

Policy Brief

**Laws Without Protection:
Why Human Trafficking
Persists in Ghana Despite
Strong Legal Frameworks**

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Executive Summary

The Protocol to Prevent, Suppress and Punish Trafficking in Persons defines "trafficking in persons", to include a range of cases where human beings are exploited by organized criminal groups, particularly where there is an element of duress involved and a transnational aspect, such as the movement of people across borders. According to the definition, the consent of the victim is irrelevant where illicit means are established, although criminal law defenses are preserved^[1]

Ghana has one of the most comprehensive legal frameworks in West Africa to combat human trafficking, particularly child trafficking. Despite this, thousands of children and young people continue to be trafficked internally, especially into fishing communities around Lake Volta, domestic servitude, illegal mining (galamsey), street hawking, and sexual exploitation. The persistence of trafficking is not due to weak laws. It stems from weak enforcement, chronic underfunding, limited data systems, and insufficient parliamentary oversight.

This policy brief argues that human trafficking in Ghana is fundamentally a governance and accountability failure and outlines actionable steps for Parliament to strengthen enforcement, oversight, and impact.

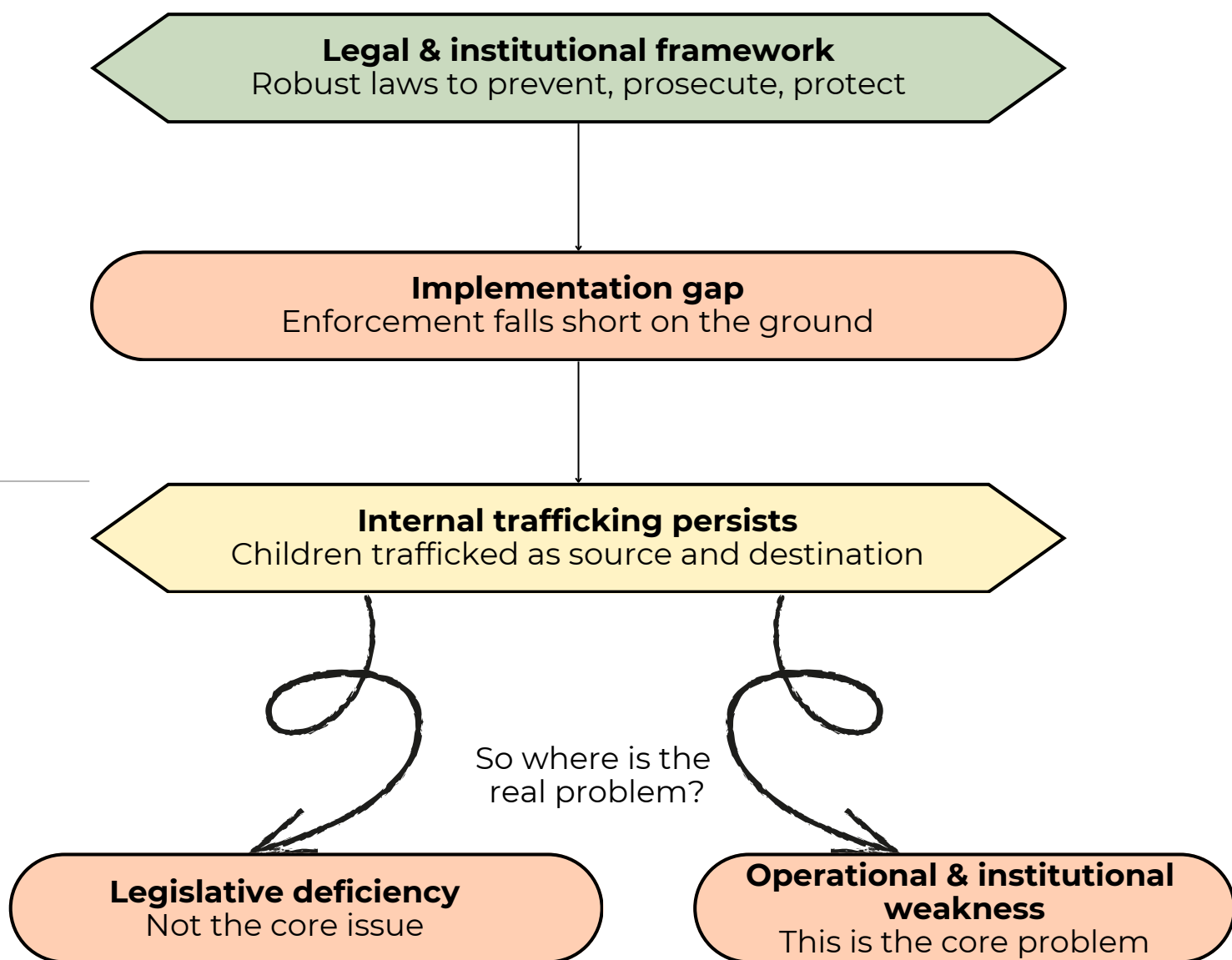


Picture credit: Ministry of Gender, Children, and Social Protection

^[1] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000) https://www.unodc.org/documents/treaties/Special/2000_Protocol_to_Prevent_2C_Suppress_and_Punish_Trafficking_in_Persons.pdf

The Issue at a Glance

Ghana has enacted robust anti-trafficking legislation and established institutions to prevent trafficking, prosecute offenders, and protect victims. However, implementation gaps undermine these efforts. Internal trafficking remains widespread, with children being trafficked both as sources and destinations within affected communities. The core problem is not legislative deficiency, but operational and institutional weakness.



Why This Matters to Parliament

Human trafficking is not only a humanitarian and human rights crisis; it is a test of state effectiveness. Under the 1992 Constitution, Parliament holds responsibility for:



Budget approval

Approves annual budgets



Expenditure oversight

Tracks public spending



MDA Accountability

Holds ministries to account



Law Monitoring

Tracks implementation

Parliament therefore plays a decisive role in ensuring that anti-trafficking laws translate into real protection for vulnerable citizens.

Evidence of the Problem

A 2016 baseline study referenced by UNICEF and conducted by Free the Slaves across 20 communities in the Volta and Central Regions found that:

- 35.2% of households had at least one trafficked child
- Some communities functioned simultaneously as both source and destination points for trafficking[2]

These findings indicate a systemic, community-level problem requiring sustained institutional intervention—not sporadic enforcement actions.

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

The Core Challenge: A Governance Gap

The persistence of trafficking reflects structural weaknesses, including:

- Chronic underfunding of anti-trafficking institutions
- Limited operational capacity for investigation and prosecution
- Weak survivor rehabilitation and reintegration systems
- Fragmented coordination across MDAs
- Inadequate data systems

Without predictable funding and strong oversight, enforcement agencies remain overstretched and reactive rather than preventive.

Weak Parliamentary Oversight

Parliament's oversight role is constrained by:

- Limited access to reliable and standardized performance data
- Weak follow-up mechanisms on committee recommendations
- Inadequate tracking of anti-trafficking fund allocations and expenditures
- Insufficient outcome-based reporting requirements for MDAs
- Oversight that is not data-driven limits Parliament's ability to measure impact and enforce accountability.



Why Data Matters

Effective oversight requires measurable indicators. Data-driven accountability enables Parliament to:

Oversight area	What Parliament should measure	Possible indicator
Prosecution	Cases investigated, prosecuted and concluded	% of reported trafficking cases resulting in prosecution
Convictions	Court outcomes	Number and % of cases resulting in conviction
Funding	Government funds allocated and released	% of allocated anti-trafficking funds actually disbursed
Fund Utilisation	How funds are spent	% of disbursed funds used for prevention, prosecution and survivor support
Survivor support	Access to services	Number/% of survivors receiving shelter, healthcare, legal aid and psychosocial support
Reintegration	Long-term outcomes	% of supported survivors successfully reintegrated after 6/12 months
Geographic risk	Where trafficking risks are concentrated	Number of reported cases by district/region
Interventions	Whether resources reach high-risk areas	% of high-risk districts receiving targeted interventions

Key Policy Actions for Parliament

To close the governance gap, Parliament should:

Policy action	What Parliament can do	What should be measured
Increase & ring-fence funding	Scrutinise budgets and require dedicated allocations for anti-trafficking activities	Allocation vs. actual disbursement and utilisation
Strengthen oversight & reporting	Require MDAs to submit quarterly/annual performance reports	Cases investigated, prosecuted, convictions, survivors supported
Standardise data systems	Require agencies to use common indicators and reporting formats	Completeness, consistency and timeliness of data
Monitor existing laws	Conduct periodic oversight hearings on implementation	Enforcement outcomes, institutional bottlenecks and compliance

Conclusion

Ghana does not lack laws. It lacks consistent enforcement, adequate resourcing, coordinated data systems, and sustained political accountability. Human trafficking persists not because Parliament has failed to legislate, but because implementation gaps remain unaddressed. The solution is not more legislation. It is stronger oversight, better data, protected funding, and political will.

References

1. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)
https://www.unodc.org/documents/treaties/Special/2000_Protocol_to_Prevent_2C_Suppress_and_Punish_Trafficking_in_Persons.pdf
2. <https://www.unicef.org/ghana/media/1851/file/National%20Plan%20of%20Action%20for%20the%20Elimination%20of%20Human%20Trafficking%20in%20Ghana.pdf>