and to take appropriate preventive and other measures to improve the care provided to children.

**Recommendation 22: Dissemination and awareness-raising**

49. The celebration of days dedicated to human rights in general and child rights in particular serves as an opportunity for awareness-raising, including among children, to disseminate and promote the Convention and other instruments concerning children to which Togo is a party. Various public awareness-raising campaigns were conducted between 2013 and 2017. The actors involved included people working in the area of human rights and the protection, promotion and defence of children's rights; civil society organizations working to ensure the well-being of orphans and vulnerable children; parents, guardians, students and teachers; out-of-school children; administrative, military, religious and traditional authorities; the media; neighbourhood development committees; and women's groups.

50. In addition to these campaigns, other channels are used for dissemination and awareness-raising, namely radio broadcasts, group discussions, training workshops and capacity-building exercises.

51. Children's rights are included in the civic and moral education curricula taught in primary and secondary schools.

**Recommendation 24: Training**

52. Between 2012 and 2017, the following training courses were organized:

- Training on alternatives to violent teaching methods was provided to 2,931 teachers and school principals, and a teaching unit on that subject was incorporated into the curricula used at the secondary-school teacher training college and the National Institute for Youth and Sport as from the 2016/17 academic year.
- Training that promotes non-violent methods of education was provided to 47 inspectors, educational advisers and school administrators.
- Training on non-violent methods of education was provided to 3,040 teachers and members of parent/teacher associations, of whom 801 were women, in the Centrale and Plateaux regions, with the assistance of Plan International Togo. Training was provided to 269 social workers from the public and non-profit sectors on: personalized support and monitoring following the reintegration of children; the provision of care and the referral of children; listening, diagnosis, orientation and gender; individual case management; and foster care.
- Training was provided to 120 members of foster families on family-based care for child victims and vulnerable children; child-rearing and parenting; and caring for child victims of violence.
- Training was provided to 40 legal professionals (members of the judiciary, notaries and lawyers) and social workers on the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption; the adoption procedure; investigations by the welfare authorities; and support for adoptive families.
- Training was provided to 130 health professionals on the content of the Convention and other instruments concerning children; medical and psychosocial care; and their role in the judicial process in cases of abuse, exploitation and violence against children.
- Training on the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) was provided to 66 criminal investigation officers, 25 members of the judiciary, 10 clerks and 50 prison guards.
- For information on training for the police and security forces, see paragraph 10 (d).

**Recommendation 26: Cooperation with civil society**

53. In Togo, civil society organizations, including human rights organizations, are systematically involved in addressing all issues relating to child protection. They are represented on the National Committee on the Rights of the Child and in the National Framework for Consultations on Child Protection. They are also involved in the preparation

and production of documents and the implementation of projects, programmes and policies concerning children.

**Recommendation 28: Child rights and the business sector**

54. Mining companies are prohibited from using child labour by the relevant mining agreements. There is a new development and mining governance project that takes into account this issue and protects children from being used for mining work.

**B. Definition of the child (art. 1 of the Convention)**

**Recommendation 30**

55. The legal age of marriage is harmonized across Togolese legislation, including in the Children's Code and the Persons and Family Code, which set this age at 18 years. The proposed revision of the Children's Code includes the repeal of article 21.

**C. General principles (arts. 2, 3, 6 and 12 of the Convention)**

**Recommendation 32: Non-discrimination (art. 2)**

56. The Persons and Family Code was adopted in 2012 and revised in 2014 to, among other things:

- Ensure shared management of the household by the husband and wife (the husband is no longer the sole head of the family) in the common interest of the household and children (art. 99)
- Promote improved protection for children in terms of inheritance without discrimination in the event of the death of one parent (art. 414)

57. In order to prevent discrimination, the new Criminal Code devotes an entire paragraph to discrimination against women, adopting in its article 311 the definition of discrimination as enshrined in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women.

58. Article 313 states that: "Any person who prevents or prohibits a woman, on the grounds of her sex, from having access to land and the means of production and development, or hinders her freedom of movement or freedom to join and participate in meetings of associations, is punishable by a prison term of 6 months to 2 years and a fine of 500,000 to 2 million CFA francs, or one of these two penalties."

59. With regard to the right to child support without discrimination, the proposed revision of the Children's Code includes an amendment to article 248.

60. There is not yet a monitoring mechanism to modify and eliminate negative attitudes and practices. Nevertheless, community dialogues have been established with community and religious leaders to progressively change harmful behaviours.

61. All actions are carried out in collaboration with civil society actors involved in women's and children's issues, with the close involvement of children's organizations such as the National Children's Advisory Council.

62. Gender focal points have been created in all ministerial departments to ensure a gender dimension in sectoral policies.

63. In the absence of a monitoring and evaluation mechanism, activities in support of children periodically undergo inspections in the field.

**Recommendation 34: Best interests of the child**

64. The principle of the best interests of the child is increasingly taken into account in sectoral policies and administrative and judicial procedures.

65. As for the precise definition of the best interests of the child, recommendation 34 is taken into account in article 4 of the proposed revision of the Children's Code.

66. When it comes to legal proceedings, any intervention concerning a child is made with the best interests of the child in mind. Thus, for example, under criminal law, the minimum age of criminal responsibility is set at 14 years. Under civil law, the custody of the child is determined during divorce proceedings according to the best interests of the child as established by a social investigation (Children's Code, art. 108).

#### **Recommendation 36: Right to life, survival and development**

67. In addition to the reply outlined in 8 (e), the national integrated child protection system consisting of a helpline, an emergency shelter and a pool of foster families has been strengthened by making it possible to submit anonymous messages, so as to encourage the reporting and prosecution of the perpetrators of such practices.

#### **Recommendation 38: Respect for the views of the child**

68. In addition to the National Children's Advisory Council, there are clubs for the promotion and protection of the rights of the child, as well as student councils, in some schools.

69. In technical and vocational education establishments, there are class committees that provide a framework for expression and consultation with the school administration where students' views can be heard.

70. Training sessions have been organized to help people working with and for children to better understand the value of taking children's views into account. From 2013 to 2015, 720 social workers throughout the country took part in capacity-building activities on the principle of child participation and other issues addressed in the Convention on the Rights of the Child.

71. In 2016, with support from Plan International Togo, 60 members of the regional children's advisory councils were trained in how to monitor respect for children's rights. Activities were organized for 14,464 members of 782 children's or youth clubs to raise their awareness of various issues such as the promotion of the rights of children in general and of children with disabilities in particular, including the right to participation, the promotion of positive sexual health practices for young people, the promotion of female leadership, and the fight against child trafficking.

### **D. Civil rights and freedoms (arts. 7, 8, 13–17, 19 and 37 (a) of the Convention)**

#### **Recommendation 40: Birth registration**

72. See paragraph 8 (c).

73. See paragraph 8 (c).

74. In addition to the measures listed in point 8 (c), the opening of civil registration centres in a number of health centres and the provision of bicycles to civil registry staff by UNICEF to perform their duties are examples of good community practices that facilitate birth registration.

75. In Togo, each local authority charges the fees set by its governing body. The charge for issuing a birth certificate varies from one local authority to another, but usually ranges from 0 to CFAF 2,500.

76. In accordance with thematic area 2 of the national strategy for the promotion of birth registration, the following activities were organized between 2012 and 2017:

- Some 620 community awareness-raising sessions on the importance of birth certificates and systematic birth registration were organized in 29 cantons: they were attended by 23,674 people, including 12,301 women.

- Capacity-building activities were organized for 1,191 members of parent/teacher associations and village development committees, including 210 women, on the promotion of the right to an identity.
- Capacity-building activities were organized for 765 teachers, including 74 women, on the contribution of educational actors in promoting the right to an identity.

77. As part of the implementation of the pilot cash transfer programme in the Kara and Savanes regions, the registration of children's births was used as an incentive to draw people into the project.

78. To this end, cards were issued to highlight the importance of birth registration and serve as an awareness-raising tool for the populations of the towns covered by the project. The cards reached 21,500 households, which benefited directly from the project. According to the results of the related baseline study and impact study, the birth registration rate in the areas covered increased from 57.68 per cent to 71.12 per cent.

79. Access to health care and other social services for children is not limited to those who have a birth certificate. Children who were not registered at birth are issued with late registration certificates in lieu of a birth certificate.

**Recommendation 42: Right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment**

80. As things stand, only Lomé has a juvenile division. Most of the detention centres located in other cities have a juvenile wing.

81. It must be recognized that there are as yet no mechanisms for receiving complaints from children against law enforcement officers for ill-treatment during arrest, questioning and police custody.

82. However, children do have access to the helpline. They may also complain to the judge.

83. As no such complaint has yet been registered, no prosecution has been initiated.

84. Prison staff receive basic rights-based training; the specific nature of children's rights is covered in seminars and workshops given by the Training Centre for Justice Officials and in modules included in the training curricula for judicial police officers (see paragraph 10 (d)).

*Recommendation 42 (a)*

85. In some detention centres, including the juvenile division in Lomé, there is a social service that offers psychological support and social reintegration services in collaboration with partners.

**Recommendation 44: Corporal punishment**

*Recommendation 44 (a)*

86. Teachers and trainers have been and continue to be informed about and trained in the use of alternative methods of punishing children. Beating is strictly prohibited in schools and training centres.

*Recommendation 44 (b)*

87. A national strategy to eliminate corporal punishment of children and young people in Togo in households, institutions, schools and other learning environments, together with a strategic plan, was developed in 2017 with support from Plan International Togo.

88. In addition, the mechanism for reporting such practices has been improved by the introduction of a messaging service on the child protection helpline.

89. In the field of education, innovative initiatives in the use of non-violent methods of punishment are being promoted and introduced in training modules for teachers.

90. Children's and youth organizations are increasingly involved in school management. Since 2012, non-governmental organizations such as BØRNEfonden and Plan International Togo have supported the Government in the development of projects to combat violence against children in the Savanes, Kara, Centrale, Plateaux and Maritime regions. In addition to families and communities, these projects target schools and learning centres through awareness-raising and capacity-building activities. The following results were recorded:

- A total of 6,093 children, including 2,719 girls, were trained on the promotion of girls' education and the fight against violence in the Central and Plateaux regions, in the areas where Plan International Togo operates.
- A total of 775 peer educators, including 331 girls, in 29 secondary schools have been active in raising awareness among their peers and in their communities on children's rights, attitudes and life skills, and on ways to combat violence against children and young people.
- Some 619 participatory communication kits on peer education have been made available to children in school, for their activities in the field of information, education and communication aimed at bringing about behavioural change, and also to those responsible for supporting them. Student peer educators have become a channel for reporting violence in their communities.
- A total of 20,895 children and young people, including 9,550 girls, have acquired the skills and techniques they need to avoid violence.
- Some 54 trainees, including 44 girls, in three cantons have been active in raising awareness among their peers and in their communities on children's rights, attitudes and life skills, and on ways to promote violence-free learning.
- Some 60 participatory communication kits on peer education have been made available to trainee peer educators for their activities in the field of information, education and communication aimed at bringing about behavioural change.
- A total of 302 parents who are members of community organizations (parent/teacher associations, school resource management committees and mothers' groups), community leaders and local radio presenters – including 64 women – were trained.
- A total of 420 kits on protective and fulfilling education were produced and provided to teachers for activities in the field of information, education and communication aimed at the prevention and reporting of violence.

91. In addition, as part of the cash transfer programme for vulnerable populations in the Kara and Savanes regions, a total of 6,231 group discussions were organized with the people of these regions on several topics related to the protection and promotion of children's rights.

92. Some 81 radio programmes were produced to raise awareness among parents and educators about child protection and non-violence. Activities on the occasion of the Day of the African Child provided the framework for most of the programmes.

93. Promoting the participation of society as a whole, including children, in the development and implementation of strategies to prevent violence and other forms of ill-treatment is embedded in public sector practices in Togo.

94. Civil society organizations become involved through their own networks, depending on the topic in question.

95. Children participate through the National Children's Advisory Council and other children's groups set up in schools, such as student councils.

96. Members of the National Children's Advisory Council took part in national consultations which led to the signing of the Notsé Declaration and a declaration addressing child marriage. They have also been involved in the preparation of different strategic documents concerning their well-being.

97. Some campaigns and seminars on corporal punishment have also involved teachers, who have been instructed to use alternative measures to punish students. Parents have also been involved through their associations.

98. See paragraph 44 (c).

## **E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 19–21, 25, 27 (4) and 39 of the Convention)**

### **Recommendation 46: Family environment**

99. Articles 99, 102, 107, 372 and 411 of the Persons and Family Code, as amended in 2014, repeal provisions which discriminated against women and girls.

100. In order to progressively eliminate harmful practices that discriminate against women and girls in the family and which negatively impact children, training and awareness-raising workshops on gender and women's access to land were organized for prefects, traditional leaders, religious authorities, landowners and other key actors in local communities in 2013/14. These workshops helped build the capacity of 175 actors in the Savanes, Kara and Plateaux regions.

101. In addition, with the support of technical and financial partners and civil society organizations, the following actions were carried out between 2014 and 2016:

- Organization of awareness-raising sessions for men, women and community leaders on violence against women and girls
- Introduction of village and cantonal focal points to combat violence against women
- Establishment of a framework for consultation and dialogue involving the police, the gendarmerie, the justice and health sectors, traditional chiefs, religious leaders, media executives and representatives of local communities
- The launch, in 2014, of a joint initiative between the public authorities, civil society and the private sector aimed at developing a legal assistance pilot project for girls who are victims of violence

### **Recommendation 48: Adoption**

102. The harmonization of Togolese legislation with the provisions of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption is taken into account in the proposed revision of the Children's Code.

103. The registration fee for a domestic adoption application remains CFAF 240,000. Talks on reducing it are ongoing.

### **Recommendation 50: Violence against children, including abuse and neglect**

104. Articles 353–403 of the Children's Code prohibit all forms of violence against children in the family, in institutions and in the community. Article 228 of the new Criminal Code makes the status of minor an aggravating circumstance for the crime of violence. Cases of violence committed against children are governed by articles 198–216 and 225–247 of the Criminal Code.

105. There are national and community-based mechanisms to combat violence against children. There is also a national integrated child protection system, which includes a helpline, an emergency shelter and a pool of foster families for children who have been victims of violence.

106. This strategy focuses on involving key actors from decentralized government and grass-roots organizations, including prefects, traditional and religious leaders, representatives of various religious faiths, neighbourhood development committees and village development committees. Eight regional consultations and two national consultations were organized and culminated in the signing of agreements by these opinion leaders. Under these agreements, they have undertaken to take the initiative or become more involved in efforts to eradicate traditional practices that are harmful to children.

107. Other actions have also been taken:

- Organization of meetings in primary and secondary schools to discuss gender-based violence in schools
- Implementation since 2015 of a national communication strategy targeting cultural or traditional practices that lead to violence or discrimination against children, including female genital mutilation and early marriage, with the support of UNICEF
- Establishment of counselling centres in all regional social welfare departments, enabling the provision of services to women as well as young girls
- Signing of a pledge by 300 women practitioners to stop female genital mutilation, and a commitment by them to hand over their excision instruments and report illegal cases
- Raising awareness among religious and community leaders and other development actors about gender-based violence in communities
- Annual nationwide 16-day campaign and action against violence, and days dedicated to women and girls
- Regular capacity-building for non-governmental organizations, paralegals, counselling centre staff and media professionals on the inclusion of gender-based violence prevention in their community action programmes
- Capacity-building for professional staff, country programme focal points and gender focal points in ministries, with a view to improving gender mainstreaming in sectoral policies, programmes and projects
- Awareness-raising on trafficking in children and women through information campaigns on violence against children and women
- Collaborative drafting of guidance on gender-based violence from cultural, traditional, Muslim and Christian points of view: the guidance has been disseminated and used for communication purposes during awareness-raising and advocacy sessions.
- The organization of awareness-raising sessions and training workshops for prefects, traditional leaders, religious authorities, landowners, school pupils and other key actors in local communities on gender issues, women's access to land and measures to combat violence and discrimination against women and girls: the events were attended by 30,000 people in the Kara and Plateaux regions in 2015 and 2016.

*Protection measures for victims of violence*

**Convictions in rape and paedophilia trials in the Lomé criminal court, 2011–2016**

Year	Number of offences, maximum and minimum sentences					
	Rape	Sentences (years)		Paedophilia	Sentences (years)	
		Max.	Min.		Max.	Min.
2011	7	20	5	None		
2012	13	15	3	3	5	5
2013	3	7	5	1	4	4
2014	6	17	5	5	6	3.5
2015	No hearings					
2016	30	20	3	17		
<b>Total</b>			<b>59</b>			<b>26</b>
<b>Overall total</b>						<b>85</b>

108. Act No. 2016-027 of 11 October 2016, amending Act No. 2015-10 of 24 November 2015, establishing the new Criminal Code defines and punishes torture and other cruel, inhuman or degrading treatment or punishment.



109. Togolese legislation, including the Children's Code (arts. 353–423), protects children from all forms of violence, whether committed in the family, in institutions or in the community.

110. These legislative provisions are reinforced by other measures aimed at ensuring that children are safe from violence and, if necessary, have access to adequate care through appropriate mechanisms.

111. The child protection helpline was strengthened in 2012 with the establishment of the Centre for Reference, Guidance and Care of Children in Difficult Situations. This is a centre where child victims can access various services provided by a multidisciplinary team before being either reintegrated into their families of origin or referred to the appropriate body for further care.

112. A foster family pilot project is also being trialled with Terre des Hommes to provide children whose institutional care is inadequate with a family in which their basic needs can be met.

113. From January to October 2015, this mechanism, known as the national integrated child protection system, provided care for 1,150 children, of whom 741 were girls.

114. In order to involve children in combating violence against them, a children's organization called the National Children's Advisory Council has been in place since 2011, with branches at the regional and prefectural levels.

115. In 2012, in order to document some of the violence against children perpetrated in the community in the name of tradition, a study was conducted on early marriage, placement of children in convents, infanticide and the phenomenon of so-called witch children.

116. To combat these practices, a communication strategy has been developed in order to work with communities to change behaviour.

117. Specific provisions on child trafficking are contained in the Children's Code and the new Criminal Code.

118. In 2014, under the Priority Solidarity Fund Project established by the French Embassy in five countries of the Gulf of Guinea, a training course on trafficking as an offence, victim protection and the procedure for prosecuting perpetrators was organized for 21 members of the judiciary and criminal investigation officers, who subsequently replicated the training for 150 gendarmerie cadets.

119. In 2015, the process culminated in a discussion workshop with around 100 participants from the five countries concerned, with the aim of strengthening police and judicial cooperation at the regional level and encouraging the exchange of experience and best practices among participants.

120. Awareness-raising campaigns focusing on the harmful effects of child trafficking and the penalties imposed on perpetrators are regularly organized through the mass media;

121. Regarding the inclusion of information on the sale and abduction of children in the data collection system of the National Commission for the Reception and Social Reintegration of Child Victims of Trafficking, the Ministry of Social Action coordinates the annual production of the Child Protection Dashboard, which provides information on all the main child protection indicators in the country and includes those two situations.

122. Since 2012, the ministry responsible for child protection has received funding for the care of children identified as victims of trafficking.

123. Various programmes that involve prevention and care initiatives have been set up with the technical and financial support of UNICEF, international non-governmental organizations and civil society organizations. These include:

- A child protection and adolescent empowerment programme for the period 2014–2018 implemented with the support of UNICEF
- A national programme to combat teenage pregnancy in school and out-of-school settings for the period 2015–2019

- A project to promote a propitious teaching and learning environment for children and young people in Togo; phase 1 of the “Educate Differently” project, carried out by BØRNEfonden from 2011 to 2014 in the Maritime region and parts of the Plateaux and Kara regions; and phase 2 of the “Educate Differently” project, currently being implemented in some towns in Kara and Plateaux, which equip teachers with non-violent teaching methods that make use of alternative measures
- National directive on juvenile justice in Togo, approved in January 2015
- Implementation by Plan International Togo of projects for gender-sensitive and violence-free education and for the promotion of adolescents’ right to sexual health, with the support of the European Union
- Development of a communication strategy on harmful cultural practices affecting children, including the killing of children born with deformities, followed by awareness-raising sessions in the communities most affected by these practices
- Implementation of the Notsé Declaration on the fight against harmful social and cultural practices affecting children, which made it possible for 118 children to be taken out of convents and return to school between 2014 and 2016
- Establishment of a centralized system for the detection and referral of vulnerable children and victims of abuse, with the assistance of partners such as Terre des Hommes, UNICEF, Plan International Togo, national non-governmental organizations and even private companies

124. The following actions have been taken with regard to prison officers and other professionals:

- Introduction of a module on the rights and protection of children in the basic and in-service training of members of the security forces, legal professionals and social workers
- Development of a protocol for the care of child victims of abuse, violence and exploitation
- Appointment of juvenile judges in most courts
- Development of guidelines for the care of child offenders

125. The process of harmonizing national legislation, which led to the adoption of the new Criminal Code and the new Persons and Family Code, has made it possible to take greater account of the rights of children, women and persons with disabilities.

126. Article 5 of the Children’s Code already incorporates the principle of non-discrimination.

127. The new Criminal Code punishes the exploitation of prostitution (arts. 401–410), as well as the trafficking and forced labour of children, with the following results:

- In 2012, of 110 reported child trafficking cases, 106 were investigated and resulted in 80 prosecutions and 69 convictions.
- In 2013, of 85 reported trafficking cases, 81 were investigated and resulted in 62 prosecutions and 40 convictions.

128. All actions to combat violence undertaken since 2012 have been based on the recommendations of this study, in particular the establishment of the National Children’s Advisory Council.

129. There is currently no comprehensive national strategy to prevent all forms of violence and ill-treatment against children. However, other measures have been taken, including:

- Implementation of the 2012–2017 national strategy to combat gender-based violence
- Development of the national strategy to eliminate corporal punishment of children and young people in Togo and a corresponding strategic plan for 2017–2020

- Development of the national strategy to eliminate gender-based violence in schools and the related strategic plan for 2018–2022

130. See response (a).

131. The Child Protection Dashboard mentioned above incorporates information on violence against children.

132. The “Allo 1011” helpline, in addition to its alert function, serves as a mechanism for centralizing and collecting information on child victims of ill-treatment and all other violations of children’s rights.

133. Sectoral research exists on the issue of violence, but there is no national research agenda on the subject.

## F. Health and welfare

### Recommendation 52: Children with disabilities

134. For institutional measures, see paragraph 8 (d).

135. Other actions have been carried out by Plan International Togo in partnership with the Togolese Federation of Associations of Persons with Disabilities, including:

- Implementation, in six prefectures where Plan International Togo operates (Tchamba, Tchaoudjo, Blitta, Sotouboua, Est-Mono and Moyen-Mono), of projects promoting the rights of children with disabilities through community-based rehabilitation. These projects, which have reached 3,000 children with disabilities (including 1,300 girls), have involved the provision of orthopaedic devices to 460 children (including 200 girls), prescription glasses to 150 children (including 90 girls), orthopaedic devices to 250 children (including 150 girls), technical walking aids to 520 children (including 315 girls) and functional rehabilitation to 330 children (including 180 girls).
- Construction of community-based rehabilitation spaces in 46 communities for awareness-raising, training, rehabilitation and recreational activities for children with and without disabilities
- Installation of more than 300 ramps facilitating the access of children with disabilities to classrooms in those areas where Plan International Togo operates
- Organization by Plan International Togo and Peace Corps Togo of five holiday camps (one camp per year) for 500 children with disabilities, including excursions

136. Only one murder of a child with albinism has been recorded. The perpetrators are awaiting trial before the criminal court.

137. The system for the annual collection of data on vulnerable children, launched in 2011 with the technical support of the National Institute of Statistics and Economic and Demographic Research, includes variables on children with disabilities. The Child Protection Dashboard populated using the collected data is published and disseminated to all stakeholders and decision makers who need the data for strategic planning.

138. Regarding access to health care for children with disabilities, several institutional and operational measures are being taken.

139. As part of its efforts to implement the World Health Organization (WHO) global disability action plan 2014–2021 at the national level, the Government has taken a number of steps to decentralize and strengthen prevention and functional rehabilitation services. These include:

- Provision of functional rehabilitation care to persons with disabilities, including children, in the country’s three university hospitals, six regional hospitals and 43 general hospitals
- Provision of orthopaedic services at the National Orthopaedic and Functional Rehabilitation Centre in Lomé, in the four regional centres of Atakpamé, Sokodé,

Kara and Dapaong, and in two private centres (Afagnan and Bombouaka) that provide special physiotherapy and orthopaedic services for children with disabilities

- Free surgical treatment, between 2015 and 2017, of disabling diseases in 840 children and free functional rehabilitation for 812 children with talipes equinovarus (clubfoot) and other disabling diseases
- Subsidies for orthopaedic devices for 36 children in 2017
- Construction of 48 health-care facilities with ramps in the six health-care regions pursuant to Order No. 168/2014/MS/CAB/SG of 2 December 2014 on the protection of persons living with disabilities, between 2014 and 2017
- Opening of eight clinics for the therapeutic treatment of disabling diseases
- Training of, on average, 20 physiotherapists, 20 orthoprosthetists and 10 speech therapists per year at the National School of Medical Auxiliaries in Lomé to ensure the availability of functional rehabilitation staff
- Training of 77 paramedical professionals (physiotherapists, medical assistants, nurses and orthoprosthetists), 10 surgeons and 37 psychosocial counsellors in the treatment of clubfoot
- Training of 65 parents of children receiving treatment for disabilities in simple maintenance procedures for devices delivered in 2017
- Roll-out, in 2016/17, of 21 public awareness campaigns and 452 group discussions for 53,979 persons, including 14,018 men, 16,139 women, 12,022 boys and 11,800 girls

140. All measures related to children with disabilities were taken with due regard to general comment No. 9 (2006) on the rights of children with disabilities. See (a), (c) and (d) above.

141. In addition to UNICEF and WHO, the Liliane Foundation, Humanity & Inclusion, Plan International Togo, the Christian Blind Mission, Carrefour International des Randonneurs au Togo, CARE International and the United States Agency for International Development are working in this area.

#### **Recommendation 54: Health and health services**

142. The public sector health-care workforce increased from 10,128 in 2016 to 11,152 in 2017, meeting 46.7 per cent of staffing requirements at the primary health-care level.

143. The ratio of front-line health-care providers (physicians, nurses, midwives, senior health technicians) to inhabitants was 60.4 per 100,000 in 2017, as compared with 50 per 100,000 in 2016. Under the new Health-Care Personnel Development and Management Plan (2016–2020), 1,049 health-care workers were recruited in 2017 to meet the staffing needs of the health-care regions.

144. In addition, 10 midwives were recruited in 2017 and assigned to remote areas with the support of Médecins du Monde (MdM Germany) as part of a year-long obstetrics trial.

145. However, further efforts are needed if the health-care system is to deliver universal health-care coverage.

146. The proportion of the national budget allocated to the health-care sector was 4.63 per cent as of 2017.

147. Under the Budget Rectification Act of 2017, the State budget allocated to the Ministry of Health was CFAF 56.816 billion, as compared with CFAF 46.986 billion in 2016, representing an increase of 17 per cent.

148. For the implementation of activities in the National Health Development Plan 2017–2021, CFAF 93.059 billion<sup>1</sup> was mobilized in 2017, 45 per cent of which was provided by technical and financial partners, 32 per cent by the State and 13 per cent by households.

<sup>1</sup> Amount authorized.

149. Specifically, the State funding earmarked for combating diseases in children and mothers stood at CFAF 6,522,840,000 as of 2017.

150. To combat preventable health problems among children, Togo has developed the Vision 2030 national health policy. The strategic plans provided for by the policy include:

- Integrated strategic plan for combating non-communicable diseases 2018–2022 (revised)
- Strategic plan for community-based action, the national policy for combating malaria
- National strategic plan for combatting HIV/AIDS 2016–2020
- Plan for the elimination of mother-to-child transmission 2014–2018 and plan for the repositioning of family planning 2013–2017

151. The National Health Development Plan prioritizes programmes that combat diseases in children, mothers, young people and older persons. It also focuses on the fight against communicable diseases and malaria. As part of its implementation, measures have been taken to reduce the child and maternal morbidity and mortality rates. These include:

- Continuation of the caesarean section subsidy introduced in 2011 through financial support and caesarean section kits for 23 health facilities involved in providing these services. The number of beneficiaries of this measure increased from 6,407 in 2011 to 16,139 in 2016 and 14,615 in 2017.<sup>2</sup> The subsidy rate is 99.49 per cent, as compared with a target of 89.30 per cent in 2017.
- Emergency obstetric and neonatal care was improved through better planning and broader geographical coverage. The number of centres providing such care was increased from 48 in 2015 to 71 in 2017 and centres were decentralized, with priority given to the regions furthest from the capital.

152. Funding provided by technical and financial partners (the United Nations Population Fund, WHO, UNICEF, the French Muskoka Fund and the German Agency for International Cooperation) was used to build the capacity of centres and actors involved in managing obstetric and neonatal emergencies where expertise and equipment was lacking.

153. The Ministry of Health has sought to reduce the infant and child mortality rate by:

- Increasing immunization coverage, the average rate of which is estimated at 83.5 per cent in 2017 as compared with 80 per cent in 2015, as a result of better monitoring, supervision and advanced immunization strategies, namely the Reach Every District and Reach Every Child strategies, with funding from WHO and UNICEF in 2016
- Organizing child health days
- Administering, free of charge, nine vaccines for women and children (BCG, oral poliovirus, Pentavalent, Rotarix, inactivated poliovirus, pneumococcal conjugate (PCV13), measles and rubella, yellow fever and tetanus toxoid)
- Training 241 expanded vaccination programme workers, including 190 in cold chain maintenance, between 2015 and 2017

154. With regard to nutrition, in 2017, intensive nutritional rehabilitation centres treated 1,211 acutely malnourished children. A total of 1,137, or 93.89 per cent, of the children recovered and were discharged. This success rate is due to:

- Active screening in the community and treatment with ready-to-use therapeutic foods
- Provision of ready-to-use therapeutic foods, drugs and equipment to intensive nutritional rehabilitation centres
- Organization in 2016 of child health days that allowed for the systematic deworming of 80 per cent of children aged 6–59 months and 71 per cent of children aged 12–59

<sup>2</sup> The number of beneficiaries fell in 2017 because some caesarean section kits were damaged.

months, as well as active screening for malnutrition and the provision of micronutrient supplements

- Training of 231 intensive nutritional rehabilitation providers in the treatment of malnutrition between 2012 and 2017, in the six health-care regions
- Training of 25 food inspectors and controllers (from the public and private sectors and civil society) in food fortification, in 2017
- Provision of micronutrient supplements to children, of whom 68 per cent received vitamin A supplements during the routine expanded vaccination programme in 2017, as compared with 60 per cent in 2016

155. In 2017, as part of the fight against iodine deficiency disorders, checks were carried out in households and at markets. Of the 187,387 cooking salt samples collected from households, 179,725, or 94 per cent, were iodized; of the 130,517 cooking salt samples collected from markets, 117,637, or 90 per cent, were iodized. In all regions, iodized cooking salts are available in at least 90 per cent of households.

156. Regarding malaria control, deaths from malaria fell by 24.84 per cent in 2016 as compared with 2015. The reduction was due to the implementation of the malaria treatment policy between 2012 and 2017, and specifically:

- Intermittent preventive therapy for pregnant women (34 per cent of pregnant women in 2017)
- Chemoprevention of seasonal malaria in children aged under 5 years
- Provision of supplies and antimalarials to health-care facilities and community health workers
- Monitoring of resistance to antimalarial drugs and the safety and quality of such drugs
- Distribution, between 2012 and 2017, of more than 16,700,000 long-lasting insecticidal nets to women and children

157. The main actions taken in the area of epidemic disease surveillance were aimed at:

- Improving the response to public health emergencies by establishing a public health emergency operations centre and a steering committee; training the multisectoral actors involved; providing equipment, vehicles and logistical support; and developing standard operating procedure documents, between 2016 and 2018
- Developing a contingency plan for managing the 2016 meningitis outbreak
- Providing laboratory equipment and ceftriaxone to districts and hospitals for the treatment of meningitis
- Implementing an Ebola virus disease preparedness and response plan in collaboration with technical and financial partners, since 2016
- Recruiting, in 2017, 10 midwives for health-care facilities in hard-to-reach areas, with the support of Médecins du Monde (MdM Germany)
- Providing local health-care services through five mobile clinics since February 2019 in areas poorly served by traditional State services
- Improving the geographical accessibility of health-care services by building and fitting out 36 new “peripheral care units”, or local medical centres, and upgrading 11 specialized services and 66 existing care facilities. The coverage rate rose from 63 per cent in 2012 to 71.4 per cent in 2017.
- Training 2,350 community health workers from 10 districts of the Centrale and Plateaux regions in essential nutrition services and integrated mother and newborn care at the community level, as part of a World Bank-funded project to support maternal and child health and nutrition services

158. See paragraph 52 (f).

**Recommendation 56: Adolescent health**

159. The following policies and measures have been implemented in the area of health promotion for young persons and adolescents:

- Creation of a division for young persons and adolescents at the Ministry of Health by Order No. 0021/2013/MS/CAB/SG of 21 March 2013
- Development of the 2013 national youth policy and its updated action plan (2014–2017) in the context of the fight against HIV/AIDS
- National programme to combat teenage pregnancy and early marriage in school and out-of-school settings in Togo (2015–2019) through sex and reproduction education for young persons and adolescents

160. To reduce high prevalence rates, the following initiatives have been undertaken:

- Issuance of orders to implement decrees on the regulation of the marketing and consumption of tobacco and its by-products
- Organization of awareness-raising campaigns for opinion leaders, law enforcement officers, managers of bars and hotels and civil aviation personnel on the anti-smoking law and its implementing decrees
- Development of a national mental health action plan for 2015–2019

**Recommendation 58: Harmful practices**

161. Two confirmed cases of female genital mutilation of infants were reported. The offenders have been brought to justice.

162. To combat female genital mutilation of infants, health-care professionals have been trained to check infants' genitals during medical examinations.

163. A number of actions are still under way to discourage the practice of female genital mutilation. These include:

- Dissemination of the Persons and Family Code and, in particular, the new Criminal Code, which prohibit all forms of violence against women and girls, including female genital mutilation
- Production and dissemination of traditional, Christian and Muslim guidance on gender-based violence, particularly female genital mutilation

164. See responses (a), (b) and (c).

165. The retraining of former practitioners of female genital mutilation, using funds for the creation of income-generating activities, is ongoing.

166. Under the Persons and Family Code, monogamy is the marriage regime recognized by ordinary law (art. 42).

167. Campaigns have been organized to disseminate the Code and to raise awareness throughout the country about the negative impacts of polygamy on the family, society and, in particular, children.

168. See answer to recommendation 46.

169. UNICEF is a key partner in this area in Togo.

**Recommendation 60: HIV/AIDS**

170. Between 2012 and 2017, significant progress was made in the prevention of mother-to-child transmission through high-impact measures that included:

- An increase in the number of centres for the prevention of mother-to-child transmission (from 411 centres in 2011 to 783 centres in 2017), with the addition of 37 new centres in the private health sector, which brought the geographic coverage rate in 2017 to 75.8 per cent, up from 71 per cent in 2015

- Free provision of antiretroviral treatment to 4,437 children, including 2,160 boys, in 2017
- Implementation of a pilot project on HIV counselling and screening for children with the support of UNICEF since 2012
- Use of option B+ protocol (triple therapy) in all centres for the prevention of mother-to-child transmission and delegation of antiretroviral treatment and monitoring of persons living with HIV to providers, namely midwives, nurses and birth attendants, in all such centres since 2015, making it easier to reach sick women and children in remote and disadvantaged areas
- Scaling-up of efforts to prevent mother-to-child transmission and integration of other high-impact measures to reduce maternal, neonatal and child mortality
- Counselling and screening of women of childbearing age, pregnant women and their partners and children
- Under the “Treatment for All Women” strategy, in 2016, screening of 4,963 pregnant women, of whom 4,862 were found to be HIV-positive and are currently undergoing antiretroviral treatment, and registration of 3,660 newborn babies at centres for the prevention of mother-to-child transmission, of whom 3,576 are undergoing antiretroviral prophylaxis
- Provision of psychosocial and nutritional care for HIV-positive women/mothers in nine centres for the prevention of mother-to-child transmission in the regions of Lomé-Commune, Kara and Savanes using food kits and with the financial support of partners
- Provision of antiretroviral medication and supplies at centres for the prevention of mother-to-child transmission since 2012

171. These measures, which were carried out under the Plan for the Elimination of Mother-to-Child Transmission 2014–2018, have resulted in the following:

- Reduction in the infection rate from 14.7 per cent in 2012 to 6.5 per cent in 2016
- Increase in the rate of coverage of care from 47.7 per cent in 2012 to 71 per cent in 2016
- Antiretroviral treatment of 98.8 per cent of HIV-positive women

172. Regarding preventive measures targeted at young people, the curricula taught at technical and vocational schools and training centres include a course on the prevention of sexually transmitted infections, including HIV/AIDS.

173. In the field of sexual and reproductive health, gender equity and female entrepreneurship, AV-Jeunes (an association of volunteers for the advancement of young people) and the Platform of Civil Society Organizations against Sexually Transmitted Infections and HIV/AIDS and for the Promotion of Health in Togo created an application called the “Convivial e-Centre” in April 2018 in order to contribute to the achievement of the objectives of the National Health Development Plan 2017–2022.

174. The Convivial e-Centre is a mobile telephone and web-based application that uses information and communication technology to promote access for adolescents and young people, especially girls and women, to information and health-care services in the area of sexual and reproductive health, sexually transmitted infections and family planning.

175. The application was put online in August 2018 and officially launched on 21 March 2019. It gives users access to health services designed to assist and support them in their sexual development. Aimed especially at young adults and adolescents, the application is available to all and offers specialized services including practical advice, consultations on sexually transmitted infections, family planning services, referrals, pregnancy monitoring, online assistance and an events calendar.



176. In addition to information and documentation services, the application also offers a text messaging service designed to strengthen the monitoring of the health of pregnant women.

177. The application is available at <https://www.econvivial.org> and on the Google Play Store. It offers specialized sex education services and features 12 downloadable modules in PDF and audio formats, in the French, Ewe and Kabye languages.

#### **Recommendation 62: Standard of living**

178. Social protection programmes cover measures to address poverty, including the following:

- Pilot cash transfer programme to combat malnutrition in children under 5 years of age in the regions of Kara and Savanes, which benefited 28,846 children under 5 and pregnant women between 2014 and 2017
- The use of school canteens to improve the diet of students in poor and vulnerable areas, benefiting 89,867 students in 304 primary schools in vulnerable areas, with 20,013,012 meals served in the 2016/17 school year
- Labour-intensive projects that generated more than 25,250 temporary jobs from 2013 to 2016, thus building up the resilience of vulnerable groups
- Project to establish the National Fund for Inclusive Finance, under which CFAF 45.6 billion were made available to beneficiaries in the form of credit from financial service providers between 2014 and 2016
- The School Assur project, which has received CFAF 3.5 billion in funding and provided health-care coverage to around 2 million students since the start of the 2017/18 school year

179. In addition, ad hoc assistance is provided to children from poor households within the framework of the following projects:

- The “Back to School” campaign, under which 40,026 students received school kits between 2012 and 2016
- The Christmas Solidarity Programme, under which 21,976 children from underprivileged families received festive gift packs between 2012 and 2016

180. Several measures have been taken with partners to improve access to drinking water and sanitation.

181. In rural areas, 574 wells were drilled in 2016 as part of projects financed by the Islamic Development Bank, including the Council of the Entente pilot project and the Plaine de Mò integrated project.

182. In urban areas, drinking water supply systems have been installed in three prefecture capitals in the Plateaux region (Tohou, Elavagnon and Danyi). A project to install a drinking water supply system in Lomé that began in December 2013 is still under way; pipes are being laid, civil engineering work is being completed and the necessary equipment is being installed.

183. Regarding sanitation, the proportion of households using latrines rose from 14 per cent in 2012 to 57.2 per cent in 2016; a target of 80 per cent has been set.

### **G. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)**

#### **Recommendation 64: Education, including vocational training and guidance**

184. Togo has a policy of free public preschool and primary schooling. See tables 2.3 and 2.8 in the annex.

185. Further to its efforts to provide free preschool and primary education, the Government has developed a national school meals policy with the support of its partners to ensure that

all students have access to adequate and nutritious food that meets their energy needs and dietary preferences and contributes to improved performance at school, the maintenance of a healthy environment and the development of functional and dynamic links between the agricultural sector, local food producers and the school meals service.

186. In 2016, the average ratio of primary students to teachers in Togo was 43 to 1; the ratio remains high in some regions, however, particularly in the region of Golfe Lomé, where it currently stands at 60 to 1.

187. As part of efforts to improve reception conditions for students and working conditions for teachers, every year the Government carries out projects and programmes to build and equip schools, taking due account of the needs of all children. In 2017, the government department responsible for primary and secondary education drew up plans for the construction of 199 school buildings, including 153 schools with three classrooms, 39 schools with four classrooms, 6 schools with eight classrooms and 1 administrative building. In all, 663 classrooms were built in 2017.

188. Most new schools are built within the framework of the following projects: the Emergency Community Development Project, the Education and Institution-Building Project, the Lower-Secondary Education Reform Support Project, the Education Project of the Islamic Development Bank and the Plaine de Mô Integrated Rural Development Project.

189. Not only are new schools being built, but existing schools are being renovated.

190. All school infrastructure must respect the regulations and standards governing hygiene, access to water and sanitation. A guide in this regard is provided to all parties potentially involved in work on school buildings.

191. As part of efforts to open technical and vocational training centres in remote areas, under the Vocational Training and Employment Support Programme, public and private technical education and vocational training centres have been built or renovated in Kpalimé, Tsévié, Notsé, Gamé, Sokodé and Tchamba.

192. A technical and vocational training centre was opened in Anié at the start of 2017/18 school year.

193. The following measures were taken to help children to complete their education and to eliminate the root causes of poor academic performance:

- Promotion of girls' education in the four prefectures where the primary school completion rates among girls are below the national average (70 per cent) through the distribution of free health kits and uniforms
- Provision of subsidies to 1,650 schools every year to improve the quality of teaching and improve learning outcomes
- Organization of training and awareness-raising sessions for teachers on how to reduce the number of students repeating a school year
- Implementation of a policy of dividing up the primary cycle into subcycles as of the 2012/13 school year, leading to a significant decrease in the number of primary students repeating a year, from 21 per cent in 2011 to 7.6 per cent in 2017. Meanwhile, the completion rate rose from 85.2 per cent in 2014 to 93.6 per cent in 2016, i.e., by 8.4 percentage points.
- Revision of primary school curricula to improve the quality of teaching and improve learning outcomes, contextualize the content of textbooks and reduce textbook costs
- Provision of 599,231 new French and mathematics CP1-level textbooks and 42,000 teacher's guides, free of charge, to all primary schools, whether public or private, secular or denominational, and provision of 330,000 new CP2-level French and mathematics textbooks and 21,000 teacher's guides, which are in the process of being distributed
- Piloting of new CE1-level textbooks in 30 experimental schools
- Development of a tutoring guide on support for weaker students

194. The G1, G2, F2 and F3 training programmes have been revised. Since the beginning of the 2017/18 school year, all courses and assessments have been adapted to new information and communication technologies.

195. The following measures have been taken to further develop and modernize the vocational training system:

- Progressive introduction, over more than three years, of a digital work environment at the Aného Glidji Technical High School and the Sokodé Technical and Vocational High School
- Introduction of cooperative vocational training/apprenticeship programmes (“dual” training) in three pilot cities, namely Tsévié (tailor and car mechanic), Kpalimé (construction-site joiner and electrician) and Sokodé (motorcycle mechanic), and development of training curricula (first, second and third year)

196. Further measures include the redesign and modernization of the workshops of two existing training courses (electrical equipment and metallurgy, metalwork and welding) and the promotion of vocational training through the Vocational Training and Youth Employment Programme with the support of the German Agency for International Cooperation.

197. Further measures taken to develop and modernize the vocational training system include the following:

- Introduction of dual vocational training
- Development and revision of curricula
- Use of information and communication technology in training courses and assessments
- Adoption of the Technical Education and Vocational Training Strategy
- Adoption of the Master Plan for Dual Training and an accompanying action plan
- Organization of functional literacy courses to allow persons who did not attend school to benefit from dual training programmes
- Launch of business development training and use of information and communication technology in vocational training
- Training of dual trainers
- Introduction of a digital work environment in 10 technical and vocational schools on 2 July 2018, including modern multimedia rooms with high-speed Internet connections, school counselling services, resource centres and work spaces for teachers and students

198. A new national policy on early childhood development that provides for the production of age-appropriate educational games has been adopted.

199. Since 2012, the Government has been working in collaboration with its partners to implement a pilot programme on cash transfers, which are the building blocks of the social safety net, to facilitate access to basic socioeconomic infrastructure for poor households.

200. The cash transfer programme initially covered 121 villages in the Kara and Savanes regions. The Government has since extended the programme to cover 585 villages in the 39 prefectures and 200 poorest cantons of Togo.

201. Preschool education coverage increased from 16.5 per cent in 2013 to 22 per cent in 2015, then to 35.3 per cent in 2016, an increase of over 13 percentage points between 2015 and 2016.

202. In almost all regions, the preschool attendance rate is higher among girls than among boys. The national average gender parity index (girls to boys) is 1.2.

203. Under the Vocational Training and Employment Strategy, practical in-service training and further education will be provided for teachers and trainers.

204. A training programme involving cooperation between technical education and vocational training centres and universities is being rolled out as part of the programme of initial training received by teachers and trainers to ensure a sufficient number of qualified teachers committed to education and training.

205. A teachers' statute was adopted by decree in the Council of Ministers on 28 August 2018 to protect, promote and professionalize the teaching profession. It designates professional bodies, establishes a code of ethics and professional conduct and contains provisions governing career development, rights and benefits, the disciplinary system and professional obligations.

206. There are plans to establish new in-service training mechanisms for teachers and trainers, and the existing mechanism is being improved with the support of technical and financial partners.

207. Any teacher who is found to have abused a student is subject to disciplinary measures.

208. The Act of 10 March 1984 provides for the punishment of teachers who have sexual relations with female students.

209. The teachers' statute adopted by decree in the Council of Ministers on 28 August 2018 takes the above-mentioned concerns into account. A plan of action has been developed to improve uptake and raise awareness of the statute, in order to encourage teachers and trainers to act as positive role models.

210. The government ministries responsible for education have developed life-skills training manuals that cover education in human rights, children's rights and sexual and reproductive rights.

211. New curricula for civic and moral education introduced in the 2015/16 school year incorporate all of the above-mentioned themes. The study of civic and moral education has been compulsory in general and technical secondary schools since 2015, although the final examination is optional.

## **H. Special protection measures (arts. 22, 30, 32–36, 37 (b) and (d) and 38–40 of the Convention)**

### **Recommendation 66: Economic exploitation, including child labour**

212. In 2014, in accordance with its mandate, the National Steering Committee on Combating Child Labour coordinated, piloted, supervised, monitored and evaluated all national anti-child labour programmes, with a focus on those carried out under the International Programme on the Elimination of Child Labour of the International Labour Organization (ILO) and the 12 programmes of action designed to combat child labour through education. These programmes include the following:

- Programme of action to protect 500 children, especially girls, at risk and to remove 225 girls under 15 years of age from their work as street vendors in the commune of Lomé and five villages of the Maritime region, namely Gamé-Séva, Melly-Domé, Havé, Davédi, Awavé, and reintegrate them into society
- Capacity-building programme for community organizations, under which 1,800 vulnerable children were removed from hazardous agricultural work and reintegrated into society in seven prefectures, namely Zio, Moyen-Mono, Ogou, Tchamba, Dankpen, Tône and Kpendjal
- Protection and school enrolment programme, under which 200 children were removed from domestic employment in Lomé city and preventive mechanisms for the protection of 300 children at risk were established in the areas of Sotouboua, Blitta and Agou
- Programme to strengthen measures taken by schools to prevent child labour, which aimed to protect 900 children, 50 per cent of whom were girls, from hazardous work

and child trafficking in five rural towns, namely Adétikopé, Kpindele, Modoukou, Tapoune and Kolbigue

- Support programme to protect children at risk of trafficking by boosting family incomes, which reached 500 child victims and their families, including 250 vulnerable girls in the villages and towns of Sikakondji and Tokpli, Anié-Centre, Kolokopé, Dotè, Kpendèlè, Oké-Adogbénou, Djarkpanga and Tindjassi, in the prefectures of Yoto, Anié and Mô
- Programme for the establishment of mechanisms to prevent children from working as porters and to remove and reintegrate 625 children working as porters in the markets of Lomé city
- Programme for the protection of children from commercial sexual exploitation, under which assistance was provided to 100 girl victims of commercial sexual exploitation in the commune of Lomé

213. The National Steering Committee on Combating Child Labour piloted the first version of the Decent Work Country Programme from 2012 to 2017, and a study on understanding child labour and youth employment was completed in 2013 by the Understanding Children's Work GAP project.

214. To combat the recruitment of children under 18 years of age into hazardous types of work, the Government issued Order No. 1464 MTEFP/DG TLS of 12 November 2007 prohibiting the performance of certain types of work by children in accordance with article 151 (4) of Act No. 2006-010 of 13 December 2006 containing the Labour Code.

215. From 2011 to 2017, within the framework of discussions on the ratification of the ILO Domestic Workers Convention, 2011 (No. 189), the Government, non-governmental organizations and trade unions organized a series of informational and awareness-raising workshops for domestic workers, employment agencies, employers, members of parliament and female executives in the public and private sectors.

216. A study of the compliance of national legislation with Convention No. 189 was conducted with the financial support of ILO in 2017.

#### **Recommendation 68: Children in street situations**

217. In 2016, a strategy to help children in street situations was developed on the basis of an analytical study.

218. Between 2012 and 2017, support was provided to 3,127 street children, of whom more than 600 received holistic care in reception centres.

219. See (b) above.

220. Of the 3,127 street children mentioned above, 1,850 were directly reunited with and supported by their families.

#### **Recommendation 70: Sexual exploitation and abuse**

221. There is no system or unit specializing in the investigation of cases of sexual exploitation. Law enforcement officers are currently receiving special training in order to be able to conduct this type of investigation.

222. Victim rehabilitation services are provided by institutions specializing in the protection and care of child victims of violence, exploitation and sexual abuse, such as the Kékéli Centre, the Saint André Social Aid Centre and the non-governmental organization Petite Sœur à Sœur. These specialized institutions provide medical and legal care for victims in collaboration with the ministries responsible for the protection of children, justice and health.

223. To facilitate the care of child victims of all forms of violence, especially physical violence, the ministry responsible for the protection of children has developed a protocol on the forensic medical care of child victims of violence in collaboration with the Ministry of

Health. The protocol is designed to ensure that victims receive comprehensive care, including social, medical, psychological and legal assistance.

224. The costs of any medical examinations performed in the context of criminal proceedings are covered by the State. A workshop on the procedures for gaining access to these funds was organized for health professionals in 2014.

225. As is the case with all offences, whenever a case of sexual exploitation is brought to the attention of the criminal investigation police, the latter take all necessary steps to investigate the case and bring the perpetrator to justice. In 2016, 49 cases of sexual exploitation, including the rape of minors, were resolved and 28 persons were charged and put on trial.

226. See the information provided in response to recommendation 64 (g).

227. Joint measures have been taken with partners to promote the reporting of cases of abuse in schools, including the training of peer educators, the establishment of monitoring units in schools and the formation of student councils.

228. To prevent the stigmatization of child victims of sexual exploitation and abuse, the following training courses were organized between 2015 and 2017 for children, members of the community, persons working in the field of child protection, justice officials and security professionals:

- Capacity-building for 177 stakeholders, including legal practitioners, social workers and health professionals, on the psychosocial care of child victims of rape and other forms of sexual violence
- Training for 1,500 community-based organizations on gender matters, including positive masculinity, prevention of forced and transactional sex with adolescents, the reporting procedure and the remedies available to adolescent victims of sexual abuse
- Design of comic books to be used in awareness-raising sessions for adolescents and young adults on sexual and reproductive health and drugs
- Training for 25 adolescents from the National Children's Advisory Council on advocacy initiatives related to children's sexual and reproductive health and their responsibilities in helping to realize their rights in that area

#### **Recommendation 72: Sale, trafficking and abduction of children**

229. Investigations are conducted into all cases of the sale, trafficking or abduction of children reported to or uncovered by the security forces. In 2013, 85 cases were reported, 81 were investigated, 62 resulted in the opening of prosecution proceedings and 40 led to convictions.

230. In 2015/16, 58 reported cases were investigated and 55 individuals were put on trial.

231. Measures are being taken at the border to discourage child traffickers and dismantle their networks.

#### **Recommendation 74: Helpline**

232. While the "Allo 111" helpline established in 2009 is accessible to everyone, including children, throughout all of Togo, the associated support services are available only in Greater Lomé. However, there are consultation platforms in various regions and prefectures that have resulted in a dynamic synergy between public institutions, civil society organizations and communities allowing for the referral and processing of cases from other places.

233. Two new services that make use of the helpline were launched in March 2018. These services act as platforms for the reporting of cases of violence by text message and for the promotion of adolescent sexual and reproductive health care. The integration of these two new services into the helpline system means that children and adolescents are able to send text messages in confidence to report any violence or abuse that they experience or witness. Adolescents can also call the helpline to ask questions about sexual health. Experts in the field have joined the helpline team to respond to caller inquiries.

**Recommendation 76: Administration of juvenile justice**

234. See paragraph 42 (a).

235. In addition to the measures mentioned above, the Division of Drugs, Vice, Procuring and Human Trafficking of the Central Directorate of the Criminal Investigation Service:

- Receives complaints and reports from victims, their parents or guardians, or anyone else with knowledge of the events
- Keeps a record of the alerts and activities of institutions involved in the protection and care of children
- Conducts investigations to search for and identify perpetrators and bring them to justice

236. Regarding vocational training, concerted efforts are under way in cooperation with various non-governmental organizations to establish a reliable and sustainable mechanism for allowing prisoners, including child prisoners, to continue to enjoy their right to education and pass final apprenticeship exams following comprehensive training in prison.

237. In some prisons, inmates have access to vocational training.

238. Six juvenile courts have recently been established outside Lomé within existing category II courts. In other courts, ordinary judges may be assigned the role of juvenile judge. All judges have received, and continue to receive, appropriate training in that regard.

239. There is currently only one juvenile division, located in Lomé.

240. The Training Centre for Justice Officials in Lomé provides in-service training and refresher courses for judges, clerks, secretaries of the public prosecution service and other justice officials on general matters relating to the administration of justice and, by extension, the protection of the rights of minors appearing in court.

241. The legal aid system is not yet operational.

242. In accordance with article 328 of the Children's Code, when the juvenile court finds a child guilty of an offence, it may impose an educational measure or a sentence of imprisonment, which may not exceed a total of 10 years for a minor who has reached the age of 16 on the day when judgment is passed.

243. However, the sentence may not exceed half of the maximum possible sentence for adult offenders in the same circumstances or exceed a total of 10 years' imprisonment, even if the child has committed multiple offences.

244. In all cases, the imprisonment of child offenders, even repeat offenders, must always be a last resort (Children's Code, art. 336).

245. Article 311 et seq. of the Children's Code provide for the application of several non-custodial measures in respect of children in conflict with the law, including criminal mediation, educational measures and placement in an institution.

246. The Ministry of Justice has worked closely with the United Nations Interagency Panel on Juvenile Justice for several years.

247. The Togolese State's main partners in this area, namely UNICEF and previously the Office of the United Nations High Commissioner for Human Rights, have funded various projects aimed at the protection of children's rights. Their technical assistance has been instrumental in the implementation of various policies promoting children's rights.

**I. Ratification of international human rights instruments****Recommendation 78: Protection of witnesses and victims of crime**

248. Togo ratified the International Convention for the Protection of All Persons from Enforced Disappearance on 21 July 2014.

249. The initial report of Togo on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was submitted at the same time as the present report.

## **J. Cooperation with regional and international bodies**

250. From 13 to 19 January 2013, members of the African Committee of Experts on the Rights and Welfare of the Child of the African Union visited Togo on a mission to monitor the implementation of the African Charter on the Rights and Welfare of the Child.

## **K. Follow-up and dissemination**

251. To ensure that reports and concluding observations were widely available to key stakeholders, an informational workshop was organized in 2013, bringing together representatives of ministerial departments, civil society organizations and partners. At the end of the workshop, an action plan for the implementation of the recommendations was drawn up and made available to relevant stakeholders.

252. In parallel, other meetings targeting specific professional groups were organized in collaboration with civil society. For example, a workshop on follow-up to recommendations was organized in 2014 by the Forum of Organizations for the Defence of Children's Rights in Togo, with the support of Plan International Togo, for around 40 teachers and school inspectors, members of the Interministerial Commission for Reporting and Follow-up to Recommendations on Human Rights, 30 representatives of the Forum's member organizations and 80 members of the children's advisory councils.

253. Periodic training is organized for children's organizations and members of relevant occupational groups, including social workers, criminal investigation officers and magistrates, on topics such as the international legal framework on children's rights, including the Convention and its protocols.

254. A mission report was issued and a communication sent to the Council of Ministers in order to keep the highest authorities of the country informed.

255. To make reports and concluding observations widely available to key stakeholders, an informational workshop was organized in 2013, bringing together representatives of ministerial departments, members of parliament, traditional leaders, civil society organizations and partners. At the end of the workshop, an action plan for the implementation of the recommendations was drawn up and made available to relevant stakeholders.

256. In 2014, the Forum of Organizations for the Defence of Children's Rights in Togo organized an informational workshop on the recommendations received for around 40 teachers, school inspectors and members of the Interministerial Commission for Reporting and Follow-up to Recommendations on Human Rights.

257. The recommendations made to the Togolese State on the implementation of the Optional Protocol have been published in multiple copies and disseminated throughout the country. The report of Togo on the implementation of the Optional Protocol was prepared according to a participatory and inclusive process. Relevant experience- and information-sharing workshops were organized for all sectors of society, including youth organizations and children.



## **II. Implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography**

### **A. Data**

#### **Recommendation 7**

258. In addition to the information provided in paragraph 8 (b), it should be noted that, in 2012, the Ministry of Labour launched a system to observe, inspect and monitor child labour, especially its worst forms, with the establishment of a regional and central database. The system allows labour inspectors and other stakeholders to conduct regular inspections of workplaces and locations where children are likely to work.

259. It envisages preventive measures for at-risk children and measures to facilitate the withdrawal of children from such situations, with a view to identifying alternative solutions to their problems. Children identified during these inspections are registered in a regional and central database.

260. Prosecutions and sentences are not taken into account in data collection activities.

### **B. General measures of implementation**

#### **Coordination and evaluation**

#### **Recommendation 9**

261. See paragraph 8 (a).

#### **Recommendation 11**

262. The proposed revision of the Children's Code takes account of the definition of the sale of children.

#### **National plan of action**

#### **Recommendation 13**

263. As regards the incorporation of these strategies into the National Child Protection Policy, the new national policy on child welfare takes into account all the issues linked to child protection, including trafficking in children, child prostitution and child pornography.

264. In addition, in June 2017, the Economic Community of West African States (ECOWAS) – of which Togo is a member – adopted a new action plan to combat trafficking in persons (2018–2022).

265. The new action plan will guide member States in their efforts to significantly reduce, if not completely eliminate, trafficking.

266. With the support of the Ministry of Foreign Affairs of France, Plan International Togo has begun to implement a project to combat trafficking in persons in five countries in the Gulf of Guinea (Togo, Ghana, Benin, Nigeria and Cameroon). In Togo, the prevention capacities of civil society organizations have been reinforced; in addition, more than 100 victims of trafficking have received counselling at nine reception centres.

267. See paragraph 14.

#### **Dissemination and awareness-raising**

#### **Recommendation 15**

268. See paragraph 80.

269. Beyond follow-up missions, no in-depth studies have been conducted to identify the barriers to awareness-raising and mobilization activities relating to these offences.

### **Training**

#### **Recommendation 17**

270. In 2016, with the support of the non-governmental organizations BØRNEfonden and the Togolese “Education for All” coalition, 80 social workers and community child protection stakeholders received training on the different provisions of the Convention on the Rights of the Child and its protocols.

271. Training modules on the rights and protection of children were effectively integrated into the curricula of the police and gendarmerie academies in 2013, the National School for Social Workers in 2016 and the Training Centre for Justice Officials in 2017.

### **Allocation of resources**

#### **Recommendation 19**

272. Since 2012, a budget of CFAF 18 million has been allocated to the ministry responsible for children’s affairs to combat trafficking in children.

273. Regarding corruption, see paragraph 18 (d).

## **C. Prevention of the sale of children, child prostitution and child pornography (art. 9 (1) and (2))**

### **Measures adopted to prevent offences prohibited under the Optional Protocol**

#### **Recommendation 21**

274. See paragraphs 8 (c) and 40.

275. A national survey on the commercial sexual exploitation of children aged 8 to 17 years was conducted in 2012 with financial support from ILO and UNICEF. In 2015, a capacity-building programme was organized for actors in the tourism sector (such as hotels, bars, restaurants and food outlets known as “maquis”) to combat the commercial sexual exploitation of children in all regions. Some 240 supervisors, managers and agents took part in the programme.

276. The establishment of a unified social registry of the poorest inhabitants of Togo would make it possible to identify the country’s most vulnerable groups, including children, so that steps could be taken to support them.

277. Since 2012, the Government has been working in collaboration with its partners to implement a pilot programme on cash transfers, which are the building blocks of the social safety net, to facilitate access to basic socioeconomic infrastructure for poor households.

278. The cash transfer programme initially covered 121 villages in the Kara and Savanes regions. The Government has since extended the programme to cover 585 villages in the 39 prefectures and 200 poorest cantons of Togo.

279. Regarding street children, see paragraph 68 (a).

280. Article 305 of the new Criminal Code states that “any discriminatory act is punishable by 6 months’ to 2 years’ imprisonment and a fine of 500,000 to 2 million CFA francs or either one of those penalties”. Article 212 (2) and (3) criminalizes domestic violence, including marital rape.

281. This recommendation is also taken into account in the new article 99 of the amended Persons and Family Code. Both spouses are now responsible for running the home.

## **D. Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3, 4 (2) and (3) and 5–7)**

### **Recommendation 25**

282. These observations will be taken into account in the proposed revision of the Children's Code.

283. Under articles 388 and 389 of the Children's Code, the sexual exploitation of children in prostitution is a criminal offence punishable with a prison sentence of 1 to 5 years and a fine of CFAF 100,000 to CFAF 1 million.

284. The penalty may be increased to 10 years' imprisonment if the child exploited for the purposes of prostitution is under 15 years of age (art. 389).

285. The proposed revision of the Children's Code takes into account the various elements of article 3 of the Optional Protocol.

286. Child pornography is punishable under articles 11 to 14 of Act No. 2018-026 of 7 December 2018 on cybersecurity and the fight against cybercrime.

287. It is also punishable under articles 395 and 396 of the new Criminal Code.

288. In this regard, as with illicit enrichment, the burden of proof falls on the perpetrators under article 404 (3) of the new Criminal Code.

### **Recommendation 27**

289. The exploitation of prostitution is punishable under article 403 et seq. of the new Criminal Code.

290. The State takes the necessary measures to protect children, including from sexual exploitation and abuse, in the same way as it does for other vulnerable social groups. Orders are regularly issued to the security services in this regard.

291. Police and gendarmerie patrols conduct daytime and night-time inspections of brothels and areas in which prostitution is practised in order to identify any children in those places and warn them off.

292. Civil society organizations also carry out awareness-raising activities to encourage children to leave areas in which prostitution is practised.

293. However, no budget is allocated to this activity and there is no specific unit, such as a vice squad, solely dedicated to combating practices prohibited under the Optional Protocol.

## **Impunity**

### **Recommendation 29**

294. In line with the new Criminal Code, Act No. 2016-008 of 21 April 2016, on the new Code of Military Justice, was adopted to ensure that no act of wrongdoing committed by members of the defence and security forces goes unpunished.

## **Jurisdiction and extradition**

### **Recommendation 31**

295. Togolese law does not provide for extradition beyond the principle of dual criminal liability.

## **E. Protection of the rights and interests of child victims (arts. 8 and 9 (3) and (4))**

### **Measures adopted**

#### **Recommendation 33**

296. See paragraph 70 (b).

297. This concern is taken into account in the proposed new Code of Criminal Procedure.

298. All of the actors mentioned engage in awareness-raising activities during their training. Article 31 (1) of the Children's Code stipulates that: "All children have the right to respect for their privacy, honour, reputation and image and for the confidentiality of their correspondence and communications".

299. There is currently no national compensation fund.

300. The concerns mentioned are taken into account in training modules.

### **Recovery and reintegration**

#### **Recommendation 35**

301. The Government, with the support of partners, has introduced a national child protection system comprising the "Allo 111" helpline, a referral centre and a pool of foster families.

302. This system gives children and adults access to a service that allows for the prompt reporting of children's rights violations, including cases of child sexual abuse and exploitation. It also responds to the needs of all child victims by ensuring early detection of cases, providing advice and urgent assistance, referring them to specialized help and reintegrating them into families, including foster families.

303. The national child protection system is allocated a budget each year to ensure that it can function properly and is staffed by qualified, multidisciplinary personnel. Despite this, it suffers from a shortage of material, human and financial resources.

## **F. International assistance and cooperation**

#### **Recommendation 36**

304. The Togolese Government recently stepped up its efforts to cooperate on combating the offences addressed in the Optional Protocol by signing a cooperation agreement with Gabon on trafficking in children on 25 September 2018 in New York.

305. The International Criminal Police Organization (INTERPOL) is often involved in related investigations.

306. In addition, Togo has signed security cooperation agreements with all neighbouring countries to combat transnational crime in general and facilitate criminal investigations in particular, including investigations into offences relating to the sale of children, child prostitution, child pornography and child-sex tourism.

307. Togo was fully committed to the ECOWAS Regional Action Plan to Address the Growing Problem of Illicit Drug Trafficking, Organized Crime and Drug Abuse in West Africa 2008–2011, which has now been implemented and replaced with the ECOWAS Drug Action Plan to Address Illicit Drug Trafficking, Related Organized Crime and Drug Abuse in West Africa 2016–2020. The implementation of the new action plan includes the following measures:

- Appointment of the members of the National Anti-Drugs Committee for the purposes of coordination
- Preparation of a draft decree on restructuring the National Anti-Drugs Committee

- Drafting of a manual for dealing with drugs in Togo, with the support of the Embassy of the United States of America in Togo

308. After two years of implementation, Togo underwent a mid-term review between 16 and 20 April 2018, the outcome of which was satisfactory.

#### **Recommendation 37**

309. A framework document on cooperation with the United Nations system, and, in particular, UNICEF, has been signed, covering the development of a rolling five-year programme of work.

310. Additionally, each year the Government allocates grants to certain domestic non-governmental organizations (including SOS Children's Villages, the Togolese Federation of Associations of Persons with Disabilities, Pouponnière and Envol) to ensure care for vulnerable children, including victims of offences envisaged under the Optional Protocol.

### **G. Follow-up and dissemination**

#### **Follow-up**

##### **Recommendation 38**

311. A communication was sent to the Council of Ministers on the Committee's recommendations.

312. A workshop was held in 2013 to disseminate the concluding observations and recommendations among representatives of government departments, members of parliament, traditional leaders, civil society organizations and technical and financial partners.

313. See paragraph 80.

#### **Dissemination of concluding observations**

##### **Recommendation 39**

314. See paragraph 81.

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