Despite the adoption of a law on decentralization in 1998 and regulation in 2007, decentralization reforms have not yet started in Togo. However, a decrease in political tensions at the high level of the state, as evidenced by recent inter-Togolese dialogue, is expected to advance the decentralization process.

The territorial division of Togo into municipalities, prefectures and regions is an outcome of the 1992 constitution. The 1998 law on decentralization set the number of local governments. It divides the territory into 5 regions, 30 prefectures and 30 urban municipalities. As far as rural municipalities, which are composed of villages, there are no given criteria to define them.

Existing local governments do not have clearly defined powers. The municipal councillors elected in 1987 were replaced in 2001 with special delegations in the municipalities (consisting of 11 people designated by the State) that manage local policies. However, the lack of municipalities with democratically elected representatives does not constitute an obstacle to the local approach.

The current acts or instruments offer some opportunities for local participation, and local authorities are making efforts to capitalize on them through advocacy activities. The 1998 Act organizes a permanent system of democracy through dialogue between citizens and elected local representatives in between elections. It states that the right of citizens to be informed and consulted by local officials on matters that concern them is inseparable from self-government.

The acts or instruments governing decentralization are comprehensive and democratic. They provide for local autonomy and a role for traditional leaders. However, many financial, institutional and political barriers slow down the process and municipal elections have still not taken place.

After the 2010 presidential elections, Togo will have to implement its decentralization policy. The government must agree to depart from political interference (special delegations and appointed mayors), and its partners will have to find ways to organize elections and educate the population in the concept of decentralization.

### LEGISLATIVE FRAMEWORK AND DISABILITY POLICIES AND STAKEHOLDERS

So far, Togo has signed but not yet ratified the UN Convention on the Rights of Persons with Disabilities. The ratification process is underway at the National Assembly. However, there is a set of acts and instruments that refer to people with disabilities in Togo.

The Constitution of October 14, 1992, as amended by Act No. 2002-029 of 31 December 2002,
endorses in its preamble the provisions contained in the Universal Declaration of Human Rights. Article 33 states that “Government must take measures to protect people with disabilities from social injustice”.

The Act of April 23, 2004 on the social protection of persons with disabilities is the first and only law dealing exclusively with the rights of persons with disabilities. It considers persons with disabilities largely as persons that need charity, and it does not have any application decree.

The law of 13 December 2006 establishing the Labour Code devotes two articles to persons with disabilities and employment. The first article defines persons with disabilities, and the second says that working conditions for persons with disabilities are set by decree by the Council of Ministers. To date, there is still no such decree.

The Order of January 4, 1968 laying down the general status of Togolese civil servants includes provisions that protect persons with disabilities, but also some discriminatory clauses. Citizens’ access to public service is governed by a general constitutional principle, which is «equal access to public employment». However, paragraph 4 of Article 23 of the Status provides that no person shall be an official «if they do not meet the fitness requirements for the position».

The Education Reform in Togo provides for support and coaching for disabled children, with specialized primary and secondary education institutions to be created. Yet, this reform does not refer to inclusive approaches.

Three categories of stakeholders are involved in the disability field in Togo. They are:

AT THE GOVERNMENT LEVEL

- The Ministry of Social Action, the Advancement of Women, and the Protection of Children and the Elderly, which specifically has a Department for Persons with Disabilities, established by the Decree of 11 October, 2001, on the Organization and Duties of the Ministry. This specific department exists at the central level only, in Lomé. In some regional departments of the Ministry, there are services that serve people with disabilities, but this function is not formalized.
- The Ministry of Health
- The Togo Federation of DPOs (FETAPH) was created on November 30, 1990. It is the national umbrella organization, comprising 35 member organizations throughout the country. It is the key negotiator in the disability field in Togo and is responsible for coordinating the efforts of the whole network of DPOs.

AT THE CIVIL SOCIETY LEVEL

The Togo Federation of DPOs (FETAPH) was created on November 30, 1990. It is the national umbrella organization, comprising 35 member organizations throughout Togo. Handicap International, DED (German Development Service), CBM, Plan Togo, Liliane Foundation, UNICEF, WHO and other development stakeholders are present.

To date, there are a number of national policies on disability. These are:
The national rehabilitation policy formulated in 1997 and revised in December 2005. This policy has been developed by the Ministry of Health as part of its Disability/Injury Prevention and Rehabilitation Programme. It is an analysis of the national situation in the field of rehabilitation and it has resulted in the identification of priority issues and the formulation of objectives and operational strategies.

The National Programme for the Promotion and Protection of Human Rights (2007-2010). It was adopted by the Council of Ministers on 31 May 2007. This programme deals with human rights and devotes several pages to strategies for vulnerable groups, including people with disabilities.

The Poverty Reduction Strategy Paper (PRSP) of Togo has been made inclusive with regard to education, health and employment. The inclusion of disability in this strategy document has been possible thanks to the effective participation of FETAPH and Handicap International Togo (through collaboration with DED) in the work of the thematic groups (health, education, employment, etc.). The participation of these stakeholders has raised awareness among authorities of the need to take into account the concerns of people with disabilities.

The DPO movement in Togo is very large. According to the 2008 Directory of DPO, there are approximately 180 local DPOs in the country. Some of these DPOs are members of FETAPH and FETOSPHA (Togolese Sports Federation for People with Disabilities). These organizations are involved in almost all areas related to disability issues, including disability prevention, promoting the rights of people with disabilities, campaigning for changes in the social representations of disability, rehabilitation, promoting income-generating activities, inclusive education, sports and so on.
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CASE STUDY I

ADVOCACY OF PEOPLE WITH DISABILITIES FOR THEIR INCLUSION IN THE CIVIL SOCIETY PLATFORM AND FOR THE ACCESSIBILITY OF PUBLIC BUILDINGS IN THE MUNICIPALITY OF DAPAONG

Location: Municipality of Dapaong, Savannah Region, northern Togo
Reference to articles of the CRPD: 29
Stakeholders involved: Organization of Committed People with Disabilities of Tone (APHMOTO), Support Programme for Civil Society Organizations (PAOSC), Federation of Development Organizations of the Savannah Region (FODES), Regional Planning and Social Action Departments, Prefecture and City Council of Dapaong, German Development Service (DED)

DESCRIPTION OF THE PRACTICE AND THE PROCESS INVOLVED

The city of Dapaong is located in the Savannah region, in northern Togo, about 650km from the capital Lomé. It has about 34,000 inhabitants. The region is among the poorest areas of the country, according to the Poverty Reduction Strategy Papers. Living conditions are very difficult, especially for people with disabilities.

The Organization of Committed People with Disabilities of Tone (APHMOTO), which has 142 members with disabilities, is very active in the community. This organization is involved in raising awareness and mobilizing disability organizations. Following the identification of 705 children with disabilities, it has initiated an inclusive education project in collaboration with an INGO. Advocacy actions have also been undertaken to include a specific line for DPOs in the municipal budget.

In 2005, the Support Programme for Civil Society Organizations (PAOSC) was created. This programme, supported by the European Union, aims to support all civil society organizations in Togo, including DPOs. This programme was expected to be implemented in all regions of Togo, including Dapaong, the administrative centre of the Savannah Region. The Federation of Development Organizations of the Savannah Region (FODES) was mandated to steer the programme in the Savannah region, where two main activities were planned: the construction of the Civil Society House, and the creation of the Regional Civil Society Platform.

At the start of the programme, briefing sessions were organized by FODES for associations and NGOs, including both members and non-members of the Federation. APHMOTO was not a member of FODES but was invited to take part, alongside other organizations. A few months later, during the preparatory phase of the installation of the Regional Civil Society Platform, the DPO was sidelined. The DPO engaged in lobbying and peaceful
protests against what was considered to be a discriminatory decision, targeting the local Department of Social Action, resulting in the unconditional inclusion of APHMOTO within the Platform.

After several months of tough negotiations, the agreement to participate in the Platform was obtained. Following this success, an invitation was sent to APHMOTO to take part in the drafting of the charter to define the method of functioning and action of the Platform.

During the drafting of the charter, six categories were selected by the Platform for action, namely women, corporate groups, NGOs, unions, religious/spiritual organizations, and traditional chiefs.

People with disabilities were once again excluded, under the pretext that they were already included in the section of religious groups and traditional chiefs. APHMOTO challenged this approach, saying that people with disabilities had very specific needs that other categories of the platform would not necessarily have the competence to identify and report.

After lengthy discussions, and following the lobbying done by APHMOTO with other groups, the meeting finally decided to increase the number of categories to seven, the seventh being ‘Vulnerable Groups’. The aim of this group was to bring together NGOs involved in the fight against AIDS, providing assistance to child prisoners, widows and, of course, to people with disabilities.

A month later, the founding general assembly of the Platform was held and APHMOTO was mandated to be the organization for the Vulnerable Groups component. Since then, this group has been one of the most effective and dynamic on the platform and has implemented many activities on the ground.

Among these actions, an inventory of inaccessible public buildings was carried out. Following this analysis, accessibility adaptations for eleven public buildings were prioritized. An advocacy plan was then developed in order to convince local authorities, including the Municipality Council, to take measures against this discriminatory situation. After a series of meetings, the municipal authorities acknowledged the facts and agreed to undertake remedial measures. But two major difficulties were mentioned: the disfigurement of the original architecture of the buildings and the lack of financial resources to undertake the work.

To solve the financial problem, APHMOTO worked out and submitted an accessibility project to the German Development Service (DED) for funding; DED recognized its relevance and agreed to fund it. With this agreement, the association appealed again to the Municipality Council for the authorization to conduct the work, which was given in a decision taken some time later. This process took three months. In addition to the authorization, the City Council delegated an officer to notify and inform the companies and offices concerned by the accessibility project.

THE MAIN DIFFICULTIES ENCOUNTERED

There was a difficulty in considering a DPO as a fully-fledged civil society organization; this was a major obstacle in the process towards inclusion in the Regional Platform. This reluctance on the part of other stakeholders was overcome through continuous awareness-raising and advocacy conducted by members of the association.

Regarding the accessibility part of the project, some services were in favour while others were totally opposed. In the face of this opposition, the DPO
renewed its lobbying of the relevant local authorities, particularly the relevant ministries. The project was finally carried out and eleven services in the locality were made more accessible by the construction of 17 ramps. The total cost of the action was 980,000FCFA - less than 1,500 euros.

THE FACTORS THAT MADE THIS PRACTICE POSSIBLE

The dynamism of the DPO, the knowledge of their rights and of the local context were crucial in the carrying out of this practice. The sustained lobbying actions undertaken by the DPO effectively influenced the decisions of local stakeholders. The financial and technical support of the German Development Service was fundamental for the process of making public buildings accessible.

THE EFFECTS OF THE PRACTICE

The integration and effective participation of APHMOTO in the platform has directly influenced the local environment. The Vulnerable Groups section, as a result of APHMOTO’s leadership, has now acquired a profile in the community. A directory of DPOs and NGOs working on the issues of disability and HIV/AIDS and assisting other vulnerable groups has been established. In addition, APHMOTO has compiled texts of laws relating to the protection of vulnerable groups (texts on the protection of children, people living with AIDS, prisoners, people with disabilities), which was officially submitted to the authorities of the five prefectures of the Savannah Region.

APHMOTO’s presence in the Platform has meant that disability issues are better understood, and indeed disability is commonly the leading thematic issue addressed by the Vulnerable Groups section. APHMOTO eventually aims to preside over the Platform in order to demonstrate the leadership capacity of people with disabilities.

Members of the DPO and the community of Dapaong, including the elderly, have improved access to public buildings. Since then, several other services have adapted their construction plans in the interests of accessibility, including the Regional Hospital of Dapaong, and Civil Society House.

Other accessibility projects have been developed by APHMOTO and are awaiting funding.

This intervention has raised the profile of APHMOTO, which now has increased respect and legitimacy when working with local authorities. In turn, local authorities have more knowledge about disability and regularly invite APHMOTO to public meetings.

RELATED ARTICLES OF THE CRPD

The struggle of this DPO to be integrated into the Civil Society Platform in the Region is related to Article 29 of the CRPD on the participation of persons with disabilities in public life and politics. The advocacy for accessibility is directly related to Article 9 of the Convention on accessibility.

AN EXAMPLE OF DISABILITY INCLUSION

Participating in the Civil Society Platform has enabled this DPO to integrate itself into the network of development stakeholders and to ensure that the specific needs of people disabilities are taken into account.

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INCLUSION OF PEOPLE WITH DISABILITIES IN THE VILLAGE DEVELOPMENT COMMITTEE OF THE VILLAGE OF MISSION-TOVÉ

Location: Village of Mission-Tové, Prefecture of Zio, southern Togo
Reference to articles of the CRPD: 29
Stakeholders involved: Head of the Village of Mission-Tové, Village Development Committee (CVD), Regional Social Action Department, Togolese Federation of DPOs, Association of Parents and Friends of People with Encephalopathy (APAPE), Handicap International

Mission-Tové is a village of the Prefecture of Zio, located about 30km northwest of Lomé. With a population of about 15,000 residents, the village has six communities and is headed by a village chief, a traditional authority who manages all local affairs. The chief is assisted in his mission by a Village Development Committee (CVD).

In this village, people with disabilities are often discriminated against and marginalized. Sometimes they were considered as «voduns» or «Tohossou» and, therefore concealed by their families.

In 2001 in Lomé, during the Games of the Future for People with Disabilities in Francophone Africa (JAPHAF), the Director of the Association of Parents and Friends of People with Encephalopathy (APAPE), an organization of people with disabilities in the Prefecture of Zio, met with the Mawuko Group of people with disabilities of Mission-Tové. This meeting marked the beginning of the intervention of different stakeholders specialized in the field of disability in the Village of Mission-Tové.

In 2003, an awareness campaign conducted in Mission-Tové by APAPE found that disability rights were violated at all levels and generally not acknowledged by local communities. An extensive awareness-raising and capacity building programme was developed and implemented by the Mawuko Group until 2007.

In 2008, on the proposal of APAPE, a participatory local assessment of the situation of persons with disabilities in Mission-Tové was conducted by an INGO in cooperation with the local group of people with disabilities. This diagnosis aimed to identify the main problems experienced by people with disabilities and the priority areas for action to address them. The diagnosis, finalized in November 2008, led to the development of a three-year inclusive Village Action Plan.

In order to promote people with disabilities in the locality, the board of the Village Development Committee (CVD) was renewed and made more inclusive through a vote. Of the nine members of the board, two people with disabilities were elected as Vice-President and Secretary General. There was a strong presence of people with disabilities on the Health, Education, Welfare, Environment, Culture, and Solidarity committees.
THE FACTORS THAT MADE THIS PRACTICE POSSIBLE

This practice was made possible thanks to the intervention of APAPE, particularly its awareness-raising activities between 2003 and 2007. The local diagnosis, carried out with the participation of all stakeholders in the area, led to the design of an inclusive action plan. Open and positive dialogue with local authorities made clear the need for the participation of people with disabilities in the affairs of the village. The determination of people with disabilities themselves to prove their capacity to contribute to community development certainly accelerated the process.

SOME OF THE DIFFICULTIES ENCOUNTERED

The main difficulties were the initial reluctance of the Village Head and the indifference of the population. Awareness-raising carried out by the APAPE and the Togolese Federation of DPOs (FETAPH) helped overcome these difficulties.

THE EFFECTS OF THE PRACTICE

People with disabilities were directly involved in developing the new Action Plan of the Village Development Committee of Mission-Tové. Their role was to ensure that the plan was inclusive.

A concrete result of the new Action Plan was the improved accessibility of primary schools in Mission-Tové. In 2009, ramps and accessible toilets were built. This had a significant impact on children with disabilities and the whole community. The Village Development Committee envisages, among other things, the physical accessibility of all the schools by 2011.

Members of the Village Development Committee say they have more knowledge and greater awareness of disability issues: «We had never considered this before because of our lack of expertise on the needs of persons with disabilities».

RELATED ARTICLES OF THE CRPD

The inclusion of persons with disabilities in the Village Development Committee is related to Article 29 of the CRPD on the participation of persons with disabilities in public life and politics.

AN EXAMPLE OF DISABILITY INCLUSION

This practice is an example of taking into account the needs of people with disabilities in local planning. This resulted in the development and implementation of a three-year Inclusive Action Plan.

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Mandouri is the administrative centre of the Prefecture of Kpendjal, located in the Savannah region in the North East of Togo. This city, which has about 11,000 inhabitants, is one of the poorest and most isolated communities of Togo. People with disabilities are particularly vulnerable.

To contribute to improving their living conditions, the association ASPHAK was created in 2004. As a result of the advocacy undertaken by ASPHAK, the population of Mandouri has become increasingly aware of the rights of persons with disabilities. For example, this advocacy has supported parents of children with disabilities in considering the schooling and social integration of their children.

In 2004, the President of ASPHAK, who is a tax collector at the Prefecture, drew the attention of local authorities, and particularly of the Prefectural Council, to the situation of people with disabilities in the locality. An advocacy strategy was developed with the support of other DPOs in the region, such as the Organization of Committed Persons with Disabilities of Tone (APHMOTO), based in Dapaong. These advocacy activities were aimed at supporting local authorities in more effectively addressing the needs of people with disabilities. After this process, dialogue was initiated between authorities and disability activists, which enabled ASPHAK to be acknowledged as a key local stakeholder.

These links between ASPHAK and the authorities of the Prefecture, initiated in 2006, created a climate of trust and enabled the DPO to make regular reports on its activities to the local authorities (which was not a common practice at the time). This led to improved understanding by the authorities of the socio-economic difficulties facing local people with disabilities. Building on this trust, the Prefectural Council began to provide financial support to ASPHAK in order to address some of the most pressing needs.

In 2007, the Prefecture of Mandouri sent an invitation to ASPHAK to attend the budget session of the council. At this meeting, the DPO called for the inclusion of a specific budget line for people with disabilities. As a result, a minimum allocation of 150,000 CFA was granted. Since then, the Prefectural Council has allocated a budget for people with disabilities every year. It was 150,000 CFA in 2007, rising to 300,000 CFA in 2009.

This amount may seem insignificant when compared to the scale of the needs to be addressed. However, according to ASPHAK, the willingness of the local authority to include a DPO in the discussions and decisions of the Board and to make an annual grant demonstrates a significant shift, and a new commitment to promoting inclusive local governance and the rights of people with disabilities. This practice is considered very innovative in Togo, where local government rarely has a specific budget line for people with disabilities.
THE FACTORS THAT MADE THIS PRACTICE POSSIBLE

Many of the advocacy actions undertaken by the DPO and their allies in the Prefectural Council helped prepare the ground and influence government decisions; the awareness-raising meetings on disability issues conducted with the support of the Togolese Federation of DPOs (FETAPH) and Handicap International were also decisive. The visits of FETAPH and Handicap International to the local authorities facilitated the positive reception and the legitimacy of the work done by ASPHAK.

The regular reports of ASPHAK showed transparency in the management of the resources allocated, and this strengthened the trust of the local authorities.

Another decisive factor was that the President of ASPHAK was also a financial adviser to the prefecture. His personal influence and his close links with the authorities have played a significant role.

SOME OF THE DIFFICULTIES ENCOUNTERED

Initially, there was reluctance on the part of some members of the Prefectural Council to accept the principle of a budget line for people with disabilities. These difficulties were overcome by the arguments developed in the advocacy actions of the DPO with the authorities, which helped reach a consensus.

THE EFFECTS OF THE PRACTICE

To date, this practice is well established and is now part of the budget of the Prefectural Council. According to the President of the Prefectural Council, the budget will increase in the coming years.

The grants received were used to pay for the design of micro-projects that have been submitted to funding partners. These have all received funding.

The grants were also used to finance some of the income-generating activities initiated by DPOs (mills, farm machinery) and to cover part of the operating expenses of the organization.

The many awareness-raising actions at the local level helped improve the way the community perceives people with disabilities, who are now regularly invited to political and social events.

RELATED ARTICLES OF THE CRPD

This practice is an example of the application of Article 29 of the CRPD in the sense that it promotes the involvement of people with disabilities in public life, notably through their participation in the sessions of the Prefectural Council.

MAIN POINTS THAT REQUIRE ATTENTION

Planning, prioritizing needs, transparency and the rigorous management of the funds granted to DPOs must precede the promotion of such practices.

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People with hearing impairments are often victims of discrimination and exclusion, particularly in terms of education. In Togo, there are few education opportunities for deaf or hearing impaired children – whether in specialized or mainstream schools. Those that exist are only at primary school level – there is nothing at the level of secondary or higher education.

In an attempt to address this situation, the Togolese Association for Deaf and Hearing-Impaired Children undertook advocacy activities aimed at the Togolese education authorities. The aim was to create the conditions for the inclusion of hearing-impaired children in mainstream colleges and high schools.

The process began with raising the awareness of stakeholders involved in the education of deaf children, namely parents, teachers, colleges and high schools, authorities in charge of education and networks of disability organizations.

Awareness-raising tours aimed at the heads of secondary schools in Lomé got underway. These tours were designed to negotiate the inclusion of students with hearing impairments in secondary schools.

Ultimately, three secondary schools in Lomé agreed in principle and decided to embark on the inclusion project. The three schools in question had no skills in terms of the education of hearing-impaired children. The DPO therefore contacted a specialist to conduct specific training for the teachers.

Following this awareness-raising campaign, a coalition of stakeholders was established to conduct lobbying of school authorities and define a strategy for action.
The coalition consisted of the following stakeholders: ATAIDEMES, the network of parents of hearing-impaired children, the three principals of the schools that joined the inclusion project, the Inspector of Education of the Maritime Region, and the teachers involved in the training in sign language.

Now that the primary stakeholders had agreed to the basic principle, the next step was to obtain the approval of the Ministry of Primary and Secondary Education for the inclusion of people with disabilities in secondary education.

After long negotiations, the Ministry gave its approval and permission was granted to the teachers of the three institutions to be trained in sign language.

For the training, Handicap International provided technical support and monitored the process.

To institutionalize this initiative and encourage its sustainability, a coalition of members lobbied the relevant authorities to integrate sign language into the training modules of the Teacher Training Colleges.

**THE FACTORS THAT MADE THIS PRACTICE POSSIBLE**

The ready and effective involvement of school officials and teachers was instrumental in achieving this result.

The creation of the coalition of stakeholders for the advocacy and the dynamism of ATAIDEMES were also fundamental.

**SOME OF THE DIFFICULTIES ENCOUNTERED**

The process was long and complex. The major difficulty was the lack of financial resources to organize the training sessions for teachers. This problem was solved through the mobilization of the DPO in the search for funding.

**THE EFFECTS OF THE PRACTICE**

Parents of children with disabilities are now increasingly aware of the possibility that their hearing-impaired children can go to secondary school. As a result, they are increasingly committed to the concept of inclusive education. At school the children are included effectively and their fellow students have also taken steps to learn sign language.

ATAIDEMES is now known for its expertise in the educational support of hearing-impaired children.

Stakeholders at the local and national levels are more aware of the issue of inclusive education for hearing impaired children.

**RELATED ARTICLES OF THE CRPD**

This practice of including children with disabilities in mainstream secondary schools shows the participation of people with disabilities in public life (Article 29) as the DPO conducted, in collaboration with other stakeholders, advocacy in relation to local authorities on the right to education. This fundamental right for people with disabilities is stated in Article 24 of the Convention.

**AN EXAMPLE OF DISABILITY INCLUSION**

The fact of adapting the mainstream education system to take into account the specific needs of people with disabilities is a concrete example of disability inclusion.

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