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2023 Trafficking in Persons Report: Togo

TOGO (Tier 2)

The Government of Togo does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Togo remained on Tier 2. Togolese authorities identified, referred, and assisted more trafficking victims, launched a new awareness raising campaign, and, in partnership with international organizations, trained more officials on combatting trafficking. However, the government did not meet the minimum standards in several key areas. The government did not update its national action plan (NAP) for the fifteenth consecutive year and the National Commission Against Trafficking in Persons (CNLTP) lacked the budget and staff necessary to be fully operational in leading national anti-trafficking efforts. The government prosecuted and convicted fewer defendants. Availability of shelter for adults remained especially limited and adversely impacted efforts to investigate cases involving potential adult trafficking victims.

PRIORITIZED RECOMMENDATIONS:

- Allow courts outside of the Assize Court system to hear trafficking cases to expedite adjudication of pending and future cases.
- Train law enforcement, justice sector personnel, and community-based protection organizations on the SOPs on victim identification and referral to care, including the updated procedures to identify victims among vulnerable populations.
- Draft, resource, and implement an updated NAP that incorporates adult victims and increases coordination with NGOs, neighboring countries, and regional organizations.

- Increase efforts to investigate and prosecute alleged traffickers, and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Provide training and institutional support to law enforcement and judicial officials to increase their ability to effectively investigate and prosecute trafficking cases.
- Designate focal points within the Ministry of Interior and Gendarmerie to coordinate and lead anti-trafficking law enforcement efforts.
- Implement a systemic victim-witness assistance program to increase protective services for victims participating in the criminal justice system.
- Partner with NGOs and international organizations to increase the accessibility to shelter and provision of services to all trafficking victims.
- Develop a data collection and information management system to organize law enforcement and victim referral data, in collaboration with NGOs and international organizations.
- Given significant concerns about forced labor indicators in Cuban international work programs, screen Cuban overseas workers, including medical professionals, and refer trafficking victims to appropriate services.

PROSECUTION

The government maintained law enforcement efforts. Articles 317 through 320 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of 10 to 20 years' imprisonment and fines between 10 million and 50 million West African CFA francs (FCFA) (\$16,264 and \$81,322) for offenses involving an adult victim, and 20 to 30 years' imprisonment and fines between 20 million and 50 million FCFA (\$32,529 and \$81,322) for offenses involving a child victim. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The Ministry of Justice's anti-trafficking unit reported investigating 63 cases, compared with investigating 60 cases in 2021. Officials reported prosecuting eight defendants in an unknown number of cases, compared with prosecuting an unknown number of defendants in 43 cases during the previous reporting period. The government convicted three traffickers compared with convicting seven traffickers in the previous reporting period. Observers noted the Assize Court system, which handles all trafficking cases for the country, had a substantial backlog of cases, which deterred victims from participating in judicial proceedings and resulted in some victims waiting years for their cases to be adjudicated. The lack of

coordination between law enforcement and victim service providers hindered the government's ability to prosecute cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. In past years, officials reported adjudicating some forced child labor cases through informal mediation processes.

The government continued to provide written instructions on victim identification to its law enforcement and immigration officials through the course of their basic training. The government partnered with international organizations to provide anti-trafficking training to labor inspectors, magistrates, local officials, law enforcement, judicial officials, and civil society. Observers stated in past years frequent turnover hindered the development of some law enforcement units' institutional knowledge. Due to the COVID-19 pandemic, officials did not fully implement the country's 2019 tripartite agreement with Benin and Burkina Faso to synchronize law enforcement efforts on transnational trafficking cases, but did cooperate with an international organization and Burkina Faso on trafficking cases.

PROTECTION

The government increased protection efforts. The government identified 181 trafficking victims, compared with 23 trafficking victims identified in the previous reporting period. Of the 181 victims, 130 were children and 51 were adults; 111 were female and 70 male; and the victims included Beninese nationals as well as foreign nationals from Nigeria, Gabon, Cote d'Ivoire, Ghana, and Niger. The government reported 19 victims, all children, were identified through the government-run hotline, compared with 12 in 2021. The government had formal SOPs to identify and refer victims to services in coordination with NGOs. In collaboration with an international organization, the government updated these SOPs to include specific procedures for identifying victims among vulnerable populations, such as women in commercial sex.

The government reported providing services to 134 trafficking victims and referring 108 victims to NGOs for further care, compared with providing services to 11 victims in 2021. The government did not provide services or any referrals to care for adult victims. The government ran a shelter for vulnerable children, including child trafficking victims; however, there were no similar shelters available for adult trafficking victims; the government could refer adults to a center for victims of natural and humanitarian disasters. The Ministry of Social Affairs continued to operate the Reference Center for the Guidance and Care of Children in a Difficult Situation (CROPESDI). The CROPESDI shelter, located in Lomé, received victims referred by the national child abuse hotline and provided shelter as well as legal, medical, and social services before transferring children to

care facilities managed by NGOs, including six NGO-run shelters. The government reported the shelter served 19 child trafficking victims during the reporting period. Observers reported the lack of shelter options for adult victims severely limited access to care and adversely impacted efforts to investigate potential cases; in some cases, officers reported using their own resources for shelter and basic necessities, which disincentivized some police from pursuing viable cases. The government reportedly offered foreign trafficking victims the same access to shelters as domestic victims and performed a risk evaluation before repatriating potential victims.

For the fourth consecutive year, the government allocated 18 million CFA (\$29,276) to efforts combating child trafficking, of which it designated 11 million CFA (\$17,891) for victim care. The government additionally committed to providing 600,000 CFA (\$976) to each of the six NGO shelters that it supported but did not report if these funds were partially disbursed by the end of the reporting period. In 2020, the government formed a 5,000-person taskforce to enforce the country's state of emergency due to the pandemic; the participation of officials with anti-trafficking responsibilities in the taskforce continued to limit the government's ability to implement protection efforts. The government did not have a victim-witness assistance program to support victim participation in investigations and prosecutions and did not report providing any services to adult victims who testified during court proceedings. Due to a lack of consistent implementation of identification procedures, authorities may have detained or deported some unidentified trafficking victims.

PREVENTION

The government maintained efforts to prevent trafficking in persons. The CNLTP, chaired by the Ministry of Social Affairs and composed of 13 government agencies and two civil society organizations, continued to lead anti-trafficking efforts. Officials noted the CNLTP lacked the budget and staff necessary to be fully operational. The National Committee for the Reception and Social Reintegration of Child Victims of Trafficking (CNARSEVT) coordinated information and statistics on child trafficking in Togo and led coordination with NGOs and international organizations on repatriation of Togolese child trafficking victims. Observers noted a lack of financial resources limited CNARSEVT's effectiveness. The government reportedly continued to implement its 2008 anti-trafficking NAP. The government launched a national awareness raising campaign on child labor and child trafficking, including discussions with stakeholders throughout Togo. Protection committees comprised of local, traditional, community, and religious leaders existed in 117 municipalities and six administrative regions, one more than the previous year. These committees occasionally reported potential trafficking cases to government officials. The MSA continued to run a toll-free hotline for reporting child abuse, including trafficking crimes, which operated 16

hours per day, seven days a week. The MSA provided cell phones to hotline staff to facilitate nationwide coverage and utilized an informal referral system when callers identified potential victims.

Despite past allegations of fraudulent recruiters facilitating the exploitation of Togolese abroad, authorities did not report investigating any foreign labor recruiters for trafficking crimes. The government reported there were no employment agencies approved to recruit migrant workers in Togo on behalf of foreign employers. The Ministries of Labor and Social Affairs could regulate labor recruitment firms, including foreign recruiters, but the government's weak information management systems hindered its ability to provide enforcement statistics. The government worked to reduce the demand for forced child labor by continuing to partner with traditional religious leaders to eliminate exploitation in religious "apprenticeships" which involved parents entrusting their children to religious leaders for education and employment purposes, who then exploited them in domestic servitude or sex trafficking when parents were unable to pay "apprenticeship fees." The government employed 125 labor inspectors who conducted 906 inspections in 2022, and found 21 child labor violations, but did not report whether any of these constituted child trafficking. The government provided training on the child labor law to labor inspectors, but did not report whether this included human trafficking. Security concerns in the north and financial constraints, including lack of funds for fuel, limited the reach and effectiveness of inspections. Approximately 22% of all children in Togo lacked identification documents, though the percentage was higher in rural areas; the lack of identification documents contributed to an increased vulnerability to trafficking.

The government did not take any discernible measures to reduce the demand for commercial sex acts. Officials provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions. Although not explicitly reported as human trafficking, there was one open case of alleged sexual exploitation with trafficking indicators by a Togolese peacekeeper deployed to the UN peacekeeping mission in Mali in 2020; the UN substantiated the allegations and repatriated the offender. The government had not yet reported the accountability measures taken, if any, by the end of the reporting period. The Ministry of Foreign Affairs provided its diplomats a guide to hiring domestic workers but did not report delivering trafficking-specific training.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Togo, and traffickers exploit victims from Togo abroad. While previous travel restrictions due to the pandemic may have decreased transnational human trafficking, restrictions such as curfews – and the resulting deleterious economic impacts on livelihoods for

individuals in the service and retail sectors – likely increased the vulnerability of many Togolese to exploitation. Observers report as pandemic-related restrictions ease, increasing numbers of undocumented migrant children are on the move and vulnerable to trafficking.

Most trafficking victims are children from economically disadvantaged families in rural areas. Traffickers exploit men and boys in agriculture, stone and sand quarries, and mechanical and carpentry shops. Traffickers exploit women and girls in sex trafficking and forced labor in markets, domestic service, and bars and restaurants. Traffickers exploit Togolese children in the agricultural sector, primarily in the Plateau region – particularly on coffee, cocoa, and cotton farms. Traffickers also transport rural children to the cities to work as vendors, porters, and domestic servants. Togolese victims exploited in foreign countries are most often sent by land to Ghana, Benin, Burkina Faso, and Nigeria and via ship to Gabon. Togolese and other West African trafficking victims are also sent through Togo to the Middle East. Observers noted an increase in adult male and female trafficking victims working in Nigerian and Ivorian plantations. Families and trusted intermediaries take advantage of high levels of poverty throughout the country to exploit many Togolese trafficking victims, with the Centrale, Kara, and Savanes regions serving as primary source regions. NGOs and government officials reported markets selling Togolese children for commercial sex acts (“small girls markets” or *devissime*) exist in Lomé and elsewhere in the country.

In past years, the western border of the Plateau region, which provides easy access to major roads between Lomé and Accra, Ghana, served as a primary area traffickers used to transport victims. NGOs noted the Abidjan-Lagos corridor remains a prominent route for cross-border trafficking – as well as the smuggling of illicit goods – with criminals using Togo as a transit country. Civil society actors and law enforcement officers reported the country’s rise as a regional economic and logistics hub has led to a corresponding increase in human trafficking as well as migrant smuggling. Observers stated trafficking networks are predominantly community-based and loosely organized by local actors, while syndicates with ties to the Middle East are more organized. Officials noted an increase in child forced begging by some corrupt Quranic teachers and attempts to transport these children from the Savanes region at the Segbe border to Ghana.

Most foreign trafficking victims in Togo are young boys from the Volta region in Ghana, Nigeria, Niger, and Guinea exploited in forced labor in cafeterias and shops. Traffickers also recruit children from Benin and transport them to Togo for forced labor. Illicit networks exploit Ghanaian girls in sex trafficking in Togo. In past years, many Togolese adults and children migrated in search of economic opportunities to Benin, Burkina Faso, Mali, and Niger, where criminal elements may exploit them in forced labor and sex trafficking. Traffickers force victims to work in cocoa harvesting in Ghana and Cote d’Ivoire; palm wine production and other

agriculture sectors in rural Nigeria; gold mining in Burkina Faso; domestic service in urban Nigeria; and sex trafficking in Beninese and Nigerian bars and restaurants. Officials noted sex tourists from Lebanon, France, and Nigeria have exploited children in Togo during previous years. Cuban nationals working in Togo on medical missions may be forced to work by the Cuban government.

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