



2016 Trafficking in Persons Report - Ghana

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GHANA: Tier 2 Watch List

Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The exploitation of Ghanaians, particularly children, within the country is more prevalent than the transnational trafficking of foreign nationals. Ghanaian boys and girls are subjected to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture. Ghanaian girls, and to a lesser extent boys, are subjected to sex trafficking in Ghana. Sex trafficking is prevalent in the Volta region and is growing in the oil-producing Western Region. As part of a ritual to atone for sins of a family member, Ghanaian girls are subjected to servitude that can last for a few months or several years. Ghanaian girls and young women from the rural northern regions move to urban centers as far south as Accra to seek work as porters; they are at risk for sex trafficking and forced labor.

Ghanaian women and children are recruited and sent to the Middle East, West Africa, and Europe for forced labor and sex trafficking. Licensed and unlicensed agencies recruit young Ghanaian women for domestic service or hospitality industry jobs in Gulf countries. After their return, many of them reported being deceived, overworked, starved, abused, molested, and/ or forced into prostitution. Ghanaian men were also recruited under false pretenses to go to the Middle East where they were subjected to domestic servitude and forced prostitution. In recent years, a few Ghanaian men and women were identified as victims of forced labor in the United States. Women and girls voluntarily migrating from Vietnam, China, and neighboring West African countries are subjected to sex trafficking in Ghana. Citizens from West African countries are subjected to forced labor in Ghana in agriculture or domestic service. Ghana is a transit point for West Africans subjected to sex trafficking in Europe, especially Italy and Germany. Reports increased of corruption and bribery in the judicial system, which hindered anti-trafficking measures.

The Government of Ghana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated and prosecuted trafficking and trafficking-related crimes, including allegedly fraudulent labor recruiters and suspected child traffickers, conducted public awareness activities aimed at informing the public about the risks of human trafficking, and provided funding support facilitating two meetings of the Human Trafficking Management Board (HTMB). Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared

to the previous reporting period; therefore, Ghana is placed on Tier 2 Watch List for the second consecutive year. The failure to provide adequate and timely operating funds for law enforcement and protection agencies continued to hamper the government's anti-trafficking efforts. As a result, the government did not increase prosecution efforts or assistance to victims. While the Anti-Human Trafficking Unit (AHTU) of the Ghana Police Service (GPS) reported 238 investigations and referred 21 individuals for prosecution for trafficking-related crimes, the government reported no convictions in 2015. The government also reported identifying fewer victims overall than in the previous year. The government did not provide any funding for the human trafficking fund intended to support victim services or for maintenance or repair of its one shelter for child trafficking victims, which remained in poor condition and lacked basic security. Additionally, the government did not provide anti-trafficking training to police or attorney general's prosecutors. While the government issued a legislative instrument to implement the human trafficking act, it included changes to punishments for trafficking offenses and allowed for application of insufficiently stringent penalties.

RECOMMENDATIONS FOR GHANA:

Increase funding and support for police and immigration service efforts to investigate, and police and attorney general prosecutors to prosecute, trafficking offenses – especially internal labor and sex trafficking of children – and convict and punish trafficking offenders; develop and implement systematic methods of collecting and reporting data on investigations, prosecutions, victims identified, and assistance provided; develop and implement systematic procedures for law enforcement, social welfare personnel, and labor inspectors to proactively identify trafficking victims among vulnerable populations – such as women in prostitution, migrant workers, and children working in agriculture, mining, fishing, and portering – and refer them to protective services; provide government funding for the human trafficking fund; finalize and implement the national plan of action against trafficking; provide training to prosecutors and judges on the appropriate implementation of the anti-trafficking act; increase efforts to ensure attorney general prosecutors review human trafficking case dockets and lead the prosecution of human trafficking cases; provide support for government-operated shelters for children and adults and training of staff in victim care; increase efforts to regulate the activity of licensed and unlicensed recruitment agencies and investigate and prosecute agencies suspected of participating in human trafficking of Ghanaian migrant workers; and amend the anti-trafficking act legislative instrument so that it provides sufficiently stringent penalties for all trafficking offenders.

PROSECUTION

The government reported increased investigative efforts, but decreased anti-trafficking prosecution efforts. The 2005 Human Trafficking Act – amended in 2009 to align its definition of human trafficking with the 2000 UN TIP Protocol – prohibits all forms of trafficking and prescribes penalties of five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape; however, the regulations for this act, issued in November 2015, specify that where a parent or guardian or another person with parental responsibilities and rights over a child exploits such child in trafficking in persons, the penalty is a fine or five to 10 years' imprisonment or both. Punishments that allow for fines in place of imprisonment are not sufficiently stringent to deter the crime.

The government did not keep comprehensive statistics on its anti-trafficking law enforcement efforts; thus the data provided may not reflect an accurate or complete picture of its efforts. AHTU reported conducting 238 investigations of potential trafficking crimes compared with 94 investigations in 2014; of these, 123 were reported as human trafficking investigations and 14 as investigations of recruitment agencies operating without a license. The Ghana Immigration Service (GIS) reported identifying 10 cases of suspected trafficking, which it referred to AHTU

for investigation. GPS reported referring nine cases for prosecution involving 21 defendants, compared with 15 prosecutions in 2015. The government reported no convictions in 2015, compared with seven convictions in the previous year. The attorney general's department reported no trafficking prosecutions during the reporting period. While the government did not generally provide detailed information on its reported investigations and prosecutions, it provided information on two cases. One ongoing prosecution reportedly involves two defendants accused of recruiting a young Ghanaian woman who endured forced labor and sexual abuse in Kuwait. A second prosecution is related to the forced labor of a child. For the third year, AHTU did not receive operating funds and relied on donor support for logistics, equipment, and facilities for identified victims. The GIS also reported a lack of financial support for anti-trafficking activities.

The government did not support any specialized anti-trafficking training for government officials during the reporting period; attorney general and police prosecutors remained without such training for the fifth consecutive year. New recruits in the GIS and the GPS received training on trafficking-related topics as part of their basic introductory training. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, reports of general corruption and bribery in the judicial system increased during the reporting period, further inhibiting anti-trafficking law enforcement action.

PROTECTION

The government decreased efforts to identify and assist victims, and reported a continued lack of funds to support services for both children and adults. The government did not keep comprehensive statistics on the number of trafficking victims identified or assistance provided. The AHTU reported identifying 112 potential victims through its investigations, compared with 146 victims reported identified in 2014. With support from donors, the Department of Social Welfare (DSW) provided care for 17 child victims of trafficking in a shelter for abused children in Osu; 13 of these children were reintegrated with their families and four were reportedly released to the police. The human trafficking fund, established by the 2005 Human Trafficking Act to finance protection efforts, continued to be unfunded for the fourth consecutive year. Despite a lack of financial support for repatriating and assisting Ghanaian trafficking victims, the GIS reported facilitating the repatriation of six victims of trafficking from Kuwait and Saudi Arabia and intercepting 46 potential victims of trafficking at airports or other ports of entry. The shelter in Osu is the only government-run shelter where child victims of trafficking or other abuses may be placed; it provides short-term care and has a maximum capacity of 30 children. This shelter is co-located with a juvenile correctional facility with no structural barrier protecting the victims from criminal offenders, is in serious disrepair, and lacks security. The government provided the salaries of shelter staff, who rely on support from international organizations to feed, clothe, and provide care for trafficking victims. There continued to be no government-run shelter for adult victims. Numerous NGOs continue to provide shelter and care to child victims of forced labor; however, the government did not provide any support to NGOs that provided such assistance.

The government did not employ formal procedures to identify victims among vulnerable groups, such as women in prostitution or children at informal work sites, such as fishing, mining, or street vending; however, law enforcement agencies operating at the border initiated questioning to recognize indicators of trafficking. Immigration service and police officials reported they did not have the means to provide shelter or to effectively protect witnesses. Foreign victims may seek temporary residency during the investigation and prosecution of their cases and, with the interior minister's approval, permanent residency if deemed to be in the victim's best interest; no victims sought temporary or permanent residency during the year. There were no reports victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, due to a lack of formal victim identification procedures, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased anti-trafficking prevention efforts. The government supported two meetings during the year of HTMB, the inter-ministerial committee responsible for advising the Ministry of Gender, Children, and Social Protection (MGCSP) on anti-trafficking policy, promoting prevention efforts, and facilitating the rehabilitation and reintegration of trafficking victims. MGCSP did not receive any government funding to fulfill its mandate to conduct monitoring and evaluation, data collection, and research relating to trafficking. With support from an international organization, the government continued to review the draft national action plan on human trafficking during the reporting period. The government partnered with an international organization to conduct community-level training on child protection and the rights of children. The government also entered into a partnership with a foreign donor focused on improving its response to child trafficking and committed to increasing its resources devoted to combating this crime. In response to increasing reports of sex and labor trafficking, as well as serious physical abuse of Ghanaian women recruited for domestic and hospitality jobs in the Middle East, GIS, GPS, and HTMB members participated in radio and television sensitization programs to raise awareness of fraudulent recruitment agencies and the dangers of such travel. The government also made increased efforts to investigate and prosecute those allegedly responsible for fraudulent recruitment. The government made no efforts to decrease the demand for forced labor or for commercial sex acts. The government relied on foreign donors to provide anti-trafficking training to Ghanaian troops prior to their deployment abroad on peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

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