



Convention on the Rights of the Child

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Committee on the Rights of the Child

List of issues in relation to the combined fifth and sixth periodic reports of Togo*

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 2 June 2023. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

2. Please provide information on:

(a) The measures taken to protect the rights of children in the context of the coronavirus disease (COVID-19) pandemic and to mitigate the adverse impacts of the pandemic;

(b) The human, financial and technical resources allocated to the National Committee on the Rights of the Child, which was created in 2016, to ensure its effective coordination in accordance with article 452 of the Children's Code and Decree No. 2016-102/PR of 20 October 2016, particularly with regard to the Child Protection Department;

(c) The status of the National Policy on Child Welfare 2019–2030 and whether it covers all aspects of the Convention and is included in the Poverty Reduction Strategy Paper, as recommended by the Committee in its previous concluding observations.¹

3. Please provide information on:

(a) Any plans to increase the human, material, and technical resources allocated to the National Human Rights Commission to help it effectively receive and consider complaints from children and to raise awareness of this mechanism;

(b) Whether the Child Protection Dashboard covers all aspects of the Convention, whether the data it provides are disaggregated by age, geographical location, nationality, ethnicity and socioeconomic background, whether it includes data on the situation of children with HIV/AIDS, children with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI) children and violence against children in institutions, whether it is publicly available online, and how frequently it is updated;

(c) Measures taken to combat corruption, increase the budget for the social sectors and establish a child rights-based approach to budgeting, with a monitoring and evaluation mechanism and a regulatory framework for businesses, taking into account the Committee's previous concluding observations, and with the participation of the Togo Chamber of Commerce and Industry where appropriate.²

* Adopted by the pre-sessional working group on 10 February 2023.

¹ CRC/C/TGO/CO/3-4, para. 14;

² Ibid., paras. 18 and 28.



4. Please provide details of:
 - (a) Measures taken to effectively protect human rights defenders, particularly women's and children's rights defenders, from intimidation and stigmatization and to recognize the legitimacy of their work;
 - (b) The number of complaints filed against human rights defenders since 2011 and the outcome of investigations into those complaints;
 - (c) Measures taken to ensure that Act No. 2019-009 of 12 August 2019 on national security and Act No. 2019-010 of 12 August 2019 amending Act No. 2011-010 of 16 May 2011 establishing the conditions for the exercise of freedom of peaceful public assembly and protest comply with articles 13 and 15 of the Convention;
 - (d) The status of the adoption of the new national law on non-governmental organizations and how it will contribute to building trust and cooperation with civil society.
5. Please provide information on:
 - (a) The status of the ongoing revision of the Children's Code, in particular articles 21, 267 and 269 thereof, to remove all major exceptions to the prohibition on child marriage for both girls and boys;
 - (b) Measures taken to enforce this prohibition, and their results;
 - (c) Amendments to the Civil and Criminal Codes to ensure that children are heard in legal and administrative proceedings affecting them;
 - (d) The establishment, operation and composition of the prefectural children's advisory councils, the regional children's advisory councils and the National Children's Advisory Council, their selection criteria and the frequency of their meetings.
6. Please indicate whether articles 2 and 11 of the Constitution, on equality and non-discrimination, are aligned with article 2 of the Convention. Please also provide information on:
 - (a) The timeline for the legislative reforms referred to in paragraph 32 (a) of the Committee's previous concluding observations; the implementation of a strategy to eliminate discriminatory practices, particularly against girls and children with disabilities; and the communication strategy on harmful cultural practices affecting children, including the killing of children born with deformities and so-called witch children;
 - (b) The results of the community dialogues and inspections undertaken to eliminate harmful practices, as referred to in the State party's report;³
 - (c) Measures taken to address HIV/AIDS-related stigma in schools, as well as stigma against children in conflict with the law and LGBTI children;
 - (d) Actions taken to stop the infanticide of so-called witch children, and the prosecutions launched and sentences handed down for such offences.
7. Please provide updated information on the results of measures taken to ensure free and universal birth registration and the possibility of late registration without charge, so that legal remedies are not necessary. Please indicate the current rate of birth registration, including any variation by sex and region. Please also indicate the number of children without birth certificates who have access to education, school examinations and health care and other social services. Please provide details of the measures taken to prevent statelessness among children born in Togo to refugee parents, particularly to Gabonese parents, and to facilitate their access to Togolese nationality.
8. Please provide information on:
 - (a) The status of the establishment of a mechanism to receive complaints from children against law enforcement officials regarding ill-treatment, including updated information on prosecutions in such cases and the sentences imposed;

³ [CRC/C/TGO/5-6](#), paras. 60 and 63.

(b) Actions taken in response to allegations of torture and ill-treatment of children during their arrest, during public protests in 2013 and between 2017 and 2019 and during pretrial detention. Please also provide information on the results of the investigations into the deaths of Anselme Sinandare, Douli Sinalengue, Rachad Maman, Yacoubou Abdoulaye, Kokou Joseph Zoumekey, Moufidou Idrissou and other child victims during those protests;

(c) The status of the adoption of legislation to specifically prohibit corporal punishment in all settings, of the positive parenting programme, and of the strategy to prevent and combat all forms of violence and abuse against children, including female genital mutilation and sexual violence in schools. Please also provide details of the prosecutions carried out and sentences imposed;

(d) The specific services available for the comprehensive care of child victims of violence to ensure their recovery and reintegration. Please also provide statistics, disaggregated by age, gender and region, on the children who have accessed these services since 2012.

9. Please indicate:

(a) The specific measures taken to eliminate levirate, repudiation and deprivation of inheritance in rural areas and to ensure that mothers and fathers share responsibility for their children, as recommended in paragraph 46 of the Committee's previous concluding observations, and the impact of those measures;

(b) The current state of institutional care for children deprived of a family environment, as well as the measures taken to prevent children from being removed from their families due to poverty and to develop family-based care services and social protection measures. Please also provide information on the duration and impact of the foster family pilot project;

(c) Plans to reduce adoption fees to facilitate domestic and intercountry adoption, and initiatives to harmonize the Children's Code with the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption;

(d) Measures taken to ensure special treatment for pregnant women and mothers of infants and young children who are accused or convicted of an offence, including alternatives to detention, in accordance with article 441 of the Children's Code, and the provision of specialized nutrition and health-care support.

10. Please provide information on:

(a) The impact of measures relating to access to preschool, primary and secondary education and the enrolment rate, especially for girls, children with disabilities and children living in remote areas;

(b) The progress made in all regions of the country towards human rights-based disability inclusion and inclusive education, especially for children with visual, hearing and psychosocial disabilities;

(c) The proposed measures to end the isolation and stigmatization of children with disabilities and to ensure their protection from violence, abuse and exploitation;

(d) The judgment issued in the case of the murder of a child with albinism.⁴

11. Please provide information on:

(a) The share of the State budget allocated to the health sector since 2017 and the progress made in reducing neonatal, infant, child and maternal mortality;

(b) Measures taken to end malnutrition and micronutrient deficiencies and the nutritional impact of these measures;

⁴ Ibid., para. 136.

(c) The effects of measures taken to address the prevalence of teenage pregnancy, sexually transmitted infections and HIV/AIDS among adolescents and on adolescents' access to contraception and the treatment required for high-quality support;⁵

(d) Whether sex and reproduction education has been introduced in schools and whether the legalization of abortion has been considered, especially in view of dangerous clandestine practices;

(e) The effects of the five-year plan to combat drugs (2020–2024) on the prevalence of drug use among adolescents;

(f) The mental health support services available to children and the rate of suicide among children and adolescents;

(g) Measures taken to end child poverty, and progress made in establishing a national social protection system, strengthening social services and providing access to safe drinking water and sanitation.

12. Please provide details of:

(a) The findings of the 2013 study on the causes of child labour⁶ and the results of programmes to combat child labour;⁷

(b) Prosecutions carried out and sentences imposed following the implementation of Order No. 1464 MTEFP/DGTLS of 12 November 2007, determining the types of work prohibited for children, and the efforts made to align the Order, including article 11 thereof, with relevant international standards, particularly the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138);

(c) The timeline and budget allocated for the implementation of the strategy on street children, the conclusions of the study on their situation,⁸ and the measures taken to prevent situations of violence, conflict with the law, and sexual exploitation, particularly in the light of the current situation in the Savanes region and that of talibé children;

(d) The situation of internally displaced children;

(e) Measures taken to prohibit the detention of asylum-seeking and migrant children and to ensure that the principle of non-refoulement is applied, particularly with regard to asylum-seeking children from Burkina Faso.

13. Please indicate the number of courts and judges and other specialized professionals for children. Please clarify the status of the National Justice Policy (2021–2025) and of the evaluation of children's access to justice. Please specify the measures taken to: (a) ensure that deprivation of liberty is used as a last resort and for the shortest possible time; (b) end the detention of children under the age of criminal responsibility, solitary confinement and the detention of children in adult prisons; (c) improve and monitor conditions of detention; (e) implement legal aid and complaint mechanisms; (f) strengthen recovery, assistance and reintegration services; and (g) protect child victims and witnesses of crime.

14. Further to the recommendations made by the Committee under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,⁹ please indicate the timeline for incorporating a clear definition of the sale of children in the Children's Code, in line with articles 2 and 3 of the Optional Protocol, and for conducting a comprehensive study on internal trafficking and the sale of children. Please also give details of measures taken to: (a) prevent the practice of "confiage" and the sexual exploitation of children, including internally displaced children, in the context of travel and tourism and in the context of the Sahel crisis; (b) ensure effective investigation into cases covered under the Optional Protocol; (c) ensure the protection of victims; and (d)

⁵ Ibid., para. 159.

⁶ Ibid., para. 213.

⁷ Ibid., para. 212.

⁸ Ibid., para. 217.

⁹ [CRC/C/OPSC/TGO/CO/1](#).

raise awareness of the Optional Protocol and remove sociocultural barriers to such awareness-raising initiatives. Please indicate the outcome of all such measures.

Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

16. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

17. Please provide, if available, updated statistical data disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

- (a) Cases of abuse of and violence against children, including torture, inhuman and degrading treatment, all forms of corporal punishment, child sexual abuse in and outside the home, domestic violence, bullying and online and sexual violence and abuse, as well as prosecutions and sentences handed down in the State party in such cases;
- (b) Cases of enforced disappearance of children and their outcomes;
- (c) Child deaths due to accidents, abuse and suicide;
- (d) Children living with HIV/AIDS;
- (e) Cases of child marriage and teenage pregnancy;
- (f) Cases of levirate, repudiation and polygamy;
- (g) Stateless children;
- (h) Asylum-seeking, refugee and migrant children, including those in detention;
- (i) Working children, including in the informal sector;
- (j) Children in street situations;
- (k) Children living in poverty;
- (l) So-called witch children;
- (m) Cases of “confiage”.

18. Please provide data disaggregated by age, sex, socioeconomic background, type of disability, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

- (a) Separated from their families, including the duration of their separation;
- (b) Placed in institutions, as well as the number of institutions and data on the children placed in each institution, disaggregated by age and sex;
- (c) Placed with foster families;

- (d) Available for adoption;
- (e) Adopted domestically, and through intercountry and private adoption, including data on the receiving countries.

19. Please provide data disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities who were:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending day care for children;
- (d) Attending preschools;
- (e) Attending primary schools;
- (f) Attending secondary schools;
- (g) Receiving individualized support;
- (h) Attending special schools;
- (i) Out of school;
- (j) Abandoned by their families.

20. Please provide, if available, updated statistical data disaggregated by age, sex, type of offence, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) Placed in pretrial detention;
- (d) Detained with adults;
- (e) Convicted and are serving a sentence in detention, indicating the length of the sentence in each case.

21. Please provide information on how a child rights-based approach is integrated into the planning, implementation, monitoring and evaluation of measures for achieving the Sustainable Development Goals, including with regard to child participation and data collection, and how such measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

22. Please provide the Committee with an update of any data in the report that may have been superseded by more recent data or that may have been affected by new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
