

In 2019, Togo made a minimal advancement in its efforts to eliminate the worst forms of child labor. The government signed a tripartite agreement with the Governments of Benin and Burkina Faso to increase cooperation on efforts to combat child trafficking. However, children in Togo engage in the worst forms of child labor 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. Coordinating bodies to combat child labor were not active during the reporting period, and the government does not collect and publish data related to its efforts to enforce child labor laws.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Togo engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. (1-7) Table 1 provides key indicators on children's work and education in Togo.

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

Children	Age	Percent
Working (% and population)	5 to 14	29.6 (2,131,395)
Attending School (%)	5 to 14	86.1
Combining Work and School (%)	7 to 14	29.5
Primary Completion Rate (%)		89.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2013–2014. (9)

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 (5,10) Production of charcoal† (10)
Industry	Working in quarries and sand mines, including excavating, crushing rocks, sifting gravel, and carrying heavy loads† (1,6,10-12) Working in tailoring (10) Construction (6,10,13)
Services	Domestic work† (1,2,4,5,10,12,13) Carrying heavy loads,† and small-scale vending in markets (9,10,14) Work as motorcycle repairmen (6,10,15,16) Garbage scavenging (6,10,15)
Categorical Worst Forms of Child Labor‡	Forced begging (10,14,15) Commercial sexual exploitation, sometimes as a result of human trafficking (6,7,10,12,17) 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 (2,14,17)

† 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. (2,4,18,19) Parents may be complicit in child trafficking as a result of *confiage*, which involves 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. (3,7,10,13,19,20)

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Although education is free and compulsory by law, parents must pay for associate fees, uniforms, and school supplies, which makes education prohibitively expensive for many families. (21-24) Research found that long distances to schools, as well as physical and sexual abuse in schools, also posed barriers to education for some children. (7,21,23-27)

## 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 (28-30)
Minimum Age for Hazardous Work	Yes	18	Article 151 of the Labor Code; Articles 6–12 of Ministerial Order No. 1464 Determining the Work Prohibited to Children (28,31)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 6–12 of Ministerial Order No. 1464 Determining the Work Prohibited to Children; Articles 263–264 of the Children's Code; Articles 319.9 and 882 of the Penal Code; Article 151 of the Labor Code (28-31)
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 (28-30)
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 (28-30,32)
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 (28-30)
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 (28-30)
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 (29,33)
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 (29,30)
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 (29,30)
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Article 255 of the Children's Code (29,34)
Free Public Education	Yes		Article 35 of the Constitution (34)

\* No conscription (33)

### 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 authority of the Ministry of Civil Service, Labor, and Administrative Reform (MOL) 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. (13,24) Through its Unit to Combat Child Labor (CNLTE), withdraws children from child labor situations, raises awareness, and collects data. (35)
Ministry of Justice and Government Relations	Enforces criminal laws related to the worst forms of child labor and prosecutes violators. (35)
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. (13,16,36) Supports a network of 42 foster families in 4 regional capitals. (37) Operates the <i>Allo 1011</i> hotline for reporting child abuse, including child trafficking. (13,17,37,38) In 2019, <i>Allo 1011</i> received 13,769 calls, 187 of which were related to child trafficking or economic exploitation. (10)
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. (39)

#### **Labor Law Enforcement**

In 2019, labor law enforcement agencies in Togo took actions to combat child labor (Table 6). However, gaps exist within the authority of MOL that may hinder adequate labor law enforcement, including the authority to assess penalties.

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

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$77,193 (35)	\$71,851 (10)
Number of Labor Inspectors	131 (35)	128 (10)
Inspectorate Authorized to Assess Penalties	No (28)	No (10)
Initial Training for New Labor Inspectors	Yes (37)	Yes (10)
Training on New Laws Related to Child Labor	N/A	N/A (10)
Refresher Courses Provided	Unknown	Yes (10)
Number of Labor Inspections Conducted	385 (35)	Unknown (10)
Number Conducted at Worksite	385 (35)	Unknown (10)
Number of Child Labor Violations Found	Unknown (35)	716 (40)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (35)	Unknown (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown(35)	Unknown (10)
Routine Inspections Conducted	Yes (35)	Yes (10)
Routine Inspections Targeted	Unknown (35)	Unknown (10)
Unannounced Inspections Permitted	Yes (28)	Yes (10)
Unannounced Inspections Conducted	Yes (35)	Yes (10)
Complaint Mechanism Exists	Yes (37)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (37)	Yes (10)

In addition to the 128 labor inspectors, MOL employs 60 tax and health inspectors who may report labor infractions, but none of these inspectors are authorized to assess penalties. (10) MOL lacks sufficient resources for transportation, which may hinder its ability to conduct investigations. (10,24) 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. (28,41) Togo allocated fewer resources to labor enforcement than the previous year. (10) Routine inspections were conducted, however the majority of child labor occurs in the informal sector, where inspectors are legally allowed to inspect, but rarely do. (10,28)

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### 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	2018	2019
Initial Training for New Criminal Investigators	Yes (37)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (35)	N/A
Refresher Courses Provided	Yes (20)	Unknown (10)
Number of Investigations	Unknown (35)	Unknown (10)
Number of Violations Found	118 (20)	Unknown (10)
Number of Prosecutions Initiated	Unknown (35)	Unknown (10)
Number of Convictions	Unknown (35)	Unknown (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (35)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (37)	Yes (10)

Investigators lacked the resources to adequately enforce the law. Research also indicates that poor record keeping, 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. (10) Cases involving child trafficking may be settled outside of court due to difficulties gathering evidence. Additionally, 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. (14)

The Ministry of Labor confirmed that they did not send any cases to the Ministry of Justice to investigate in 2019. This is why there are no investigations or convictions. (40) The Ministry of Labor settles cases with mediation rather than bringing criminal charges, and in 2019 all cases were resolved by mediation. (40)

## 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 Ministry of Civil Service, Labor, and Administrative Reform's Unit to Combat Child Labor serves as the permanent secretariat. (10) Operates at the community level. (10,15)
Local Vigilance Committees (LVCs)	Aim to address the worst forms of child labor, and are overseen by the National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor and composed of local government officials and community members. During the reporting period, LVCs rescued trafficked children and attempted to detain alleged traffickers and bring them to the authorities. (10)

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. (10)

## 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.

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

Policy	Description
National Policy of Social Protection	MASPFA policy that aims to improve social safety nets, strengthen mechanisms to combat the exploitation of children, and promote systematic birth registration. (42) During the reporting period MASPFA evaluated the effectiveness of previous National Action Plan Against Child Labor. (40)
Multilateral Agreements to Combat Child Trafficking†	In December 2019, the Governments of Togo, Benin, and Burkina Faso signed a trilateral agreement to combat child trafficking. (10,43)
National Development Plan (2018–2022)	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. (10,44) During the reporting period, the government created a technical committee to reorganize the registry office to ensure that all births are recorded. (20)

† 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. (26,45)

Research was unable to determine whether all policies were implemented during the reporting period. (10) A National Plan of Action Against Child Labor is undergoing technical validation, but has yet to be adopted. (23,46) 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. (20) The government has not included child labor elimination and prevention strategies in the Education Sector Plan (2010–2020). (47) Although the Government of Togo has adopted a policy addressing child trafficking, research found no evidence of a policy on other worst forms of child labor. (10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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
National Development Plan (2018–2023)	During the reporting period, the government continued the implementation of the 5-year plan with a social development pillar that expands child related programs, including increasing school enrollment, providing additional food and drug supplies to orphaned and vulnerable children, and expanding immunization coverage. Continues to offer shelters for vulnerable children, including those referred by <i>Allo 1011</i> . (10)
World Bank-Funded Programs	World Bank programs that aim to combat child labor by improving social safety nets for vulnerable families and increasing access to education. These projects include the Education and Institutional Strengthening Project 2 (2015–2019), a \$27.8 million project that aimed to revise course textbooks for grades one through three, provide teacher training, identify recipients of school grants, and select 80 sites for promoting girls' education. This project closed in September 2019 with noted success, fulfilling five of its six objectives. The Safety Nets and Basic Services Project (2017–2020), a \$29 million project implemented by MASPFA and the Ministry of Grassroots Development, aims to provide social safety nets to poor communities. (10,16,49-53) Research was unable to determine whether the Social Safety Nets was active during the period.
Forum of Traditional and Religious Chiefs of Togo on the Harmful Social and Cultural Practices that Affect Children†	MASPFA-funded program that aims to eliminate traditional practices that may contribute to child trafficking by educating local leaders on child labor issues and the importance of education. (35) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† Program is funded by the Government of Togo

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (24,37,49)

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. (10,54) A shortage of funds may hinder program implementation. (10) 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. (10)

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### 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 I I).

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the labor inspectorate by authorizing the inspectorate to assess penalties.	2014 – 2019
	Publish information about the number and type of inspections conducted, as well as the number of child labor penalties that were imposed and collected.	2010 – 2019
	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 – 2019
	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 – 2019
	Ensure that criminal investigators have sufficient financial and physical resources to adequately enforce criminal laws against child labor.	2017 – 2019
	Ensure that criminal labor law enforcement officials receive refresher courses and that all regional offices have copies of relevant laws related to child labor.	2009 – 2019
	Enforce legal penalties for criminal violations, such as child trafficking.	2014 – 2019
Coordination	Provide coordinating bodies with sufficient resources to implement their mandates to combat child labor.	2009 – 2016; 2018 – 2019
Government Policies	Ensure child labor is integrated into all relevant policies.	2016 – 2019
	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2013 – 2019
	Adopt a policy that addresses all relevant worst forms of child labor, such as a National Action Plan.	2019
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 – 2019
	Ensure that all social programs are implemented and that data is published on their activities.	2019
	Ensure that social protection programs to combat child labor receive adequate funding, are sufficient to address the scope of the problem in all relevant sectors.	2009 – 2019
	Ensure that social programs focus on targeting specific sectors of child labor in addition to alleviating poverty and promoting education.	2019

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