

**United Nations Human Rights Council**

**26th Session of the UPR Working Group**

**Geneva, 31.10.2016**

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**German national statement**

**Togo**

Mr President,

Germany would like to thank the delegation of Togo for the report presented today. We welcome the progress made since the last UPR cycle and especially appreciate the criminalization of torture.

However, some concerns remain and therefore we would like offer the following recommendations to the Government of Togo:

1. Establish a functional registry system reaching the whole population, inter alia by extending the time for free birth registration and offering birth certificate establishment procedures for the unregistered.
2. Improve prison conditions in all detention centers by developing and implementing a strategy to end the current overcrowding of prisons, as accepted in the 2011 UPR cycle, inter alia by restricting the use of pretrial detention and developing alternative forms of punishment, as well as by ensuring access to sufficient food and drinkable water, adequate sanitary facilities and medical treatment.
3. Strengthen the independence of the judiciary and safeguard the rule of law inter alia by increasing the budget to the justice system.
4. Guarantee the right to freedom of expression, association and peaceful assembly and the right to participate in public and political life. To reach this goal we recommend to amend all laws violating these rights and to bring them in line with international human rights standards, namely the Criminal Code, the Press and Communication Code and Law N°2011–010 on freedom of assembly and public and peaceful demonstrations.

Thank you Mr. President.

Advance written questions submitted to the State under review

1. Germany recognizes the awareness of the Government of Togo regarding the challenges related to the lack of popular knowledge about the rule of law. However, there are still reports of cases of public condemnation (“vindicate populaire”) and little progress seems to have been made about the promotion of the rule of law.

**Therefore, we are interested in strategies the Government of Togo has developed to safeguard the rule of law and to prevent self-justice throughout the population.**

1. In addition, we identify great gaps regarding in the registration of the Togolese population resulting in restrictions to the enjoyment of civil rights and liberties. Especially in rural areas the access to birth certificates is difficult, and only around a quarter of adults owns a valid Identification Card.

**For this reason, Germany would like to ask the Government of Togo which steps it is planning in order to provide a functional registry system that reaches the whole population.**