

The Economic Prospects of Sustainable Labour Migration and the Need for a Legal Framework in Nigeria

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ABSTRACT

Sustainable development has been a germane concept to international policy since the year 1992. The concept of Sustainable development also serves as a springboard for understanding labour migration as a phenomenon for the economic viability and social sustainability of developing and developed nations. This is because labour migration is a phenomenon that is rooted within the strata of socio-political sustainability, one of the recognized pillars of sustainable development. From the standpoint of migration history in Nigeria, migration has persisted internally in the form of rural-urban migration driven by varying socio-economic factors and externally, in the form of labour migration with a significant number of young Nigerians, many of whom are not deterred by the risks associated with travelling to Europe via unsafe paths, exploring some of these paths. Nigerian youths consisting of individuals aged between 15-35 years also comprise the largest population of migrants from the Global South seeking opportunities in other countries outside Europe. The ILO, the United Nations Department of Economic and Social Affairs-Statistical Division and the International Organization for Migration in development circles have advanced the discourse of labour migration whilst prompting countries to mainstream strategies that would allow the benefits of labour migration to be fully maximized. An ethical legal framework in sending countries (being developing countries in most cases, and in this instance referring to Nigeria) and receiving countries (being developed countries in most cases and in this instance referring to countries in Europe). It is within this framework that the economic prospects of labour migration can be properly reaped. In establishing a legal framework for Nigeria, it is important to consider what the country stands to lose with sustained outflow of youths and professionals required for nation building to Europe and sectors in Europe, this consideration would guide the concessions that can be made in the design of Bilateral Labour Agreements between Nigeria and Sending countries. The researcher of this work ultimately contemplates the realization of a legal framework in the form of a legislation that will strongly define labour migration in Nigeria, which would also be a consolidation of prior efforts channeled towards establishing a labour migration policy for Nigeria.

The Research methodology utilized in this work is a combination of the Qualitative Legal Research and Analytical Legal Research. This is because the work relied mainly upon non-numerical data sources relative to the topic at hand and after evaluating these sources, put forward a subjective view.

Keywords: Sustainable Development; Labour Migration; and Legal Framework.

INTRODUCTION

Sustainable development is a theory that has continued to guide the activities of many economies in the 21st century. The concept of sustainable development was described by the 1987 Brundtland Commission Report as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (UNESCO, 2012). In addition, the concept of sustainable development has developed over time with three pillars namely: environmental sustainability, economic sustainability, and sociopolitical sustainability. Hence, in the discussion of global sustainable development consideration of labour migration, a phenomenon affecting the social well-being of individuals is of essence. Labour migration has been recognized as one of the targets linked to Sustainable Development Goal (SDG) 10 of

‘reduced inequality within and among countries.’ This SDG also targets facilitating orderly, safe, and regular and responsible migration and mobility of people, through implementation of planned and well-managed migration policies. In the case of Nigeria, a country with a population of about 200 million individuals, and a 70% youth population within working age successful labour migration and talent partnerships has been laid out as a viable solution for reducing the prevailing reality of high youth unemployment in the nation (The Conversation, 2022). To this end, this paper seeks to examine labour migration and the legal framework in place in Nigeria (as a sending nation) relative to destination countries for successful labour migration. In order to achieve this, this paper considers sustainable development as a concept from which sustainable labour migration flows, it examines migration in Nigeria, labour migration in particular and its economic prospects. Finally this paper puts forward the need to establish a legal framework that would ensure long term labour migration is maintained sustainably within Nigeria.

UNDERSTANDING SUSTAINABLE DEVELOPMENT

Human activities unchecked are capable of altering the biological mix of the natural ecosystems. Over time, it has been stated that the emissions generated by the world since the Second World War could have had serious effects on the environment although the extent of this effect has been largely unknown (Graciela, 1997). In direct response to this, the concept of sustainable development (SD) that evolved in 70s and especially in the 80s aims towards constraining human use of resources in order to protect long term environmental integrity. Among other things, SD is based on socio-economic development in line with ecological constraints and in 1992 it emerged as the most urgent subject of international policy at the United Nations Earth Summit in Rio de Janeiro (Graciela, 1997). Furthermore, in achieving sustainable development nations of the world must pursue economic growth and progress within the framework of environmental sustainability-focused on preserving the quality of the environment which is a pre-condition for stable human existence- and social sustainability-which strives towards human rights and equality respect for cultural diversity race and religion-and economic sustainability –the safeguard social and human capital required for reasonable living standards- (Tomislav, 2018). Only development achieved within these three components can confer all-round benefit to individuals in society at any given time.

At a global level, conscious of the need to take proactive steps towards environmental, economic, and social sustainability, all member states of the United Nations in 2015 adopted the 2030 Agenda for Sustainable Development. This Agenda contained the 17 Sustainable Development Goals with 169 associated targets which were to serve as a strategic approach to be followed towards eradicating poverty, and deprivations as well as achieving development in its three dimensions. The dynamism of these goals is such that taken together, these goals do not seek to promote environmental integrity alone, although this remains a crucial aspect of sustainable development, but they seek overall betterment of the society. Within the context of these goals, comity of nations also seek to ensure inclusive, sustainable growth and decent work for all under SDG 8. SDG 8 direct nations to ‘promote sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all.

Measuring the progress of the sustainable development goal 8 targeted towards decent work and economic growth via the Sustainable Development Goals Report 2021, it is discovered that a combination of the COVID-19 crisis and a global economic downtime in the year preceding the crisis worsened the global economic and employment outlook significantly. For example, according to the UN Department of Economic and Social Affairs (2021) by 2020, the global unemployment rate reached 6.5 percent, up 1.1 percentage points from the previous year 2019. Furthermore, in the wake of the pandemic, 255 million full time jobs were lost which is equivalent to 4x the number of jobs that was lost during the global financial crisis of 2007-2009. Youth and women fell within the category of the population that was severely affected with employment losses as high as 8.7 per cent and 5.0 per cent, respectively in 2020, compared with the 3.7 per cent adults and 3.9 per cent for men (UN Department of Economic and Social Affairs, 2021). Thus it is

from these indications that the conclusion is reached that the SDG goal 8 is still very far from sight.

Further statistics from the UN Department of Economic and Social Affairs (2021) have also indicated that this goal is still very far from sight because as of 2020, the number of unemployed worldwide increased by 33 million, reaching altogether, 220 million. It is to this end that pragmatic solutions to end global unemployment especially in Developing Countries such as Nigeria must be adopted and admittedly one of these solutions include Labour Migration.

UNDERSTANDING MIGRATION IN NIGERIA

Globally, migration has featured in the history of several countries and has also contributed to the economic progression of several developed and developing countries, including Nigeria. The International Organization of Migration (IOM) estimates that in 2005, there were 190 million people- 3.0 per cent of the world's population- living outside their country of birth (Adepoju, 2004). Across Africa, rapid population growth, combined with unstable politics, escalated ethnic and religious conflicts and persistent economic decline and poverty has influenced migration decision of individuals (Adepoju, and Arie, 2010). Particularly, rapid population growth which increases the disparity between the labour force growth and job creation for the gainful engagement of this population, creates migratory pressures by generating high rates of unemployment and underemployment (Adepoju, and Arie, 2010). Also, migration is viewed as an avenue through which an individual can improve their socio-economic status as well as access better opportunities for themselves and their future generation (Oluwafunmiso, 2013).

Generally, Migration patterns within sub-Saharan Africa are complex, involving both internal cross border movements, and intra and inter-regional mobility. These observable patterns of migration also persist in Nigeria. Internally, Nigeria, since her independence has witnessed a considerable amount of rural-urban migration, which is characterized by individuals migrating from state regions and seemingly rural locations to industrialized cities such as Lagos. This is because a city like Lagos located in Southwestern region of Nigeria is a host of Nigeria's two largest seaports, 65 percent of Nigeria's industrial plants and large proportion of educational and research institutions all of which present the prospect of gainful employment to the average Nigerian. Closely related, the capital city of Nigeria, Abuja which is the headquarters of several government agencies, multilateral and bilateral agencies continue to be a targeted destination for several internal migrants in Nigeria (Blessing, M. and Roland, P. 2010). The population of Abuja after it was declared the capital of the military government grew marginally from 378,671 as declared during the 1991 census to 778,567 in 2006 making the city experience one of the fastest cases of urbanization (Blessing, and Roland, 2010).

In Nigeria, present data on internal migration makes references to the 2006 census and the internal migration survey conducted in 2010 by the National Planning Commission (NPC). This is because they strategically collected data on state of origin and state of previous residence, providing information on lifetime migration International Organization for Migration, (2016). Furthermore, the Internal Migration Survey conducted by the National Population Commission (NPopC) in 2012 defined a migrant as a person who has moved from a particular Local Government Area (LGA) of residence in the past 10 years to live in another LGA for at least 6 months before returning to the previous LGA. A non-migrant is a person who has not changed residence in the last 10 years. The 2006 Population and Housing Census disclosed that more than 10 percent of Nigerians lived in states other than their states of birth. Thus it can be asserted first and foremost that migration is the reality of an average Nigerian even at an internal level. Migration is also strongly driven by the desire to better economic prospects and secure access to better social facilities as internal migrants come predominantly from less developed regions to more developed regions (Blessing, and Roland, 2010).

The migration situation in Nigeria where young Nigerians faced with tighter immigration restrictions

obstructing smooth transition to Europe via safe channels resort to unsafe paths, journeying across the Mediterranean Sea and through the dessert reveals that migration as a phenomenon cannot be rigidly prevented but only carefully regulated. Irregular migrants consisting of a growing number of young Nigerians are not deterred by the risks to livelihood that is associated with travelling to Europe via unsafe paths, such young people are readily involved in daring ventures, stowed away beneath ship decks, or even hiding away in different parts of commercial aircrafts. In 2016, the European Union decried that 22,500 Nigerians were crossing the Mediterranean Sea in a bid to gain access to Europe and this number represents an increase from the figures gather in the previous year. Similarly, Nigerian youths consisting of individuals aged between 15-35 years comprise the largest population of migrants from the Global South seeking opportunities in other countries outside Europe (Mora, 2019). The exploration of such extreme means by many of these Nigerians some of whom are well educated and qualified to fit into viable sectors of Europe and contribute to nation growth as opposed to being liabilities imposed on the economy of destination countries only indicate the great lengths young Nigerians are willing to go through to gain access to Europe on one hand, and on another hand, the desperation of such persons. Some of the factors which constitute the push factor for irregular migrants in Nigeria include the demographic constitution of Nigeria which is fast rising above a population of 200 million people (with over 50% of the population comprising Nigerian youths), poverty, and deteriorating socio-economic conditions. Asides from these, political instability, and rising waves of conflicts drive migration of Nigerians to regions which hold better promise. For example, it has been expressed across many social media platforms by young Nigerians that while the American dream is defined as an equal opportunity applicable to every human to achieve everything which makes life better and richer, the Nigerian dream is often to leave Nigeria to some of these regions perceived to hold better promise (Ajoy, and Mercy, 2021).

Against this background, one of the ways to address the challenge of irregular migration involves adopting strategic policies that would promote regular migration through other safe channels to Europe. Migration policies are continually implemented within states and a study of migration policy at a global level show that majority of government (61 percent), have a policy to maintain current levels of immigration, 13 percent have policies to lower the level of immigration into their country, 12 per cent have policies to raise it, and 14 per cent have no existing policy or do not seek to alter migration levels (United Nations Department of Economic and Social Affairs, Population Division, 2017). In a bid to address irregular migration emphasis has been placed by international organizations such as the World Bank and the International Organization for Migration for Nigeria to create a Legal Framework and relevant countries in Europe to mainstream well managed labour migration into existing migration policy of states (Samik, Sarang, and Nkechi, 2021).

LABOUR MIGRATION IN NIGERIA

A definition of labour migration can be drawn from the definition of migrant workers and according to the International Labour Organization, migrant workers are “all international migrants who are currently employed or seeking employment in their present country or country of residence (International Labour Organization, 2021). Therefore labour migration can be defined as the movement of people from the country of their nationality (as is often the case for many young Nigerians) or the country of residence in pursuit to meaningful employment. The topic of labour migration is constantly being explored in development circles. According to International Labour Organization (2021), in 2013 migrant workers accounted for 64 percent of the world’s international population. Estimates still from the ILO reported in 2021 that migrant workers population had risen by 5 million since 2017. The Director of the ILO Work and Equality Department reporting through the agency stated that the world had “seen that in a number of regions migrant workers represent a sizable share of the workforce; they are contributing of course to the economies and societies of their host countries, but also to their home countries through remittances”. This context and also standpoint is one to be upheld during the discourse of labour migration for sustainable development and is also one

which this work aligns with. Thus, labour migration can always be understood as migration for the purpose of seeking employment, improving livelihoods of migrants and enriching the economy of sending and destination countries in the process. Along this line, the United Nations Department of Economic and Social Affairs-Statistical Division has defined labour migrants as foreigners admitted by a receiving State specifically to work or perform an economic activity and be compensated within such host country (United Nations Secretary General 2017).

From an economic standpoint, Nigeria has witnessed several setbacks in her national development. The last decade (2013-2023) has seen the country beset by series of economic recessions (Mckinsey (2023).which was accelerated by the stifling effects of the COVID-19 pandemic on the country's economy similar to many nations of the world. In spite of the unpleasant economic tides besieging the nation, the spirits of many remain unbroken and human development through education continues to gain traction in many areas of the country. This fact owes mainly to the resilience of Nigerians as the government has contributed less to both infrastructure and human capital development of Nigerians (Robinson, and Florence, 2016). The resulting effect of the increase in human capital development is an expanding labour market despite the absence of relevant growth in the economy to accommodate such realities. In the long run, large numbers of educated youths in Nigeria are unable to realize higher economic returns from investing in their human capital through meaningful employment resulting in a propensity for labour migration out of the country (World Bank, 2021).

The global trends of lack of substantial jobs prevailing in Nigeria has not reflected the realities of many nations in other parts especially in the west. For example, in London, the COVID-19 pandemic besides from posing a health crisis adversely affected the economy by resulting in supply chains disruptions and labour shortages for businesses (there are millions of jobs, but a shortage of workers as economists explained). Also in the U.S, sectors found to be affected by workers quitting their jobs ranged from accommodation and food services to wholesale trade (Holly, 2021). This trend was subsequently noted in other countries where shortage in workers within the labour force persisted (Holly, 2021). In response to such situations in many countries, there has been an outflow of Nigerian labour migrants to these regions through formal and informal routes depending also on several contributing socio-economic factors. In terms of socio-economic factors poverty, unemployment and insecurity have not only been the only reason for labour migration in Nigeria especially within the middle class. According to Quartz, notable causes of middle-class migration have been the breakdown of the Nigerian educational system at virtually all-levels, and a great disillusionment with political leadership in the country (John, 2019). These group (middle-class) of people are people on the path to management or already in the lower cadres of senior management (Larry, Bethlehem, and Friday, 2023).

Oftentimes labour migration is presented as advantageous to developing economies and detrimental to developed economies receiving an influx of migrant workers but presently in Nigeria, the unprecedented outflow of highly-skilled workers is changing the narrative. A good picture of the state of this condition has been painted by a couple of researchers, the particular narration of one of such researchers is laid out below:

“Since independence Nigeria has witnessed four great periods of mass migration. The first one started in 1966 and ended in 1973... the second wave, under Buhari (The president of Nigeria in the sixth republic 2015-2023) was driven by an economic collapse. The third wave started under Abacha and it was caused by suffering, pure and simple. This meant that rather than being middle class-driven it was driven by the lower class, and as a result, saw the advent of a huge number of illegals... 2015 happened, followed by the fourth wave, which as I said earlier, is arguably the most dangerous for Nigeria. It is called a terminal decline, and its affecting all sectors in the country not only the health sector.” (Olumuyiwa, 2021).

In the absence of many well-managed labour migration pathways in Nigeria labour migrants have pursued this path by seeking direct employment in country of interest and also through education in country of

interest. For example, the number of Worker visas in the UK granted to Nigerians increased up by 399% comparing 2019 to the end of 2022 (September 2022) (Larry, Bethlehem, and Friday, 2023). Canada as at 2017 was listed among the travel destination for Nigerians because of its Permanent Residence process which gives students two year extension after completing their degrees (Olumuyiwa, 2021). Labour migration through these routes have been associated with the well-off leaving out the economically disadvantaged. Statistics gathered as at 2021 showed that the country was witnessing the biggest exits of people within the financial services sectors, healthcare sector and technology sectors and workers leaving within these sectors were workers with three to ten years of experience (Olumuyiwa, 2021). The labour migration trend in Nigeria presently has drawn the attention of many who have considered it a threat to the future of Nigeria. This is because the main demographic participants of labour migration at this time has been young individuals within the age bracket of early 20s to mid-30s. It would then appear that Nigeria is losing on two fronts, she is losing her disillusioned middle class in managerial positions with relatively high educational qualifications and also her youths at an unprecedented rate.

Examining labour migration in Nigeria leaves more to be desired and raises inevitable questions as to the future of the nation. Certain sectors in Nigeria are already experiencing difficulty in finding suitable talents to fill roles available, it was reported around social media circles that a top-performing bank in Nigeria lost an entire department to a Canadian firm where their employees became recruits (Olumuyiwa, 2021). Nigeria has simply become the training ground for professionals who are going to be on the next available flight to their destination country where they would maximize their talents, training received here in Nigeria and have a “better life”.

ECONOMIC PROSPECTS OF LABOUR MIGRATION –SENDING AND RECEIVING COUNTRIES

Sending Countries

The reevaluation of gains of labour migration for a country like Nigeria becomes necessary. Also whilst often emphasized, it remains to be determined if labour migration has been fully maximized for the benefit of all parties involved. Statistics have shown that with the introduction of labour migrants in host communities there has been increase in labour supply, increase in productivity of relevant sectors and substantial economic growth for these countries. For sending countries like Nigeria, remittances have always been the most pronounced benefit, but perhaps infrastructural growth and human capital development can also be inferred and emphasized more. These economic prospects are discussed more below under clear headings.

1.Remittances

The inflow of remittances being the most emphasized and also the benefit immediately visible enjoys the most clarity. Financial resources flows back to the sending country and in this case, Nigeria as labour migrants become gainfully employed in their destination country. This could be in form of investments being made in their communities or monies paid being paid to dependent relatives as even in the case of the middle-class the cost of migration is collectively borne so the rewards of the migration can be collectively shared. The transfer of funds from destination countries, considered to be prosperous to least developing receiving countries such as Nigeria is also viewed as a large contributing factor to the nation (IZA World of Labour. 2015). In 2019, it was affirmed that “\$25 billion annual remittance by Nigerians in the diaspora was more than 80 per cent of the country’s annual budget and formed about six percent of the Gross Domestic Product (GDP)” by former Nigerian president Muhammadu Buhari (Akin, 2020). It can be suggested in the case of Nigeria, that such remittances can be targeted by well-meaning government officials towards

achieving the dividends of sustainable development directly or indirectly.

2. Infrastructural Growth:

Returning migrants have the potential of advancing the infrastructural growth in sending country owing mainly to the accumulation of skills and technical know-how while abroad all of which could be potentially plowed back into the economy of sending countries. Infrastructural growth is also spurred by the businesses that spring up from the investments made by returning labour migrants. Returning labour migrants with strong ties with their rural communities often find it easier to invest in owning small businesses back home and in turn, such business venture spurs infrastructural development in their locations. These infrastructure range from well-built access roads within the communities to electricity and clean water. For example within the Igbos living in the South-east region of Nigeria this pattern has been observed. Studies have shown how Igbo people constitute a major share of contemporary African immigrants living and engaging in different small and medium size entrepreneurial enterprises around the world (Amaechi, 2021). Having recorded considerable success in the diaspora, some of these business persons set up home front for their diaspora investment. Sector investments often encouraged for such individuals include: manufacturing, agriculture, real estate, technology, tourism and infrastructure (Chibueze, 2023). Business investment by labour migrants leading up to infrastructure development is also a reality in many regions outside South-east and asides from this, some of these individuals also invest in building world-class hospitals and schools all for the overall benefit of the society at large. Building infrastructure in turn, aids not only the overall development of the region it also reduces inequalities that persist when individuals in a certain region have less access to the facilities needed for their development when compared to others in more advanced regions. This would help in actualizing inclusivity as envisioned by SDG 8.

3. Human Capital Development:

Human capital development is the aggregate of knowledge, skills, competencies, and innovative abilities possessed by the population (Robinson, and Florence, (2016). They are also the attributes of an individual that are productive in the economic context. Labour migration drives human capital development for labour migrants who have access to better education and technological advancement in destination countries. In almost all cases, labour migrants have attained higher level of education than the general population left behind (Beth, 1994). For the Nigerian economy, the long run effect of this exposure is a positive rise the human capital of the next crop of leaders. Another way in which labour migration can be considered to spur human capital development is in the way it typically creates a vacuum in certain sectors and creates demand within these sectors requiring individuals to acquire the relevant skills to fill. For example, with exodus of tech talents from Nigeria to other countries, several technology hubs and incubator programs have sprung up to train individuals with the relevant tech talents needed to meet demand within various sectors (Olayinka, and Ibukun,2021) (George, 2021).

Receiving Countries

For receiving countries, labour migration has frequently had positive unreported effects on the economy of receiving countries. The OECD reports that in the last decade, migrant workers have represented 47% of the increase in the workforce in the United States, and 70% in Europe, they also makeup a significant fraction of the entries in the most strongly declining sectors in Europe (United Nations Department of Economic and Social Affairs, Population Division, 2013). The same report of the OECD also states that in destination countries migrant workers contribute more financially in the form of taxes and also in social contributions than they receive in individual benefits (United Nations Department of Economic and Social Affairs, Population Division, 2013). They also invariably contribute to financing public infrastructure. The contribution of labour migrants in receiving countries can then be aggregated to be in the form of increase in stock of human capital of the host country, introduction of capital through the expenditure of labour

migrants and increase in technological innovation and, summarily with this it can be said that sustainable development is advanced in these economies (United Nations Department of Economic and Social Affairs, Population Division, 2013).

Development economists in the United Kingdom and United States have identified the onset of a demographic crisis with the present population decline in these countries (Kai, 2023). The U.S. Bureau of Labour statistics predicts that in the next decade there will be almost one million new jobs within the home health and personal care sector and yet over that same period, there is going to be a three million decline in workers (aged) 20 to 40 (Kai, 2023). In China for the first time in 60 years a decline in the population growth was reported and this according to sources, raised questions about the country's economic growth (Kai, 2023). Labour migration has been noted by the United Nations and Development Economist to be a continuing means of supplementing the declining workforce in these countries.

The influx of labour migrants have introduced capital into destination countries especially where an educational pathway is explored. Statistics from the UK revealed that Nigerian students and their dependents contributed an estimated sum of £1.93 billion in 2021 (Bunmi, 2022). In addition to the tuition cost received, Nigerian students, most of whom end up in the labour pool of the UK across sectors contributed additional costs such from Visa fees, NHS payments, Rent, and Taxes (Bunmi, 2022).

CONCLUSION AND RECOMMENDATIONS: NEED FOR A LEGAL FRAMEWORK FOR LABOUR MIGRATION

Within the context of sustainable development, labour migration is discussed as an initiative to be employed by adopting the necessary legal framework consisting of relevant labour migration policies and thoughtfully designed labour migration pathways between the sending and receiving countries. Labour migration in this manner facilitates the realization of social and economic goals of sustainable development. Migrant workers are crucial to all aspects of sustainable development and by their work in host communities they deploy remittances back home and build links between countries, they reduce poverty, provide relevant services and aid families in countries of sending and receiving countries (United Nations Network on Migration, 2021). Having considered labour migration broadly, in the Nigerian context and also the benefit for both parties typically involved (sending and receiving countries) the following recommendations are considered necessary for orderly and safe labour migration.

1. Establishment of Legal Framework

The legal framework required to facilitate and encourage labour migration refer to the labour migration laws and policies as codified in the sending and receiving states. In Nigeria, legislative framework that provides a foundation for the national migration policy and practice is found within conventions and protocols which the country is party to such as the International Labour Organization (ILO) Conventions 97 and 143, the 1990 UN Convention and the ECOWAS Protocols on free movement of Persons, Rights of Residence and Establishment (Federal Ministry of Labour and Productivity 2010). However, the protocols and conventions would prove to be insufficient in terms of its suitability to the purposes of Labour Migration and addressing necessary concerns of Nigeria as a sending state. Work in this area have already begun and gained traction, spearheaded by International Organizations within the state such as International Organization for Migration and International Labour Organizations and evinced by some policy documents already put forward but there is need for consolidation of all of these past endeavours into a Legal Framework for Labour Migration representing the stance the country takes in labour migration and the approach it adopts as a sending state. This is because while such migration and labour migration policies in a state may define the overall architecture for migration and labour migration, existence of such policy documents may fall short in laying

a solid foundation for labour migration in Nigeria. Also, such policy may remain largely unimplemented as a result of its being mainly suggestive.

The present Migration policy of the Federal Republic of Nigeria was an initiative birthed out of the need to address the lack of structures and instruments to protect the human rights of migrants and to promote job opportunities through labour migration whilst addressing accompanying challenges of human trafficking, migrant smuggling, and brain drain (Senayon, 2019). The policy document from conception to idealization can be considered to have taken place over a 2 year period from early 2008 to December 2010 and in this time the process involved consultations, drafting, and validation workshops as stated in the document (Federal Ministry of Labour and Productivity, 2010). The main objectives of the document as listed includes: governance for labour migration, migrant workers protection and promotion of the welfare of migrant families and maximizing labour migration for development (Federal Ministry of Labour and Productivity, 2010). The document under these objectives states inspirationally what Nigeria ought to pursue within the context of each objective. Under its first heading, Good Governance, it is important to note that the first specific objective to be realized is enacting a legislative framework as the foundation of national labour migration governance. Overall, the Migration Policy does not present as an ill-conceived, purposeless document, to the contrary it is one that has alongside other achievements emphasized once again the need for a legal framework for implementing labour migration.

Almost a decade later from the publication of the labour migration policy document which includes the specific objective of legislative enactment such legislative enactment is yet to emerge on the scene as a means towards sustainable labour migration in Nigeria. However, this state of affair is not one peculiar to Nigeria as figures to show the number of states that have evolved a holistic labour migration policy is publicly unavailable as at the time of this paper. The International Organization for Migration has indicated that 27 states have ratified certain conventions and protocols comprising their legal and normative framework for international migration. In light of this, it could be inferred that for many states the legal framework for their labour migration consist mainly in such international conventions ratified and immigration laws International Organization for Migration. (2020). Nigeria therefore stands a chance at being among the very few countries with a labour migration policy

Against this backdrop, there are crucial aspects such legal framework should contain. It would be important for such a legal framework to include research backed data on the sectors in the country within which labour migration through bilateral labour agreements could be facilitated. This is because in light of the exodus of talents so far in Nigeria, encouraging migration in sectors with declining professionals would not be consistent to goal of sustainable development within the context of labour migration as Nigeria would continue to lose the right people necessary for her development and progress. Aimed towards being a consolidation of all past endeavours in labour migration, the legal framework must introduce all relevant international protocols and fragments of local laws and policies as opposed to jettisoning them. Monitoring and evaluation should feature as a crucial aspect of an established legal framework.

2. Bilateral Labour Agreements between Sending and Receiving States

Nigeria having a properly developed legal framework for labour migration facilitates the negotiation and completion of bilateral labour agreements with other states. BLAs would ensure cyclic mobility between states through labour pathways, with some of these mobility being allowed to subsequently result in permanent settlement. Labour pathways facilitated through BLAs are considered to be a realistic means of achieving sustainable labour migration. Also, such pathways would be instrumental in curtailing the gross violation of human rights where labour migration is sought to the receiving countries through irregular labour migration channels for example fraudulent international recruiters who turn out to be human traffickers. An example of a well-designed labour pathway implemented in Nigeria is the MATCH-Migration of African Talents through Capacity Building and Hiring implemented by the International

Organization for Migration between Nigeria and 4 European countries-Belgium, Italy, Luxembourg, and Netherlands. MATCH as a labour pathway was designed to upscale young migrants' skill and increase their employability, while addressing EU labour shortages and contributing in the longer term, to the development of Nigeria and Senegal.

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