

2023 Trafficking in Persons Report: Ghana

GHANA (Tier 2)

The Government of Ghana 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 Ghana remained on Tier 2. These efforts included increasing trafficking investigations and prosecutions and providing anti-trafficking training to law enforcement, judicial officials, community leaders, and service providers. The government adopted a new 2022-2026 NAP and an accompanying communications strategy. Labor inspectors identified child trafficking victims and referred cases for criminal investigation. However, the government did not meet the minimum standards in several key areas. The government identified fewer trafficking victims and continued its 2017 ban on labor migration to Gulf states, which increased vulnerability to trafficking. Despite reports of fraudulent labor recruiters exploiting Ghanaian victims abroad, the government did not report holding any fraudulent recruiters accountable. The government did not adequately address complicity in trafficking crimes, and it did not amend the anti-trafficking act regulations to remove the option of a fine in lieu of imprisonment in cases where the trafficker was a parent or guardian of a child victim.

PRIORITIZED RECOMMENDATIONS: ✓

- Continue to increase efforts to investigate and prosecute trafficking crimes, including official complicity and fraudulent labor recruitment, and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Increase efforts to prevent exploitation of Ghanaian workers abroad, including by ending the ban on labor migration to Gulf states, implementing the 2020 National Labor Migration Policy, and ensuring workers do not pay recruitment fees.
- Amend the 2015 implementing regulations for the 2005 human trafficking law to remove the option of a fine in lieu of imprisonment in cases where the trafficker is a parent or guardian of a child victim.
- Increase coordination between law enforcement, prosecutors, and social workers on trafficking victim identification and protection.
- Conduct thorough and transparent criminal investigations and prosecutions of alleged government complicity in trafficking crimes, including interference in law enforcement proceedings.
- Train law enforcement and service providers on the SOPs to identify victims and refer them to services; implement the procedures in all regions.
- Increase the quantity and quality of care available to victims, including by providing financial and in-kind support to civil society providing shelter and victim services.
- Proactively screen for trafficking indicators among vulnerable populations – including Ghanaian women traveling abroad for domestic work, returning migrants, domestic and foreign workers on People's Republic of China (PRC) national-operated fishing vessels, and Cuban overseas workers – and refer trafficking victims to protective services.
- Improve victim-witness assistance programs to increase protective services for victims participating in the criminal justice process.

PROSECUTION ✓

The government increased anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act, amended in 2009, criminalized sex trafficking and labor trafficking. The Human Trafficking

Act prescribed penalties of a minimum of five years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the 2015 regulations for this Act, which are non-discretionary and have the force of law, provided specific guidance on sentencing depending on the circumstances; in general, the term is not less than five years' imprisonment and not more than 25 years' imprisonment, but if a parent, guardian, or other person with parental responsibilities facilitates or engages in trafficking, they are liable to a fine, five to 10 years' imprisonment, or both. By allowing for a fine in lieu of imprisonment, these penalties were not commensurate with those for other serious crimes, such as rape.

Authorities initiated investigations of 133 trafficking cases and continued three investigations in 2022, compared with initiating investigations of 108 cases and continuing one investigation in 2021. The government initiated prosecutions of 28 alleged traffickers (seven for sex trafficking, 14 for labor trafficking, and seven for unspecified forms of trafficking) and continued prosecution of seven alleged traffickers (one for sex trafficking and six for labor trafficking). Courts convicted 10 traffickers under the 2005 anti-trafficking law, including three sex traffickers, five labor traffickers, and two traffickers for unspecified forms of trafficking, and sentenced them to between three and 10 years' imprisonment. This compared with prosecuting and convicting 14 traffickers in 2021. In some cases, the government prosecuted alleged traffickers under the Children's Act of 1998 when there was insufficient evidence to obtain a conviction under the anti-trafficking law. The government prosecuted and convicted two defendants for exploitative child labor under the Children's Act; courts sentenced one defendant to two months' imprisonment and the other defendant to three months' imprisonment. Despite reports of fraudulent labor recruiters exploiting Ghanaian victims abroad, the government did not report investigating or prosecuting any fraudulent recruitment cases. The government did not report cooperating with foreign counterparts on law enforcement activities.

The government did not report any investigations, prosecutions, or convictions of government employees allegedly complicit in human trafficking crimes; however, official corruption and complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. Observers alleged some traffickers operated with the support or acquiescence of law enforcement or justice officials and some officials interfered in law enforcement proceedings. Some law enforcement officers reportedly solicited bribes from suspects and sought payment from victims or civil society for transportation or operating expenses to initiate investigations; some senior police officers reportedly attempted to intimidate civil society from reporting trafficking cases. Traffickers reportedly bribed law enforcement officials and government-appointed monitors in charge of inspecting Ghanaian-flagged fishing vessels for illegal practices, including forced labor. Although not explicitly reported as human trafficking, an international organization reported there were four new allegations submitted in 2022 of alleged sexual exploitation with trafficking indicators by Ghanaian peacekeepers deployed to the UN peacekeeping missions in the Democratic Republic of the Congo (DRC) in 2011 and 2012 and South Sudan in 2022. The government had not yet reported the accountability measures taken, if any, for the open cases at the end of the reporting period. The government closed one case reported in 2019 of alleged sexual exploitation involving peacekeepers deployed to South Sudan.

The Ghana Police Service (GPS), Ghana Immigration Service (GIS), and the Economic and Organized Crime Office (EOCO) had dedicated, specialized anti-trafficking units. The government, in collaboration with NGOs and foreign donors, provided extensive training to law enforcement, judicial officials, social workers, and front-line workers on trafficking definitions and legal concepts, investigative and prosecutorial techniques, trauma-informed care, and victim identification and protection. The GPS and GIS police academy provided anti-trafficking training to new police officers. Government officials and NGOs reported the government did not provide sufficient funding and resources, facilities, or land and marine vehicles for anti-trafficking law enforcement operations. This, combined with a lack of shelter capacity, delayed investigations and operations to remove potential victims from exploitative situations. Inadequate evidence collection, weak collaboration between police and prosecutors, and a lack of experienced state attorneys further hampered prosecution of suspected traffickers. Judicial resources were concentrated in

urban areas, leaving some victims in rural communities with limited access to the formal justice system.

PROTECTION ✓

The government maintained victim protection efforts. The government reported identifying and referring 574 trafficking victims to services in 2022, compared with identifying and referring 727 victims to services in 2021 and 391 in 2020. This included 484 labor trafficking victims, 84 sex trafficking victims, and six victims where the form of trafficking was unspecified. The majority of identified victims were children (359) and 361 were Ghanaian. Of the 217 foreign national victims, most were Nigerian; other victims identified were from Afghanistan, Benin, Burkina Faso, Gabon, Mali, and Niger. NGOs identified an additional 249 trafficking victims, including 233 labor trafficking victims and 16 sex trafficking victims.

The government had SOPs to identify trafficking victims and refer them to services. However, observers reported limited resources and a lack of coordination between the government and civil society at times hampered implementation of the SOPs. District Department of Social Welfare (DSW) personnel accompanied local law enforcement on anti-trafficking operations and conducted screenings to identify potential victims; however, these teams reported to local governments rather than a centralized government entity. Observers reported decentralization, lack of funding, and poor management impeded the DSW's effectiveness and sometimes resulted in inadequate and inconsistent treatment of victims.

Officials referred all 578 victims to government shelter services or NGOs for care compared with referring all 727 victims to services in 2021. The government operated a shelter for adult female trafficking victims and, with an international organization's support, operated a shelter for child trafficking victims. Two government-run shelters for child abuse victims could accommodate child trafficking victims. Officials could also refer victims to twelve private shelters, including two shelters that could accommodate adult male victims. However, observers reported overall shelter capacity, especially for child trafficking victims, remained insufficient. Government services for women and children included shelter, medical care, needs assessments, psycho-social care, education and skills training, interpretation for foreign national victims, assistance obtaining identity documents, registration with the national health service, and assistance during legal proceedings. Through its Human Trafficking Fund (HTF), the government expended 1,440,000 Ghanaian cedis (\$125,215) for victim services and shelter operations in 2022, a significant increase compared with expending 650,000 cedis (\$56,520) in 2021. Foreign victims had the same access to care as Ghanaian victims. Foreign victims could seek temporary residency during legal proceedings and, with the Interior Minister's approval, permanent residency if deemed to be in the victim's best interest; officials did not report how many, if any, foreign victims it granted temporary or permanent residency. The government coordinated with an international organization and foreign governments to repatriate Ghanaian victims identified abroad and foreign victims identified in Ghana.

Access to victim services was not conditioned on cooperation with law enforcement proceedings. The government, in cooperation with NGOs, provided victim-witness assistance, including legal services, funding for lodging and transportation, and psycho-social support. Victims could provide video or written testimony, and some courts had child-friendly spaces that allowed child victims to testify from a separate room via video. Observers reported some judges set aside consecutive days for trafficking victims' testimony to reduce revictimization and significantly decrease trial length. However, officials did not always protect victims' confidentiality. Law enforcement sometimes brought victims and accused traffickers together when conducting interviews, which placed enormous pressure on victims to change their testimony. The law allowed trafficking victims to obtain restitution; however, the government did not report courts awarded restitution to any victims. Victims could file civil suits against their traffickers, but none reportedly did so.

PREVENTION ✓

The government modestly increased prevention efforts. The government adopted a new 2022-2026 anti-trafficking NAP and accompanying communications strategy and expended 430,000 cedis (\$37,390) on its implementation. The Human Trafficking Management Board – the inter-ministerial committee mandated to administer the HTF, advise the Ministry of Gender, Children and Social Protection (MOGCSP) on anti-trafficking policy, promote prevention efforts, and facilitate the protection and reintegration of trafficking victims – met quarterly. The Human Trafficking Secretariat coordinated anti-trafficking efforts under the MOGCSP, including implementation of the NAP and met regularly with anti-trafficking stakeholders.

The government conducted extensive trainings and public awareness campaigns with government officials, civil society stakeholders, and community leaders, both independently and in collaboration with NGOs and international organizations. The government had a standardized trafficking data collection system in five regions, developed with an international organization's support; however, the system was not widely used. GPS operated an anti-trafficking tip line. The MOGCSP operated a hotline in English and six local languages for victims of abuse and a mobile application for reporting GBV crimes, including human trafficking; the government identified at least two victims as a result of hotline calls. The government provided anti-trafficking training to labor inspectors. Inspectors identified and removed child victims from exploitative labor situations and referred 46 cases, including suspected trafficking cases, to law enforcement for criminal investigation. However, observers reported insufficient funding, facilities, and transportation impeded labor inspectors' efforts to identify victims. The government began implementing and training officials on a forced labor training manual for labor inspectors. With support from donors, it also conducted trainings for labor and trade unions, journalists, NGOs, and private sector groups on forced labor indicators.

The government regulated formal labor recruitment and required private employment agencies to register; it also provided optional pre-departure trainings for migrant workers, and the Ministry of Employment and Labor Relations and GIS screened for trafficking indicators. However, despite continued reports of fraudulent labor recruiters exploiting women in domestic servitude abroad, the government did not report investigating any labor recruiters for fraudulent recruitment or revoking agencies' registration for recruitment violations. The law did not prohibit worker-paid recruitment fees. Informal recruitment agencies continued to operate and facilitate recruitment through informal channels, and some agents used predatory tactics, including high recruitment fees and fraudulent job advertising. The government continued its 2017 ban on labor migration to Gulf states; the policy restricted Ghanaians' access to safe and legal migration, subsequently increasing their vulnerability to trafficking. The government continued implementing and training government and NGO stakeholders on its 2020 National Labor Migration Policy and 2020-2024 implementation plan; the plan included provisions to prevent labor exploitation and increase Ghanaian embassies' capacity to assist migrant workers abroad and protect foreign workers in Ghana. The government did not adequately inspect Ghanaian-flagged fishing vessels for indicators of forced labor; while government-appointed monitors inspected some vessels for illegal fishing practices and indicators of forced labor, they were often threatened or bribed to issue false reports. The government did not make efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers. The government did not report providing anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE: ✓

As reported over the past five years, human traffickers exploit domestic and foreign victims in Ghana, and traffickers exploit victims from Ghana abroad. Traffickers exploit Ghanaian children in forced labor in inland and coastal fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture, especially in the cocoa sector. Traffickers exploit children as young as four in forced labor in Lake Volta's fishing industry and use

violence and limited access to food to control victims. Traffickers force boys to work in hazardous conditions, including in deep diving, and girls perform work onshore, such as preparing the fish for markets. Women and girls working in the fishing sector are vulnerable to sexual abuse and exploitation, including sex trafficking. Traffickers, including middlemen and relatives, recruit girls from other communities and subsequently exploit them in domestic servitude in the Lake Volta region, sometimes with parents' knowledge. Relatives often send girls via intermediaries to work in harsh conditions in forced labor in domestic work. Children in northern regions of Ghana, whose parents use intermediaries or relatives to send them to work in agriculture in the south during school breaks or the dry season, are vulnerable to forced labor. Observers noted lack of access to education, economic hardship, and high unemployment rates have increased vulnerability to human trafficking in Ghana. An NGO reported climate change, including slow-onset events such as drought, has exacerbated vulnerability of Ghanaians migrating from northern farming communities to urban centers in search of employment; girls and young women who work as *kayayie* (head-porters) are exploited in sex trafficking and forced labor, often through debt bondage, and men work in exploitative conditions as farm laborers and in mining, including in bonded labor. Women and girls who migrate to southern Ghana also reportedly do so to escape GBV – including female genital mutilation/cutting – and child, early, and forced marriages, increasing vulnerability to trafficking. Traffickers subject girls, and to a lesser extent boys, to sex trafficking in urban areas and mining regions across Ghana.

Observers allege PRC national-owned and -operated industrial vessels flagged to Ghana, often through shell companies, exploit Ghanaian workers in forced labor; one organization documented cases of abuse, including physical abuse, underpayment or nonpayment of wages, restricted medical care, and poor living conditions, against Ghanaian men aboard these fleets. An NGO estimated 90 percent of fishing vessels operating in Ghana are owned by PRC-based companies. Traffickers operating fishing vessels flagged to Ireland and the United Kingdom also exploit Ghanaian workers in forced labor, allegedly in cooperation with some Ghanaian recruitment agencies. PRC nationals working in Ghana may be in forced labor in the formal and informal mining sectors and in fishing. Cuban nationals, including medical professionals, working in Ghana may have been forced to work by the Cuban government. Traffickers exploit Ghanaian and Nigerian women and girls in sex trafficking in Ghana, including in mining regions, border towns, and commercial centers. Traffickers lure Nigerian women and girls to Ghana with the promise of good jobs and coerce them into commercial sex to pay exorbitant debts for transportation and lodging. Traffickers exploit foreign national victims in forced labor in cyber scam operations in Ghana.

Traffickers exploit Ghanaian women and children in forced labor and sex trafficking in the Middle East, Europe, and other parts of West Africa. Unscrupulous agents recruit Ghanaian men and women seeking employment, transport them through North Africa, and exploit them in sex and labor trafficking in Europe and the Middle East. Traffickers fraudulently recruit and exploit Ghanaian women in the Middle East in domestic servitude using predatory recruitment tactics and informal or fake contracts; upon arrival, traffickers seize their passports and sometimes physically or sexually abuse them. Observers have reported registered and unregistered agents recruit Ghanaian workers and, with the assistance of some immigration or airport officials, facilitate their travel out of the country without the required exit documents.