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Department of Political Science

# Causes of Child Trafficking

A case study of Ghana

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Supervisor; Martin Hall

Christina Wenngren

# Abstract

Despite the growing efforts by international and national actors to combat trafficking in human beings, the slavery of our time is flourishing. Among the victims of trafficking, children are especially vulnerable, as they are completely dependent on adults for livelihood and rights.

In the contemporary debate few studies treat trafficking as a problem in its own right. This study aims to correct this situation by examining the root causes of trafficking. Specifically, the study asks about the root causes of child trafficking in the case of Ghana, and why the laws against trafficking enacted there are not adequately enforced.

The study uses previous work on trafficking to form a theoretical framework, by constructing categories. Qualitative interview methodology is used to mine data, with standardised and open questions.

During the field study interviews were carried out with government agencies, NGOs and private citizens on the trafficking situation in Ghana. The results from these studies are compared and analysed, in relation to each other and the contemporary international debate on trafficking.

Through the interviews it was found that, the root causes of trafficking in Ghana are ignorance and lack of education, the Ghanaian culture of sending away children with extended family and poverty.

Inadequate enforcement was found to be attributed to inconsistencies in Ghana's legal framework and enforcement, lack of education and corruption within law enforcement, and problems with coordination among government agencies. There is also an imbalance of power in the cooperation between government and NGOs, as the latter initiate cooperation on the issue.

From the field study it became evident that the contemporary theoretical framework of trafficking is not adequate to conceptualise and combat the complex problem, for this a comprehensive approach towards child trafficking is needed.

In Ghana there is a need for clearer legal definitions. Educational effort should be directed, at law enforcement as well as the general population. And further coordination is needed, where the government takes a more active role in initiating cooperation with NGOs and the general population. Trafficking in children is culturally entrenched in Ghana, so unless concerted efforts are made to amend this situation, trafficking in children will likely remain a problem there for a long time to come.

*Keyword:* Child trafficking, Ghana, root causes, law enforcement

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# 1 Introduction

Concerted international efforts to combat trafficking in human beings can be said to have started with the UN Convention of 1949 for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (United Nations 1949) efforts that have been intensified steadily, particularly during the recent decade, both at international and national level.

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (United Nations 2000), also known as the Palermo Protocol, helped to give a detailed legal definition of trafficking and provided an international legal framework that could serve as a benchmark for action against trafficking and national legislation. The protocol has since it entered into force in 2003 been ratified and implemented in the legislation of many countries. Many countries have also developed additional legislation independently of the Protocol in order to combat trafficking, although these national efforts vary greatly.

Locally, government bodies and civil society are struggling with both the supply and the demand side of trafficking. But, despite concerted efforts, this trade in people not only persists, but flourishes. Today, the phenomenon has become well established and is widely recognized as the slavery of our time.

There are no exact figures on how many that are currently victims of trafficking. But the International Organization of Labour estimates that around 12.3 million people can be regarded as victims of forced, bonded, and child labour, while other estimates range from 4 million to 27 million victims (US Department of State 2008). And according to statistics from the United Nations Children's Fund (UNICEF), human trafficking is rated as the World's third most profitable illegal business, apart from the trade in drugs and illegal weapons. Trafficking stands high on the global political agenda, and attention from media has grown steadily in the last decade.

This study is focusing on trafficking in children. Children are especially vulnerable to trafficking for different forms of exploitation by adults as they are dependent on them for their livelihood and enforcement of their rights. The conditions of trafficked children are abysmal by any standard. They are forced to perform hard and often dangerous tasks under harsh living conditions. And the consequences of child trafficking does not stop with the physical and psychological ill treatment of children, it also has wider, long term socio-economic implications.

If children are not provided with the opportunity to education, there is a risk of setting up barriers for the creation of productive employment. The availability of child labour may also lock the wider economy into low

productive manual labour. And children that are growing up in an environment of exploitation and violence might treat the following generations in a similar way, creating a risk of path dependency.

The research into the root causes of trafficking is still at an embryonic stage. A lot of commendable work has been done in developing means to prosecute perpetrators, both in terms of legislation and law enforcement working methods.

Similarly much research has been conducted on how to refine legal tools and understanding the global patterns of trafficking. However, research on the causes of trafficking remains thin in comparison. Most of the available work on root causes either test certain hypotheses or just take a particular stance for granted.

These stances often originate from well-established theoretical traditions, e.g. Feminism and Marxism. As a consequence, trafficking has often been viewed through the lens of either poverty and global inequality or enduring patriarchal structures. For instance, while a Marxist might view trafficking as a result of global inequality exacerbated by growing internationalisation, the Feminist researchers' might view trafficking for sexual purposes as an extreme manifestation of male dominance. While this may help us understand trafficking from a certain aspect, it also limits our understanding of the problem's complexity.

Altogether very few attempts have been made to explore trafficking as a phenomenon in its own right. This study aims to alleviate this shortage by exploring the root causes of trafficking through qualitative interviews within the framework of a field study. More specifically the study explores the roots causes of trafficking by assessing the situation of child trafficking in Ghana. The main research question of this study is:

*What are the root causes of child trafficking in Ghana?*

Here it is necessary point out that the occurrence of child trafficking in Ghana cannot be entirely ascribed to a lack of formal legal provisions. The country has enacted a series of laws and established several agencies specifically to combat trafficking in humans, adults and children alike. However, trafficking is prevalent, and one major reason is that laws are not properly enforced. Therefore, the main question is complemented by asking:

*Why are laws specially designed to combat trafficking in Ghana not adequately enforced?*

The problem with legal enforcement is intimately linked to the root causes of trafficking. Problems with enforcement may originate from the same root causes as trafficking, e.g. lack of education, poverty, or cultural aspects. And if trafficking remains prevalent despite legal provisions inadequate enforcement is a potential root cause in itself.

## 1.1 Purpose

The purpose of this study is not to challenge existing theories on the root causes of trafficking of human beings but to complement them. More specifically, the study attempts to find explanations to why child trafficking is such an inveterate problem in Ghana despite that efforts have been made, through legislation and institution building, to combat it.

Since this is a qualitative case study, there is no direct necessity for the choice of country to be representative of any given sample, which would have been the case with a quantitative study. However, there must be criteria for the choice of case subject for the study. Even if individual characteristics are unique, such as the cultural or socio-economic situation, the case should at least represent some broader category.

Ghana was chosen for a number of reasons. First, West Africa is one of the most prominent sending regions. Ghana was also chosen because it has problems with both internal and external trafficking and the country is both a sending, transit and receiving country. Seen in conjunction, a study of a country representing all these aspects can help to get a better understanding of the complex and intertwined web that constitutes trafficking in human beings, even as this study mainly focuses on the sending aspect of the trafficking in children internally in Ghana.

Another factor that makes Ghana an interesting case is that its severe trafficking situation cannot be attributed to a complete lack of will by lawmakers to combat trafficking or abide by international standards. As mentioned, the country has adopted several laws both against trafficking in human beings and for protecting the rights of children. And Ghana was the first country in the world to ratify the Convention on the Rights of the Child (CRC). But still the country faces severe problems with child trafficking.

If nothing had been done in terms of legal provisions, there would be little to study, and if legislation and law enforcement were sufficient measures against trafficking, the scope for research would have been similarly limited. Again, this study can on that basis address the issue why the enforcement of existing law does not function adequately. In this context, it should also be mentioned that according to the US State Department Ghana was classified as a Tier 2 country (US Department of State 2010). This classification is given to countries where efforts, including legislative, have been made to meet minimum international requirements, but that has so far not managed to live up to these requirements.

Ghana is a poor country, but not abysmally poor in comparison with other West African nations. And the country has had peace for a relative long time, the main reason why the country is also a transit and receiving country in terms of trafficking. This has prompted many NGOs to focus their activities to Ghana, also positive for the purpose of this field study.

Why does this study focus on trafficking in children? First, it should be observed that both women and children as groups are generally over-

represented as victims of human trafficking. Women are vulnerable due to economic and social marginalisation and are often dependent on fathers or husbands. Children are similarly vulnerable due to their economic and social dependence on adults. In other words, the situation of women and children overlap in the sense that both are especially vulnerable to trafficking. However, this study focuses on children because they in a higher degree than women are dependent on others, i.e. adults that have a responsibility to see to their interests, economic as well as social.

The study will further explore the root causes of child trafficking in Ghana. Finally, the objective is to analyse already existing strategies in preventing and protecting the victims of child trafficking, prosecuting the offenders, making partnerships with like-minded and implementing the national laws within the subject-matter and make sure they are being followed in Ghana. The trafficking exploitation of children in Ghana is quite common and therefore it is important to highlight the problem and put a lot of resources into finding out why this is happening and how it can be prevented. The wish with this study is that it will contribute with some suggestions and recommendations for future work in combating this abominable crime.

## 1.2 Scope and limitations

Geographically, this study is limited to Ghana, where the field study was conducted. And the findings of this study should therefore not be generalised to the international context or any other country for that matter. Even though many of the driving mechanisms behind human trafficking, such as the push factor of poverty and pull factor from the developed countries remain constant, findings from any field study cannot be transferred due the cultural aspects may underpin the recruitment process.

Internationally, there has been a clear focus on trafficking in women for sexual purposes. The linkages between trafficking in women and trafficking in children are blurred, as the two often overlap, the purpose, methods and channels of recruitment often being the same. However, these factors can also differ between the two types of trafficking. Even if the purposes and methods were the same, the focus on trafficking in children limits how results can be generalised to the trafficking in women/adults. Also adults are coerced, tricked and threatened into trafficking, but a major difference is the far higher degree of dependence that children face. The legal treatment of the two groups also differs which has consequences when asking about enforcement of the laws concerning child trafficking.

When conducting a field study time is often a limiting factor. And more time in the field would naturally have been beneficial for the purpose of the study. However, both the quantity and quality of the interviews superseded initial expectations, so this cannot be seen as a severe limitation.



## 2 Theory

There exists no coherent theory on the root causes of trafficking in human beings. Instead, thoughts on the causes of trafficking come from a variety of different theoretical and methodological traditions. Often viewed through the lenses of each respective tradition and within certain frames, either as a crime against humanity or a manifestation of male dominance over women, trafficking is often treated as theoretically *ad hoc* or an extreme of other phenomena, such as migration, child labour or prostitution.

Despite, or rather due to, this incoherence little attempt has been made to categorise theoretical perspectives into comprehensive schools of thought. The problems surrounding such processes are exacerbated by the overlapping and intertwining of the different perspectives. There is seldom any clear representative of a given approach. Despite this, an attempt is given below to sort the most prominent thoughts into different theoretical perspectives.

It should also at this stage be clarified that this is not a theory testing study, the perspectives are used as a frame of reference only. Theory testing would first of all have required testable theories, these are only rough categorisations. And theory testing would have required closed questions, as opposed to the open questions used here, or a quantitative methodology in order to test the ability of each perspective in a comparable manner.

### 2.1 Legislative approach

The legalisative approach refers not so much to a series of hypotheses being challenged by researchers, as it is a methodological approach to the problem that trafficking poses. The legislative approach focus on legal provisions, law enforcement and witness protection. The focus is not mainly on root causes of trafficking, but on the prosecution of traffickers.

The United Nation Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (United Nations 2000) is to a large extent a reflection of a legislative approach towards trafficking.

Human trafficking is defined by the protocol as “[...] *an action involving the systematic or organised recruitment, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to*

*achieve the consent of a person having control over another person for the purpose of sexual exploitation” (United Nations 2000, Article 3a)).*

Although providing tools to efficiently combat trafficking, the legislative approach does not directly address the root causes. For the purpose of this study the legislative approach should probably be most relevant for the second question on enforcement. But the possibility should not be excluded that legislation is linked to root causes.

## 2.2 Development perspective

The development perspective also includes other factors that are not purely economic in nature, but are all causes or symptoms of social or economic deprivation. Poverty is multi-dimensional lack of income, employment or other opportunities in life forces people into leaving and creates a ripe situation for traffickers. The perception that a better life is possible somewhere abroad is the driving force behind both legal and illegal migration. And through the same, often desperate, pursuit grows the basis for deceit by the traffickers.

Some proponents of this perspective also argue that the growth of trafficking has occurred in tandem with the rapidly growing internationalisation (e.g. Chuang 2006). Internationalisation, together with restrictive policies on legal migration from industrialised countries, has opened a window of opportunity for those who wish to profit from exploiting women and children.

There are two channels through which international inequality has an impact, push factors and pull factors. Push factors are often a matter of survival for the migrants (Chuang 2006: 141). The fact that women are over-represented in this category make them especially vulnerable, through unequal opportunity for labour and domestic violence to approaches by traffickers. The need for migration is a recurrent theme within the development perspective. Although the choice to migrate is a conscious action, it may not be voluntary in the full meaning of the word. If the choice stands between migration and genocide, persecution or starvation, the amount of free will involved is questionable.

UN Special Rapporteur Radhika Coomaraswamy (2000) concludes that trafficking is the extension of the traditional female role into the international market. Trafficking may be caused by poverty, but is made much worse for women by gender inequality.

However, claiming that poverty is decisive is far from understanding the channels through which it works. Looking at our contemporary world, a complex relationship between poverty and trafficking emerges (Danailova-Trainor and Laczko 2010). Perceived poverty seems to be more important than absolute poverty in the pursuit of a better life. Among the ten top countries of origin only one can be ranked as a low income country (ibid:

50). This may seem like a paradox, but we must keep in mind that the most destitute often lack possibilities to migrate. And potential migrants are high risk targets for traffickers.

Another interesting aspect lifted by Danailova-Trainor and Laczko in their report, is that trafficking also exacerbates impoverishment. This of course includes the cost incurred by economies by the resources they allocate in order to combat the criminal activities, and the loss income that could have been generated by the victims of trafficking had they been part of the productive and legal economy. Worse for the sending countries, which are often developing nations with limited resources, trafficking means that the remittances which are normally generated through work force migration are diverted to the traffickers. The value of economic losses is difficult to estimate, but the illegal profits made by traffickers is estimated to US\$ 27.8 to 36 billion (ibid: 57).

## 2.3 Gender perspective

The gender perspective of this study is represented by feminist researcher Sheila Jeffreys (2009) This in part because her study is very representative of the feminist perspective on trafficking, encompassing the main arguments, and in part because her work is fairly recently published. The gender perspective has a clear focus, but the demand side of trafficking, and mostly on trafficking for sexual purposes.

Jeffreys argues that there has been a lot of political focus on the prosecution of the repatriation of trafficked victims. She also argues, little attention has been given to the criminalisation, prosecution and prevention of men buying sex. She attributes this mainly due to efforts by pro-sex work organisations that have been more active in trying to separate trafficking from prostitution in the Palermo Protocol, and also portraying the whole phenomenon as a minor problem within the sex industry as a whole (Jeffreys 2009: 157).

The sex industry became vital in the fight to contain HIV/AIDS and through this the industry gained political leverage. The leverage was later used to push for the legalisation of prostitution (ibid: 167). Trafficking, linked to illegal coercion and abuse of human rights, presented a problem for the legitimisation of the sex industry. And this prompted a trend where the industry argued for the minimal influence of trafficking within sex work, claiming that a fraction were actually coerced, the rest were to be regarded as “migrant sex workers” (ibid: 165). In contrast, Jeffreys sees trafficking and prostitution as inseparable.

The main point made by Jeffreys is that the neglect to address the demand side of trafficking, which she attributes to the successful lobbying of the sex industry, is a major impediment in the fight against trafficking. She laments the limited attention paid to the root causes of trafficking.

Although these are not clearly specified by Jeffreys, she clearly sees these causes, at least on the demand side, as embedded within the wider sex industry and the inequality between sexes. It is also a fair assumption that Jeffreys would agree with the notion that limited opportunities of women in supply countries serves as a catalyst of trafficking (e.g. Chuang 2006).

## 2.4 Cultural perspective

The cultural perspective is the least developed as a theoretical framework for trafficking. But it appears, sometimes ad hoc, in case studies. Danailova-Trainor and Laczko (2010: 40) distinguish between traditional serfdom, which is dependent on cultural factors and the international cross-border trafficking. The latter must be assumed to be more general according to the authors as they regard the former as being difficult to draw general conclusions from, due to specific socio-cultural settings.

However, even cross-border trafficking has its origin within borders, or more precisely, within specific socio-cultural settings, be it a village, nation or region. Despite the fact that the supply must be generated in these specific settings, the emphasis on culture is not central in the discourse surrounding trafficking.

One rare example Singh and Hart (2007) offers is an interesting expose on the link between sex trade and culture in the case of Thailand. They argue that the sex industry in Thailand has been perpetuated through the inclusion of a sex trade into the culture. And that sex tourism itself has become a cultural industry in Thailand, fostered by a high tolerance level towards sex trade.

The fact that the industry has become a major source of revenue for the country has made the official attitude even more relaxed (ibid: 157). But, the authors also contend that the sex industry has become a cultural phenomenon entrenched, not only in the contemporary image of Thailand, but in the deeper rooted fantasy of the seductive nature of the Orient, and the “Orientals”. The very preference of Westerners to become sex tourists is according to the authors not just about the act in itself, but woven into our racial and cultural stereotypes (ibid: 158). This in turn has promoted a self-image of being “tolerant” towards the sex industry and an international place of pleasure.

### 3 Methodology

This study is based on a qualitative research methodology as this was most suitable for the type of data mining required by the research questions (Becker 1996: 11). The data collection was conducted in the form of interviews, mainly individual, complemented by some group interviews.

In order to carry out these interviews, a set of open interview questions was established beforehand. The main advantage of specified, standardised questions is the coherence, continuity and comparability of the result.

This however, has the disadvantage of imposing limits on the dynamics of an interview, which is particularly limiting when conducting a qualitative field study. Therefore, the interview questions were defined and standardised, but aimed to be open and broad to enable the greatest possible independence for the interviewed individual.

Recalling the main research question; “*What are the root causes to child trafficking in Ghana?*”, the standard questions for the individual interviews were; *In what way do you see trafficking? Why does trafficking exist in Ghana? What is the best way to prevent it? What are the best ways to treat the victims and how should one deal with the traffickers? Why is not the Ghanaian national law on children’s rights and against trafficking implemented in the society?*

As flexibility is needed in order to respond to specific situations as they appear, follow up questions were constructed (Rubin & Rubin 2005: 136). However, these are not explicitly accounted for in this study as they were specific to the individual interviews and therefore likely to intrude on the anonymity of that person. But the answers are integrated into the empirical part of the study while keeping anonymity.

Considering the sensitive and difficult nature of the research questions, the interviews have been conducted in an open minded and friendly atmosphere (Creswell 2003: 105-106). This in order to build an area of confidence and security around the interviewed, so that he or she can feel total security in answering the questions honestly and sincerely without fearing his or her position or reputation. Both qualitative methodology and the sensitive nature of the questions necessitated that the interviews be more like open and comfortable conversations rather than strict standard procedures (Hargreaves 2006: 204).

Every representative, of an agency or organisation, was asked to give their opinion in experience of their work, and not through their positions. And to answer not as a representative of the organisation, but as individuals. This in order to find their personal opinions and to avoid getting answers corresponding to mere official positions, already in documented.

One difficulty conducting these interviews, e.g. when interviewing parents who had sold their children, was to remain impartial and not disclosing any personal sentiments. Therefore the written questions had to be prepared meticulously to be impartial and non-leading, and to keep the same in mind for the follow-up questions.

The interviews were conducted through written notes, and not recorded. Recordings have the advantage of being able to replay the exact wordings of a conversation. However, due to the sensitivity of the subject, it was vital to ensure that the interviewees would not feel that their anonymity in any way would or could be compromised. The risk that some could find a tape recorder inhibiting and not disclose information that they viewed as sensitive was therefore given primacy. The number of persons willing to be interviewed and the sensitive information disclosed, serves as a confirmation that this assumption was not incorrect.

The most systematic and methodologically correct way to gather data was to divide the interviews into sets of individuals, groups and organisations that are directly involved with trafficking of children at some stage. The study population was divided into three sub-categories; governmental agencies, non-governmental organisations and private citizens, in turn representing three different levels of analysis being involved macro-, meso- and micro-level of the trafficking problem.

Governmental agencies, the macro-level, refers to different Ghanaian ministries responsible in the fight against trafficking, such as law enforcement and judicial agencies. These agencies were chosen to capture the diverse institutional conceptualisations of anti-trafficking efforts at the macro-level. Together they constitute the professionals that work with prevention, protection and prosecution concerning trafficking in Ghana. Five different institutions were chosen, and six individuals were interviewed. They were all given the standardised questions cited above, with room for flexible follow-up questions as the interviews progressed.

Non-governmental organisations (NGOs), the meso-level, refers to the NGOs in Ghana that currently work with all aspect of the fight against trafficking, except investigation and prosecution matters. They are often out on the field being in contact with both victims, traffickers and parents, but many of them also have close contacts with different governmental agencies, i.e. they have a meso-position in the fight against trafficking of children. The NGOs in the study range from some of the largest and world leading to smaller local ones. At the meso-level of this study, four NGO:s were chosen and seven interviews conducted. The standardised questions dominated here as for the macro-level interviews.

Private citizens, the micro-level, refers to teachers in sending communities, children who has been rescued from trafficking, and parents who have sold their children to traffickers. In addition to this some private citizens in Accra were also interviewed, these constitute members of the general population, affected or unaffected, by trafficking.

It was of great importance to allow the micro-level be represented in this study, especially the children who have been trafficked, as they have unique information about the process of trafficking. Therefore a group interview with seven ex-trafficked children between the ages of fourteen and seventeen was conducted. Due to the limited time of interviewing the school children and the different dynamic of a group interview, the standardised set of questions was slightly modified into two questions, designed to capture the exact same aspects as the standard ones; *Why do you think child trafficking in Ghana exists? What do you think that Ghana should do to prevent child trafficking and protect your right?*

In addition to this a group assignment was conducted with nineteen children between the ages of seven and seventeen, also rescued from trafficking. The assignment was to make a drawing of themselves while putting down the feelings and emotions, thinking back to the time they worked as slaves. These drawings were later analysed together with a psychologist at one of the major NGO:s and serves as an integrated part of the analysis below. The drawings help in representing the smallest children, who can be difficult to interview as they might not want to answer questions as they find the memories to difficult, or answer the questions but in a way they think they should answer them out of the interviewers angle or their previous master's. Drawings provide an easier way to express themselves for small children. The drawings can be found in Appendix X of this study.

The two parents who were interviewed about the root causes of trafficking were asked what the government can do better and what they can do to prevent, protect and care for the population. Teachers out in the different communities work with children and are educated in another way than the parents in the rural areas. They can therefore add interesting viewpoints to this study. One interview has been conducted with a teacher from a prominent sending area in Ghana, with the standard set of questions.

In addition, questions were asked about trafficking to randomly chosen inhabitants of Accra, the main question being; Do you know what human trafficking is? And if the answer was no, the question was changed into a description the phenomena and asking if this description was familiar to the person. All these questioned persons lived in Accra, with jobs and occupations not related to trafficking issues. This was done to get an approximate on how known the phenomenon was among the general people. Around twenty to thirty people were asked.

Everyone participating in the interviews was promised full anonymity. But it was noticed early on that the people felt secure enough to disclose very delicate information. As a consequence, not only the individuals, but also the government agencies and NGO:s are anonymous, and the interviews do not include the specific follow-up questions. Since these questions makes it possible to track the organisation, which may put these in a compromising situation, all questions are taken out and the interviews written as a full text, though with the exact words of the interviewed person.

## 4 Trafficking in Ghana

Before the empirical findings from the field study are presented in detail it is necessary to describe the country where the data collection took place. This brief description of Ghana's history, geography, economy and political system describes the setting in which the trafficking discussed takes place. This chapter also offers a description of Ghana's legal system, trafficking situation and legal provisions to combat human trafficking and trafficking of children.

### 4.1 About Ghana

Ghana is a constitutional democracy which is located in West Africa and borders with the three French speaking nations Burkina Faso, Togo and the Ivory Coast plus the Gulf of Guinea. It was the first country in the sub-Saharan Africa to gain independence from colonial rule, in 1957. But it was first in 1992 that Ghana finally became a stable democratic and a new constitution was written, among other things, allowing a multiparty system (BBC News).

As many other West African nations, Ghana has the horrific experience of being a major source of slaves in the transatlantic trade during the European colonial era. The British, who gave the country the name "The Gold Coast", gradually became the most influential European power. In 1874, the area became a British protectorate, and remained so until 1957 when it gained independence after centuries of colonial rule (Ghana Web).

Ghana is one of the most thriving democracies on the continent. And as it has been spared from most conflicts, it has often been referred to as an "island of peace" in one of the most chaotic regions on earth.

The population is approximately 25 million (CIA World Factbook) and consists of about 100 different ethnic groups and no part of Ghana is ethnically homogeneous. Urban centres are the most ethnically mixed because of migration to towns and cities by people looking for employment. Each group has their own unique language, but English is the official one, a legacy of British colonial rule. Each ethnic group also has their own traditions, but they have similar cultural beliefs and a contemporary history, two factors that unites all the groups to be Ghanaians. Religion plays a very active part in the daily lives of Ghanaians. Over 68.8 percent are Christians, 15.9 percent are Muslims, 8.5 percent are Traditionalists, 0.7 percent are other and 6.1 percent consider themselves as non-believers (ibid.).



However, even non-traditionalist Ghanaians also pay a lot of attention to traditional beliefs and social events.

The economy is dominated by agriculture. Ghana is very poor, more so than e.g. Bangladesh. Approximately 29 percent of the population in Ghana live under the poverty line. Education has improved significantly lately but still the adult literacy rate is at 54.1 percent. A recent discovery of oil in the Gulf of Guinea has become may bring potentially radical change to the country as it could make the country an important producer and exporter of oil in the next few years (Ghana Web).

## 4.2 Legal system of Ghana

The legal system in Ghana is based on the constitution, Ghanaian common law and customary law (US Library of Congress 1). The constitution from 1992 assures the institution of chieftancy together with its traditional councils as established by customary law and usage. The National House of Chiefs, without executive or legislative power, advises on all matters affecting the country's chieftancy and customary law.

The British introduced the criminal law and penal system in Ghana, which before was based on more traditional rulings. After more than a century of legal evolution, the application of traditional law to criminal acts disappeared. Since 1961 the criminal law, administered by the court system and based on British common law, has been statutory and based on a Criminal Code.

But, traditionally the rule of life has to a large extent been set through the framework of customary rules rather than legislation, which therefore has not been prioritised. Traditional criminal cases have been an issue for the chiefs with the base on public consensus sanctioned by custom (ibid.).

Ghana was the first country to ratify the UN convention on the Rights of the Child in February 1990. The ratification of the convention was the first step to protect the children of Ghana and give them legal rights. Due to the ratification many changes and adjustments were done within the criminal code to meet international standards. But, even though several years have passed these laws and conventions have not been fully implemented, they are rather still on a planning and strategy stage.

Different ministries and institutions are assigned different responsibilities in work against trafficking, some of the more important institutions dealing with these issues are: the Anti-Trafficking Unit, the Domestic Violence and Victim Support Unit (DOVVISU), the Ministry of Social Welfare (DSW), the National Commission on Children (GNCC), The Ministry of women and Children's Affairs (MOWAC), the commission on Human Rights and Administrative Justice (CHRAJ), the Women and Juvenile Unit of the Ghana Police Service (WAJU) and the Law courts. The government has also established a 17-member Human Trafficking Board

composed of all involved ministries, the security services, but also the private sector and other important stakeholders.

In Ghana there are four main documents that protect the rights of children. These are the 1992 Constitution of Ghana, the 1998 Children's Act, the 2003 Juvenile Justice Act and the 2005 Human Trafficking Act. The criminal code was amended in 1998 and together with the Children's Act and Juvenile Justice Act it enabled a legal framework which worked to acknowledge and protect children. Of these documents the Constitution, the Children's Act and the Human Trafficking Act are described below.

#### 4.2.1 Constitution of Ghana

The Ghanaian constitution clearly forbids bonded labour of adults and children alike. The Constitution states the fundamental human rights, such as; protection of right to life, personal liberty, protection from slavery and forced labour (Constitution of Ghana 1992).

Article 28 of the Constitution outlines the rights of the child. The following citation is of importance for the purpose of this study; *“the parliament shall enact such laws as are necessary to ensure that; section 1d; Children and young persons receive special protection against exposure to physical and moral hazards, section 3; a child shall not be subjected to torture or other cruel, inhuman or degrading treatment or punishment and section 4; no child shall be deprived by any other person of medical treatment, education or any social or economic benefits by reason only of religious or other beliefs”*.

#### 4.2.2 Children's Act

The Children's Act of 1998 defines a child as a human being under the age of eighteen (Section 1). The act states and regulates the rights of the child such as education, adequate diet, clothing, shelter, medical attention etc. It also aims to protect the child from bonded labour, torture, inhuman treatment or punishment including any cultural practice which dehumanises or is harmful to the physical and mental well-being of the child (Children's Act 1998, Sections 12-13).

According to the Ghanaian Children's Act a child under the age of eighteen is generally not allowed to be employed or do any kind of hazardous labour.

The Act states different measure to help children *“in need of care and protection”* and also defines who those children are. It also explains how the jurisdiction within the court shall be handled and issues concerning custody, access, maintenance and general guidelines. The Children's Act regulates child labour and protects the best interests of the child in that respect, but does not directly address the issue of trafficking.

There has been some problems with enforcing the Act, due to the fact that many law enforcement officials often are unfamiliar with the provisions of the law that protect children (US Department of Labor).

### 4.2.3 Human Trafficking Act

The existing policies and acts on child trafficking are rooted in the Convention on the Rights of the Child from 1989. The Convention as such guarantees children protection from exploitation, abuse and participation in family, cultural and social life. It ensures the right to education, health and nutrition and to have a childhood without violence or forced labour. It also promotes an ethical view on children, who shall no longer be seen as objects of welfare, charity or work force. But rather guaranteed rights to take action for their own well-being.

In December 2005 the Ghanaian government passed a law to combat trafficking, with the assistance from international organisations. This act also led to a strengthening of the general legal Ghanaian framework (Johansen 2011). The Human Trafficking Act criminalises trafficking and aims to prevent, reduce and punish the crime. Ghana also seeks to rehabilitate and reintegrate people, both children and adults, who have been trafficked and created the Human Trafficking Fund for this purpose. The act also prescribed the penalty of trafficking to a minimum of five years, parents are not excepted (Human Trafficking Act 2005, Section 3, Subsection 4).

The Act defines human trafficking as an act of recruitment, transportation, transfer, harbouring, trading or receipt of persons. Also where there has been use of threats, force or other forms of coercion, abduction, fraud, deception, the abuse of power or exploitation of vulnerability. Or where giving or receiving payments and benefits to achieve consent of a person for the purpose of exploitation has occurred. (Human Trafficking Act 2005, Section 1, Subsection 1)

Trafficking include, but is not defined by exploitation. The Act states that exploitation shall include at the minimum; induced prostitution and other forms of sexual exploitation; forced labour or service; slavery; practices similar to slavery; servitude and removal of human organs (Human Trafficking Act 2005, Section 1, Subsection 2).

The Trafficking Act also states that when trafficking has occurred the issue of consent at the time the act of trafficking was committed is irrelevant to the legality of the action: *“Where children are trafficked the consent of the child’s parents or guardian of the child cannot be used as defence in prosecution [...] regardless of whether or not there is evidence of abuse of power, fraud or deception on the part of the trafficker or whether the vulnerability of the child was taken advantage of”* (Human Trafficking Act 2005, Section 1; 4).

Under the law it is an offence not to inform the police of human trafficking and one can for such an act be fined and imprisoned for at least 12 months (Human Trafficking Act 2005, Section 6). And if a police officer do not investigate a report of human trafficking he or she can be subjected to Police Service Disciplinary procedure.

### 4.3 Child trafficking in Ghana

Human trafficking is an international problem affecting millions of people all over the world. In Ghana children are trafficked from or within the country (US Department of State). Children between seven and seventeen are also trafficked to neighbouring countries such as Cote d'Ivoire, Togo, Gambia, Nigeria for the purpose of forced labour (US Department of State). Girls are also sent to the Middle East and Europe to work as domestic workers and prostitutes (US Department of Labor).

However, internal trafficking is the most acute problem and here the majority of the victims are children. Ghana is divided into ten regions, the ones in the South are poor, but still considered wealthier than the ones in the North. Despite this, it is the South that is generally a recruitment, or sending, area and the northern regions are the receiving ones.

Many Ghanaian children are trafficked to work in the fishing industry carrying out hazardous work tasks. Child labour and child trafficking are deeply intertwined with the country's fishing industry. Each year IOM reports numerous deaths of children who have been trafficked to perform hazardous labour in the Lake Volta fishing industry.

Both boys and girls are trafficked within the borders of Ghana for forced labour within the fishing and agriculture, for street hawking, forced begging, religious rites, mining, stone quarrying, porters etc. And the demand is high, approximately 30,000 children are believed to work as porters in Accra alone. Girls are mostly trafficked for domestic servitude and sexual exploitation.

The Ghana Statistical Service estimated in 2001 that approximately 27.2 percent of the Ghanaian children between five to fourteen years old were working. The majority of these children work unpaid on family farms or family enterprises (ibid.). When it comes to trafficking, there is no reliable data of the number of internal or external victims, although the figure is thought to be in the thousands (US Department of State).

Children represent cheap labour, a fishing net cost more than a child, so they are worth little to their masters. The fishermen in turn are desperate to feed their families and getting money from their work. The youngest children trafficked internally are at the age of four, doing the same kind of work as the older children.

The parents play a crucial role in the recruitment process as they give their consent to it. Sometimes the traffickers give the parents an advance

payment or promise monthly, quarterly or annual compensation throughout the work time of the child. The recruiter normally also promise the parents the child will receive accommodation, food, and even education during the day, before work starts or at least some kind of work training which can be of value in the future for the child.

But, in most cases the children do not receive any education at all, the accommodation is a small barn without furniture and the food is given out once a day and normally just consists of some corn porridge. The “educational learning”, will turn out to be only forced labour and exploitation within the fishing, agricultural or sex industry. The parents never even receive the money they were promised (US Department of State).

# 5 Interviews

As described in the chapter on methodology, the interviews have been divided into a macro-, meso-, and micro level. The macro-level is constituted by government ministries and agencies, the meso-level by NGOs, and micro-level by teachers, parents and children respectively. As much of the information is sensitive, anonymity is prioritised. Specific questions that could lead to the disclosure of identity behind an interview are therefore excluded and any ministry, agency, organisation or person referred to by name in the interviews will be coded by X.

## 5.1 Macro-level, Governmental Agencies

The interviews identified as macro-level interviews include senior officials from two national ministries A and B, one senior official from a judicial agency, senior officials from law enforcement agencies A and B, as well as officers active within law enforcement agency B.

### 5.1.1 Ministry A, Senior official

The senior official explained that the reason why the offenders get involved in trafficking is to get money and property. The victims in turn get involved in the hope to get a better life. *“For the victims poverty is a big factor, but that is not always the factor for the traffickers, they might just want more money.”*

The traditional family system has become one factor for the spread of trafficking in Ghana. In some cultures in Ghana the man’s first son belongs to his sister and in others the first son belongs to the father’s brother. These matrilineal and patrilineal systems have made it easier for trafficking to grow, the senior official explained. *“The uncle will then have more control over the first son than the real dad has. But there can be irresponsible uncles and so forth.”*

The senior official underlined that even if this is customary law, national law would overrule it. *“From the beginning the system (of customary law) was good. But now people have become more greedy and they want more and more money. This is due to modernization, urbanization, monetarization of economy”.*

*“People know about the national law. Well some do not know, but most people do know. But the atmosphere is led by the words: 'children shall be seen but not heard'.*

With this, the senior official explained, is meant that a child cannot be right, even if what the adult is saying is wrong. And even if people know the dangers the sentiment might still be *“the grass is always greener on the other side”*.

Now the state of Ghana comes and says that *“the child has a say”*, the senior official explained, while emphasising that it will take time to implement change. *“We need education, awareness crews etc. to really be able to go and implement the message in all parts of Ghana”*. It takes a lot of time to change customary law and implement national law, the senior official explained.

We are now going to churches, communities etc. to let them know about the laws and the dangers with trafficking, the senior official explained. And stated that they inform people on how children should be treated and that they cannot do the same labour as adults. *“It is of course okay to give a child assignments to do but not if it is bad for their health, development and education”*. The senior official also said that they are telling people that non-biological children who are resident in the household shall be treated as the biological ones.

Concerning enforcement the senior official stated that if the parents have received education about trafficking and childcare, and the children are back home but still re-trafficked, then the parents should be punished. Also if the parents have never trafficked their children before, but do know or should know about trafficking, but still do it, then they should also be punished.

*“With 'should' I mean that there are a lot of communities where e.g. NGO X is out to inform and education people about trafficking, and sending away the children to work for other people. In these communities the parents cannot claim they didn't know. One has also duties in the society and NGO X is doing a great job, the duty is then to be open to the information”*. The senior official continued by explaining that if one can be sure the parents did not know about the law and about trafficking, then they should not be punished but educated.

But, the senior official also added that *“I have seen women who have sent their children away because of, they say, poverty. But they are sitting there with their nice clothes and nice jewellery, all over, and I just think that, that, they did not do this out of poverty; they did it so they can have a nice life, dress nicely and not have to work. I have seen that, in those cases it is just the modernization, the greediness and the way people see children that is the reason. Not poverty”*.

Concerning the suggestion to let parents be in jail for one to four weeks, while Ministry X takes care of the children the high official said: *“No we can't change the law, if the law says 4-5 years it should also be between that. Or whatever is said. One to four weeks is no good. And if a parent steal, they are not thought of as parents, then no one will care about that”*.

Concerning the children in these cases, the senior official did not know what would happen to them. *”If the case is reported the case would go to the ministry in charge, if not, I do not know”. “I don’t believe in changing the law for parents who traffic their children. Parents go to jail every day, almost everyone in jail is a parent.”*

The senior official explained that if a parent is single and ends up in jail, Ministry X will try to find relatives to take care of the child. And if no one were to be found, other care would be provided for as a last resort.

*“What the law says is what shall happen, if the parents are found guilty; let them go [to prison]. No special rules.”*

*“Often it is trustworthy women, looking like me, you know trustworthy, nicely dressed and proper looking who come to the village to collect females and propose work as 'bakers, cleaners, etc.' in other places or countries, like the Ivory Coast. But in the end they will work as prostitutes. I have seen these women myself, when I grew up in a villages. But at first I did not know, when this happened in the village, I did not know what would happen to these girls. I also thought it was something good. But then I learned, by starting working with these issues, now I know and now I understand what was happening in my village, what these women were actually doing with these girls in the end. “*

Concerning the work of law enforcement the senior official explained that there is a big problem in the system and the police needs more education. *“They have to really understand the trafficking phenomenon. Now they do not understand, they do not fully know what it is and why it is wrong and how to work against it.”* The senior official also made a remark that the court process is too slow. *“We need education in all lines!”*

### 5.1.2 Ministry B, Senior official

The senior official of Ministry B explained that trafficking exists in Ghana because of the culture and specified that due to the culture it is very normal to leave the children with relatives. Which was a good thing before, but now it has changed and people have started to abuse the system. The senior official added that maybe the abuse has existed for a long time, but due to more knowledge about it today people are more aware on what it really means.

To implement the law is difficult, the official said, people do not know the difference in enforcement, in fostering the child etc. *“Who to blame when the kid is not in school? The parents for being poor? The kid for not being in school? Or the government for not helping the population?”*

There is a lot of complexity surrounding the phenomenon, the senior official explained. The traffickers, a.k.a. the fishermen, often think that they are helping the children, especially if they are relatives, as they give them training. And then what do you do, the senior official asked, should one send the whole family to court, that will be many. If the law is correctly



enforced, all of a sudden the whole family might be in prison. *“The social structure and the culture is a big problem”*.

The causes behind that people are sending away or selling their children are, according to the senior official, poverty, illiteracy and ignorance, of both law and by not being educated. *“People want to be rich quick! And think: that the best way to become rich is to sell one of the children, and then I will be able to buy clothes for the funeral etc”*. [Note: funerals in Ghana are big dress-up occasions, with same fabric in different clothes etc.]

To be able to stop trafficking the senior official thought the best way was to educate people of the community embassies about the law, so that they in turn can educate others. But, added that that is not happening today. *“Trafficking in human beings is very technical and very hard to prove. And one wants to stop it when it looks like there will be exploitation already”*.

The senior official stated that one big problem with the enforcement in Ghana is that there is no clear cut on line on what should be done. Another problem is that there are no funds, no anti-trafficking finances.

Concerning the knowledge of the police about human trafficking, the opinion of the senior official was that the total population of the police force does not know what human trafficking is. The official said that with the anti-trafficking unit as an exception, the awareness concerning human trafficking among the Ghanaian police force is weak! *“Everybody should be aware, but awareness on the subject is very weak”*.

The senior official said that trafficking can be prevented through the 3P [prevention, protection and prosecution], education, working together and through awareness. And enforcement is best done through imprisonment according to the senior official, explaining that if a parent is found guilty, something has to be done and the punishment is according to the law normally 4 years imprisonment.

But, the senior official continued that it is more difficult when there are children involved, and what should happen to them when the parents go to jail for having trafficked them. The official suggested that one could give the parents at least one to two weeks, not affecting the child to much. Furthermore, the whole community would become scared and learn from others experiences with the imprisonment, and this would make a change.

The senior official explained further that the traffickers would get five years in prison. In parallel, it must be shown that it is not okay by parents to send away the child, for money, because of ignorance, poverty etc. If people know the prison is only for one month for parents, relatives will take care of the child during that short time.

It was suggested that Ministry X could take one week of catering for the children. They can afford that and would be able to accommodate them for that short period of time without problems. We have to take trafficking in human beings serious, take the time and resources, both human and funds, to fight it.

### 5.1.3 Judicial Agency, Senior official

According to the senior official of the Judicial Agency one of the main reasons why trafficking exist in Ghana, is the *“extended family system, the hostage care system”*. *“Nowadays people are taking advantage of the system. The uncle taking the children might use the children himself for hard labour or sell them to someone else later”*.

Secondly, the senior official said, it is because of poverty and that people cannot take care of all the children and need money, so they sell them in order to work for other people. Thirdly because of ignorance, and that this is a very big and important reason, the senior official accentuated. *“Lack of education is a big reason to the existence of child trafficking, and trafficking in general. If people knew, I don’t think they would send away their children like that”*.

*“Fourthly, it is a bit of a status symbol in some of the communities to have a lot of children, even if you send them away and let them work in other places”*. *“Fifthly, there is no punishment, and people know that. And who would take care of the children if the parents would be punished? There is no one, and they know that too”*.

The senior official explained that the investigation in Ghana is done by the law enforcement agency and that judicial agencies have to wait on them, as they do not have anything to do with the investigation themselves. The judicial agencies do not even hear about the cases, all that information stays with the law enforcement. They do not even know the cases exist until they come to their table. *“We wait for the law enforcement to investigate and come with the cases to us [...], but they (note: law enforcement) do not do that”*.

The senior official continued by stressing that even if an investigation case comes all the way to the judicial stage, it is often so badly prepared so that nothing can be done with it. *“We need to have real information, witnesses, proof, statements, but we rarely get that. So we cannot do anything else than send it back, it is nothing to take to court”*.

On the question why the cases do not reach the stage of judicial enforcement, the senior official explained: *“Well I do not blame them really. In the communities, everyone knows each other and everyone is in some way related to each other it seems. They might be cousins, uncles, extended family, family through marriage, family from a marriage with a cousin or even further away etc. And then, no one dares to say anything!”*

The senior official explained that it is very difficult to change that behaviour, however the best way to do so would be through education. *“I mean, even I, I mean if my husband’s cousin would be in some trouble, doing some illegal things, even I would do nothing. If I would report it my husband’s whole family, and extended family, and friends etc. would ask ‘why did you do that’ and contact me and look me up to scream and be unfriendly. It would be so much talk and so many problems. So for the peace of mind, I would say nothing, just like all other people think. They*

*might not like it, they might even hope that the extended person would get caught, but they will not report it themselves, it would be like sending themselves to an informal lifelong punishment”.*

In order to be able to change the trends in the communities, there is a need to make people aware about the law, and that what they are doing is wrong, the senior official said. And continued with saying that people cannot continue protecting each other like they are now, but it is very hard to change, as it is all very deeply rooted in the communities, and that the person reporting others will be excommunicated in the village. So the best way in the end would be to do preventive work *“Prevention is the best way to change this!”*

The senior official explained that only the “juicy” cases come to the judicial enforcement agencies and that all the other cases will end up at the police department. And the police will then do the investigation all by themselves, which, the senior official underlined, they are entitled to do, as it looks like now. And continued that the police often keep the case for a long time, as they gain money from it. They get money from the attorneys etc. *“The police are very corrupt, and that is a big problem”.* The senior official added that also the judicial agencies are corrupt. *“So the problem is also here. It is a big problem in Ghana, but especially at the Police department”.* *“It (note: corruption) is a cultural thing, well it is an attitude I guess. Yes it is an attitude, and that is very hard to change”.*

*“But well before July, I must say that I could hardly blame the police for it either. They then earned around 100 dollar a month, normally people working with such work, earn maybe 800-900 dollar a month. 100 dollar, for a lot of work, and you got a family and everything to take care of. Then it is not so strange you take some advantage of the situation and get some more money. But now, since July this year, the police got a big pay raise and they now earn 600-700 a month, which is good, but the corrupted system is still there and has not changed one bit. You now just get more money”.*

The senior official explained that there is a need for change of mind when it comes to the next generation of police officers. But added that it will still take time, the system has been there for such a long period of time and is deeply rooted in the society.

*“The police collect money from the accused person and then say to the juridical enforcement agencies that “we cannot find any witnesses, so we will let the offender go”.* However, sometimes the boss gets aware of the case or the media does etc. and then all of a sudden they find witnesses! The senior official said that the corruption among the police can change with time, if the police will be educated about it. The senior official talked about the problem around the approach of the police during the investigation period. According to the senior official, the police in Ghana do not see their work as the first step towards prosecution. They do not see it as *“this case will go to prosecution”*, neither as *“we are investigating so the judicial agencies will have evidence to prosecute this person”*. That should be in the

back of their mind during investigation, but it is not. *“I do not know what they think, but they do not plan, they do not work towards prosecution. Therefore they should be taught”*.

To be able to take child traffickers to court, we need to look at the case, the definition, meaning, is it trafficking or not, but the police do not do that, the senior official explained.

*“The police are not lawyers and they do not know what is needed for prosecution matters. Then it is a bit depending on the magnitude of the case where the case is going”*.

The senior official said that there is a need for better communication between the both agencies, and that the judicial agency should be allowed to play a slightly bigger role when it comes to the investigation. This means that they should be able to talk about what they need and what the police has to look for in order for them to do their job in the next stage. The senior official explained that there have been cases that media has given a lot of attention to. And the police were, as usual, going to do the investigation. But then with all the attention around it they had called the judicial agencies to ask: “What should we do? What information should we look? What do you need us to get for you so you can do your job in this case?”

*“That shows that, they do not know what we need at all. If they knew they would not need to call us and ask those questions”. “We need to come to the point where we, at the judicial agencies, are a part of the investigation! That is very important”*.

#### 5.1.4 Law Enforcement Agency A, Senior official

The senior official explained that to combat human trafficking in Ghana there is a need for more awareness and a need of changing people’s cultural view as it is not seen as a bad thing to send away a child. The senior official thought it is important to show the population that it is in fact wrong. We need a change of mind, for the whole society, from parliament level and down, not only in the receiving and sending communities.

Most people do know about the law in the communities, but not all of them, so we need to be more pro-active, the senior official stated. The best way to prevent trafficking is through partnership, with NGOs etc. The politicians in turn can best prevent trafficking through information campaigns and education, the senior official continued.

The senior official considered there to be enough knowledge about human trafficking among the police force, but added that it can always be better. On the question on the thoughts whether the police can identify victims or not, the answer was that more police can identify victims nowadays and they call us when they see a bus full of children for example. Concerning the enforcement, the opinion was that both parents and traffickers should be imprisoned.

The senior official stated that they did not have enough resources but the problem was mainly due to the fact that they did not have enough vehicles or computers. The government should help, the senior official explained, but added briefly that they have a lot of problems. As the senior official did not want to evaluate the subject more, the discussion went over to the identification of trafficked children. The senior official explained that there are three elements concerning whether adults are trafficked or not, act, means and purpose. During the investigation one also has to look at whether the person was forced or not and if the action was devised. But, when it comes to children all that is not necessary, a child is, under the law, exploited. It is harder to see when a child is trafficked than an adult, the senior official expressed.

*“We want to change people’s mind not on child trafficking but on human trafficking, in the law there is no age!”*

#### 5.1.5 Law Enforcement Agency B, Senior official

The senior official expressed worries considering human trafficking in Ghana which was explained as a big problem. *“And the police do not have enough resources to take any action. We do not have the capacity to accommodate saved children. Social Welfare should come up with something but there is nothing really. And we do not have enough place or resources to find and put the offenders away either. This is a big problem”*.

The senior official explained that it is a cultural phenomenon that is the root behind the trafficking of children. It is rooted in the tradition to take care of the children of your brother or sister if they cannot take care of them properly themselves, or if they get sick, or even die.

And people have really big families in Ghana, especially in the country side. So if one person has for example six children and then his brother dies and leaves his six children without a dad, then it is the responsibility of the brother who is alive to take care of his children too, meaning he will all of a sudden care for 12 children, the enforcement official pointed out. And marked that maybe the family did not have enough resources to take care of their own children in the first place. It is then easy to send some of the new children away to extended family, or even sell some of them to strangers, so that you can use the money for the ones being left. *“It is not good, but it is happening”*.

#### 5.1.6 Law Enforcement Agency B, officers

There was a slight problem conducting this group interview as nobody knew what human trafficking was, nor what the definition of trafficking is or how to recognise victims. The officers where chocked hearing about the

phenomenon and asked questions such as; What is human trafficking? How do you identify a victim? If you let your own child work, is that trafficking?

The interview developed into a general discussion about the enforcement situation in Ghana and the officers explained that there is a problem of respect for the police among the citizens.

The officers continued with that neither the appearance nor the equipment carried by the police inspire respect from the general population of Ghana. And that it is important to radiate security and respect as a police officer.

The law enforcement here does not represent any feeling of strength or reliability, and that is both important factors to build trust and respect. People also know that the police can't do much, the officers said. And they explained that the criminals normally got better equipment. *"People do not feel safe and in security when they see the police here as they do in the western world"*.

## 5.2 Meso-Level, NGOs

The meso-level comprises representatives from four different NGOs A, B, C and D. NGO B is represented by two senior representatives, 1 and 2, while NGO C is represented by two senior representatives, 1 and 2, and two junior representatives, 1 and 2.

### 5.2.1 NGO A, Representative

The representative explained that over the years people tend to only blame poverty as one of the causes, and it is still one of the main causes, but not the only one. Now we also put in ignorance, people do not have enough information and knowledge about trafficking. The representative also stated that illiteracy is a big problem in Ghana.

But the representative also highlighted that schools and universities are big recruitment areas, so big sensitization campaigns are needed there. *"People are fooled into following the traffickers by promises of summer work or holiday"*.

The representative did not think all people in Ghana know about the law. And explained: *"How could they when not even the people who work within the areas of law enforcement and such know about the law. Many people in the police force do not know, how can we then demand the people out in the country to know?"*

People do not know that it is illegal to send away the children according to the representative because the people who should go out and inform them about it, about the law, have not done it.

The representative explained that the Ghanaian constitution says that; ignorance of the fact is an excuse, but ignorance of the law is not, and continued by explaining that this means that someone can get pardon or lower charges for not knowing the facts in the court, but cannot get the same relief for being ignorant towards the law.

*“We need enough general education on the law, but also more education among the police officers, as they also do not know the law. The police officers do not learn about the law, they get taught about the phenomenon, but not what the law really says or what the different paragraphs says. They might know that there is a phenomenon called human trafficking, but they would not know more than that, they do not even know it is a law covering it. There is no care factor”.*

On the question whether all police units are able to identify child trafficking the representative stressed that it is enough to see the person being in need in order to step in and help, and that they do not even need to see that it is trafficking. Then other people can take a look at if this is trafficking or not.

Current enforcement is not good according to the representative. And that is why Ghana is put on the US department of labour’s trafficking in persons report.

*“We need more publications on the law, in schools, communities etc. Everyone should know there is a law to protect people, both adult and children, from trafficking and violence”.* However, this is not being done according to the representative because of two things; political will and pressure on some resources, trafficking is not seen as a level one priority.

Being asked about the relation between the judicial agencies and the law enforcement, the representative expressed: *“Oh that is a complicated question, it is not so good”.* The problem is according to the representative that it is the Attorney General Department (AGD) alone that is responsible for all the prosecutions. And that it is a department filled with all the lawyers of the Country who are supposed to prosecute each case alone. But they do not have any people at all in all the communities.

The representative explained the situation by stating that the implementation is done at the grass roots, at the community level and the investigation is then done at the district level by the police. The representative further explained that it is too far to go to the AGD with some of the cases from the rural areas. And because there is no AGD except at the general state level, the problem has been solved by giving prosecution powers to some of the police officers at district level instead.

But, the problem is that the police prosecutors are not well educated in the matter and do not have enough information about it, so in reality very few cases are actually being prosecuted.

The representative continued by stating that it furthermore is difficult to see the difference between culture practice and crime. *“How to draw the line between trafficking and culture? An uncle with a nephew who work hard, is it trafficking or hard labour? Can be hard to state the difference*

*between the two*". It was emphasised by the representative that the fact that there is not enough personnel together with some cultural elements that makes it very difficult to recognize trafficking of children.

Concerning whether the judicial enforcement should be allowed to play a consulting role when it comes to the investigation the representative explained that: *"Well in the investigation there are sometimes elements of conflict of interest. So they should be able to see the cases from the beginning, but they should not be allowed to interfere too much"*.

The representative continued with adding that the law enforcement agency really is in need of help when it comes to how and what to look for during the investigation process. And the juridical enforcement could help them with that kind of information. *"But now it is not like that"*.

After careful consideration the representative explained that there is a high level of corruption among the police and that it dramatically harms the population's confidence towards them. *"People here in Ghana do not feel respect for the police"*. The representative considered that the law had been subtle when it comes to the question of imprisonment of parents. And expressed that it is most often the traffickers who are the subject of imprisonment. *"When you put a parent in jail, who will take care of the child? We don't have a social welfare system for that. It (imprisonment) will break down the family and the children will take the hit. "*

The representative did not think that parents should go to jail, though if the child would be cared for it would be different. *"We don't have the system of "the child can live here for a while". If the court or traditional system could put out factors on what to do in each special case it would be okay"*.

The representative was of the opinion that it would be a good idea if it was possible to give the parents one to four weeks of imprisonment for trafficking their children, and if then Ministry X could take care of the children. And explained that the fear of getting caught would still be there. Discussing the fact that also a robber or a trafficker might have children, but still go to jail the representative stated that it is a case of the devil's advocate. The main problem when it comes to the parents sending away their children with traffickers is ignorance, people don't know they do something criminal by letting their children leave with someone for money. So it is not the same as to strangle someone, the representative thought.

The representative continued that some of the ministries, working with the prevention of trafficking are not enough educated in the subject. And added that they have no resources, no staff and no specialized skills for different children's needs *"They don't have it because it is not a priority of the government to see to the social services of the country"*.



## 5.2.2 NGO B, Senior representative

According to the senior representative one reason why trafficking exists in Ghana is that the law has not been implemented fully on the ground. Today, NGOs do 85% of the work and the government only 25%, the representative stated (note: even if this does not add up the message is clear).

*“The government has not much education or funding to do anything against it. It is the NGO’s who gives out most of it”*

The ministries working with the prevention of trafficking do not do enough, the senior representative explained, but also added that some of them have started, so it has become better nowadays, although the law has existed since 2005. *“If all agencies had enough education and knew the law, then prosecution would not be a problem. The law has not gone in.”*

One of the causes behind sending away children is lack of education according to the senior representative. *“If you would go to the parents and ask, they would say it is because of poverty. But I say that it is about being uneducated and about the knowledge about oneself.”*

The senior representative stressed that if people were educated they would learn how to think by themselves, to criticize things. And continued by saying that ignorance is one of the main reasons why child trafficking can exist in Ghana. People have a lot of children because they do not really have anything else to do, but if people would be more educated, they would occupy themselves with other things. *“People cannot care for all their children. The Volta region is very dry, it is hard to harvest the land and it is hard to live there, and we also have big child trafficking problems there. The Ashanti region on the other hand, it is very green and every seed you put in the ground will grow and become big! But then we do not have a big trafficking problem there either.”*

The representative also stressed that traffickers often search for their victims in the school and universities, saying things such as: *“I am an agent for this and that and I can take you to e.g. the USA, etc. And people think that the chance to get a good job within their studies in the USA is bigger than here and they agree. But when they arrive there will of course not be any job like that waiting for them, they will be exploited and owned by the trafficker in question”*.

And the senior representative continued that it is also rooted in a family tradition to send children to relatives. *“The relative in question can be a long, long away relative, but he is still called ‘uncle’. It is a kind of customary law.”*

The senior representative thought that it is possible to change the customary law and instead implement national law concerning trafficking of children. But added that *“We need time to educate people and let all stakeholders play their role.”*

We need to strengthen the network to be able to take enforcement actions, the representative stated. *“There is a difference between child*

*trafficking and child labour and the enforcement need to be clear about this and which one has what punishment, they are both illegal.”*

The senior representative considered that parents also should be arrested for sending away their children, and explained that many of them know from the beginning that when they send away their children, or sell them, they will go to the worst kind of labour! But they still do it for the money and they should be arrested for that, the senior representative expressed. The representative continued by saying that it sadly is not possible in Ghana today though, because there is no social network take care of the children.

The senior representative considered the police in Ghana not to know about human trafficking. And that it was needed for the police to learn about new laws and know what they mean. And that they should have a desk responsible for getting police men/women from every region to educate them about the new laws and what that means for their work. So they in their turn can educate their regional colleagues about what they have learned in the headquarters of Accra. *”This should be done with every new law made, but it is not. So people do not know.”*

To be able to stop trafficking all the non-governmental organisations need to work together. *“We need to share ideas, it is very important, like that in two years we would be able to have prosecution too.”*

### 5.2.3 NGO C, Senior representative 1

There is a severe problem in Ghana with childbirths and family planning. People, especially in the rural areas, have a lot of children. The senior representative explained that it is needed in the country side because of the need for extra workforce within the families. But that it is also is a big prestige in having many children. When a woman gives birth to her tenth child a big celebration party is organised and she is heaped with gifts and admiration from others in the village, the senior representative explained.

The senior representative stressed that even if it is known to be hard to cater for all the children, the respect is more valuable. Many people do know what will be asked of the children, but are not aware of the worst details, the representative explained and added that there are some who do not know anything.

It was emphasized by the senior representative that to fully be able to prevent trafficking from happening, there is a need to help the families, give them education and true possibilities by for example offering micro-credits.

*“When asking why they sold the child they often tell a sad story of why they needed money, which, sometimes, is true, but often not. It is just a way to explain the action, to make it sound 'better', to find a better reason for selling your child than 'just' because of poverty.”*

#### 5.2.4 NGO C, Senior representative 2

The best way to prevent child trafficking before it happens is, according to Representative 2, to nourish the information flow. There is a lack of information around people, parents, children, traffickers etc.

We need laws that say that parents need to have the children in the school and need the possibility to make that a reality so people can live and afford to have the kids in school and not to have them at home.

#### 5.2.5 NGO C, Representative 1

According to the representative child trafficking exists in Ghana because of ignorance, poverty and cultural practices, which takes form in the old customs of sending the children away to stay with extended family for some time. When a child is born in Ghana, it is considered to belong to the community, the representative said. This view is not something that exists only in the country side, but also in the urban areas, such as in Accra. *“It is a Ghanaian phenomenon and not a rural one”*.

People tend to have very big families as it is seen as a security for the future, but it is also the result of a sever lack of family planning. Even though people know they will not be able to cater for a large family they have it, but then there is always the possibility to send the children away to extended relatives.

Many people in the communities and rural areas of Ghana do not know about the laws against child trafficking. So the main thing is education and also law enforcement.

But, it is still takes time to change people’s view on what is right and wrong, and it is hard to stop well established practices at once. The best way to prevent child trafficking from happening is through education and we need to create more education projects.

The politicians on their part are also important actors when it comes to education within the subject and providing information.

Another problem, the representative explained, is that in Ghana when new national laws are passed, they are only written in English and not in any of the local languages. And many people in the communities do not know English. So even if they would like to look it up, they cannot. There are many languages and dialects in Ghana, to translate the laws into every single one of them would not be possible. But, to translate the laws to the biggest local languages would be possible and also send a signal of respect. In multi-lingual countries, every citizen normally have the right to take part of the laws they are living under in their own language. However, this is not the case in Ghana, though there have been some efforts recently to translate a few laws into the major local languages.

The representative stated that the police have been trained in the subject of child trafficking and should have knowledge about it. They also get the

opportunity to know about it through media, as they know that trafficking is illegal and involve dehumanising practices.

On the question if parents should be imprisoned for selling their children or not, the answer was complex. The representative thought that there should be good enforcement. But, that it is not that easy as one has to think about the children and what will happen to them if the parents are put in jail. “We do not have any good social welfare in Ghana. There is not anyone to take care of them. But, on the other hand, if you have broken the law, the law should also be enforced and you should be convicted”.

The representative explained that there does not say anywhere in the law who shall be convicted for trafficking and who shall not. Neither traffickers, nor parents are given a veto when it comes to breaking the law against trafficking. Reasoning like that, the representative thought that there shall not be any exception for the parents. But, this brings about other problems too. In Ghana the laws exist, but it is hard to enforce them because of the system. *“We (Ghana) really need to strengthen the social welfare system and especially the social protection for the children”*.

#### 5.2.6 NGO C, Representative 2

The representative explained that some parents do not know what happens to the children when they send them away with the traffickers. The representative further explained that they are given false promises, sometimes even from relatives, promising that their children *“will get a better life”*. But, the majority of the parents do sell their children because of financial problems.

The representative thought that many of the communities do not know the law against trafficking exists. There is a need of educating the parents about trafficking and about children’s rights, this rather than put them in jail, that will not solve anything, the representative stated.

The representative also stressed the importance of working through the 4P, prevention, protection, prosecution and partnership. It is also important to have a good working relationship with the police.

Information flow was also stated as a major need in the communities. It is also needed improve the family situations, e.g by giving them micro-credits. The re-unification process is of great value also for the preventive issues, the representative said.

Another way to prevent child trafficking is to try explaining to the fishermen what they are doing to the children and what they expose them to. Enforcement is difficult, the representative expressed, since all traffickers cannot be arrested, as it is in their culture to use children for work. Many of themselves are ex-trafficked children.

Instead one needs to inform and help change also the prospects of the traffickers. The representative said that helping the fishermen with money and more modern fishing equipment might make it easier for them to

continue their work, even without trafficked workers. *“That might change things, but to arrest them will not change anything”*.

### 5.2.7 NGO D, Senior representative

The senior representative considered the main reason to trafficking to be poverty. Poverty creates vulnerability, the senior representative stated. But, also other factors are crucial, like the loss of a parent or both, and ignorance. Out of ignorance, people are vulnerable. They don't ask themselves questions, why, how, when, they just trust the people coming with the aim to give their children a *“better life”*.

People send away their children a lot because of traditional reasons. But, the original reason to send the children away is not bad at all. The tradition as such is good. It is just how it has developed that is bad, the representative explained.

Families help each other out, if one part of the family is poorer than the other, the latter will help the prior by taking care of some of the children for a while. But, now this system has eroded, people nowadays are more focused on their identity, their own success and future. And children therefore get abused, the senior representative explained. Furthermore the tradition has also developed from sending children to relatives to sending them away with strangers. *“It is now all about getting money. It moved from one stage to another”*.

The representative explained that the system first was a form of social protection. *“If a child lose his/her father the traditional system made sure you will get a new father figure, by letting an uncle act like a father and care for the child as would it be his own. The same goes for a mother, a divorce etc. It makes the weakest ones in the family taken care of”*.

But, the representative considered the traditional system nowadays as corrupted, this because people do not think the same around it, and it has changed the whole system as such. Families are now more nucleus?. The family that one should care about nowadays consist of mum, dad and children, not more.

Child trafficking can develop in Ghana because of the huge problem of ignorance, people need to get information about where the children are going and what they will do. One cannot send away the children with strangers, or relatives without knowing these things. The representative stressed that one cannot just choose to trust people, one need to really get the information.

It was the representative's opinion that some people know there are laws against sending the children away to work and some who did not. If there is a case where the person did not know about the law he/she cannot take part of the system. But, the people who do know about the law, and still breach it, well the vulnerability makes them not care. People might know the law, but feel they have no choice.

Concerning the police, the representative did not consider them having enough knowledge about trafficking nor the measures to combat it. But, to really stop the whole phenomenon, the representative considered there was a clear need to show what happens when people do send their children away, there is a need to put in enforcement. Among the main solutions to stop child trafficking, the representative acknowledged the improvement of people's livelihood.

The representative further stressed that the traffickers often know that the laws exist and accentuated that if the parents knew the risk of getting caught they would not do it. But, very few cases has led to convictions and sentencing to jail. And the ones that have been convicted have only been traffickers and never parents.

The representative stated that people know the risk of getting caught for trafficking is very small so they do it even though it is illegal, but they would never rob a bank, as the risk of getting sentenced then is very high. *“If parents would be sentenced to jail that would be the best way to really implement the law and make people follow it”*.

### 5.3 Micro Level, Private citizens

The micro-level interviews consist of a group interview with seven ex-trafficked children, two parents who have previously sent away their children, A female and B male. One teacher from an important sending area is also interviewed. Included are also members of the general public, in order to get an estimate of how well-known the phenomenon of trafficking is in Accra. Furthermore, drawings from nineteen of the youngest ex-trafficked children will be included.

#### 5.3.1 Group interview with seven ex-trafficked children

This is the only interview where the main questions are used directly, because of the limited time frame and given the size of the group. The children are guaranteed anonymity. Each mark represents the expressed opinion of one child.

#### **Why do you think Child Trafficking exists in Ghana?**

- Because of poverty, the parents cannot cater for their children, so when people come to get their children and says that they will take them (the children) to school and will even pay the parents some money to do so they do send their children away with them (the traffickers). But the children do not go to school; they will just be put into hard work and labour, within farming and fishing!

- The only things they got in the village is farming and fishing. If one parent dies, it is very hard to cater for the kids for the other one. So if the dad dies for example, the mum sends the children away because she needs money!
- It exists because if one parent dies the other part cannot cater for the child. There is no way out for them then.
- One problem is teenage pregnancy, it is very common here. It is then considered that the daughter has broken the “promise” and trust of her parents, she is seen as given the family a bad reputation so she gets kicked out. The teenager then has to find somewhere to sleep and cater for herself and her unborn baby. She is then a very easy victim for the traffickers, and so is her unborn-baby. She has no house, no family, no money, nothing.
- Role models, there are none. We have no one to look up to. We go to school, but we kind of know that we will become nothing. Maybe we will be as our parents, do the same as they do now. But if we had someone to look up to, if we had that, maybe people would get more motivation and hope for the future, more strength and more belief. I think it is important to have someone to look up to, but there is no such person here. We only have the parents and they do not understand, they are not educated and they do not find it important with education either.
- The parents do not have any education, and they do not like it (education), it is not needed when it comes to being able to fish! So if they see a child who is not in school they will find it ok. That child will become like them and that is seen as something good. Parents here do not care about if the children are in school or not, or if they want further education.

**What do you think that Ghana should do to prevent child trafficking and protect your right?**

- There is no money in the village. And we need education! “Ghana” does not take care of us, they did not care that we were trafficked and had to do all that kind of work.
- We have to set a dispute about ourselves. If someone takes a child and send it away to work and do hard labour for him or her that person should be punished. That person should be in jail.
- If they are not punished they will just continue and the education will become lower in Ghana.
- Our parents should be employed so that they can cater for us.
- The government should help the children so that they will be able to go to school and buy school uniforms for them and such things.
- They (the government) should also make a law that says that no one should send their child away, no one!

- It does not matter to whom, no one should be allowed to send the child away, the child should stay with the parents. And it does not matter how the family lives, what are the circumstances. It should be a law against sending the children away to other people, does not matter to who. Relative or stranger. The parents themselves should be responsible for the child, it does not matter to who they send away the child.
- The government should educate the parents. They should tell them about the bad effects, so they do not send away their children any more. They should tell about all the bad things, all the bad.

### 5.3.2 Parent A, Female

According to Parent A, child trafficking exist because of the single parents. It makes the child trafficking business grow, she explained. If the husband has died, you just want someone to help you. The causes to child trafficking is economical, she emphasized.

But, also that *“Personally I did not know there was a law against sending my children away to work for other people, before, now I know”*. *“If I would have known then, that there was a law against it, I would, most probably, have taken other actions”*.

To be able to stop child trafficking, the leaders should share everything equal to the people of Ghana, she emphasised. Now, the educated get the big part and illiterate a very small part, the woman said gesticulating. “The government, they only concentrate on the educated people. The leaders do not care about us who are illiterate, we are not important to them”.

### 5.3.3 Parent B, Male

Parent B was asked to explain why he thought child trafficking exist in the area and answered that one reason is that parents go to other places to work and the children are left in the village alone, even if they are small and they then have to take care of themselves. The parent explained that this made them victims of the traffickers.

The parent also brought up cultural reasons as an explanation for child trafficking, extended family taking care of the children as a part of the upbringing of the child or for helping out. The children might be brought to live with the grandparents, and the grandparents maybe die and the children can then not come back and they then have to support themselves and they are then easily caught by the traffickers.

The parent said that some people are aware about the laws against child trafficking in the villages, but they still do it. And some do not know that the law exist at all. The reasons for people to send away their children to



work for traffickers might be many, but the main reason given by the parent was that if a parent got two children, but is incapable to cater for both of them, that person might send one of them to work so that that child can pay for the other one staying home.

The parent considered much of the prevention work to be in the hands of politicians, as they should put more effort into creating work possibilities for the population. That is, according to the parent, the best way to prevent people from sending their children away. The parent emphasized that if he would have had a real job he would not have sent the children away! *“There is a need for more work for people!”*

#### 5.3.4 Teacher in Elementary School in a sending community

One factor favouring child trafficking is all the orphanages in Ghana. They are easy targets for the traffickers. Nowadays people also make a difference between their own children and other peoples children. The traffickers do not understand that they hurt the children, the teacher stressed and continued: *“If someone with money comes and says he or she can take care of the child, the parents of the child do not care about why and how, they just send away the kid to them in hope to get some financial help.”*

Then there is also the system with the extended family, which is developing into a problem. People send their children away to the extended family and this has made it easier to send them away also to strangers. People do not ask questions since the system is there already, the teacher explained.

The way to prevent this development from continuing is according to the teacher by power. The teacher explained that people right now in the country side have no power over themselves. And this fosters the feeling of not having any other choice but to send the children away.

To prevent the whole phenomenon, we need to educate people, and make them understand what is love, passion, understanding. How it feels like to love and respect? your sister, your friend etc. When it comes to the enforcement, the teacher thought that traffickers should go to jail. But, when it comes to the parents, the teacher was not as certain, this because the educated parents was considered different from the illiterate ones. Educated parents, the teacher said, would do anything to help their child, make sure it goes to school etc. The teacher stated that the uneducated population, in lack of things to do, use sex as a spare time activity. And that they because of that have a lot of children. But, they cannot take care of the children and the children become a problem for them.

The teacher’s opinion was that educated parents know what love is and how to show it, and they know what is important for the future. Furthermore, they get the amount of children they know they can cater for. Illiterate parents however, the teacher said, can become very cruel and they

send away their children to the traffickers because they do not know what is right and what is wrong.

Most of them know about the anti-trafficking law, the teacher said. “I would say that maybe 60% of the population in Ghana knows about the law while 40% do not know about it”. Concerning the 40% who do not know about the law are most likely people from rural areas where there no media, radio or television. People out there do not know about the law and it makes it easy for the traffickers to come and lie to these parents, the teacher explained.

Concerning the work of the police, the teacher accentuated the importance of the national police to reach out to these communities and to inform people about what the law is and what will happen if they break it. *“The police needs to go to the typical villages affected of trafficking, sending communities and such, and not only to the cities.. There are villages that can only be reached by canoe, and the police will not go there. But they really need to.”*

The teacher’s opinion on the politicians however was that they mostly promised things, but when they got behind the desk nothing really happened. “They, the politicians, just come here, to the villages, with a lot of lies and when they have been elected they do not care any more. It is just a game to be elected, they do not really care and will not try to change anything”.

### 5.3.5 Additional 1, Discussion with general population

Between twenty to thirty randomly chosen people from the general population of Accra, the capital of Ghana, were asked whether they knew what human trafficking was. If they did not know the phenomenon by name explanations were made to see if they then knew what it was. The result was that no one of the questioned people knew what human trafficking was, nor about the phenomenon as such. And even less about the law and the root causes involved. People did know about the extended family system, but no one knew about the development of it nor what often happen to the children.

When questioned about the police, no one felt that they had any respect for them, rather people tended to find them un-educated and corrupt. *“Sometimes the police do not even wait for you to give them an offer, they just name a price and leave, what they say shall not be taken too seriously, they just make up things to show their power”.*

The opinion of politicians was that they promise things, but don’t keep much. But the view of Ghana, as a country, was very positive, people where proud to be Ghanaians, and proud to belong to such a good and stable democracy. And everyone considered themselves feeling safe and happy in Ghana.

## 6 Analysis of Findings

In this chapter the main findings from the interviews are analysed, first addressing root causes and then enforcement problems. Both sections compare similarities and differences within and between the macro-, meso-, and micro-levels. After this, the findings will be compared to the previous perspectives on trafficking. Again this is not for the purpose of theory testing, but an overview of how the interview findings fit the contemporary debate. The analysis concludes with stressing the need for a comprehensive approach towards child trafficking in Ghana. And policy recommendations are made that hopefully may contribute to combating trafficking in children.

### 6.1 Root causes

The root causes appearing as key for child trafficking in Ghana were ignorance, lack of education, culture of sending, and poverty.

#### 6.1.1 Lack of education and ignorance

It is worth to note that lack of education and ignorance are interconnected, but distinct problems. Lack of education can lead to people being ignorant about trafficking, but is not a necessary precondition. Neither do people have to be generally well educated to know about the consequences of trafficking.

Lack of education is an important factor for child trafficking since it creates vulnerability. Primary school, first to ninth grade, is compulsory and free of charge in Ghana, though the parents have to buy school uniforms and books. And many children in Ghana do not attend school because the families cannot afford paying for that or because the children are needed for work. Even though primary education is compulsory, parents rarely face any kind of penalty if they prevent their children from attending school. This is a problem since lack of primary education increases vulnerability towards trafficking, and other social problems for that matter.

There is a problem concerning the parents view on basic education, as they do not fully understand the value of it. And even if their children are in school they do not completely support it as they consider work experience to be better. It is therefore important with sensitization concerning education

among parents, and also long term efforts are needed in assuring that the children's education pays dividends even for the parents.

But, although lack of education increases vulnerability, it is not necessary for becoming a victim. Universities are popular recruiting grounds for traffickers (e.g. NGO A, Representative), especially external trafficking from Ghana.

During the interviews, a wide consensus at the macro- and meso-level was found that most people in the various communities possess knowledge about the existence of laws against trafficking. However, there were exceptions e.g. extremely isolated communities.

At the micro-level it, was generally believed that most of the people in the Ghanaian communities know about anti-trafficking law, but that some people chose to send children regardless of this knowledge. But, it was also stated that there are people not familiar with this legislation and that have no idea. These results correspond with both the statements of macro- and meso-levels helping to confirm their assumptions.

It was largely considered that the law enforcement did not have adequate knowledge about the law or about trafficking. There was also a request for more police activity in the communities and for more education of both of the police and the general population concerning the law.

### 6.1.2 Culture of sending

Today Ghana provides a conducive socio-economic environment that benefits and nurtures the trafficking phenomenon. The concept of children helping their parents or guardians after school, during weekends and on vacations has been a Ghanaian custom since long, acceptable as a means of fostering children into responsible adulthood. But, if the purpose of this cultural practice was benign from the beginning, today it has developed into sending children away with strangers to perform hard physical labour within the fishing industry, agriculture or to work as prostitutes.

The contemporary practice of sending away children with extended family or even total strangers to perform hazardous work, under the pretence of helping their parents, is drastically different from the traditional practices and definitely not in the best interest of the child.

All interviewed, especially the ministries at macro-level, regarded one of the most difficult things considering trafficking in children, to be defining if a case indeed constitutes trafficking. This is difficult in general, but the Ghanaian culture of sending the children away to extended family make it even more complicated (e.g. NGO A, Representative). The need for a better way of drawing the line between cultural practices and trafficking was stressed as better regulations on what shall be done in trafficking cases (Ministry B, Senior Official)

The system of extended family has with modernity developed into a harmful practice, where the purpose of care-taking has been substituted for

exploitation. One reason for this development, according to interviewed at both on macro- and meso-level, is that people today are more interested in their nuclear family, their own identity, success and future (e.g. NGO D, Senior representative). This focus on money and lack of care also exists within extended families and relatives often abuse the children as a result. While parents do not question this as the system is well established.

Today Ghana is built upon two different social and legal systems, which are interconnected, but still distinct, criminal law and customary law. The practices of sending away children is to some extent so well developed that it is accepted as customary law, i.e. not even considered illegal in the customary part of the Ghanaian legal system. This hinders the effectiveness of the implementation of laws. And as trafficking is difficult to define by the national law, this severely blurs the legal definition.

Contemporary society still maintains traditional practices, and although traditional social relationships have been transformed to fit modern demands, the practices persist. According to the macro- and meso-level agencies, the culture of sending away children to extended family is one of the most decisive root causes to the spread of human trafficking in Ghana.

### 6.1.3 Poverty

Poverty as an underlying cause of trafficking has been given great emphasis in theoretical and empirical studies, and it should come as no surprise that it was pronounced even in Ghana, even if factors were given similar or greater emphasis. Similar patterns as observed elsewhere are also present in Ghana. The poor are more vulnerable and tend to have more children as a social security measure in Ghana.

Poverty was mentioned by interviewed at all levels. As expected, parents put emphasise on poverty, or lack of employment opportunities, as a reason for sending away children. But their testimonies are backed up by other interviews at macro- and meso-level, as well as the mere fact that Ghana is a very poor country.

But similarly to lack of education it could also be seen that poverty was neither a necessary or sufficient cause for trafficking. Some parents sell their children to buy clothing or jewellery, rather than food.

This does not mean that poverty alleviation is not vital in the fight against trafficking, as well as serving an important purpose in itself. Efforts in developing possibilities in the communities are a good investment in the fight against trafficking. One type of commendable projects that are being carried out in Ghana is micro-credits through NGOs (e.g. NGO C, Representative 2). Micro-credit assistance is given both to parents deemed to being in risk groups of trafficking children, and traffickers, often with links to the fishing and agricultural sectors. They are provided with credits to buy equipment, thereby decreasing the demand for cheap child labour.

Micro-credits to parents serve a similar purpose decreasing the reliance on children as social safety nets at old age. Although micro-credits are no simple fixes against poverty and certainly not to trafficking, they provide a step in the right direction.

The teacher stated that one important measure to take in the prevention of these practices is to focus on empowerment in the communities. The adults lack money, education and feeling of being empowered. When traffickers come along with money and solutions, they feel that they have no choice. If the adults felt that they had possibilities to earn money, the balance of power would shift in their favour.

Another problem that relates to poverty is the problems with family planning in Ghana. As children are often the only social security available, children are perceived as a necessity, even if they cannot be properly cared for. According to some macro- and meso-level agencies, it is even a status symbol in rural communities to have many children (e.g. Judicial agency, Senior official).

The prestige of having a lot of children especially applies for rural women. And as there is not much else for women to gain prestige from in these communities, childbearing is seen as a goal in itself. And prestige is becoming more important with the modernisation. To alleviate this situation, there is a need of offering other forms of social security and status symbols than children, especially for women. In order to change views of what is prestigious, there is a need for role models (group interview with seven ex-trafficked children), someone or something to look up to and gain inspiration from.

## 6.2 Enforcement problems

The most pronounced reasons given in the interviews as to why legislation against child trafficking is not properly enforced in Ghana were stated as being legal inconsistency, lack of education, corruption among law enforcement, and lack of coordination.

### 6.2.1 Inconsistency

There are legal inconsistencies concerning child trafficking in Ghana, both in terms of the legal framework and law enforcement. The problem of inconsistency of the legal framework is partly attributed weak definitions.

At the macro- and meso-level lack of clear definitions of trafficking and traffickers were seen as a problem, especially given the traditional practices discussed above, making it even harder to distinguish the intertwined practices. It becomes difficult not only for the ministers and law enforcement, but also for parents, fishermen and the general population.

The lack of punishment when convicted of trafficking is central to this problem (e.g. NGO D, Senior official), decreasing the risk associated with sending away children or buying children. It is also common knowledge that the lack of social security for the children if the parents are imprisoned, ensures that the law is lenient in many cases. That very few cases are subject to investigation is also well known in the society.

At the meso-level the extent of enforcement was the most difficult question to answer. The general sentiment was that the law should be implemented, for everyone, but concerns were raised about the situation of the children. Some of the NGOs thought it was better to educate the parents instead of sending them to jail for breaking the Anti-trafficking law, this as the phenomena is too rooted in the culture and too many people were considered not knowing it is wrong (NGO C, Representative 2). Others argued that if the children have a social network parents should go to jail, but if not they should not be convicted (e.g. NGO A, Representative). Yet other NGOs argued for the need of enforcement. And if the parents knew they might end up in jail they would think twice before sending away their children with strangers (NGO D, Senior representative).

Among interviewed at the micro-level it was equally stressed that the traffickers should be imprisoned, the issue was more difficult with the parents. One of the children stated that the parents need to be more responsible concerning their children. The teacher drew a line between educated and illiterate parents, stating that the illiterate have a slim chance of knowing the law and should be treated leniently. This argumentation touches upon the distinction of not knowing because you have no chance of knowing or not knowing because you did not care to find out.

### 6.2.2 Lack of education

It was considered among the macro-level agencies, except the senior officials of the law enforcement, that the police are not sufficiently educated on the trafficking phenomenon and the law. This becomes a problem since not possessing adequate knowledge about one's own work can impede professional moral and initiative.

Many professional groups on macro-level, working with or for children, and law enforcement, both on central and local administrations, was considered to lack sufficient training on laws protecting children in Ghana, and to an even lesser extent how to identify trafficking in children.

Stated was also that the police do not know the law in general, only the main features, but not details. Some NGOs stated that the police do not possess enough information, but added that it is easily available to them, so they should know (NGO C, Representative 1). But if lack of proper education and training hampers professional commitment in the first place, people will be less likely to search for more information.

It was in the general opinion of the meso-level that if the law enforcement agencies had enough education and knew the law, prosecution would not be a problem. But even the existing law has not been firmly established within the enforcement agencies (NGO B, Senior Representative), causing enormous problem. Similarly to the judicial agency, an NGO explained that there is a need for coordination between the judicial and law enforcement agencies (NGO A, Representative). The process may be complicated but in order to function more efficiently they need to consult each other. According to this NGO, the judicial agency should be allowed to know about the existence of cases from beginning, so long it does not interfere with the investigation. The need for professional prosecutors to visit the communities where expressed too, in order to get a better understanding of cases at the grass roots level.

More educated law enforcement officers were requested, as an important step in the fight against trafficking and for implementation of the law. According to all interviews there is a need for education, a more efficient legal process and improved network building. Agreed in all interviews was also that the court process is too slow, and that there is a severe need of education concerning human trafficking, regarding how to identify and combat it, this among all macro-institutions.

### 6.2.3 Corruption

The prevalence of corruption also makes trafficking more difficult to combat. Ghanaian courts have acted with increased autonomy under the 1992 constitution, but corruption remains a problem. According to the judicial agency, one of the main problems in the fight against trafficking of human beings is the fact that law enforcement is very corrupt. Expressed was also the problem with corruption within the own organisation, but that the phenomenon was deemed especially severe in law enforcement.

Corruption generally occurs when people with power have little income and is linked to poverty and lack of development. But corruption is also a cultural phenomenon, and cannot be solved simply by raising the salaries of the corrupt. In July 2010 law enforcement officers got a substantial pay raise with the expressed purpose of fighting corruption, however, it had limited, if any, impact on corruption. The behaviour was entrenched and continued. Future increase in wages must be part of a more concerted effort to get rid of corruption.

Also the NGOs agreed on the high levels of corruption within law enforcement (e.g. NGO A, representative). Many pointed out that it harms the confidence in enforcement agencies dramatically, and that people disrespects them as a consequence. Traffickers know that they possess power over the police as they can buy them off. Sometimes the police do not even wait for the accused to give them an offer, they just name a price (Discussion with general population).



Right now the power within the police force is balanced in the wrong way. Today power does not rest within their profession and knowledge about the law, rather with the uniform and words “police officer” attached to it, to be used at their own discretion. Better education of the police is needed even for these reasons. But such reforms will take a lot of time and resources, as the culture of corruption seems to be well entrenched.

#### 6.2.4 Coordination problems

Another serious problem is the lack of coordination between the law enforcement agencies and the judicial agencies. Work is done almost without communication between those involved in the enforcement process.

Judicial agencies are by law prevented from taking part in the investigation, but the problem is that they are the ones who possess the knowledge necessary for processing a case where trafficking is suspected. Meanwhile, the law enforcement agencies leading investigations lack the knowledge about what to look for in order to prepare a case for the judicial process (Judicial agency, Senior official). But as the judicial agencies are seldom informed about the existence of a new case, they cannot assist by providing guidelines as to what information might be needed. All interviewed stressed the need of strengthening the networking capabilities for more efficient enforcement. The coordination among the various government agencies involved with prevention of trafficking and children’s rights need to be strengthened and made more coherent to be able to really work against trafficking.

Different partnerships have been established in between NGOs, and between NGOs and governmental institutions, which is crucial to combat trafficking in a comprehensive way.

### 6.3 Need of a Comprehensive Approach

The argumentation on root causes of trafficking in the international debate often revolves around lack of income and education. These problems were also given much attention in the interviews. But not necessarily in the same context as is conventional thought of. Often addressed factors such as lack of education and ignorance in the general population are very relevant in explaining the prevalence of trafficking in Ghana.

Poverty is a major reason, but cannot be seen as fixed, as also people with money send away their children to work in order to improve their lifestyle. Also education is a major root cause, but it cannot be forgotten that one of the main recruitment areas are the schools and universities.

As this study is concerned with children of both sexes, the gender perspective was not expected to be given a large role in the interviews and

findings from Ghana. However some findings are in lines with the assumptions associated with this perspective. Women in rural areas tend to suffer from societal discrimination. The traditional role of women promotes childbearing which spills over into child trafficking.

Another problem out in the rural communities, according to the interviewed children, is teenage pregnancy. It is very common while not socially accepted on part of the girl. The girl is thrown out of the community and needs to cater for herself and any potential unborn baby. She then becomes an easy victim for the traffickers.

Even though many of the observations falls neatly into the categories that form parts of the contemporary debate it is also clear that most findings also fit more than one category. Corruption is both a consequence of lack of development and a cultural phenomenon. The increase of police wages is an illustrative example of how this failed. Even though police got 600 cedis more corruption continued as it was simply a matter of poverty but culturally entrenched. Similarly future efforts to tackle child trafficking in Ghana would benefit from a comprehensive approach to the problem.

The large and extended family identities in the rural areas are both consequences of cultural practices and entrenched roles based on gender. Problems with legal enforcement is a problem that spans insufficient funding, lack of education, acceptance of cultural practices, and lack of legal definition.

Moreover the root causes were not given the same priority in this field study as in the established discourse. The cultural perspective was given much greater emphasis in this study than in the international debate. The culture of sending was given a central position in the interviews at all levels. And even though the results from this case study should not be generalised, i.e. it cannot be claimed that traditional practices of sending is vital for child trafficking everywhere, the relative importance ascribed to these practices in Ghana should still highlights the need for further field studies to be conducted.

## 7 Conclusions and recommendations

This study asked about the root causes of child trafficking in Ghana and why legal enforcement does not seem to work there. On the root causes ignorance and lack of education, the culture of sending children within the culture of sending children to extended family, poverty, illiteracy and the lack of family planning, were cited as important causes. And the main reasons why the laws are not well implemented in Ghana was considered to be lack of education and problems of corruption within law enforcement, lack of cooperation between and within the different levels among government agencies. There is also a misallocation of power between the macro- and meso-level, as it is the latter that initiates cooperation.

In order to efficiently address the root causes of trafficking, as well as strengthening enforcement, there is a need for a comprehensive approach to trafficking. Combating child trafficking is not simply a question of poverty alleviation or empowerment of women, but must be a concerted effort to tackle the problem in its own right, and not as a symptom of other societal ills. Anti-trafficking should become an integrated part in development and educational policies. This may seem highly ambitious, but given the long term socio-economic problems associated with child trafficking, it will probably be even more expensive not to take concerted measures.

There evidently exists a problem with identifying trafficking and traffickers in Ghana. This can partly be attributed to the country's own legislation. The Ghanaian Human Trafficking Act (2005) draws heavily on the Palermo Protocol (United Nations 2000), but there are some substantial differences. The Palermo protocol defines trafficking of human beings as: *[...] the recruitment, transportation, transfer[...] of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability* (United Nations, Article 3a). A definition that is almost identical to the one in Ghana's Human Trafficking Act (2005, Article 1), but there are details which amount to a substantial difference.

The Ghanaian Human Trafficking Act addresses the trafficking of children by stating: *"Where children are trafficked, the consent of the child, parents or guardian of the child cannot be used as a defence [...], regardless of [...] abuse of power, fraud or deception on the part of the trafficker or whether the vulnerability of the child was taken advantage of"* (Human Trafficking Act 2005, Article 1, Subparagraph 4). This definition of child trafficking, and disregard for consent in the case of children, are

similar to Article 3a) and 3b) of the Palermo protocol. However the Protocol's Article 3c) states in addition to this that: *"The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article"*. As the Act excludes this purpose-based definition it potentially limits the ability of judicial authorities to prosecute perpetrators, as proof is required of initial use of illegal means in the trafficking process. The Palermo protocol only requires that the purpose is exploitation. The omission of this in the Trafficking Act makes the definition of "deception", "force", "harbouring" or "exploitation of vulnerability" more ambiguous.

But if the Palermo protocol would be ratified by the Ghanaian government, Article 3 c) would make the Ghanaian sending system illegal by national law. This may in fact be one reason why Ghana has not ratified the Palermo protocol, though generally active in fighting trafficking.

There is a clear normative dimension in recommending the change of cultural practices by law, such as ratifying the Palermo Protocol. And some may argue that neither foreign observers or the national government should interfere in cultural practices, regardless of the harm trafficking is doing.

But the problem with such argumentation is that cultural practices constantly change. As shown above, exploitation was never the original design of the culture of sending people, but it has gradually developed into the kind of exploitation associated with trafficking. If the original purpose has been lost and become exploitation without any regard for the children involved, there are no reasons to allowing it to be legal even if culturally sanctioned. Cultural practices sometimes needs to and do change for the better, Sweden does no longer burn witches, Catalonia has just banned bull fighting, and Ghana does not let its village chief decide in cases of murder.

Education on the harms done by these cultural practice is important, but there is a special need for sensitization, to convince people about harms of child trafficking and make them stakeholders in combating it. In order to change the culture it is very important that every community understands the dangers of child trafficking. And also what it does to children through lack education and adequate care and how their future can change if they do get those things. There is not enough awareness about the provisions and principles of the Ghanaian law in many parts of the society. And neither adults nor children know about their rights. In the interviews it also became evident that ignorance about trafficking also extends to the agencies meant to combat the phenomenon.

Law enforcers are largely unfamiliar with both the child protection laws and the anti-trafficking laws. There is a need in Ghana to educate both the population and the people in charge about the law and their rights. It is also needed to increase efforts in prosecuting and convicting traffickers.

Therefore it is very important to educate the police better, both initially during police training and continuously as new laws are enacted. Law enforcement officers need to know about the consequences of trafficking.

Training and education on the law not only strengthens the professionalism of law enforcers, but also sensitization within law enforcement will also decrease incentives for corruption.

There is an urgent need for communication between government agencies, law enforcement could be far more efficient if law enforcement agencies would inquire the judicial agencies what information is needed in order to try specific cases. Networking between these agencies would not only make law enforcement more efficient, but may also limit the possibilities for corruption. If the existence of cases is known to the judicial agency, a monitoring element is introduced and the number of cases that “disappear” may be reduced.

Cooperation between government and NGOs in Ghana works quite well. The problem here is that the NGOs are cooperating with the governmental institutions rather than the other way around. This imbalance in also translates to a misallocation of power between the two levels, a distortion which has implication on the whole society. The government needs to empower itself to legitimise its position in society. If the meso-level continues to stand above the macro-level on a power scale when it comes to combat trafficking, the people will turn to other authorities, NGOs, village heads, or traditions.

Ability to enforce, both when it comes to institution building and control, is intimately linked to relations of power. Due to the lack of economic and educational resources the government is not able to stand above the meso-level of NGOs on a scale of power. But they should be able to take charge of action plans, educational projects and sensitization, and be the initiator of cooperation with the meso-level. The capabilities of the government are too weak in comparison to that of the NGOs and therefore the balance of power is accentuated in the wrong place.

Although established to some extent there is also a greater need for partnership between the meso- and micro-levels, but especially between macro- and micro-levels. National policy-makers are in great need of ensuring effective evaluation of implementation at the grass-root level, and a strong relation with local levels is significant. There should be annual inspections to areas child labour is common, information easily obtained from NGOs. Furthermore, the partnership between the government and the people can be done through trust building, education and sensitization, and an establishing popular commitment towards civil responsibility.

Trafficking in children remains an enormous problem in Ghana, rooted in lack of education, ignorance, poverty and cultural practices that have become exploitative. It is also made worse by weak enforcement, which in turn can be attributed to inconsistencies within the national legislation, lack of knowledge and rampant corruption within law enforcement, as well as lack of coordination between agencies and lack of governmental initiative to cooperation. Unless concerted efforts are made to change this situation, trafficking in children will likely remain a problem in Ghana for a long time to come.

## 8 Executive Summary

Since the UN Convention of 1949 the legal framework to combat human trafficking has developed at all levels, particularly during the recent decade. The most capital protocol made so far is the so called Palermo Protocol, which helped to give a legal definition of trafficking and provided a framework that could serve as a benchmark for national legislation and action against trafficking. At the local level, government bodies and civil society are struggling with both the supply and the demand side of trafficking. However, despite concerted efforts, this trade in people has not only persisted, but flourished. Today, the phenomenon has become well established and is widely recognized as the slavery of our time.

This study focuses on child trafficking. The conditions of trafficked children are abysmal by any standard, with hard and often dangerous labour under harsh living conditions. But the consequences of child trafficking does not stop with the physical and psychological ill treatment of children, it also has wider, long term socio-economic implications.

Much research has been conducted on how to refine legal tools against trafficking, but research on the causes of trafficking are thin by comparison. Most of the available work on root causes, either test certain hypotheses taking particular perspectives for granted. These often originate from well-established theoretical traditions, e.g. Feminism and Marxism. As a consequence, very few attempts have been made to explore trafficking as a phenomenon in its own right. This study aims to alleviate that shortage by exploring the root causes of trafficking through qualitative interviews within a field study. More specifically, the study explores the roots causes of trafficking by assessing the situation of child trafficking in Ghana.

The main research question of this study is: *What are the root causes of child trafficking in Ghana?*

It needs to be point out that the occurrence of child trafficking in Ghana cannot be ascribed to a lack of formal legal provisions. Ghana has enacted a series of laws and established several agencies specifically to combat trafficking in humans, both as regards trafficking in adults and children.

Therefore, the main question is complemented by asking: *Why are laws specially designed to combat trafficking in Ghana not adequately enforced?*

The problem with legal enforcement and efficiency of prevention is intimately linked to the root causes of trafficking. Problems with

enforcement in itself may originate from the same causes as trafficking, e.g. lack of education, poverty, or cultural aspects. And if trafficking remains prevalent despite legal provisions then inadequate enforcement is a potential root cause in itself.

The objective is to analyse already existing strategies in preventing and protecting the victims, prosecuting the offenders, making partnerships and implementing the national laws within the subject-matter. The exploitation of children in Ghana is quite common and therefore it is important to highlight the problem and put a lot of resources into finding out why this is happening and how it can be prevented. The aim of this study is to contribute with suggestions and policy recommendations for future work in combating this abominable crime.

Ghana was chosen as a case study for a number of reasons. First, West Africa is one of the most prominent sending regions. Second, Ghana has problems with both internal and external trafficking and is both a sending, transit and receiving country capturing many aspects of this multidimensional problem.

There exists no coherent theory on the root causes of the trafficking of human beings. Instead, thoughts on the causes of trafficking come from a variety of different theoretical and methodological traditions. Often viewed through the lenses of each respective tradition and within certain frames, either as a crime against humanity or a manifestation of male dominance over women, trafficking is often treated as theoretically *ad hoc* or an extreme of other phenomena, such as migration, child labour or prostitution.

The theoretical literature was divided into four categories, meant to capture the main arguments of a theoretical perspective. First of all there has been a tendency to treat trafficking as any criminal activity, with little overall concern for the root causes, here called the “Legislation Approach”. A prominent role has been given to poverty in the contemporary discourse, but poverty is multifaceted and can mean lack of income, education or employment, these aspects are together called the “Development Perspective”. Mainly focusing on trafficking for sexual purposes the role of patriarchal structures as a cause of trafficking has also gained a lot of attention, this is called the “Gender Perspective”. Though given a much more marginalised role in the contemporary discourse, specific cultural settings has also been highlighted as a cause of trafficking, this is called the “Culture Perspective”. These perspectives and approaches constitute the theoretical framework of this study.

The purpose of this study is not to challenge existing theoretical perspectives on the root causes of human trafficking, but to complement them. This will be done through a case study of the child trafficking situation in Ghana. More specifically, the study attempts to find explanations to why child trafficking is such an inveterate problem in Ghana despite that efforts have been made, through legislation and institution building, to combat it.

The study is based on qualitative research methodology as this was most suitable for the type of data mining required. The data collection was conducted mainly by individual interviews, complemented by some group interviews.

A set of open questions were established beforehand, although standardised, they were aimed at being open and broad to enable the greatest possible independence for the interviewed individual. The main advantage of such questions is the coherence, continuity and comparability of the result. But as flexibility was needed in order to respond to specific situations as they appear, follow up questions were used to obtain further information.

Every representative, of an agency or organisation, was asked to give their opinion *in experience* of their work, and not *through* their positions. This in order to find their personal opinions and to avoid getting answers that corresponded to mere official positions.

The most systematic and methodologically correct way to gather data was to divide the interviews into sets of populations, organisations and communities that are directly involved with child trafficking at some stage of the process. The study populations were divided into three sub-categories; governmental agencies, non-governmental organisations and private citizens, in their turn representing three different levels of analysis being involved macro-, meso- and micro-level of the trafficking problem.

The most important findings from the interviews was the emphasis on lack of knowledge, poverty among the people, endemic corruption within law enforcement and the continuation of the Ghanaian culture of sending away children.

Both officials within government agencies and NGOs stressed the continuous lack of knowledge. Not so much about what constitutes child trafficking as a phenomenon, but what the legal and societal consequences of trafficking were. This lack of knowledge was not just common among ordinary citizens, but even more importantly among law enforcement. Lack of knowledge is intimately linked with lack of education, but they should not be confused. University campuses are often fertile recruitment ground for trafficking.

Poverty manifested itself by lack of opportunity for employment in rural areas, this was especially emphasised by parents who had trafficked children. The demand for cheap labour among the fishing communities, a destination for much of the child trafficking in Ghana, also has its roots in poverty. Lack of education and resources to improve enforcement also, at least to a certain extent, has a background in poverty. Though, as one ministry official pointed out, poverty is sometimes used as an excuse by parents, as selling ones children can often satisfy wants as much as needs.

Corruption among law enforcement was seen as a major problem. Not only does corruption mean that many traffickers never get arrested or that cases gets lost on the way to prosecution, it also erodes the confidence in law enforcement and legitimacy of laws. This creates further obstacles in



the fight against trafficking, and is a strong contributing factor to its prevalence.

The lack of coordination in between government agencies, and between government agencies and NGOs, was also stressed as a problem. Law enforcement does not inform the judicial agencies about the existence of cases, which becomes a major problem since it is these judicial agencies that have the knowledge on how cases should be adequately processed. The coordination between government and NGOs work fairly well. But the problem here is the skewed power relationship between the NGOs and government, in the sense that NGOs take the initiative towards cooperation and education efforts, while the government participates. This lack of initiative transfers power and responsibility away from the elected government, which risks giving them a lesser stake in the fight against child trafficking.

Through the interviews the Ghanaian culture of sending away children to extended family also emerged as a pronounced hindrance to efficiently combat trafficking. Historically children were sent to extended family in times when their own parents could not cater for them or when the relatives needed work force. The children in return got, at least in theory, food, shelter and care. Today this practice has been distorted into pure exploitation, as the children perform hard physical labour and are often subject to abuse, under extremely harsh living conditions. Furthermore, the practice is no longer confined to extended family alone, but often to strangers or professional traffickers. But even though the practice has changed it is still widely considered to be legitimate.

Many of the root causes stressed in the interviews answered well to the existing theoretical perspectives on trafficking. Poverty was stressed as a root cause, as was the lack of education. Lack of legal enforcement can also be seen as a vital root cause of trafficking. In regards to problems with enforcement the importance of clearer legislation was highlighted, as was the lack of education and corruption among law enforcers. From a theoretical point of view it is evident that most problems fit several of the various perspectives simultaneously.

In order to efficiently address the root causes of trafficking, as well as strengthening enforcement, there is a need for a comprehensive approach to trafficking. Combating child trafficking is not simply a question of poverty alleviation or empowerment of women, but must be a concerted effort to tackle the problem in its own right, and not as a symptom of other societal ills. Anti-trafficking should become an integrated part in development and educational policies. This may seem highly ambitious, but given the long term socio-economic problems associated with child trafficking, it will probably be even more expensive not to take concerted measures.

More specifically, this study identifies the enactment of the Palermo protocol as an important step to identify traffickers in Ghana. The protocol gives a far clearer definition of trafficking and traffickers than the current Ghanaian Trafficking Act. The problem with an enactment is that the

protocol would make the cultural practice of sending children to extended families illegal. But as this practice has been distorted into exploitation, then it should no longer be excepted from the law.

Education efforts concerning the exploitative nature of this distorted culture as well as legal provisions against trafficking and the rights of children, should be strengthened, for adults and children alike. This should be coupled with development efforts, such as micro-credits and creation of employment. Education also plays a key role to improve enforcement as even police and government agencies lack vital knowledge in how to identify and prepare cases of trafficking. Education also serves to empower the police as professionals and reduce corruption.

Coordination between government agencies is badly needed to more efficiently process legal cases and to create checks and balances that may help limit corruption. Further cooperation between government agencies and NGOs is also needed, but this must be led by government. This in order to empower government and give it legitimacy in the issue.

Trafficking in children remains an enormous problem in Ghana, rooted in lack of education, ignorance, poverty and cultural practices that have become exploitative. It is also made worse by weak enforcement, which in turn can be attributed to inconsistencies within the national legislation, lack of knowledge and rampant corruption within law enforcement, as well as lack of coordination between agencies and lack of governmental initiative to cooperation. Unless concerted efforts are made to change this situation, trafficking in children will likely remain a problem in Ghana for a long time to come.

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