

# Togo

## Incidence and Nature of Child Labor

An estimated 64.5 percent of children ages 5 to 14 were counted as working in Togo in 2000. Approximately 65.8 percent of all boys 5 to 14 were working compared to 63.3 percent of girls in the same age group.<sup>4609</sup> Children are found working in both urban and rural areas, particularly in family-based farming and small-scale trading.<sup>4610</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 to 36) paid to their parents.<sup>4611</sup> Some children start work at age five. Typically these children do not attend school for at least two thirds of the year. In some cases children work in factories.<sup>4612</sup> Children are also involved in commercial sexual exploitation, working as prostitutes in bars, restaurants and hotels.<sup>4613</sup>

Togo is a country of origin, destination, and transit for children trafficked for the purposes of forced domestic labor, sexual exploitation and agricultural work.<sup>4614</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 as well as for prostitution in 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>4615</sup> Trafficked boys sometimes work with hazardous equipment, and some describe conditions similar to bonded labor. In a study by Human Rights Watch, boys reportedly worked from 5 a.m. until late at night, often using saws or machetes. Traffickers would pay for their journey to Nigeria and order them to work off the debt. Many stated that taking time off work for sickness or injury would lead to longer working hours or some form of physical punishment.<sup>4616</sup> Children are also trafficked as indentured servants in exploitative situations from Togo to the Middle East and

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<sup>4609</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

<sup>4610</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Togo*, Washington, D.C., February 28, 2005; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41631.htm>.

<sup>4611</sup> *Ibid.*, Section 6d. For currency conversion, see FX Converter, [online] [cited December 14, 2005]; available from <http://www.oanda.com/convert/classic>.

<sup>4612</sup> U.S. Department of State, *Country Reports- 2004: Togo*, Section 6d.

<sup>4613</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 December 14, 2005]; available from

[http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/countries.asp?arrCountryID=174&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pornography,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,Pornography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry).

<sup>4614</sup> U.S. Department of State, *Trafficking in Persons Report- 2005: Togo*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46616.htm>. See also U.S. Department of State, *Country Reports- 2004: Togo*, Section 5.

<sup>4615</sup> 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/>. See also U.S. Department of State, *Country Reports- 2004: Togo*, Section 5.

<sup>4616</sup> *Ibid.*, 2.

Europe.<sup>4617</sup> Parents sometimes sell children to traffickers in exchange for bicycles, radios, or clothing.<sup>4618</sup> Togo also serves as a transit country for children trafficked from Burkina Faso, Ghana, Côte d'Ivoire, and Nigeria.<sup>4619</sup>

Education is compulsory until 15 years,<sup>4620</sup> and is guaranteed free by government statute. Despite this guarantee, school fees ranging from 4,000 to 13,000 CFA francs (USD 7 to 24) are often required.<sup>4621</sup> In 2002, the gross primary enrollment rate was 121 percent, and the net primary enrollment rate was 91 percent.<sup>4622</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, 61.8 percent of children ages 5 to 14 years were attending school.<sup>4623</sup> As of 2001, 69 percent of children who started primary school were likely to reach grade 5.<sup>4624</sup> Some of the shortcomings of the education system include teacher shortages, lower educational quality in rural areas, high repetition and dropout rates, and sexual harassment of female students by male teachers.<sup>4625</sup>

## 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>4626</sup> Children may not begin apprenticeships before completing the mandatory level of education, or before the age of 15.<sup>4627</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>4628</sup> For some industrial and technical jobs the minimum age is 18. The U.S. Department of State reported that the Ministry of Labor enforces the age requirement, but only in the urban, formal sector.<sup>4629</sup>

The worst forms of child labor may be prosecuted under different statutes in Togo. In 2001, the Ministries of Justice, Interior, Social Affairs, and Labor and UNICEF drafted a Child Code that would prohibit the employment of children in the worst forms of child labor, including the selling of children for the purposes of sexual exploitation or forced labor or servitude. The worst forms of child labor are defined in

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<sup>4617</sup> U.S. Department of State, *Country Reports- 2004: Togo*, Section 5.

<sup>4618</sup> Ibid. See also Integrated Regional Information Networks, "West Africa: Impoverished Families Trade Their Children", IRINnews.org, [online], 2005 [cited July 1, 2005]; available from [http://www.irinnews.org/report.asp?ReportID=47680&SelectRegion=West\\_Africa](http://www.irinnews.org/report.asp?ReportID=47680&SelectRegion=West_Africa).

<sup>4619</sup> There are reports of Nigerian children being trafficked through Togo to Europe for prostitution. U.S. Department of State, *Country Reports- 2004: Togo*, Section 5.

<sup>4620</sup> Ibid. See also Government of Togo, *Projet de Code de l'Enfant*, (November, 2001), Article 249.

<sup>4621</sup> Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, 1.

<sup>4622</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableView/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

<sup>4623</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

<sup>4624</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableView/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

<sup>4625</sup> M. Egnonto Koffi-Tessio, *Human Resource Development for Poverty Reduction and Household Food Security: Situation of Education and Training in Togo*, University of Lomé, Advanced School of Agronomy, Lomé, 2000. See also World Bank, *Togo Country Assistance Evaluation*, no. 21410, Operations Evaluation Department, November 20, 2000, 5.

<sup>4626</sup> Government of Togo, *Code du Travail*, Ordonnance No. 16, (May 8, 1974), Article 114.

<sup>4627</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 260.

<sup>4628</sup> Ibid. Articles 259- 297.

<sup>4629</sup> U.S. Department of State, *Country Reports- 2004: Togo*, Section 6d.

the draft code 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.<sup>4630</sup> As of the end of 2005, the code had not yet been adopted into law. Since 1999, the Government of Togo has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.<sup>4631</sup>

In 2005 the government passed a law that punishes child traffickers and their accomplices. Under the law, traffickers could face a prison sentence of up to 10 years and fines of up to 10 million CFA francs (USD 18,000).<sup>4632</sup> Article 78 of the Penal Code prohibits the corruption, abduction or transfer of children against the will of a child's guardian.<sup>4633</sup> Article 94 of the Penal Code prohibits the solicitation and procurement of minors for the purpose of prostitution.<sup>4634</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 lacks resources to implement its mandate.<sup>4635</sup>

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

The Government of Togo is one of six countries participating in a USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.<sup>4636</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>4637</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 (Trafficking)		✓

The government also funds a Social Center for Abandoned Children.<sup>4638</sup> Nine West African countries, Benin, Burkina, Cote d'Ivoire, Gambia, Ghana, Guinea, Mali, Niger, and Togo signed the Abidjan Multilateral Agreement on July 27, 2005. As part of the accord, the signatories committed to work together to identify trafficked children and provide protective services. The agreement also lays out requirements for each state party and provides general guidelines for child anti-trafficking activities. 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

<sup>4630</sup> Ibid. Articles 311, 312, 460.

<sup>4631</sup> ILO-IPEC Geneva official, email communication to USDOL official, November 14, 2005.

<sup>4632</sup> U.S. Embassy- Lome, *reporting*, September 26, 2005. See also Integrated Regional Information Networks, "Togo: Law passed to crack down on child traffickers," IRINnews.org, [online], 2005 [cited December 14]; available from [http://www.irinnews.org/report.asp?ReportID=48460&SelectRegion=West\\_Africa](http://www.irinnews.org/report.asp?ReportID=48460&SelectRegion=West_Africa).

<sup>4633</sup> Government of Togo, *Penal Code*; available from <http://209.190.246.239/protectionproject/statutesPDF/Togo.pdf>.

<sup>4634</sup> The project began in July 2001 and is scheduled for completion in June 2007. See Ibid.

<sup>4635</sup> U.S. Department of State, *Country Reports- 2004: Togo*, Section 6d.

<sup>4636</sup> The regional child trafficking project covers Benin, Burkina Faso, Cote d'Ivoire, Mali, Gabon, and Togo. See 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.

<sup>4637</sup> The four-year project began in 2002. See U.S. Department of Labor, *Combating Child Trafficking in Togo through Education*, Project Document, Washington, DC, April 22, 2002.

<sup>4638</sup> U.S. Department of State, *Country Reports- 2004: Togo*, Section 5.

victims.<sup>4639</sup> The government also established five regional committees for the purpose of coordinating with local and international organizations on trafficking-related issues.<sup>4640</sup> UNICEF and various NGOs are assisting Togo to strengthen community capacity to combat child trafficking.<sup>4641</sup>

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<sup>4639</sup> ECPAT International, *Togo*.

<sup>4640</sup> U.S. Department of State, *Trafficking in Persons Report: Togo*.

<sup>4641</sup> UNICEF, *At a glance: Togo*, in UNICEF, [online] n.d. [cited July 1, 2005]; available from <http://www.unicef.org/infobycountry/togo.html>.