

COMMITTEE ON THE RIGHTS OF THE CHILD
Thirty-eighth session
Pre-sessional Working Group
4-8 October 2004

UNEDITED VERSION

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of the second periodic report of
TOGO (CRC/C/65/Add.27)

Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 25 November 2004.

A. Data and statistics, if available

1. Please provide disaggregated data (by gender, age groups, ethnic groups, urban, rural and remote areas,) covering the years of 2002, 2003 and 2004:
 - a) on the number and proportion of children under 18 living in the State party;
 - b) on the number and proportion of children belonging to minority groups, refugees and asylum-seekers.

2. In light of article 4 of the Convention, please provide additional disaggregated data for 2001-2004, on budget allocations and trends (in percentages of the national and regional budgets or GDP) allocated to the implementation of the Convention, evaluating also the priorities for budgetary expenditures given to the following:
 - a) education (different types of education, i.e. pre-primary, primary and secondary education);
 - b) health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children);
 - c) programmes and services for children with disabilities;
 - d) support programmes for families;
 - e) support for children living below the poverty line;
 - f) the protection of children who are in need of alternative care including the support of care institutions;
 - g) programmes and activities for the prevention of and protection from child abuse, child sexual exploitation, child trafficking and child labour;
 - h) programmes and services for street children and abandoned children;
 - i) juvenile justice.

Please also indicate the expenses of the private sector, in particular for health and education.

3. With reference to children deprived of a family environment and separated from parents, please

- provide disaggregated data (by gender, age groups, ethnic groups, urban, rural and remote areas) for the last three years on the number of children:
- a) separated from their parents;
 - b) placed in institutions;
 - c) placed with foster families;
 - d) street children;
 - e) adopted domestically or through inter-country adoptions.
4. Please specify the number of children with disabilities, disaggregated by sex, age, ethnic groups, covering the years of 2002, 2003 and 2004:
 - a) living with their families;
 - b) in institutions;
 - c) attending regular schools; and
 - d) attending special schools;
 - e) not attending schools.
 5. With reference to child abuse, please provide disaggregated data (by age, gender and types of violations reported) covering the years of 2002, 2003 and 2004 on the:
 - a) number of individual complaints received per year;
 - b) number and percentage of reports which have resulted in either a court decision or other types of follow-up.
 6. With reference to child trafficking, please provide disaggregated data (by age, gender and types of violations reported) covering the years of 2002, 2003 and 2004 on the:
 - a) number of individual complaints received per year in the last three years;
 - b) number and percentage of reports which have resulted in either a court decision or other types of follow-up.
 7. Please provide disaggregated data (by gender, age groups, ethnic groups, urban, rural and remote areas) covering the years of 2002, 2003 and 2004 on:
 - a) the enrolment and completion rates in percentages of the relevant group in pre-primary schools, in primary schools and in secondary schools;
 - b) direct and indirect cost of primary and secondary education;
 - c) number and percentage of drop-outs and repetitions;
 - d) ratio teacher per children;
 - e) number and proportion of trained and untrained teachers.
 8. Please provide disaggregated statistical data (by gender, age groups, ethnic groups, urban, rural and remote areas) covering the years of 2002, 2003 and 2004 on:
 - a) adolescent health, including early pregnancy and sexually transmitted diseases (STDs);
 - b) children affected and infected by HIV/AIDS;
 - c) mental health and suicide;
 - d) drug, alcohol and tobacco abuse;
 - e) rates of infant and child mortality;
 - f) rates of immunization;
 - g) rates of malnutrition;
 - h) number of health professionals working in the health care services for children.
 9. Please provide disaggregated data by province, as well as by urban and rural areas on the

number of health care centers available to children, including the average time necessary to reach health centers.

10. Please provide appropriate disaggregated data (including by gender, age groups, ethnic groups, and type of crime) covering the years of 2002, 2003 and 2004, in particular on the number of:
 - a) persons below 18 who have allegedly committed a crime, reported to the police;
 - b) persons below 18 who have been sentenced and type of punishment or sanctions related to offences including length of deprivation of liberty;
 - c) persons below 18 detained in adult facilities;
 - d) persons below 18 kept in pre-trial detention and the average length of their detention.
11. With reference to special protection measures, please provide statistical data (including by gender, age, urban/rural areas) per year covering the years of 2002, 2003 and 2004 on:
 - a) the number of children victims of sexual exploitation, including prostitution, pornography and trafficking;
 - b) the number of persons under 18 years serving in the armed forces;
 - c) the number of children victims of sexual exploitation who received rehabilitation treatments.

B. General Measures of Implementation

1. The Committee would appreciate receiving detailed information on concrete and time bound activities related to recommendations contained in the Committee's previous concluding observations (CRC/C/15/Add.83 of 10 October 1997), which have not been implemented, in particular those related to the independence and coordination role of the National Committee for the Protection and Promotion of Children(para.9), the reform of the legislation on the different minimum legal ages (para.12), the persistence of discriminatory practices (para.13), birth registration (para.16), corporal punishment (para.17), child abuse, including ill-treatment within the family (para.22), harmful traditional practices (para.24). Please explain the obstacles to implementation and how the State party envisages overcoming them. Further, the Committee would like to receive comprehensive information on follow-up measures undertaken by the State party to implement previous recommendations made in paragraphs 32, 33, 36, 39, 41, 42, 44, 49, 51 of its previous concluding observations (CRC/C/15/Add. 83 of 10 October 1997).
2. Please provide information on the concrete measures taken to review existing legislation in order to make it fully compatible with the provisions and principles of the Convention. Please also provide information on the concrete measures taken to enforce existing legislation relating to the protection of children rights and to disseminate the Convention and the principles established in it.
3. Please provide information on professional trainings available to teachers, the police, judges, and other professionals working for or with children.
4. Please provide information on cases, where the Convention has been directly invoked in courts, and if so, please provide examples of such cases.
5. Please provide updated information on mechanisms to coordinate policies and programmes on children's rights, including services for children.

6. Please provide information on the mandate and functioning, including the independence, and the human and financial resources, of the National Human Rights Commission, as well as its capacity to deal with questions relating to children.
7. Please provide information on the mandate and functioning, including human and financial resources, of the National Committee for the Protection and Promotion of Children's Rights, and its relation with the Ministry for Social Affairs, the Advancement of Women and the Protection of Children.
8. Please provide information on the data and statistic collection system.
9. Please provide information on efforts to provide training, awareness and information on the Convention and on human rights in general.
10. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

Part II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

Part III

Under this section, the State party is to briefly (3 pages maximum) up-date the information provided in its report with regard to:

- New bills or enacted legislation
- New institutions
- Newly implemented policies
- Newly implemented programmes and projects and their scope.

Part IV

The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. The enforcement of legislation relating to children rights.
2. The measures taken to disseminate the principles recognized in the Convention.
3. General principles of the Convention (articles 2, 3, 6 and 12), including their practical implementation by schools, social welfare institutions, courts of law and administrative authorities.
4. The measures taken to increase birth registration rate.
5. Child poverty and inequalities, in the context of economic reform and restructuring, and new perspectives.
6. Freedom of expression and freedom of religion of children.

7. Access to information.
8. Violence against children, including corporal punishment.
9. Alternative care for children deprived of family environment.
10. Child abuse and neglect.
11. Children with disabilities.
12. Health, including harmful traditional practices.
13. HIV/AIDS.
14. Adolescent health.
15. Education system.
16. Economic exploitation, including child labour.
17. Street children.
18. Sexual exploitation.
19. Trafficking of children.
20. Juvenile justice.