

TOGO

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RULES/GENERAL LAWS

General	1. Code of Military Justice, Act No. 2016-008.
	2. The General Disciplinary Regulation (TTA 101)
	3. Decree N° 2008-012 / PR of 11 February 2008 on the organization and functioning of the councils Military investigation
	When deployed to AOR, Togolese military are set on duty. However, Togolese military personnel are entitled to 30 days leave at their convenience even when deployed on operations. The Battalion Commander organizes transport for those who choose to spend their leave on national territory and assists the others who remain wherever they choose to spend their leave in AOR .
	The United Nations rules on prevention of sexual exploitation and abuse are enforced through the following three levels: 1. Through awareness-raising, which is manifested through education. During the exercises concrete cases are studied, brochures and other leaflets are distributed. 2. Through the focal points deployed within the contingents who ensures compliance to the rules on sexual exploitation and abuse. They include officers and non-commissioned officers. and non-commissioned members. Focal points are empowered to report on contingents non-compliance to the rules. 3. Through holding perpetrators accountable for their actions.
SEA: military offence?	Any conduct aimed at obtaining or profiting from sexual favors is a fault against probity, morality and honor. It is indeed an abuse and a sexual exploitation subject to measures disciplinary proceedings and criminal proceedings.
Powers of the Commanding Officer (CO)	The Commanding Officer applies provisions of the laws, rules and regulations that are governing the mission of the United Nations i.e Standard Operating Procedures (SOP), Rules of Engagement (ROE) etc. The Commanding Officers have administrative and disciplinary powers. They comply with the legal and regulatory provisions such as SOP, ROE and the General Discipline Regulations (TTA 101).

INVESTIGATION

Who can investigate?	The Provost Staff (judicial police officers) embedded in deployed contingents are empowered to investigate allegations of sexual exploitation and abuse.
National Investigation Officer (NIO)	The Provost Staff is deployed at the same time as the contingents in the theater of operations. However, a commission of inquiry composed of judicial police officers may be sent from the country to the theater of operations for the purpose of supplementary investigations.

PROSECUTION

Referral	The judicial police officers refer completed investigations to the military hierarchical authorities.
Who can charge?	Any person who is a victim or a witness of sexual exploitation and abuse has the right to file a complaint against a military person with his or her hierarchy or judicial body. The Commanding Officer and the Provost Staff have the legal right to submit the complaint to the Chief of Staff who applies the penalty according to the Togolese military laws and regulations.

JUSTICE

Military justice Deployable Court Martial?	Togo has a military justice system. Togo does not have a deployable court martial system.
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