

TOGO: TIER 2 WATCH LIST

The Government of Togo does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying more trafficking victims—which for the first time in at least five years included adults. The government decreased its number of trafficking convictions from the previous reporting period, and suspended public awareness raising activities due to a lack of funding. The government did not report efforts to refer or directly assist trafficking victims. Therefore Togo was downgraded to Tier 2 Watch List.

RECOMMENDATIONS FOR TOGO

Increase efforts to prosecute, convict, and punish traffickers, especially those involved in the trafficking of adults and forced labor of children using the amended penal code; develop and implement standard operating procedures (SOPs) for law enforcement officers, immigration officials, social welfare personnel, as well as labor inspectors to identify and refer trafficking victims, including both adults and children and those victimized within Togo; develop a system among law enforcement and judicial officials to track and report on human trafficking investigations and prosecutions, as well as victim assistance; enact anti-trafficking legislation that includes provisions for victim protection; develop and implement a national action plan that incorporates adult victims, and increases coordination with NGOs and regional organizations; and increase efforts to raise public awareness about the dangers of human trafficking, including the trafficking of adults.

PROSECUTION

The government decreased law enforcement efforts. Articles 317 through 320 of the penal code, revised in 2015, criminalized sex and labor trafficking and prescribed penalties of 10 to 20 years imprisonment and fines between 10 million and 50 million West African CFA franc (FCFA) (\$17,780 and \$88,920); these penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government reported investigating and prosecuting eight cases involving eight alleged traffickers. Authorities convicted seven of the eight suspects under articles 317 through 320 in the revised penal code in 2017, compared with 101 investigations and 60 convictions of traffickers in 2016. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

Experts reported judges were often reluctant to convict or fine parents who subjected their children to trafficking, as they felt it would exacerbate the economic situation that drove a parent to commit the crime. NGOs reported that the 2015 revised penal code's more stringent penalties aggravated these concerns amongst law enforcement officials and judges, and may have led to decreased arrests and prosecutions for trafficking crimes.

The government provided written instruction materials on victim identification to its law enforcement and immigration officials through the course of their basic training. The government cooperated with the Governments of Benin, Ghana, and Nigeria under a joint agreement on the control and monitoring of borders to prevent child trafficking, repatriate victims, and extradite traffickers. Additionally, the government cooperated with all west African states under the West African Multilateral Accord and with all west and central African states under the Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa. These partnerships resulted in increased regional anti-trafficking coordination and planning efforts.

PROTECTION

The government marginally increased protection efforts. In 2017, authorities identified 126 victims of trafficking, compared to 99 child victims identified during the previous reporting period. For the first time in over five years, law enforcement officials identified four adult victims. The government did not compile comprehensive victim identification and protection statistics, and did not report the number of victims referred to care facilities or provided assistance. The government remained without SOPs for use by officials in the identification and referral of trafficking victims, including both adults and children, and those victimized within Togo. For the first time, the government provided victim identification training to law enforcement and immigration officials. In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free 24-hour helpline, Allo 10-11, which received more than 50,000 calls in 2017 regarding child trafficking and other forms of child abuse. The National Committee for the Reception and Social Reinsertion of Trafficked Children, Togo's national anti-trafficking committee comprising government officials and NGOs, continued to operate jointly with the police an ad hoc referral system to respond to hotline tips. The government reported limited direct provision of services to victims during the reporting period. The government assisted in the repatriation of, and provided services for, transnational child trafficking victims. The government provided these victims with health services, food, and lodging during their reintegration and reunited them with their families. MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child victims before transfer to care facilities managed by NGOs, while another shelter, CROPESDI, provided shelter, legal, medical, and social services to child victims up to age 14. The government did not report whether these shelters assisted child trafficking victims

during the reporting period or provide details on its budget for victim assistance and protection. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their countries of origin. The government did not have a formal process to encourage victims' participation in the investigation and prosecution of their traffickers, and it is unclear whether any victims did so during the reporting period. There were no reports of child victims being penalized for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained efforts to prevent trafficking in persons. The government coordinated its counter-child trafficking efforts and dissemination of information through MSA's Anti-Trafficking in Persons Cell, previously the National Committee for the Reception and Social Reinsertion of Trafficked Children. The Anti-Trafficking in Persons Cell convened frequently during the year, and acted as a central hub of information and tracked statistics on trafficking of children in Togo, including the repatriation of child victims; however, data collection and reporting remained weak during the reporting period and the government had not updated its anti-trafficking national action plan since 2008. The government employed a network of vigilance committees in nearly every village in the country to provide education on trafficking and report cases to the government, although the effectiveness of these committees varied greatly. The government did not report efforts to raise public awareness of trafficking.

During the reporting period, the Ministry of Grassroots Development partnered with an international organization to launch a microfinance enterprise that provided 5,000 FCFA (\$8.89) per month to families with children via a mobile phone payment. Togo is a low-income country, and the government designed this program to alleviate the economic conditions that motivate many internal cases of child trafficking, and reached nearly 30,000 families in 2017. The government plans to increase the reach of the program to 120,000 over the next three years. The government employed 191 labor inspectors across all five regions during the reporting period, an increase from 167 inspectors from the previous year. Despite the increase, there were still too few inspectors compared to the scale of child labor in the country, much of which could constitute trafficking, according to Togo's law. An NGO reported inspectors often did not address obvious cases of child labor in large, open-air markets in urban centers. During the reporting period, the government identified 66 children in child labor, including potential trafficking victims, compared with 246 in 2016. The government did not regulate foreign labor recruiters. The government worked to reduce the demand for forced labor through the continuation of a program partnering with 30 traditional religious leaders to eliminate exploitation through the practice of religious "apprenticeships"—a practice in which children are entrusted to religious leaders who exploit them in forced domestic work, or, in some cases, sexual slavery when parents are unable to pay school fees. The government distributed birth certificates with the assistance of NGOs; the lack of identification documents increased vulnerability to trafficking in persons. During the reporting period, the government coordinated with the Economic Community of West African States and an international organization to synchronize regional and country-level anti-trafficking national action plans through the Free Movement of Persons & Migration program, which included a component focused on populations vulnerable to human trafficking. Officials continued to cooperate in regional anti-trafficking coordination and planning efforts with Benin, Ghana, and Nigeria on border control efforts and with the West African Multilateral Accord and the Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa. The government did not take any discernible measures to reduce the demand for commercial sex acts. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Togo is a source, transit and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The western border of the Plateau region, which provides easy access to major roads leading to Lome, and Accra, Ghana, was a primary source for trafficking victims during the reporting period. Most Togolese victims are children exploited within the country due to high levels of poverty. Forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries, where children and adults break rocks by hand. Traffickers bring children from rural areas in the north and central regions to Lome, where they are subjected to forced labor as domestic servants, roadside vendors, and porters, or exploited in child sex trafficking. Boys are subjected to forced labor in construction, in salvage yards and mines, and as mechanics, often working with hazardous machinery. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Girls from Ghana are exploited in sex trafficking in Togo. Togolese boys and girls are transported to Benin, Cote d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, and Nigeria and forced to work in the agricultural sector. From September to April, many Togolese adults and children migrate in search of economic opportunities to Benin, Burkina Faso, Niger, and Mali, where many are subjected to labor and sex trafficking. In Nigeria, Togolese men are subjected to forced labor in agriculture and Togolese women are exploited in domestic servitude. Togolese women have been fraudulently recruited for employment in Saudi Arabia, Lebanon, the United States, and Europe, where they are subjected to domestic servitude or forced prostitution.