

Discrimination against Women

Acceded: 26 September 1983.

Togo's initial and second through fourth periodic reports were due 26 October 1984, 1988, 1992 and 1996 respectively.

Torture

Signed: 25 March 1987; ratified: 18 November 1987.

Togo's initial and second and third periodic reports were due 17 December 1988, 1992 and 1996 respectively.

Reservations and Declarations: Declaration under articles 21 and 22.

Rights of the Child

Signed: 26 January 1990; ratified: 1 August 1990.

Togo's second periodic report was due 1 September 1997.

Togo's initial report (CRC/C/3/Add.42) was considered by the Committee at its October 1997 session. The report prepared by the government includes information on: general measures of implementation; state, legal and administrative institutions; non-state mechanisms, including reference to international bodies such as UNICEF and WHO and to NGOs in Togo; coordination of activities to benefit children; the composition and role of the National Committee for the Protection and Promotion of Children; civil rights and freedoms; the family environment and alternative care; basic health and welfare; education; special protection measures; drug abuse; and the sale, trafficking and abduction of children.

The Committee's concluding observations (CRC/C/15/Add.83) welcomed: the inclusion of human rights provisions in the Constitution adopted in 1992; the establishment of a National Human Rights Commission and a Ministry for Human Rights and Rehabilitation; the supremacy of international human rights instruments and the fact that they may be invoked directly before the courts; the willingness of the government to consider ratifying the African Charter on the Rights and Welfare of the Child; the establishment of the National Committee for the Protection and Promotion of Children; efforts made to translate the Convention into Kabyè and Ewé; and the emergence of national NGOs and steps taken to enhance cooperation between them and the government.

The principal subjects of concern identified by the Committee were: the fact that legislative provisions on, for example, nationality, adoption, labour and juvenile justice do not conform with the Convention; the lack of human and financial resources for the National Committee; failure to adopt a national plan of action on children's rights; the lack of a systematic mechanism to monitor progress in all areas covered by the Convention; the absence of policies and measures to guarantee fully economic, social and cultural rights; the lack of harmonization between different legal minimum ages; the persistence of discriminatory practices against some groups of children, especially girls and children with disabilities, and children living in rural areas; the insufficiency of measures taken to implement effectively the general principles of non-discrimination, best interests of the child, the right to life, survival and development and respect for the views of the child; the lack of sufficient awareness of the Convention among both adults and children; the lack of sufficient training for professional groups working with children; the fact that in

many cases children are not registered at birth; the fact that corporal punishment is a common practice in the family, schools and other institutions; and the absence of a comprehensive law that clearly prohibits corporal punishment of children.

The Committee also expressed concern over: the absence of a mechanism to protect children from harmful information, including pornography; the increase in the number of children living and/or working on the streets in major cities; the absence of a comprehensive legal framework related to adoption; the persistence of child abuse, including ill-treatment within the family; the absence of an appropriate administrative mechanism to prevent and combat child abuse; the difficult health situation faced by the majority of children; the spread of HIV/AIDS throughout the population; the incidence of early pregnancies; the fact that traditional attitudes and harmful practices, in particularly female genital mutilation, still prevail in some regions; the low level of school enrollment and the high drop-out rate, especially among girls; the absence of a legal framework to protect refugee and internally displaced children; the stipulation that a refugee child must reach the age of 18 to acquire Togolese citizenship; the insufficiency of measures to prevent and combat economic exploitation of children, especially in the informal sector; the widespread sale and trafficking of children, resulting in their economic and sexual exploitation; the emergence of substance abuse among children; the absence of comprehensive information and data related to sexual abuse and exploitation of children, including in the family and when serving as domestic workers; the problems in the administration of juvenile justice related to, *inter alia*, conditions of detention, lack of access to legal assistance, and the inadequacy of existing alternative measures to imprisonment.

The Committee recommended that the government:

- ▶ initiate a law-reform process that would result in the enactment of a comprehensive children's code;
- ▶ reinforce the role and resources of the National Committee;
- ▶ give priority to budget allocations for the realization of the economic, social and cultural rights of children, with particular emphasis on health and education;
- ▶ take measures to harmonize legal minimum ages with the provisions of the Convention;
- ▶ take measures, including public information campaigns, to prevent and combat all forms of prevailing discriminatory attitudes against girls and children with disabilities, especially those living in rural areas in order, for example, to facilitate their access to basic services;
- ▶ launch a systematic information campaign for children and adults on the Convention and consider incorporating the Convention into the curricula of education institutions;
- ▶ develop comprehensive training programmes for professional groups working with and for children such as judges, lawyers, magistrates, law enforcement personnel, army officials, teachers, health personnel, social workers and personnel of child-care institutions;
- ▶ develop an effective system of birth registration;