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Draft report of the Working Group on the Universal Periodic Review*

Togo

* The annex to the present report is circulated as received.

Contents

	<i>Page</i>
Introduction	3
I Summary of the proceedings of the review process	3
A. Presentation by the State under review	3
B. Interactive dialogue and responses by the State under review	7
II. Conclusions and/or recommendations	12
Annex	
Composition of the delegation	26

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-sixth session from 31st October to 11 November 2016. The review of Togo was held at the First meeting on 31 November 2016. The delegation of Togo was headed by His Excellency Mr. Kokouvi AGBETOMEY, Minister for Justice and Relations with the Institutions of the Republic of Togo. At its tenth meeting held on 4 November 2016, the Working Group adopted the report on Togo.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Togo: Ethiopia, Panama and Switzerland.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Togo:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/26/TGO/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/26/TGO/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/26/TGO/3).

4. A list of questions prepared in advance by Belgium, Germany, Mexico, Slovenia, Spain, The United Kingdom of Great Britain and Northern Ireland, and Zambia was transmitted to Togo through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. La Délégation a indiqué que, depuis son passage en 2011 au premier cycle de l'EPU, le Togo n'a ménagé aucun effort en vue de la mise en œuvre des recommandations acceptées. En 2014, il a soumis un rapport à mi-parcours sur les progrès réalisés, et les rapports EPU ont été élaborés suivant un processus inclusif et participatif.

6. Lors de son premier EPU en 2011, parmi les 133 recommandations formulées, le Togo a accepté 122 et a pris note de onze. Des succès ont été enregistrés, mais en dépit de la volonté affichée et des moyens mobilisés, des efforts demeurent encore à faire dans plusieurs domaines.

7. Selon la Délégation, au plan politique et institutionnel, la démocratie est en marche; l'opposition jouit d'une place importante dans la vie politique, économique et sociale du Togo et la gestion du pays est participative.

8. Sur le plan économique et financier, il y a eu une progression, du fait des retombées positives des mesures de soutien du Gouvernement au secteur agricole, de la poursuite des travaux de renforcement des infrastructures économiques et des performances des régies financières. C'est ainsi que l'amélioration du cadre macroéconomique était davantage consolidée.

9. Au plan normatif, plusieurs textes de loi relatifs au code pénal, au code des personnes et de la famille, au code de justice militaire, au statut des magistrats, à l'audiovisuel et à la communication, à l'aide juridictionnelle, et au statut spécial des personnels de la police ont été promulgués.
10. Concernant l'adhésion aux instruments et la coopération avec les mécanismes internationaux et régionaux, la Délégation a signalé que le Togo a finalisé le processus de ratification du deuxième Protocole facultatif se rapportant au Pacte international relatif aux droits civils et politiques visant l'abolition de la peine de mort, le 14 septembre 2016.
11. En outre, au cours de la période considérée, le Togo est également devenu partie à la Convention de l'UNESCO concernant la lutte contre la discrimination dans le domaine de l'enseignement (2012) et la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées (2014).
12. Par ailleurs, entre 2012 et 2013, le Togo a présenté plusieurs rapports initiaux et périodiques à six organes des traités.
13. Le Togo a, en outre, reçu la visite de la Haut-Commissaire adjointe des Nations Unies aux droits de l'homme en 2014; de la Rapporteuse spéciale des Nations Unies sur la situation des défenseurs des droits de l'homme en 2013 (2^{ème} visite) et du Sous-Comité pour la prévention de la torture en 2014.
14. Il a également reçu la visite du Comité africain d'experts sur les droits et le bien-être de l'enfant en 2013 et a soumis le rapport initial sur la Charte africaine sur la démocratie, les élections et la gouvernance en 2016.
15. De surcroît, le Togo a été élu au Conseil des droits de l'homme pour la période 2016-2018 et il profitera de ce mandat pour renforcer ses engagements dans le domaine des droits de l'homme.
16. La Délégation a signalé également que, s'agissant de la lutte contre la torture, le nouveau Code pénal de 2015 a été modifié pour, entre autres, rendre imprescriptibles les crimes de torture et pour mettre en conformité la définition d'acte de torture avec les dispositions de la Convention contre la torture. Suite à la ratification du Protocole à cette Convention, le Togo a confié les fonctions de mécanisme national de prévention de la torture à la Commission Nationale des Droits de l'Homme (CNDH). Le processus de révision de la loi organique vient d'être engagé afin de rendre la Commission conforme aux principes de Paris.
17. En outre, des ateliers de renforcement de capacités ont été organisés au profit des officiers de police judiciaire et des surveillants de l'administration pénitentiaire et de la réinsertion dans le domaine de la lutte contre la torture avec l'appui du PNUD et du HCDH.
18. Selon la Délégation, des progrès ont été réalisés sur le plan de la gouvernance et de la promotion de l'état de droit, notamment à travers la réforme des finances publiques et la lutte contre la corruption. Des instruments tant régionaux qu'internationaux sur la matière ont été ratifiés. En outre, la création de plusieurs institutions a contribué à la réduction de la corruption. En conséquence, de 2011 à 2015, le Togo a gagné 36 places sur l'indice de perception de la corruption (Transparency International). La mise en place de la Haute Autorité de lutte contre la corruption devrait renforcer les actions dans ce domaine.
19. S'agissant du secteur de la Justice, le programme de modernisation 2005-2012 a permis la construction, la rénovation et l'équipement de plusieurs cours d'appel et de tribunaux; l'installation d'un système informatisé de délivrance du certificat de nationalité; la création du Centre de Formation des Professions de Justice, l'automatisation de la chaîne commerciale de la Cour d'Appel et du Tribunal de Première Instance de Lomé, l'équipement de la police scientifique, la vulgarisation du guide juridique du citoyen et celui

des détenus et la construction d'une nouvelle prison civile répondant aux normes internationales.

20. Par ailleurs, une convention de financement du nouveau Programme d'Appui au Secteur de la Justice a été signée en 2015 entre le Togo et l'Union Européenne.

21. La Délégation a souligné que la lutte contre la pauvreté constituait l'une des priorités de l'action gouvernementale et s'est référée à la Stratégie de Croissance Accélérée et de Promotion de l'Emploi (2013–2017); le Fonds National de la Finance Inclusive, le Programme d'Urgence de Développement Communautaire, les programmes «Accès des Pauvres aux Services Financiers», «Accès des Agriculteurs aux Services Financiers» et «Accès des Jeunes aux Services Financiers» et le Programme National de Transfert Monétaire. Ces politiques et programmes ont permis au Togo d'enregistrer un recul de la pauvreté et d'être choisi comme pays pilote de la mise en œuvre des Objectifs de Développement Durable (ODD).

22. En outre, des réformes majeures ont été engagées dans le domaine de l'agriculture. A ce niveau, 15.000 emplois ont été générés grâce au Programme National d'Investissement Agricole et de la Sécurité Alimentaire. Les progrès accomplis en matière de lutte contre la faim et la malnutrition ont été reconnus par l'Organisation des Nations Unies pour l'Alimentation et l'Agriculture en 2013 et en 2015. Cependant, les défis restaient encore importants.

23. S'agissant de l'accès à l'eau potable et à l'électricité, le taux de desserte en eau potable est passé de 42% en 2012 à 50% en 2015 tandis que celui d'électrification a progressé de 26,57% en 2013 à 28,3% en 2014. Au cours de la même année, plus de quarante localités ont été électrifiées dans le cadre du projet d'électrification rurale.

24. Concernant l'accessibilité aux soins de santé, la Délégation a souligné la subvention de la césarienne à 90%, les campagnes de prise en charge des fistules obstétricales, la promotion de la gratuité de la prise en charge du paludisme, la création d'un observatoire de lutte contre la discrimination et la stigmatisation des personnes vivant avec le VIH/SIDA et la gratuité de sept vaccins pour les enfants et les femmes.

25. La délégation a mentionnée d'autres mesures prises dans ce domaine notamment, la création d'un laboratoire national de contrôle de la qualité des médicaments, la mise en place de l'Autorité de réglementation pharmaceutique, le recrutement de 1107 professionnels de soins, l'octroi de 117 bourses de formation et la prise en charge de plus de 80% des grossesses. De même, le taux d'accouchement assisté par du personnel qualifié est passé de 60% en 2010 à 73% en 2014.

26. Concernant le droit au travail, à travers la Politique Nationale de l'Emploi, plus de cent mille jeunes ont bénéficié de soutien de formation, d'emplois, de financement et d'accompagnement pour la création d'entreprises. Il en est résulté une réduction du taux de chômage des jeunes de 8,1% à 3,4% entre 2011 et 2015.

27. Dans le domaine du droit à l'éducation, le Togo a actualisé son plan sectoriel pour la période 2014-2025. Au titre des actions menées dans le cadre de l'amélioration de l'accès et de l'achèvement universel dans le primaire, 999 salles de classe ont été construites et équipées de latrines et de forages en 2014; 85 écoles d'initiative locale ont été transformées en écoles publiques. Par ailleurs, 207 enseignants/formateurs ont été recrutés.

28. S'agissant de l'enseignement supérieur, la Délégation s'est référée à l'informatisation de la Direction de la Bibliothèque et des Archives Nationales et à la réglementation de l'enseignement supérieur privé.

29. La Délégation a indiqué que le nouveau Code pénal et le Code des personnes et de la famille révisé prévoient des dispositions destinées à éliminer les discriminations à l'égard

des femmes. En outre, des actions ont été menées pour réduire l'indice d'inégalité de genre, y compris concernant la participation des femmes dans les affaires publiques; la mise en œuvre du Programme des Maisons de la femme ainsi que la mise en place de plusieurs centres d'écoute et de conseil sur les violences basées sur le genre à travers le pays.

30. La Délégation a indiqué que la représentativité des femmes au Parlement est passée de 11,11% en 2007 à 18,68% en 2016. En revanche, le pourcentage des femmes au Gouvernement a connu une légère baisse.

31. Pour lutter contre la violence et la maltraitance des enfants, divers programmes ont été initiés avec l'appui technique et financier de l'UNICEF et d'autres partenaires. Afin de renforcer le mécanisme de suivi de ces programmes, le décret relatif au Comité national des droits de l'enfant a été pris.

32. S'agissant des personnes handicapées, une stratégie nationale de protection et son plan d'action opérationnel ont été élaborés. Pour promouvoir l'éducation inclusive, des enseignants ont reçu une formation spécialisée afin d'améliorer la gestion et l'intégration des enfants handicapés. Le Togo a également reçu l'appui de Handicap International et de la Fédération Togolaise des Associations des Personnes Handicapées dans ce domaine.

34. La Délégation a par ailleurs fait référence à la nouvelle Loi de 2016 portant statut des réfugiés au Togo. Cette loi a consacré une adéquation entre la procédure nationale de demande d'asile et les standards internationaux. Également, les réfugiés avaient la possibilité de travailler au Togo.

35. Répondant aux questions reçues, la Délégation a indiqué que le recours à la force par les forces de défense et de sécurité est encadré par la Constitution, la Loi du 16 mai 2011 et le Décret du 6 mars 2013. Le maintien et le rétablissement de l'ordre public sont dictés par l'usage proportionnel de la force subordonnée à la réquisition de l'autorité compétente. La Délégation a ajouté qu'une commission d'enquête indépendante investiguait sur les incidents graves liés à l'usage de la force. Cette commission a permis d'engager des poursuites judiciaires. En plus, la Délégation a souligné l'existence d'une panoplie de sanctions disciplinaires pénales.

36. Par ailleurs, la mise en œuvre du nouveau Code de Justice Militaire d'avril 2016 permettait de s'assurer qu'aucun acte répréhensible ne restait impuni.

37. D'après la Délégation, le Togo s'est engagé dans la poursuite judiciaire et les activités de sensibilisation de la population sur l'obligation de se soumettre à la loi. Une politique de police de proximité est aussi envisagée afin de sensibiliser sur les risques et méfaits des verdicts populaires.

38. En outre, pour réduire la surpopulation des prisons, la détention préventive deviendrait une mesure d'exception et une prison modèle a été ouverte à Kpalimé. La Délégation a souligné que des ressources supplémentaires étaient nécessaires pour remédier aux insuffisances en matière d'alimentation et de soins de santé.

39. La Délégation a souligné des progrès concernant l'enregistrement des naissances. Grâce au Plan d'Action opérationnel, le taux d'enregistrement des naissances a doublé dans 15 préfectures pour atteindre 85%, et un système fiable d'enregistrement et de livraison des certificats était envisagé.

40. Par ailleurs, la liberté d'expression est garantie par le Code de la Presse et par le Code pénal et un statut, adopté en mars 2016, protégeait aussi l'accès à l'information publique.

41. Concernant le droit à la sécurité sociale, les efforts se focalisent sur le principe de la couverture universelle par extension de la couverture actuelle des fonctionnaires vers le

secteur privé. Par rapport à la question des mutilations génitales féminines, la Délégation a indiqué que le taux a baissé de 12% en 1996 à 2% en 2012.

42. Autrement, le nouveau Code pénal et le Code des Personnes et de la Famille répriment la violence envers les femmes, et les victimes de la violence trouvent du secours dans des centres d'écoute et de conseil, ainsi que dans les Maisons de la Femme.

43. La Délégation a indiqué que le Togo lutte contre le mariage et la grossesse des adolescentes et la violence envers les filles à l'école par des actions de sensibilisation, de plaidoyer et de prise en charge pour les maintenir dans le cursus scolaire jusqu'aux études supérieures.

44. Pour combattre la traite d'enfants, le Togo a renforcé la capacité économique des familles par des subsides et par l'établissement de cantines scolaires dans les régions démunies. Également, dans la période 2012-2015, sur 553 plaintes il y a eu 218 poursuites de trafiquants d'enfants, et des accords de coopération dans ce domaine seront signés avec le Bénin, le Gabon et le Nigeria. En outre, suite à une décision prise en octobre 2016 par le Conseil des Ministres, des nominations seront faites au Comité national des droits de l'enfant.

45. Concernant le droit à l'éducation, la Délégation a rajouté que les écarts de scolarisation fille/garçon, les taux d'abandon, et les redoublements ont diminué. Des programmes de soutien aux jeunes filles dans l'enseignement technique ont abouti à l'octroi de bourses d'excellence aux élèves filles des séries scientifiques et techniques. En outre, l'adhésion des instances traditionnelles coutumières permet le retrait d'enfants filles des couvents et leur scolarisation.

46. Selon la Délégation, sur la période 2011-2015, le taux de la pauvreté est tombé de 58% à 51%, entre autres, grâce au programme national pour le développement durable. Les efforts se poursuivaient pour améliorer l'accès à l'eau, y compris sur les exploitations agricoles. Dans le secteur minier, les infractions des règles de sécurité étaient punissables, et selon le programme de gouvernance dans les mines, financé par la Banque Mondiale, les compagnies soutenaient le développement économique des régions minières.

47. Malgré ces avancées, la Délégation a reconnu que des défis subsistent. Cependant, le Togo restait déterminé à améliorer de façon notable et progressive la situation des droits de l'homme, et sollicitait l'assistance des partenaires dans la mise en œuvre des priorités, en particulier, l'enregistrement des naissances, la santé en milieu carcéral et l'appui financier à la mise en œuvre des programmes sociaux.

48. La Délégation a remercié les pays qui ont apporté leur contribution à l'amélioration de la situation des droits de l'homme au Togo, ainsi que les Organisations internationales qui l'ont soutenu tout au long de ce processus, en particulier l'Organisation Internationale de la Francophonie. Le Togo a enfin invité les partenaires techniques et financiers à continuer d'appuyer les initiatives du gouvernement dans le domaine des droits de l'homme et du bien-être des populations.

B. Interactive dialogue and responses by the State under review

49. Burundi congratulated Togo for elections held in 2015. It welcomed Togo's commitment to improve the human rights situation by organizing awareness-raising and training on human rights for different State officials. It also welcomed measures to improve the judicial system.

50. Canada complimented Togo for the abolition of the death penalty and the criminalisation of torture. Canada welcomed the efforts deployed by Togo to improve the

conditions of detention in reducing overcrowding in prisons and separating incarcerated men from incarcerated women and children.

51. Central African Republic noted that youth continue to suffer from abuse despite Togo's efforts to eradicate this practice. It wished full success to Togo and called on the international community to support Togo in the consolidation of democracy and strengthening the rule of law.

52. Chile noted the ratification of several international human rights instruments and the efforts of Togo to strengthen the normative framework and to cooperate with international human rights mechanisms.

53. China commended Togo for its efforts to strengthen its infrastructure and to enhance the level of public services in health, education and employment sector. It noted the adoption of Criminal and Family codes and the implementation of a strategy to combat sexual violence. It hoped that international community would provide Togo with the necessary technical assistance.

54. Congo noted the efforts of Togo to harmonize its legislation with the international instruments. It encouraged Togo to strengthen its human rights institutions and its cooperation with the human rights mechanisms.

55. Côte d'Ivoire welcomed the Law on the National Human Rights Commission and the new Penal Code and the adoption of the strategies aimed at accelerated growth, employment promotion. It was concerned about the under-representation of women in decision-making and protection of civil society actors.

56. Cuba welcomed the efforts to harmonize national legislation with the ratified international human rights instruments, the adoption of national and sectorial human rights policies and programmes, and the ratification of international treaties. It welcomed the Law on the National Human Rights Commission and the Accelerated Growth and Employment Promotion Strategy.

57. Djibouti welcomed the ratification of international human rights treaties and the Law on the National Human Rights Commission. It encouraged Togo to combat sexual violence, early marriage, ill-treatment of girls and female genital mutilation, and to eliminate corruption in administration and in the judicial system.

58. Egypt noted efforts to promote human rights and to implement recommendations from the first cycle. It also noted that Togo was focused on social development, combating poverty and developing the education sector. Egypt welcomed the submission of reports to treaty bodies.

59. Ethiopia commended Togo for identifying priority areas in the promotion and protection of human rights. It noted the efforts to enhance the normative and institutional framework, as well as the Growth and Employment Creation Strategy for 2013-2017.

60. Mexico noted the adoption of a law amending the definition of torture to bring it in line with CAT. It was concerned about discrimination based on sexual orientation or gender identity. Mexico asked about the progress and challenges in the implementation of the birth registration plan for 2013-2017.

61. Gabon noted the adoption of a new criminal code which integrates a gender perspective, and prohibits child labour and human trafficking. It also noted the adoption of a Code on Persons and the Family which prohibits customary practices constituting violence and discrimination against women.

62. Georgia noted with satisfaction the enactment of new Criminal and Family Codes and the ratification of the Convention against Discrimination in Education and the

Convention on stateless persons. It encouraged Togo to issue a standing invitation to the special procedure mandate holders.

63. Germany noted progress made by Togo since its 2011 universal periodic review, and in particular the criminalization of torture.

64. Ghana noted with satisfaction measures taken to ensure equal access of men and women to education and inclusive education for persons with disabilities.

65. Switzerland welcomed the new Penal Code while expressing concern about restrictions on the right to freedom of expression, the work of journalists and human rights defenders, as well as precarious detention conditions and overcrowding. It noted allegations of persisting malnutrition, unhealthiness and ill-treatment in detention centres.

66. Guatemala noted Togo's efforts to strengthen its judiciary. However, it was concerned about the lack of independency of judiciary, issues with the access to justice and at the existing impunity.

67. Indonesia welcomed the Criminal Code, trainings on torture prevention for police officers and the processing of complaints and investigations by the National Human Rights Commission. It noted the efforts to harmonize the national legislation with international instruments, and legislative measures for human rights promotion and protection.

68. Iraq welcomed Togo's cooperation with special procedures, the design of UPR implementation action plan, as well as the ratification of the UNESCO Convention against Discrimination in Education and the Convention on the Protection of All Persons from Enforced Disappearance.

69. Israel commended Togo for good cooperation with international and regional human rights mechanisms, proactive policies to prevent torture, and the emphasis on political participation.

70. Italy appreciated efforts to intensify the combat against violence against women and girls, and the child protection since the first cycle UPR.

71. Kenya commended Togo for the steps taken to implement recommendations from the first cycle, despite the challenges, and without support from the international community.

72. Lebanon took positive note of Togo's commitment to human rights principles, which was reflected in the national legal framework and the reception of special procedures mandate holders. This commitment was also reflected in the election of Togo to the Human Rights Council for 2016 to 2018.

73. Libya welcomed the efforts to implement accepted recommendations from the first cycle. It also welcomed efforts to strengthen the education system and urged Togo to ensure that primary education was accessible to all.

74. Liechtenstein welcomed efforts to eliminate discrimination against women and the prohibition of customary practices constituting violence or discrimination against women through the amendment of the Personal and Family Code. It encouraged implementation of the Code.

75. Madagascar welcomed the adherence of Togo the UNESCO convention against discrimination in education and the Convention relating to the status of stateless persons. Madagascar welcomed Togo's efforts to strengthen its institutional and legislative framework, and progress made regarding the rights to education and health.

76. The Maldives welcomed Togo's efforts to eliminate discrimination against women, the campaign against child marriage raising awareness on early and enforced marriages, and

early pregnancies. It commended the establishment of a framework for consultations and dialogue with human rights actors and stakeholders.

77. Mauritania welcomed Togo's engagement in the field of human rights and efforts to improve the living conditions of the population, including through its policy to eradicate poverty and ensuring access to education and healthcare. Mauritania noted legislative and institutional measures to reinforce the human rights framework, including regarding the strengthening of the National Human Rights Commission.

78. France welcomed the measures taken since the first review, particularly the ratification of ICPPED and ICCPR-OP2, and the establishment of the national mechanism to prevent torture.

79. Mongolia noted steps taken to eliminate discrimination against women, punish those responsible for gender-based violence and trafficking in women and promote the rights of persons with disabilities and of minorities. It commended Togo for its cooperation with UNICEF to combat violence and sexual exploitation of children.

80. Montenegro commended Togo for the abolition of the death penalty and the appointment of cantonal focal points to support victims of domestic violence. It asked about measures to improve legal framework on human trafficking and investigate such cases and prosecute traffickers.

81. Morocco welcomed the reforms initiated regarding the rights to health, housing, work and education. Morocco commended Togo for its efforts undertaken in reforming and modernizing the Criminal Code, the Criminal Procedure Code and in strengthening the guaranties to access to justice.

82. Mozambique welcomed Togo's ratification of the UNESCO Convention against Discrimination in Education, the Convention relating to the Status of Stateless Persons, the International Convention for the protection of all persons from enforced disappearance, and the Arms trade treaty. It welcomed the visits of the Deputy High Commissioner for Human Rights, the Sub-committee on the Prevention against Torture and Special procedures.

83. Namibia welcomed the new Penal Code and the Family Code, which contains provisions aimed at eliminating discrimination against women. It encouraged Togo to continue with efforts to reform the judicial system and to ensure the independence of the judiciary.

84. The Netherlands noted restrictions on the right to peaceful assembly, especially for women and those advocating for LGBTI rights, and the excessive use of force on demonstrators. It expressed concern about the draft law on association that may result in restrictions on the right to peaceful assembly and association, and the prevailing impunity.

85. Niger welcomed the Laws on the National Human Rights Commission and the right to access to information and public documents, good cooperation with treaty bodies and special procedures, and the government initiatives such as the creation of agricultural development zones.

86. Nigeria praised the initiatives aimed at reducing poverty. It noted the achievements made to improve and strengthen the healthcare and educational systems. It also welcomed the efforts to combat torture and ill-treatment through training courses for criminal investigators and prison officials.

87. Pakistan was encouraged by the efforts made to implement the majority of the recommendations from the first cycle, and noted the initiatives in that regard. It commended the efforts to consolidate democracy and to strengthen the rule of law.

88. The Philippines was encouraged by the steps taken to strengthen the domestic framework. It noted with concern that the Nationality Code did not allow women to transfer their nationality to a foreign spouse which men were able to do. Also of concern was the under-representation of women in decision making bodies.

89. Portugal commended the ratification of the OP-ICCPR-2. It welcomed the adoption of a new Criminal Code, the compliance of the definition of torture with CAT, and also prohibition of female genital mutilation. Portugal noted the lack of access to primary education by one third of the children in the country.

90. Republic of Korea appreciated the efforts to revise laws in areas including legal assistance, family, education and access to information. It noted that these efforts were undertaken as follow-up to the previous review.

91. The Russian Federation commended Togo for its efforts to improve the legal framework and the independence and effectiveness of the judiciary. It noted with concern that the practice of the female genital mutilation had not stopped despite its criminalization.

92. Rwanda noted Togo's process related to social and economic rights and the right to justice. It commended Togo's continued efforts to promote gender equality and combat sexual and gender based violence and the implementation of policies aimed at reducing disparities between men and women.

93. Senegal welcomed the legislative reforms reinforcing the human rights framework, particularly the laws relating to the composition, the organisation and the functioning of the national human rights commission, and to the access to information and public documentation. Senegal noted the ratification of the ICPPED and training for penitentiary staff.

94. Serbia commended Togo for its efforts to combat discrimination and for the ratification of the Convention against Discrimination in Education and adoption of the Criminal Code. It encouraged the Government to continue its efforts towards achieving comprehensive criminal liability for the use of torture.

95. Sierra Leone welcomed the adoption of a law on legal aid, a new Criminal Code, and the ratification of ICPPED. It encouraged Togo to ensure closer collaboration with the NHRI and provide it with additional resources, and to ensure gender equality and equal participation of women in decision-making processes.

96. Slovenia commended the ratification of several human rights treaties. It was concerned that the birth registration was still not universal, that consensual same-sex sexual conduct was criminalized and that violence against women remained a problem.

97. South Africa noted the efforts of Togo to strengthen the education system and the adoption of the law on freedom of access to information.

98. South Sudan noted the adoption of laws on human rights issues and the ratification of several human rights treaties. It encouraged Togo to share its experience and good practice on ensuring access of girls to education.

99. Spain welcomed the new Penal Code that criminalizes female genital mutilation while expressing concern that it continues criminalizing sexual relations between the consenting adults of the same sex. It also welcomed that the new Penal Code is conducive to harmonizing the national legislation with the Convention against Torture.

100. Sudan welcomed the ratification of the Convention on the Protection of All Persons from Enforced Disappearance and UNESCO Convention against Discrimination in Education, and cooperation with special procedures.

101. Greece noted progress in various areas, including the adoption of Criminal and Family Codes, strengthening the education system and the implementation of a national strategy to combat gender-based violence.
102. Tajikistan noted the socio-economic development policy and the national modernization programme of the judicial system.
103. Timor-Leste welcomed the fact that female genital mutilation is criminalized and the new Law on the right to freedom of peaceful assembly. It remained, however, concerned at the high number of sexual harassment and rape of girls in schools.
104. Tunisia appreciated the new Criminal Code, the Law on Legal Aid, the Law on Freedom of Assembly and Association, and the Code on Persons and Family. Tunisia welcomed efforts to combat torture and ill-treatment, and to improve the prisons conditions, and the situation of persons with disabilities.
105. Turkey welcomed the adoption of the Law on the National Human Rights Commission, and the action plans aimed at promoting birth registration.
106. Uganda noted efforts of Togo to ratify several human rights instruments, including ICPED and to harmonize its legislation with its international human rights obligations.
107. Ukraine noted with satisfaction the Government's efforts to implement CAT and CRC, modernise the judicial system and to implement regulation with regard to conditions of arrest, custody and detention.
108. United Arab Emirates welcomed the progress made in the area of education, particularly the policy to make primary education free and compulsory. It appreciated that education was being provided to all social groups, including children with special needs.
109. The United Kingdom of Great Britain and Northern Ireland welcomed the decision to accede to OP-ICCPR-2. It urged Togo to adopt a law and establish a commission to combat human trafficking, and further reforms to support political pluralism. It called for more measures to reduce prison overcrowding.
110. United Republic of Tanzania noted efforts to ratify numerous international treaties. It commended Togo for its commitment to improve respect for the rule of law and for initiatives aimed at revitalizing the economy, combating poverty and improving the well-being of the citizens.
111. United States of America commended Togo for, amongst others, holding a peaceful and democratic 2015 presidential election and for the decision to plan for local elections. It remained concerned by the increase in pre-trial detentions and poor prison conditions. It noted the lack of reliable institutions to investigate corruption.
112. Uruguay welcomed the upcoming ratification of ICCPR-OP2 to abolish the death penalty and the ratification of ICPED. It encouraged Togo to ensure the independence of the national human rights commission and to provide the commission with the necessary resources.
113. Venezuela (Bolivarian Republic of) noted that Togo ratified international instruments and submitted reports to treaty bodies. Anti-retroviral drugs to combat HIV/AIDS were free. Primary education was free and, grants were given to secondary school pupils and to girls in remote areas. Malnutrition was reduced with support provided to poor children.
114. Viet Nam commended Togo for positive developments in the protection and promotion of human rights.

115. Zambia commended Togo for developing a national strategy to combat gender-based violence. It noted the prevailing social attitudes conducive to the stigmatization of children with disabilities and cases of juveniles kept with adults in detention places and of children without birth certificate.

116. Zimbabwe noted the adoption of national policies and programmes, including the National Health Development Plan, and the ratification of several human rights treaties, including the ICPPED.

117. Albania noted the adoption of a law on legal aid and the Criminal Code and the ratification of the ICPPED. It encouraged the Government to further strengthening its national efforts and human rights mechanisms.

118. Algeria commended Togo for the adoption of the Law on Legal Aid, and the review of the Family Code. It welcomed its efforts to combat torture and ill treatment, through training to judicial police officers and penitentiary staff. Algeria also welcomed workshop on access of women to land.

119. Angola noted the ratification of the Second Protocol to ICCPR, effective cooperation of Togo with international human rights mechanisms and the harmonization of the national legislation with international standards.

120. Argentina welcomed the ratification of the Convention for the Protection of All Persons from Enforced Disappearance and the Second Optional Protocol to the International Covenant on Civil and Political Rights, and the legislative and institutional initiatives to protect and improve the situation of women and girls.

121. Armenia welcomed the efforts to strengthen the educational system, including the increased number of teachers. It encouraged enrollment of girls in primary education.

122. Australia welcomed the ratification of the OP-ICCPR-2. It expressed concern about the lack of parliamentary oversight of the National Human Rights Commission, restrictions on freedom of expression and assembly, and the Criminal Code provisions that may restrict freedom of the press and civil society.

123. Azerbaijan acknowledged the efforts to strengthen the legal and institutional framework for human rights promotion and protection. It welcomed Togo's cooperation with special procedures.

124. Bangladesh welcomed harmonizing national legislation with the ratified international treaties, the adoption of policies and national and sectoral programmes, "the Accelerated Growth and Employment Creation Strategy", and the progress in GDP growth, increased food production, access to safe drinking water, and the substantially decreased number of under-nourished people.

125. Belgium welcomed criminalizing torture while expressing concerns about the impunity for the excessive use of force by armed forces, the lack of the law on violence against women, and the criminalization of sexual relations between the consenting adults of the same sex.

126. Botswana welcomed the enactment of various legislations and noted progress in the implementation of the recommendations from the last review. It noted challenges including sexual abuse of girls in schools, child marriages, lack of separation of minors and adults in detention facilities and the high levels of human trafficking.

127. Brazil appreciated the ratification of the OP-ICCPR-2, aiming at the abolition of the death penalty and recognised the constructive participation of Togo in the international human rights forums. It also recognised the criminalization of torture.

II. Conclusions and/or recommendations**

128. The recommendations formulated during the interactive dialogue/listed below have been examined by Togo and enjoy the support of Togo:

- 128.1. Continue its efforts to ratify international human rights treaties (Côte d'Ivoire);
- 128.2. Accede to those international legal instruments to which Togo was not yet a party, in particular the Optional Protocol to the CEDAW (Gabon);
- 128.3. Speed up the process of ratification of the Optional Protocol to the CEDAW (Georgia); / Expedite action on the ratification process of Optional Protocol to the CEDAW (Ghana); Accelerate its ratification process of the Optional Protocol to the CEDAW (Mongolia);
- 128.4. Consider signing and ratify Optional Protocol to the CEDAW (Guatemala);
- 128.5. Sign and ratify the optional protocol to the CEDAW (Italy);
- 128.6. Accept, ratify or accede to the Optional Protocol to the CEDAW (Uruguay);
- 128.7. Ratify the Optional Protocol to the CEDAW (Madagascar) (Djibouti) (Portugal) (Albania);
- 128.8. Continue to pursue gender equality by adopting the Optional Protocol to the CEDAW (Australia);
- 128.9. Expedite action on the ratification process of ICRMW (Ghana) / Complete the process of ratifying the ICRMW (Turkey);
- 128.10. Ratify the ICRMW (Algeria) (Egypt) (Sierra Leone);
- 128.11. Ratify promptly ICRMW (Guatemala);
- 128.12. Consider the ratification of the ICRMW (Indonesia) / Consider ratifying the ICRMW (Philippines);
- 128.13. Envisage the ratification of the ICRMW, which was signed by Togo in 2001 (Senegal);
- 128.14. Consider ratifying ILO Convention 189 (Philippines);
- 128.15. Continue its accession to the core international human rights instruments (Azerbaijan);
- 128.16. Consider signing core human rights treaties to which it is not yet a party (United Republic of Tanzania);
- 128.17. Amend the Personal and Family Code in which consideration is given to prevention and support of victims of gender-based and sexual violence (Liechtenstein);
- 128.18. Ensure that domestic legislations are in line with international human rights standards (Philippines);

** The conclusions and recommendations have not been edited.

- 128.19. Accelerate the process to establish a national committee on the rights of children provided for in the Children's Code (Gabon);
- 128.20. Speed up the establishment of the National commission to fight against trafficking in persons and the implementation process of the action plan of the national policy on gender equity and equality (Madagascar);
- 128.21. Institute a National Action Plan on the Prevention of Torture and allocate sufficient resources for its implementation (Serbia);
- 128.22. Continue to develop the normative and institutional framework at the national level by integrating all instruments and treaties ratified by Togo in the legislative system of the country (Iraq);
- 128.23. Strengthen the training and awareness-raising of the main social actors on international human rights standards (Côte d'Ivoire);
- 128.24. Continue efforts to raise awareness and to train those working in the field of human rights (Egypt);
- 128.25. Establish a functional registry system reaching the whole population, inter alia by extending the time for free birth registration and offering birth certificate establishment procedures for the unregistered (Germany);
- 128.26. Ensure universal birth registration and take necessary steps to achieve universal primary education and combat illiteracy (Slovenia);
- 128.27. Take necessary measures to ensure that birth registration is obligatory and free for all children (Turkey);
- 128.28. Put in place concrete measures to facilitate birth registration by extending the free registration deadline and through multiplication of awareness-raising activities thereon (Turkey);
- 128.29. Adopt and implement the National Policies on Child Protection and on the Child Welfare System (Slovenia);
- 128.30. Continue its efforts to launch and implement a national human rights action plan in order to improve promotion and protection of human rights (Indonesia);
- 128.31. Continue implementing the human rights action plan (Sudan);
- 128.32. Continue efforts to mainstream human rights into general policies (Sudan);
- 128.33. Develop and promote national policies in the field of child rights protection, in particular vulnerable groups of the population (Tajikistan);
- 128.34. With the support from the international community, make efforts to integrating the human rights approach in public policies and establishing a credible data collection centre (Uganda);
- 128.35. Incorporate sustainable development goals in development policies and programmes (Zimbabwe);
- 128.36. Include human rights education in curricula in educational institutions (Armenia);
- 128.37. Submit overdue reports to the treaty bodies of the OHCHR (Ghana) / Submit the overdue reports to the relevant treaty bodies (Sierra Leone);
- 128.38. Step up efforts towards gender equality (Philippines);

- 128.39. **Make further efforts to protect and integrate into society disadvantages women such as rural women, women with disabilities, and women in detention, by adopting targeted policies for them, in particular in the areas of education, employment, health care, and social security (Republic of Korea);**
- 128.40. **Adopt further measures to ensure gender equality in the society, including through implementing, and updating when necessary, the National Strategy to Combat Gender-based Violence (Viet Nam);**
- 128.41. **Continue the positive measures in favour of women by promoting their access to justice and education (Angola);**
- 128.42. **Continue adopting measures to facilitate hiring women in labour sectors that have traditionally been exclusively for men, including in the arm forces (Chile);**
- 128.43. **Continue its efforts aimed at addressing the under-representation of women in decision-making bodies including through considering the adoption of a law on gender equality (Rwanda);**
- 128.44. **Continue its work on the elimination of discrimination against women (Tajikistan);**
- 128.45. **Continue efforts aiming at promoting the role of women in decision-making and achieving equality of opportunities (Tunisia);**
- 128.46. **Multiply the activities undertaken to increase the participation of women in political life and in decision-making (Turkey);**
- 128.47. **Strengthen the national gender equity and equality policy (Côte d'Ivoire);**
- 128.48. **Intensify its fight against violence against women and girls and continue the fight against stereotypes (Cuba);**
- 128.49. **Promote the national policy aimed at achieving gender equality and empowerment of women (Egypt);**
- 128.50. **Strengthen its efforts to prevent and combat all forms of discrimination and violence against women, children and other vulnerable groups through adoption of a comprehensive legislation and awareness-raising campaigns (Italy);**
- 128.51. **Continue to intensify efforts to achieve equality and non-discrimination in the framework of equality and equity between men and women (Iraq);**
- 128.52. **Take legislative and statutory measures to eliminate all forms of discrimination against women, persons with disabilities, and children affected by HIV/AIDS (Madagascar);**
- 128.53. **Take measures to increase the participation of women in governance and decision making bodies (Maldives);**
- 128.54. **Continue efforts to combat violence against women while promoting gender equality, including carrying out awareness-raising programmes to raise the consciousness of public opinion (France);**

- 128.55. Implement formal and effective prevention and protection mechanisms for women victims of violence and female genital mutilation (Spain);
- 128.56. Prohibit harmful practices, including by adopting additional measures to fight against all forms of violence against women and girls (Slovenia);
- 128.57. Continue to implement the National Strategy for Gender-Based Violence (Pakistan);
- 128.58. Continue efforts to combat human trafficking in particular exploitation of children and women by stepping up the efforts to combat impunity of traffickers and regional cooperation (France);
- 128.59. Adopt effective prevention and education measures to end all cases of child marriage and female genital mutilation (Liechtenstein);
- 128.60. prosecute all cases of (child marriage and female genital mutilation) and punish the perpetrators according to the law (Liechtenstein);
- 128.61. Adopt at the earliest a decree establishing a National Commission to fight against trafficking in persons (Central African Republic);
- 128.62. Step up efforts to combat violence against women and girls, including by promoting literacy among these groups (Zimbabwe);
- 128.63. Enhance its efforts aimed at improving the situation of the rights of the child in particular efforts to eliminate early and forced marriages and child trafficking (Rwanda);
- 128.64. Strengthen actions aimed at ending child, early and forced marriage (Sierra Leone);
- 128.65. Separate children in conflict with law from adults in police and detention facilities and place them in child-sensitive environment (Zambia);
- 128.66. Take urgently legal, statutory and administrative measures against child labour (Central African Republic);
- 128.67. Bring its legal definition of torture into line with the Convention against Torture and Other, Cruel, Inhuman or Degrading Treatment or Punishment (Australia);
- 128.68. Address the arbitrary and excessive use of force by law enforcement agencies, in particular the military, by providing effective human rights-sensitive training and additional resources, and setting up accountability mechanisms (Netherlands);
- 128.69. Align its Penal Code with international norms, with a view of integrating judicial guarantees against torture, such as the right to a lawyer in all phases of a criminal procedure, including in police detention (Serbia);
- 128.70. Address the growing problem of pre-trial detentions and prison conditions (United States of America);
- 128.71. Facilitate the adoption of the new Code of Criminal Procedure that includes the notification of charges, the right to be assisted by counsel, compulsory medical examination and notification of family members, with a view to strengthen the rights of those in police custody (Republic of Korea);

- 128.72. Continue to take steps to improve conditions in prison setting and make them consistent with international standards (Angola);
- 128.73. Ensure that decent sanitary conditions are provided to detainees (Djibouti);
- 128.74. Improve prison conditions in all detention centres by developing and implementing a strategy to end the current overcrowding of prisons, as accepted in the 2011 UPR, inter alia by restricting the use of pre-trial detention and by developing alternative forms of punishment, as well as by ensuring access to sufficient food and drinkable water, adequate sanitary facilities and medical treatment (Germany);
- 128.75. Improve detention conditions in conformity with the United Nations UN Standard Minimum Rules for the Treatment of Prisoners and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Switzerland);
- 128.76. Take verifiable measures to improve prison conditions (Spain);
- 128.77. Step up efforts for the improvement of the justice as well as the penitentiary system (Greece);
- 128.78. Develop a strategy to reduce prison overcrowding and improve conditions in line with the United Nations Basic Principles for the Treatment of Prisoners (Kenya);
- 128.79. Investigate thoroughly cases of female genital mutilation and bring the perpetrators to justice (Russian Federation);
- 128.80. Thoroughly investigate and prosecute cases of sexual harassment and rape of girls in schools (Sierra Leone);
- 128.81. Intensify the investigation and punishment of cases of discrimination and gender violence (Argentina);
- 128.82. Provide prompt, thorough and impartial investigations into all allegations of excessive use of force by the armed forces and submit to a fair trial anyone suspected of being responsible (Belgium);
- 128.83. Ensure that allegations of arbitrary arrest and detention and torture are investigated promptly and thoroughly with suspected perpetrators brought to justice (United Kingdom of Great Britain and Northern Ireland);
- 128.84. Carry out immediate, impartial and exhaustive investigations into all allegations of torture, ill-treatment and other human rights violations, in particular in detention centres as recommended previously, and prosecute those responsible (Netherlands);
- 128.85. Improve access to justice for women through legal aid and ensure that Women Human Rights Defenders can work safely and are not hindered in their activities (Liechtenstein);
- 128.86. Ensure that women victims of violence receive adequate assistance and that perpetrators are brought to justice (Italy);
- 128.87. Adopt measures to guarantee the right to life, liberty and security of persons, particularly to prevent the practice of mob justice as well as the impunity of those who are guilty, facilitate activities of the human rights organisations as they combat those practices (Chile);

- 128.88. Continue to strengthen the judicial system, in particular the independency of the judiciary, access to justice, access to necessary infrastructure and resources and the fight against impunity (Ghana);
- 128.89. Strengthen the independence of the judiciary and safeguard the rule of law *inter alia* by increasing the budget allocated to the justice system (Germany);
- 128.90. Continue Strengthening the judiciary system, in particular the independency of the judiciary, access to justice, and combating impunity (Guatemala);
- 128.91. Take measures to raise the awareness of its citizens with regard to the rights and judicial procedures in order to improve their access to justice (Maldives);
- 128.92. Pursue reforming the judicial system to strengthen its effectiveness, particularly by improving access to justice and detention conditions (France);
- 128.93. Ensure that violations committed by members of the security forces are subject to legal proceedings (France);
- 128.94. Strengthen the means of actions of the training centre for judicial professions created in 2010 (Morocco);
- 128.95. Further strengthen efforts to promote good governance (Georgia);
- 128.96. Strengthen the rule of law by depoliticizing the judiciary and law enforcement, and by strengthening investigations into corruption and human rights violations and abuses (United States of America);
- 128.97. Ensure the right to unrestricted peaceful assembly and avoid arbitrary detention, and also avoid the excessive use of force during those assemblies (Uruguay);
- 128.98. Ensure the protection of freedom of expression and of assembly in law and in practice, especially with regards to political participation and the safety of journalists (Brazil);
- 128.99. Implement effectively the 2030 SDGs and promote sustainable economic and social development in order to create solid foundation for the development of its human rights cause (China);
- 128.100. Further continue the implementation of the National Development Plan for generating resources which is useful to combat poverty (Ethiopia);
- 128.101. Join efforts with international partners in finding innovative solutions for efficient water management to ensure basic subsistence for all (Israel);
- 128.102. Pursue and increase its efforts undertaken in the field of education, water and sanitation (Morocco);
- 128.103. Pay more attention to fighting against extreme poverty (Ukraine);
- 128.104. Pay more attention to social and economic development programmes (Ukraine);
- 128.105. Pay more attention to the right to food and general living conditions of the population (Ukraine);

- 128.106. **Include those affected by the Phosphate extraction industry in the negotiations on their settlement and the acquisition of alternative farm lands for them (Kenya);**
- 128.107. **Ensure the implementation of the relevant laws to protect people and the environment, by requiring Phosphate companies to work with the government and support its efforts aimed at local and regional development, through inter alia building schools dispensaries and providing water and sanitation to those affected (Kenya);**
- 128.108. **Continue the implementation of measures aimed at eradicating poverty and illiteracy (Lebanon);**
- 128.109. **Through its own efforts and international cooperation, further lower its maternal and infant mortality rates (China);**
- 128.110. **Allocate resources to the capacity building of medical staff with a view to reducing overall morbidity and mortality (Israel);**
- 128.111. **Pay more attention to combating HIV/AIDS, malaria, communicable and non-communicable diseases and strengthening the pharmaceutical sector (Ukraine);**
- 128.112. **Improve the health care system, and specifically provide further measures on infrastructure and resources to maternal health including midwife training, with the focus on health care of mothers and babies through pregnancy and childbirth (Albania);**
- 128.113. **Elaborate and implement an action plan of human rights education (Cuba);**
- 128.114. **Continue to strengthen the quality of education by building and equipping school facilities (Ethiopia);**
- 128.115. **Continue taking the necessary steps to achieve universal primary education (Georgia);**
- 128.116. **Expedite the development of a national plan for human rights education (Israel);**
- 128.117. **Seek the support of partners to pursue its efforts in the area of the right to education and right to health (Madagascar);**
- 128.118. **Continue to strengthen access to education through various programmes and initiatives for all children (Pakistan);**
- 128.119. **Take all necessary measures to ensure universal primary education, combat illiteracy and reduce the drop-out rate in primary schools (Portugal);**
- 128.120. **Continue taking the necessary measures to ensure universal primary education and to combat illiteracy in the country (Russian Federation);**
- 128.121. **Strengthen efforts at promoting inclusive education, including through regional initiatives (South Africa);**
- 128.122. **Continue its efforts in improving human rights in the country, especially girl education (South Sudan);**
- 128.123. **Ensure inspections of school facilities and establish clear reporting systems for cases of violence in schools (Timor-Leste);**

- 128.124. Continue the integration of human rights courses in all levels of education (United Arab Emirates);
- 128.125. Continue to reinforce its efforts towards attaining quality education at all levels (United Republic of Tanzania);
- 128.126. Continue to consolidate its successful social plans and particularly its very successful education policy (Venezuela (Bolivarian Republic of));
- 128.127. Take further steps to ensure rights to education for all, especially through increasing the literacy rate (Viet Nam);
- 128.128. Given equal access to education, healthcare and other social services regardless of having birth certificates or not, to all children (Zambia);
- 128.129. Adopt a law aimed at promoting access to education and health services for all children with disabilities (Congo);
- 128.130. Begin the process of drafting legislation to promote and protect the rights of persons with disabilities (Maldives);
- 128.131. Take measures in order to improve and create additional favourable conditions to facilitate access to education for persons with disabilities (Nigeria);
- 128.132. Continue to make efforts to progressively introduce an inclusive education system for the children with disabilities (Pakistan);
- 128.133. Further improve accessibility of persons with disabilities to infrastructure, training and education (Greece);
- 128.134. Continue its efforts in the area of human rights, particularly in providing elementary education for all and combat illiteracy (Libya);
- 128.135. Investigate cases of killings related to children born with disabilities and bring to justice those responsible for such crimes (Zambia);
- 128.136. Adopt measures to prevent and mitigate adverse human rights impact of companies operating in Togo (Nigeria).
129. The following enjoy the support of Togo, which considers that they are already implemented or in the process of implementation:
- 129.1. Speed up the process of ratification of the Second Optional Protocol to the ICCPR (Georgia) / Speed up the process of ratification of the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty (Mozambique) / Continue efforts aimed at ratifying the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (South Africa);
- 129.2. Ratify the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty (Djibouti) / Adhere to the Second Optional protocol to the ICCPR (Madagascar);
- 129.3. Accept, ratify or accede to African Charter on Democracy, Elections and Governance (Uruguay);
- 129.4. Accede to the Convention on Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);
- 129.5. Domesticated the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Kenya);

- 129.6. **Adopt and implement human trafficking legislation with a special focus on protecting children, in line with Togo's obligations under the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography (United Kingdom of Great Britain and Northern Ireland);**
- 129.7. **Accelerate the functioning of the National Human Rights Commission making it in conformity with the Paris Principles (Senegal);**
- 129.8. **Adopt measures to guarantee the full independence and impartiality of the National Human Rights Commission, ensure that its members' nomination process is transparent and subject to independent oversight, and make the Commission's finding publicly available (Kenya);**
- 129.9. **Adopt the necessary measures to guarantee the full independence and impartiality of the national human rights commission; ensure the transparency of the appointment process of its members and ensure that it has an independent oversight mechanism (Chile);**
- 129.10. **Review the way National Human Rights Commission members are appointed to ensure its independence (Australia);**
- 129.11. **Complete the process of creating a coordination body to implement the Convention on the Rights of the Child (Turkey);**
- 129.12. **Adopt laws guaranteeing compulsory birth registration (Lebanon);**
- 129.13. **Ensure that birth registration is free and compulsory in practice and guarantee that children without a birth certificate are not deprived of access to education, health care and other social services, In line with the recommendation by the CRC (Namibia);**
- 129.14. **Swiftly implement the provisions (in the new Criminal Code), aiming at the elimination of the practice of (female genital mutilation) (Portugal);**
- 129.15. **Implement the National Strategy to Combat Gender-Based Violence (South Africa);**
- 129.16. **Reform the Togolese legislation aimed at eliminating discriminatory practices against women in matters of inheritance (Spain);**
- 129.17. **Ensure the abolition of all forms of early and forced marriages, including through increasing minimum age of marriage to 18 for girls (Botswana);**
- 129.18. **Implement rigorously the legislation establishing the minimum age of marriage at 18 years old (Central African Republic);**
- 129.19. **Promulgate and implement as soon as possible the law amending the definition of torture and ensure that it is used to investigate complaints of torture and ill-treatment (Mexico);**
- 129.20. **Introduce criminal liability for trafficking in children, in particular with the purpose of adoption and sale of organs of children (Russian Federation);**
- 129.21. **Further increase the juvenile courts in its territory for making justice more accessible (Niger);**
- 129.22. **Take steps to protect the freedom of expression and opinion, as provided for in the ICCPR (Australia);**
- 129.23. **Promote the laws on freedom of the press and expression (Lebanon);**

- 129.24. **Protect freedom of assembly and association in ensuring that peaceful demonstration can take place free from intimidation and harassment; (Canada);**
- 129.25. **Reform the laws that hamper the exercise of freedom of expression to ensure that they are in line with international human rights norms (Uruguay);**
- 129.26. **Elaborate economic policies and poverty reduction strategies (Niger).**
130. **The following recommendations will be examined by Togo which will provide responses in due time, but no later than the thirty-fourth session of the Human Rights Council in March 2017:**
- 130.1. **Ratify the Optional Protocol to the CRC on a communication procedure (Montenegro) (Portugal);**
- 130.2. **Adopt the law on human trafficking (Timor-Leste);**
- 130.3. **Adopt a law on all forms of violence and discrimination against women (Turkey);**
- 130.4. **Adopt a specific law, based on prevention of violence against women and related assistance, to combat all violence against women (Algeria);**
- 130.5. **Elaborate a law on violence against women, including domestic violence (Belgium);**
- 130.6. **Adopt a comprehensive legislation to address human trafficking (Botswana);**
- 130.7. **Consider issuing a standing invitation to the UN human rights Special Procedures (Rwanda) / Consider the issuance of a standing invitation to the Special Procedure mandate holders (Azerbaijan);**
- 130.8. **Issue a standing invitation to all Special Procedures (Mexico) / Issue standing invitations to all special procedures of the OHCHR (Ghana) / Extend a standing invitation to mandate holders of all UN special procedures (Guatemala) / Extend standing invitation to all Special Procedure mandate holders (Montenegro);**
- 130.9. **Adopt without delay the draft law establishing quotas for women at elected and administrative positions, in line with the recommendation by the CEDAW (Namibia);**
- 130.10. **Solidify Togo's democratic process by organizing a popular referendum on presidential term limits and setting a date for and plan to hold local elections (United States of America);**
- 130.11. **Introduce a quota system in the employment sector for persons with disabilities (Russian Federation).**
131. **The recommendations below did not enjoy the support of Togo and would thus be noted:**
- 131.1. **Accelerate its ratification process of the Optional Protocol to the ICESCR (Mongolia);**
- 131.2. **Ratify the Optional Protocol to the ICESCR (Portugal);**
- 131.3. **Expedite action on the ratification process of the Rome Statute of the ICC (Ghana);**
- 131.4. **Consider ratifying the Rome Statute of the ICC (Timor-Leste);**

- 131.5. **Accede to the Rome Statute of the ICC (France) / Ratify the Rome Statute of the ICC (Switzerland) / Accept, ratify or accede to the Rome Statute of the ICC (Uruguay);**
- 131.6. **Accede to the Rome Statute of the ICC and amend its national legislation to ensure that it is in line with the Rome Statute, including incorporating relevant provisions in order to comply with the ICC (Guatemala);**
- 131.7. **Ratify the Rome Statute as well as the Kampala amendments to the Rome Statute (Liechtenstein);**
- 131.8. **Decriminalize sexual relations between consenting adults of the same sex (Australia);**
- 131.9. **Strengthen the laws to ensure that sexual orientation and gender identity are included among grounds for prohibition of discrimination in order to prevent impunity in acts of discrimination based on those grounds (Chile);**
- 131.10. **Repeal provisions of the Criminal Code, which criminalise sexual conduct between persons of the same sex (Mexico);**
- 131.11. **Repeal legal provisions that criminalize LGBTI persons, in accordance with the principle of non-discrimination (France);**
- 131.12. **Adopt and implement legislation prohibiting discrimination on the basis of sexual orientation and gender identity, including by decriminalising consensual same-sex sexual conduct (Slovenia);**
- 131.13. **Decriminalize sexual relations between consenting adults of the same sex (Spain);**
- 131.14. **Protect, respect and make a reality human rights for all people regardless of their sexual orientation or their gender expression or identity (Uruguay);**
- 131.15. **Investigate all allegations of attacks and arbitrary detentions of LGBTI persons and bring the perpetrators to justice (Uruguay);**
- 131.16. **Adopt the additional necessary measures to guarantee the full enjoyment of human rights of vulnerable groups subjected to discrimination, such as LGBTI people, including investigation and punishment of cases of discrimination and the repeal of laws that criminalize and stigmatize (Argentina);**
- 131.17. **Repeal the provisions of the Penal Code that criminalize sex between consenting people of the same sex and incitement to sexual relations between consenting people of the same sex (Belgium);**
- 131.18. **Fully align national criminal laws with international human rights obligations, especially in relation to the criminalization of same-sex relations (Brazil);**
- 131.19. **Ensure a safe working environment for human rights defenders, by modifying the legislation that allows the denial of legal registration of organisations specialised in reproductive and sexual rights of women as well as associations defending the rights of LGBTI (Canada);**
- 131.20. **Review the provisions of the Criminal Code providing for prisons sentences for slander and publication of false information, and introduce**

amendments in order to concretely protect freedom of expression and of the press (Canada);

131.21. Guarantee the right to freedom of expression, association and peaceful assembly and the right to participate in public and political life. To reach this goal, amend all laws violating these rights and bring them in line with international human rights standards, namely the Criminal Code, the Press and Communication Code and Law No 2011-010 on freedom of assembly and public and peaceful demonstrations (Germany);

131.22. Modify the provisions of the Penal Code relating to freedom of expression, such as those relating to defamation and publication of false news in order to be consistent with international and regional human rights instruments (Switzerland).

132. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of Togo was headed by H.E Mr. Kokouvi AGBETOMEY, Minister of Justice and Relations with the Republic institutions, and composed of the following members:

- Madame Nakpa POLO, Secrétaire d'Etat chargée des Droits de l'Homme;
- Madame Dédé Ahoéfa EKOUE, Ministre, Conseiller du Président de la République;
- Monsieur Derman ASSOUMA, Député, Président de la Commission des Droits de l'Homme de l'Assemblée Nationale;
- Madame Yobaté KOLANI-BAKALI, Député, Rapporteur de la Commission des droits de l'homme;
- S.E.M. Yackoley K. JOHNSON, Ambassadeur, Représentant permanent du Togo à Genève;
- Capitaine Kpatchaa MELEOU, Conseiller du Ministre de la Sécurité et de la Protection Civile;
- Madame Akossiwa Kafoui ADZONYOH, Conseillère technique du Ministre délégué auprès du Ministre des Enseignements Primaire et Secondaire chargé de l'Enseignement Technique et de la Formation professionnelle;
- Madame Badabossia AZAMBO-AQUITEME, Directrice générale de la protection de l'enfance;
- Madame Mazalo TEBIE-AMOUSSOU-KOUE TETE, Directrice du genre et des Droits de la femme au Ministère de l'Action Sociale, de la Promotion de la Femme et de l'Alphabétisation;
- Monsieur Kokou MINEKPOR, Directeur de la Législation et de la Promotion des Droits de l'Homme au Secrétariat d'Etat chargé des Droits de l'Homme;
- Madame Pierrette d'ALMEIDA, Directrice de la Planification et du Développement au Ministère de la Planification du Développement;
- Monsieur Komla AHONDO, Chargé de Mission au Secrétariat Général du Gouvernement;
- Monsieur Balom'ma BEDABA, Ministre Conseiller à la Mission permanente du Togo à Genève;
- Monsieur Komlan Agbélenkon NARTEH-MESSAN, Chef Division de la Coopération bilatérale au Ministère des Affaires Etrangères, de la Coopération et de l'Intégration Africaine;
- Monsieur Afo Ousmane Salifou, Premier Secrétaire à la Mission permanente du Togo à Genève.