



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights Pre-sessional working group

### List of issues to be taken up in connection with the consideration of the initial report of Togo (E/C.12/TGO/1), adopted by the pre-sessional working group for the fiftieth session of the Committee (3–7 December 2012)

#### I. General information

1. Provide information on case law in the State party relating to the economic, social and cultural rights set out in the International Covenant on Economic, Social and Cultural Rights. Also provide information on steps taken by the State party to raise public awareness of economic, social and cultural rights and their enforceability, and to increase the capacity of staff in the judicial system to implement the Covenant.

#### II. Issues relating to the general provisions of the Covenant (arts. 1–5)

##### Article 2, paragraph 1 Taking steps to the maximum of available resources

2. Provide comparative statistics on the budget allocated to sectors related to economic, social and cultural rights. Specify, in particular, how close the State party is to reaching the goal set out in the Abuja Declaration in terms of allocating resources to the health sector.

##### Article 2, paragraph 2 Non-discrimination

3. Since the Constitution guarantees equality for all in dignity and in rights, provide information on legislation adopted to criminalize all forms of discrimination in every field, in accordance with article 2 of the Covenant.

4. Provide information on the progress made in implementing the recommendations of the Truth, Justice and Reconciliation Commission related to the enjoyment and exercise, without discrimination, of economic, social and cultural rights, particularly recommendation 26, calling for a reduction in socioeconomic disparities, recommendation

38 committing the State party to taking steps to resolve land issues and recommendation 32 calling for the effective application, without discrimination, of instruments related to misappropriation of State property and corruption. Describe the measures taken by the State party to ensure equal access to justice, particularly for women and the most disadvantaged and marginalized groups.

5. Describe the measures taken by the State party to promote the economic, social and cultural rights of persons with disabilities, including in the social, employment and education sectors.

### **Article 3**

#### **Equal rights of men and women**

6. Given that the situation of de facto discrimination disadvantages women in the field of employment, where they are underrepresented in several areas, indicate whether the State party's legislation provides for the implementation of temporary special measures, and, if it does, provide information on their implementation in practice.

7. Explain the problems encountered by the State party in its efforts to gradually change customs or traditional practices that discriminate against women, such as those described in paragraph 317 of the State party's report, particularly early marriage, forced marriage, female genital mutilation, the fact that women do not participate in decision-making, women's lack of access to credit and land, rites of mourning for widows, violence against women and trafficking in girls and women.

## **III. Issues relating to the specific provisions of the Covenant (arts. 6–15)**

### **Article 6**

#### **Right to work**

8. Provide information on the services offered by the National Employment Agency to the unemployed. Also provide information and statistical data on unemployment. Furthermore, provide information on the impact on employment and the unemployed of the legislative and institutional measures and programmes mentioned in paragraphs 331–338 of the State party's report.

9. Indicate whether the measures taken by the State party have led to a better match between vocational training courses and labour market needs and lowered the youth unemployment rate.

### **Article 7**

#### **Right to just and favourable conditions of work**

10. Provide information, including statistics, on the mechanisms, such as inspections, for checking that labour standards are met; on the complaints lodged with the labour inspectorate; and on the follow-up to these complaints. Also provide statistics on complaints lodged with the labour court. Specify whether the State party has labour courts in all regions of the country and explain how disputes related to the right to work are dealt with in those regions that do not have a labour court.

11. Give the current cost of the “shopping basket” and specify if the minimum wage and salary scale in the public sector are, as they ought to be, based on this cost and allow workers and their families to enjoy a decent standard of living, taking account of the inflation rate in the State party.

12. Describe briefly the action taken by the State party to improve activities in the informal sector, as mentioned in paragraph 357 of the report, and any results achieved.

13. Describe how the economic and social rights of workers are respected in companies operating in the Free Trade Zone. Specify in particular to what extent petitioning the Company for the Administration of the Free Trade Zone is effective in allowing employees whose rights have been abused at work to obtain compensation and redress and in protecting them from reprisals.

## **Article 8**

### **Trade union rights**

14. Specify whether there are any restrictions on the right of civil servants to strike and whether the relevant legislation is exhaustive. Give information on the right to form and join a trade union, and explain how it is applied in practice, including in the Free Trade Zone. On that issue, provide information on strikes held over the past five years and the reasons for them.

## **Article 9**

### **Right to social security**

15. Provide information on the progress made in implementing the priority measures to reform social security, as described in paragraph 400 of the State party’s report, particularly in respect of the benefits provided. Furthermore, specify the extent to which those benefits ensure a decent standard of living.

## **Article 10**

### **Protection of the family, mothers and children**

16. Inform the Committee about measures taken by the State party to eliminate the practice of voodoo and the sexual exploitation of girls who are placed in ritual bondage in fetishist convents. Also specify how these practices are punished by law.

17. Provide information on any progress made in implementing the measures set out in paragraph 509 of the State party’s report to improve the situation of elderly people, including those living alone or in retirement homes. Is the retirement pension sufficient to ensure a decent life for the retiree and their family? Describe the financial and other assistance provided by the State to elderly people, including those who have no pension.

18. Given the worrying scale of trafficking in women and children in the State party, indicate: (a) whether there is legislation in the State party that specifically criminalizes trafficking in persons and the mechanisms in place to monitor its strict enforcement. Also indicate the number of reported trafficking cases from, to and through the State party, as well as the sentences imposed on perpetrators; (b) whether there is a national plan of action to combat trafficking and the measures taken to support victims, including medical, social and legal assistance.

19. Indicate: (a) whether there is legislation in the State party that specifically criminalizes acts of domestic violence, in particular violence against women and children including marital rape and sexual abuse of women and children and the number of registered cases, as well as the sanctions imposed on perpetrators; (b) whether there is a national action plan to combat domestic violence, and the measures in place to support and rehabilitate victims; (c) public awareness-raising measures and training for law enforcement officials and other involved professionals on the criminal nature of acts of domestic violence.

### **Article 11**

#### **Right to an adequate standard of living**

20. Indicate to what extent the National Food Security Programme adopted in 2007 has improved the availability of affordable food in a quantity and quality sufficient to satisfy the dietary needs of every person.

21. Specify to what extent the national housing programme mentioned in paragraph 535 of the State party's report makes it possible to meet the population's housing needs. Also provide information on the number of homeless people in the State party.

22. Provide information on the legal provisions defining the circumstances in which evictions may take place and the rights of tenants to security of tenure and protection from eviction, particularly the compensation scheme applied to owners whose property has been expropriated in mining areas. In addition, indicate how many forced evictions have been carried out in the State party in the past five years.

### **Article 12**

#### **Right to physical and mental health**

23. Provide information on the measures taken by the State party to ensure that health-care services are affordable for all, including socially disadvantaged groups.

24. Provide information on the specific measures taken by the State party in response to the proliferation of unauthorized private medical services in the informal sector and the black market in pharmaceuticals.

25. Provide information on the regulations governing psychiatric institutions and on the judicial control of confinement. Also provide information on measures taken to ensure that patients suffering from mental disorders receive appropriate care and treatment.

26. Clarify the measures adopted to promote the right to water and sanitation, and whether the State party's policies and resources enable it to meet needs in this respect.

### **Articles 13 and 14**

#### **Right to education**

27. Provide information on schools set up by local people, particularly on the rules applicable to them, the number of such schools, and the percentage of pupils enrolled in them.

28. Provide information on measures taken to improve access to, and the quality of, secondary, technical and higher education.

**Article 15**  
**Cultural rights**

29. Provide information on the measures taken by the State party to promote and guarantee cultural services that are accessible to all, including the socially disadvantaged. Provide information on the extent and means of protection that the State party guarantees to the different ethnic groups for their languages, their beliefs and their ancestral lands.

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