

AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي <i>African Commission on Human & Peoples' Rights</i>		UNIÃO AFRICANA <i>Commission Africaine des Droits de l'Homme & des Peuples</i>
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Thirty-First Ordinary Session

2 to 16 May 2002, Pretoria, South Africa

Consideration of Reports Submitted by States Parties under the Terms of Article 62 of the African Charter on Human and Peoples' Rights

Concluding Observations and Recommendations on the First Combined Periodic Report of the Republic of Togo

I - Introduction

- 1- The Republic of Togo (Togo) is a State Party to the African Charter on Human and Peoples' Rights (the African Charter) having ratified the same on 5 November 1982.
- 2- The present Concluding Observations follow the presentation and examination of the Initial Report of Togo at the 31st Ordinary Session of the African Commission on Human and Peoples' Rights (the African Commission or the Commission) held from 2 to 16 May 2002, Pretoria, South Africa.
- 3- The report encompasses all outstanding reports of Togo to the Commission since the presentation of its Initial Report to the 13th Ordinary Session of the Commission held from 29 March to 7 April 1993 in Banjul, The Gambia.

- 4- The Report was presented to the Commission by a Delegation led by Mr d'Almeida Dosse, Principal Private Secretary of the Minister of Justice in charge of the Promotion of Democracy and the Rule of Law.
- 5- The Report highlights the developments that have taken place in the areas of human and peoples' rights and measures put in place with a view to implement the country's obligations under the African Charter.
- 6- The present Concluding Observations give an account of the positive aspects, and concerns identified in the Report. The comments, remarks and observations during the examination of the Report, enhanced the recommendations formulated after the dialogue.

II - Positive Aspects

The African Commission:

- 8- Congratulates the Government of Togo for the presentation of its first combined Periodic Report in conformity with Article 62 of the African Charter.
- 9- Commends the Republic of Togo for updating the report since its submission to the 30th Ordinary Session of the African Commission held in Banjul, The Gambia, in 2001.
- 10- Welcomes the combination of all outstanding reports by Togo since the presentation of its Initial Report to the 13th Ordinary Session of the Commission held in Banjul, The Gambia, from 29 March to 7 April 1993.
- 11- Commends the presentation of the Report to the Commission by Mr d'Almeida Dosse, Principal Private Secretary in the Ministry of Justice responsible for the Promotion of Democracy and the Rule of Law, assisted by two Senior Officials, including a woman.
- 12- Welcomes the efforts made by the Government of Togo, particularly in the fight against illiteracy, HIV/AIDS and poverty in general.
- 13- Congratulates the Government of Togo for its sensitisation efforts for the promotion of the African Charter.
- 14- Appreciates that besides the progress realised in the promotion and protection of human and people's rights in the country, the report gives

indicative figures on the development of indexes representing the enjoyment of economic, social and cultural rights among the Togolese society.

15- Commends also the Government of Togo for the arrangements made to strengthen awareness for the promotion of the African Charter.

III - Factors restricting the Enjoyment of the Rights Guaranteed by the African Charter

16. The Report acknowledges that the level of poverty due to Togo's limited resources hinders the enjoyment of the rights stipulated in the African Charter.

17. The Report also notes that the continuous tensions between the different political actors and the exacerbation of positions undermine seriously the enhancement of the rule of law.

IV - Areas of concern

While recognising the efforts of Togo to promote and protect human rights and to promote awareness of the principles and provisions of the African Charter, the African Commission remains concerned that:

18. The inadequate efforts by Togo in the ratification of international instruments relating to human rights has an impact on the promotion and protection of human rights in the country;

18- Socio-ethnic tensions are still prevalent and hinder the progress of the country;

19- The existing measures aimed at addressing the specific needs of vulnerable persons and social groups such as women and children, the elderly and the handicapped are not adequate and should be reviewed and strengthened;

20- Besides the need to strengthen women rights within the family and professional environment through the education and training of girls and through adult education, the Commission expresses its particular concern on Female Genital Mutilation (FGM) and child trafficking, especially trafficking of girls.

V - Recommendations

The African Commission recommends that the Government of the Republic of Togo should:

21. Maintain its sensitisation efforts with regard to human and peoples' rights in the country;
22. Continue with the culture of respect of human rights and political tolerance with a view to easing the tension in the society;
23. Double its efforts in the promotion and protection of the rights of women, children and persons with disabilities;
24. Take adequate measures to fight poverty by protecting every vulnerable social stratum against impoverishment;
25. Extend its scope of protection of women against harmful traditional practices and double its efforts with a view to increasing the involvement of women in the activities of the public and private sectors, particularly by reducing the poor representation of women in senior positions;
26. Take specific measures to cater for the needs of minority and vulnerable groups and promote and protect the rights of these groups.
27. Should take the necessary measures for the ratification of regional and international instruments concerning human rights, including the Protocol to the African Charter on Human and People's Rights for the Establishment of an African Court on Human and People's Rights
28. Inform the African Commission, in its next Periodic Report, of the steps it has taken to address the areas of concern, as well as how it has implemented the recommendations in this Concluding Observations.

**Adopted at the 31st Ordinary Session of the African Commission on Human
and Peoples' Rights held from 2 to 16 May 2002, Pretoria, South Africa**