



**NIGERIA TRADE
UNION LABOUR
MIGRATION POLICY
2025** 

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Nigeria Trade Unions' Labour Migration Policy 2025

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Preface

Nigeria trade unions' engagement in migration discourses and administration processes has grown considerably in the past decade. It is fair to say that trade unions' contributions to the national migration governance framework arrangement have been tangible, visible and substantial. The positive stride is on account of the realisation that migrants as humans and workers are one of the most vulnerable members of the trade union constituencies that trade unions should protect.

The realisation to remain seized with the task to defend, protect and promote the human and labour rights of migrants, informs the need and urgency to develop a trade union policy. The policy will guide Nigeria's trade unions' participation in and contributions to migration and labour migration governance at the different (national, sub-regional, continental and international) levels of engagement. Undoubtedly, the Nigerian trade unions' engagements will be further enhanced and strengthened on account of the practical application of this policy.

Nigeria trade unions will ensure precision, steadiness and sustainability of the policy's application. Notably, efforts to use the policy to interface with State-Actors and other stakeholders in the migration and labour migration governance processes and milieu will be meticulously pursued, developed and utilised.

Foreword

In the 4th Industrial Revolution, what is already apparent is that skills and knowledge will drive this post-globalisation digital revolution. People will always be at the heart of human industrial evolution. Migrant workers with diverse skills, competencies and expertise will be needed to drive, advance and sustain the digital revolution. Already, we see a surge in people from developing countries moving to advanced economies to access education and training for newer and modern skills acquisition. We are also seeing a rise in the demand side for migrant workers to fill vacancies that require low, middle and high skills, especially in advanced and high-GDP economies.

Similarly, over 80% of people end up working when they migrate. This high number of potential labour migrants signifies that jobs and dignity are at the heart of migration. Of course, in recruiting persons to work abroad, the excitement of the recruited hands is evident because they anticipate income earning that they can use to support themselves and members of their families. Where social protection provisions are weak, poverty and unemployment high, and wages stagnate, desperation will be intense and may be uncontrollable. In essence, where the decent work deficit is prevalent, the chances of abusing workers' rights, including migrant workers', are high.

Further, the gig economy's rise is asserting influence on the migration dynamics. The Gig economy is typified by the prevalence of short-term contracts or freelance work as opposed to permanent jobs. Most migrant workers are given fixed and short contracts. There is a valid concern that abusive labour relations and employment practices will intensify because of the loss of millions of jobs caused by the pandemic. Already, we are witnessing intense competition for jobs within the Nigerian labour market. The country's endemic and growing unemployment situation, coupled with the deepening socio-economic hardships, are fueling people's desperation to emigrate. Equally disturbing are the instances where unscrupulous elements are taking advantage of and exploiting naïve potential migrant workers in the recruitment process.

Rather than merely lament the situation and perpetrate blame games, which will not solve the problems, trade unions in Nigeria have resolved to up their game and engagement in the migration discourse. The trade unions are enthusiastic about collaborating with State Actors to improve migration and labour migration governance. The enthusiasm is driven by the need to ensure a pro-rights approach to migration and labour migration governance. The task is well cut out for the trade unions, especially given that Nigeria has developed Labour Migration Policy (2020) and Migration Policy (2025), as revised.

To effectively organise trade unions' collaboration in the quest for pro-rights migration and labour migration governance, the development of this policy demonstrates the conscious intention of Nigeria's organised labour to be systematic, deliberate and purposeful. The development of this trade union policy on migration and labour migration bodes with the conviction of the trade unions that a well-governed labour migration process can contribute to the attainment of the country's development aspirations. Observations, statistics, and experiences show that origin, transit, and host/destination economies and migrant workers benefit when people move to work under secured arrangements.

Acknowledgement

This Nigeria Trade Unions Labour Migration Policy is a significant milestone and landmark development for the Nigerian trade unions.

As we continue to demonstrate, with actions, our commitment to effectively reposition our unions to serve our members and protect their human and labour rights, especially the vulnerable ones, having an institutional mechanism through a policy adoption is a sure way to actualise our mission.

We are excited and hopeful that the policy will institute a new agenda and provide direction that will contribute to improving and enhancing the engagement of trade unions in migration management and governance. The operationalisation of the policy will require broad-based collaboration, support, and assistance interventions for the NLC, TUC, and the affiliate unions. We are confident that our goodwill with our partners will come through, whilst we will continue to be more imaginative around resource mobilisation possibilities.

Further, we are pleased to assert that the process to ensure the development of this policy, collation, analysis, and compilation was a thorough, rigorous, and fact-checked one. Importantly, it was an inclusive process, where focal persons of all NLC and TUC affiliates active in the migration governance spaces participated. We are grateful to them for their enthusiasm, energy, and valuable ideas.

We also express our sincere gratitude to the International Labour Organisation (ILO) Abuja Office for the support we had via the ILO-ACTRAV Abuja Office in Nigeria. The organisation's support towards the successful development and publication of the policy is immeasurable.

In particular, our special thanks go to the ILO Abuja Office Director, Ms Vanessa Phala, the Programme Officer, and the entire ILO Abuja Office team for their professional guidance, input, commitment and perseverance. We are particularly grateful to Ms Inviolata Chinyangarara, Senior Workers Specialist ILO-ACTRAV, Mr Augustine Erameh-the National Project Coordinator of the FAIRWAY Migration Programme in Nigeria, who provided technical oversight during the development of this policy, and others who contributed to the policy.

We appreciate the support provided by Dr Benjamin Ugheoke of the University of Abuja and Comrade Akhator Joel Odigie, Deputy General Secretary ITUC-Africa, the external collaborators who facilitated and guided the development of the policy for their immense contributions, Mr John Nyamali, Director Employment and Wages, Federal Ministry of

Labour and Employment, Dr Sunday Onazi of the Federal Ministry of Labour and Employment, Comrade Michael kandukutu of Zimbabwe Congress of Trade Unions (ZCTU) and other Social Partners, especially National Employers Consultative Association (NECA) for their profound inputs into the policy. We acknowledge the contributions and support of Nigerian State Actors; National Commission for Refugees, Migrants and Internally Displace Person (NCFRMI), Nigerians in Diaspora Commission (NiDCOM),

Our profound gratitude goes to the NLC and TUC leadership, the Affiliates and their Focal Persons, who provided the necessary information and shared experiences harnessed in developing this policy.

With high esteem, we also appreciate and commend the efforts of Comrade Eustace Imoyera James, Senior Assistant General Secretary and the NLC Focal Person on Migration and Labour Migration, and his TUC Counterpart for their drive, zeal, and tireless supervision efforts towards ensuring the actualisation of this policy.

The policy will go a long way in giving directions to the work of trade unions in Migration and Labour Migration management and governance in Nigeria. We solicit continuous support and cooperation to ensure the policy achieves its purpose and is reviewed periodically.

The immediate past President of NLC, Comrade Ayuba Wabba, mni, President of TUC, Comrade Festus Osifo, and the President of NLC, Comrade Joe Ajearo, are singled out for special mention for bringing their vast international exposure to bear on this policy.

**Comrade Emmanuel Ugboaja Esq, mni
General Secretary, Nigeria Labour Congress**

**Comrade Nuhu Toro
Secretary General, Trade Union Congress of Nigeria**

Acronyms

ADD	Abu Dhabi Dialogue
ATUMNET	African Trade Union Migrations Network
AU	African Union
BLMAs	Bilateral Labour Migration Agreements
ECOWAS	Economic Community of West African States
GCM	Global Compact on Safe, Regular and Orderly Migration
GDP	Gross Domestic Product
ILO	International Labour Organisation
ITUC-Africa	African Regional Organisation of the International Trade Union Confederation
JLMP	Joint Labour Migration Programme
LMP	Labour Migration Policy
NCFRMI	National Commission for Refugees, Migrants and Internally Displaced Persons
NiDCOM	Nigerians in Diaspora Commission
NLC	Nigeria Labour Congress
NTU MPL	Nigeria Trade Unions' Migration Policy
NSAs	Non-State Actors
SDGs	Sustainable Development Goals
TUC	Trade Union Congress
TUTME	Trade Union Team on Migration Engagements

Nigeria Trade Unions' Labour Migration Policy

PART A

Background and Context

Nigeria is Africa's most populous nation, with approximately 219 million people, according to Worldometer, through the elaboration of the latest United Nations data. The statistics (2022 figures) also show that Nigeria's population is 2.64% of the global population, while the population density is 226 per km² (586 people per mi²) based on a total land area of 910,770 km² (351,650 sq. miles). The median (average) age is 18.1 years, which makes it a country with its majority of young people. It is a country with high rural-urban migration and a growing international migration (emigration) trend triggered by insecurity and economic woes.

Historically, Nigerians are regarded as highly mobile people. Most of them have emigrated to different places in the world for education, work, and family reunions. The migration destinations include countries in Africa, Europe, North America, and Australia. Most [Nigerian] migrants to advanced economies are seen more as members of the Nigerian diaspora and others as expatriates.

Recently, a steady increase in the number of Nigerians recruited to the Middle East to do jobs with middle and low skill requirements has emerged. Of course, most Nigerians moving outside the country are moving to, working and settling in neighbouring West African (ECOWAS) states and other African countries.

Nigeria is also witnessing a new wave of emigration as scores of Nigerians leave to settle in other countries, the majority moving to advanced economies. This new emigration wave is regarded as "Japa syndrome" in the local Nigerian language to depict the desire to escape the growing and worsening economic and security woes the country has been facing for about a decade. It is also important to note that a sizeable number emigrating is doing so for education and skills enhancement. Nevertheless, development accentuates the need and urgency to consciously deal with the push and forced factors that drive people to leave the country desperately. The effects

of "Japa syndrome" is affecting several companies across the economic sectors in the country as capable hands are resigning and relocating abroad.

However, in the entire migration journey from recruitment, departure, work life, and return, there have been reported and documented concerns relating to the human and labour rights of the migrants and members of their families. The nature of these exploitations, abuses, and violations takes different forms, degrees of severity, and categories of victims. There have been reported cases of deliberate deployment of falsehood and deception by brokers¹ and recruitment agencies to lure potential migrant workers into unsuspecting and unfavourable work contracts.

Instances of exploitation of naive and unsuspecting potential migrant workers exist. They are made to pay several fees and other charges they ought not to be responsible for paying. These charges and additional costs are sometimes excessive and repeatedly collected under different guises. Most migrant workers end up in debt and bondage when they borrow money to make such payments. There are also instances where migrant workers, especially female domestic workers, are subjected to horrendous working conditions by their employers, including long working hours, inadequate rest time, undertaking multiple tasks without consent and compensation, and delay and denial of salaries and allowances.

Further, cases exist where migrant workers have been exposed to very poor or non-existent health and safety arrangements. Migrant workers have also faced integration challenges because of the differences in and difficulties with language, culture, and climate. Sadder, there are reported cases of deaths of migrant workers on account of poor health and safety conditions, manhandling by their employers and sometimes from race-induced attacks. The challenges with the absence of redress mechanisms represent other issues mitigating the enjoyment of rights by migrant workers. For migrants/diaspora persons and workers intending to return home, several of them have faced challenges on how to safely and successfully do so.

¹ A loose term in the labour recruitment practice that refers to persons who identify, canvass and assist potential migrants to undertake their migration-for-work journey.

Nigerian trade unions want to address these challenges, contribute to the advancement of pro-rights migration and labour migration governance, and ensure the successful implementation of the 2014 National Labour Migration Policy and the 2015 National Migration Policy.

Rationale for intervention

People's knack for moving has remained strong. This desire for mobility is partly because economic growth, globalisation, and democracy have produced disproportionate disaggregation and benefits. The distribution and share of global prosperity remained skewed against most people, which is worse for women, migrants, and other disadvantaged persons. For Africa and Nigeria, structural challenges such as mono-economic production, infant and stagnant manufacturing growth, low technology development and utilisation, and inadequate social protection provisions contribute to the structural dilemma. In essence, there are growing push factors causing people, especially young people, to contemplate and undertake desperate and dangerous migration journeys. Unfortunately, these issues contribute to the ill perception and narrow narration of a global migration crisis. This policy addresses how Nigerian trade unions will contribute to countering them.

Further, it is worth noting that Nigerian trade unions' positions are compatible with those espoused in the 2014 National Labour Migration Policy and the 2015 National Migration Policy. In essence, the trade unions are desirous of addressing the issues these two policies have identified as posing challenges to a progressive migration governance architecture and culture that will contribute to the protection of the rights of migrants and migrant workers and Nigeria's development aspirations.

The 2014 National Policy on Labour Migration and the 2015 National Migration Policy catalogued several cross-cutting issues on migration and labour migration that both policies aim to address. For Nigeria's organised labour, these issues are pertinent to its effective engagement in the quest to contribute to the attainment of progressive migration and labour migration governance. Some of the critical issues of migration in Nigeria are –

- i. Internal migration and urbanisation (52.0% as urban dwellers) which has contributed to and exacerbated unemployment, inequality, congestion, and profound pressure on housing, education, transportation, health, inner city crimes etc.
- ii. National and human security, with particular reference to forced/involuntary movement and displacement on account of war and internal conflicts, for example, the violent conflict in North-East Nigeria and the Sahel Region, notably Mali, have compounded the security challenge in Nigeria (National Migration Policy, 2015).
- iii. Desperate and dangerous journey, mostly youth majority of whom are unemployed and have little or no reservation about daring to "take destinies in their hands" by resorting to "by any means necessary" desperation to migrate. Their migration journeys are made precarious partly by exaggerated and distorted information about employment opportunities abroad. Unfortunately, many have met their untimely death gruesomely, while others remain in hazardous conditions.
- iv. Migrant smuggling has become a prominent and thriving business perpetrated mainly through former migrants who have metamorphosed into barons, matrons and patrons in smuggling persons to other countries for a fee. The payment can be immediate or through loan arrangements that sometimes lead to servitude when repayment becomes difficult.
- v. Human trafficking is another dangerous migration issue that undermines the rights of male and female migrants and migrant workers and children. In some cases, self-processed recruited migrants and smuggled persons fall into the hands of human traffickers.
- vi. The full circle of the migration process is connected to the issues of return, readmission and reintegration of Nigerian migrants and migrant workers. It is critical that practical arrangements to facilitate these processes are in place and organised inclusively and collaboratively.

- vii. There is also the issue of border management against security challenges of human trafficking, migrant smuggling and the increasing profile of international terrorism.

Other issues of concern include –

- a. The prevalence of decent work deficit in Nigeria
- b. Weak regulation of recruitment agencies to curb illicit and unethical practices that expose migrant workers to exploitation, abuse and harm.
- c. Weak provisions and Ineffective management of Bilateral Labour Migration Agreements (BLMAs) – low/limited rights protection safeguards, Non-inclusion and effective participation of social partners.
- d. Need to ensure the centrality of gender equality in the entire Nigerian migration governance process.
- e. Limited skills and capacity development for responding to labour market needs and demands at home and abroad by State and Non-State Actors.
- f. Weak and inaccessible consular services for Nigerian migrants and migrant workers abroad.
- g. Low utilisation of standards and legal frameworks in ways to drive whole-of-stakeholder and whole-of-society approaches.
- h. Limited ability to deal with coordination challenges that weaken cohesion and progress in the entire labour migration process.
- i. Ability to improve and ultimately eliminate the challenges that make the remittances cumbersome and expensive for migrants.
- j. Dealing with data gathering, analysis, management, and utilisation issues to ensure predictable and effective migration governance culture.
- k. Facilitating the genuine participation and effective inclusion of migrants and migrant workers in the entire migration circle.
- l. Weak integration management.
- m. Weak management of migrants with disability issues.

Effective comprehension of these issues are critical to Nigeria's trade unions' engagement in their quest to ensure a progressive labour migration

governance architecture and culture. Nigeria's trade union movement's philosophy is hinged on building the trade union movement as a fighting machine for the advancement of the human and labour rights of all workers, including migrant male and female workers. The philosophy is also endeared towards the progress and prosperity of the nation, which will benefit everyone. Therefore, this policy is designed as a compact and compass for navigating the contours of migration governance engagement.

PART B

Nigeria Trade Unions' Position on Migration

Nigeria's trade union movement, led by the Nigeria Labour Congress (NLC) and the Trade Union Congress of Nigeria (TUC), has shared migration positions that define their philosophy and engagement. These positions represent their views on migration that mirror and shape their actions and activism on migration and labour migration. These positions include –

1. The trade unions continue to hold it as immutable that it is the right of people to move freely, live, and work in communities of their choice.
2. Migration is not a crisis. What exists is the absence of an effective governance arrangement and the lack of solidarity.
3. Mobility being a natural human phenomenon, the benefits of migration, in most instances, have been felt and enjoyed by everyone connected to the process. In other words, when people move, themselves, their host, transit and host economies benefit.
4. Structural socio-economic challenges in Nigeria are some of the pushed/forced factors that contribute to desperate and dangerous migration journeys. Therefore, trade unions considered persons engaged in desperate and dangerous journeys as victims and survivors of failed systems. They should neither be criminalised nor stereotyped. Rather, conscious and deliberate efforts must be made and pursued to reverse and address these structural challenges.

5. Migration, migrants and Migrant workers should not be criminalised. Migrants and migrant workers are persons looking for ways and means to survive and to improve their socio-economic conditions. Constructive and imaginative efforts should be engineered to make mobility processes legitimate, regular and fair. For persons in irregular situations, pathways for their regularisation should be pursued whilst working to remove the factors and elements that encourage irregular and unsafe movement.
6. Whilst it is crucial to effectively address security issues, including ensuring good border management, migration governance should not be conceived and designed under security prisms. In essence, migration arrangements should not be "securitised" in ways that make mobility difficult and exclusive.
7. Migration governance should be an inclusive and genuine process constructed on whole-of-stakeholders and whole-of-society approaches. Synergies and cooperation among the different and relevant government agencies should be encouraged.
8. Migration affects people and demographics in different ways. Women have been identified as persons who have worse migration journey experiences, ditto for children and disabled persons.

Vision and Mission of Nigerian Trade Unions on Migration Governance

Vision

To be an effective and visible player in the governance of labour migration underpinned by the complete application of the decent work agenda for migrant workers without distinction.

Mission

Make tangible contributions to the creation and practice of an effective, responsive and pro-rights advancing labour migration governance operation

and practices that protect migrants and contribute to the country's development aspiration.

Aims and objectives of this policy

Nigeria Trade Unions' Policy on Labour Migration addresses the following three broad objectives:

1. To ensure the effective participation, coordination, and collaboration of Nigeria trade unions' interventions that contribute towards the attainment of progressive national labour migration governance.
2. To advance the defense, protection, and promotion of the rights of migrant workers and members of their families in ways that include their participation.
3. To ensure the enhancement of organised labour's capacity, competence, and visibility in the country's labour migration governance processes.
4. To scale up women's issues and the faces of women migrants/workers in the migration and labour migration engagements at the local, national, continental, and international levels.

Principles underpinning the Nigerian Trade Unions' Labour Migration Policy

- Engagement will be driven by knowledge, competence, and reliable information, not emotive and subjective postulations.
- Partnership and collaboration are critical and should be cultivated.
- Solidarity and unity of action in the entire engagement process
- Engagement must consciously include migrant workers and their organisations.
- Accountability and transparency in the entire engagement process.
- Inclusion and thoroughness
- Readiness to learn, adapt, and adopt knowledge and information to improve engagement processes.

- Trust and legitimacy will secure, inspire and sustain the confidence of internal and external collaborators, which will contribute to the ease of mobilisation.

Trade Unions' Points of Consideration for Engagement and Action

- Migration is a human and natural phenomenon that will continue throughout human existence. It cannot be stopped but can be better managed to deliver good outcomes to all involved.
- Migration should be by choice and right.
- Recognise the rights of migrants and not criminalise them by not recognising and using terms considered derogatory, such as "illegal migrant" for migrants with irregular status.
- Focus on addressing the needs and vulnerabilities of migrants and work with them in resolving them.
- Include and engage migrants and migrant workers in the intervention processes.
- Ensure adequate reporting and visibility in the entire mobility and migration engagement processes through collaboration with the media.
- Develop, canvass, and utilise alternative solutions in the engagement with state actors.
- More women are moving and participating in mobility and migration processes, and women migrants and migrant workers are affected differently by the vulnerabilities in the migration processes.

PART C

Mechanisms and instruments as underpinning and guiding policies of the Nigeria Trade Unions' LMP

This policy is a compass for navigating Nigeria's trade unions' engagement in labour migration governance. It is underpinned by different existing labour migration governance policies at the national, continental, sub-regional and international levels. Nigeria's organised labour's aspirational policy will be

guided by the various policies, programmes and processes at the levels mentioned earlier.

National Level Alignment

Nigeria developed and adopted a National Labour Migration Policy (2014). The policy was designed as a response to improving the national migration governance framework and regulation. The policy also focused on the national labour market and how labour migration can contribute to economic development in a pro-right protection manner.

In 2015, the country adopted a National Migration Policy. The policy document addresses the issue of migration rights and contributions to national development based on the country's existing legal and policy frameworks. The policy is also a reference document to counter irregular migration and the adverse effects of migration on the Nigerian image abroad. The responsibility for the coordination of the national policy is vested with the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) in collaboration with the Ministries, Departments and Agencies involved in migration, relevant stakeholders across all the sectors, including CSOs and Organised Labour.

The role of social partners, especially the country's national trade union centres, the Nigeria Labour Congress (NLC) and Trade Union Congress (TUC), were prominent and have been commended by the government and its relevant supervisory ministries responsible for the policy implementation coordination. The National Policy of Labour Migration sees and recognises Nigeria's trade unions' visibility in the national migration engagement as an advantage that should be maximally utilised to ensure this policy's practical application.

Regional Level Alignment

Nigeria Trade Unions' LMP will also be aligned to the processes at the regional level and the supranational institutions coordinating migration and labour migration processes. The Economic Community for West African States (ECOWAS) is the most active and visible in this regard.

- i. ECOWAS Protocol on Free Movement, Right of Residence and Establishment (1979) - Per this Protocol, nationals of a Member State shall have the right to enter, stay, move freely and exit the territory of another Member State under the laws, regulations and procedures of the host Member State.
- ii. ECOWAS Common Approach on Migration (2008) – the 30th Ordinary Summit of ECOWAS Heads of State and Government in Abuja in June 2006 mandated the ECOWAS Commission to define a common regional approach to migration. The ECOWAS Mediation and Security Council, at its meeting in Ouagadougou on 20 December 2006, reiterated, reaffirmed this priority and requested the Commission President to: *"pursue the consultative process for the definition of a common approach to the management of intra-regional migration and migration to Europe in all its dimensions"*.
- iii. Migration Dialogue for West Africa (MIDWA) - The Migration Dialogue for West Africa or MIDWA is a platform that involves State and Non-State Actors (NSAs) aimed at encouraging the Member States of the Economic Community of West African States (ECOWAS) to discuss in a regional context such common migration issues and concerns for which immediate solutions may not be forthcoming within the national level. Its objective is to promote and ensure high-quality cooperation among ECOWAS Member States, third countries, and other international consultative forums on Free Movement and migration.

Continental Level Alignment

At the continental level, the Nigeria Trade Unions' LMP is underpinned and guided by the Migration Policy Framework for Africa, which includes a thematic area on labour migration. Some of these frameworks include –

- i. The AU Social Policy Framework of 2008 also recommends regional integration and collaboration of social security schemes to increase the positive outcomes of labour circulation.

- ii. The Ouagadougou Roadmap for implementing the Global Jobs Pact in Africa (2009) adopted migration policies as one of the eight critical elements for African recovery.
- iii. The 2011 AU Minimum Integration Programme adopted migration as one of its priorities.
- iv. The AU Plan of Action on Boosting Intra-African Trade (2012) recognised the crucial role of the free movement of people and labour migration regulation. 'Promote labour migration' as one of the strategies in the African Union Commission (AUC) Strategic Plan 2014-2017.
- v. The 9th Ordinary Session of the AU Labour and Social Affairs Commission (April 2013) adopted the Youth and Women Employment Pact, including "Promotion of regional and sub-regional labour mobility". The Pact calls for an AU and RECs Labour Migration Plan.
- vi. The Ouagadougou +10 Declarations and Plan of Action endorsed by the Special Session of the AU Labour and Social Affairs Commission in April 2014 – Labour Migration for regional integration is a priority.
- vii. There is also the AU/ILO/IOM/ECA Joint Programme on Labour Migration Governance (JLMP), which intends to facilitate the accelerated implementation of the labour migration provisions of the Migration Policy Framework for Africa (2006). The JLMP focuses on two key areas: (i) Strengthening the governance of labour migration; (ii) Operationalising the protection of migrant workers.
- viii. In 2018, the AU adopted the Protocol to the Treaty Establishing the African Regional Economic Community Relating to the Free Movement of Persons, Right of Residence and Right of Establishment. A roadmap for the implementation of the Protocol has also been adopted. Essentially, this Protocol aims to facilitate the implementation of the Treaty Establishing the African Economic Community by providing for the progressive implementation of the free movement of persons, right of residence and right of establishment in Africa. The implementation is conceived to be driven by the Regional Economic Communities (RECs).

- ix. Also, in 2018, the AU under the JLMP established the Labour Migration Advisory Committee (AU-LMAC). The Committee advises the Member States on how to construct an effective labour migration governance.

International Level Alignment

At the international level, this NTU LMP aligns with the ten² fundamental ILO Conventions, as well as with the following Conventions and Recommendations:

- i. Convention 97- Migration for Employment Convention, 1949.
- ii. Recommendation 86 - Migration for Employment Recommendation (Revised), 1949.
- iii. Convention 118 – Equality of Treatment (Social Security) Convention, 1962.
- iv. Convention 143 - Migrant Workers (Supplementary Provisions) Convention, 1975.
- v. Recommendation 151 - Migrant Workers Recommendation, 1975.
- vi. Convention 157 - Maintenance of Social Security Rights Convention, 1982.
- vii. Convention 181 – Private Employment Agency, 1997.
- viii. Convention 189- Domestic Workers, 2011.
- ix. Convention 190 – Violence and Harassment, 2019
- x. Convention 159 – Vocational Rehabilitation and Employment (Disabled persons).

These instruments should be consciously considered and utilised in the labour migration governance engagement process by organised labour together with the following frameworks:

- i. ILO Multilateral Framework on Labour Migration (2006). It is a non-binding framework for the major issues faced by migration policymakers at national, regional and international levels. The

² At the 110th Session of the International Labour Conference in June 2022, a unanimous vote to upgrade Convention C155 (Occupational Safety and Health, 1981) and C187 (Promotional Framework for Occupational Safety and Health, 2006) were upgraded as fundamental conventions. This brought ILO Core Conventions to ten.

framework also addresses the essential themes of decent work for all, governance of migration, protection of migrant workers, promoting migration and development linkages, and expanding international cooperation. It contains the principles and guidelines for developing rights-based labour migration policies.

- ii. Fair Migration Agenda (Labour Migration, 2014). The Fair Migration Agenda is a conscious approach of the ILO to further its mandate as contained in the 1919 ILO Constitution that calls for the "protection of the interests of workers when employed in countries other than their own". Among other things, the Agenda identified the following issues that the ILO will lead and collaborate with other stakeholders to address: Promoting decent work in countries of origin, including the contribution of migrants, and promoting bilateral agreements for well-regulated and fair migration between member States. Other issues include – the institutionalisation of fair recruitment processes and countering unacceptable situations (such as violation of fundamental rights), and the utilisation of tripartism, knowledge, and capacity-building as cross-cutting issues.
- iii. ILO General Principles and Operational Guidelines for Fair Recruitment (2016).

Complementary to ILO instruments, this policy will be utilised in full recognition of the following international documents that espouse the need for and importance of defending, protecting and promoting the human and labour rights of all persons, including male and female migrant workers and members of their families-

- The United Nations Universal Declaration on Human Rights (1948)
- The United Nations Convention on the Rights of Migrant Workers and their Families (1990) and the Convention on All Forms of Discrimination Against Women (CEDAW,1979), with particular reference to General Recommendation No. 26, focus directly aside other women's rights, the rights of women migrant workers.
- UN Global Compact for Safe, Orderly and Regular Migration (GCM, 2018). The compact has 23 Objectives, with targets identified for each of the Objectives.

23 Objectives



The 23 Objectives are relevant for migration governance engagement. However, the African Trade Union Migration Network (ATUMNET) has prioritised 8 (listed below) of the GCM Objectives as critical for labour migration governance. The intention behind the prioritization is to ensure proper engagement.

- OBJECTIVE 2: Minimise the adverse drivers and structural factors that compel people to leave their country of origin.
- OBJECTIVE 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work.
- OBJECTIVE 10: Prevent, combat, and eradicate trafficking in persons in the context of international migration.
- OBJECTIVE 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral.
- OBJECTIVE 17: Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration.
- OBJECTIVE 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences.
- OBJECTIVE 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration.

- OBJECTIVE 22: Establish mechanisms for the portability of social security entitlements and earned benefits.

Similarly, this policy is strategically aligned with the 2030 Sustainable Development Goals (SDGs)



- Goal 8, Target 8.8, emphasises the relevance of advancing the protection of labour rights and the promotion of safe and secure working environments for all workers, including migrant workers, particularly women migrants, and those in precarious employment.
- Goal 10, Target 10.7 addresses the facilitation of orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies; and,
- Goal 5, Target 5.2, seeks to eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other types of exploitation.

PART D

Trade Unions: Areas of Identified Interventions and Commitments

The areas of interventions and commitments will include –

Clusters

i. Advocacy engagements

- ✓ Education and awareness advocacy for migrant workers, migrants' communities and the general public to reduce and ultimately defeat exploitation, rights violations and discrimination, and racist attacks against migrant workers and members of their families and communities.
- ✓ Advocacy engagement on human capacity and skills development and placement.
- ✓ Push for inclusive, institutionalized, and functional social dialogue processes.

ii. Research, Policy Development and Engagement

- Conducting periodic research to contribute to a better understanding of issues and the engineering of solutions and alternatives.
- The development and deployment of advocacy targeted in addressing structural issues of poverty, unemployment, inequality, poor wages, violent insecurity, political persecution, and climate change.
- Contribution to data gathering and analysis for better labour migration governance.
- Develop initiatives focused on women and youth on migration governance.

iii. Training and Capacity Building and Resource Mobilisation

- ❖ Training of focal persons and activists

- ❖ learning by exposure and interactions with allies, partners and collaborators.
- ❖ Facilitating trade union-to-trade union collaboration.
- ❖ Organising and facilitating education and training activities for migrant workers, including women and young migrant workers.
- ❖ Developing actionable training proposals for funding support.
- ❖ Providing need-driven training and education opportunities for journalists and media allies of the Nigerian trade union migration group.
- ❖ Developing activities reports rich in value-for-money analyses and outcomes that would elicit further collaboration and support by funding partners.

iv. Visibility, Reporting, and Documentation

- Writing, disseminating, and publishing press statements, press conference messaging, and granting interviews to the media on migration and labour migration-related issues when and where necessary.
- Developing and utilizing regular and social media tools to disseminate the messages, views, and positions of Nigeria's organised labour on migration and labour migration issues.
- Ensuring reliable tracking of the media footprints of the Nigerian Trade Unions' migration and labour migration engagements to measure and assess their level and depth of visibility and influence.
- Collating and reporting infractions against migrants and migrant workers, and the weak application and enforcement of relevant standards and instruments.
- Depositing collated reports to relevant mechanisms such as the ITUC Annual Global Rights Index, ILO's Committee of Experts on the Application of

Conventions and Recommendations (CEARC), African Commission on Human and Peoples' Rights (ACHPR), etc.

- Organising, periodically, online and studio interactive sessions for members of the general public to update and educate them, solicit their support and mobilise them for collective action.

v. Campaigns, collaboration and Participation in Events

- Participating in the processes for advancing ethical and fair recruitment.
- Contributing to the development, implementation, management and monitoring of Bilateral Labour Migration Agreements (BLMAs), multilateral agreements and skills development agreements.
- Undertake engagements on cross-border issues in collaboration with trade unions from neighbouring countries. Education and awareness caravan and interactions with border communities could be explored to increase active stakeholders' engagement and inclusion.
- Campaigning for the ratification, domestication, application, enforcement of and reporting on standards and instruments for the protection of the human and labour rights of migrant workers and members of their families.
- Participating and contributing to the development, adoption/ratification, review, application and utilisation of legal frameworks (migration and labour migration policies and programmes, relevant continental and international standards).
- Providing voice and representation through the organising of migrant workers.
- Supporting and contributing to the various processes of return, readmission, rehabilitation and reintegration of migrant workers.

- Inclusion of migrant workers' issues in collective bargaining processes and outcomes.

Strategies for the Policy Application and Intervention

This policy recognises that its effective and efficient application will depend on straightforward and time-tested strategies that Nigeria's trade unions must develop and deploy. Therefore, the strategies listed below, in no particular order, will be utilised for the application and utilisation of this policy, the attainment of its objectives, and contributing to the identified interventions.

- A. Establish, strengthen, and sustain a national trade union migration platform- this will also include active participation in other similar platforms, national, regional, and continental levels, such as the African Trade Union Migration Network (ATUMNET).
- B. Research - the pursuit of evidence-based information gathering for effective interventions. The study will present facts, analyses, and alternatives to aid engagement.
- C. Organising - as organised labour, recruiting and unionising migrant workers will be pursued to take advantage of the Freedom of Association.
- D. Mobilisation - collective action to deploy and utilise the power of numbers/trade union members to pressure mandate-bearers to cause the necessary changes.
- E. Alliance-building - working with other progressive groups, including State and Non-State Actors (NSAs – trade unions from the transit and host countries, CSOs, academia, etc.).
- F. Capacity building - trade until recently, didn't prioritise migration engagement. Capacity and capability building, sharpening, and enhancement are critical to playing catch-up and being effective within the labour migration arena.
- G. Media insertion and visibility - the media remains an agenda-setting and pressure-deploying institution and space. The trade unions will consciously and systematically work with journalists and media

organisations to accentuate organised labour's voices and positions on migration and labour migration.

- H. Campaigning and advocacy – on sundry issues connected to migration and labour migration trade unions are to engage and intensify campaigns.
- I. Documentation and reporting - conscious and strategic efforts will be made to document activities on labour migration and to use documentation to improve the governance and practice of labour migration in the country and without. Documented infractions against migrants will be reported to relevant standards upholding mechanisms for necessary redress.
- J. Resource mobilisation – technical, institutional and financial resources are needed to deepen and sustain trade unions on labour migration engagements. Trade unions will need to bank on and utilize their credibility, relevance, visibility, contacts, skills and relationships to attract resources. The effective management of sourced resources is critical to retaining and expanding the support. It is also critical to have a doable sustainability plan. Genuine efforts must be made to ensure own resources.
- K. Negotiation and social dialogue utilisation - Trade Unions should promote protection of human and labour rights of migrants through the instrumentality of social dialogue.
- L. Build a bipartite relationship with employers' organisations.
- M. Partnership – real and sustained efforts will be undertaken to ensure effective partnerships with other stakeholders and entities with the various levels of engagement identified in this policy. The partnership will be driven by consultation, collaboration and cooperation that will engender win-win outcomes for all.

Space for Application of the Policy and Labour Migration Engagements.

Nigeria's Trade Unions Labour Migration Policy will be applied at the national, regional, continental and international levels. Nigeria's trade unions will seek access to and the utilisation of the various spaces to advance the

application of the policy and engagement with other stakeholders in the following spaces:

1. Existing and established national migration and labour migration spaces – National Technical Working Group on the National Migration Policy and the National Policy on Labour Migration Policy
2. The Social Partners Advisory Committee of the National Policy On Labour Migration.
3. National Trade Union Migration Platform
4. The National Labour Advisory Council (NLAC)
5. Migration Dialogue for West Africa (MIDWA).
6. African Union/ILO/IOM/ECA Joint Labour Migration Programme (JLMP).
7. The African Union Labour Migration Advisory Committee (AU-LMAC)
8. International Labour Organisation (ILO) processes and events, including the International Labour Conference (ILC).
9. Africa – Arab States Labour Migration Conferences
10. Abu Dhabi Dialogue (ADD)
11. The National and Regional Global Compact Review processes and the International Migration Review Forum (IMRF).
12. The Global Forum on Migration and Development (GFMD).
13. Trade unions to trade union Labour Migration Agreement processes at the sub-regional, continental and international levels.
14. Any other available spaces at the different levels of migration discourses.

PART E

Policy implementation and coordination framework

The successful implementation of this policy will require steady and relentless political commitment and support from the leadership of the two collaborating national trade union centres. It is equally important that the trade unions will cultivate and consolidate the partnership, collaboration and support of the relevant State Actors and other Non-State Actor allies responsible for and active in the country's migration and labour migration governance spectrum. Therefore, it is for the purpose of ensuring effective

implementation that an implementation framework that ensures inclusive and collaborative participation of the relevant actors has been elaborated here.

Implementation Coordination Mechanisms

The Nigeria Labour Congress (NLC) and the Trade Union Congress (TUC) shall be responsible for the coordination of the implementation of the policy. They shall do this through the creation of the Trade Union Team on Migration Engagements (TUTME). TUTME will be an implementation coordination hub made up of focal persons from the affiliates of the two national trade union centres.

Allies of the trade union organisations from the State Actor and Civil Society communities can also be incorporated. This hub will be coordinated by a Lead Focal Person identified and selected by the two national centres. It is critical that representatives of migrants and migrant workers are included and active in the TUTME space.

The Trade Union Team on Migration Engagements (TUTME) will perform the following non-exhaustive functions –

- Coordinate the migration and labour migration engagements and activities of trade unions in the country.
- Exist as the team providing technical inputs of the trade unions into all national, sub-regional, continental, and international spaces and processes on migration and labour migration.
- Serve as the voice of Nigeria's organised labour at all levels and spaces of migration and labour migration engagement processes and activities.
- Responsible for facilitating the development, nurturing, and consolidation of the Trade Unions Labour Migration Agreement between Nigeria's organised labour and trade unions of other countries.
- Formulating and recommending activities, programmes, and other intervention initiatives for State Actors' consideration and other partners.

- Developing and meeting the technical and capacity needs of the hub through training and sourcing for implementation partners.

Monitoring and Evaluation of the Policy

Whilst the policy remains a compass for navigating Nigeria trade unions' engagement in the migration and labour migration governance process, the NLC and TUC, through their relevant structures and platforms, will make conscious efforts to ensure effective monitoring of the implementation of the policy prescriptions. Also, the trade unions will deploy reasonable efforts to ensure that procedural evaluation exercises are conducted biannually.

The review of the policy is envisaged to take place every four years. However, flexibility in the policy review will be anticipated and permitted through programme actions in response to changes demanding urgent policy intervention by the trade unions.

Conclusion

It is hoped that the policy can be reviewed every four years in ways to make it relevant and relative to the dynamic nature of the labour migration terrain.



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