

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

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Abstract

Trafficking in persons has posed challenges to governments and security agencies globally. Advocacy, investigative and prosecutorial attempts have been deployed by specialised agencies in an attempt to disrupt and dismantle criminal networks that perpetuate trafficking. However, the 'silo' approach has yielded limited results. Using mainly qualitative research methods among representatives of government ministries, departments and agencies as well as officials from non-governmental organisations, civil society organisations and development partners, we argue that multi-stakeholder collaborations are essential for the co-creation of a coherent solution to the menace of Trafficking in Persons (TIP). We conclude that multi-stakeholder collaborations and the '4 Ps' strategy of prevention, protection, prosecution and partnership within the Ghanaian context have shown that adequate resourcing of the national plan and close monitoring and evaluation of implementation activities could provide the best possible pathway to dealing with these seemingly intractable societal problems. Moreover, we conclude that the multi-stakeholder approach potentially offers access to more resources by drawing on the full range of technical, human, knowledge, physical and financial resources embedded in all sectors and among all actors.

Keywords: Trafficking in Persons, Ghana, Multi-Stakeholder Dialogue, Collaboration, Exploitation

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Overview of the Global Trafficking in Persons Context

Trafficking in Persons (TIP) has been one of the globally complex human activities due to its multi-faceted, clandestine and transitional nature because it occurs covertly within and across national borders as well as transnationally (Pati, 2013; Jones, 2011). Even though TIP is dominant within national borders, on the world stage, it is often conceptualised as a transnational organised crime (Pati, 2013; Kangaspunta et al., 2018). The United Nations has, therefore, rated TIP as the second most vicious crime in the world (Kempadoo et al., 2015). Trafficking in Persons is a common practice in most countries and regions although it remains a concealed crime. Even though the act is globally widespread, in the African region, it is more prevalent in the Western and Central African regions compared to other parts of the continent (Darko, 2018). While there is no obvious reason for this trend, the frequency of wars and unrest in the two regions as well as the high demand for cheap labour in the cocoa plantations in Cote d'Ivoire and Ghana, in addition to the fishing sector, and in mines in countries such as the Democratic Republic of Congo all contribute to the prevalence of trafficking in persons in these African countries. For example, according to the UNODC (2020), in 2018, victims of trafficking across Africa included: Angola (5), Cabo Verde (0), Benin (536), Cote d'Ivoire (282), Democratic Republic of Congo (631), Ghana (331), Kenya (283), Mozambique (29), Namibia (21), Niger (60) and Nigeria (538). Perpetrators of human trafficking often take advantage of the conducive global economy to ensnare victims mostly for sexual exploitation, forced labour, domestic servitude and other forms of manipulation (Bouché & Bailey, 2020). Human trafficking thrives because of the strength of relationships that exist between the actors involved and the victims. These actors include recruiters, intermediaries, counterfeiters, transporters, employers, brothel operators, and even

friends and family members who are trusted or coerced by the perpetrators (Bouchard & Konarski, 2014).

Though TIP tends to be sex and age neutral, a significant proportion of victims are females and children. The 2020 Global Report on Trafficking in Persons reveals that women and young girls constitute 70 percent of victims detected. Migrants are more likely to be trafficked when they are found in marginalised and impoverished situations and when they are in need of economic support (Bouché & Bailey, 2020). In the same vein, children from poor countries form the mass of the victims of trafficking. For instance, countries in South Asia, Central America, the Caribbean and West Africa which have a greater share of children living in extreme poverty and vulnerable situations report much higher shares of victims of child trafficking. Globally, one-third of the detected victims of human trafficking are children, but in the case of low-income countries, half of the detected victims are children and most of them are trafficked for forced labour (Bouché & Bailey, 2020). This points to the reality of an international political economy that thrives on an insatiable appetite for cheap and flexible labour, mostly from impoverished low-income countries, in a racialised hierarchical order. The racial dynamics implicated in the global system in which mostly Black Africans are trafficked to non-Black regions of the world have prompted discourses around modern-day slavery. These global conditions are exploited by human traffickers to subjugate victims in slave-like conditions.

The 2018 and 2020 Global Reports on Trafficking in Persons reveal an increasing detection of cases in trafficking across the regions and this shows that even though there is a likelihood of increasing cases of human trafficking, there is also increasing efforts by national authorities to detect, prevent and prosecute perpetrators of this heinous crime. Nearly every country now has legislation in place criminalizing human trafficking (Kangaspunta et al., 2018; Bouché & Bailey,

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

2020). According to Obokata (2019), states have the principal obligation to combat human trafficking. The African Charter on Human and Peoples Rights 1981 imposes on member states three obligations in the fight against trafficking in persons. Thus, states formulate sufficient legislative frameworks to prohibit and prosecute all forms of trafficking in persons. States are further obligated to put in measures to ensure the protection of victims of trafficking in persons as well as other needs as enshrined in Articles 6 and 7 of the Charter. The final obligation on state governments is to prevent all forms of trafficking in persons. Origin and destinations countries of trafficking are to work on their push and pull factors respectively to augment implementation of the preventive mechanisms to trafficking in persons (Obokata, 2019). In line with this, the 2019 Report on Trafficking in Persons by the US State Department found that the Government of Ghana has over the years made increasingly significant effort towards achieving these three obligations.

Overview of the Nature of Trafficking in Ghana

The nature and scope of human trafficking in Ghana is not significantly different from what pertains in other parts of the world (Gyamfi, 2016). Trafficking in persons is a crime and considered a second-degree felony in Ghana (Sertich & Heemskerk, 2011). This notwithstanding, Ghana is a source, transit, and destination country for men, women, and children who are trafficked and subjected to forced labour and sex trafficking. In Ghana, there is higher prevalence in cases of domestic trafficking compared to international or transnational trafficking and children constitute the majority of the victims (Sertich & Heemskerk, 2011). Ghanaian male and female children are subjected to forced labour in many sectors including fishing, domestic service, street hawking, begging, artisanal gold mining, and agriculture within the country. Mostly women and young girls from the north and other rural parts of Ghana where poverty levels are much higher are trafficked into metropolises and exploited as labourers, beggars, and prostitutes (Sertich &

Heemskerk, 2011; Gyamfi, 2016). This points to the political economy of Ghana whereby the government's public policy has segmented the country into a north-south and rural-urban divide with development resources being concentrated in the south as well as urban centres at the expense of the north and other rural areas. The poor socio-economic backgrounds of victims strongly allude to the role of power and subjugation in trafficking in persons. These national dynamics facilitate the easy exploitation of vulnerable persons from the deprived sections of the country. Generally, data on trafficking victims and perpetrators is quite unreliable because of the clandestine nature of the crime as well as the weak capacity of stakeholders to capture accurate data. However, available data from the Human Trafficking Secretariat of the Ministry of Gender, Children and Social Protection in 2019 paints a picture. The ministry's data shows that forced labour and sexual exploitation (prostitution) are the most current and dominant forms of trafficking in Ghana, but removal of organs cannot be neglected (Darko, 2018). Reportedly, about 503 victims of trafficking in Ghana were found in forced and child labour exploitation and out of this figure, 316 were females. The Secretariat also recorded all-female victims who were sexually exploited as prostitutes, the majority of whom were foreign nationals. With regards to sex distribution, out of the 611 cases of Trafficking in Persons identified in Ghana in 2019, 68% of them were females while 32% were males. In terms of age, 67% out of the total cases were adults. This indicates that even though child trafficking is a concern in Ghana, most victims of trafficking especially across international borders are adults. The majority of these victims are between 19 and 29 years old. The UNODC Global Report on Trafficking in Persons 2020 on sub-Saharan Africa revealed that whereas there were more (362) adult victims of trafficking in persons in Ghana in 2017 compared to 196 victims of trafficking in persons who were minors, this pattern changed in 2018 with more (251) victims who were minors and 80 adults (UNODC, 2020). This confirms an increasing trend

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

of child trafficking in Ghana. The Global Report on Trafficking in Persons, 2020, reported that the Ministry of Gender, Children and Social Protection data on Trafficking in Persons observed a reduction in the number of identified adult victims and an increase in the number of minors who were victims of trafficking between 2017 and 2018.

Internationally, Ghanaians are trafficked to the Gulf States and within the West African sub-Region. The major countries where Ghanaians are trafficked to are Lebanon, Iraq, Kazastan, UAE, Jordan, Kuwait, Dubai and in West Africa, the main destinations are Nigeria and Cote d' Ivoire. In the same vein, majority of the victims of Trafficking in Persons in Ghana originate from mainly neighbouring West African countries including Nigeria, Togo, Cote d' Ivoire, Mali, Niger and Chad because of geographical and cultural proximity. Ghana also serves as a transit point for trafficking victims from Nigeria, Togo and Cameroon to other countries outside the African continent (ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa, 2018).

The scope and scale of trafficking in persons suggests that it is a critical human rights violation and a criminal act that adopts disparate forms and that requires a multi-prong approach in addressing the causes, nature, severity and impact on victims. Global attempts at stemming incidents of TIP have been uneven, with the more advanced countries deploying sophisticated logistical equipment and capabilities including artificial intelligence and surveillance architecture while the poorer countries continue to rely on word-of-mouth tip offs from the general public. Given the contextual inadequacies in developing countries, what inexpensive yet effective approaches could be adopted to deal with TIP incidents? We propose that developing countries could rely on coherent and enforceable legal provisions and multi-stakeholder institutional frameworks at the national level towards fighting TIP rather than the obsession with global ranking rubrics that name and shame countries based on comparable international data on detections,

investigations, prosecutions and convictions. Using Ghana as a case study from the global South, this paper, therefore, seeks to answer the following research questions (a) What legislative and institutional frameworks are available for dealing with TIP challenges in Ghana? (b) How are the multi-stakeholder approaches adopted to collaboratively to deal with TIP incidents? The rest of the paper provides a brief conceptualisation on multi-stakeholder collaborations and the methodology adopted for the research. The legal, policy and institutional frameworks in Ghana are then examined as strategies of illustrating how collaborative actions by multiple stakeholders could define the efficacy with which nation states in the global South could manage incidents of TIP.

Conceptualising multi-stakeholder approaches to managing TIP incidents

Considering the entangled nature of trafficking in persons, attempts to understand, investigate, and rescue victims of trafficking as well as to arrest and prosecute perpetrators require a multi-stakeholder approach. This suggests that no one government ministry, department or agency can comprehensively deal with the multi-faceted and multi-layered components of trafficking, without depending on collaborating partners for intelligence, logistics and capacity. Globally, there has been an increased appreciation for collaborative initiatives that draw together an assemblage of change agents such as stakeholders from public sector, private sector and civil society (Kuenkel, Kuhn, Stucker & Williamson, 2021; Brouwer & Woodhill, 2015). As noted by Kuenkel, Kuhn, Stucker and Williamson (2021), these multi-stakeholder collaborations are variously referred to in the extant literature as multi-stakeholder partnerships, multi-stakeholder platforms, multi-stakeholder consultations, multi-stakeholder dialogues, or multi-stakeholder governance, among others. Invariably, the central trust is that they are all broadly centred around the involvement of multiple stakeholders from diverse sectors and with diverse perspectives on a given phenomenon.

The rationale of this approach is to co-create a coherent solution to a common societal problem or challenge (Beisheim, 2011). Kuenkel, Kuhn, Stucker and Williamson (2021) examine the four quintessential forms of multi-stakeholder collaborations (Figure 1) to include a) multi-stakeholder dialogues which foster interest and create awareness on a topical issue as well as eliciting of feedback, b) multi-stakeholder platforms which serve as a medium for experience sharing, bolstering of working relations across sectors and coordination of implementation strategies, c) multi-stakeholder initiatives which foreground impactful transformation over time and d) multi-stakeholder partnerships which focus on the realisation of higher goals through the pooling of resources among stakeholder partners over time. Though these are theoretically discussed as isolated and exclusive categories, there are overlaps and mixing and matching of the different forms in practice.

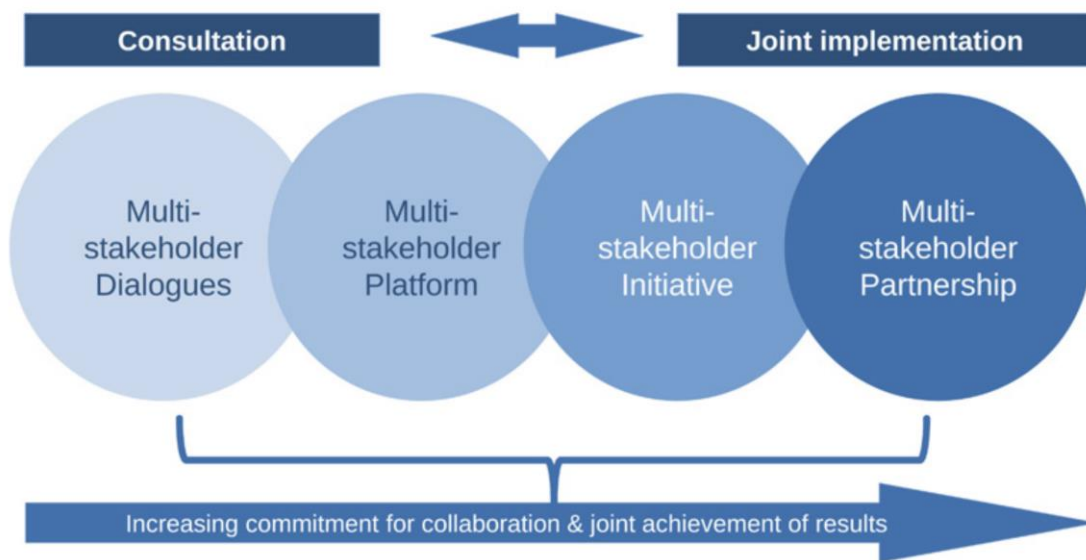


Figure 1: Main forms of multi-stakeholder collaborations

Source: Kuenkel, Kuhn, Stucker and Williamson (2021, 25)

Drawing on Rodriguez and Alsalem's (2020) seminal text on multi-stakeholder dialogues, for instance, we assert that Multi-Stakeholder Dialogues (MSDs) are essential, within a multi-stakeholder collaboration approach, in bringing about the needed level of cooperation towards solving an otherwise intractable problem or challenge. These dialogues can take the form of conferences, networking events, meetings, or consultations where issues around trafficking in persons are discussed jointly by different stakeholders. The overarching strength of MSDs is their ability to serve as spaces for exchanging views, developing policies, and jointly finding solutions to context-specific challenges. The fundamental principles that guide MSDs include (a) taking a "whole of society approach" which requires the inclusion of public, civil society and private sector actors, as well as relevant international organizations, (b) adopting a bottom up and inclusive approach that fosters ownership of the process and the emerging results, (c) complementarity through building on partnerships that have already been established across the security and regulatory landscape, (d) a focus on coming up with concrete, relevant and realistic proposals for policy measures that promote the potential for the prevention of trafficking, the rescue of victims and the prosecution of traffickers, and (e) fostering collaborations across sectors by recognising the qualities and competencies of each sector and finding new ways of harnessing these for the common good.

The Multi-stakeholder approaches are popular in project planning, management and evaluation within the private and not-for-profit sectors, but we are of the view that these approaches are equally relevant in dealing with egregious societal challenges such as TIP. When applied to trafficking in persons, the hypothesis underpinning a multi-stakeholder approach is that only through comprehensive and widespread cross-sectoral collaboration can provide sustainable solutions to trafficking in persons be achieved. Single sector approaches have been tried and they

have failed (Rodriguez & Alsalem, 2020). Working separately, different sectors have developed activities in isolation - sometimes competing and/or duplicating effort and wasting valuable resources. As noted by Rodriguez and Alsalem (2020: 6), “working separately has all too often led to the development of a ‘blame culture’ in which chaos or neglect is always regarded as someone else’s fault”. The multi-stakeholder approach enables partners to complement strengths and to minimise weaknesses as well as to integrate different perspectives, standpoints, and interests during the planning and execution of intervention initiatives. By so doing, they foster new and innovative forms of communication and cooperation, and they integrate diverse competencies.

Methodology

Research design

The empirical research relied on a qualitative research design. This was achieved through semi-structured interviews conducted with representatives of Ghana government ministries, departments and agencies as well as officials representing civil society organisations. In line with the interpretivists’ epistemological tradition, qualitative research techniques are critical in enabling the exploration of phenomena and an in-depth depiction of the intricate meanings and subjective views that individuals or groups ascribe to a social or human phenomenon (Kandilige et al., 2022; Cresswell, 2006). As noted by Akcam et al. (2019), the mechanics of qualitative research comprise of a combination of interconnected methods, such as desk-based literature review, semi-structured interviews, focus group discussions, and participant observation. The qualitative research design was deemed to be apt due to the main trust of the study which was to gain in-depth knowledge on the nature and scope of trafficking in persons in Ghana, the profile of

victims and perpetrators of trafficking, the legal and institutional frameworks for dealing with incidents of trafficking and the challenges to curtailing and curbing trafficking in persons cases in Ghana. The qualitative research design is equally useful to address questions about experiences, meaning and perspectives from the perspective of the participant (Hammarberg et al., 2016). This paper mainly relies on the data on the legal and institutional frameworks in Ghana.

Target Population and Sampling Procedure

The research targeted key officials at government ministries, departments and agencies who are responsible for policy making, oversight and the implementation of laws as well as policies on the detection, investigation and prosecution of cases of trafficking. It also targeted both local and international non-governmental institutions such as civil society organisations and development partners that carry out activities including research, information campaigns, rescue of victims, family tracing and reintegration of victims with families and prosecution of perpetrators.

Table 1: Categories of participating institutions in interviews

Type of institution	Number interviewed
Government ministries	3
Government departments and agencies	4
United Nations Institutions/Agencies	2
International Organisations/NGOs	4
National NGOs & Civil Society Organisations	6

The sampling techniques adopted were mainly purposive and snowball sampling. The rationale for these sampling approaches is because trafficking is a specialised area and only those who are directly engaged with the different aspects of the trafficking cycle could meaningfully comment

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

on the legal and policy dimensions. Experts were asked questions on themes including: common forms of exploitation among adults and children, factors that influence trafficking in persons, profiles of victims and of traffickers, mode of recruitment of victims, main anti-trafficking laws, trafficking in persons-related national strategies and national action plans, key stakeholders in fighting trafficking and the impact of COVID-19 on trafficking in persons. The rationale was to gain an in-depth understanding of the nature, volume, and patterns of trafficking in Ghana, the institutional framework for fighting trafficking incidents and the impact of a global pandemic on trafficking in persons.

Data Collection and Analysis

Two tailored semi-structured interview guides were developed for data collection among the two broad categories of participants (government officials and CSOs). The fieldwork was executed between March and May 2021 with a focus on Accra, Ghana's capital, and the regional offices of CSOs and government departments, especially in regions that report large incidents of trafficking cases. All the interviews were transcribed fully, and the reflexive thematic coding and analysis technique was employed to analyse the qualitative data (Kandilige et al., 2022). In line with Braun and Clarke's (2021) six-phase process, this approach involved the centrality of the researcher's subjectivity and reflexivity. In addition, a thorough desk review was done of relevant legal and policy documents on trafficking in persons in Ghana, the criminal code, the constitution of Ghana and relevant international conventions that Ghana is signatory to. Documents were accessed from the Ministry of Gender, Children and Social Protection, the Parliament of Ghana, the official ECOWAS website, reports from the United Nations Office on Drugs and Crime (UNODC), and digital legal libraries.

The anti-trafficking architecture in Ghana

In line with global trends, data from the Criminal Investigation Department (CID) of the Ghana Police Service ranked human trafficking among the major crimes in Ghana especially from 2011 to 2014 aside the other forms of crimes such as murder, child stealing, rape, robbery, drug abuse, smuggling, counterfeiting, cyber-crimes, and illegal possession of firearms (Gyamfi, 2016). The enormity of trafficking in persons at the global and national levels has resulted in several responses through the formulation of legal and policy frameworks to mitigate the practice. Apart from national level provisions, Ghana has signed and ratified several sub-regional, African, United Nations and International Labour Organisation legal instruments and conventions relating to trafficking in personsⁱ.

Signing and ratifying international legal provisions impose some obligations on signatory states and guide states in the incorporation of the tenets of such agreements at the national level. Our interest is an examination of the national level legal, policy and institutional frameworks that are deployed to deal with TIP.

Anti-trafficking legal, policy and institutional frameworks at the national level

For TIP to be effectively outlawed, there is the need for strong legislative and policy frameworks at the national level. Ghana has legislations that protect rights of its citizens and those of immigrants, since trafficking in persons is a human rights issue. Some of these legislations include The Criminal Offences Act or Penal Codes of 1960 (Act 29). Even though the Criminal Offences Act of 1960 did not make specific reference to the term trafficking as defined by the United Nations, certain sections of Act 29 made provisions criminalising all forms of trafficking such as: abduction, torture, slavery, kidnapping, child trafficking, forced prostitution, forced abortion,

conspiracy, organized crime, slavery, sexual assault, forced marriage, rape, defilement, child stealing and sexual and labour exploitation and abuse of rights within Ghana.

The 1992 Constitution of Ghana is the supreme legal guiding document and a compendium of human rights legislations (Asare, 2015). It protects the rights and dignity of all adults and children in Ghana devoid of any reservations (Bluwey, 2002; Benneh, 2004; Asare, 2015). Article 16(1), for instance, specifies in unambiguous terms that no person shall be held in slavery or servitude. In relation to trafficking of children, Article 28(3) protects children from torture or other cruel, inhuman or degrading treatment or punishment (ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa, 2018).

Moreover, the 2003 Labour Act of Ghana (Act 651) is another legal framework that prohibits all forms of forced labour and exploitation. Since forced labour is the common form of exploitation in Ghana, Section 116 of the Act, for instance, strongly prohibits this practice and makes it an offense whilst Section 117 of the Act defines forced labour as “work or service that is exacted from a person under threat of penalty and for which that person has not offered himself or herself voluntarily”.

Specifically focused on children, the Children Act of 1998 (Act 560) reformed and consolidated all laws relating to children in Ghana. Currently, it is the legal framework that provides for the rights, maintenance and adoption of children in Ghana. It regulates child labour, apprenticeship and other ancillary matters that concern children generally, as well as provides for related matters. The succeeding sections protect the physical and mental wellbeing of childrenⁱⁱ. These provisions allow for the prosecution of perpetrators who claim that child labour is permissible within the Ghanaian culture, under child fosterage, which is often abused.

The Human Trafficking Act 2005 of Ghana (Act 694) was assented and adopted on 5th December 2005 as the legal framework that is directly related to trafficking in persons in Ghana. The current legislation on trafficking in persons in the country covers all forms of trafficking as indicated in the United Nations Trafficking in Persons Protocol. It is formulated for the prevention, reduction and punishment of all forms of human trafficking, for the rehabilitation and integration of trafficked persons and for related matters. The Act defines human trafficking in line with the United Nations definition¹. The Act additionally explains that exploitation shall include at the minimum induced prostitution and other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, placement for sale, bonded placement, placement services where exploitation by someone else is a motivating factor shall also constitute trafficking. On 20th July 2009, the Human Trafficking (Amendment) Act, (Act 784) amended some sections of the Human Trafficking Act 2005 (Act 694) in order to redefine human trafficking and to provide for related purposes. The Human Trafficking Prohibition Regulations, 2015 (L.I. 2219) provide guidance to the operationalization of the Human Trafficking Act and directs the police and judiciary in the prosecution of perpetrators of trafficking.

Given that a significant number of victims of TIP in Ghana are from neighbouring West African countries and some trafficked victims from Ghana are also transported to foreign countries for purposes of exploitation, migration management is another critical component of anti-trafficking discourses. As such, the National Migration Policy for Ghana (NMP) 2016 serves as the comprehensive national policy on managing all forms of migration. Section 4.2.1 of the policy

¹ “The recruitment, transportation, transfer, harbouring, trading or receipt of persons for the purposes of exploitation within and across national borders by the use of threats, force, or other forms of coercion, abduction, fraud, deception, the abuse of power or exploitation of vulnerability, or giving or receiving payment and benefits to achieve consent”

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

highlights the links between irregular migration and trafficking. It stipulates the strategies for greater awareness creation around the risks of human trafficking, calls for inter-sectoral as well as international collaboration in the fight against human trafficking and for research and the collection of data to support the establishment of a trafficking database.

Other Related Legal Frameworks

Besides these legislations, Ghana also has other legal frameworks that indirectly support the effective implantation of the Human Trafficking Act 2005 (Act 694). Sections 1, 2 and 3 of the Anti-Money Laundering Act, 2008 (Act 749), for instance, prohibit practices that are accompanying unlawful acquisition of property including trafficking in persons and prescribe penal sanctions for the perpetrators of these acts and their allies. The Domestic Violence Act, 2007 (Act 732) protects the rights and dignity of women and children from all sorts of abuse and exploitation in the domestic space since they are the most vulnerable and the common victims of the mistreatments associated with trafficking in persons. One of the key elements in the concept and definition of trafficking in persons is transportation. The Ghana Immigration Act 2000 (Act 573) and its accompanying regulations (L.I. 1691) regulate the internal, intra-regional, international migration and all other forms of migration including the movement of perpetrators and victims of trafficking in persons such as entry and departure, residence and employment of foreign nationals in the country, deportation related issues, exemption, detention and petition, miscellaneous provisions and offences including procedures to acquire citizenship in Ghana.

National strategies and the National Action Plans on TIP

In addition to the legal frameworks, Ghana has adopted national action plans to minimise trafficking at all spatial levels. The National Plan of Action for the Elimination of Human Trafficking in Ghana (2017-2021) has been instrumental in driving collaborative actions among

all stakeholders towards dealing with TIP issues in the country. The core purpose of this National Plan has been to “strengthen Ghana’s capabilities along the holistic “4 P’s” strategy, that is: the Prevention of TIP; Protection of TIP victims; Prosecution of TIP offenders; and Partnerships with stakeholders to combat TIP”². This Action Plan outlines strategies for the country to respond comprehensively to human trafficking incidents, in a coordinated manner, effectively, timely and consistent with international standards. Closely aligned with it is the National Plan of Action for the Elimination of the Worst Forms of Child Labour in Ghana (2017-2021). The main objective of this National Plan is to “reduce the worst forms of child labour to the barest minimum (<10%), by 2021 while laying strong social, policy and institutional foundations for the elimination and prevention of all forms of child labour in the longer term”³. These two plans are comprehensive in nature, and they cover both children and adults. Adopting the four “Ps” strategy, the National Plan of Action on Trafficking in Persons focuses on meeting the needs of trafficking victims nationally while positioning Ghana not to slip into a Tier 2 Watch List on the Global TIP report by the US Department of State (USDOS). Though Ghana aspires to a favourable global ranking, this plan of action is in-ward looking and prioritises national solutions to national challenges and for the benefit of Ghanaians rather than striving to merely obtain praise and recognition from external agencies. The plan is very functional in that it has not only attracted government support for implementation, it is also a good guide in directing the implementers on priority areas and for effective monitoring and evaluation. However, effective implementation of the action plan is

²<https://www.unicef.org/ghana/media/1851/file/National%20Plan%20of%20Action%20for%20the%20Elimination%20of%20Human%20Trafficking%20in%20Ghana.pdf>

³<https://www.unicef.org/ghana/media/1836/file/National%20Plan%20of%20Action%20to%20Eliminate%20the%20Worst%20Forms%20of%20Child%20Labour.pdf>

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

fraught with inadequate resources which also impact on coverage, monitoring and evaluation processes (ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa, 2018).

The national plan of action has been adopted by key national stakeholders and incorporated into their own internal operations. The Anti-Human Trafficking Unit (AHTU) of the Ghana Police Service, for instance, has aligned its strategies in fighting human trafficking by adopting the four ‘Ps’ which are central in the National Plan of Actionⁱⁱⁱ.

Institutional framework for coordinating anti-human trafficking activities in Ghana

Trafficking in persons is a complex criminal activity that mostly involves multiple actors with debilitating effects on the lives of victims, members of their households in particular and/or members of their communities at large. The scope of effects requires a multi-stakeholder response, involving state, non-state, civil society and development partner representatives. Within the Ghanaian context, targeted government ministries, departments and agencies collaborate and coordinate investigative, prosecutorial and restitution measures in dealing with trafficking issues. The composition of multi-stakeholder actors is fluid and context specific. As noted by the head of the Human Trafficking Secretariat, beyond core ministries that have a clear mandate on trafficking issues, other actors are co-opted on an *ad hoc* basis:

When we talk about government partners, we work with all government institutions that are in good standing because it depends on the institution you may need help from. The fact that you do not work with some other institutions at any given time does not mean that they cannot serve your purpose in times of need (Interview, Head, Human Trafficking Secretariat, Ada, 18th March 2021).

Ghana's Ministry of Gender, Children and Social Protection (MOGCSP) hosts the Human Trafficking Secretariat which is the implementing body of the Human Trafficking Act 2005 (Act 694) and its related regulation (L.I. 2219). It is also responsible for the coordination of all human trafficking related activities in the country in the quest to implement the Human Trafficking Act fully. This allows for policy coherence and complementarity of actions by varied institutions. To achieve this, the ministry adopts a multi-stakeholder collaboration approach among departments and agencies within the ministry, other government ministries and other stakeholders from NGOs and civil society organisations. The Department of Social Welfare which is an agency of the Ministry provides support for victims of human trafficking such as rescue, shelter, rehabilitation, counselling and guidance services and the reintegration of victims. The rescue of victims requires close collaboration with the Ghana Police Service, the Ghana Immigration Service, the Navy and Civil Society Organisations. Shelter for rescued victims is critical to facilitate the investigation processes leading up to the possible prosecution and incarceration of perpetrators. Victims, especially those who have been exploited over a long period of time, need to be rehabilitated through psychosocial interventions such as counselling and guidance services by professionals. Eventually, family tracing and mediation between rescued victims and their families are carried out to facilitate the reintegration of victims with their families and communities. The MOGCSP equally hosts the Human Trafficking Management Board (HTMB), a body responsible for enforcing the tenets of the Act on trafficking in persons in Ghana, in line with Section 28 of the Human Trafficking Act of 2005. This highlights one aspect of the complex maze of stakeholders that are needed to contribute to anti-trafficking activities.

In addition, the Ministry of the Interior is a key Ministry that is responsible for the coordination and implementation of all security policies and related issues in the country. The Ministry,

therefore, coordinates several security agencies that are directly involved in the implementation of the trafficking law. As noted, the Ghana Police Service has an Anti-Human Trafficking Unit (AHTU), which is primarily responsible for the prevention, rescue and protection of victims of trafficking as well as the handling of investigations, arrests and prosecution of traffickers. This Unit was established on 11th March, 2008 and it is under the command of the Criminal Investigation Department (CID) of the Ghana Police Service with nine regional offices in the sixteen (16) regions of Ghana. The Unit collaborates with other stakeholders such as the Department of Social Welfare, the MOGCSP, the Ghana Immigration Service, UNICEF, the ILO, IOM, the Office of the Attorney General and Ministry of Justice, and NGOs to embark on awareness creation and sensitization programmes on the risks of falling victim to trafficking and strategic measures to address the issue of human trafficking within Ghana and across the country's borders. The AHTU also collaborates with Embassies and High Commissions of different countries in cases involving international trafficking in persons, especially on investigations, prosecution and deportation of perpetrators. The Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service is also instrumental in dealing with cases of sexual abuse, domestic violence, forced marriage and domestic servitude. These cases are inextricably linked with incidents of trafficking in most instances (Bouché & Bailey, 2020). The Ghana Immigration Service also hosts the Anti-Human Smuggling and Trafficking in Persons (AHSTIP) Unit. With the support of the Migration Management Bureau, the Unit seeks to prevent migrant smuggling and cross-border trafficking as well as create awareness on the prevention of irregular migration which sometimes results in human trafficking. Operationally, the AHSTIP Unit has established desks at the three major land border crossings - Aflao, Paga and Elubo (IOM, 2013). These desks are responsible for coordinating anti-smuggling and anti-trafficking related operations at these

border crossings. The Ghana Prisons Service is another key agency under the Ministry of the Interior that incarcerates convicted traffickers. The Ministry of the Interior also coordinated the formulation and launching of the National Migration Policy and the ministry is in the process of establishing the Ghana National Commission on Migration which will serve as an implementing agency for the policy. As noted earlier, section four of this policy focuses on trafficking in persons and it outlines strategies for averting trafficking incidents.

Closely linked to the roles of the Ministry of the Interior, the national security agencies, under the Ministry of National Security, provide intelligence on the profile of traffickers, their movements, financial transactions and organised criminal rings to the AHTU, AHSTIP, the Human Trafficking Secretariat and other related agencies.

The cross sectoral and inter-ministerial approach to combatting human trafficking also involves the Office of the Attorney General and the Ministry of Justice. This ministry is responsible for the prosecution as well as the provision of advice on dockets for the prosecution of human traffickers. Under this ministry, the Economic and Organised Crime Office (EOCO) is currently involved in investigating activities related to organised crime and money laundering, including within the context of human trafficking. Moreover, the Judicial Services (Courts) are integral in the adjudication of alleged cases of trafficking. A related institution, the Commission on Human Rights and Administrative Justice (CHRAJ) supports the agencies under the Ministry of Justice to investigate and prosecute human rights violations as they relate to incidents of trafficking.

Furthermore, the Ministry of Employment and Labour Relations formulates and implements all labour related policies in Ghana. Through its agencies and departments (the Labour Department, the Data Inspectorate and the Child Labour Unit), the ministry is in charge of the elimination of incidents of child labour and related exploitation. Internal human trafficking cases tend to involve

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

child labour and other forms of exploitation. As such, the Labour Department which has the mandate to outsource labour recruitment functions to private labour recruitment agencies, oversees their registration and licencing in line with the Labour Act of 2003 (Act 651) and the Labour Regulations of 2007 (LI 1833). These obligations apply to labour recruitment agencies that recruit for both domestic and international labour markets. Operationally, the Labour Department liaises internally with the Data Inspectorate and the Child Labour Unit, but also externally with other ministries and agencies such as the Ministry of Foreign Affairs and Regional Integration on due diligence on contracts with foreign agencies/employers, the Ghana Immigration Service on the issuance of exit permits, the Ministry of National Security on intelligence gathering and the Ghana Police Service on criminal records and clearance of all parties involved in foreign employment relations, among others. This ministry leads actions against one key component of trafficking – labour exploitation and modern-day slavery situations.

The Marine Police of the Ghana Navy, under the Ministry of Defence, is another key stakeholder in the multi-stakeholder tapestry in Ghana for the rescue of victims, especially at sea and on the Volta Lake where several cases of trafficking of children have been recorded (US Department of State, 2020; MOGCSP, 2019). The Navy collaborates with the Ghana Police Service, the Department of Social Welfare, Ghana Immigration Service and NGO/CSO partners in carrying out rescues.

Beyond the rescue of victims, other stakeholders focus on sensitisation of community members to avert the occurrence of trafficking in the first instance. The National Communications Authority, under the Ministry of Communications, for instance, supports other stakeholders in sensitisation campaigns and investigations into exploitation on the internet, in collaboration with the Cyber Security Unit of the Ghana Police Service. Awareness creation around risks and vulnerabilities is

fundamental in preventing one of the main means of recruiting trafficked victims, which is through deceit. The increase in intergenerational usage of social media has been exploited by traffickers as a means of recruitment of unsuspecting victims. Thus, the Cyber Security Unit of the police service provides the technical expertise to the regulatory body (the National Communications Authority) to detect, track and apprehend suspected traffickers who seek to recruit victims on cyber space.

Following the rescue of victims of trafficking, several intermediate steps need to be completed as part of the sustainable rehabilitation and reintegration process. These stages involve two main government ministries – the Ministry of Health and the Ministry of Education. The Ghana Health Services, under the Ministry of Health collaborates with other stakeholders to provide both physical and mental health interventions for rescued victims. Psychosocial needs of victims are catered for by health officials of the ministry working in conjunction with professionals from the Ghana Psychological Association, the Ghana Mental Health Authority, and Departments of Psychology in public universities such as the University of Ghana and the University of Cape Coast as well as voluntary organisations. In addition, the Ghana Education Service, under the Ministry of Education, provides for the educational needs of rescued victims during their rehabilitation and their reintegration phases. Complementary educational support is provided by civil society organisations such as Challenging Heights, based in Winneba (Central Region of Ghana).

Non-State Multi-Stakeholder Actors Against Trafficking in Persons

Beyond the state agencies and ministries, non-governmental organisations, civil society organisations, community-based organisations, faith-based organisations and international organisations have been central in highlighting the menace of human trafficking (Lee, 2014;

MOGCSP, 2019). The human resources, local knowledge, logistical support and financial resources of a plethora of non-government stakeholders are critical to recent successes Ghana has chalked in detecting, arresting and prosecuting traffickers. These national achievements have been recognised internationally by being elevated from the Tier Two Watch List to a Tier Two status (US Department of States, 2020). Non-government actors⁴ have been involved in advocacy and awareness creation, rescuing, sheltering, rehabilitation and reintegration, all in the bid to implement the provisions of the Human Trafficking Act and to stem the tide on trafficking in persons in, into and out of Ghana. In particular, some non-governmental organisations and civil society organisations have been at the forefront of providing shelter for rescued victims of child trafficking, until government joined recently (MOGCSP, 2019; US Department of States, 2020). There is, however, a yawning gap in the availability of shelter for adult victims of trafficking. An example is the role of Challenging Heights in the rescue, accommodation, and rehabilitation of victims:

Yes, we have done several rescues over the years since 2009. We rescue on average 60 children from traffickers every year. We provide them with rehabilitation services, we provide them with basic education, and we also provide psychosocial support. You know most of them [victims] are traumatised when they are rescued. We keep them in our recovery centre and provide them with medical support, we feed them and accommodate them. We also carry out

⁴ Migrant Watch and Skilled Revolution Front, Mercy Project, The NGO Coalition on the Rights of the Child, The Christian Council of Ghana, Breaking the Chains through Education, Right To Be Free, Ghana Make a Difference (Shelter), Village of Hope (Shelter), Challenging Heights, Parent and Child Foundation, Great International Mission, Don Bosco Child Protection Centre, City of Refuge Ministries, The Ark Foundation, Partners in Community Development Programme (PACODEP), SEWA Foundation, Eden Heights, Centre for Initiatives Against Human Trafficking (CIAHT), Kinder Paradise (Shelter), Nana Aymadu Foundation, Chiefs, Queen Mothers and opinion leaders in communities, Free the Slaves, RECFAM Foundation and the Media

reintegration support where we trace their families and then work with the families until the time is right for the children to be reintegrated back with their families (Interview, Senior Project Officer, Accra, 22nd March 2021).

International stakeholders in anti-human trafficking tend to provide funding, capacity building, training, logistical support and standards setting opportunities to their Ghanaian counterparts. Primary among them include the IOM, ILO, the EU, Expertise France, World Vision, the State Department (USA), International Justice Mission, International Needs - Ghana, UNICEF and recently the International Centre for Migration Policy Development (ICMPD). The IOM office in Ghana, for instance, has been supporting the Government of Ghana in combating trafficking in persons. In the fight against child trafficking, IOM has supported the drafting of victim-centred Standard Operating Procedures (SOPs) to combat human trafficking in Ghana by training key officers in the Ghana Police Service, the Department of Social Welfare, Community Development, Labour Officers, Ghana Immigration Service, Office of the Attorney General and others to efficiently carry out their duties in identifying, reporting, assisting rescues, investigating TIP cases and prosecuting the perpetrators. In addition, with support from IOM and other NGO partners, the Human Trafficking Secretariat has developed an online reporting system called Trafficking in Persons Information System (TIPIS), which is supposed to capture all cases of trafficking across the country and be accessible to anyone online. The data to be collected are on reported cases, rescues, prosecutions, and convictions. However, our empirical research shows that officials at the district and regional offices are not utilising the system regularly, consistently and/or correctly. A prime example is given by the head of one of the prominent NGOs:

Multi-stakeholder approach for dealing with Trafficking in Persons: The case of Ghana

Unfortunately, the district officers are not doing it [recording cases]. We know this because last year we rescued about 80 to 100 children and we did this with the police and social welfare department but during the collation, some of the districts we rescued children from reported zero cases! (Interview, Executive Director, Accra, 23rd March 2021).

In 2017, IOM also developed two training-of-trainers (ToT) curricula for the Ghana Police Service on the issue of trafficking in persons in Ghana, with an emphasis on child trafficking.

The ICMPD has also been contributing meaningfully to the anti-trafficking discourses in Ghana through a regional “Baseline assessment of national, regional and international referral mechanisms for the protection of trafficked persons in Ghana” in 2021. This assessment provided relevant information on the profiles of victims and perpetrators, the legal and policy frameworks, institutional capacities and challenges faced by collaborating institutions. Through the ‘Strengthening Border Security’ (SBS) and the ‘Strengthening Border and Migration Management in Ghana’ (SMMIG) projects, ICMPD has sort to highlight the nexus between bolstering border security and the prevention of irregular migration and crime including human smuggling and human trafficking. Recent provision of logistical and training support to the Ghana Immigration Service, especially the Document Fraud Expertise Centre (DEFEC) as well as funding to academic institutions to research into trafficking in persons in, from and into Ghana are examples of ICMPD’s increasing interest in trafficking in persons issues.

In June 2015, the Governments of Ghana and the USA signed the maiden Child Protection Compact (CPC) Partnership to strengthen the current efforts of the Government of Ghana and Ghanaian civil society towards addressing forced child labour and child sex trafficking in Ghana. The MIEUX Project, under the Ghana Immigration Service was intended to build the capacity and

training of Immigration Officers (ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa, 2018). Finally, the private sector sometimes plays an important role of providing apprenticeships for rescued victims during their reintegration back into their communities.

Based on the multi-stakeholder approaches adopted by Ghana, there has been marked improvements in the reported figures on victims of trafficking in persons in Ghana. The Head of the Anti-Human Trafficking Unit of the Ghana Police Service (Accra, 31st March 2021) reported appreciable improvements in both prosecutions and convictions since 2017. He notes that “*when you look at the trafficking in-person report from 2017 to 2018 you realize that Ghana made progress in combating human trafficking, but we need to do more*”. This suggests that there has been an increase in the level of prosecution and convictions through the adoption of a four-prong strategy around prevention, protection, prosecution and partnership.

These views are equally echoed by the Head of the Human Trafficking Secretariat (Ada, 18th March 2021) who highlights improvements in “*trafficking-related issues from victim protection to victim care and support, to rescues, interceptions, and prosecutions*”. She equally praises marked improvements in coordination among various stakeholders in the fight against trafficking in persons which has led to better intelligence gathering and information sharing, higher numbers of arrests, prosecutions, and convictions.

Conclusion

This paper highlights a complex network of multi-stakeholder collaborations in Ghana as a model of interventions aimed at dealing with trafficking in persons in a developing country context. While we draw on the multi-stakeholder collaboration concept which advocates for a four-phase systematic process, we demonstrate the fact that in dealing with a complex phenomenon such as TIP, a more fluid application of collaboration approaches is necessary. Consistent with other

scholars (Keast et al., 2009; O’Leary & Bingham, 2007; Rigg & O’Mahony, 2013), we believe that there is variability in the extent of corporation between institutions in trafficking cases ranging from lax engagements involving the exchange of information to full on synergistic collaborations. Collaborations are a continuum from loose relationships that enable the sharing of information, expertise and mutual assistance; to closer co-ordination of implementation strategies, where partners align their physical and human resources towards achieving agreed shared goals. These deeper relationships are characterized by strong and highly interdependent actions through which partners make systemic changes to the ways they work, developing integrated strategies and sharing a collective purpose (Keast et al., 2009). We, therefore, broaden the application of the concept of multi-stakeholder collaborations by demonstrating the fact that different forms of collaboration could be taking place concurrently among different actors and in dealing with the same challenge (TIP). Moreover, the existence of legal, policy and institutional frameworks is an imperative as these frameworks form the basis for any meaningful multi-stakeholder collaboration. Legal and policy frameworks serve as the context within which multi-stakeholder dialogues are conducted and possible platforms are set up. An institutional framework facilitates the creation of initiatives as well as the establishment of partnerships among cross-sectoral actors. Much as there are still gaps and challenges within the Ghanaian context, closer multi-stakeholder collaborations, with the Human Trafficking Secretariat at the MOGCSP as the linchpin, have produced concrete results in the arrest and prosecution of human traffickers. This approach is cemented by the ‘4 Ps’ strategy of *prevention, protection, prosecution and partnership* which draws on the strengths of all key actors based on the principle of complementarity rather than competition and duplication of efforts.

We conclude that multi-stakeholder collaborations and the ‘4 Ps’ within the Ghanaian context have shown enough promise that adequate resourcing of the national plan and close monitoring and evaluating the implementation activities could provide the best possible pathway to dealing with seemingly intractable societal problems. Conceptualising the governance of trafficking in persons through the lens of the concept of multi-stakeholder collaboration accrues overt and latent benefits. These include unleashing a more efficient and sustainable change process, the institution of inclusive and consultative approaches to problem solving, facilitating dialogic interactions among disparate actors on trafficking in persons issues who previously lacked direct and on-going contact but who stand to benefit from joint or collaborative actions, the appreciation of cross-cutting issues that have an indirect bearing on the scope/trend of trafficking such as gender, social class, age, traditions/norms and religious beliefs. In addition, the holistic methodology of multi-stakeholder collaboration allows for the emergence of creative and innovative approaches through the exchange of experiences and expertise. Moreover, the multi-stakeholder approach potentially offers access to more resources by drawing on the full range of technical, human, knowledge, physical and financial resources embedded in all sectors and among all actors.

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4. ECOWAS Convention on Extradition (2019)
5. African Charter on the Rights and Welfare of the Child (1990)
6. UN Convention against Transnational Organized Crime (2000)
7. UN Anti-Trafficking Protocol (2000)
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10. UN Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2000)
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¹ Section 13 prohibits the use of torture or other cruel, inhuman or degrading treatment or punishment which are common experiences of children who have fallen victim to child trafficking in Ghana. Section 14(1) further criminalises all forms of child marriage. Section 87 is concerned with the prohibition of exploitation of child labour, Section 88 focuses on prohibiting child labour at night, Section 89 stipulates the minimum age for child labour at 15 years while Section 90 specifies the minimum age for light work at 13 years and Section 91 recommends the minimum age for hazardous work.

¹ These strategies are explained by the Head of the AHTU:

We have a national plan of action that was developed in 2017. It was a five-year plan of action. Apart from that within it, we have the Children's Action Plan, as a unit within the police service, we have also developed out of the national plan of action some strategies

that we would have to adapt to get more culprits. So, we have developed the four key strategies on prevention, prosecution, protection, and partnership. One of them under the prevention to enhance our intelligence gathering and to also support other actors to embark on a sensitization. As part of the preventive measures, we are also developing the capacity of some of our police officers to be able to detect some of these issues of trafficking. Under the protection, we support social welfare in terms of providing support for victims, providing safety for them, interviewing them with support from social welfare. And when it comes to prosecution, we arrest the perpetrators, investigate and send those cases to court. For partnership, we have enhanced our collaboration with other actors such as the Ministry of Gender, the National Intelligence Bureau, and others (Interview, Accra, 31st March 2021).