

Anti-Corruption Approach To Combating Human Trafficking In Ghana

Authors

Chris Mensah-Ankrah and Rex Osei Sarpong

Introduction

A nexus exists between corruption and human trafficking. This has affected the effectiveness of counter-human trafficking measures. Notwithstanding the relationship between human trafficking and corruption, the implications of corruption in the implementation of human trafficking strategy and policy is often not contemporary in anti-corruption approaches and strategy. The implications of corruption in human trafficking policy and strategy is often misunderstood and ignored in its systematic, sustainability and significance to the development of effective policy and strategy to deal with transnational organised crimes like human trafficking.

The perception of corruption as documented annually by Transparency International indicates how countries have been affected by corruption. More so, while there is a general association of corruption to illegal and immoral activities of public and private sector officials and leaders; corruption in its complexity negatively affects public procurement, international sector and the enforcement sectors. This affects anti human trafficking efforts. Though there has been a growing impact of corruption on global human security in recent times, the UN Convention Against Corruption (UNCAC), additional national and cross-border anti-corruption measures must be established with the required level of enforced laws. In this regard, the international community must help develop a more comprehensive and attentive analysis of the systematic elements of corruption to fully examine the extent to which corruption undermines the efforts in combating human trafficking.

Anti-Human trafficking programs will continue to have a high degree of failure without the establishment of proper mechanisms for the prevention and prosecution of corruption activities. Corruption appears to be both an effect and a systematic reality particularly one that is difficult to eradicate in these contexts. Presently, there is the need for a more integrated sustainable approach to combating human trafficking through the lens of anti-corruption. Corruption therefore needs to be better analyzed in

its relation to human security particularly, in developing states where systems to check corruption continue to face challenges.

The United Nations Global Compact (UNGC) was launched in 2000, the vision was to include companies in shared development agenda around nine principles. Human rights are one of these principles. Currently, the UNGC's Transparency and Anti-Corruption Section has been providing numerous resources to corporations and the private sector. Additionally, the various collaborative initiatives with Transparency International (TI) and the OECD's Business and Industry Advisory Committee (BIAC). UNGC provides a useful list of anti-corruption tools stemming from convention documents, as well as from resources related to due diligence, compliance, reporting, trainings and whistle blowing.

The international community is at yet another crucial period in its history in developing a consensus toward a more comprehensive human development agenda. While building a Post-2015 development agenda, the lessons learned during the period is for powerful forces and emerging issues to be considered. The relationship between anti-corruption, sustainable development and human security (human trafficking), provides the needed integrated framework for addressing the complex issues of our global societies.

Sustainable, systematic and institutionally grounded solutions for both human trafficking and corruption will address the complexity and diversity of today's globalized societies. Based on this, there is the need for future state and regional human security programmes to explore the different aspects of sustainable human security. To highlight the way systems, think and offer pragmatic comprehensive solutions for effective methodologies. The analyses should include systematic solutions that are relevant to the implementation of good human security systems.

The following definitive questions may be explored to have an effective anti-corruption framework to offset the current corruption related challenges to human security;

- How do we move towards a more human security centered approach for anti-corruption?
- How can we consider anticorruption analyses and solutions centered on the systemic, political, social and economic factors in addition to the moral responsibilities of individuals, organizations and institutions?
- What effective practices can be used as examples for establishing more feasible, sustainable and systemic solutions to promote anti-corruption?

- What examples is out there that can help us think about the connection between anti-corruption and human security from a sustainable and systemic standpoint?

Establishing A Nexus Between Human Trafficking and Corruption

There is a strong link between corruption and human trafficking. A study suggested that a strong correlation exists between the two. In conclusion to the study, countries with high levels of institutional corruption were more likely to have high levels of human trafficking within their territory (Zhang & Pineda, 2008). Another study explains that trafficking hot spots correlate with regions of where there is a perception of impunity for public corruption. (World Justice Project, 2014). This is supported by OECD's comparison of the US TIP Report 2014 with the Transparency International's 2014 Corruption Index. This comparison showed an overlap between these two countries which have been identified as having a serious human trafficking problem and countries perceived as experiencing serious corruption (OECD, 2014). Similarly, the 2015 reports indicated similar results. These findings are supported by victim's accounts, which corroborate the thesis that corruption amongst public official facilitates the trafficking of persons. (UNODC, 2011).

As indicated in the above case studies, corruption serves as a breeder to human trafficking in four ways.

1. Allows the crime of human trafficking to remain invisible
2. Facilitates impunity even if trafficking is detected
3. Facilitates trafficking circuits in the country
4. Increases the danger of re-victimization for trafficking victims (IACC Workshop, 2010)

There are various forms of trafficking-related corruption. Opportunities for corruption stretch across a spectrum of official positions and branches of government. The 2009 UNDC survey spelt out that; law enforcement officials are considered to be the most likely to participate in trafficking-related corruption (UNODC, 2011).

Transparency International reported that Pay-offs to police, courts and other public-sector officials result in state institutions that turn a blind eye to trafficking gangs or those participating in them (Transparency International, 2011)

Public officials may use power that is granted to them to engage directly in human trafficking. For instance, their positions offer to them de facto impunity: a police officer operating in a brothel filled with victims of sex trafficking. These situations make justice out of reach because the police have themselves become criminals

Bribery is another factor where public officials facilitate and profit from human trafficking (UNODC,2011). This comes in the form of offering or giving to the public official directly or indirectly of an undue advantage for the official himself or herself or another person's or entity for the official to desist from acting or exercising his or her official duties.

Bribery is a high reward in the business of human trafficking. According to (ECPAT, 2003), Moscow's organized crime groups reportedly spent approximately US \$ 4.5M per month in bribes to public officials and law enforcement. A 2010 World Bank study estimated that corruption in the foreign employment industry in Nepal exceeded NPR 17.2bn per year (US\$194.7m) (Verité & Freedom Fund, 2016). Traffickers establish ties to political elites and state actors, paying them bribes to facilitate trafficking.

Outcomes – How corruption facilitates human trafficking

Corruption has the potential to build ties between traffickers and those charged with bringing criminals to justice, corruption presents the opportunity of power to traffickers to manipulate their victims. Traffickers frequently maintain control by convincing victims that law enforcement is complicit in their exploitation. In one case in Austria, a trafficker dressed up as a member of the Austrian Police and raped victims to discourage them from contacting the police.

Corruption may be a key factor in explaining the low number of trafficking prosecutions, and the even smaller number of convictions around the world. Having the right connections, traffickers may influence the investigation outcomes and judicial actions. Also, corrupt practices may also disrupt enforcement after victims of trafficking have been rescued. Law enforcement officials may also be bribed by traffickers to avoid criminal conviction.

Corruption and Human Trafficking In Ghana

As stated earlier, the relationship between corruption and trafficking in humans could be measured with instruments such as Transparency International's Corruption Perceptions Index (CPI) and the United States Trafficking in Persons Report (TIP). The CPI, together with TIP, presents the opportunity to forecast the extent to which a country tolerates trafficking in or through its territory and the extent to which it may be deemed corrupt. The standards under TIP include (a) National laws prohibiting and punishing human trafficking acts (b) national laws that prescribe commensurate punishment for human trafficking crimes such as violence, kidnapping and murder. (c) Efforts to eliminate human trafficking (d) Actions sufficiently deterrent to prevent trafficking.

Ghana was categorized in tier 2 watch list of the Trafficking in Persons Country Report for 2017 compiled by the US State Department. This report states that Ghana do not meet standards of combating human trafficking but are recognized to be making efforts in that regard. Studies conducted by the US State Department and OECD suggest strongly that corruption and trafficking are strongly related. The US Anti-Trafficking Act states that: "trafficking in persons is often aided by official corruption in countries of origin, transit and destination which thereby threatens the rule of law" Basically, trafficking can be linked to state corruption through the activities against agencies of banking, law enforcement, customs and immigration.

According to the Ghana Country Report on Human Rights Practices for 2013, on acknowledging Ghana's constitutional democracy which has a strong presidency and unicameral parliament, it was noted that there were instances where elements of security forces acted independently of government authorities. According to the report, most important human rights problems included trafficking in persons; child labour and harsh and life threatening prison conditions, the report says adding that other human rights problems included use of excessive force by the police which resulted in the death and injuries; prolonged pre-trial detention; arbitrary arrest of journalists; corruption in all branches of government; violence against women and children, including female genital mutilation / cutting, persons with disability amongst others.

The report further states that government took steps to prosecute and punish officials who committed abuses. However, the police remained a problem, the report added. There were no reports that the government or its agents committed arbitrary or unlawful killings; however, use of excessive force by security forces resulted in the deaths of several armed criminal suspects and other persons during the year.

Again “there were credible reports that police beat and otherwise abused suspects, prisoners, and other citizens.” Severe beatings of suspects in police custody reportedly occurred throughout the country but generally were unreported in official channels. Finally, it indicated that corruption was present in all branches of government, citing the media and NGOs. “The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and some officials frequently engaged in corrupt practices,” It also pointed out that for example, the police set up barriers to extort money from motorists and judicial officials accepted bribes to expedite or postpone cases or to lose records. Worldwide Governance Indicators reflected that corruption was a problem in Ghana (Dogbevi, 2013)

Conclusion

The paper revealed that any effort to address the problem of human trafficking would just have to equally address the issue of corruption in high and low places especially in government bureaucracy and other relevant agencies. Personnel of these agencies must be enlightened of the implications of their actions and inactions on issues relating to trafficking in women and children.

Personnel of these agencies have to be made to understand the implications of their actions and inactions on issues. Quite often, we forget that corruption in the public sector is in fact induced by private sector corruption. There is a need to address corruption in both the private and public sectors.

Set below are some useful ways of tackling corruption and human trafficking:

1. Incorporating human right, human security and development perspectives into anti-corruption work
2. Capacity building and awareness creation at all levels for the eradication of human trafficking
3. Increasing security at border posts that adequately equip law enforcement agencies to check schemes of traffickers
4. Employment for the youth

In summary, combating human trafficking should be situated within a broader context of its fundamental causes which are underlined in social and economic problems. Efforts aimed at remedying the low status of women- particularly the economic disadvantages they face must be interlaced into a greater anti- corruption framework.

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