

Commonwealth Disabled People's Forum
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CDPF Brief Information on Implementation of UNCRPD Questionnaire

Will all DPOs joining the Commonwealth Disabled People's Forum and/or their delegates please ensure this form is completed and emailed back. Return to rlrieser@gmail.com along with the completed application form.

1. Name of your DPO : FEDERATION TOGOLAISE DES ASSOCIATIONS DE PERSONNES HANDICAPEES (FETAPH)

2. Name of your country : TOGO

3. Has your country ratified the UNCRPD and when ? : YES / MARCH 1st 2011

4. What has your country done to Implement the UNCRPD ?

To implement the Convention, Togo is carrying out a number of actions in the fields of education, health, employment-training, accessibility, awareness-raising and legislation.

5. How much is your DP0 involved in implementation with the Government of your country ? Through FETAPH's involvement in the design of national policies and strategies in all sectors of public life

6. Has your DPO been involved in producing a shadow report to go to UNCRPD Committee and how ? YES. When Togo submitted its initial report, FETAPH drew up its alternative report with all the players involved in the issue in Togo. Togo was then examined by the Committee on March 17, 2023.

7. What progress has been made on implementing Inclusive Education ?

Togolese legislation, like the Convention, guarantees access to school education for all disabled people on equal terms with non-disabled people. To this end, article 35 of the Constitution guarantees the right to education in the following terms: "The State recognizes the right of children to education and creates favorable conditions for this purpose. Schooling is compulsory for children of both sexes up to the age of 15. The State shall progressively provide free public education".

Article 8 of Law no. 2004-005 of April 23, 2004 on the social protection of disabled people recognizes the disabled person's "right to appropriate education, re-education and vocational training" either in ordinary schools or in specialized institutions created or subsidized by the State.

Study and housing allowances may be granted by the State to disabled pupils and students. Disabled persons may be granted exemptions from the requirement to attend specialized schools, institutes and centers.

A number of initiatives have been taken to promote the right to education of disabled people.

For the time being, there are no state structures responsible for the specialized training of disabled people. However, structures have been set up by faith-based organizations and CSOs. These include

- The opening of specialized Education and Training Centers in all regions of the country by faith-based organizations and Associations/NGOs: five (05) centers for hearing-impaired children, nine (09) centers for mentally-impaired children, nine (09) centers for visually-impaired children have been created. An annual subsidy is granted to these centers from the general budget: in 2009, the amount of this subsidy was seven (7) million; in 2010 and 2011, it rose to eleven (11) million and since 2012 it has been twenty (20) million;
- The provision of 51 specialized teachers to these centers, fully paid for by the State;
- Experimentation with inclusive education, with the support of the NGO Handicap International, in the Savanes and Kara regions, with the following results:
 - In the Savanes region, 136 teachers and 1,200 student teachers of the Normal School for the Training of School Teachers(ENFPE) have been trained in inclusive

education; 31 teachers have been trained in Braille; 43 teachers have been trained in sign language; 38 teachers have been trained in intellectual disability;

- In the Kara region, 107 teachers were trained in inclusive education; 38 teachers were trained in Braille; 59 teachers were trained in sign language.

8. What progress has been made on social protection for PWD ?

Togolese legislation provides for social protection standards which take into account both all citizens and, in particular, the specific characteristics of disabled persons.

Technical and financial partners such as CBM, Plan-Togo and the “*Fonds Spécial pour personnes Handicapées (FSH)*” within the Togolese Red Cross support the Centre National d'Appareillage Orthopédique (CNAO) with orthopedic equipment to enable disabled people to access the services and appliances they need at a reduced cost.

To promote family-based childcare and reduce poverty among families, including those with disabled members, a pilot cash transfer project is being implemented in Togo, with World Bank support, in the country's two poorest regions, Kara and Savanes. A school canteen project is also underway in these two regions to provide food for pupils.

For the pilot phase, the cash transfer project covers five (05) prefectures in the Kara and Savanes regions for one hundred and nineteen (119) villages, eighty-one (81) of which will serve as control villages. These are the prefectures of Dankpen, Doufelgou and Kéran for the Kara region and Oti for the Savanes region.²⁰²The aim of this project is to contribute to improving school performance, maintaining a healthy environment and the dynamic between agriculture, local produce and school meals. Planned to reach 499,036 pupils by 2022, this initiative currently benefits more than 93,292 pupils.

Measures are being taken to improve the living conditions of elderly disabled people. To this end, a program to protect and enhance the potential of the elderly for 2014-2018 is currently being implemented. By way of example, partners such as Lidia Ludic have supported the Direction des Personnes Agées in acquiring 10 mobility canes.

9. What progress has been made in implementing employment opportunities for PWD ?

Article 37 of the Constitution guarantees all citizens the right to work: "The State recognizes the right of every citizen to work and endeavors to create the conditions for

the effective enjoyment of this right. It ensures that every citizen has an equal opportunity to work, and guarantees every worker fair and equitable remuneration. No one may be discriminated against in his work on the grounds of his sex, origins, beliefs or opinions".

Chapter III of Law no. 2004-005 on the social protection of disabled people enshrines the right to work and employment for disabled people. Article 12 of the law stipulates that "people with disabilities enjoy equal access to public functions and private jobs, according to their abilities and the nature of the job". Article 13 states that "the State shall encourage the recruitment of disabled persons and define the conditions thereof".

A "*Fonds d'Appui aux Initiatives Economiques des Jeunes (FAIEJ)*" - support fund for young people's economic initiatives has been set up to act as a guarantee to financial institutions for loans requested by young people to develop their projects or income-generating activities. In three years, the government has mobilized around four billion (4,000,000,000) CFA francs for the fund. This has enabled the training of more than seven thousand and eighty-three (7,083) young people with business ideas, and the financing and technical support of around five hundred (500) business plans, including ten (10) submitted by young people with disabilities out of twenty-one (21) registered and three (3) financed.

In addition, the 2006 Labor Code and the 2013 General Statute of the Civil Service establish the principle of non-discrimination in employment. Article 3 of the Labor Code stipulates that "All direct or indirect discrimination in employment and occupation is prohibited".

Despite this legal framework granting protection to people with disabilities in the field of employment, it should nevertheless be noted that cases of discrimination against people with disabilities in the field of employment still exist.

To promote job creation and encourage entrepreneurship among the most vulnerable segments of society, the Togolese government has set up structures and funds to provide technical and financial assistance. These include the Fonds National de la Finance Inclusive (FNFI), the Fonds d'Appui à l'Initiative Economique des Jeunes (FAIEJ) and the Agence Nationale pour la Promotion des Garanties et de Financement (ANPGF).¹⁹³ Following the Ministry of Social Action, Promotion of Women and Literacy's search for ways to recruit disabled people into the civil service, around two hundred (200) disabled people were admitted to the civil service from 2009 to 2014.

10. What progress has been made on challenging negative attitudes and stigma to PWD ?

The principles of equality and non-discrimination are enshrined in Article 11 of the Togolese Constitution of October 14, 1992: "All human beings are equal in dignity and rights. Men and women are equal before the law. No one may be favoured or disadvantaged by reason of family, ethnic or regional origin, economic or social situation, political, religious, philosophical or other convictions".

The new Togolese Penal Code defines and punishes discrimination in general, in employment and occupation, education, HIV and against women. Under article 304 of the new Penal Code: "constitutes discrimination, any distinction, exclusion, restriction or preference based on sex, gender, disability, race, color, ancestry or family, ethnic or regional origin, economic or social status, political, religious, philosophical or other beliefs, HIV status, which has the purpose or effect of destroying or compromising the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social and cultural fields or in any other area of public life".

Articles 305 et seq. of the same Penal Code punish discrimination. According to article 305 "Any act of discrimination is punishable by a prison sentence of six (6) months to two (2) years and a fine of five hundred thousand (500,000) to two million (2,000,000) CFA francs or one of these two penalties".⁵⁶ Article 5 of the Children's Code states: "Every child has the right to enjoy all the rights and freedoms recognized and guaranteed by the present code. Any discrimination based on race, ethnicity, color, sex, language, religion, political or other opinion, national or social origin, property, birth, disability, state of health or any other status is prohibited".

Article 6 of Law no. 2004-005 of April 23, 2004 on the social protection of disabled people states that "the disabled person enjoys, either personally or through a third party, the rights recognized to all citizens by the Constitution. No discrimination of any kind may be made against a disabled person except for reasons linked exclusively to the nature of the activity and the disability from which the person in question suffers".

11. What progress has been made in achieving gender equality for PWD ?

Article 11 of the Constitution states that "All human beings are equal in dignity and rights. Men and women are equal before the law. No one may be favored or disadvantaged by reason of family, ethnic or regional origin, economic or social situation, political, religious, philosophical or other convictions.

Law no. 2004-005 of April 23, 2004 on the social protection of disabled persons grants specific protection to disabled women.

According to article 39 of this law, the State provides special protection for disabled women with a view to preserving their dignity. If necessary, a child born to a mentally handicapped or multi-handicapped woman whose parents have not been identified may be placed in a home.

Health facility staff pay particular attention to disabled or multi-disabled women during maternity (art. 40 of the law).

Disabled women benefit from administrative, legal and judicial assistance in the settlement of all matrimonial issues (art. 41 of the law).

Although Togo's national policy on gender equity and equality, the strategy to combat violence and the Individual and Family Code make no specific provision for disabled women, it must be recognized that they benefit from the measures and actions taken in these documents on the basis of equal opportunity.

Despite these favorable provisions for the protection of the rights of disabled women, they encounter difficulties in fully enjoying their rights.

12. What capacity building does your DPO need ? Identify areas.

Institutional and organizational capacity building. Particularly in the fields of associative life, project design, project management, monitoring and evaluation, and advocacy.

13. If you are the National Umbrella DPO, how do you operate democratically with other DPOs ?

Every 4 years, we organize an elective general meeting to renew the members of the Board of Directors. These members come from our member associations.

14. If you are an impairment specific or have a particular focus or are a regional DPO, how do you work with Umbrella DPO ? No

15. If there is no national umbrella DPO, how could one be built ? The national umbrella DPO does already exist. It's FETAPH

16. How does your DPO get funded ? : through projects and the state subsidy

17. What training capacity does your DPO have ?

FETAPH has the human resources needed to build the capacity of disabled people's organizations in associative life, project design, monitoring and evaluation, and fund-raising.

18. What regular training do you provide for PWD ?

- community life
- project design
- training on the Convention on the Rights of Persons with Disabilities

19. How does your DPO involve young PWD ?

FETAH involves disabled young people in education, health, rehabilitation, vocational training and employment projects.

20. Does your DPO have any experience working in a humanitarian disaster ?

Yes, FETAPH has implemented several projects during the COVID 19 pandemic to minimize the impact of COVID on people with disabilities in Togo