



► Civil Society Organizations and Labour Migration in Nigeria: Learning from the FAIRWAY Global Programme

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Introduction

Nigeria ratified the Migration for Employment Convention (Revised), 1949 (No. 97) in 1960, with complementary policy initiatives such as the National Policy on Labour Migration and framework to strengthen the governance of labour migration. The established national migration governance architecture provides for a whole-of-government and whole-of-society approach, involving the active participation of stakeholders, including Civil Society Organizations (CSOs) in developing and implementing migration policies and programmes.

Processes leading to the country adaptation of ILO's Media Toolkit for Reporting Forced Labour and Fair Recruitment¹ facilitated within the framework of the FAIRWAY global programme also included CSO representation, based on recognition as key stakeholders in national labour migration governance. These processes involved consultations, as well as targeted capacity building activities across areas on labour migration, with a particular focus on effective advocacy for safeguarding the rights of migrant workers.

This thematic brief presents experiences and learning from CSOs participation on labour migration governance generally in Nigeria, and within the context of implementation of the FAIRWAY programme in particular. It highlights contribution of CSOs in promoting and protecting workers' rights through effective policy advocacy, sensitization, service provision, research, and outreach.

Additionally, it identifies demonstrated capacities of CSOs, challenges and potential in promoting safe, orderly, and regular labour migration from the perspective of Nigeria as a Country of Origin.

Thus, the brief reflects on the:

1. Learning and experiences of CSOs in Nigeria's labour migration governance processes.
2. Role and impact of CSOs advocacy in safeguarding the rights of migrant workers in line with national and internationally recognized labour standards; and
3. Effectiveness of national labour migration governance and implementation mechanisms from a civil society perspective.

The brief is further presented as part of learning and additional knowledge resources developed within the framework of the FAIRWAY Programme and was drafted by Emeka Xris Obiezu. Augustine Erameh, Grace Sebageni and Basanta Kumar Karki provided technical reviews, while the brief was edited by Charles Autheman.

¹ https://www.ilo.org/global/topics/fair-recruitment/media-engagement/WCMS_853406/lang-en/index.htm

Civil society organizations' contribution to labour migration governance processes in Nigeria

Civil society organizations² are recognized as key stakeholders in the implementation of the National Policy on Labour Migration in Nigeria. As important stakeholders in social dialogue processes, including in sustaining advocacy for safe, orderly, and regular migration, CSOs have remained relevant in the context of safeguarding the rights of migrant workers, especially as it relates to ensuring fair recruitment and equal treatment of migrant workers. CSOs also contribute significantly towards framing Nigeria's migration agenda through effective participation in the annual National Migration Dialogue (NMD), Technical Working Committee and Technical Working Group, on the National Policy on Labour Migration and National Migration Policy respectively, including other structured advocacy platforms for effective governance of labour migration in the country.

CSOs in Nigeria contribute significantly towards achieving effective labour migration governance and management as outlined in relevant policy and guidance framework documents. The CSOs support innovative policy choices through evidenced-based advocacy, campaigns, and programming which, if adopted and implemented, will contribute to effective management of labour migration.

In the processes leading to country adaptation of ILO's Media Toolkit for Reporting Forced Labour and Fair Recruitment facilitated within the framework of the FAIRWAY global programme, the inclusion of CSOs' representatives promoted a Community of Practice (COP) for knowledge exchange and information sharing. The engagement strategies involved consultations, as well as targeted capacity building activities across areas on labour migration, forced labour, fair recruitment, and knowledge of International Labour Standards (ILS) with a particular focus on effective advocacy for safeguarding the rights of migrant workers. Hence, in terms of relevance and impact, CSOs have contributed towards cultivation of policy actions and support towards domestication and operationalization of normative ILS, including the attainment of ILO's mandate for social justice, through recognition of the Fair Migration Agenda as well as the Multilateral Framework on Labour Migration.

The remainder of this brief presents useful insights gained on the dynamics of the CSOs' involvement in labour migration governance in Nigeria. The evidence was gathered from the outcomes of a survey conducted for this brief on the role of CSOs in labour migration governance. The field observations are grouped into several domains including relevance, sectorial knowledge, thematic programming areas, advocacy, research, participation, and organizing mechanisms/strategies.

Main evidence

² The International Center for Not-for-Profit Law (ICNL) describes civil society as "[...] any organizations, whether formal or informal, that are not part of the apparatus of government, that do not distribute profits to their directors or operators, that are self-governing, and in which participation is a matter of free choice[...]" The CSOSI defines the CSO sector to include all of the following: non-governmental organizations (focused on advocacy, oversight, or service provision), social movements, community-based organizations and faith-based organizations, trade and labor unions, women's groups, youth groups, resource centers and intermediary support organizations, research institutes and think tanks, professional associations, cooperatives, and natural resource users' groups, recreational organizations, cultural institutions, social enterprises, and informal movements, networks, and campaigns.

See, Toward an Enabling Legal Environment for Civil Society, Statement of the 16th Annual Johns Hopkins International Fellows in Philanthropy Conference, Nairobi, Kenya. The International Journal of Not-for-Profit Law, Volume 8, Issue 1, November 2005.

Relevance

CSOs have proven to be relevant in the national efforts towards enhanced labour migration governance for the promotion and protection of the rights of Nigerian migrant workers. CSOs' roles and contributions are contingent on their privileged experiences from grassroots initiatives and direct contact with communities including those of migrant workers and their families.

Reach in terms of access to communities and grassroots involvement become useful to gather relevant evidence-based information on the impact, gaps and challenges of migration policies, programmes, and processes, and how these can be improved. A good example here is the use of sub-granting mechanism to enable CSOs implement project activities promoting better migration governance in Nigeria by partners via a whole-of-government and whole-of-society approach. In 2015, four CSOs, including Civil Society Legislative Advocacy Centre (CISLAC), Network of Migration Research on Africa (NOMRA), Policy Consult, and Women Consortium of Nigeria (WOCON), were engaged to carry out projects.³ Arising from observed relevance and impact, the mechanism was scaled up between 2018 and 2020 to cover more sub-grantees such as Civil Society Network on Migration and Development (CSOnetMADE), Humanity Foundation, and African Youth Growth Foundation (AYGF).⁴

CSOs' thematic programming areas

The CSOs' labour migration programming focus on protection of migrant workers using campaign against child labour and servitude, fair wages, right to form or join associations, fair recruitment, decent work, and equal opportunities. However, equal opportunities and decent work stand out as the major areas of concern for the CSOs. Advocacy and activities around decent work and child labour are promoted more by CSOs under anti-trafficking in persons and domestic workers.⁵

Advocacy

Advocacy by civil society groups has been effective in advancing labour migration policy and programmes in Nigeria. Such groups have been instrumental in the domestication of the Child Rights Act and as well monitoring its implementation at subnational level in the country.⁶ Some of the documented impact of CSOs' advocacy work was the establishment of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP).⁷ Group such as WOCON started the campaign against trafficking in persons and child labour much earlier than any other organizations or government agency did. When joined by other CSOs organizations such as Women Trafficking and Child Labour Eradication Foundation (WOTCLEF) and Idia Renaissance, they gave national publicity to the scourge. Their action extended to Nigerian Embassies and High Commissions in the destination countries of high trafficking activities.⁸ Other CSOs' successful advocacy engagements recently were the adoption of a policy on Internally Displaced Persons (IDPs) led by groups such as CISLAC and CSOnetMADE.⁹ CSOs' advocacy also extends to sensitization and awareness of the policies across the country.¹⁰

³ <https://nigeria.iom.int/news/nigerian-civil-society-government-collaborate-migration-policy-implementation>;

⁴ See www.csonetmade.org, www.ehf.org, www.aygf.org, CISLAC, "Policy Brief on in Line with the Promoting Regular Migration National Migration Policy of Nigeria", EU-IOM "Promoting Better Migration Management in Nigeria", 2016.

⁵ The result of the survey of CSOs role and contribution on Labour Migration in Nigeria, 2022.

⁶ CSOs efforts in advancing the Child Rights' Convention in Nigeria were recognized by the Nigeria's report to the UN review meeting, 2008, <https://www.refworld.org/pdfid/513748de2.pdf>.

⁷ GENPROM Working Paper No. 7 Series on Women and Migration Nigeria: An Assessment of the International Labour Migration Situation: The Case of Female Labour Migrants by Florence Nightingale Gender Promotion Programme International Labour Office Geneva, 2018.

⁸ Ibid.

⁹ www.csonetmade.org

¹⁰ <https://allafrica.com/stories/201510270686.html>.

During the COVID-19 pandemic, CSOs also played a vital role in mainstreaming issues of migrant workers in the various COVID-19 responses. Groups like CSOnetMADE conducted a series of seminars on COVID-19 from the perspective of migrant workers, seeking strategies for the inclusion and protection of migrants during and in the post-COVID-19 recovery plan. Under its “Migrants and US” project, for example, CSOnetMADE provided a platform for public enlightenment on collective responsibility to protect migrant workers’ rights; as well as monitoring of rights violation including the provision of a helpdesk for victims to seek and receive help.¹¹

Participation in national migration governance spaces

There is increased visibility of CSOs in different spaces of national labour migration governance. The framework of the national migration governance provides for a whole-of-government and whole-of-society approach involving the active participation of multi-stakeholders of state and non-state actors including CSOs, academia, trade and labour unions and the private sector. For instance, the two foundational policies for managing labour migration namely, the National Migration Policy (NMP) and the National Policy on Labour Migration (NPLM) provide for the normative structure and guidance for varied stakeholder collaborative engagement at different coordination levels. The most critical levels of this coordination in the two policies are the Technical Working Group (TWG) and Technical Working Committee (TWC) of the NMP and NPLM respectively.

The impetus for inclusion comes from the realization of the role and relevance of CSOs in providing sensitization, awareness, and policy recommendations to enhance the overall labour migration governance space at the country level. The CSOs have effectively utilized their presence in these spaces to bring up pertinent issues relating to the conditions of migrant workers to the policy-making process. There is a noticeable increase in the quality of the CSOs in these spaces both in their knowledge of issues and engagement strategies. This increase is creditable to the various levels of targeted capacity-building workshops and coaching provided to the CSOs and other stakeholders by the development partners, including the ILO.

Some of the activities mentioned above that the CSOs performed on behalf of the government and the implementing partners are contingent on participation in the government space and proved capacity thereof. One key stride achieved by CSOs in their participation in the national migration governance and discourse was the inauguration of the civil society day (CSD) of the national migration dialogue (NMD) in 2021. The CSD is a space for CSOs to discuss pertinent migration issues; collaboratively organize for a maximum and balanced effect, for the furtherance and complimenting of the activities of government and international partners for sustainable effect. The outcome of the CSD, a ten-point recommendation of constructive strategies towards ensuring the sustainability of migration programmes in Nigeria for national development, was adopted by the TWG – as guide for its activities in 2022 and beyond.¹²

CSOs organizing mechanism and strategies

To facilitate their effectiveness in participating at the various labour migration governance spaces, the CSOs sometimes organize themselves into networks and thematic groups like CSOnetMADE, Child Protection Network (CPN), and Network Against Child Trafficking and Labour (NACTAL). The networking strategy has reduced the prevalent silo mentality often characterizing the CSOs, providing for shared experiences, skills, and unification of voices for effective advocacy. This collaborative organizing has also facilitated their effective engagement with other stakeholders, especially the government and development partners. It is noteworthy to highlight that Nigeria CSOs participate in a number of regional and global networks. For instance, CSOnetMADE and other individual CSOs are members of the Pan African Network in Defence of Migrant Rights

¹¹ See <https://csonetmade.org/report-of-the-migrant-and-us-protection-mup/>

¹² CSOnetMADE (2022) CSOnetMADE ECHOES, www.csonetmade.org; Report of the 2021 National Migration Dialogue, NCFRMI-IOM.

(PANiDMR), Civil Society Action Committee for the implementation of the GCM, the United Nations NGO Committee on Migration, Platform for Undocumented Migrants (PICUM), Women in Migration Network, etc.¹³ Participation in these platforms has been valuable in promoting local and international engagements. Indeed, this networking and collaborative organizing mechanism mirrors the organizing strategy of the labour unions which is responsible for their collective successes, particularly in their relationship with social partners.

Research

Against the critique within some quarters that CSOs are unsystematic and non-scientific, a number of CSOs have demonstrated the required expertise, capacity and skills in critical analyses, research, documentation, and engagement. To this effect some national CSOs working in the migration space have been engaged to conduct research on a wide range of migration and labour migration dynamics. An example of such engagement is the Humanity Foundation's study "Assessment of the Protection of the Right of Nigeria Migrant Workers in Saudi Arabia and Migrant Workers in Nigeria" (2021) which provided documented evidence that Nigerian migrant workers are exposed to exploitation and abuse of human and labour rights in the entire international labour migration recruitment and work processes.¹⁴ The CSOnetMADE also conducted a case study research in 2022 on understanding the migration routes in Northwest Nigeria under the IOM-UK Migration for Development (M4D) project.¹⁵

Also, CSOs have undertaken critical surveys of the Nigerian migration governance programme at different times. In 2020-2021, the CSOnetMADE launched a shadow report of the National review of the national implementation of the Global Compact for Safe, Orderly and Regular Migration, (GCM). Again in 2021, the Network conducted a review of the national migration dialogue (NMD), an important aspect of the Nigeria migration governance process. Focusing on the core objective of the dialogue, the review provided an opportunity for stocktaking on the impact of the NMD on migration governance in Nigeria and proffered suggestions for a better future for the NMD.¹⁶

Despite varying objectives and methodologies, the reports from these various research endeavours have added to available knowledge on Nigeria's migration dynamics, stock, and flows, with reliable data, analysis, and information.¹⁷

Challenges in CSOs role in labour migration governance

Limited capacity and governance

Although CSOs have been included in the national labour migration governance architecture, the effectiveness of civil society groups have been adjudged as less effective due, arising from limitations in the area of capacity across relevant thematic issues and engagement skills. A number of CSOs have limited access to information on the protection of migrant workers and about policies or legal initiatives both at the international and national fronts. Also, CSOs demonstrate less than adequate advocacy and engagement skills needed for effective and result-orientated collaboration with the government and other diverse actors. Very few have the technical specialization and institutional structure appropriate for efficient responses to the issues of labour migration and fair recruitment. Many do not also have the capacity which range from

¹³ See <https://www.madenetwork.org/>, www.panidmr.org, <https://ngo-migration.org/>, <https://picum.org/>, <https://womeninmigration.org/about-us/members/>.

¹⁴ IOM and Humanity Foundation (2021), "Assessment of Protection of Rights of Nigeria Migrant Workers Saudi Arabia and Migrant Workers in Nigeria"

¹⁵ IOM (2022), "Understanding Migration Dynamics in Nigeria: A study on migration routes in Northwest Nigeria" https://nigeria.iom.int/sites/g/files/tmzbd1311/files/documents/M4D%20REPORT%20FINAL%20PRINTED%20VERSION_0.pdf.

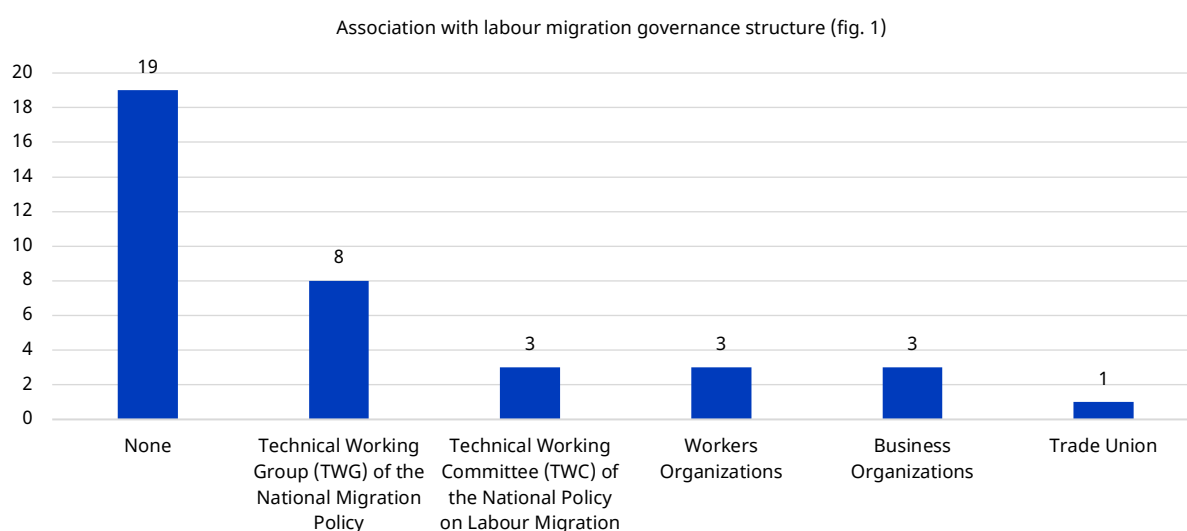
¹⁶ CSOnetMADE (2022) *CSOnetMADE ECHOES*.

¹⁷ IOM (2022), "Understanding Migration Dynamics in Nigeria: A study on migration routes in Northwest Nigeria"

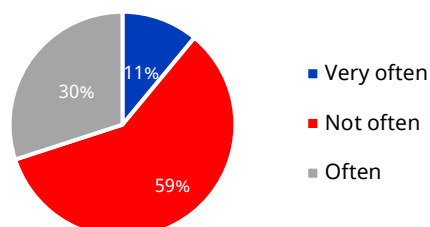
high staff strength, funds, and skills to maintaining a dedicated desk to deal with labour migration issues. This accounts for the limited time and attention devoted to advocacy and programmes.¹⁸

Low visibility of CSOs at the governance spaces

Despite the fact of increased visibility, fewer numbers of CSOs are participating in the various migration and labour migration governance structures. From the result of the survey (figure 1 and 2), it was shown that 70% of the responders do not participate in any of the stakeholders' collaborative spaces such as the TWG, TWC, trade union level and Nigeria Labour Congress etc.



Frequency of engagement in labour migration governance (fig. 2)



Limited areas of focus

While specific focus enhances professionalization, an incomprehensive approach hinders holistic attention to issues needed for the desired and sustainable results. Most CSOs in this field carry out advocacy focusing on few aspects of labour migration such as the human rights of migrants or trafficking in persons. In most cases, advocacy rarely encompasses the whole labour migration landscape such as forced labour, recruitment, bilateral labour agreements and policy and/or justice mechanisms. Two major factors accounting for these are: the evolving nature of migration in itself on one hand and its nexus with labour on the other hand; and the complex nature of policy in the field of migration in general and labour migration in particular.

¹⁸ ILO Assessment on the Establishment of labour migration desk at the CSOs, under the FAIRWAY Programme, 2021.

Future role of CSOs in labour migration governance

Recalling a number of observed challenges that include capacity deficits, inadequate participation in national labour migration spaces, limited knowledge of international and national frameworks on the subject matter, and absence of a consolidated strategic advocacy mechanism for collaboration with other stakeholders, a systematic involvement of CSOs in specialized themes is required to ensure that the relevance of CSOs is sustained and contributes to promoting effective labour migration governance in-country and beyond.

Expanded collaboration with other stakeholders

Recognizing the interrelatedness of the roles of CSOs and other actors such as the media in advancing the protection of migrant workers' rights through advocacy, an intentional and strategic collaboration between CSOs and the media is of paramount relevance. As David Dorkenoo, officer in-charge of ILO country office in Abuja, observed during the ILO Media Toolkit adaptation process, such collaboration "will in more ways than one, deepen the inter-sectoral exchange and learning of good practices on labour migration between media and CSOs and additionally amplify the contribution of non-state actors in complementing national efforts to promote effective labour migration governance in Nigeria."¹⁹

Establishment of labour migration desks/focal points

Establishing labour migration desks and/or focal points by CSOs will promote specialization among these organizations and encourage dedication to the cause of preventing migrant workers from experiencing discrimination through access to justice and other support mechanisms when their rights are being violated. This remains critical arising from significant levels of informality in Nigeria's labour market and reported exposure to exploitative labour practices by some employers. A survey administered during the development of this brief, in complementarity with a similar survey conducted earlier by ILO under the FAIRWAY Programme reveal a nearly non-existent or dedicated labour/migration focal person/desk by almost all the respondents - the main reason adduced being limited technical and financial capacity.²⁰

Increased opportunities for participating in labour migration governance spaces

More incentives and opportunities, including capacity development, funding, and prospects for representation are recommended to encourage more CSOs to participate in the various processes and structures of labour migration governance in the country, particularly the TWG and TWC. The multi-stakeholder approach with the inclusion of CSOs at the global and regional levels provides both financial and technical support to CSOs in enhancing active participation. Platforms for collaboration, engagement and organizing CSOs working on labour migration have been established and adopted globally, regionally and at the national level to enhance CSOs' participation and engagement in migration discourse. Examples of such include the Civil Society Day (CSD) of the Global Forum on Migration and Development (GFMD), Europe, Migration Forum (EMF), etc.²¹ These opportunities and spaces have increased CSOs positive developmental impact. For instance, at the global level, the inclusion of migration into the 2030 Sustainable Development Agenda benefitted significantly from CSOs' mobilization as well as their organizational capacity to lobby for the inclusion of migration and migrants' human and labour rights into global development strategies.²²

¹⁹ ILO Abuja Office, "Country Adaptation Process of the ILO Media Toolkit for Reporting Forced Labour and Unfair Recruitment, 2021-2022.

²⁰ ILO survey on establishing labour migration desk at the CSOs, FAIRWAY Programme, 2021.

²¹ Global Forum on Migration and Development, Civil Society Days, <https://www.gfmd.org/process/civil-society>; <https://www.madenetwork.org/>.

²² Chapter 3 - Migration, Civil Society and Global Governance

Technical support and sustained engagement

CSOs require sustained engagement, including through the provision of technical assistance in enhancing the effectiveness of such organizations. The growing nexus and crosscutting, as well as the ever-evolving reality of labour migration issues and governance, make this technical support pertinent and imperative. Technical cooperation projects can provide CSOs with capacity building, funding, and other resources to enhance civil society's role and contribution to effectiveness of labour migration, including areas such as research, better service delivery to migrant workers and communities, and advocacy.

Conclusion

Documented learning from the engagement of civil society groups in the area of labour migration shared in this brief provide significant evidence regarding the relevance and commitment of CSOs in Nigeria towards improving labour migration governance. This spans areas that include policy development, implementation, as well as in ensuring protection and promotion of rights of migrant workers. The learning additionally evidences the need for improved support to enhancing CSOs' engagement on application of relevant international labour standards relating to forced labour, and fair recruitment. Such support would contribute to framing future programming and strengthening partnerships with CSOs in educating the general public about forced labour and fair recruitment practices, creating awareness about drivers of forced labour and dangers of unethical recruitment, as well as advocacy for improved labour migration governance in the country and beyond.

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