



General Assembly

Distr.: Limited
10 October 2011

Original: English/French

UNEDITED VERSION

Human Rights Council
Working group on the universal periodic review
Twelfth session
Geneva, 3-14 October 2011

Draft report of the Working Group on the Universal Periodic Review¹

Togo

¹ The final document will be issued under the symbol A/HRC/19/10. The annex to the present report is circulated as received.

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twelfth session from 3 to 14 October 2011. The review of Togo was held at the 8th meeting on 6 October 2011. The delegation of Togo was headed by Ms. Léonardina Rita Doris Wilson-de Souza, Minister of Human Rights, Consolidation of Democracy and of Civic Education. At its 12th meeting held on 10 October 2011, the Working Group adopted the report on Togo.
2. On 20 June 2011, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Togo: Botswana, Kuwait, Poland.
3. In accordance with paragraph 15 of the annex to resolution 5/1, 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.6/12/TGO/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/12/TGO/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/12/TGO/3).
4. A list of questions prepared in advance by the Netherlands, Slovenia and the United Kingdom of Great Britain and Northern Ireland 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. Mme Wilson-de Souza, Ministre des Droits de l'Homme, de la Consolidation de la Démocratie et de la Formation Civique a déclaré que le processus de l'EPU offrait au Togo l'occasion de réaffirmer son attachement aux droits de l'homme et de faire le point sur les efforts qu'il ne cesse de déployer pour promouvoir et protéger les droits de l'homme.
6. Le processus d'élaboration du rapport national a été conduit de façon participative et inclusive et s'est accompagné de diverses actions de sensibilisation et d'information impliquant l'ensemble des organisations de la société civile avec des appuis multiformes de ses partenaires internationaux.
7. La délégation a décidé de mettre l'accent sur trois des huit points développés dans le rapport national. S'agissant d'abord de la promotion et de la protection des droits de l'homme sur le terrain, elles constituent une priorité du Gouvernement qui a adopté une approche basée sur les droits de l'homme dans la mise en œuvre de toutes ses politiques stratégiques et programmes de développement. Il est soutenu dans cette démarche par les organisations de la société civile et les partenaires au développement.
8. Le Togo a ratifié la plupart des instruments internationaux relatifs aux droits de l'homme et les a intégrés dans sa loi fondamentale. Il a récemment ratifié le protocole facultatif se rapportant à la convention contre la torture et a aboli en 2009 la peine de mort. C'est dans cette logique qu'il s'apprête à ratifier le deuxième protocole facultatif relatif aux

- droits civils et politiques, la convention internationale sur les disparitions forcées et la charte africaine de la démocratie, des élections et de la gouvernance.
9. Le Togo a entrepris le processus d'harmonisation de sa législation avec les dispositions des instruments internationaux auxquels il est partie.
 10. La constitution togolaise garantit le droit à la vie et à la sécurité de la personne, le droit à l'intégrité physique, au respect de la vie privée et interdit et l'interdiction de la torture et autres peines ou traitements cruels, inhumains ou dégradants et le droit au respect de la vie privée. Ces différents droits font également l'objet de législations spécifiques.
 11. Le Togo s'est doté d'une Commission nationale des droits de l'homme depuis 1987, laquelle est devenue un organe constitutionnel en 1992 et accréditée au statut " A ". Son indépendance se traduit par le processus de désignation de ses membres, sa composition pluridisciplinaire et son autonomie financière. L'Assemblée nationale vote chaque année un budget pour son fonctionnement.
 12. Pour ce qui est de la lutte contre l'impunité, la commission vérité, justice et réconciliation, après les phases de dépositions et d'investigation en est aux audiences publiques à l'issue desquelles elle formulera des recommandations. La mise en place de la cour des comptes est aussi une contribution importante dans la lutte contre l'impunité en matière de bonne gouvernance.
 13. La Constitution garantit aussi les libertés de conscience, de religion, d'opinion, d'expression et d'association. Des textes législatifs et réglementaires organisent l'exercice de ces libertés notamment le code de la presse, la loi de 1901 et le décret fixant les conditions de coopération entre le gouvernement et les ONG.
 14. Le libre accès à la justice et la garantie d'un procès équitable sont reconnus par la constitution. En outre, à travers le programme national de modernisation de la justice, le Gouvernement, en collaboration avec ses partenaires au développement, vise à renforcer l'indépendance et la capacité du pouvoir judiciaire. Ce programme prévoit également la construction de tribunaux ainsi que de centres de détention conformes aux standards internationaux.
 15. La protection de l'environnement est aussi l'une des préoccupations majeures du Gouvernement et plusieurs lois ont été adoptées pour la prévention des risques biotechnologiques. Le Togo a adopté une loi portant code de l'eau en 2010 et des actions ont permis d'augmenter l'accès des populations à l'eau potable en milieu rural, semi-urbain et urbain.
 16. Une stratégie nationale pour la fourniture d'un logement décent à tous a été adoptée, accompagnée d'un programme sectoriel d'investissement incluant le Programme National du Logement pour la période 2009-2013.
 17. Le Togo a également mis en œuvre une stratégie de relance de la production agricole depuis 2008 et un excédent céréalier conséquent a été dégagé en 2010. Une agence nationale pour la sécurité alimentaire a été créée pour réguler les prix des denrées de première nécessité.
 18. Le Togo a ratifié 18 conventions de l'Organisation Internationale du Travail dont les huit fondamentales et il vient d'adopter plusieurs projets de loi autorisant la ratification des conventions N° 102, 187, 122, 81, 129 et 150.
 19. Le Togo s'est résolument engagé sur la voie de la lutte contre la pauvreté par la promotion de l'emploi, la protection sociale des travailleurs et le renforcement des institutions de l'administration du travail. Un nouveau code du travail a été adopté en 2006 et un programme de modernisation de la fonction publique est en cours d'exécution. Des

lois portant code de la sécurité sociale et instituant une assurance maladie obligatoire au profit des agents publics ont été adoptées en 2011.

20. Pour promouvoir davantage les mécanismes d'inclusion et d'insertion socioprofessionnelle, surtout en faveur des jeunes et réduire les déséquilibres régionaux, un ministère a été créé et plusieurs initiatives sont menées telles que le programme de volontariat national, le projet Appui à l'Insertion et au Développement de l'Embauche (AIDE) et le soutien aux activités génératrices de revenus des groupements, surtout des femmes.

21. La liberté syndicale est également garantie avec six centrales syndicales et une organisation patronale.

22. La constitution pose le principe de l'enseignement primaire gratuit et obligatoire jusqu'à 15 ans. La première phase de la gratuité de l'enseignement a commencé en 2008 permettant une augmentation du taux de scolarisation. Pour relever le défi de la scolarisation primaire universelle à l'horizon 2015, le Togo a adopté un plan sectoriel 2010-2020 avec le budget y afférent. Malgré ces efforts, l'effectivité du droit à l'éducation se heurte à certaines contraintes socioculturelles, à l'insuffisance des ressources financières, des infrastructures et de personnel enseignant qualifié.

23. Le Togo a également adopté la loi portant code de la santé et a souscrit aux Objectifs du Millénaire pour le Développement relatifs à la santé avec l'adoption d'un plan de développement sanitaire 2009-2013. Des stratégies spécifiques à certaines thématiques comme le paludisme ou les IST/ VIH-SIDA ont été mises en œuvre. Pour réduire les taux de mortalité maternelle, néonatale, infantile et infanto-juvénile, le Togo s'est engagé dans la mise en œuvre des interventions à haut impact.

24. Un programme élargi de vaccination est fonctionnel sur l'ensemble du territoire et les antirétroviraux (ARV) sont gratuits depuis 2008, d'où une forte augmentation des bénéficiaires. Des actions visant la prévention de la transmission du VIH/SIDA de la mère à l'enfant ont été lancées par la multiplication des sites de prise en charge.

25. En dépit des difficultés économiques et financières à la suite d'une quinzaine d'années de suspension de la coopération internationale, le Togo a pris de nombreuses initiatives pour les droits spécifiques de certains groupes.

26. Ainsi, s'agissant des femmes, en plus de la création d'un ministère spécifique en 2010, le Togo a notamment adopté la loi sur les mutilations génitales féminines en 1998, la politique nationale d'équité et d'égalité de genre et son plan d'action en 2011. Un projet de loi portant révision du code des personnes et de la famille sera adopté en 2011 alors qu'un document de stratégie nationale d'intégration du genre dans les politiques et programmes existe depuis 2006.

27. S'agissant des enfants, le Togo a notamment adopté en 2009 une loi relative à l'organisation de l'état civil et mis en place une ligne verte téléphonique pour la protection des enfants. La loi portant code de l'enfant de 2007 intègre toutes les dispositions des instruments internationaux pertinents auxquels le Togo est partie.

28. S'agissant des personnes handicapées, le Togo a ratifié en mars 2011 la Convention relative aux droits des personnes handicapées et son protocole facultatif. La loi relative à la protection sociale des personnes handicapées de 2004 est en cours de révision pour la rendre conforme à cette Convention.

29. S'agissant des réfugiés, le Togo a adopté une loi portant statut des réfugiés en 2004 et a créée en 1994 une structure de coordination nationale d'assistance aux réfugiés. Le Togo accueille des réfugiés en raison du contexte politique de la sous-région et leur prise en charge nécessite l'accompagnement de la communauté internationale.

30. S'agissant des progrès, meilleures pratiques, difficultés et contraintes, le Togo a entrepris plusieurs actions dans les domaines politique, économique et social avec pour objectif l'amélioration des conditions de vie de ses citoyens. Toutefois, l'impact de ces actions reste souvent tributaire des moyens limités de l'Etat.
31. Enfin, en ce qui concerne les attentes du Togo, elles sont nombreuses et la délégation a choisi de ne retenir que certaines d'entre elles. Il s'agit notamment du renforcement des capacités en matière d'accès équitable à la justice ; de l'appui à la mise en place d'une structure de suivi des recommandations de la Commission vérité, justice et réconciliation et d'un nouveau programme similaire au Programme d'Appui d'Urgence au Secteur Pénitentiaire ; de l'appui à la commission interministérielle de rédaction des rapports initiaux et périodiques; de l'appui à l'harmonisation de la législation nationale avec les instruments internationaux et à l'insertion de la dimension droits de l'homme dans les programmes scolaires.
32. Le Togo a remercié tous les partenaires bilatéraux et multilatéraux qui l'ont toujours soutenu dans ses efforts liés à la protection et à la promotion des droits de l'homme. Le Togo demeure conscient de l'ampleur des problèmes auxquels il est confronté ; des obligations de répondre aux engagements pris dans le domaine des droits de l'homme et ; des attentes et des difficultés à y répondre avec efficacité. Le Togo demeure aussi décidé à tout mettre en œuvre pour faire des droits de l'homme le socle de la vision et de la nouvelle orientation de son gouvernement. C'est pourquoi le Togo en appelle encore une fois à la communauté internationale pour l'accompagner dans sa détermination et à créer les conditions d'une véritable réconciliation nationale.

B. Interactive dialogue and responses by the State under review

33. During the interactive dialogue, 43 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.
34. Cuba highlighted that the protection and promotion of human rights is a priority for Togo, despite the difficulties that it faces. Cuba acknowledged that the right to a healthy environment reached constitutional rank; the several initiatives implemented regarding the right to food; the positive developments regarding education; the Plan on sanitation as well as the strategy to reduce VIH/SIDA and child and maternal mortality. Cuba made recommendations.
35. Algeria noted with appreciation the adoption of policies on access to safe water, food, housing, education, health and justice reform, as well as the particular attention devoted to vulnerable groups in that regard. Algeria also noted on-going challenges such as violence against women, prison over-crowding, poverty, illiteracy and women's under-representation in decision-making bodies, and urged the international community to lend the necessary support to the country. Algeria made recommendations.
36. France asked Togo whether the National Human Rights Commission had presented any conclusions with regard to the examination of torture claims. Furthermore, France expressed concern with regard to the lack of independence of the judiciary and lack of respect for rules concerning custody in contradiction with Togo's international commitments and its constitution. France also expressed concern at bad detention conditions, arbitrary detention and prolonged detention without judgment. France made recommendations.
37. Venezuela (Bolivarian Republic of) welcomed the efforts deployed by Togo regarding economic, social and cultural rights, despite the economic difficulties it faces. Venezuela acknowledged the fact that Togo has increased the school enrolment rate, as well as the budget allocated to education. Venezuela noted that the international community

should provide assistance and cooperation to Togo to face the current infrastructure needs in the area of education. Venezuela made a recommendation.

38. Canada welcomed the decriminalization of press crimes, abolishment of the death penalty, law on rape, decreased education fees, awareness-raising on sexual and reproductive health, and the establishment of the Truth, Justice and Reconciliation Commission, recently mandated to investigate into allegations of torture. Concern was expressed at domestic violence, the criminalization of consented sexual relations between adults of the same sex, the limited representation of minorities in civil service, the conduct of law enforcement personnel, violence against children and child abuse. Canada made recommendations.

39. Spain acknowledged the legal steps taken by Togo to reach a greater equality through the 2005 Law on Equal Treatment. Spain believed that the standing invitation to all special procedures would help Togo in improving the protection of human rights. Spain asked what measures Togo had taken to combat the increasing levels of trafficking in women. Spain made recommendations.

40. The Republic of Moldova commended the adoption of a national human rights action plan and programme and the creation of the National Human Rights Commission, as well as the accession by Togo to several important human rights instruments. However, the Republic of Moldova expressed concern about discrimination and violence against women owing to cultural or traditional customs and also urged Togo to step up measures against trafficking. The Republic of Moldova made recommendations.

41. Chad noted with satisfaction that Togo is party to most international and regional human rights instruments and has integrated such instruments into domestic legislation. Chad thanked Togo for the support provided to overcome Chad's internal tensions. Chad made a recommendation.

42. Viet Nam acknowledged the remarkable efforts undertaken by Togo in maintaining social stability and security and was pleased to notice the development in the fields of poverty reduction, education, healthcare and environmental protection. Viet Nam welcomed the efforts of Togo towards building a state based on the rule of law and expressed appreciation with regard to Togo's commitments to human rights instruments and its cooperation with United Nations mechanisms. Viet Nam made recommendations.

43. Turkey welcomed that Togo is party to many international human rights instruments; the role of the National Human Rights Commission; the establishment of the Truth, Justice and Reconciliation Commission; Togo's efforts to enhance the rights of women; the 2007 Child Code; the measures taken to increase enrolment rate and the abolition of the death penalty. Turkey encouraged Togo to continue fighting against child trafficking and to improve equal access to education of children. Turkey made recommendations.

44. Norway commended progress in key areas, while expressing concern at the discrimination against women in the education system, the infant and maternal mortality rates and the detention centre conditions. Norway commended Togo for implementing the 2007 Code on Child Protection and for free primary school. It was satisfied with reports indicating a decrease in acts of torture, but remained concerned over the reported lack of independent investigations into alleged torture and violence related to the 2005 elections. Norway made recommendations.

45. China was appreciative of the constructive attitude adopted by Togo for this the review and noted with satisfaction that Togo had acceded to most major human rights conventions. China commended the prioritising by Togo of the advancement of women's rights and was satisfied to note the accomplishment in poverty alleviation. China

- acknowledged the numerous challenges faced by Togo in the protection and promotion of human rights and urged the international community to provide support.
46. Ghana noted with appreciation the increasing Togo's efforts to strengthen its political, economic, administrative and institutional governance; the implementation of the Permanent Framework for Dialogue and Consultation; the "A Status" of the National Human Rights Commission, and the special measures adopted in the field of education and employment. Ghana congratulated Togo for its recent elections. Ghana made recommendations.
47. Australia noted progress in promoting women's rights and called upon Togo to pursue gender equality in all areas of the society. Australia was concerned at reported limitations placed on freedom of expression and opinion, including on media outlets and journalists. It welcomed recent initiatives aimed at protecting child's rights, but expressed concern at continued reports on sexual abuse and trafficking. Australia urged Togo to decriminalize homosexuality. Australia made recommendations.
48. The United States of America commended Togo for the establishment of the Truth, Justice and Reconciliation Commission, as well as for having accepted more than 13,000 refugees. United States of America expressed concerns regarding allegations of torture and inquired whether torture will be included in the Criminal Code and an independent monitoring system will be established. It also expressed concerns at the prevalence of trafficking in persons. United States of America made recommendations.
49. Slovenia commended Togo for establishing the National Human Rights Commission, accredited with "A" status, and for the ratification of CRPD and its Optional Protocol. However, it noted that children with disabilities continue to face exclusion and only few of them had access to education. Slovenia welcomed the abolishment of the death penalty. It asked how Togo intended to address the problem of low birth registration rates. Slovenia made recommendations.
50. Uruguay commended measures adopted to reach the 7th MDG on safe drinking water and sanitation, especially the recognition of access to water as a human right, as well as to promote gender equality and child's rights protection, in particular the creation of a National Commission for the care and social reintegration of children victims of trafficking. Uruguay recognized that Togo is party to a large number of international human rights instruments. Uruguay made recommendations.
51. Chile acknowledged Togo's challenges and the past political instability, resulting in a negative impact on human rights. It welcomed the 2006 General Political Agreement and congratulated Togo for its commitments set out in paragraph 110 of its national report. Chile encouraged Togo to continue combating illiteracy, poverty, unemployment rate and to promote good governance. Chile made recommendations.
52. Argentina applauded the abolition of the death penalty and the adoption of a national human rights action plan. Argentina made recommendations.
53. Hungary commended the abolition of the death penalty and the accreditation of Togo's National Commission for Human Rights by the International Coordinating Committee. With regard to discrimination against girls, Hungary noted that Togo has yet to ratify the UNESCO Convention against Discrimination in Education. While welcoming the adoption of the 2007 Children's Code, Hungary noted that a national committee on child's rights has yet to be realized. Hungary made recommendations.
54. The United Kingdom of Great Britain and Northern Ireland urged Togo to take all necessary steps to implement as soon as possible the outstanding recommendations of the 2005 Fact-Finding Mission Report and of treaty bodies related to the General Peace Agreement, as well as to consolidate democratic institutions, ensuring that human rights

were in line with corresponding international obligations, in particular with regard to the right to freedom of expression and assembly. United Kingdom made recommendations.

55. Latvia commended Togo for its inclusive approach when preparing its national report. Latvia welcomed the recent cooperation of Togo with Special Procedures by receiving visits from the Special Rapporteur on torture and other cruel, inhuman or degrading treatment in 2007 and the Special Rapporteur on the situation of human rights defenders in 2008. Latvia made recommendations.

56. La délégation du Togo a précisé que le Togo avait entrepris de moderniser son système judiciaire, notamment par le renforcement des capacités du personnel de justice et l'élaboration d'une législation moderne, afin de permettre au personnel de travailler dans de meilleures conditions pour un meilleur rendement.

57. Le Togo a créé une Direction d'accès au droit pour faciliter les procédures de saisine et le projet de texte sur l'aide juridictionnelle sera soumis prochainement en Conseil des Ministres. Le Togo a également entrepris d'améliorer l'indépendance de la magistrature, notamment par une formation des magistrats à la déontologie. Un projet de loi est en cours de finalisation afin de leur assurer de meilleures conditions financières.

58. Le Togo a ratifié la Convention contre la Torture et une réforme du Code pénal est en cours pour incriminer la torture. En revanche, la délégation ne reconnaît pas l'existence de pratiques systématiques de la torture au Togo. Il n'y a pas eu de nombreuses plaintes à cet égard. Toutefois, des allégations ont été faites à la Cour suprême et le Gouvernement a saisi la Commission nationale des Droits de l'Homme pour faire une enquête. Elle a entendu toutes les personnes. Le Togo prendra toutes les mesures nécessaires au vu des recommandations de la Commission et appelle tout un chacun de dénoncer les cas de torture.

59. Il y a des efforts consentis pour réduire les délais de détention préventive. Ainsi, dès lors que la personne reconnaît les faits, il y aura un jugement, ceci dans le but de désengorger les prisons. Un projet pour améliorer les conditions de vie dans les prisons et un programme de réhabilitation des prisons sont en cours d'exécution. Les femmes, les hommes et les mineurs sont détenus de façon séparée. Il y aura prochainement une prison spéciale pour les personnes qui n'ont pas été encore condamnées.

60. La garde à vue est relativement bien respectée. Le Togo a appelé l'ensemble des corps de justice en novembre pour que tous s'engagent devant la nation pour améliorer la qualité de la justice. Le Togo est prêt à recevoir toute dénonciation pour des faits dont les autorités n'ont pas eu connaissance pour améliorer la situation.

61. S'agissant de la ratification de nouveaux instruments, le Togo s'efforce désormais d'intégrer leurs dispositions dans le droit interne avant de ratifier de nouvelles conventions, ce qui explique la lenteur en la matière. C'est ce qui s'est passé en 2009 avec l'abolition de la peine de mort, une peine que personne ne se rappelait qu'elle existait encore.

62. C'est de l'exercice de la liberté d'expression qu'est né le processus démocratique au Togo. Cette liberté est donc respectée et l'État a apporté son appui aux média privés, ce qu'il continuera de faire de sorte à protéger ces libertés. S'agissant de la liberté de manifestation, une loi a été adoptée pour protéger cette liberté.

63. S'agissant de l'Agence Nationale de Renseignements, la délégation a rappelé qu'il ne s'agissait pas d'un centre de détention. Cela n'a été le cas que de manière exceptionnelle. Pour les cas de torture qui s'y seraient produits, tout est mis en œuvre pour faire la lumière.

64. Le Togo n'est pas prêt à légiférer sur la question de l'homosexualité, d'autant plus que les homosexuels ne subissent aucune discrimination. Une législation pourrait par ailleurs être contre-productive au vu de l'état d'esprit de la population.
65. Quant à l'accès à l'armée, beaucoup a été fait en la matière et l'accès est désormais libre.
66. S'agissant de la lutte contre l'impunité, il est important de renforcer les juridictions nationales.
67. Le Togo a lancé une étude sur les mutilations génitales féminines et une loi adoptée en 1998 punit les auteurs. Des activités de sensibilisation sont réalisées et une baisse de la prévalence a été notée. Il y a eu une reconversion des exciseuses avec des crédits accordés.
68. Une loi est en train d'être révisée pour lutter contre les violences basées sur le genre, et une stratégie nationale a permis de réaliser une étude nationale sur le genre et de créer un centre de prise en charge psycho-socio-judiciaire. Des séances de formation pour les magistrats, les officiers de police et les enseignants sont organisées et on note une collaboration avec la société civile dans ce domaine.
69. S'agissant de la protection des enfants handicapés, le code de l'enfant protège tous les enfants, y compris les enfants handicapés. La loi de 2004 en cours de révision prendra en compte les dispositions de la Convention. Les efforts du Gouvernement, soutenus par les organisations de la société civile sont en cours pour mieux prendre en charge ce groupe d'enfants. Le Togo a appelé la communauté internationale à le supporter dans ce domaine.
70. Le Togo peaufine actuellement l'avant-projet de loi relatif aux quotas basés sur le genre et un consensus se dégage pour envoyer le document en Conseil des Ministres.
71. Sweden was pleased with the abolition of the death penalty and the Government's commitment to reduce child marriages. Sweden was concerned about arbitrary arrests and detention, long-term detentions without trial, credible allegations of inhuman and degrading treatment in prisons, and the lack of independence of the judiciary. Sweden made a recommendation.
72. Morocco expressed satisfaction with the on-going transitional justice process in as well as the fight against impunity, commending Togo's efforts to protect the rights of refugees despite its scarce resources. Morocco wished to have further information on the outcome of the work of the Truth, Justice and Reconciliation Commission and whether the new Economic and Social Council would duplicate the work of the National Development Commission. Morocco made recommendations.
73. Mexico congratulated Togo for its efforts and achievements such as the enactment of the Law abolishing the death penalty and other laws related to social security; the care and attention provided to around 20 000 refugees; the approval of the Sectorial Education Plan for 2010-2020, as well as the creation of institutions such as the National Commission on Sustainable Development and the National Commission for Refugees. Mexico made recommendations.
74. Iran (Islamic Republic of) noted that Togo has taken concrete steps in the promotion and protection of human rights. Iran made recommendations.
75. The Democratic Republic of the Congo saluted measures taken by Togo having considerably increased the enrolment rate at primary level, as well as measures in the field of agricultural policy resulting in an increase in access to basic alimentation. Efforts to the benefit of people with HIV/AIDS merited acknowledgement. The Democratic Republic of the Congo considered that certain insufficiencies were attributable to a lack of resources due to economic sanctions. The Democratic Republic of the Congo made a recommendation.

76. Slovakia commended Togo for abolishing the death penalty. It also positively noted the accreditation of the National Commission for Human Rights with "A" status and acknowledged the Children's Code as a significant step. Slovakia also acknowledged that Togo is a party to most of the international human rights instruments. Slovakia made recommendations.

77. Bahrain noted Togo's positive approach to the Universal Periodic Review and its cooperation with human rights mechanisms. Bahrain particularly commended Togo's promotion of the rights of women and its accession to CEDAW, as well as the fight undertaken against trafficking. Bahrain noted Togo's efforts to disseminate a human rights culture and asked what further efforts were being made to better raise the human rights awareness. Bahrain made a recommendation.

78. Brazil commended Togo for being party to many international human rights instruments and for its affirmative actions regarding women. However, it expressed concern at the persistence of discriminatory customs and practices. Brazil welcomed the abolishment of the death penalty; the adoption of child legislation and developments regarding security services. Brazil noted that additional efforts are required to face poverty and health challenges. Brazil encouraged Togo to increase its efforts to implement inclusive awareness-raising campaigns. Brazil made recommendations.

79. Uganda appreciated the adoption of the Global Political Agreement, the establishment of the Permanent Framework for Dialogue and Consultation, and the Truth, Justice and Reconciliation Commission, as developments towards the return to democratic rule. Uganda commended legislative reforms, and encouraged Togo to pursue its efforts for the protection of children's rights, including funding National Commission for the Care and Social Reintegration of Child Victims of Trafficking. Uganda made a recommendation.

80. Congo (The Republic of the) appreciated measures adopted and initiatives taken in the field of administration of justice, prison administration, health and regarding the promotion of the women's rights and encouraged Togo to continue its efforts with a view to allow its population to exercise and fully enjoy political, civil, economic, social and cultural rights. Congo made a recommendation.

81. Bangladesh noted Togo's achievements regarding access to water; social protection, and the health sector, as well as the establishment of the National Human Rights Commission. Bangladesh appreciated the adoption of special measures for women in the fields of education and employment. Bangladesh noted that international cooperation and assistance was crucial for Togo regarding the challenges imposed by poverty and the lack of adequate resources.

82. Benin welcomed the decriminalization of press crimes, the abolishment of the death penalty, the ratification of the Optional Protocol to the Convention against Torture. Benin was satisfied with the 2005 creation of the Inspectorate-General of Security Services. Benin also welcomed efforts towards women's representation in decision-making bodies, in relation to gender-related violence and for the review of the Family Code. Benin encouraged the international community to lend assistance to Togo. Benin made recommendations.

83. Angola noted Togo's efforts with a view to improve the situation in terms of human rights, in particular with regard to health, notably the fight against HIV/AIDS including provision of free anti-HIV-medicines, children and disabled people. Angola noted with satisfaction that Togo had abolished the death penalty. Angola further stated that the suspension of international aid to Togo still had consequences. Angola made a recommendation.

84. Burkina Faso noted the good practices in Togo regarding human rights and the relatively complete human rights normative framework further to the accession to core international instruments and the adoption of domestic legislation. It saluted the fact that legislative measures, including with regard to education, health and protection of vulnerable groups, were being effectively implemented, remaining issues being due to the lack of resources. Burkina Faso asked how Togo intended to realise human rights education. Burkina Faso made a recommendation.
85. Djibouti encouraged Togo to pursue reforms in the administration of justice and in economic and social sectors. Djibouti also requested the international community to assist Togo in implementing recommendations stemming from the Universal Periodic Review. Djibouti made recommendations.
86. Senegal noted with satisfaction that Togo was a party to most international and regional human rights instruments, had set up a National Human Rights Commission and a Mediator and that different initiatives had been taken to the benefit of vulnerable groups, notably women. Senegal observed that challenges remained due to the long period of instability and the scarcity of resources and asked whether Togo intended to put in place national legislation concerning trafficking. Senegal made recommendations.
87. Nigeria welcomed the various bills to modernize Togo's legal framework, in order to strengthen citizens' guarantees before the courts. While noting the establishment of the National Human Rights Commission, whose members benefit from immunity while performing their duties, Nigeria also highlighted its underfunding. Nigeria congratulated Togo for the measures taken regarding the right to food and encouraged it to continue promoting and protecting human rights. Nigeria made recommendations.
88. South Africa noted Togo's acknowledgement that traditional customs and practices impede gender equality, and inquired about the timeline for reviewing the General Service Regulation so as to contribute to a better protection of women. It also inquired about measures to increase child protection, and accountability measures for politicians and press inciting ethnic hatred and tribalism in 2005. South Africa called on the international community to provide Togo with technical assistance and capacity-building. South Africa made recommendations.
89. Niger expressed satisfaction with Togo's efforts in order to consolidate the democracy, reinforce the rule of law and combat corruption. Niger noted that Togo was party to most international and regional human rights instruments and that there was a will at the highest level to incorporate these norms into domestic legislation. Niger commended the abolition of the death penalty and the reinforcement of the National Human Rights Commission. Niger made recommendations.
90. Cape Verde acknowledged that positive changes are taken place in Togo, and that it is party to many human rights instruments. Cape Verde noted the significant advances in the realization of human rights, such as the abolition of the death penalty; strengthening in the capacity of the judicial system, and efforts deployed by Togo in the areas of health and education, freedom of expression and religion. Cape Verde made recommendations.
91. Germany congratulated Togo for the active involvement of the civil society in the preparation of its national report. Germany asked about steps undertaken to strengthen the independence and neutrality of the justice system and to avoid arbitrary judgements in light of the recommendations made by the Human Rights Committee. Germany made recommendations.
92. La délégation du Togo a rappelé que les programmes scolaires contenaient un enseignement civique et qu'ils seront modifiés pour y inclure les droits de l'homme.

93. La Commission Vérité, Justice et Réconciliation a reçu plus de 20 000 requêtes et déposera ses recommandations d'ici à la fin octobre 2011. Les violences de 2005 sont couvertes par le mandat de la Commission.
94. Le Togo a entrepris une vaste réforme de sa législation nationale en vue d'intégrer toutes les dispositions des conventions ratifiées. Par ailleurs, les magistrats et le personnel de justice sont formés au sujet des instruments internationaux.
95. La Commission nationale des droits de l'homme dispose d'une autonomie totale. Seule demeure la question du financement et elle a connu de ce fait des difficultés pendant certaines périodes. Toutefois, ses moyens seront renforcés quand elle devra également prendre en charge le mandat du mécanisme de prévention de la torture.
96. Le Togo a souligné que le Conseil économique et social a un mandat plus large que le Commission nationale de développement et qu'il n'y avait de ce fait aucun risque de duplication.
97. La délégation du Togo a rappelé que la protection sociale dans le secteur privé était préalable au public. C'est dans le secteur informel que le problème subsiste.
98. La délégation a mentionné un programme de développement relatif à l'assainissement.
99. En conclusion, la Cheffe de délégation a remercié l'ensemble des participants au dialogue interactif.

II. Conclusions and/or recommendations

100. The recommendations formulated during the interactive dialogue listed below enjoy the support of Togo:

- 100.1. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);
- 100.2. Ratify or accede to, where appropriate, the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);
- 100.3. Study the possibility to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);
- 100.4. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and ensure that international conventions to which Togo is a party are effectively integrated into domestic law (France);
- 100.5. Consider aligning national laws, including customary laws with the provisions of international human rights instruments to which Togo is a party (South Africa);
- 100.6. Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);
- 100.7. Pursue its efforts in order to complement its commitments towards the promotion and protection of human rights by ratifying the relevant international instruments and, in particular, the Second Optional Protocol to the International Covenant on Civil and Political Rights (Republic of Moldova);
- 100.8. Ratify or accede to, where appropriate, the Second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);
- 100.9. Study the possibility to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Argentina);

- 100.10. Strengthen efforts to fulfil its obligations under the Convention on the Rights of the Child (Australia);
- 100.11. Expedite actions on draft bills under consideration, aimed at modernizing its legal framework in order to strengthen citizens' guarantees in courts of law, remove provisions that conflict with international commitments, reorganise the justice system to bring it closer to citizens and redefine the courts' jurisdictions and promote gender equality in access to electoral mandates, elected office and appointments to State institutions and Government departments (Nigeria);
- 100.12. Amend its domestic legislation relating to the rights of women, children and persons with disabilities, in line with its international obligations (United Kingdom of Great Britain and Northern Ireland);
- 100.13. Seek technical assistance with a view to harmonizing national legislation with ratified international human rights instruments (Algeria);
- 100.14. Strengthen its National Human Rights Commission through greater allocation of funds and staff and adopt measures to guarantee its independence and impartiality, in conformity with the Paris Principles (Spain);
- 100.15. Bolster the National Human Rights Commission to enable it to carry out its mandate (Republic of Moldova);
- 100.16. Adopt appropriate measures to guarantee the independence and impartiality of the National Human Rights Commission, and ensure its ability to deal with complaints and investigate violations (Ghana);
- 100.17. Allocate additional funds to the National Human Rights Commission so that it can fulfil its mandate effectively (Slovenia);
- 100.18. Allocate additional funds to the National Human Rights Commission in order for it to effectively fulfil its mandate (Hungary);
- 100.19. Adopt measures to guarantee appropriate financial resources, full independence, and impartiality of the National Commission for Human Rights and the Truth, Justice and Reconciliation Commission to ensure their abilities to deal with complaints and conduct credible, transparent investigations (United States of America);
- 100.20. Explore means to improving funding to the National Human Rights Commission in order to allow it to fully carry out its mandate (Nigeria);
- 100.21. Establish a national independent preventive mechanism as provided for by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Togo is a party since July 2010 (France);
- 100.22. Strengthen the Truth, Justice and Reconciliation Commission, as well as other institutions supporting democratic governance (South Africa);
- 100.23. Complete the process for the establishment of a national preventive mechanism on torture (Benin);
- 100.24. Take all necessary measures to establish a national committee on the rights of the child at the earliest possible date (Hungary);
- 100.25. Perseverate in its efforts to ensure that the population fully exercise and enjoy its political, civil, economic, social and cultural rights (Republic of the Congo);
- 100.26. Strengthen the process toward building the state with the rule of law and good governance for facilitating the political stability and sustainable social and economic development (Vietnam);

- 100.27. Develop a national human rights strategy and action plan, while also intensifying its public awareness campaign to the general public and other interested stakeholders (South Africa);
- 100.28. Adopt the text on national policy to protect children, completed in 2008, and intensify the fight against trafficking in children and labour affecting children (Cape Verde);
- 100.29. Develop a national plan of action for the implementation of children's rights and to adopt a holistic child rights approach (Islamic Republic of Iran);
- 100.30. Adopt appropriate measures for the protection of women (Bahrain);
- 100.31. Include human rights and citizenship rights in the curriculum of schools and the training courses of law enforcement officials (Islamic Republic of Iran);
- 100.32. Pursue its fruitful collaboration with international mechanisms for the protection and promotion of human rights to continually improve the human rights situation on its territory (Burkina Faso);
- 100.33. Draft a concrete strategy to ensure that it will eventually submit all pending reports to treaty bodies (Senegal);
- 100.34. Improve its regularity in submitting reports to Treaty Bodies (Niger);
- 100.35. Accelerate its programme to eliminate discrimination against women (Democratic Republic of the Congo);
- 100.36. Take policies and legal measures to ensure equality between men and women (Brazil);
- 100.37. Adopt and implement efficient measures with a view to eliminate the discrimination against women, including pursuing appropriate public awareness-raising campaigns against the customary social stereotypes (Slovakia);
- 100.38. Pay attention to the recommendations made by the Human Rights Committee in 2011, on the legislative reforms to be adopted to guarantee legal equality between men and women, in particular the new Criminal Code, and the Code of the Person and Family (Chile);
- 100.39. Increase efforts to incorporate into domestic law international legal norms aimed at eliminating cultural or traditional gender-based discrimination, as indicated in the national report (Niger);
- 100.40. Take measures to amend or to eliminate cultural or traditional customs and practices, which discriminate against women. (Republic of Moldova);
- 100.41. Strengthen efforts to fulfil its obligations under the Convention on the Elimination of all Forms of Discrimination against Women, including by adopting and implementing legislation prohibiting female genital mutilation (Australia);
- 100.42. Develop policies and actions aimed at modifying or eliminating customs and practices that promote violence and/or discrimination against women, covering family, marital, social and working areas (Mexico);
- 100.43. Adopt all necessary measures to eradicate and eliminate practices and customs that discriminate against women, in particular forced and early marriage, discriminatory practices in the area of widowhood, the levirate, slavery and female genital mutilation. At the same time, develop awareness and education programmes on the harmful effects of such practices (Uruguay);

- 100.44. Deepen the efforts, including through international cooperation, aimed at eradicating all practices that violate the rights of women, with a particular emphasis on female genital mutilation and any form of gender based violence, and continue to implement measures, which tend to provide the legal recognition of civil, political, economic and social rights among women and men (Argentina);
- 100.45. Address the exclusion of persons with disabilities at the family and community levels through public education and through targeted and concrete measures, in consultation with organizations of persons with disabilities (Slovenia);
- 100.46. Create favourable conditions to facilitate the access of persons with disabilities to education and to employment (Djibouti);
- 100.47. Take appropriate measures to better protect vulnerable groups such as older persons, women and children (Djibouti);
- 100.48. Pursue its efforts aimed at implementing the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as its Optional Protocol (Morocco);
- 100.49. Take all necessary steps to ensure that torture and other inhumane and degrading treatment of civilians does not occur (Sweden);
- 100.50. Draw a plan of action against torture and ill-treatment with a view to their eradication, and bring to justice all suspected perpetrators of these acts (Slovenia);
- 100.51. Adopt and implement appropriate, efficient measures to prevent torture and other forms of ill-treatment, to ensure prompt and credible investigations of all allegations of torture and ill-treatment, in particular deaths in custody, providing for redress and rehabilitation to victims (Slovakia);
- 100.52. Adopt the draft revised criminal code, which defines and criminalizes torture (Cape Verde);
- 100.53. Consider the views of the Committee against Torture, according to which the existing provisions of the Code of Criminal Procedure relating to police custody do not provide for the notification of rights or the presence of a lawyer, and that some people are held without charge or awaiting trial for several years (Chile);
- 100.54. Pursue its efforts aimed at supplying food to detainees (Benin);
- 100.55. Take the necessary steps to ensure that all persons in prison or detention centers are treated according to Togolese laws and international obligations (Norway);
- 100.56. Adopt the draft bill on the criminal code, which includes and sanctions gender-based violence (Algeria);
- 100.57. Conduct appropriate public awareness-raising campaigns with a view to eliminate female genital mutilation and other harmful traditional practices (Slovakia);
- 100.58. Adopt a law prohibiting domestic violence and adopt the necessary measures to ensure its implementation, including inter alia through an information and awareness-raising campaign amongst the population (Canada);
- 100.59. Take necessary measures to effectively combat violence against women and girls and enact legislation on domestic violence. (Republic of Moldova);
- 100.60. Complete necessary legislative reforms towards the criminalization of domestic violence (Slovakia);
- 100.61. Speed up legislative reforms to make acts of violence against women such as domestic violence and marital rape offenses under the criminal code (Brazil);

- 100.62. Adopt the revised Persons and Family Code; criminalize domestic violence and intensify the fight against traditional practices, which discriminate against women or are detrimental to them (Cape Verde);
- 100.63. Take additional measures to prevent and combat trafficking in women in an appropriate way (Republic of Moldova);
- 100.64. Continue to effectively fight against child trafficking and access to education of children with disabilities, and especially girls (Turkey);
- 100.65. Increase efforts to convict and punish trafficking offenders, with sufficiently stringent penalties, under existing legislation and complete and enact draft legislation prohibiting the forced labour and forced prostitution of adults (United States of America);
- 100.66. Adopt all necessary measures to eradicate child abuse, labour and sexual exploitation of children, as well as violence against children, paying particular attention to cases of children who are killed because they were born with disabilities, malformation, without pigmentation or because their mother died during childbirth (Uruguay);
- 100.67. Continue the national programme for the modernization of the judicial system (Islamic Republic of Iran);
- 100.68. Speed up the adoption process of the draft bill setting up a 30 per cent quota for the representation of women in decision-making bodies (Algeria);
- 100.69. Strengthen efforts to combat extreme poverty (Brazil);
- 100.70. Continue implementing socio-economic development strategies and plans in the country, in particular to reduce poverty (Cuba);
- 100.71. Further provide support and cooperation with regional and international organizations, financial institutions in Africa, the United Nations system and other development partners for utilizing all its advantages to turn Togo into a major economic and trade centre in West Africa. (Vietnam);
- 100.72. Take all necessary measures to remove the discrepancy which still exists in the level of the enjoyment of the right to food by the Togolese people, so that this important right can be enjoyed by all the Togolese People (Nigeria);
- 100.73. Set priorities to ensure the basic social and economic rights, particularly in the fields of employment, poverty reduction, education and healthcare. At the same time, priority policies and measures should also be provided to support the social vulnerable groups, like women, children and the poor people. (Vietnam);
- 100.74. Review the current maternity health care policies and introduce the necessary changes to ensure access to medical facilities for pregnant women throughout the country (Norway);
- 100.75. Continue implementing programmes and measures to ensure the enjoyment of quality health and education services for all its population (Cuba);
- 100.76. Take effective measures to ensure access to safe drinking water, adequate sanitation facilities and health care, particularly in remote and rural areas (Islamic Republic of Iran);
- 100.77. Continue to work for taking the necessary steps to achieve universal primary education by 2015 (Turkey);

- 100.78. Implement measures to ensure girls' and women's access to all levels of education and to ensure a higher level of women's participation in public life (Norway);
- 100.79. Inform children with disabilities that they have the right to education on an equal basis with other children, and build capacity with organizations of persons with disabilities (Slovenia);
- 100.80. Improve the access for persons with disabilities to education and health care, with particular focus on children (Slovakia);
- 100.81. Implement necessary measures to reduce the relative high drop-out rate in primary schools (Norway);
- 100.82. Continue consolidating further an education system in accordance with its population's needs as the only way to move toward a true development with a human face, for which the international community should provide its assistance and cooperation without condition to address the teacher shortage and the current infrastructure needs in the area of education (Venezuela, Bolivarian Republic of);
- 100.83. Continue to give special emphasis to address the issue of women's illiteracy (Turkey);
- 100.84. Strengthen its efforts to combat illiteracy (Islamic Republic of Iran);
- 100.85. Seek technical and financial assistance from the international community in order to build the capacity of those working in the field of human rights towards the improvement of their activities for the benefit of the population; to achieve envisaged objectives in the field of administration of justice, construction and/or rehabilitation of prisons in accordance with international standards; to implement the recommendations by the Commission on Truth, Justice and Reconciliation; to introduce human rights in school curricula and; to harmonize national legislation with international instruments (Chad);
- 100.86. Pursue cooperation with international partners and ensure efficient allocation of resources in its endeavour to enhance human rights (Turkey);
- 100.87. Seek the necessary assistance in accordance with national priorities (Uganda);
- 100.88. Seek the necessary assistance from the international community that would enable Togo to meet the multiple challenges that it faces, with a view to improving the general living conditions of its population (Angola);
- 100.89. Seek financial support and technical assistance from the international community, in order to bolster its efforts as part of the national on-going process to achieve the Millennium Development Goals (Senegal).
101. The following recommendations enjoy the support of Togo, which considers that they are already implemented or in the process of implementation:
- 101.1. Modify practices for the recruitment and retention of public civil servants and army personnel in order to guarantee equal opportunities, representativeness of the ethnic and cultural composition of the country, and to facilitate the employment of women in traditionally male-dominated sectors (Canada);
- 101.2. Take further measures to facilitate the entry into the army and civil service of under-represented ethnic groups in order to better reflect the cultural and ethnic diversity of the Togolese society and enhance the reconciliation process (Ghana);

- 101.3. In line with the Committee on the Rights of the Child recommendations regarding discrimination against vulnerable children, in particular girls and children with disabilities, envisage reviewing the legislation to guarantee the application of the non-discrimination principle (Chile);
- 101.4. Initiate a bill to reform of the Criminal Code in order to incorporate as soon as possible the criminalization of torture in line with the definition set forth in Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Mexico);
- 101.5. Take steps to combat impunity in alleged cases of torture and acts of violence related to the 2005 elections and to ensure that legal protection is guaranteed (Norway);
- 101.6. Investigate all allegations of torture, especially those made in the context of the process against Kpatcha Gnassingbé and his followers (Germany);
- 101.7. Ensure respect of the constitutional and legislative provisions regulating custody; compensate for the shortcomings in the texts, whenever necessary; ensure that conditions of arrest, custody and detention are respected and; provide the judiciary with the means to guarantee its independence (France);
- 101.8. Implement a strategy aimed at improving detention conditions by reducing prison overcrowding and ensuring that female detainees can be guarded by female correctional officers (Canada);
- 101.9. Accelerate the adoption of a draft bill on alternative measures to detention as a solution to prison overcrowding (Benin);
- 101.10. Take steps to ensure that female prisoners are guarded by female prison officers exclusively (Norway);
- 101.11. Improve the detention conditions in prisons and modernize these detention facilities (Germany);
- 101.12. Include sale and abduction of children in the data collection system of the National Commission for the Care and Social Reintegration of Child Victims of Trafficking with a view to guarantee the operational continuity and effectiveness of the commitments undertaken through the cooperation agreements to combat trafficking in children (Mexico);
- 101.13. Take adequate measures to counter the worrying increase of violence against, abuse and sexual exploitation of children, by ensuring the implementation of applicable laws including through awareness and education programmes targeting more particularly parents, teachers, correctional officers and other relevant professionals (Canada);
- 101.14. Strengthen the judiciary by improving its functioning, capacity and in particular the election system of the courts and by promoting its full independence from the other State's powers and, proceed without delay to comprehensively implement the programme for the modernization of the judicial system (Spain);
- 101.15. Take steps to guarantee the enjoyment of freedom of expression and freedom to demonstrate (Ghana);
- 101.16. Take further steps to protect freedom of expression and opinion, in line with its obligations under the International Covenant on Civil and Political Rights (Australia);
- 101.17. Ensure the full enjoyment of freedom of expression for all and protect the freedom of the media (Slovenia);

101.18. Take steps to create an environment conducive to a free and independent media which allows freedom of expression (United Kingdom of Great Britain and Northern Ireland);

101.19. Incorporate human rights consideration into poverty alleviation projects (Islamic Republic of Iran);

101.20. Envisage extending the mandatory health insurance for civil servants, as necessary, to employees of the private sector (Morocco);

101.21. Ensure that HIV education is systematically included in technical training courses (Islamic Republic of Iran);

101.22. Take measures to ensure free and compulsory primary education (Brazil);

101.23. Codify existing policies regulating the granting of asylum and refugee status (United States of America).

102. The following recommendations will be examined by Togo, which will provide responses in due time, but no later than the 19th session of the Human Rights Council in March 2012:

102.1. Consider acceding to the optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (Brazil);

102.2. Ratify or accede to, where appropriate, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (Uruguay);

102.3. Ratify the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (United Kingdom of Great Britain and Northern Ireland);

102.4. Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (Hungary);

102.5. Pursue its efforts in order to complement its commitments towards the promotion and protection of human rights by ratifying the relevant international instruments and, in particular, the 1960 UNESCO Convention Against Discrimination in Education (Republic of Moldova);

102.6. Ratify the UNESCO Convention Against Discrimination in Education (Hungary);

102.7. Study the possibility to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Argentina);

102.8. Extend an open and standing invitation to all Special Procedures (Spain);

102.9. Extend a standing invitation to all Special Procedures of the Human Rights Council (Uruguay);

102.10. Consider extending a standing invitation to all Special Procedures of the Human Rights Council (Latvia).

103. The recommendations below did not enjoy the support of Togo:

103.1. Sign and ratify at the earliest the Rome Statute of the International Criminal Court (France);

103.2. Ratify or accede to, where appropriate, the Rome Statute of the International Criminal Court (Uruguay);

103.3. Ratify the Statute of Rome on the International Criminal Court (United Kingdom of Great Britain and Northern Ireland);

103.4. Consider acceding to the Rome Statute of the International Criminal Court (Brazil);

103.5. Ratify the Rome Statute of the International Criminal Court, including the accession the Agreement on the Privileges and Immunities (Slovakia);

103.6. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);

103.7. Amend legislation to ensure that sexual orientation and gender identity are included as prohibited grounds for discrimination (Canada);

103.8. Strengthen the measures aimed at prohibiting discrimination based on sexual orientation (Argentina);

103.9. Repeal legislation criminalising homosexuality, and introduce policies aimed at ending discrimination against homosexuals (Australia);

103.10. Consider decriminalizing sexual relations between consented adults of the same sex (Brazil);

103.11. With respect to the situation of the rights of Lesbian, Gay, Bisexual and Transgender people, adopt policy and legislative measures to establish a specific framework for the protection against discrimination based on sexual orientation, together with the suppression of penal provisions which criminalize sexual relations between consented adults of the same sex and; launch public awareness-raising campaigns on this issue (Spain).

104. All conclusions and recommendations contained in the present report reflect the position of the submitting States and 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 Mme **Léonardina Rita Doris WILSON-de SOUZA**, Ministre des Droits de l'Homme, de la Consolidation de la Démocratie et de la Formation Civique, and composed of the following members:

- Maître **Tchitchao TCHALIM**, Garde des Sceaux, Ministre de la Justice, Chargé des relations avec les Institutions de la République, membre ;
- M. **Kwesi Séléagodji AHOOMEY-ZUNU**, Ministre du Commerce et de la Promotion du Secteur Privé, membre ;
- Maître **Yacoubou Koumadjo HAMADOU**, Ministre des Arts et de la Culture, membre ;
- Mme **Nakpa POLO**, Directrice Générale des Droits de l'Homme au Ministère des Droits de l'Homme, de la Consolidation de la Démocratie et de la Formation Civique, Membre de la Commission Interministérielle de Rédaction des rapports Initiaux et Périodiques (CIRR), membre ;
- Mme **Badabossia AZAMBO-AQUITEME**, Directrice Générale de la Promotion de l'Enfant au Ministère de l'Action Sociale et de la Solidarité Nationale, Membre de la Commission Interministérielle de Rédaction des rapports Initiaux et Périodiques (CIRR), membre ;
- M. **Garba Gnambi KODJO**, Directeur de l'Administration Pénitentiaire et de la Réinsertion au Ministère de la Justice, Chargé des relations avec les Institutions de la République, Membre de la Commission Interministérielle de Rédaction des rapports Initiaux et Périodiques (CIRR), membre ;
- M. **Kokou MINEKPOR**, Directeur de la législation et de la protection des droits de l'Homme au Ministère des Droits de l'Homme, de la consolidation de la Démocratie et de la Formation Civique, Membre de la Commission Interministérielle de Rédaction des rapports Initiaux et Périodiques (CIRR), membre ;
- Commandant **Bamana BARAGOU**, Conseiller au Ministère de la Sécurité et de la Protection Civile, Membre de la Commission Interministérielle de Rédaction des rapports Initiaux et Périodiques (CIRR), membre ;
- M. **Sébadé TOBA**, Chargé d'Affaires de la Mission Permanente du Togo auprès de l'Office des Nations Unies, membre ;
- M. **Komlan Agbelénkon NARTEH-MESSAN**, Deuxième Secrétaire, Mission Permanente du Togo auprès de l'Office des Nations Unies, membre.