



Convention on the Rights of the Child

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Consideration of reports of States parties

Replies of Togo to the list of issues in relation to its combined fifth and sixth periodic reports*

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* The present document is being issued without formal editing.



Part I

Reply to the question raised in paragraph 2 (a) of the list of issues in relation to the combined fifth and sixth periodic reports of Togo (CRC/C/TGO/Q/5-6)

1. The following should be noted:
 - Temporary closure of schools and universities in order to ensure an effective response
 - Reorganization of the school calendar and examinations
 - Organization of remote classes via the Internet and other media
 - Issuance of memorandum No. 0693/2020/MASPFA/SG establishing an ad hoc committee to combat the spread of the coronavirus disease (COVID-19) pandemic, and development of a supporting action plan
 - Issuance of a circular to orphanages and other care facilities for vulnerable children to ensure compliance with COVID-19 measures
 - Development of a social action plan, the implementation of which produced satisfactory results¹
 - Dissemination of awareness-raising, educational and psychosocial support messages among the population
 - Training in community-based communication on COVID-19 and the prevention of gender-based violence for 280 “Papa Champions” (male advocates of women’s rights) from 56 men’s committees and the members of 85 mothers’ clubs in 65 villages
 - Translation and dissemination of child protection messages in 10 local languages
 - Creation of murals to raise awareness and facilitate communication with people in street situations
 - Reintegration of 49 children in conflict with the law into their families
 - Distribution of handwashing facilities, face masks and hand sanitizer
 - Cash transfers to 854 refugee households, or 1,964 people, for the purchase of protection kits
 - Provision of hygiene kits for 70 orphanages and other care centres for vulnerable children
 - Distribution of 3,711.75 tons of food to 252,500 people from vulnerable households affected by COVID-19
 - Quick survey of the pandemic’s impact on the homeless population, in particular women and children in the country’s major cities, which identified 2,943 homeless children and young people, and implementation of the mitigation plan resulting from this survey, which led to, for example: (i) the establishment in Lomé of an emergency temporary reception centre for children in street situations to protect them from COVID-19 (for 520 children in street situations, including 157 girls) and (ii) the reintegration of 346 children in street situations, including 44 girls, into society and the community
 - Training for 340 child protection workers and front-line workers from the Ministry of Health, including 102 women, on child protection and psychosocial support for persons affected by COVID-19
 - Implementation of the project to build community resilience to COVID-19

¹ Source: Letter No. 1213/2020/MASPFA/SG of 1 October 2020.

- Establishment of 4 mutual health insurance schemes, 7 solidarity networks, 27 simplified cooperatives and 52 savings groups
- Implementation of the Novissi cash transfer programme in support of 819,972 of the most vulnerable people, at a total cost of 13,308,224,040 CFA francs (CFAF)
- Establishment of a monitoring centre to collect relevant information on violations of human rights, including children's rights, arising from the management of the health emergency
- Establishment of guidelines to ensure the continuity of services in all hospitals, especially in maternity and paediatric wards caring for children and newborns
- Free COVID-19 testing, vaccinations and treatment
- Introduction of compensation, hazard pay and insurance for death and short-term disability for all health-care personnel
- Implementation of the national support programme for pregnant women and newborns, known as "Wezou", launched on 26 August 2021 and covering 680 medical units across the country, with more than 160,000 women enrolled in the programme, around 70,000 births attended by skilled personnel and more than 660,000 different services performed, at a total cost of CFAF 3 billion in the first year

Reply to the question raised in paragraph 2 (b) of the list of issues

2. The process for the establishment of a budget line within the ministry responsible for child protection to fund the multi-year action plan of the National Committee on the Rights of the Child is under way.

Reply to the question raised in paragraph 2 (c) of the list of issues

3. The National Policy on Child Welfare has been revised and is supported by an action plan for the period 2023–2027. The policy has three strategic focuses: first, promoting the protection of children and families; second, promoting child survival, birth registration and education; and, third, improving the governance of the child protection subsector. The plan is being implemented through 11 measures and 13 projects, at a total cost of CFAF 3,195,450,000.

Reply to the question raised in paragraph 3 (a) of the list of issues

4. See recommendation 2 (b).
5. Any increase in human, material and technical resources depends on the size of the budget of the National Human Rights Commission. This budget has increased over time, rising from CFAF 250,000,000 in 2012 to CFAF 350,000,000 in 2023. While the number of staff working at the Commission increased from 52 in 2012 to 66 in 2023, the Commission continues to lack the human resources needed to fulfil its missions.

Reply to the question raised in paragraph 3 (b) of the list of issues

6. The Child Protection Dashboard shows disaggregated administrative data collected from various services and organizations. It covers all aspects of the Convention, including data on the situation of children with HIV/AIDS and child victims of violence. All the data that it provides are disaggregated.

7. The Child Protection Dashboard does not provide data on the situation of lesbian, gay, bisexual, transgender and intersex children.

Reply to the question raised in paragraph 3 (c) of the list of issues

8. The following should be noted:
- Adoption of Act No. 2015-006 of 28 July 2015 on the establishment of the High Authority for Preventing and Combating Corruption and Related Offences
 - Validation, on 13 October 2022, of the National Strategy to Prevent and Combat Corruption and Related Offences
 - Training for members of parliament and sectoral ministries on child-sensitive budgeting

Reply to the question raised in paragraph 4 (a) of the list of issues

9. The following should be noted:
- Adoption, on 3 August 2021, of the Act on the Composition, Organization and Functioning of the National Human Rights Commission, which establishes that the Commission is responsible for the protection of human rights defenders
 - Ratification, on 21 July 2014, of the International Convention for the Protection of All Persons from Enforced Disappearance

Reply to the question raised in paragraph 4 (b) of the list of issues

10. No complaints have been filed against human rights defenders.

Reply to the question raised in paragraph 4 (d) of the list of issues

11. The following should be noted:
- Adoption of Decree No. 2022-002/PR of 5 January 2022 on the conditions for cooperation between non-governmental organizations (NGOs) and the Government, and its implementing regulations, which aims to relax the requirements for setting up NGOs and obtaining NGO status and the conditions governing the signing of programme agreements and establishment agreements, and to increase the customs and tax privileges and other administrative benefits available to NGOs
 - Allocation of subsidies to certain NGOs and care facilities for vulnerable children

Reply to the question raised in paragraph 5 (a) of the list of issues

12. The revision of the Children's Code is at an advanced stage. Articles 21 and 269 have been deleted in the proposed new text.

Reply to the question raised in paragraph 5 (b) of the list of issues

13. As the Children's Code has not yet been adopted, there are no results to discuss. However, it is worth noting that traditional and religious leaders made a further commitment to the fight against child marriage by signing the Togblékopé Declaration on 1 March 2016.

Reply to the question raised in paragraph 5 (c) of the list of issues

14. There have been no amendments to the Criminal Code concerning the hearing of children.
15. Provisions may be introduced into the Code of Criminal Procedure, which is currently under development.

Reply to the question raised in paragraph 5 (d) of the list of issues

16. The regional children's advisory councils and the National Children's Advisory Council have no charters. The councils' members are selected in cooperation with civil society, based on criteria such as their ability to participate in the councils' various activities and their commitment. They have an action plan and meet as and when they are available, and, above all, when it is in their best interests to do so.

Reply to the questions raised in paragraph 6 (a) of the list of issues

17. The following should be noted:

(a) Adoption of Act No. 2022-017 of 15 November 2022 amending Act No. 2012-014 of 6 June 2012 on the Persons and Family Code, as amended by Act No. 2014-19 of 17 November 2014;

(b) Rewording, as part of the revision of the Children's Code, of article 248 to complement the existing paragraphs, as follows: "In any event, every child born as a result of the adulterous relations of his or her father or mother is entitled to maintenance and may claim such maintenance without prejudice to the above provisions";

(c) Regional consultations with traditional and religious leaders, which led to the identification of various traditional practices that are harmful to children;

(d) Reduction of the length of time spent by children in voodoo convents;

(e) Withdrawal of 846 children from voodoo convents to ensure that they received an education and vocational training;

(f) Raising awareness among traditional and religious leaders in the prefectures most affected by the phenomenon of so-called witch children.

Reply to the question raised in paragraph 6 (b) of the list of issues

18. A total of 180 umbrella bodies have been established within communities to address all child protection issues, including harmful traditional practices.

Reply to the question raised in paragraph 6 (c) of the list of issues

19. The following should be noted:

- Development of a new National Strategic Plan for Combating HIV/AIDS for the period 2021–2025, one of the aims of which is to ensure that young people and adolescents have access to health services without stigmatization or discrimination. The following measures have been implemented to that end.
- Establishment of a monitoring and alert system by organizations representing key populations, adolescents and young people and persons living with HIV.
- Increase in the number, and scaling up, of centres for the prevention of mother-to-child transmission, the availability and free provision of antiretroviral treatment and implementation of the project on HIV counselling and screening for children.
- Introduction of a health education training module in schools and training centres for the prevention of sexually transmitted infections and HIV/AIDS.
- Creation in 2018 of the eCentre Convivial application by AV-Jeunes, an association of volunteers for the advancement of young people, to facilitate public access to sexual and reproductive health information and services. The application is available at <https://www.econvivial.org> and on the Google Play Store.

Reply to the question raised in paragraph 6 (d) of the list of issues

20. Awareness-raising and education activities focusing on the fundamental principles of children's rights have been run for community and religious leaders and parents' associations, with a view to combating the infanticide of so-called witch children.

Reply to the question raised in paragraph 7 of the list of issues

21. Pursuant to Decree No. 2021-134 of 14 December 2021, birth registration became free of charge in Togo on 1 January 2022.

22. The birth registration rate is 87 per cent.

23. The records of 1,000 Ghanaian children who were born in Togo have been compiled. In 2022, 21 records were finalized and forwarded to the nationality service so that the persons concerned could be granted Togolese nationality through the application of the principle of *jus soli*. To date, Togo has not registered any Gabonese refugees.

24. The Act on the Biometric Identification of Natural Persons in Togo was adopted in September 2020.

Reply to the question raised in paragraph 8 (a) of the list of issues

25. The National Strategy for Juvenile Justice for the period 2021–2025 provides for the introduction of a complaints system that gives detained minors the opportunity to lodge complaints about any violence they may have suffered, while ensuring their protection.

Reply to the questions raised in paragraph 8 (b) and (c) of the list of issues

26. The following should be noted:

- Development of a positive parenting programme and training modules for parents to combat all forms of violence against children
- Adoption of Act No. 2022-020 of 2 December 2022 on the protection of learners against sexual violence in Togo
- Adoption of Act No. 2022-018 of 15 November 2022 amending Act No. 2015-10 of 24 November 2015 on the new Criminal Code, which punishes rape, sexual harassment and discrimination against women, violence against women, female genital mutilation, incest and paedophilia

Reply to the question raised in paragraph 8 (d) of the list of issues

27. The following should be noted:

- Strengthening, in March 2018, of the integrated child protection system, made up of the "Allô 1011" helpline, through the establishment of a platform for reporting cases of violence by Short Message Service (SMS) and the promotion of sexual and reproductive health for adolescents
- 229 convictions of perpetrators of violence secured between 2016 and 2019
- Rehabilitation and reintegration of child victims of violence

Statistics between 2017 and 2022

<i>Year</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>Total</i>
Number of child victims of violence, abuse and sexual exploitation treated							
Girls	884	944		380	408	456	3 072
Boys	439	507		202	506	326	1 980
Total	1 323	1 451	1 498	582	914	782	6 550

Number of children received at care centres for vulnerable children over the past five years

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>	<i>Total</i>
Sex							
Male	11	28	12	21	10	4	86
Female	6	37	18	19	47	9	136
Total	17	65	30	40	57	13	222

- Establishment of multifunctional “one stop” centres, which offer integrated health, psychological and legal services for victims of gender-based violence
- Creation of 26 listening and counselling centres for victims of gender-based violence, with 7,475 victims cared for between 2015 and 2019

Reply to the question raised in paragraph 9 (a) of the list of issues

28. The 2014 Persons and Family Code prohibits customary practices that constitute violence or discrimination against women, particularly discriminatory practices against widows (art. 411). Inheritance rights have also been strengthened under the Code, and succession occurs in accordance with modern law (art. 414).

29. The new Persons and Family Code strengthens the rights of spouses in a marriage and in the event of their legal separation (see the reply to para. 6 (a)).

30. Moreover, as regards the joint responsibility of mothers and fathers for their children, the Code states that the man and the woman are both in charge of the family (arts. 99 and 236). The husband is no longer the sole head of the family, as was provided for under the 2012 Code (see the reply to para. 6 (a)).

Reply to the question raised in paragraph 9 (b) of the list of issues

31. The following should be noted:

- Implementation of a foster family pilot project for a period of five years, with short-term placements lasting from two weeks to one or two months and longer-term placements up to one year for children in apprenticeships or those who have been abandoned and may possibly be put up for adoption
- 142 children cared for by 71 foster families in 2022
- Progressive deinstitutionalization of residential centres to support the transition to alternative forms of care

Reply to the question raised in paragraph 9 (c) of the list of issues

32. There are currently no plans to reduce domestic and inter-country adoption fees.

33. As part of work on the bill to revise the Children's Code, the Togo National Adoption Committee identified the provisions to be studied in the light of the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

Reply to the question raised in paragraph 9 (d) of the list of issues

34. The following should be noted:

- Continuation of the caesarean section subsidy introduced in 2011; the number of beneficiaries of this measure increased from 6,407 in 2011 to 16,139 in 2016 and 14,615 in 2017, and the subsidy rate is 99.49 per cent, as compared with a target of 89.30 per cent in 2017
- Promotion of emergency obstetric and neonatal care by increasing the number of centres offering such care (48 in 2015, compared with 71 in 2017)
- Implementation of the Wezou national support programme for pregnant women and newborns (see the reply to para. 1 (a))

Reply to the question raised in paragraph 10 (a) of the list of issues

35. The following should be noted:

- Integration of inclusive education into the teacher training curricula to ensure that the needs of children with disabilities are taken into account
- Systematic installation of access ramps in all new school buildings
- Inclusion of a section entitled "Disability" on school exam registration forms
- Validation, by order of the Minister of Primary and Secondary Education, of training manuals on inclusive education, visual impairments and Braille, hearing impairments and sign language
- Implementation of inclusive education in certain public establishments
- Full coverage by the State budget of the operations of nine Envol centres, special schools for children with mental disabilities
- Development of educational alternatives for children who are not in school (583 out-of-school children and early school leavers, including 315 girls, benefited from educational support in 6 centres for non-formal education in 2021 and 18 centres in 2022)

Reply to the question raised in paragraph 10 (b) of the list of issues

36. The following should be noted:

- Allocation of State subsidies and the provision of State-employed teachers for special schools
- Implementation of inclusive education in four regions of the country
- Creation of an inclusive education thematic group within the Ministry of Primary and Secondary Education, composed of various actors
- Assistance for persons with cerebral palsy during official examinations

Reply to the question raised in paragraph 10 (c) of the list of issues

37. Articles 11 and 33 of the Constitution of 14 October 1992 contain provisions for reporting and punishing discrimination against and abuse of children with disabilities.

38. These provisions are supplemented by those contained in the new Criminal Code and the Children's Code.

39. Articles 304 and 305 of the new Criminal Code define and prohibit discrimination in general, including as regards employment, occupation, education and HIV status, and discrimination against women.

40. The same can be said for the Children's Code, articles 370 and 385 of which punish the abandonment of children with disabilities and children who are unable to protect themselves.

41. Other measures have been taken to that effect, including:

(a) The strengthening of the "Allô 1011" helpline through SMS and the dissemination of sexual health information to adolescents in order to help them report cases of exploitation, violence and abuse;

(b) The establishment of the National Children's Advisory Council to promote the participation of children in efforts to combat violence against them.

Reply to the question raised in paragraph 10 (d) of the list of issues

42. The perpetrators of this crime are awaiting trial before the Assize Court.

Reply to the question raised in paragraph 11 (a) of the list of issues

43. Since 2002, the Togolese Government has been committed to increasing the share of the budget allocated to health by at least one percentage point each year and to do so until that share reaches 15 per cent, as recommended in the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases of April 2001.

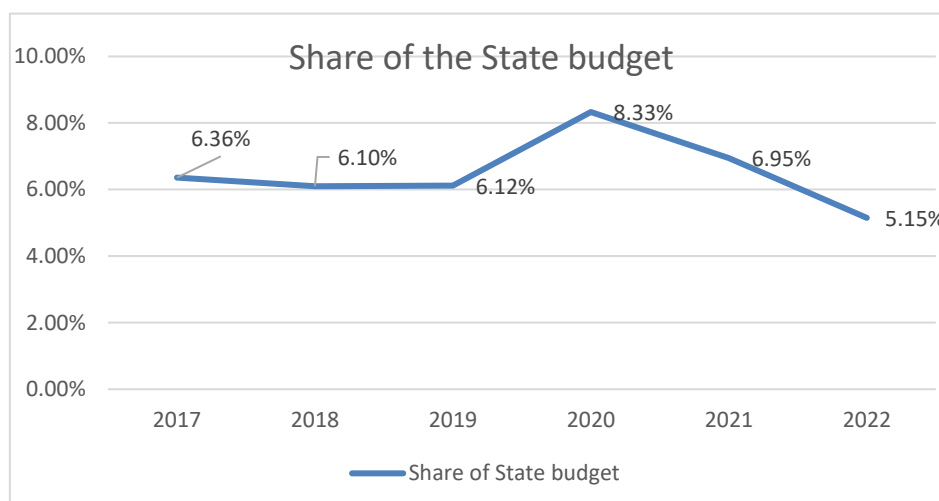


Figure 1: Share of the State budget allocated to health, 2017–2018.

44. Infant mortality fell from 49 deaths per 1,000 live births in 2014 to 42 deaths per 1,000 live births in 2017.

45. Child mortality fell from 88 deaths per 1,000 births in 2014 to 71 deaths per 1,000 births in 2017.

46. It is not possible to assess by how much maternal mortality has fallen due to the lack of recent data. However, according to estimates by the World Health Organization, the maternal mortality ratio among women of childbearing age in Togo was 399 [253; 576] maternal deaths per 100,000 live births in 2020.

Progress made in accelerating the reduction of maternal, neonatal and child mortality and strengthening family planning and adolescent health

<i>Progress indicators</i>	<i>Actual value for 2021</i>	<i>Target value for 2022</i>	<i>Actual value for 2022</i>
1-Maternal deaths due to direct obstetric causes in health facilities	1.30%	1.03%	1.18%
2-Percentage of pregnant women who have attended at least four prenatal consultations	44.60%	48.60%	50.40%
3-Percentage of births attended by trained personnel	70.30%	75.30%	72.50%
6-Number of couple-years of protection	428 090	478 590	480 122
8-Percentage of children aged between 0 and 11 months who received three doses of the pentavalent (diphtheria, tetanus, pertussis, hepatitis B and polio) vaccine	89.60%	90.77%	89.00%
9-Pentavalent/measles and rubella vaccine dropout rate	9.28%	5%	7.5%

Reply to the question raised in paragraph 11 (b) of the list of issues

47. The following should be noted:

- Development of policies and a multisectoral strategic plan on nutrition and training of 210 health-care providers and community health workers in clinical infant and young child feeding and essential nutrition services
- Updating, in 2017, of the interministerial order on the importation, production and marketing of food-grade salt
- Micronutrient (vitamin A) supplementation for children aged between 6 and 59 months as part of the routine vaccination programme
- Active and passive screening of children suffering from acute and severe malnutrition

Reply to the question raised in paragraph 11 (c) of the list of issues

48. The following should be noted:

- Reduction of the adolescent birth rate from 85 per cent in 2010 (baseline) to 79 per cent in 2017
- Capacity-building for 500 service providers
- Provision of health information, communication and education kits to 200 health facilities
- Fitting out and equipping of eight new school clinics
- Provision to 25 school clinics of the medicines and supplies needed to offer reproductive health services
- Running of awareness-raising activities for 3,813,484 adolescents and young people between 10 and 24 years old, and provision of contraception to 111,594 adolescent girls under the age of 20 from 2018 to July 2022
- Increase in school enrolment among adolescent girls in rural areas and in the number of girls entering higher education
- Reduction of mortality among girls

Reply to the question raised in paragraph 11 (d) of the list of issues

49. The curricula of health training schools for paramedical professionals (national schools for nurses and midwives) in Togo include a module entitled “Health of young people and adolescents” from the fourth semester. This module deals extensively with education on sexual and reproductive health.

Reply to the question raised in paragraph 11 (e) of the list of issues

50. Togo has no data on the prevalence of drug use among the general population. However, there are centres for the treatment of persons with drug addictions that generate hospital data on the number of people treated for drug use disorders, thereby providing an idea of the scale of the phenomenon and the upward trend.

Reply to the question raised in paragraph 11 (f) of the list of issues

51. Children with mental impairments are treated by the same public and religious centres that offer psychosocial and curative care to the general population (three centres at the tertiary level and three centres at the community level).

52. At the secondary level, mental health units have been established in each of the country’s six regional hospitals and are run by paramedical professionals specializing in mental health. At the primary level, social care is provided by social workers.

Reply to the question raised in paragraph 11 (g) of the list of issues

53. The following should be noted:

- Establishment of a national social protection system
- Reduction in deaths caused by malaria, which fell from 13 deaths per 100,000 people in 2017 to 10 deaths per 100,000 people in 2021, as a result of improved access to, and quality of, care (National Health Insurance Institute, School Assur project and insurance provided by the National Fund for Inclusive Finance)
- Decrease in malaria mortality rates among children under 5 years of age from 4.08 per cent in 2017 to 2.5 per cent in 2021 thanks to the fact that severe cases of malaria are treated free of charge
- Increase in the rate of pregnant women receiving three doses of sulfadoxine-pyrimethamine from 34 per cent in 2017 to 58 per cent in 2021
- Implementation of the School Assur² project, launched in 2017, which has covered 3,584,954 pupils, including consultations for 1,331,226 pupils, tests for 390,014 pupils, medicines for 1,787,295 pupils, hospital treatment for 18,540 pupils and surgery for 57,879 pupils
- Implementation, since 2012, of the school canteen programme, which supports efforts to develop education by promoting equal opportunities, keeping children in school and improving the pass rates for end-of-year exams
- Ongoing work to extend coverage of the programme to 1,181 schools projected to benefit 213,784 pupils; this year in particular, some 30 schools in the Kpendjal prefecture have been included in the programme in view of the situation facing families who have been displaced due to the terrorist attacks in the Savanes region

² This is a presidential project targeted at children attending public preschools and primary and secondary schools, providing them with national health coverage.

Reply to the question raised in paragraph 12 (a) of the list of issues

54. According to the study, the factors contributing to child labour are:

- (a) The increasing opportunity cost of educating children as they grow older, and the lack of access to education beyond the primary school level;
- (b) The variation in parental choices regarding education and work based on the child's sex, with boys being less likely to work than girls;
- (c) The fact that children who come from families with several young children, and therefore several dependents to feed, are more likely to work;
- (d) The fact that children who have lost at least one parent are more likely to work, to the detriment of their education;
- (e) The low education level of parents;
- (f) The child's place of residence, which can affect how likely he or she is to be subjected to child labour;
- (g) The owning of land and livestock, which considerably increases the likelihood of children participating in economic activities and reduces the likelihood that they will attend school.

Programmes implemented and action taken to this end

Number	Title of programme/action taken	Area	Results		
			Girls	Boys	Total
1	Establishment of mechanisms to prevent children from working as porters, and reintegration of children who have worked as porters in the markets of Lomé	Informal urban economy	593	42	635
2	Protection of at-risk children and social reintegration of street vendors under the age of 15 in the commune of Lomé	Informal urban economy	472	141	613
3	Building the capacities of community organizations working to protect vulnerable children from hazardous agricultural work and promote their reintegration into society	Hazardous agricultural work	1 590	1 793	3 383
4	Protection and schooling of children who have been removed from domestic employment in the city of Lomé, and establishment of a preventive mechanism for at-risk children in Sotouboua-Blitta and Agou	Domestic work	479	0	479
5	Protection of girls against commercial sexual exploitation in Lomé	Trafficking in children	165	0	165
6	Construction and equipment of schools in five rural communities through community engagement	Education	452	486	938
7	Support to boost family incomes to protect at-risk children and victims of trafficking	Trafficking in children	600	400	1 000
8	Millennium Commune Action plan for Naki-Est	Cross-cutting	2 000	1 500	3 500
9	National campaign to raise awareness of and disseminate Order No. 1556/MFPTRAPS of 22 May 2020 on hazardous work prohibited for children	Cross-cutting	6 793	7 771	14 564
10	Raising awareness among local elected representatives and community leaders of the phenomena of trafficking in children and child labour	Cross-cutting	22 420	22 570	44 990

Reply to the question raised in paragraph 12 (b) of the list of issues

55. The following should be noted:

- Conviction, in 2013, of 39 of the 56 persons reported, including 18 women
- Issuance of Order No. 1556/MFPTRAPS of 20 May 2020 outlining the hazardous work prohibited for children and taking into account new forms of child labour
- Revision of certain provisions, including article 11 (footnote), which was simply removed
- Revision of the National Action Plan to Combat the Worst Forms of Child Labour for the period 2020–2024

56. In 2022, eight children were removed from their situation of labour through the governance project, which affected the informal sector, particularly the public buildings and works sector, the extractive industry and commerce.

Reply to the question raised in paragraph 12 (c) of the list of issues

57. No data available.

Reply to the question raised in paragraph 12 (d) of the list of issues

58. The following should be noted:

- Provision of care, from 2018, for victims, including child victims, of natural or man-made disasters, or both, through the project to support the acquisition and prepositioning of food and non-food items for disaster victims, at a cost of CFAF 234,209,400 per year; implementation of the Back to School Solidary Project, at a cost of CFAF 15,000,000 per year, and the Christmas Solidarity Programme, at a cost of CFAF 15,000,000 per year
- Provision of care for victims, including child victims, of attacks by armed jihadist or terrorist groups through an assistance and resilience-building programme, at a total cost of CFAF 571,568,500
- Creation of the National Civil Protection Agency for the Prevention and Management of Disasters and Humanitarian Crises

Reply to the question raised in paragraph 12 (e) of the list of issues

59. The following should be noted:

- The application of the non-refoulement principle in the case of asylum-seeking children is provided for under article 7 of Act No. 2016-021 of 24 August 2016 on refugee status in Togo, which states that “any unaccompanied child may be granted refugee status, subject to the necessary checks and controls”. Accordingly, all asylum-seeking children from Burkina Faso are registered in the database of the National Refugee Assistance Coordination Office and are recognized as refugees in accordance with article 7 of the Act.
- Profiling to identify such children.
- In Togo, no refugees or asylum-seekers may be subject to refoulement that would force them to return to their country of origin or to remain in a country where their life, physical integrity or freedom would be at risk for any of the reasons indicated in article 2 of the aforementioned Act, which sets out the definition of a refugee or asylum-seeker.

Reply to the question raised in paragraph 13 of the list of issues

60. Togo has 32 juvenile court judges for 30 courts (including three judges for the Lomé *tribunal de grande instance* (court of major jurisdiction)).

61. The National Strategy for Juvenile Justice has been developed to improve the National Justice Policy (2021–2025) for the benefit of children.

Reply to the question raised in paragraph 13 (a) of the list of issues

62. Children in conflict with the law are immediately brought before a juvenile court judge, who takes protective measures on their behalf. When the seriousness of the acts means that the juvenile court judge is obliged to place the child in conflict with the law in pretrial detention, he or she expedites the procedure for the child's pretrial release to ensure that it takes place as soon as possible and does not detain the child beyond the pretrial detention period provided for by law.

Reply to the question raised in paragraph 13 (b) of the list of issues

63. When a person under the age of 18 is prosecuted for a criminal offence, the public prosecutor requests a juvenile court judge to investigate the case. The juvenile court judge hears the case and, if possible, judges the minor in accordance with the provisions of article 318 et seq. of the Children's Code.

64. The best interests of the child are systematically taken into account when actions and decisions affecting the child (maintenance, custody, delegation of parental authority, institutionalization, etc.) are taken.

65. Children capable of forming their own views must be heard before any decision concerning them is taken.

66. Children under the age of 14 are not criminally prosecuted because of their lack of responsibility. Protective, educational and assistance measures are nonetheless taken.

67. At-risk children and children exposed to sexual abuse are afforded judicial protection in accordance with the Children's Code.

68. Children are held in pretrial detention in the juvenile wing of civil prisons when they have committed offences that are serious or of a nature that warrants this course of action. The detention periods laid down in the Children's Code are strictly observed in such cases. In addition, minors are held separately from adults.

Reply to the question raised in paragraph 13 (c) of the list of issues

69. Juvenile wings have been created within prisons, and juvenile court judges have been appointed.

Reply to the question raised in paragraph 13 (d) of the list of issues

70. Act No. 2013-010 of 27 May 2013 on legal aid in Togo has been adopted.

Reply to the question raised in paragraph 13 (e) of the list of issues

71. A centre providing guidance and social reintegration services for young people in conflict with the law and a centre ensuring that children have access to the law and justice have been created.

Reply to the question raised in paragraph 13 (f) of the list of issues

72. This concern has been taken into account in the new Criminal Code and in the revision of the Children's Code.

Reply to the question raised in paragraph 14 (a) of the list of issues

73. Unaccompanied children seeking asylum as a consequence of the Sahel crisis are referred to the social services of the prefectural social welfare departments.

74. Awareness-raising activities are run for the general public and other stakeholders to prevent the sexual exploitation of children. Around 79,000 people, including 48,000 women, participated in such activities in 2022.

Reply to the question raised in paragraph 14 (b), (c) and (d) of the list of issues

75. No data available.

Part II

Reply to the question raised in paragraph 15 (a) of the list of issues

76. The following should be noted:

- Act No. 2023-003 on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction
- Decree No. 2016-102/PR of 20 October 2016 on the establishment and responsibilities of the National Committee on the Rights of the Child
- Act No. 2022-018 of 15 November 2022 amending Act No. 2015-10 of 24 November 2015 on the new Criminal Code, as amended by Act No. 2016-027 of 10 October 2016
- Decree No. 2022-002/PR of 5 January 2022 on the conditions for cooperation between Non-Governmental Organizations and the Government
- Draft revision of the Children's Code, particularly articles 21, 61 and 74, to take into account the provisions of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, and articles 421 and 423 on the sale of children and child begging
- Process to formalize the National Children's Advisory Council
- Act No. 2022-017 of 15 November 2022 amending Act No. 2012-014 of 6 June 2012 on the Persons and Family Code, as amended by Act No. 2014-19 of 17 November 2014
- Act No. 2022-020 of 2 December 2022 on the Protection of Learners against Sexual Violence in Togo
- Decree No. 2021-134 of 14 December 2021 on free birth registration in Togo
- Decree No. 2021-104/PR of 29 September 2021 on the establishment, responsibilities, organization and functioning of the National Commission to Combat Trafficking in Persons in Togo and Interministerial Order No. 004/MASPFA/MSPC/MJL of 19 January 2022 appointing its members
- Draft decree on the opening, organization and functioning of day-care centres in Togo
- Order No. 1556/MPFTRAPS of 22 May 2020 outlining the hazardous work prohibited for children in Togo
- 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
- Bilateral agreement between Togo and Gabon to combat trafficking in children, signed on 25 September 2018 in New York

- Tripartite cooperation agreement on the protection of children in situations of cross-border mobility, between Togo, Benin and Burkina Faso, signed on 23 December 2019
- Draft memorandum of understanding between the Government of the Federal Republic of Nigeria and Togo to prevent, suppress and punish trafficking in persons, particularly in women and children

Reply to the question raised in paragraph 15 (b) of the list of issues

77. The following should be noted:

- Decree No. 2016-102/PR on the composition, organization and functioning of the National Committee on the Rights of the Child
- Order No. 028/MASPFA/CAB/SG of 5 October 2016 establishing frameworks for consultations on child protection
- Establishment of a thematic group to combat gender-based violence in schools and an integrated mechanism to guide, manage and monitor the strategy to combat such violence
- Strengthening of the national integrated child protection system by setting up a platform for the submission of complaints by SMS and promoting sexual and reproductive health for adolescents and young people
- Decree No. 2021-104/PR on the establishment, responsibilities, organization and functioning of the National Commission to Combat Trafficking in Persons in Togo and Interministerial Order No. 004/MASPFA/MSPC/MIJ of 19 January 2022 appointing its members; the Commission's duties include:
 - Enforcing the various legal instruments aimed at combating trafficking in persons
 - Coordinating action to prevent and address trafficking in persons
 - Acting as a national focal point for combating trafficking in persons
 - Implementing initiatives to improve the legal framework for combating trafficking in persons
 - Designing and implementing a national action plan to combat trafficking in persons
 - Collecting and centralizing all data and statistics relating to trafficking in persons

Reply to the question raised in paragraph 15 (c) of the list of issues

78. The following should be noted:

- Government road map for the period 2020–2025
- National Action Plan to Combat the Worst Forms of Child Labour for the period 2020–2024
- National Strategy for the Protection of Children in Street Situations in Togo for the period 2016–2020
- A communication strategy on social and traditional practices that are harmful to children
- Document on standard operating procedures for the identification, referral and comprehensive care of vulnerable children
- Provision of free schooling in public preschools and primary schools

- Implementation of social safety net programmes (cash transfers and the labour-intensive public works programme) to support vulnerable populations
- Implementation by the Government, since the start of the 2017/18 school year, of the School Assur project to offer health insurance to pupils
- Implementation, on 26 August 2021, of the Wezou national support programme for pregnant women and newborns

Reply to the question raised in paragraph 15 (d) of the list of issues

79. The following should be noted:

- 1954 Convention relating to the Status of Stateless Persons (2021)
- 1961 Convention on the Reduction of Statelessness (2021)
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa (2021)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2020)

Part III

Data, statistics and other information, if available

Reply to the question raised in paragraph 16 of the list of issues

80. In 2022, the share of the State budget allocated to the social sectors was 47.4 per cent, or CFAF 507.8 billion out of CFAF 1,779,191,684,000. In 2021, the share was 53.7 per cent, or CFAF 445.1 billion out of CFAF 1,521.6 billion.

Reply to the question raised in paragraph 17 (a) of the list of issues

81. The following should be noted:

- Provision of care for 2,762 child victims of violence, including 1,282 girls, from 2020 to 2022
- Prosecution of one case of physical violence (involving one boy) and one case of abuse
- Prosecution of two cases of incest and 77 cases of sexual assault outside of the family home
- Investigation of 79 cases of sexual assault of all kinds by the police resulting in the opening of judicial proceedings and prosecution and conviction of the perpetrators
- Prosecution and trial of 17 cases of rape, indecent assault and sexual abuse committed by minors against other children from 2015 to 2023
- Seven convictions obtained for rape of a minor

Reply to the question raised in paragraph 17 (b) of the list of issues

82. Togo has not seen any cases involving the enforced disappearance of children.

Reply to the question raised in paragraph 17 (c) of the list of issues

83. The following should be noted:

- Children who died in accidents: 163, including 66 girls
- Children who died from abuse: 8, including 4 girls
- Children who died by suicide: 2, including 1 girl

Reply to the question raised in paragraph 17 (d) of the list of issues

Number of children living with HIV registered from 2017 to 2021

	2017	2018	2019	2020	2021
Number of children living with HIV registered	4 437	4 647	4 778	4 547	4 292
Number of children living with HIV who received antiretroviral treatment	3 663	4 194	4 690	4 544	4 274

84. The prevalence of HIV among young people aged 15 to 24 years fell from 0.75 per cent in 2019 to 0.70 per cent in 2021.

85. Psychosocial care, including food kits, school supplies and clothing, was provided to 3,923 orphans and vulnerable children.

Reply to the question raised in paragraph 17 (e) of the list of issues

Cases of child marriage and early pregnancies

Year	2018		2019		2020		Total
	Boys	Girls	Boys	Girls	Boys	Girls	
Child marriage	40	246	11	308	10	325	940
Early pregnancies	-	114	-	48	-	84	246

Reply to the question raised in paragraph 17 (f) of the list of issues

86. This matter has been taken into account in the revision of the Children's Code.

Reply to the question raised in paragraph 17 (g) of the list of issues

87. This matter has been taken into account in the revision of the Children's Code.

Reply to the question raised in paragraph 17 (h) of the list of issues

Refugee children

Age group	2020		2021	
	Boys	Girls	Boys	Girls
0–4 years	1 293	1 325	128	113
5–17 years	2 375	2 256	2 673	2 674
Total	3 668	3 581	2 801	2 787

Asylum-seeking and refugee children, 2022

<i>Population group:</i>			<i>Asylum-seekers</i>
<i>Country of origin:</i>			<i>All</i>
<i>Age group</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
0–4 years	5	7	12
5–17 years	22	16	38
Total	27	23	50

<i>Population group:</i>			<i>Refugees</i>
<i>Country of origin:</i>			<i>All</i>
<i>Age group</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
0–4 years	19	13	32
5–17 years	2 119	2 118	4 237
Total	2 138	2 131	4 269

Reply to the question raised in paragraph 17 (i) of the list of issues

88. Order No. 1556/MFPTRAPS of 20 May 2020 outlining the hazardous work prohibited for children and taking into account new forms of child labour has been issued.

89. In 2022, eight children were removed from their situation of labour through the governance project, which affected the informal sector, particularly in the public buildings and works sector, the extractive industry and commerce.

Reply to the question raised in paragraph 17 (j) of the list of issues

90. The following should be noted:

- In 2019, 1,601 children in street situations, including 338 girls, were registered.
- In 2020, 2,212 children in street situations, including 602 girls, were registered.
- From 2021 to 2022, street patrols led to the registration of 2,943 children and young people aged between 0 and 20 years who were in street situations.

Reply to the question raised in paragraph 17 (k) of the list of issues

91. Not available.

Reply to the question raised in paragraph 17 (l) of the list of issues

92. From 2020 to 2022, 367 cases of so-called witch children, including 149 girls, were recorded.

Reply to the question raised in paragraph 17 (m) of the list of issues

93. Not available.

Reply to the question raised in paragraph 18 (a) of the list of issues

94. There are no specific studies on children who have been separated from their families.

Reply to the question raised in paragraph 18 (b) of the list of issues

95. Togo has 467 care centres for vulnerable children.

96. In terms of beneficiaries, 5,599 vulnerable children have been placed in institutions.

Reply to the question raised in paragraph 18 (c) of the list of issues

97. In 2022, 520 children and young people, including 275 girls, were placed in alternative care. Family-based care was provided for 310 beneficiaries, including 159 girls. Emergency care was provided to 48 beneficiaries, including 37 girls. Supervised independent living arrangements were made for 108 adolescents and young people, including 51 girls. A total of 71 foster families were identified.

98. A girl with motor and mental disabilities was placed with a foster family.

Reply to the question raised in paragraph 18 (d) of the list of issues

99. A total of 400 children, including 100 girls, were identified as being available for adoption in 2021.

Reply to the question raised in paragraph 18 (e) of the list of issues

100. From 2020 to 2022, 92 children, including 41 girls, were adopted.

Annual child adoption statistics

State: Togo

Years: 2020–2022

Receiving State	Total number of adoptions	Age and sex of the child at the time of adoption								Number of adoptions of children with special needs	Situation of the child prior to adoption		
		< 1		1–4		5–9		> 10			Institution	Foster care	Biological family
		Boy	Girl	Boy	Girl	Boy	Girl	Boy	Girl				
France	11	0	0	7	0	0	3	0	0	0	13	11	9
United States of America	2	0	0	0	0	1		3	1	0	0	0	4
Belgium	11	0	0	6	1	3	0	0	0	0	11	0	0
Italy	8	0	0	1	0	4	2	1	0	0	8	0	0
Switzerland	2	0	0	1	1	0	0	0	0	0	2	0	0
Iceland	2	0	0	1	0	0	1	0	0	0	2	0	0
Canada	1	0	0	0	0	0	1	0	0	0	1	0	0
Germany	3	0	0	0	3	0	0	0	0	0	3	0	0
Total	40	0	0	16	5	8	7	4	1	0	40	11	13
Total number of domestic adoptions	52	0	0	14	15	6	10	3	3	0	45	8	11
Total	92	0	0	30	20	14	17	7	4	0	85	19	24

Reply to the question raised in paragraph 19 (a) of the list of issues

101. No data available.

Reply to the question raised in paragraph 19 (b) of the list of issues

102. No data available.

Reply to the question raised in paragraph 19 (c) of the list of issues

103. No data available.

Reply to the question raised in paragraph 19 (d) of the list of issues

104. The following should be noted with regard to children with disabilities attending preschools:

- Visual disabilities: 47 boys and 25 girls
- Physical disabilities: 111 boys and 79 girls
- Hearing disabilities: 77 boys and 58 girls
- Intellectual disabilities: 112 boys and 78 girls
- Albinism: 20 boys and 14 girls

Reply to the question raised in paragraph 19 (e) of the list of issues

105. The following should be noted with regard to children with disabilities attending primary schools:

- Visual disabilities: 1,451 boys and 1,341 girls
- Physical disabilities: 1,300 boys and 838 girls
- Hearing disabilities: 1,228 boys and 1,103 girls
- Intellectual disabilities: 1,166 boys and 842 girls
- Albinism : 95 boys and 109 girls

Reply to the question raised in paragraph 19 (f) of the list of issues

106. The following should be noted with regard to children with disabilities attending lower secondary schools:

- Visual disabilities: 1,778 boys and 2,457 girls
- Physical disabilities: 839 boys and 596 girls
- Hearing disabilities: 616 boys and 409 girls
- Intellectual disabilities: 49 boys and 24 girls
- Albinism: 61 boys and 68 girls

107. The following should be noted with regard to children with disabilities attending upper secondary schools:

- Visual disabilities: 615 boys
- Physical disabilities: 270 boys and 108 girls
- Hearing disabilities: 91 boys and 53 girls

- Intellectual disabilities: 3 boys and 0 girls
- Albinism: 11 boys and 5 girls

Reply to the question raised in paragraph 19 (g) of the list of issues

108. There is no individualized support system.

Reply to the question raised in paragraph 19 (h) of the list of issues

109. The following should be noted with children with disabilities attending special schools:

- Visual disabilities: 118 boys and 112 girls
- Hearing disabilities: 216 boys and 192 girls
- Multiple disabilities: 105 boys and 109 girls
- Intellectual disabilities: 400 boys and 300 girls
- Other (language and communication disabilities, loss of mobility, cerebral palsy and autism): 204 boys and 144 girls

Reply to the question raised in paragraph 19 (i) of the list of issues

110. According to the Multiple Indicator Cluster Survey, 612,026 children aged 5 to 17 years old, including 1,557 children who do not attend school, have functional difficulties.

Reply to the question raised in paragraph 19 (j) of the list of issues

111. A total of 21 children with disabilities, including 11 girls, have been abandoned by their families.

Reply to the question raised in paragraph 20 (a) of the list of issues

112. No data available.

Reply to the question raised in paragraph 20 (b) of the list of issues

113. No data available.

Reply to the question raised in paragraph 20 (c) of the list of issues

114. No data available.

Reply to the question raised in paragraph 20 (d) of the list of issues

115. No data available.

Reply to the question raised in paragraph 20 (e) of the list of issues

116. No data available.

Reply to the question raised in paragraph 21 of the list of issues

117. The following should be noted:

- Act No. 2022-017 amending Act No. 2012-014 of 6 June 2012 on the Persons and Family Code, as amended by Act No. 2014-019 of 17 November 2014
- Act No. 2022-018 amending Act No. 2015-10 of 24 November 2015 on the new Criminal Code, as amended by Act No. 2016-027 of 10 October 2016
- Act No. 2022-019 amending Act No. 2021-012 of 18 June 2021 on the Labour Code
- Revision of the Children's Code

Reply to the question raised in paragraphs 22 and 23 of the list of issues

118. The following should be noted:

- Combating trafficking in persons
 - Increasing the number of foster families to allow for the progressive deinstitutionalization of care centres for vulnerable children
 - Extension of the national integrated child protection system to other regions
-