

NIGERIA'S EXPERIENCE: LABOUR MIGRATION AND DIASPORA

SETTING THE CONTEXT

Nigeria is a labour sending receiving and transit country located in West Africa. Expatriates from many countries around the world come to Nigeria for work in the oil industry, construction, ICT, Medical, Engineering etc.

Nigeria is one of the world's fastest growing emerging economies. Investment opportunities lie in various sectors, with a lot of these sectors largely untapped – agriculture, information technology, medicine, mining, textiles, electricity, energy etc.

Inability of the economy to absorb the economically active worsened by the adverse effects of the global economic crisis increased the pressures from within by Nigerians willing to leave the country to seek employment abroad. Many Nigerians were willing to emigrate to countries where legitimate job opportunities could be found. In the process many fell prey to smugglers in persons and traffickers in human beings. Labour migration, which used to be a choice transformed into a necessity for many. On the other hand destination countries especially those in the global north, raised visa requirements and introduced more stringent measures to prevent further labour migration from the south to the north.

Nigeria has a large workforce willing to work in other parts of the world through a properly managed labour migration programme.

WHAT NIGERIA HAS DONE.

A. LICENSING OF PRIVATE EMPLOYMENT AGENCIES

In 2006 the Ministry of Labour and Productivity invoked the provision of the Labour Act of Nigeria to begin the registration of private employment agencies. Regulations were developed in accordance with the provisions of the labour laws but in consultation with social partners (employers and workers representatives). Conditions for registration as private employment agencies were made stringent enough to discourage charlatans and unserious persons from engaging in job matching and labour contracting domestically and internationally. The conditions were in line with the provisions of the ILO Convention 181- Private Employment Agencies Convention. This ensured that private employment agencies and their principals were jointly liable for violations of labour rights of workers. Private employment agencies were required to ensure the provision of medical and pension insurance coverage as well as allowing workers to join unions of their choice.

B. ETHICAL CODE OF CONDUCT

All Licensed Private Employment Agencies are encouraged to be members of an umbrella body (Human Capital Providers Association of Nigeria) which is the custodian of the ethical code of conduct developed for self-regulation of the PEAs in collaboration with the Ministry of Labour and Productivity.

C. DEVELOPED LABOUR MIGRATION POLICY (YET TO BE ADOPTED)

In 2008, in order to consolidate gains of the registration and licensing regime of private employment agencies and to facilitate regular labour migration, Nigeria established an International Labour Migration Division in the Ministry of Labour with the support of the International Labour Organization (ILO) to promote regular labour migration and provide critical information to would –

be migrant workers about job opportunities available within and outside the country. The Division was also to develop pre- departure training programmes for labour migrants to provide them with information about destination countries they may wish to migrate to and elaborate a labour migration policy for the country. Nigeria recognized the need for a sectorial policy on labour migration to address the specific needs of migrant workers. With the technical and financial support of International Organization for Migration (IOM) and the ILO the Division drove the process of developing a draft labour migration policy for Nigeria which is at the final stages of presentation to cabinet for adoption.

The draft policy is built on 3 overall objectives:

- promotion of good governance of labour migration;
- protection of migrant workers and promotion of their welfare and that of families left behind;
- optimising the benefits of labour migration on development, while mitigating its adverse impact.

The policy was developed along with an implementation guideline to ensure responsible organizations know what is expected of them.

D. DEVELOPED NATIONAL MIGRATION POLICY (YET TO BE ADOPTED)

The labour migration policy is set within the framework of a national migration policy. The national migration policy as with the labour migration policy was developed through an extensive consultative process. The process included the establishment of an interdepartmental structure for managing migration under the coordination of a supervisory government agency (National Commission for Refugees, Migrants and Internally Displaced Persons). The interdepartmental platform includes NGOs and Civil Society Organizations. The policy document covers the following broad areas;

- Migration in and emigration from Nigeria
- Rationale for the national policy on migration
- Policy goals, objectives and strategies
- Human rights of migrants: legislation and principles of non-discrimination
- Cross-cutting themes and issues
- Migration and international co-operation
- Migration data and information management
- Funding for migration management
- Institutional frameworks for policy implementation

E. COMMENTS ON NIGERIA DIASPORA

Nigerians live in almost every country of the world. The country receives remittances useful for development from Nigerians in diaspora. In recognition of the need to promote diaspora remittances (financial, social, cultural and technological) Nigeria has over the last decade promoted the establishment of Diaspora Home Town Associations to enable easy access to the Diaspora in different countries. Nigerians in Diaspora Organizations were established as part of a global network of all Nigerians living outside Nigeria to enable focused contribution to development through collective efforts.

Diaspora matters are given the highest level of consideration by government. This is evidenced by the establishment of a “House Committee on Diaspora” in Nigeria’s House of Representatives and also recently the appointment of a Special Adviser to the President on Diaspora issues.

In August 2013, the government of Nigeria announced plans by Central Bank of Nigeria (CBN) to develop guidelines that will improve remittance service delivery environment in the country. This would be done through reduction of charges on Diaspora remittances especially for education purposes and a commitment to further encourage youth development in the country. Accordingly, Nigeria’s Central Bank is working towards eliminating those rigidities responsible for high remittance, having established that over 15 percent of Diaspora remittances is for the youths’ educational purposes while another 12 percent supports new businesses in which the youths are engaged as either owners or employers. The Bank has already removed the exclusivity agreements which money transfer organisations (MTOs) signed with the Nigerian banks and intends to ensure that the charges are effectively moderated.

The government of Nigeria has also welcomed the creation of an organisation called the Nigerians in Diaspora Alumni Network (NIDAN). NIDAN is an organisation that consists of former Nigerians in Diaspora who have returned home, and now own thriving businesses. It is strongly believed that this would reassure other Nigerians in Diaspora to invest in Nigeria’s economy.

F. STRENGTHEN PUBLIC EMPLOYMENT AGENCIES

Nigeria’s Public Employment Exchanges are being upgraded to be used as tools for filling foreign labour needs by the State. The manual processes of the Public Employment Agencies are gradually being transformed to electronic processes which are accessible through the internet. Through an intervention of the World Bank, the web portal has been designed to register job seekers for both domestic and international purposes. It can be found at www.nelexnigeria.com.

Vacancies can be published, matched and filled in record time to meet the needs of employers. Relevant information about Labour Migration and destination countries would be available to labour migrants through this web portal.

G. A FEW CHALLENGES

1. Effective monitoring of Private Employment Agencies is quite challenging. To overcome this, we combine statutory monitoring inspection visits by labour inspectors with the self – regulatory process described above by HuCAPAN. We have also discussed with the umbrella body for Licenced Private Employment Agencies on the need to develop a list of non-compliant agencies for publication on the public employment website to provide them with negative publicity and prevent their further use by unsuspecting jobseekers.
2. Securing information about genuine job opportunities abroad for Nigerian citizens. We hope to overcome this through the engagement of Nigerians in diaspora organizations and labour attaches to be placed in our missions abroad.