

# Togo

## Incidence and Nature of Child Labor

UNICEF estimated that 66.2 percent of children ages 5 to 14 years were working in Togo in 2000.<sup>3912</sup> Children are found working in both urban and rural areas, particularly in family-based farming and small-scale trading.<sup>3913</sup> In rural areas, young children are sometimes placed in domestic work in exchange for a one-time fee of 15,000 to 20,000 CFA francs (USD 27.47 to 36.63) paid to their parents.<sup>3914</sup> Some children work in factories,<sup>3915</sup> and others work as hawkers or beggars in Lomé.<sup>3916</sup> Children are also employed as prostitutes in bars, restaurants and hotels.<sup>3917</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>3918</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, 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>3919</sup>

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<sup>3912</sup> Government of Togo, *Multiple Indicator Cluster Survey 2*, Lomé, 2000; available from <http://www.childinfo.org/MICS2/newreports/togo/togotables.pdf>. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

<sup>3913</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Togo*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27757.htm>.

<sup>3914</sup> *Ibid.* For currency conversion, see FX Converter, [online] [cited May 20, 2004]; available from <http://www.oanda.com/convert/classic>.

<sup>3915</sup> U.S. Department of State, *Country Reports- 2003: Togo*, Section 6d.

<sup>3916</sup> ILO-IPEC, *Combating the trafficking in children for labour exploitation in West and Central Africa (LUTRENA/Phase II)*, technical progress report, Geneva, March 1, 2004, 5.

<sup>3917</sup> Integrated Regional Information Networks, "TOGO: Child prostitution goes unchecked in Togo", IRINnews.org, [online], April 23, 2004 [cited May 19, 2004]; available from <http://www.irinnews.org/print.asp?ReportID=40715>. Some children who work as market vendors for older women are prostituted at night. See ECPAT International, *Togo*, in ECPAT International, [database online] n.d. [cited May 19, 2004]; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/countries.asp?arrCountryID=174&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination\\_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National\\_plans\\_of\\_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=174&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry).

<sup>3918</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 May 21, 2004]; available from <http://www.un.org/ecosocdev/geninfo/afrec/vol15no4/154troko.htm>.

<sup>3919</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>.

Togo is a source, transit, and destination country for trafficking in persons.<sup>3920</sup> Four primary routes for child trafficking in Togo have been documented: (1) trafficking of Togolese girls for domestic and market labor in Gabon, Benin, Niger and Nigeria; (2) trafficking of girls within the country, particularly to the capital city, Lomé, often for domestic or market labor; (3) trafficking of girls from Benin, Nigeria and Ghana to Lomé; and (4) trafficking of boys for labor exploitation, usually in agriculture, in Nigeria, Benin and Côte d'Ivoire.<sup>3921</sup> Trafficked boys sometimes work with hazardous equipment, and some describe conditions similar to bonded labor.<sup>3922</sup> Children are also trafficked from Togo to the Middle East and Europe, and there are reports that girls are trafficked to Nigeria for prostitution.<sup>3923</sup> Parents sometimes sell children to traffickers in exchange for bicycles, radios, or clothing.<sup>3924</sup> Togo also serves as a transit country for children trafficked from Burkina Faso, Ghana, Côte d'Ivoire, and Nigeria.<sup>3925</sup>

Education is compulsory until 15 years,<sup>3926</sup> and school fees range from 4,000 to 13,000 CFA francs (USD 7.33 to 23.81).<sup>3927</sup> In 2001, the gross primary enrollment rate was 124.2 percent (136.5 percent for boys, 111.9 percent for girls), and the net primary enrollment rate was 91.8 percent (100.0 percent for boys, 83.6 percent for girls).<sup>3928</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, the net primary attendance rate was 63.0 percent.<sup>3929</sup> As of 2000, 84.3 percent of children who started primary school were likely to reach grade 5.<sup>3930</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>3931</sup>

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<sup>3920</sup> U.S. Department of State, *Country Reports- 2003: Togo*, Section 6f.

<sup>3921</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*, Vol. 15, No. 8 (A), New York, April, 2003, 1-2; available from <http://www.hrw.org/reports/2003/togo0403/>.

<sup>3922</sup> *Ibid.*, 2.

<sup>3923</sup> U.S. Department of State, *Country Reports- 2003: Togo*, Section 6f.

<sup>3924</sup> *Ibid.*

<sup>3925</sup> There are reports of Nigerian children being trafficked through Togo to Europe for prostitution. *Ibid.*

<sup>3926</sup> *Projet de Code de l'Enfant*, (November, 2001), Articles 249, 50. See also U.S. Department of State, *Country Reports- 2003: Togo*, Section 5.

<sup>3927</sup> Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, 1. For currency conversion, see FX Converter.

<sup>3928</sup> World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. 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>3929</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>3930</sup> World Bank, *World Development Indicators 2004*.

<sup>3931</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.

## Child Labor Laws and Enforcement

The Labor Code sets the minimum employment age in any enterprise at 14 years, unless an exemption is granted by the Ministry of Labor.<sup>3932</sup> However, children may not begin apprenticeships before 15 years.<sup>3933</sup> Children are forbidden from working at night without special permission from the ministry in charge of professional training.<sup>3934</sup> 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>3935</sup> Certain industrial and technical jobs set a minimum age of 18.<sup>3936</sup> The U.S. Department of State reported that the Ministry of Labor enforces the law only in the urban, formal sector.<sup>3937</sup> The Ministry of Social Affairs, Promotion of Women, and Protection of Children is responsible for enforcing laws prohibiting the worst forms of child labor, but according to the U.S. State Department, lacks resources to implement its mandate.<sup>3938</sup> In 2000, the government revised portions of the Apprenticeship Code, resulting in guidelines governing the length of the workday, working conditions, and apprenticeship fees.<sup>3939</sup>

Togolese law does not specifically prohibit forced or bonded labor by children,<sup>3940</sup> or trafficking in persons, but statutes against kidnapping, procuring, and other related crimes may be used to prosecute traffickers.<sup>3941</sup> Article 78 of the Penal Code prohibits the corruption, abduction or transfer of children against the will of a child's guardian.<sup>3942</sup> Articles 91 to 94 of the Penal Code prohibit the solicitation and procurement of minors for the purpose of prostitution.<sup>3943</sup>

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<sup>3932</sup> *Code du Travail*, Ordonnance No. 16, (May 8, 1974), Article 114. See also *Projet de Code de l'Enfant*, Article 298.

<sup>3933</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>3934</sup> *Ibid.*, Article 274.

<sup>3935</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>3936</sup> U.S. Department of State, *Country Reports- 2003: Togo*, Section 6d.

<sup>3937</sup> *Ibid.*

<sup>3938</sup> Several ministries, including Social Affairs, Health, Interior and Security, and Justice, along with security forces (particularly police, army, and customs units) are involved in combating trafficking. *Ibid.*

<sup>3939</sup> Republic of Togo, *Rapport National de Fin de Décennie sur "Le Suivi du Sommet Mondial pour les Enfants"*, 16.

<sup>3940</sup> U.S. Department of State, *Country Reports- 2003: Togo*, Section 6c.

<sup>3941</sup> *Ibid.*, Section 6f. The government 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 18,313.70). The law includes penalties on parents of trafficked children. See Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, 3. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Togo*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33189.htm>. For currency conversion, see FX Converter.

<sup>3942</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.

<sup>3943</sup> Penalties may include fines of up to 1,000,000 francs (USD 1,831.37) and up to 10 years' imprisonment. See *Penal Code*; available from <http://209.190.246.239/protectionproject/statutesPDF/Togo.pdf>. For currency conversion, see FX Converter.

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

The Government of Togo is one of nine countries participating in a USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.<sup>3944</sup> The government is also participating in a USD 2 million USDOL-funded education initiative in Togo to promote education for victims of child trafficking and children at risk of being trafficked.<sup>3945</sup>

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	3/16/1984	✓
Ratified Convention 182	9/19/2000	✓
ILO-IPEC Member		✓
National Plan for Children		✓
National Child Labor Action Plan		✓
Sector Action Plan		

During the past year, the Ministers of Labor and Social Affairs traveled to all regions of the country to raise awareness of child trafficking and to establish local prevention and rehabilitation committees. In his end-of-year message, the Togolese president appealed to development organizations to support the fight against child trafficking.<sup>3946</sup>

The government funds a Social Center for Abandoned Children.<sup>3947</sup> Togo also cooperates with the Governments of Benin, Ghana and Nigeria under a Quadripartite Law that enables expedited extraditions.<sup>3948</sup> The government has a National Plan of Action on child abuse, child labor, and child trafficking that includes activities such as strengthening border controls, awareness-raising campaigns, and establishing community structures for prevention and reintegration of child trafficking victims.<sup>3949</sup> UNICEF is assisting Togo to strengthen community capacity to combat child trafficking.<sup>3950</sup>

<sup>3944</sup> The regional child trafficking project covers Benin, Burkina Faso, Cameroon, Côte d'Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. The project began in July 2001 and is scheduled for completion in June 2007. See ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (Phase II)*, project document, Geneva, 2001, as amended.

<sup>3945</sup> The 4-year project began in 2002. See International Child Labor Program U.S. Department of Labor, *Combating Child Trafficking in Togo through Education (COMBAT)*, project summary, 2003.

<sup>3946</sup> ILO-IPEC, *LUTRENA technical progress report*, 5. Over 250 vigilance committees have been created in villages throughout the country. See AFP, "Des comités de "vigilance" aux troussees des trafiquants d'enfants", [online], October 13, 2004 [cited October 23, 2004]; available from <http://www.izf.net/izf/AFP/francais/topics/togo/041013071825.8xydbn12.html>.

<sup>3947</sup> U.S. Department of State, *Country Reports- 2003: Togo*, Section 6f.

<sup>3948</sup> *Ibid.* In 2004, the Ministry of Justice hosted a regional anti-trafficking workshop that focused on strategies to combat trafficking in Benin, Nigeria, and Togo. See U.S. Department of State, *Trafficking in Persons Report: Togo*.

<sup>3949</sup> ECPAT International, *Togo*.

<sup>3950</sup> UNICEF, *At a glance: Togo*, in UNICEF, [online] n.d. [cited March 25, 2004]; available from <http://www.unicef.org/infobycountry/togo.html>.