



Prepared by: **WHITE & CASE**

## **IFRC COVID-19 Emergency Decree Pro Bono Research: Togo<sup>1</sup>**

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- ***Questions to be answered by close of business Friday, 27 March are listed below.***
- ***Please be sure to include English translations of relevant text where possible.***

### **1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?**

Yes. The government of the Republic of Togo (**Togo**) is coordinating with non-state actors in response to the COVID-19 and has emphasized the support received by Togo from the World Health Organization (**WHO**).<sup>2</sup>

Togo has also received aid, monetary, equipment and supplies, from the government of Germany and Chinese businessman and “coronavirus ambassador” Jack Ma.<sup>3</sup>

### **2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?**

As at the date of writing, we are not aware of any mentioning of RC activities in Togo. The UN and WHO are coordinating a response with the Government, however there is no further information or specifics in respect of the responsibilities of humanitarian organizations available. The WHO and Togo have established a government website with up to date information on COVID-19.<sup>4</sup>

### **3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?**

As at the time of writing, there appear to be no express exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations.

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<sup>1</sup> All links referred to in this memo were last accessed on [8] April 2020.

<sup>2</sup> Coronavirus epidemic, COVID-19, Togo declares a first confirmed case, <https://www.afro.who.int/fr/news/epidemie-coronavirus-covid-19-le-togo-declare-un-premier-cas-confirme>.

<sup>3</sup> Germany will help Togo fight coronavirus, <https://www.togofirst.com/en/health/0104-5256-germany-will-help-togo-fight-coronavirus>

<sup>4</sup> Coronavirus in Togo, <https://covid19.gouv.tg/consignes-sanitaires-public/>.

**4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?**

As at the time of writing, there appear to be no express exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations.

**5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?**

The law n° 2009-007 of 15 May 2009 on the Code of Public Health (**Public Health Law**) in Togo contains provisions on the prevention of certain contagious diseases. This law is currently applicable as Togo faces the challenges presented by Coronavirus (COVID- 19) and the actions to be taken to prevent further infections. The Public Health Law contains a framework for quarantine requirements, hygiene requirements, policies which will apply to medical professionals during a health crisis as well as legal facilities for the importation of medical aid, being limited to medicine and other pharmaceutical products.

Since the outbreak of the COVID-19, the WHO has donated to Togo, PPE supplies along with other medication and material, to face the mounting shortages in PPEs and medication.<sup>5</sup> Accessing and crossing the borders are limited to haulage trucks and cars carrying goods, and crossing the borders *into* Togo.<sup>6</sup> Furthermore, the government of Togo recently announced its plan to collaborate with producers and importers of hand sanitizers to counter the shortages and surges in prices of these products.<sup>7</sup> Nonetheless, quarantine requirements with regards to the importation of medical aid or supplies or personnel are not directly addressed or specified at this time.

**6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?**

As of the time of writing, it appears that no RC or other humanitarian organizations have been explicitly referred to in any action plans in Togo. The following restrictions have been issued by Togo to date:

- The readjustment of governmental working hours, having a continuous working day from 9am-4pm, instead of 7am to 12pm and resuming from 2:30pm to 5:30pm
- The closure of all educational institutes, places of worship, cancellation of major events with more than 100 people
- Limiting funeral gatherings to 15 people
- Suspension of all Sports and cultural events
- The closure of all nightclubs

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<sup>5</sup> Togo receiving PPE, <https://www.afro.who.int/fr/news/epidemie-coronavirus-covid-19-le-bureau-pays-de-loms-aux-cotes-du-gouvernement-togolais-et-des>.

<sup>6</sup> Goods across the border, <http://www.faapa.info/blog/togo-closes-borders-over-coronavirus/>.

<sup>7</sup> Coronavirus: Government will collaborate with producers and importers of hand sanitizers to keep up with booming demand, <https://www.togofirst.com/en/public-services/0304-5279-coronavirus-government-will-collaborate-with-producers-and-importers-of-hand-sanitizers-to-keep-up-with-booming-demand>.

**7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).**

President Faure Gnassingbé of Togo, in a national address on 2 April, announced a three month state of health emergency and has imposed a curfew from 7pm to 6am, which takes effect from 2 April until further notice.<sup>8</sup> In addition, a special anti-pandemic force has been set up to ensure full compliance with the decisions taken and implemented by the Togo, in the fight against COVID-19.

Water and electricity are to be made available free of charge for consumers for the next three months and Togo has announced a cash transfer program to “assist citizens who will be most affected by the crisis and the set of measures taken”.<sup>9</sup>

Togo has decided that the CHR Lomé Commune hospital shall be dedicated to the care of COVID-19, with effect from 21 March. In addition, mobile laboratories will be utilised to provide free COVID-19 tests all over the country.<sup>10</sup>

The president of Togo stated that a USD650 million fund will be directed to mitigate the economy from the current state of emergency in the country.<sup>11</sup>

Without limitation, as of 20 March, Togo has taken the following measures to prevent the spread of COVID-19:

1. The closure for two weeks, from midnight Friday March 20, 2020, of all land borders, subject only to the movement of goods being continuously permitted.
2. The closure of certain cities, in particular Lomé, Tsévié, Kpalimé and Sokodé, from 6 am Saturday March 21, 2020, with “strict” controls at the entrances near Tsévié on the national road N°1; from the toll of Aného on the national road N°2 and of Amoussou-Copé on the national road N°5.
3. The until further notice prohibition of frequentation by any person on the beach, all along the coast.
4. The closure for one month of places of worship, starting 6 a.m Saturday 21 March 2020.
5. The immediate closure of all public, private and denominational, and educational institutes for a period of three weeks from 21 March 2020.<sup>12</sup>
6. Limiting funerals and burials to attendance by 15 people, until further notice.
7. All sellers in the markets must wear protective masks.
8. Mass cultural and sporting activities are suspended until further notice.
9. The cancellation of international events for three weeks starting March 16 2020.<sup>13</sup>
10. The immediate closure of nightclubs throughout the national territory.<sup>14</sup>
11. A readjustment to the working hours in the Togolese administration, to be from 9am-4pm, instead of 7am-12pm and 2.30pm-5.30pm.<sup>15</sup>

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<sup>8</sup> Covid-19: Togo declares state of emergency, curfew, <http://apanews.net/en/news/covid-19-togo-declares-state-of-emergency-curfew>.

<sup>9</sup> President Faure Gnassingbé address to the nation, <https://youtu.be/BNayg1zbU1c>.

<sup>10</sup> Mobile laboratories free testing, [http://www.xinhuanet.com/english/2020-04/02/c\\_138940413.htm](http://www.xinhuanet.com/english/2020-04/02/c_138940413.htm).

<sup>11</sup> Funds, <https://www.dispatchlive.co.za/news/africa/2020-04-05-togo-declares-state-of-emergency-over-virus/>.

<sup>12</sup> Coronavirus: Togo closes borders, schools, cities, [https://www.panapress.com/Coronavirus-Togo-closes-borders--a\\_630633461-lang2.html](https://www.panapress.com/Coronavirus-Togo-closes-borders--a_630633461-lang2.html).

<sup>13</sup> Cancellation of international events, <https://www.gov.uk/foreign-travel-advice/togo/health>.

<sup>14</sup> Togo strengthens prevention and response measures to COVID-19, <http://sante.gouv.tg/node/635>.

<sup>15</sup> Togolese administration working hours, <http://apanews.net/en/news/covid-19-togo-declares-state-of-emergency-curfew>

**8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?**

As at the time of writing, there appear to be no restrictions adopted concerning the ban on export of medical equipment.