

Previous Reference: EC (2010) 26th Meeting, Conclusion 6 and EC (2011) 117

The purpose of this memorandum is to seek Council's approval of the Draft National Migration Policy and its Implementation Action Plan (See Annex 1 & 2)

2 Council may wish to recall its resolutions of September 2010 and July 2011 respectively, directing that the draft National Migration policy be reviewed to reflect the current dynamics in Nigeria and the emerging trends in the regional and global migration environment;

3 Council may further wish to recall that an early catalyst for elaborating the necessary framework and more efficient migration management was the United Nations High Level Dialogue on Migration and Development in 2006 where the UN Secretary General noted that more than 200 million people live outside their countries of birth and called for urgent solutions to the plight of migrants as well as recognize the contributions of migrants to the world economy. Following this request from the UN, the African Union (AU) and Economic Community of West African States (ECOWAS) adopted the AU Framework on Migration and ECOWAS Common Approach respectively to serve as a guide for Countries to develop their migration policies;

4 Further to the above, the increasing challenges posed by irregular migration particularly among the youths trapped on the sea or in the Sahara desert attempting to enter Europe clandestinely; increase of human trafficking and smuggling/development of organized criminal networks as well as inhuman and degrading treatment of Nigerian Migrants abroad; and the imperative to link up Nigerian Diaspora to assist in the development of the country especially relating to enormous remittance inflows from Nigerian emigrants led the Federal Government to initiate the development of the National Migration Policy to serve as a framework for better migration management in Nigeria. This initiative led to the first draft of the National Migration Policy in 2007. One of the key outcomes of this process was the recommendation from all stakeholders for immediate identification of a

governmental institution to anchor and implement the policy and for the coordination of migration issues in Nigeria. In 2008 an inter-ministerial Committee on Migration was set up by the Federal Government to look into the 2007 draft NMP and recommend an implementation framework. The Committee subsequently recommended for the expansion of the mandate of the National Commission for Refugees "the Commission" to include Migration coordination and resettlement of IDPs. The Inter Ministerial Committee further recommended that the 2007 draft national migration policy be submitted to FEC for adoption.

5 In February 2009, pursuant to a **Presidential directive** communicated by the Secretary to the Government of the Federation, the Federal Government designated the National Commission for Refugees as the **Focal Agency on migration coordination** (See Annex 3). The draft national Migration Policy was thereafter handed to the Commission to pursue its endorsement by the government;

6 Having been given the mandate, the Commission created a Migration Division and established a standing Technical Working Group (TWG) comprising of MDAs and other stakeholders working on relevant migration issues to make input to the draft policy. In September 2010, the draft policy was presented to the FEC which directed that the draft policy be reviewed to reflect current trends both nationally and globally;

7 Acting on the directive of Council to review the policy, the Commission in effort to ensure that a home grown policy that reflects the current trends and realities of migration in Nigeria is produced in an all inclusive process, expanded the membership of TWG to include the following: Ministries of Foreign Affairs, Interior, Labour and Productivity, Health, Sports and Youth Development, Women Affairs and, Information and Education. Other Agencies include: National Directorate of Employment, National Human Rights Commission, National Population Commission, National Orientation Agency, National Planning Commission, National Poverty Eradication Programme, National Universities Commission, Nigeria National Volunteer Service, National Agency for the Prohibition of Traffic in Persons, National

Bureau of Statistics and Central Bank of Nigeria. Also included in the TWG are security and paramilitary agencies such as Nigeria Police Force, Nigeria Immigration Service, Nigerian Security and Civil Defence Corps and Nigerian Customs Service. Members of the academia including University of Ibadan, University of Benin and Civil Society Organizations such as CISLAC, ActionAid Nigeria, National Association of Nigerian Traders, the Nigeria Labour Congress and finally National Assembly House Committee on Diaspora were also included in the review process.

8. The TWG was given technical capacity by various migration experts of international repute to enable them review the draft migration policy, develop its Implementation Action Plan and a Strategic Policy Summary Document with particular emphasis on integrating the directives of the Council;

9 The final validation workshop was held on 25th June, 2013 where a Communiqué was issued by all stakeholders affirming that the final document is in tandem with dynamics in Nigeria and the emerging trends in the regional and global migration environment (see Communiqué herein attached as Annex 4);

10. Implementation structures have been put in place since 2009 with the creation of Migration Division in the Commission, which is fully staffed with trained personnel to carry on migration Coordination. The TWG comprising of different MDAs (see para 7) will continue to review and advice on implementation at the technical level. At the Ministerial Level, the Sector Policy Review Committee (SPRC) created under the 10th EDF (see paras 11 & 14[vii] below) co-chaired by Hon Minister of National Planning Commission and Hon Minister of Special Duties and Inter Governmental Affairs to provide guidance on implementation upon the advice of the TWG.

11. The Commission is also collaborating with international actors and development partners in the area of Migration. The European Union, under the 10th European Development Fund (EDF) through the National Planning Commission as the National Authorising Office have made available **20 Million Euros** to support

Nigeria in several aspects of migration management including migration policy implementation, border management, migration data management, labour migration, Diaspora mobilization, trafficking, capacity building etc. The 10th EDF is being jointly implemented by the International Organization for Migration (IOM) and the United Nations Office on Drugs and Crime (UNODC) under the National Planning Commission as the National Authorising Office. Other partners of the Commission include the Intra Africa Caribbean Pacific Migration Facility.

12. Council may wish to note that Nigeria through the Ministry of Foreign Affairs has several existing bilateral migration partnership agreements with several countries including Switzerland, United Kingdom, Spain, Germany etc, with several members of TWG participating in the various committees. Councils' approval of the draft national Migration Policy NMP will enable MDAs access donor funding and pursue implementation of the policy as well as several bilateral agreements on migration effectively.

13. Acknowledging that migration is a cross cutting issue which involves various ministries, departments and agencies with different mandates and management approach, strategies, and implementation patterns, the draft Policy provides a comprehensive framework for migration management in order to ensure coherence among all stakeholders involved in any aspect of migration. The National Migration Policy is an overall framework for the effective coordination and mainstreaming of migration into our national development agenda.

14. The policy document is divided into two main sections. The first part provides policy statements, strategies and objectives on core migration issues such as Diaspora, brain drain and brain gain, remittances, migration and urbanization, irregular migration, border management, forced migration, migrants' rights and labour migration. The second segment deals with several cross-cutting themes on migration and its impact on other socio-economic issues, with emphasis on poverty, health, trade, gender, etc. As mentioned above, an Implementation action plan is developed together with the Strategic Policy Summary Document is developed which

is a summary of the National Migration Policy and herein attached herewith as Annex 2 and 5.

14 In view of the above, Council is hereby invited to:

- i. **Note** Nigeria's commitments under the African Union Migration Policy Framework adopted during the Ninth Ordinary Session of the Executive Council in June 2006 and ECOWAS Common Approach on Migration of June 2007;
- ii. **Note** the benefits of better migration management structure as envisaged under the draft National Migration Policy and its Implementation Action Plan;
- iii. **Note** that the National Migration Policy provides a general framework for coordinating migration management in Nigeria in order to harness the potential of Migration for national development, increase the opportunity for regular migration as a strategy for reducing irregular migration, as well as making the protection of Nigerians living abroad a priority for foreign policy.
- iv. **Note** that while management of irregular migration need not compromise human rights, the effective protection of rights of migrants including those of youth, female migrants and children are major components of managing migration and thus requires stringent application of the relevant provisions of the human rights instruments;
- v. **Note** that the National Commission for Refugees has spearheaded and completed an all inclusive review process of the Draft National Migration Policy to reflect the current dynamics in Nigeria, as well as the emerging trends in the regional and global migration landscape as earlier directed by Council;

- vi. **Note** that Nigeria's home grown and consultative process for the review of the draft policy through the quality of the series of technical sessions and levels of participation during the entire review process, has propelled Nigeria to international limelight and made Nigeria a reference point to other Countries by the European Union (EU) and Economic Community of West African States (ECOWAS);
- vii. **Note** that the Implementation Action Plan of the draft Migration Policy which is the implementation framework designed to immediately operationalize the Policy upon approval by Council, has been developed and reviewed by members of the Technical Working Group and is also forwarded alongside the policy document; (See herein attached as Annex 2)
- viii. **Note** that the Sector Policy Review Committee (SPRC) co chaired by the Honorable Minister of National Planning and Minister of Special Duties and Inter Governmental Affairs is envisaged to provide overall policy direction and guidance on migration issues in Nigeria. Other members of the SPRC include Honorable Ministers of Interior, Labour and Productivity, Attorney General of the Federation and Minister of Justice, Nigeria Immigration Service, and National Agency for the Prohibition of Traffic in Persons (NAPTIP.)
- ix. **Note** that the draft National Migration Policy recognizes the Technical Working Group (TWG) as a structure for implementing programmes derived from the Implementation Action Plan; the TWG advice the SPRC;
- x. **Note** that Migration issues, in recent times, has dominated global discuss in relation to development with specific reference to the post 2015 UN Development Agenda and this has created the need for Nigeria to have a common position on migration at the High Level Dialogue on Migration during the last United Nations General Assembly (UNGA) Summit in October 2013;

- xi. **Note** the support of the EU within the framework of the 10th EDF being implemented by IOM and UNODC under the authority of the National Planning Commission supporting migration management activities in Nigeria;
- (ix) Approve the Draft National Migration Policy and its Implementation Action Plan.

(Initialled):

K.T.T

Ministry of Special Duties and Inter-Governmental Affairs

ABUJA

November, 2013

Annex 1: The draft National Migration Policy.

Annex 2: Implementation Action Plan 2013 – 2015.

Annex 3: Presidential Directive expanding the mandate of the Commission

Annex 4: Communiqué issued of the national stakeholder validation workshop.

Annex 5: Strategic document on the National Policy on Migration.