



Togo: The situation of homosexual people

Asylos, October 2023

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Dear reader,

This note was researched, written and edited by Asylos, an international network of volunteers providing free-of-charge research for lawyers helping asylum seekers with their claim. Everyone engaged in Asylos believes that asylum matters and so do fair decisions, based on the best available knowledge. We believe that your work as a lawyer dealing with such cases is so important that it is a good thing to assist you for free - and we do that in our spare time.

Please note that Asylos' volunteer researchers are not legally certified experts in the matters we research and cannot be classified as expert witnesses. We compile primary and secondary information to address certain country-specific questions, but we do not provide assessment or analysis of the data. **Accordingly, this report is intended as background reference material for the asylum seeker and his/her counsel, to assist in their preparation of the case.**

Further, the COI presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. While we strive to be as comprehensive as possible, no amount of research can ever provide an exhaustive picture of the situation. It is therefore important to note that the absence of information should not be taken as evidence that an issue does not exist.

Please help us track the impact of our work. It is our best reward and it helps us reward our funders. If you are reading this note, using any part of it to inform your case or possibly submitting it to court, please:

1. go to <https://resources.asylos.eu/give-feedback/>
2. insert the case reference number **AFR2023-08** and press submit.

If you want to, you can even leave a message for the volunteers who worked on the research.

Many thanks,

Your Asylos Team

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Research questions

1. Does Togolese legislation penalise homosexuality?
2. How are homosexual people treated in Togo?

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Research Timeframe

The earliest source dates from DECEMBER 2020 (*except for the relevant legislation, dating from November 2015*) and the most recent source dates from MAY 2023.

Sources consulted

1. International Organisations

United Nations Human Rights Committee

2. Government sources

- Togolese Republic (RepublicOfTogo.com)
- United States Department of State (USDOS)
- CGRS-CEDOCA – Office of the Commissioner General for Refugees and Stateless Persons (Belgium), COI unit

3. NGOS and think tanks

- Afrique arc-en-ciel
[Afrique arc-en-ciel](#) is a Togolese NGO, created in 2007, which aims to fight HIV/AIDS and work for the equality of LGBT people at local, regional and international level through legal aid, documentation of human rights violations, and advocacy.
- Human Dignity Trust
The [Human Dignity Trust](#) is a London-based NGO which works with legal professionals, civil society organizations and activists globally to defend the rights of LGBT people through strategic litigation, particularly in countries where private same-sex consensual sexual activity is criminalized.
- International Committee of the Red Cross - International Humanitarian Law Databases
- ILGA World
"[ILGA World](#) – the International Lesbian, Gay, Bisexual, Trans and Intersex Association - is a worldwide federation of more than 1,700 organisations from over 160 countries and territories campaigning for lesbian, gay, bisexual, trans and intersex human rights.

We want a world where the human rights of all are respected and where everyone can live in equality and freedom: a world where global justice and equity are assured and established regardless of people's sexual orientations, gender identities, gender expressions and sex characteristics (SOGIESC).

Established in 1978, ILGA World has ECOSOC consultative status at the United

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Nations.” (Description taken from organisation’s website).

- Synergía - Initiatives for Human Rights
[Synergía - Initiatives for Human Rights](#) is a human rights NGO created in 2017 by experienced human rights defenders based in the USA, Latin America, Europe and Africa. It aims to protect and promote human rights, especially in situations of systematic and flagrant violations. Synergía - Initiatives for Human Rights runs a number of programmes on human rights violations against LGBTI people and works with civil society organizations and human rights defenders to defend LGBTI people’s rights in Latin America, the Caribbean, Central and West Africa, and the Middle East & North Africa. The organization’s work in this regard focuses on movement-building, security and protection, and human rights advocacy.

4. Media

- 24heure Info
24heure Info is a private Togo-based news and information website directed by [Komla Charles-Germain Djade](#), laureate of a 2019 UNDP prize for impact journalism in Togo. The site aims to provide original content on current affairs in Togo, Africa and the world.
- Chronique de la Semaine
[Chronique de la Semaine](#) is a private, Togo-based weekly magazine, created in 2008.
- Deutsche Welle
- Full-News
[Full-News](#) is a Togo-based news and entertainment website, created in 2012 and published by the ASMECOM (L’Africaine des Services Média et Communication) company. Full-News is registered at [HAAC](#), Togo’s national media authority.
- Ici Lomé
[Ici Lomé](#) is a Togolese news, entertainment and opinion website, which also hosts classified and real estate advertising. The article cited is an opinion piece by Gerry Taama, a Togolese member of parliament.
- Netafrique.net
[Netafrique.net](#) is a general information platform which produces and republishes articles and online content on current affairs, with a particular focus on Burkina Faso, Côte d’Ivoire, Senegal and Togo. The platform claims to be apolitical and independent, and that it aims to provide a space for democratic debate. It is run by young communications and information technology professionals, and published by the NetAfrique Group, which has offices in Abidjan, Ouagadougou and Paris.
- openDemocracy

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[openDemocracy](#) is an independent international media platform, headquartered in London.

- *TogoBreakingNews*
[TogoBreakingNews](#) is a Togo-based online media site run by a group of young journalists. Information on the [website](#) indicates that TogoBreakingNews has been published since 2014, and is registered with [HAAC](#), Togo's national media authority.

Findings

The findings in this report are presented in ORDER OF RELEVANCE.

1. Homosexuality in Togolese legislation

According to the sources consulted, all same-sex sexual relations are criminalized in Togo. While the US Department of State (USDOS) reports that there have been few prosecutions under this specific law, it notes that arrests for same-sex sexual conduct have usually been carried out on other grounds. According to the latest USDOS report and the United Nations Human Rights Committee, LGBTQI+ identities are not protected under anti-discrimination laws.

- “Art. 392: Any indecent or unnatural act committed with an individual of the same sex constitutes an outrage against good morals. [...]”

Art. 393 – Anyone committing an outrage against good morals will be punished by imprisonment for one to three years and/or a fine of one million to three million CFA francs.”

Art.394 - Is punished with a prison sentence of 6 months to 2 years, and a fine of 500,000 to 2 million CFA francs, or one of these two penalties, anyone who:

- 1) publicly exhibits, manufactures or sells for public exhibition objects, images, films, sound or audio-visual recordings contrary to decency;
- 2) distributes or distributes on public roads or by post, or door to door or by electronic means any books, brochures, catalogues, leaflets, images, films, sound or audio visual recordings contrary to decency, without the prior consent of the recipients;
- 3) disseminates or causes to be disseminated publicly incitements to practices contrary to good morals by words, writings or any other means of communication.” (*In-house translation. The translator is an English native speaker and is professionally fluent in French.*)

ORIGINAL SOURCE:

« Art. 392: Constitue un outrage aux bonnes mœurs tout acte impudique ou contre nature commis avec un individu de son sexe. [...]»

Art. 393: Toute personne qui commet un outrage aux bonnes mœurs est punie d'une

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peine d'emprisonnement d'un (01) à trois (03) ans et d'une amende d'un million (1.000.000) à trois millions (3.000.000) de francs CFA ou de l'une de ces deux peines.

Article 394 : Est punie d'une peine d'emprisonnement de six (06) mois à deux (02) ans et d'une amende de cinq cent mille (500.000) à deux millions (2.000.000) de francs CFA ou de l'une de ces deux peines toute personne qui:

- 1) expose publiquement, fabrique ou vend en vue de l'exposition publique des objets, images, films, enregistrements sonores ou audio visuels, contraires à la décence ;*
- 2) distribue ou fait distribuer sur la voie publique ou par voie postale, ou de porte à porte ou encore par voie électronique tous livres, brochures, catalogues, prospectus, images, films, enregistrements sonores ou audio visuels contraires à la décence, sans le consentement préalable des destinataires ;*
- 3) diffuse ou fait diffuser publiquement des incitations à des pratiques contraires aux bonnes mœurs par paroles, écrits ou tous autres moyens de communication. »*

Publisher: International Committee of the Red Cross, Author: Togolese Republic, «[Loi No. 2015-010 du 24 novembre 2015 portant nouveau code pénal](#)», 24 November 2015, last accessed: 23 April 2023

- “Significant human rights issues included credible reports of: [...] enforcement of laws criminalizing consensual same-sex sexual conduct between adults [...]

The law [criminalizing same-sex sexual conduct] was enforced, but LGBTQI+ persons were rarely punished or jailed under these specific statutes. On those occasions when police arrested someone for engaging in consensual same-sex sexual conduct, the justification for the arrest was usually for some other legal infraction such as a “shameless or unnatural act.” The government often did not bring charges under any statute, or following arrest chose not to prosecute. [...]

The existing antidiscrimination law does not apply to LGBTQI+ persons. LGBTQI+ persons faced societal discrimination in employment, housing, and access to education and health care.

The majority of LGBTQI+ persons did not report discrimination and abuses in view of the stigma and potential criminal consequences.”

US Department of State: “[Togo 2022 Human Rights Report](#)”, 20 March 2023, p. 22 – 23, last accessed: 23 March 2023

- “The Committee takes note of the provisions of the new Criminal Code concerning the criminalization of discrimination. It is, nevertheless, concerned by the fact that there is no clear definition or criminal classification of direct or indirect discrimination that

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covers all the grounds listed in the Covenant, including sexual orientation and gender identity. It also takes note of the information provided by the State party concerning the non-application, in practice, of criminal law provisions that characterize sex between consenting adults of the same sex as an offence and concerning the importance of first changing mindsets before introducing legislative changes in that area. However, it is concerned by the fact that these provisions have been retained in the new Criminal Code and that the applicable penalties have been increased.

United Nations Human Rights Committee: "[Concluding Observations on the fifth periodic report of Togo](#)", 24 August 2021, par. 17, last accessed: 23 April 2023

- "According to the NGO official contacted by Full-news [who is Togo-based and spoke on condition of anonymity], 'this provision [criminalizing same-sex sexual conduct] is applied when someone is caught in the act.'" *(In-house translation. The translator is an English native speaker and is professionally fluent in French.)*

ORIGINAL SOURCE

« Pour le responsable ONG contacté par Full-news, « cette disposition s'applique en flagrant délit. » »

Merveille Lawson & Ben Souleyman / Full-News, « [Au Togo, L'homosexualité se vit dans la clandestinité](#) », 16 May 2022, last accessed: 23 April 2023

- "According to the Minister of Communication and Media, Prof. Akodah Ayewouadan, who was a guest on a local radio interview on 5 July 2022, the country's position on the issue has not changed.

'You know the position of our country on those liberties and that position will not change as we have already said, our society does not wish us to move towards those liberties. As a government, a State must listen to its society, there is no reason to fear that Togo becoming a member of the Commonwealth will impose any new approaches', explained the minister. 'One can be assured of this point of view. Furthermore, the Commonwealth is not in a host position where the organization will dictate steps to be taken by different states. I recall, it is an organization which truly advocates cooperation, partnership, and the principle of non-interference.'" *(In-house translation. The translator is an English native speaker and is professionally fluent in French.)*

ORIGINAL SOURCE :

« Selon le ministre de la Communication et des Médias, Prof. Akodah Ayewouadan, invité sur une radio de la place mardi 5 juillet 2022, la position du pays sur la question n'a pas évolué..

« Vous connaissez la position de notre pays sur ces libertés-là et cette position ne variera pas puisque nous l'avions déjà dit, notre corpus social ne souhaite pas que nous allions vers ces libertés-là. Comme un gouvernement, un Etat doit écouter son corpus social, il n'est pas de raison de craindre que l'adhésion du Togo au Commonwealth nous

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impose quelques approches nouvelles que ce soit, a explique (sic) le ministre. On peut être rassuré sur ce point de vue. Et aussi, le Commonwealth n'est pas dans une position hôte ou l'organisation dicterait la démarche à suivre aux différents Etats. Je rappelle, c'est une organisation qui prône véritablement la coopération, le partenariat et le principe de non-ingérence. »

24heure Info: « [Pas de droit pour les homosexuels](#) », 5 July 2022, last accessed: 22 April 2023

- “Togo will not recognize the rights of lesbian, gay, bisexual and transgender (LGBT) people on its territory. This position was reaffirmed on Tuesday 29 June 2021 by government representatives during the traditional presentation of the periodic report before the United Nations Human Rights Committee.

‘Regarding sexual relations between consenting adults of the same sex, Togo does not envisage repealing the provisions which criminalise these’, declared the minister of human rights, Christian Trimua. ‘Because this sexual orientation is not in line with Togolese social values.’” (In-house translation. The translator is an English native speaker and is professionally fluent in French.)

ORIGINAL SOURCE:

« Le Togo ne reconnaîtra pas les droits des lesbiennes, gays, bisexuels et transgenres (LGBT) sur son territoire. La position a été réaffirmée mardi 29 juin 2021 par les représentants du gouvernement lors de la traditionnelle présentation de rapport périodique devant le Comité des droits de l’Homme des Nations Unies.

« Pour ce qui concerne les relations sexuelles entre adultes consentants du même sexe, le Togo n’envisage pas d’abroger les dispositions qui les criminalisent », a déclaré le ministre des droits de l’homme, Christian Trimua. Car cette orientation sexuelle n’est pas en adéquation avec les valeurs sociales togolaises ». »

24heure Info: « [Droits de l’homme : Le Togo refuse de légaliser l’homosexualité](#) », 30 June 2021, last accessed: 22 April 2023

2. State treatment of homosexual people in Togo

Sources report harassment, physical assault, arbitrary detention, and ill-treatment in detention by Togolese security forces and police, perpetrated against people on the grounds of actual or perceived sexual orientation or gender identity. A number of sources note the difficulties experienced by homosexual people in Togo in accessing protection from the police.

- “[The UN Human Rights Committee] is [...] concerned by reports that the security forces have subjected persons to harassment, attacks, ill-treatment and arbitrary detention on grounds of their actual or presumed sexual orientation or gender identity. It is,

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furthermore, concerned by the restrictions imposed on associations concerned with defending persons targeted on account of their sexual orientation or gender identity [...]”

United Nations Human Rights Committee : [Concluding Observations on the fifth periodic report of Togo](#), 24 August 2021, par. 17, last accessed: 23 April 2023

- “Among the documented cases, the following cases of arbitrary arrest can be reported :
 - A young homosexual reported that a youth who had stolen his mobile phone was blackmailing him after having seen ‘gay videos’ on the phone in question. While the owner of the phone tried to recover it, a fight broke out and brought them to the police station, where the matter took another turn. The sexual orientation of the owner of the phone became a hot topic because it was raised by the blackmailer, and he [owner of the phone], basically being the victim and complainant, found himself arrested and detained for 24 hours before being released. [...]
 - On the night of 6 January 2021, a young homosexual was arrested by a police patrol while trying to escape from an ambush. He was taken to a police station and the police officers considered that he was out at night to steal. To justify that he was not a thief, he recounted the facts to the police. The officers summoned the partner of the youth and finally decided to send them both to prison because they were homosexuals. They were subsequently released on payment of an amount by AFRIQUE ARC-EN-CIEL [...]

In a number of documented cases, the security and dignity of LGBT people was challenged :

- In 2019, in a blackmail case between a homosexual and another person which was reported to the police station of Djidjolé, the police washed their hands of the matter and sent the complainant away, saying ‘just as you started this without us, you can end it without us’ [...]

This situation does not only affect men but also lesbian, bisexual and transgender women, who are victims of double discrimination, on one hand linked to the condition of being a woman, and on the other, their sexual orientation or gender identity which does not conform to social expectations. [...]” (*In-house translation. The translator is an English native speaker and is professionally fluent in French.*)

ORIGINAL SOURCE

- « Parmi les cas documentés on peut rapporter les suivants cas d’arrestations arbitraires:
 - un jeune homosexuel a rapporté qu’un jeune ayant volé son téléphone portable lui faisait du chantage car ayant vu des vidéos gays dans ledit téléphone. Alors que ce dernier essayait de récupérer son téléphone, une bagarre a éclaté et les a emmenés au commissariat de police où l’affaire a pris une autre tournure, son orientation sexuelle étant devenue le motif d’actualité car le maitre-chanteur l’ayant brandi et lui la victime

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et plaignant à la base s'est retrouvé arrêté et détenu 24h avant d'être libéré. [...]

- *La nuit du 06 Janvier 2021, un jeune homosexuel a été arrêté par une patrouille de police alors qu'il essayait d'échapper d'un guet-apens. Il a été emmené au poste de police et les agents de police ont estimé qu'il était dans la nuit pour voler. Pour justifier qu'il n'était pas un voleur il a raconté les faits aux agents de police. Les agents ont interpellé le partenaire du jeune et ont finalement décidé de les envoyer tous deux en prison parce qu'étant des homosexuels. Ils ont ensuite été libérés moyennant le versement d'une somme par AFRIQUE ARC-EN-CIEL. [...]*

Dans nombres de cas documentés, la sécurité et la dignité des personnes LGBT ont été remises en question.

- *En 2019, dans une affaire de chantage qui opposait un homosexuel à une autre personne, le commissariat de Djidjolé, saisie de l'affaire s'en est dessaisie et renvoyé le plaignant en disant « de la manière dont vous avez commencé sans nous, terminez sans nous ». [...]*

Cette situation ne touche pas que les hommes mais aussi les femmes lesbiennes, bissexuelles et transgenre qui sont victimes d'une double discrimination d'une part liée à leur condition de femme et d'autre part à leur orientation sexuelle ou identité de genre qui n'est pas en conformité avec les attentes sociales. [...] »

Afrique Arc-En-Ciel Togo / Synergía - Initiatives for Human Rights, « [Rapport alternatif pour examen lors de la 132eme session du Comité des Droits de l'Homme](#) », June 2021, pp. 10-11, last accessed: 23 April 2023

- “Hostility is also present among state actors – for example, security forces which arrest LGBT people. In these situations, even when LGBT people seek police protection, they do not receive it. The legal framework is such that LGBT people do not have the support of the state. This reality means that [LGBT] people do not have the courage to seek justice because of the law criminalizing them, even if they are victims of aggression or cruel, inhumane or degrading treatment, whether committed by state or non-state actors. This encourages impunity. [...]

ORIGINAL SOURCE

« L'hostilité est présente même au sein des acteurs étatiques par exemple des forces de l'ordre qui arrêtent les personnes LGBT. Et dans ces situations, même quand les personnes LGBT cherchent la protection de la police, elles n'en trouvent pas. Le cadre juridique fait que les personnes LGBT n'ont pas le soutien de l'État. Cette réalité fait que les personnes n'ont pas le courage d'aller vers la justice puisqu'une loi pénalisante existe quand bien même elles sont victimes d'agression, de traitements cruels inhumains ou dégradants, commis sur elles par des acteurs étatiques ou non. Ce qui encourage l'impunité. [...]

Afrique Arc-En-Ciel Togo / Synergía - Initiatives for Human Rights, [Rapport alternatif pour examen lors de la 132eme session du Comité des Droits de l'Homme](#), June 2021, pp. 11- 12

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- “In recent years, several arrests [for same-sex sexual relations in Togo] have been documented, with reports including instances of police harassment, blackmail and arbitrary detention.”

ILGA World : [“State Sponsored Homophobia : Global Legislation Overview Update”](#), December 2020, p. 123, last accessed: 23 April 2023

- **“Violence against LGBTQI+ Persons:** Police and other government officials tolerated violence against LGBTQI+ individuals. [...] The majority of LGBTQI+ persons did not report discrimination and abuses in view of the stigma and potential criminal consequences.”

US Department of State, [“Togo 2022 Human Rights Report”](#), 20 March 2023, p. 22, last accessed: 23 April 2023

3. Societal treatment of homosexual people in Togo

According to the following sources, homosexual people have been subject to death threats, verbal insults and aggression, physical assault, familial rejection, discrimination or restrictions in accessing housing, education, employment and healthcare, and are stigmatised within society. Multiple sources suggest that homosexual people feel obliged to keep their sexualities hidden due to public opposition to homosexuality, meanwhile one source points to the contrary, relying on an anecdote relating to a public display of affection between a lesbian couple, to suggest that homosexuals can kiss in public.

- **“Violence against LGBTQI+ Persons:** [...] The LGBTQI+ community was subjected to death threats, physical assault, and intimidation.”

US Department of State, [“Togo 2022 Human Rights Report”](#), 2022, p. 22, last accessed: 23 April 2023

- “Insults and verbal aggression are common treatment for people who present themselves in a way that is said to contradict their gender. Those who dare to respond end up being beaten. The documentation of the situation demonstrates a lot of familial rejection, refusal of housing, and other restrictions linked to sexual orientation – for example, the refusal of care by some healthcare providers. Even though officially no conviction has been made based on sexual orientation or gender identity/expression, the existence of the law [criminalizing same-sex sexual relations] [...] encourages abuses and violations towards part of the population, as evidenced by the cases of abuses and violence documented by LGBT organizations at local level, i.e. 37 in 2017, 42 in 2018, 35 in 2019, 33 in 2020, and already a dozen between January and June 2021. We accept that there are on average around thirty cases a year, a non-negligible number.” *(In-house translation. The translator is an English native speaker and is*

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professionally fluent in French.)

ORIGINAL SOURCE

«Des insultes et agressions verbales sont monnaie courantes pour les personnes exprimant une attitude dite en contradiction avec leur genre. Pour celles qui s'aventurent à y répondre, elles finissent par être bastonnées. La documentation de la situation montre qu'il y a beaucoup de rejets familiaux, de refus de logement, et bien d'autres restrictions liées à l'orientation sexuelle, comme par exemple les refus de soins de certains prestataires de santé. Même si officiellement aucune condamnation n'a été prononcée sur la base de l'orientation sexuelle ou de l'identité de genre et son expression, il n'en demeure pas moins que l'existence de la loi [...] encourage les abus et violations à l'endroit d'une partie de la population, en témoigne les cas d'abus et de violences documentés par les associations LGBT au niveau local, soit 37 en 2017, 42 en 2018, 35 en 2019, 33 en 2020 et une dizaine déjà de Janvier à Juin 2021. On retient qu'il y a en moyenne une trentaine de cas par an, un chiffre non négligeable. »

Afrique Arc-En-Ciel Togo / Synergía - Initiatives for Human Rights, « [Rapport alternatif pour examen lors de la 132eme session du Comité des Droits de l'Homme](#) », June 2021, pp. 11- 12

- “But this reminder from the Togolese minister of human rights before the UN Human Rights Committee [that Togo would not decriminalize same-sex sexual relations] shocked the homosexual community in Togo, of which the members operate secretly.

‘Once there is such a declaration, it is as though we are being thrown to the mob’, stated a person who requested anonymity. ‘Let’s not forget that the social context does not allow these people to take care of themselves, which means that most of those who are homosexual share the same women with heterosexuals, while HIV prevalence is very high in the target groups.’ ” (In-house translation. The translator is an English native speaker and is professionally fluent in French.)

ORIGINAL SOURCE

- « *Mais ce rappel du ministre togolais des droits de l'Homme devant le Comité des droits de l'Homme de l'Onu a choqué la communauté homosexuelle au Togo, dont les membres évoluent dans la clandestinité.*

"Une fois qu'il y a ce genres de déclaration, c'est comme si on nous lançait à la vindicte populaire", a déclaré une personne qui a requis l'anonymat. "N'oublions pas que le contexte social ne permet pas à ces personnes de s'assumer, ce qui fait que la plupart de ceux qui sont des homosexuels partagent les mêmes femmes avec les hétérosexuels. Alors que la prévalence du VIH est très élevée dans ces groupes cibles". »

Noël Tadégnon / Deutsche Welle, « [Le Togo rejette la dépénalisation de l'homosexualité](#) », 2 July 2021, last accessed: 23 April 2023

- “Wrongly or rightly, the presence of people who are confirmed or suspected to be *This Country of Origin Information (COI) report is intended as background reference material for legal representatives and those assisting asylum seekers. The COI report should be used as a tool to help identify relevant COI. It is imperative that legal representatives and those assisting asylum seekers read the whole COI report and consider whether, having done so, the report is, on balance likely to support the specific case in which it is proposed to rely upon it. Please also note that it may be appropriate for legal representatives to seek additional individualised information.*

homosexual irritates Togolese communities. LGBT people are almost obliged to experience their sexual orientation in hiding.

The subject is the source of discomfort, to the point that even actors who defend the rights of this minority still prefer to speak anonymously. [...]

And the reasons for this stigmatisation of LGBT people are notably cultural, social and moral. 'It can be generally observed that Togolese society views LGBT people as deviants, people who don't fit in with the morals of the society', confides Lassey Adjévi-Zan, who is responsible for monitoring at Amnesty International Togo.

According to an official of an NGO which fights for LGBT rights, who requested anonymity : 'social norms, culture, tradition and religion have a real impact on Togolese society. Traditionally, most Togolese people only know heterosexuality as a sexual orientation, and the classic male/female binary in terms of gender identity. Thus, any other sexual orientation or gender identity would be a deviation according to most Togolese citizens. This is what leads them to regard LGBT people in an accusatory and contemptuous manner, and consider them as mentally ill, the source of curses, and as possessed people.' [...]

This life of secrecy, owing to the hostile social and legal context, as well as numerous acts of stigmatisation and discrimination, does not help actors who defend LGBT rights in estimating, for example, the real size of this segment of the population. As a result, sexual health programmes dedicated to this group remain unsuccessful." (*In-house translation. The translator is an English native speaker and is professionally fluent in French.*)

ORIGINAL SOURCE

« A tort ou à raison, la présence des personnes affirmées ou supposées homosexuelle irrite dans les communautés togolaises. Lesbiennes, gays, bissexuelles ou transgenres (LGBT) sont presque contraints de vivre leur choix sexuel dans la clandestinité.

Le sujet est source de gêne si bien que même les acteurs qui défendent les droits de cette minorité préfèrent encore parler sous l'anonymat. [...]

Et les raisons de cette stigmatisation des personnes LGBT sont notamment culturels (sic), sociales, voire morales. « Le constat d'une manière générale est que la société togolaise regarde les personnes LGBT comme ayant déviées, des personnes qui n'entrent pas dans le moule de mœurs et de la morale de la société », confie Lassey Adjévi-Zan, chargé du monitoring à Amnesty International-Togo.

Selon un responsable d'une ONG de lutte pour les droits des personnes LGBT requérant l'anonymat : « les normes sociales, la culture, la tradition, la religion ont un réel impact sur la société togolaise. Classiquement, la plupart des togolais ne connaissait que comme orientation sexuelle l'hétérosexualité et comme identité de genre, la répartition classique homme et femme. Ainsi tout orientation sexuelle et identité de genre autre

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que ce qui est connu classiquement serait une déviance selon la plupart des citoyens togolais. C'est ce qui les amène à jeter un regard accusateur, de mépris à l'égard des personnes LGBT, les considérant comme des malades mentaux, sources de malédictions et des personnes possédées. » [...]

Cette vie de clandestinité dûe au contexte socio juridique hostile, aux nombreux actes de stigmatisations et de discriminations n'aide pas les acteurs constitués de défense des droits des homosexuels, à estimer par exemple, la taille réelle de cette frange de la population au Togo. Conséquence : les programmes de santé sexuelle dédiés à cette couche restent infructueux. »

Merveille Lawson & Ben Souleyman : Full-News, « [Au Togo, L'homosexualité se vit dans la clandestinité](#) », 16 May 2022, last accessed: 23 April 2023

- “For years, the LGBT community has tried to have homosexuality recognized. However, the authorities have always indicated that this practice is against the values of Togolese society.

Since then, those who are orientated towards homosexuality can do as they please between the sheets.

But when they are caught in public, Togolese law should be applied. Nevertheless, the LGBT community has organized itself and conducts its activities in spaces reserved for insiders.” (*In-house translation. The translator is an English native speaker and is professionally fluent in French.*)

ORIGINAL SOURCE

« Depuis des années, la communauté des lesbiennes, gays, bisexuels et transgenres (LGBT) tente de faire reconnaître l'homosexualité. Mais les autorités ont toujours indiqué que cette pratique est contraire aux valeurs de la société togolaise.

Dès lors ceux qui se sont orientés vers l'homosexualité peuvent faire ce que bon leur semble sous leurs draps.

Mais surpris en public, la loi togolaise devrait s'appliquer. Toutefois, la communauté LGBT s'est organisée et mène ses activités dans des milieux réservés aux initiés. »

Didier Assogba / TogoBreakingNews, « [Homosexualité: Un nouveau refus catégorique du Togo](#) », 29 June 2021, last accessed: 23 April 2023

Based on interviews with young LGBTQI+ social media users in Togo, a report on the openDemocracy media platform details how LGBTQI+ people have been subjected to online and offline harassment and attacks, as well as pressure from family members and religious figures, when their LGBTQI+ identity is revealed or suspected.

- “[...] It would be unlikely to find a man wearing such clothes or make-up on the streets of Togo – a Francophone West African country where gender roles are strict, homosexuality is criminalised and the “promotion of immorality”, including LGBT identities, is banned.

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However, some people are finding new spaces online in which to express themselves, experiment with styles that challenge gender norms, and show their support for LGBT people.

‘Why should I be ashamed?’ L’Arcardien [Togolese social media personality interviewed in the piece] asked me defiantly, about what he called his ‘effeminate’ appearance. The 21-year-old recalled being challenged for it repeatedly, including by a priest during his childhood. ‘Since then [...] I’ve embraced it.’ [...]

A rainbow flag – a symbol of solidarity with LGBT people – is visible in many of his videos. But, like others I spoke to, L’Arcardien does not discuss his sexuality or gender identity online. [...]

Another Togolese TikToker, 21-year-old Kalisha LaBlanche, told me she was recently forced to move out of her mother’s home and rent her own apartment because of her sexuality. A priest also declared “war” on her, she said.

‘A few months ago, my mother forced me to go to a pastor for so-called prayer and deliverance sessions. She believed I was really under the influence of an evil spirit,’ LaBlanche said, describing what sounds like anti-LGBT ‘conversion therapy’.

Though she says her mother ‘in the end, gave up’, these sessions and the pressure she faced from her family was difficult, and took a toll on her mental health. TikTok provided an escape – and a safe space in which to connect with LGBT-friendly people.

Although TikTok and other social media have been celebrated for offering marginalised people new spaces in which to share their experiences and connect with like-minded allies, in places like Togo their impact is limited. And expressing yourself online still carries risks.

‘He struggles to handle the harsh criticism he gets online,’ one person said of their gay friend, who is active on TikTok, but cautious and fearful of backlash after offensive comments were posted below his videos.

Other people I spoke to said harsh responses to their videos caused them to consider whether they should quit TikTok – the social media of choice for many young people in Togo (where the average age is 19), and elsewhere in the world.

‘At first it bothered me a lot – it made me think a lot – but I ended up getting used to it,’ said L’Arcadien, about the online abuse he’s received. ‘Today, it doesn’t bother me at all.’ [...]

In their daily life, LGBT people in Togo (and even those merely suspected of being gay) face insults and sometimes physical attacks.

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Amid this hostility, the videos made by young Togolese TikTokers appear revolutionary to viewers such as Hyppolite, an 18-year-old truck driver who told me that she is a lesbian and that having to hide her sexuality has made her withdraw from public life.

‘When I go out, I don't talk to anyone in my neighbourhood. When I come home, I'm in my room,’ she said. Once, a friend caught her kissing her girlfriend. ‘She promised me that it would remain a secret between us, and I want to believe her.’

But she has been inspired by L’Arcadien’s videos, she said, and is considering opening a TikTok account – and joining her generation of trailblazers using the internet to gain some, even if limited, safe space. ”

Sylvio Combey / openDemocracy: [“Can TikTok help young LGBT people in Togo find community?”](#), 14 October 2021, last accessed: 22 April 2023 (French version [here](#))

- “Our cultural convictions impose a certain modesty on homosexuals. It is a provocation to want to display themselves and indirectly impose their sexual orientation. However, it is intolerable to use violence on these compatriots. I condemn it, naturally. I know and work with homosexuals who do not display themselves, and who are very good at what they do. What you do in your home or your room does not interest me. Especially since, contrary to what is said on social media, homosexuality is not an illness or abomination. Being homosexual is like being left-handed. It is an orientation. As long as they don’t force others to be like them and remain discreet, it is fine for me.” (*In-house translation. The translator is an English native speaker and is professionally fluent in French.*)

ORIGINAL SOURCE

- « Nos convictions culturelles imposent aux homosexuels une certaine pudeur. C’est une provocation de vouloir s’afficher et imposer indirectement leur orientation sexuelle. Tout autant, il est intolérable d’user de violence sur ces compatriotes. Je le condamne, bien naturellement. Je connais et travaille avec des homosexuels qui ne s’affichent pas, et qui sont très bons dans ce qu’ils font. Ce que tu fais dans ta maison ou dans ta chambre ne m’intéresse pas. Surtout que contrairement à ce qui se dit sur les réseaux sociaux, l’homosexualité n’est ni une maladie ni une abomination. On est homosexuel comme on est gaucher. C’est une orientation. Tant qu’ils ne forcent pas les autres à être comme eux et restent discret, moi ça me va. »

Gerry Taama / Ici Lomé, « [Togo - Que les homosexuels du pays fassent doucement](#) », 13 April 2022, last accessed: 23 April 2023

- “In Togo, homosexuality is growing despite public opinion being largely opposed to this practice, which it judges as being against public morals. But this practice, most often supported by Western discourses, is gaining ground and its followers do not hide, such as in the case which occurred in the Djidjolé neighbourhood in the capital Lomé. [...]”

Her partner rejoined her and in front of the crowd, and without shame, she kissed her

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in public [...]

Faced with this unexpected act, cries of disapproval came forth from the morning crowd. Audaciously, the young woman who had just kissed her partner said 'Am I in your home ?'

While in some countries, lesbians and homosexuals hide to avoid being lynched, in Togo they can kiss in public and even tease the public. This is proof that in Togo, people are not homophobic." *(In-house translation. The translator is an English native speaker and is professionally fluent in French.)*

ORIGINAL SOURCE

« Au Togo, l'homosexualité prend de l'ampleur malgré que l'opinion soit majoritairement opposée à cette pratique qu'elle juge contraire à leurs mœurs. Mais la pratique le plus souvent soutenue par les discours occidentaux gagne du terrain et les adeptes ne s'y cachent pas, tel est ce cas qui s'est présenté dans le quartier Djidjolé dans la capitale Lomé. [...]

Sa partenaire la rejoint et devant la foule sortie et sans gêne, elle l'embrasse en public [...]

Devant ce geste inattendu, des cris de désapprobation fusent dans la foule matinale. Sans avoir froid aux yeux, la jeune dame qui vient d'embrasser sa partenaire lance « je suis chez vous » ?

Alors que dans certains pays, les lesbiennes ou les homosexuels se cachent pour éviter le lynchage, au Togo, ils peuvent s'embrasser en public et même narguer le public. Preuve qu'au Togo on n'est pas homophobe. »

NetAfrique.net, « [Togo : Ils se battent en plein Lomé pour conquérir chacun une fille lesbienne](#) », 7 January 2023, last accessed: 23 April 2023

In an email exchange between the Office of the Commissioner General for Refugees and Stateless Persons (Belgium), COI Unit (CGRS-CEDOCA), and Arc-en-ciel Togo in May 2023, Arc-en-ciel Togo described the situation of organisations who work in support of LGBTQI+ people:

- ““No identity association has officially registered as an LGBT organisation due to the context. We shelter under the issue of public health, linked to the HIV/AIDS pandemic. As such, for the moment the authorities have not concretely pursued these associations. But it remains a threat for these associations. For example, our association prepares alternative reports, and actively participates in sub-regional advocacy, the authorities may accuse us of acting beyond our declared mandate.”²⁷

[...]

²⁷ Afrique Arc-en-ciel Togo, email, 11/05/2023” *(In-house translation. The translator is an English native speaker and is professionally fluent in French.)*

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ORIGINAL SOURCE: « *Aucune association identitaire ne s'est enregistrée officiellement comme étant une association LGBT en raison du contexte. Nous nous sommes abrités sous la question de santé publique en lien avec la pandémie du VIH/SIDA. Ainsi, pour le moment les autorités n'ont pas d'une manière concrète poursuivi les associations. Mais cela reste une menace pour les associations. Par exemple, notre association élabore les rapports alternatifs et participe activement au plaidoyer sous régional, l'autorité peut nous accuser d'agir au delà de notre mandat déclaré [sic]* »²⁷

[...]

27 Afrique Arc-en-ciel Togo, courrier électronique, 11/05/2023»

CGRS-CEDOCA – Office of the Commissioner General for Refugees and Stateless Persons (Belgium), COI unit, [“Togo; L’homosexualité”](#), 22 May 2023, last accessed: 19 September 2023

Incident at Lomé beach

A number of sources refer to an incident on Lomé beach in April 2022, in which a mob chased a number of customers from a beachside restaurant due to their (perceived) homosexuality.

- “A dozen homosexuals were chased from a bar at Lomé beach on Sunday 3 April 2022 by a group of people. The victims, who were harassed and then heckled, subsequently fled with their belongings, according to a video published on social media.”

ORIGINAL SOURCE

« *Une dizaine d'homosexuels ont été chassés dans un bar de la plage de Lomé dimanche 3 avril 2022 par un groupe de personnes. Les victimes harcelées puis chahutées se sont ensuite sauvées avec leurs effets ramassés à la halte selon une vidéo publié sur les réseaux sociaux.* »

24heure Infos, « [Togo : des homosexuels chahutés et chassés de la plage de Lomé](#) », 6 April 2022, last accessed : 22 April 2023

- “Last Sunday, a mob of youths chased and punched a group of homosexuals who were making themselves conspicuous on the beach of Lomé. In fact, these youths could not tolerate the spectacle in which these men, who had chosen a sexual orientation that is not tolerated by Togolese laws or society, were indulging. They [the group being chased] had to run to save their lives. [...]

They [the allegedly homosexual men] were there [at the beach] last Sunday 3 April, as usual. In fact, it was not their first time at the beach in Lomé. Except that last Sunday, the outing to the beach ended badly for some of them. Annoyed by the spectacle in which they [the men] were indulging, some Togolese youths decided to send them home. They were asked to kindly leave the area. When they resisted, the crowd of youths started to become more threatening. Having understood that their interlocutors were serious, they [the allegedly homosexual men] had to run to escape the seaside and reach Mono boulevard (national road no. 2). But it was not

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yet the end of their misadventure. They were clearly asked to leave the area of the beach.

Some of them even suffered a few punches at Bar 54 Cocotiers, opposite the Onomo Hotel. Finally, it was in haste that these men, who chose to become women through their sexual orientation, had to leave the place.” (In-house translation. The translator is an English native speaker and is professionally fluent in French.)

ORIGINAL SOURCE

« Dimanche dernier c’est à coups de poing qu’une horde de jeunes togolais ont chassé un groupe d’homosexuels qui faisaient leur démonstration à la plage de Lomé. En effet ces jeunes ne supportaient pas le spectacle auquel se livraient des hommes ayant choisi une orientation sexuelle non-tolérée, ni par la société togolaise ni par les lois togolaises. Ils ont dû détalier pour avoir la vie sauve. [...]

Ils y étaient le dimanche 03 avril dernier, comme d’habitude. En effet, ce n’est pas leur première fois de se rendre à la plage de Lomé. Sauf que dimanche dernier, la sortie à la plage de certains d’entre eux s’est mal terminée. Agacés par le spectacle auquel ils se livraient, des jeunes togolais ont décidé de les renvoyer chez eux. Ils avaient été priés de vider gentiment les lieux. Devant leur résistance, la foule de jeunes a commencé à devenir plus menaçante. Ayant compris que leurs interlocuteurs étaient sérieux, ils ont dû courir pour fuir le bord de la mer et rejoindre dans un premier temps le boulevard du Mono (nationale N°2). Mais ce n’était pas encore la fin de leur mésaventure. Ils ont été carrément priés de vider les rayons de la plage.

Certains d’entre eux auraient même essuyé quelques coups de poing au niveau du Bar 54 Cocotiers, en face de l’hôtel Onomo. Au final, c’est en toute vitesse que ces hommes ayant choisi de devenir femmes, de par leur orientation sexuelle, ont dû quitter les lieux. »

Chronique de la Semaine (Togo), « [Des homosexuels indésirables dans les lieux publics de Lomé](#) », 8 April 2022, last accessed : 24 April 2023

In early 2023, a Togolese media source reported that one of the men targeted in the Lomé beach incident had gone missing, after receiving daily threats since he had been identified in the videos on social media.

- “There is no more sign of Abotsi Ablamvi being alive. According to his family, this man, persecuted on grounds of his sexual orientation, has been missing for several months.

The family of the young man affirms that he was receiving death threats by phone incessantly and was a victim of harassment in the street.

In fact, Abotsi Ablamvi was part of a group of homosexuals who were harassed, beaten and filmed in 2022 at Lomé beach. After these videos were published on social media, the young man received daily threats.” (In-house translation. The translator is an English native speaker and is professionally fluent in French.)

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ORIGINAL SOURCE

« Abotsi Ablamvi ne donne plus signe de vie. L'homme, persécuté en raison de son orientation sexuelle a disparu depuis plusieurs mois selon sa famille.

La famille du jeune homme affirme qu'il recevait incessamment des menaces de morts par téléphone et est victime d'harcèlement dans les rues.

En effet, Abotsi Ablamvi faisait parti d'un groupe d'homosexuels harcelé, frappé et filmé en 2022 à la plage de Lomé. Après la publication de ces vidéos sur les réseaux sociaux, le jeune reçoit des menaces au quotidien.»

NetAfrique.net, « [Togo : un homosexuel frappé à la plage porté disparu](#) », 15 April 2023, last accessed : 22 April 2023

The US Department of State report on human rights covering 2022, noted that the media amplification of the incident at Lomé beach led to anti-LGBTQI+ statements and threats from government officials and the public and threats directed towards NGO leaders working with the LGBTQI+ community.

- **“Violence against LGBTQI+ Persons:** [...] on April 3, a mob of angry youth attacked and chased several customers from a Lome beachside restaurant for displaying “effeminate” behavior. Media, including online social media, amplified the incident, prompting anti-LGBTQI+ statements and threats from government officials and the public. NGO leaders working with the LGBTQI+ community received threatening messages and one sought refuge in a neighboring country, fearing he would be detained.”

US Department of State, “[Togo 2022 Human Rights Report](#) », 20 March 2023, p. 22, last accessed: 23 March 2023

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