

In 2020, Togo made moderate advancement in its efforts to eliminate the worst forms of child labor. The government adopted a National Action Plan for the Elimination of the Worst Forms of Child Labor and passed a ministerial decree, which defined and prohibited hazardous work for children under 18 years old. In addition, the government intercepted 250 children at risk of human trafficking at the border and provided them with social services. However, children in Togo are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. The government has not devoted sufficient resources to combat child labor, and labor inspectors are not authorized to assess penalties for child labor violations. In addition, the government does not publish data related to its efforts to criminal enforcement of child labor laws.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Togo are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. (1-6) Table 1 provides key indicators on children's work and education in Togo. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	29.6 (Unavailable)
Attending School (%)	5 to 14	86.1
Combining Work and School (%)	7 to 14	29.5
Primary Completion Rate (%)		88.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2013–2014. (8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Working in agriculture, including spraying pesticides (3,6,9) Production of charcoal† (9)
Industry	Working in quarries and sand mines, including excavating, crushing rocks, sifting gravel, and carrying heavy loads‡ (1,9) Working in tailoring (9) Construction (4,9,10)
Services	Domestic work† (1,3,9) Carrying heavy loads,† and small-scale vending in markets (8,9,11) Work as motorcycle repairmen (4,9,12,13) Garbage scavenging (4,9,12)
Categorical Worst Forms of Child Labor‡	Forced begging (9,11,12) Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,9,14,15) Forced labor in agriculture, including in coffee, cocoa, and cotton; domestic work; quarries; and markets, including carrying heavy loads; each sometimes as a result of human trafficking (11,14)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Togo is a source and transit country for victims of human trafficking to neighboring countries, primarily for domestic work, work in agriculture, and commercial sexual exploitation. (6,15,16) The majority of people

## MODERATE ADVANCEMENT




trafficked in Togo are children. (15) Parents may be complicit in child trafficking by sending a child to a relative or friend to attend school in a larger town or city, a practice that may place children at risk of exploitation as a result of internal human trafficking. (5,6,9,15-17)

Although education is free and compulsory by law, parents must pay for associated fees, uniforms, and school supplies, which makes education prohibitively expensive for many families. (6,18-20) Research found that long distances to schools and physical and sexual abuse in schools also posed barriers to education for some children. (5,6,19-21)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Togo has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government's laws and regulations are in line with relevant international standards (Table 4).

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 150 of the Labor Code; Article 262 of the Children's Code; Article 881.1a of the Penal Code (22-24)
Minimum Age for Hazardous Work	Yes	18	Article 151 of the Labor Code; Arrete 1556 (22,29)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 263–264 of the Children's Code; Articles 319.9 and 882 of the Penal Code; Article 151 of the Labor Code; Articles 1–11 of Arrete 1556 (22-24,29)
Prohibition of Forced Labor	Yes		Articles 4 and 151 of the Labor Code; Articles 264 and 411 of the Children's Code; Articles 150.3 and 151 of the Penal Code (22-24)
Prohibition of Child Trafficking	Yes		Article 151 of the Labor Code; Articles 2–6 of Law No. 2005-009 Suppressing Child Trafficking in Togo; Articles 264 and 411–414 of the Children's Code; Articles 150.3, 151, 317–323 and 882 of the Penal Code (22-24,26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 151 of the Labor Code; Articles 264, 276.f, and 387–390 of the Children's Code; Article 224 of the Penal Code (22-24)
Prohibition of Using Children in Illicit Activities	Yes		Article 151 of the Labor Code; Articles 264, 276.i, and 405 of the Children's Code; Articles 317.7, 319.9 and 329.8 of the Penal Code (22-24)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 426 of the Children's Code; Article 42 of Law No. 2007-010 Regarding the General Statute of the Togolese Armed Forces (23,27)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 426 of the Children's Code; Articles 146.14, 147.11 and 342 of the Penal Code (23,24)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 426 of the Children's Code; Articles 146.14, 147.11 and 342 of the Penal Code (23,24)

**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Article 255 of the Children's Code (23,28)
Free Public Education	Yes		Article 35 of the Constitution (28)

\* No conscription (27)

The Government of Togo signed into effect Ministerial Decree 1556 in May 2020, which amends 1464 of 2007. (6,29) Ministerial Decree 1556 defines and prohibits hazardous work activities for children under age 18, previously undefined, and in particular, forbids children from working with or in the vicinity of machines without proper protective equipment; working with sharp blades; in charcoal production; as well as in cinemas, theaters, cafes, and circuses. (29,30) Furthermore, Ministerial Decree 1556 prohibits children from working longer than eight hours a day. It also prohibits children from working during the night. (6,29,30) Despite these additional protections, Ministerial Decree 1556 still permits children as young as age 15 to perform some hazardous tasks, such as transporting heavy loads. This permission violates Article 3(3) of Convention 138, which permits children as young as age 16 (but not age 15) to perform hazardous tasks as long as their health, safety, and morals are fully protected and they receive adequate training. (30,31)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Civil Service, Labor, and Administrative Reform (MOL)	Enforces all labor laws, including child labor laws. (6,32) Through its Unit to Combat Child Labor, withdraws children from child labor situations, raises awareness, and collects data. (33)
Ministry of Justice and Government Relations	Enforces criminal laws related to the worst forms of child labor and prosecutes violators. (6,33)
Ministry of Social Action, Promotion of Women and Literacy (MASPFA), Director General for the Protection of Children	Raises awareness of child labor issues, enforces laws against the worst forms of child labor; provides technical assistance, and leads government efforts to combat human trafficking. (6,10,13) Supports a network of 42 foster families in 4 regional capitals. (34) Operates the <i>Allo 1011</i> hotline for reporting child abuse, including child trafficking. (14,34,35) In 2020, the <i>Allo 1011</i> platform received 11,634 calls, of which 4,517 were substantive and 86 were related to child trafficking or economic exploitation. (6) The public can report child issues to <i>Allo 1011</i> via SMS text message, through a mobile application, or through a real-time interactive website. (6) During the reporting period, the MSA provided cell phones to the program's network of 150 contacts to facilitate coverage throughout the country. The network used an informal referral system when callers had identified possible victims. (30)
Ministry of Security's Division of Drugs, Morals, and Pimping	Investigates crimes involving child victims, including child trafficking. Operates as part of the National Police in all five regions of Togo. (6,36)

Agencies involved in combating trafficking in persons include the MASPFA; Ministry of Security and Civil Protection; Ministry of Justice; Ministry of Labor; and security forces, including police, army, customs, and gendarmes. The MSA has the lead on child trafficking, assistance to victims, and prevention. (15)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Togo took actions to combat child labor (Table 6). However, gaps exist within the Ministry of Civil Service, Labor, and Administrative Reform (MOL) that may hinder adequate labor law enforcement, including the authority to assess penalties.

## MODERATE ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$71,851 (9)	\$73,162 (6)
Number of Labor Inspectors	128 (9)	128 (6)
Inspectorate Authorized to Assess Penalties	No (9)	No (22)
Initial Training for New Labor Inspectors	Yes (9)	Yes (6)
Training on New Laws Related to Child Labor	N/A (9)	N/A (6)
Refresher Courses Provided	Yes (9)	Yes (6)
Number of Labor Inspections Conducted	1,168 (6)	569 (30)
Number Conducted at Worksite	Unknown (9)	126 (30)
Number of Child Labor Violations Found	716 (37)	22 (30)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	8 (30)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	0 (30)
Routine Inspections Conducted	Yes (9)	Yes (6)
Routine Inspections Targeted	Unknown (9)	Yes (30)
Unannounced Inspections Permitted	Yes (9)	Yes (22)
Unannounced Inspections Conducted	Yes (9)	Yes (6)
Complaint Mechanism Exists	Yes (9)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (6)

In addition to the 128 MOL labor inspectors, the MOL sends 60 labor inspectors to the Togolese Revenue Office (OTR), who accompany OTR tax inspectors and report on any labor infractions, including those related to child labor. None of the labor inspectors at the MOL or OTR are authorized to assess penalties, however. (6,9,30) The MOL lacks sufficient resources for fuel and transportation, which may hinder its ability to conduct inspections. (6,9,32) In addition, the Labor Code makes labor inspectors responsible for reconciliation and arbitration in collective disputes, which may detract from their primary duties of conducting inspections and enforcing the Labor Code. (22) Routine inspections were conducted; however, the majority of child labor occurs in the informal sector, in which inspectors are legally allowed to inspect, but rarely do. (9,22)

### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Togo took actions to combat child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (9)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (6)
Refresher Courses Provided	Unknown (9)	N/A (6)
Number of Investigations	Unknown (9)	Unknown (6)
Number of Violations Found	Unknown (9)	Unknown (6)
Number of Prosecutions Initiated	Unknown (9)	Unknown (6)
Number of Convictions	Unknown (9)	Unknown (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (9)	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (6)

The government did not provide information on its criminal law enforcement efforts on the number of investigations, violations found, prosecutions initiated, convictions, and penalties imposed for inclusion in this report. Investigators lacked the resources to adequately enforce the law. Research also indicates that poor recordkeeping, a shortage of physical copies of existing child labor laws throughout the country, and high investigator turnover result in gaps in knowledge and enforcement capacity. (9)

Cases involving child trafficking may be settled outside of court due to difficulties gathering evidence. In addition, judges may be reluctant to impose fines or prison sentences in cases in which parents are involved due to a fear of perpetuating the poverty that originally led them to violate child trafficking laws. (6,11) During the reporting period, research indicated that officials intercepted 250 children at Togo's borders destined for Nigeria, Gabon, Benin, and Burkina Faso. The government returned these children to their families in Togo. (15)

The Ministry of Justice (MOJ) reported that no child trafficking convictions were obtained during the reporting period. (30) The Assize Courts in Lome and Kara that handle all human trafficking cases were not operational during the reporting period citing the pandemic. (15) Research indicates that the Assize Court system's process for addressing child trafficking is slow and expensive, which can deter victims from participating. The two Assize Courts have too many cases to handle, and cases deemed less serious are deprioritized, meaning that it can take years for the courts to hear them. (15) In 2020, the government allocated \$11,667 (7,000,000 CFA) to conduct its third edition of a nationwide awareness campaign on trafficking in persons. (15)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including funding constraints.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor	Coordinating government body for child labor issues. Comprises representatives from 17 ministries and NGOs; the MOL's Unit to Combat Child Labor serves as the permanent secretariat. (9) Operates at the community level. (9,12) The National Steering Committee was active during the reporting period reviewing the previous National Action Plan and finalizing the 2020–2024 National Action Plan (PANLTE). (6)
Committee for Social Reintegration of Children (CNARSEVT)	Manages anti-child trafficking efforts, acts as the government's central hub of information for trafficking in Togo, and drafts an annual report on data in human trafficking, which is sent to the Economic Community of West African States (ECOWAS). (15,38) Has representatives from the ministries of Labor, Justice, Health, Security, and Foreign Affairs. (15) Met regularly throughout the year. (38) Research indicates that CNARSEVT faced operational challenges during the reporting period due to lack of financial resources despite receiving support from UNICEF and Expertise France. (15)
Federated Bodies*	The government established 84 community-based child protection entities known as "federated bodies" to replace the previous "Local Vigilance Committees" that had become inactive. The new federated bodies held community dialogues to raise broad child abuse issues—including child trafficking—and identify and implement programming such as awareness raising, counseling, and reporting. (30)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The Government of Togo does not reliably disburse the allocated budget for the National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor, limiting its ability to combat child labor and support data collection efforts. (9) During the reporting period, the government worked towards the establishment of a National Commission Against Trafficking, but had not yet finalized the decree to enter it into force. (6) The Government of Togo signed a Tripartite Agreement with Benin and Burkina Faso in December 2019 to improve protection of child trafficking victims, and in July 2020, held a launch event to share information about the agreement. (15) Research indicates that the government was not able to fully implement the agreement during the reporting period, citing complications due to the COVID-19 pandemic. (15)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

## MODERATE ADVANCEMENT

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan for the Elimination of the Worst Forms of Child Labor (PANLTE) (2020–2024)†	Taking a multi-sectoral approach, PANLTE takes into account the formal and informal economies in an attempt to eliminate the worst forms of child labor. (6,30,39) The government launched implementation activities in 2021. (30)
National Policy of Social Protection	MASPFA policy that aims to improve social safety nets, strengthen mechanisms to combat the exploitation of children, and promote birth registration. (40) UNICEF has partnered with MASPFA, dedicating \$6.4 million of UNICEF's 2019–2023 budget to promote child protection, including birth registration. (6)
Multi-lateral Agreements to Combat Child Trafficking	In December 2019, the Governments of Togo, Benin, and Burkina Faso signed a trilateral agreement to combat child trafficking. (9,41) On July 30, 2020, the government made this document available to the public. (6)
National Development Plan (2019–2022)	Aims to improve economic growth, structurally transform the Togolese economy, and strengthen social protection and inclusion measures, including the implementation of a national biometric identification system. (9,42) The government has done many activities related to the implementation of the National Development Plan, which is cited at every meeting and for almost every government initiative, however, it is difficult to track its annual activities since the accomplishments are not published anywhere. (43)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (44)

The Ministry of Social Action, Promotion of Women and Literacy's Anti-Trafficking in Persons Cell is working on a draft national action plan to combat human trafficking, and the Council of Ministers is reviewing a draft decree to create a coordinating body that would oversee its implementation. (15,17,30) The government also produced a new Education Sector Plan (2020–2030), as the previous one ended during the reporting period. While the new plan does not directly address eliminating child labor, it includes efforts to stimulate demand for education, including targeting localities where school access and retention are weak, especially for girls. The government's objective is to keep children in school instead of work and thereby reduce child labor. (30)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
World Bank-Funded Programs	Aim to combat child labor by improving social safety nets for vulnerable families and increasing access to education. Include: The Safety Nets and Basic Services Project (2017–2020), a \$29 million project implemented by MASPFA and the Ministry of Grassroots Development (ANADEB), aims to provide social safety nets to poor communities. (6,9,13,45-49) During the reporting period, the Safety Nets program continued to be implemented. This project is due to be completed at the end of 2021. (6) Employment Opportunities for Vulnerable Youth Project (2017–2021), a \$15 million program implemented by ANADEB, strives to provide access to income-generating opportunities for targeted poor and vulnerable youth in Togo. (6)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (20,34,45)

Social programs focus on alleviating poverty and promoting education rather than targeting specific sectors of child labor, such as domestic work. The government relies heavily on NGOs and international organizations for the implementation of social programs. (9,50) A shortage of funds may hinder program implementation. (9) As a result, the scope of existing programs is insufficient to fully address the extent of the problem, including in commercial sexual exploitation and domestic work. (9)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Togo (Table 11).



**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that written law prohibits children from performing all types of hazardous labor.	2020
Enforcement	Strengthen the labor inspectorate by authorizing labor inspectors to assess penalties.	2014 – 2020
	Ensure that labor inspectors have the time and resources to carry out their primary duties of inspection and monitoring of labor laws throughout the country, including in the informal sector.	2009 – 2020
	Publish data on criminal law enforcement efforts, including the number of investigations conducted, criminal violations found, prosecutions initiated, convictions obtained, and penalties imposed for the worst forms of child labor.	2010 – 2020
	Ensure that criminal investigators have sufficient financial and physical resources to adequately enforce criminal laws against child labor.	2017 – 2020
	Ensure that criminal law enforcement officials receive training, including on new laws and refresher courses, and that all regional offices have copies of relevant laws related to child labor.	2009 – 2020
	Enforce legal penalties for criminal violations, such as child trafficking.	2014 – 2020
	Ensure that court system processes for addressing child trafficking are timely so as not to deter victims from reporting.	2020
	Address issues of poor recordkeeping and high investigator turnover to ensure solid adequate enforcement capacity.	2020
Coordination	Provide coordinating bodies with sufficient resources to implement their mandates to combat child labor.	2018 – 2020
	Fully implement any agreement signed to protect child trafficking.	2020
Government Policies	Ensure that programs undertake intended projects and report on these activities, including for the National Development Plan.	2020
	Implement a policy that addresses all relevant worst forms of child labor.	2020
Social Programs	Increase access to education by eliminating school-related fees; ensuring that schools are free from sexual and physical violence; and increasing the number of schools.	2010 – 2020
	Ensure that social protection programs to combat child labor receive adequate funding and are sufficient to address the scope of the problem in all relevant sectors.	2009 – 2020
	Ensure that child labor elimination and prevention strategies are integrated into all relevant programs.	2016 – 2020
	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2013 – 2020
	Ensure that social programs target commercial sexual exploitation and domestic work in addition to alleviating poverty and promoting education.	2019 – 2020

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## MODERATE ADVANCEMENT

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