

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Togo has been a member of ILO-IPEC since 2000.<sup>4293</sup> In March 1999, the government formulated a National Action Plan against child trafficking that focuses on gathering information, raising awareness at the community level, and taking steps to enhance its institutional capabilities to combat trafficking.<sup>4294</sup> Togo is one of nine countries participating in a regional project implemented by ILO-IPEC and funded by USDOL to combat the trafficking of children in West and Central Africa.<sup>4295</sup> As a member of ECOWAS, Togo has committed itself to repatriate victims of trafficking, provide them with necessary social services, and to establish policies and programs to combat and prevent human trafficking.<sup>4296</sup> It has also collaborated with other ECOWAS member states to draft an action plan that identifies criminal justice interventions to be undertaken in the years 2002 and 2003 against trafficking in persons.<sup>4297</sup> In June 2002, the Government of Togo signed an agreement with the U.S. Government to support the implementation of an education project that focuses on child trafficking victims.<sup>4298</sup> The U.S. European Command has also funded the renovation of a center for repatriated child trafficking victims.<sup>4299</sup>

The Government of Togo has drafted a law that imposes a 5 to 10 year prison term on traffickers or a fine of up to 10 million CFA francs (USD 17,630.70).<sup>4300</sup> In mid-2002, Togo began creating local committees that work to raise awareness of child trafficking in rural areas.<sup>4301</sup> In 2000, the government, in collaboration with UNICEF and NGOs, conducted awareness raising campaigns on forced labor and trafficking.<sup>4302</sup> The Government of Togo is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime (UNODC) to strengthen anti-trafficking efforts. UNODC is providing technical assistance in areas such as research and law enforcement training.<sup>4303</sup> The government also funds a Social Center for Abandoned Children, and has provided land and buildings for four victim care centers.<sup>4304</sup>

<sup>4293</sup> ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited July 2, 2003]; available from [http://www.ilo.org/public/english/standards/ipecc/about/countries/t\\_country.htm](http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm).

<sup>4294</sup> ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (Phase II)*, executive summary, Geneva, 1999.

<sup>4295</sup> Ibid.

<sup>4296</sup> ECOWAS, "Declaration on the Fight Against Trafficking in Persons" (paper presented at the Twenty-Fifth Ordinary Session of Authority of Heads of State and Government, Dakar, December 20-21, 2001).

<sup>4297</sup> ECOWAS Executive Secretariat, *ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003)*, Economic Community of West African States, Dakar, December 2001.

<sup>4298</sup> Togolese Ministry of Social Affairs, Letter of Intent between the U.S. Department of Labor and the Togolese Ministry of Social Affairs regarding the USDOL Child Labor Education Initiative, June 18, 2002. The U.S. Government has also funded the renovation of a center for repatriated victims of trafficking. See U.S. Department of State, *Supporting Human Rights and Democracy: The U.S. Record 2002 -2003*, Washington, D.C., June 24, 2003; available from <http://state.gov/g/drl/rls/shrd/2002/21765.htm>.

<sup>4299</sup> U.S. Embassy- Lome, *unclassified telegram no. 230*, February 2003.

<sup>4300</sup> The law is currently before the national assembly and includes penalties on parents of trafficked children. See Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, Vol. 15, No. 8 (A), New York, April, 2003, 3; available from <http://www.hrw.org/reports/2003/togo0403/>. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2002:Togo*, Washington, D.C., March 31, 2003, Section 6f; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18231.htm>. See also U.S. Department of State, *Trafficking in Persons Report- 2003:Togo*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21277.htm>. For currency conversion, see FXConverter, [online] [cited July 2, 2003]; available from <http://www.oanda.com/convert/classic>.

<sup>4301</sup> Republic of Togo, *Les Etats-Unis se mobilisent contre le trafic des enfants au Togo*, [previously online] June 25, 2002 [cited August 23, 2002]; available from <http://www.republicoftogo.com/completeneews.php?idnews=02265&flag=3> [hard copy on file].

<sup>4302</sup> Creative Associates International Inc., *Child Labor Country Briefs:Togo*, [previously online] January 22, 2002 [cited August 23, 2002]; available from <http://209.135.227.32/childlaborbriefs/DashBoard2/default.asp> [hard copy on file].

<sup>4303</sup> UN Office on Drugs and Crime, *Pilot Projects*, [online] [cited July 17, 2003]; available from [http://www.odccp.org/odccp/trafficking\\_projects.html](http://www.odccp.org/odccp/trafficking_projects.html).

<sup>4304</sup> U.S. Department of State, *Country Reports- 2002:Togo*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report:Togo*.

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In June 2002, the U.S. State Department's Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Togo. As part of this strategy, U.S. missions in the region will focus U.S. Government resources on prosecuting traffickers, protecting and repatriating victims, and preventing new trafficking incidents through improved donor coordination and direct funding for host government or local NGOs.<sup>4305</sup>

Togo's goals under its Education for All plan are to make education more accessible, raise the quality and relevance of the curriculum, and strengthen vocational and non-formal education.<sup>4306</sup> UNICEF is assisting Togo to raise the low attendance rates among girls through parent and teacher trainings.<sup>4307</sup>

## Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 66.2 percent of children ages 5 to 14 years in Togo were working.<sup>4308</sup> Children are found working in both urban and rural areas, particularly in family-based farming and small-scale trading.<sup>4309</sup> In some rural areas, young children were sometimes placed in domestic work in exchange for a one-time fee of 15,000 to 20,000 CFA francs (USD 26.45 to 35.26) paid to their parents.<sup>4310</sup> In remote parts of the country, a form of bonded labor occurs in the traditional practice known as *trokosi*, where young girls become slaves to priests for offenses allegedly committed by a member of their family.<sup>4311</sup> Abuse of the cultural practice of *Amegbonovei*, through which extended family relations help to place children (usually from rural areas) with families who agree to pay for the children's education or provide them with a salary in exchange for domestic work, also contributes to the incidence of child trafficking. Often the intermediaries who arrange the placements abuse the children and rape the girls. These children are also sometimes mistreated by the families with whom they are placed.<sup>4312</sup>

Four primary routes for child trafficking in Togo have been documented: trafficking of Togolese girls for domestic and market labor in Gabon, Benin, Nigeria and Niger; trafficking of girls within the country, particularly to the capital city, Lomé; trafficking of girls from Benin, Nigeria and Ghana to Lomé; and trafficking of boys for labor exploitation, usually in agriculture, in Nigeria, Benin and Côte d'Ivoire.<sup>4313</sup> Boys sometimes work with hazardous

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<sup>4305</sup> U.S. Embassy- Abuja, *unclassified telegram no. 1809*, June 2002.

<sup>4306</sup> UNESCO, *Education for All 2000 Assessment: Country Reports - Togo*, prepared by Permanent Secretary of the Higher Council of National Education of Togo, pursuant to UN General Assembly Resolution 52/84, [cited August 15, 2003]; available from [http://www2.unesco.org/wef/countryreports/togo/rapport\\_1.html](http://www2.unesco.org/wef/countryreports/togo/rapport_1.html).

<sup>4307</sup> UNICEF, *Costs of Education*, [previously online] [cited September 16, 2002]; available from [http://www.unicefusa.org/girls\\_ed/cost.html](http://www.unicefusa.org/girls_ed/cost.html) [hard copy on file].

<sup>4308</sup> Government of Togo, *Multiple Indicator Cluster Survey 2*, Lomé, 2000; available from <http://www.childinfo.org/MICS2/newreports/togo/togotables.pdf>. The percentage of child labor reported for Togo in this year's report is higher than that included in last year's USDOL Trade and Development Act report because this year's percentage includes a larger age group and because it is based on information in the Multiple Indicator Cluster Survey (MICS) instead of the World Bank's *World Development Indicators* (WDI). Because the MICS is a stand-alone survey on children, it offers a more comprehensive look at work that children perform than the WDI, which projects numbers of working children based on existing non-child labor specific surveys.

<sup>4309</sup> U.S. Department of State, *Country Reports- 2002: Togo*, Section 6d.

<sup>4310</sup> *Ibid.*, Section 6c. For currency conversion, see FXConverter.

<sup>4311</sup> U.S. Department of Labor, "Combating Child Trafficking in Togo through Education," *Federal Register* 67, no. 75 (April 22, 2002), 19257. See also Nirit Ben-Ari, *Liberating girls from 'trokosi'*, (Vol. 15 #4), Africa Recovery, [online] December 2001 [cited July 17, 2003]; available from <http://www.un.org/ecosocdev/geninfo/afrec/vol15no4/154troko.htm>.

<sup>4312</sup> Suzanne Aho, Togo Ministry of Social Affairs, Protection Project Fact-Finding Mission, Lomé, Togo, August 2001, as cited in The Protection Project, "Togo," in *Human Rights Reports on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, March 2002, 546-47 available from <http://209.190.246.239/ver2/cr/Togo.pdf>.

<sup>4313</sup> Almost none of the girls interviewed in the study received remuneration for their services. Most boys worked long hours on farms, seven days a week, as part of short-term assignments. See Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, 1-2.

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equipment, and some describe conditions similar to bonded labor.<sup>4314</sup> Children are also trafficked from Togo to the Middle East, Europe and Asia, and there are reports that girls are trafficked to Nigeria for prostitution.<sup>4315</sup> Togo also serves as a transit country for children trafficked from Burkina Faso, Ghana, Côte d'Ivoire and Nigeria.<sup>4316</sup> Although there is no evidence of minors enlisted in the military, children under 18 are found doing menial work in military barracks.<sup>4317</sup>

Education is free and compulsory from 5 to 15 years.<sup>4318</sup> However, school fees range from 4,000 to 13,000 CFA francs (USD 7.05 to 22.92).<sup>4319</sup> In 2000, the gross primary enrollment rate was 124.2 percent, and the net primary enrollment rate was 92.3 percent.<sup>4320</sup> However, the gender disparity in net primary enrollment rates is significant: 101.3 percent of boys of primary school age versus only 83.3 percent of girls were enrolled in school.<sup>4321</sup> In 2000, the net primary attendance rate was 63.0 percent.<sup>4322</sup> In 1999, 73.8 percent of children enrolled in primary school reached grade 5.<sup>4323</sup> Some of the shortcomings of the education system include teacher shortages, lower educational quality in rural areas, and high repetition and dropout rates.<sup>4324</sup> In the northern part of the country, 41 percent of the primary school teachers are remunerated by the parents compared with only 17 percent in Lomé, where incomes are substantially higher.<sup>4325</sup>

## Child Labor Laws and Enforcement

The Labor Code sets the minimum employment age in any enterprise at 14 years, unless granted exemption by the Ministry of Labor.<sup>4326</sup> However, children may not begin apprenticeships before 15 years.<sup>4327</sup> Children are forbidden from working at night without special permission from the ministry in charge of professional training.<sup>4328</sup>

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<sup>4314</sup> Ibid., 2.

<sup>4315</sup> U.S. Department of State, *Country Reports- 2002:Togo*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report:Togo*.

<sup>4316</sup> U.S. Department of State, *Country Reports- 2002:Togo*, Section 6f.

<sup>4317</sup> Coalition to Stop the Use of Child Soldiers, "Togo," in *Global Report 2001*, 2001; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/3f922f75125fc21980256b20003951fc?OpenView>.

<sup>4318</sup> See U.S. Department of State, *Country Reports- 2002:Togo*, Section 5. See also Republic of Togo Ministry of National Education, *La Réforme de l'Enseignement au Togo (forme abrégée)*, Lomé, 1975, 10, 11, 13. See also Government of Togo, *Projet de Code de l'Enfant*, (November, 2001), Article 249. See also Republic of Togo, *Déclaration de Politique Sectorielle de l'Éducation et de la Formation*, Lomé, May 12, 1993, 1.

<sup>4319</sup> Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, 1. For currency conversion, see FXConverter.

<sup>4320</sup> World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

<sup>4321</sup> Ibid.

<sup>4322</sup> The net primary attendance rate in 2000 was 67.0 percent for boys and 58.9 percent for girls. See Government of Togo, *Multiple Indicator Cluster Survey 2*.

<sup>4323</sup> World Bank, *World Development Indicators 2003*.

<sup>4324</sup> M. Egnonto Koffi-Tessio, *Human Resource Development for Poverty Reduction and Household Food Security: Situation of Education and Training in Togo*, University of Lome, Advanced School of Agronomy, Lome, 2000. See also World Bank, *Togo Country Assistance Evaluation*, no. 21410, Operations Evaluation Department, November 20, 2000, 5.

<sup>4325</sup> World Bank, *Togo Country Assistance Evaluation*, 5.

<sup>4326</sup> Government of Togo, *Code du Travail*, Ordonnance No. 16, (May 8, 1974), Article 114. See also *Projet de Code de l'Enfant*, Article 298.

<sup>4327</sup> An exception is made for children who have abandoned school or who were not able to attend school. These children may begin apprenticeships at 14 years. See *Projet de Code de l'Enfant*, Articles 259 and 60.

<sup>4328</sup> Ibid., Article 274.

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The Children's Code prohibits the employment of children in the worst forms of child labor, as well as the trade of children for the purposes of sexual exploitation or forced labor or servitude.<sup>4329</sup> Certain industrial and technical jobs set a minimum age of 18.<sup>4330</sup> The Ministry of Labor enforces the law only in the urban, formal sector.<sup>4331</sup> The Ministry of Health, Social Affairs, Promotion of Women and Protection of Children is responsible for enforcing laws prohibiting the worst forms of child labor, but lacks resources to implement its mandate.<sup>4332</sup> In 2000, the government undertook efforts to revise the Apprenticeship Code, resulting in guidelines governing the length of the workday, working conditions and apprenticeship fees.<sup>4333</sup>

Togolese law does not specifically prohibit forced or bonded labor by children.<sup>4334</sup> However, Article 78 of the Penal Code prohibits the corruption, abduction or transfer of children against the will of a child's guardian.<sup>4335</sup> Articles 91 to 94 of the Penal Code prohibit the solicitation and procurement of minors.<sup>4336</sup> Togo also cooperates with the Governments of Benin, Ghana and Nigeria under a Quadripartite Law that enables expedited extraditions.<sup>4337</sup>

The Minor's Brigade, a police unit, investigates trafficking cases.<sup>4338</sup> Foreign consulates based in Togo do not issue visas to minors without first consulting a social worker.<sup>4339</sup>

The Government of Togo ratified ILO Convention 138 on March 16, 1984, and ILO Convention 182 on September 19, 2000.<sup>4340</sup>

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<sup>4329</sup> The worst forms of child labor are defined to include all forms of slavery; forced and compulsory labor; forced recruitment of children for use in armed conflicts; use or recruitment of children for purposes of prostitution or pornography; use or recruitment of children for illicit activities including the trafficking of drugs; and any work which is harmful to the health, safety or morals of the child. See *Ibid.*, Articles 311, 12, 460.

<sup>4330</sup> U.S. Department of State, *Country Reports- 2002:Togo*, Section 6d.

<sup>4331</sup> *Ibid.*

<sup>4332</sup> *Ibid.*

<sup>4333</sup> Republic of Togo, *Rapport National de Fin de Décennie sur "Le Suivi du Sommet Mondial pour les Enfants"*, 16.

<sup>4334</sup> U.S. Department of State, *Country Reports- 2002:Togo*, Section 6c.

<sup>4335</sup> UN Committee on the Rights of the Child, *Consideration of Initial Reports of States Parties: Summary Record of the 422nd Meeting*, CRC/C/SR.422, prepared by Government of Togo, pursuant to Article 44 of the Convention on the Rights of the Child, February 3, 1998, para. 37. See also U.S. Department of State, *Country Reports- 2002:Togo*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report:Togo*.

<sup>4336</sup> UN Committee on the Rights of the Child, *Consideration of Initial Reports: Summary Record of the 422nd Meeting: Togo*, para. 37.

<sup>4337</sup> U.S. Department of State, *Country Reports- 2002:Togo*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report:Togo*.

<sup>4338</sup> U.S. Department of State, *Trafficking in Persons Report:Togo*.

<sup>4339</sup> UN Committee on the Rights of the Child, *Consideration of Initial Reports: Summary Record of the 422nd Meeting: Togo*, para. 35.

<sup>4340</sup> ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited June 18, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.