

MIGRATION AND NEO SLAVERY AS SIGNIFICANT FEATURES OF THE 21ST CENTURY – LESSONS FROM COVID-19

By

C. A. OGBUABOR,* CLARA C. OBI-OCHIABUTOR,**& JOSEPH ONUGWU***

Abstract

Slavery is a crime against humanity. It was abolished in the 19th century after a long struggle. Unfortunately, it appears to have become a significant feature of the 21st Century calling into question the continued validity of the laws prohibiting the same. It appears that migration, particularly, international migration, has become a vehicle for the re-introduction of slavery in the 20th and 21st centuries. There is every need to monitor migration and take steps to ensure that migrants do not unwittingly end up in slavery and slavish conditions in the name of seeking for greener pastures abroad.

1. Introduction

Mankind has been on the march since the dawn of time. Some individuals relocate in quest of job or improved economic prospects, to be closer to family, or to further their education. Others relocate to avoid violence, oppression, extremism, or breaches of their fundamental rights as citizens. Yet others relocate as a result of the negative consequences of environmental change, natural catastrophes, or disasters¹. This study examines the link between migration and slavery as key elements of the twenty-first century, with the goal of learning from the Covid-19 experience in halting the flow of migration-related slavery. The paper is divided into twelve sections. The paper begins with a definition of terms before comparing migration in the twenty-first century to migration in the nineteenth and twentieth centuries. The study then looks at the relationship between migration and human trafficking, migration and drug trafficking, migration and brain drain, and migration's economic effect. The study then looks at the lessons that may be derived for the Covid-19 epidemic, as well as the role of different institutions in properly regulating migration. The

*LL.B (Hons), LL.M, PhD (Nig) B.L.; Associate Professor, Faculty of Law, University of Nigeria and Judge of the Enugu State High Court. chukwunweike.ogbuabor@unn.edu.ng

**LL.B (Hons), LL.M, PhD (Nig) B.L.; Lecturer, Faculty of Law, University of Nigeria.

***LL.B (Hons), (Nig) B.L.; Legal Research Assistant, High Court of Enugu State.

¹ The United Nations, *Global Issues on migration 2021* www.un.org/en/section/issues-depth/migration/ accessed 16 February 2022.

document concludes by urging the government and other institutions to continue to educate the public in order to prevent the flood of our people being enslaved in the name of migration.

2. Meaning of the term "migration" or "migrant"

A migrant, according to the United Nations Migration Agency, is an individual on the move or who has moved beyond a transnational boundary or just within the national boundary but away from his or her domicile, irrespective of (a) the individual's legal standing; (b) whether the change is intentional or unintended; (c) the reasons for the moves; or (d) the duration of stay. According to the definition offered by the Encyclopedia Britannica, migration occurs when such human movement is permanent as against movements which are temporary in form².

"Migration" and "migrant" have been used in a variety of settings and forms. The World Bank³ defines four sorts of migrants in its report on migration and mobility: international migrants, asylum seekers, refugees, and illegal migrants.

a) International migrant—According to the World Bank's Migration and Mobility report, an international migrant is defined as an individual who leaves their place of domicile for whatever the cause; this definition include regular and undocumented migrants, asylum seekers, labor and environmental/ disaster induced migrants and refugees⁴

Over the years, with the mass exodus of migrants across various regions of the world, migration and entrance into many developed destination countries have been very restricted, with different nations or set of nations setting the standards for determining the conditions for the admission of migrants within their borders for whatever reason. This factor in many cases makes the legal/regular migration route difficult due to the time, regulatory standards set and expenses required for accessing the legal migration alternatives⁵.

And more so, as the process for accessing the status of refugee by asylum seekers are often carried out at the destination countries, most of the asylum

² Britannica, The Editors of Encyclopedia. "human migration". *Encyclopedia Britannica*. 31 Aug. 2021, <https://www.britannica.com/topic/human-migration>. Accessed 16 February 2022.

³ The World Bank, *Migration and Mobility*. "Europe and Central Asia Economic Update (October, 2017)", Washington, DC: World Bank. Doi: 10.1596/978-1-4648-1219-4. License: Creative Commons Attribution CC BY 3.0 IGO

⁴ Ibid

⁵ UNODC, *Global Study on Smuggling of Migrants 2018* (United Nations publication, Sales No. E.18.IV.9).

seekers inevitably make use of the assistance of migrant smugglers to reach their target country⁶.

Due to the above, the problem of smuggling is becoming increasingly pronounced at various parts of the world and impacts negatively on our world today. Records of the UNODC's 2018 world report on migrant smuggling estimates that about 2,500,000 individuals procured the services of smugglers in 2016, resulting in a financial gain of an estimated 5 to 7 billion dollars in the same year. This increase is fueled by the problem of documentation in many undeveloped and developing nations as many of the citizens may lack a certificate/document of birth which is requisite document for the acquisition of passport, thereby increasing the need for smugglers for illegal migration across the national boundaries⁷.

b) Asylum seeker: this usually connotes an individual who has filed for protection in a nation and is awaiting a decision on their status as refugee. An asylum seeker may be awarded immigrant status or some other kind of (typically temporary) compassionate status once an application has been processed (if going back to the homeland would in danger to the individual). The request for refugee might potentially be denied, forcing the person to go back to their country of origin⁸.

c) Refugee: this applies to an individual whom on the basis of a justifiable apprehension of oppression or harm as a result of their creed, association, color, social, economic or political stands is forced outside the boundaries of his place of nationality and owing to which would be incapable or averse to obtaining the protection of his nation; or in the case of an individual rendered stateless as a result of the foregoing would be incapable of seeking and obtaining the protection of his country⁹.

d) Undocumented or irregular migrant: this indicates a person who has arrived, resided, or worked in a nation without a valid visa, residency permission, or work authorization, or in violation of requisite immigration

⁶ UNODC, *Global Report on Trafficking in Persons 2018* (United Nations publication, Sales No. E.19.IV.2).

⁷ Ibid

⁸ Ibid

⁹ UNODC, *Global Report on Trafficking in Persons 2018* (United Nations publication, Sales No. E.19.IV.2).

laws¹⁰. Although there is no generally agreed definition of irregular migrant, the definition on the term proffered by International Organization for Migration, indicate those traveling outside of conventional migration pathways. It is worthy to note that the fact that people move irregularly does not absolve governments of their responsibility to safeguard their rights. However, notwithstanding the illegality of this migration route, governments still have an obligation under international law to protect irregular migrants, as many of these migrants who in most cases helplessly resort to this route consist of asylum seekers, trafficked victims and solitary children of migrants who may be fleeing from harm or other dangerous situation¹¹.

Other Migrant categories apart the above categories defined by the World Bank, include:

a) 'Environmental' migrant: There is no worldwide consensus on a name to be used to designate people or groups of persons who travel for environmental reasons, the term as clarified by the IOM was initiated as a operational definition to connote a person or group of people who are forced or choose to abandon their places of regular residence, either partially or completely, due to unexpected or gradual environmental changes or disasters which impacts on their livelihoods negatively¹².

b) Internal migrant — a person who relocates within a country and establishes either a short-term or long-term domicile. The internal relocation of people may be as a result of one factor or culmination of many factors including, political, economic, environmental factors. These include internally displaced individuals, and people migrating from the rural areas to the urban territories.

c) Labour Migrant - An individual who relocates for the reason of seeking employment from one region to another or within their own nation¹³.

¹⁰ The World Bank, *Migration and Mobility.* " Europe and Central Asia Economic Update (October, 2017), Washington, DC: World Bank. Doi: 10.1596/ 978-1-4648-1219-4. License: Creative Commons Attribution CC BY 3.0 IGO

¹¹ See Convention relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954) 189 UNTS 137, Article 31 (1)

¹² IOM, *Glossary on Migration*(International Organization for Migration, 2019)

¹³ Ibid

3. Migration in the 21st Century

In our world today, more individuals than before reside in a nation other than their place of birth as identified by the United Nations study on migration. In the migration record of the year 2019, the worldwide migrant population figure was predicted to be Two Hundred and Seventy Two Million (272,000,000) up 51,000,000 recorded in 2010, as about 3.5% of the world's population is currently made up of international migrants, a record increase from 2.8% recorded in 2000¹⁴.

This is largely contributed by the so many social-political and environmental crises across many parts of the globe leading to massive increase in the population of internal displaced, which was estimated to exceed 70,000,000 as at 2018¹⁵.

According to the 2019 migration statistics, female migrants made up 48% of the global migrant pool, which totaled 272,000,000 people. Of this figure, an estimated 38,000,000 are made up of children; with labor Migrant accounting for 164,000,000 of the total migrant population¹⁶.

4. Migration in the 19th and 20th Century

Migration in the 19th and 20th centuries was marked by population movements over distant locations, which were fueled by demography and better means of transporting migrants as a result of industrialization¹⁷. The most notable of this migration being the mass exodus across the Atlantic from the European continent to the Americas, which commenced with enormous migrations of the Irish and Germans in the collapse of the harvest in these places. By the later 19th century, another, even greater surge of large scale immigration from southern and eastern parts of Europe emerged, fueled by the same failure in crop and aided by advancements in communication and transportation.

Similarly rapid migrations happened during and after the WWII as part of the incidences of the war. In the majority of situations, people from poor nations have relocated to the West's developed nations. Since the 1960s, upwards of Thirteen Million (13,000,000) immigrants have now become legal

¹⁴ 'The United Nations, *Global Issues on migration* '2021 www.un.org/en/section/issues-depth/migration/ accessed 16 February 2022.

¹⁵ Ibid

¹⁶ International Organization for Migration (IOM) 2019. *World Migration Report 2020*. Mcauliffe, M. and B. Khadria (Eds.) Geneva

¹⁷ Britannica, The Editors of Encyclopedia. "human migration". *Encyclopedia Britannica*. 31 Aug. 2021, <https://www.britannica.com/topic/human-migration>. Accessed 16 February 2022.

immigrants of Continental Europe. Likewise, well over Ten Million (10,000,000) migrants become citizens of the United States¹⁸.

4.1. Forced Mass migration and expulsion in the 19th and 20th Century

The 19th and 20th century were also marked by forced migrations, movement of slaves and massive relocations across nations. Slave movements from the sixth through the nineteenth century were most likely pushed by slave dealers from Europe trading in Africa. Approximately Twenty Million slaves were sold into North America at that time, however many perished in the harrowing hardships of the Transatlantic trip.

Another large group deportation was most likely carried out by Germany's Nazi dictatorship, which expelled Seven–Eight million people, including about Five Million Jews who were eventually killed in death camps. Following WWII, 9–10 Million people of German origin were forcibly relocated back to Germany, while maybe 1 Million racial minorities considered untrustworthy for political reasons by the USSR were banished by force to the Asian continent.

Notably also, since World War II, there have been a lot of forced migrations. At the separation of India and Pakistan, around Fourteen million people escaped. During the 1971 conflict, almost Ten million people were forced to flee from East Pakistan at the time. During the early 1980s, a projected 3 to 4 Million people escaped Afghanistan's conflict. Similar trends have followed since WWII across many of the conflict locations including Vietnam, Ethiopia, Somalia, Nigeria, Sudan Israel and Cuba which have given rise to over a million forced migrants seeking safety across other nations¹⁹.

5. Migration and Trafficking in persons

In most cases, migration, particularly, irregular migration results in a slew of abuses. One of these is the phenomenon of trafficking in human persons. Trafficking in persons according to Article 3(a) of the Protocol to prevent, suppress, and punish trafficking in persons, especially women and children is the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having

¹⁸ Britannica, The Editors of Encyclopedia. "human migration". *Encyclopedia Britannica*. 31 Aug. 2021, <https://www.britannica.com/topic/human-migration>. Accessed 16 February 2022.

¹⁹ Ibid

control over another person, for the purpose of exploitation, shall be considered trafficking in persons²⁰.

The above Protocol against Human Trafficking is a very important legal tool in the fight against human trafficking. The General Assembly passed Resolution 55/25 on November 15, 2000, and it went into effect on December 25, 2003. The Protocol's objectives are spelled out in Article 2, with a focus on women and children, including the prevention, protection of victims as well as advancement of collaboration among state parties.

It should be noted that the passage of the UN Trafficking Protocol simply marked the introduction of the first concept of human trafficking into international treaty law. However, the notion of trafficking is not entirely new; it is a development of the word traffic, which has been used to refer to the white slave trade or traffic phenomena from the early nineteenth century²¹.

It is great to state that in addition to the protocol, other notable international conventions and declarations exist which are similar to the crime of trafficking in persons

- Article 4 of the Universal Declaration of Human Rights²²; Article 8 of the 1966 Covenant on Civil and Political Rights²³; Article 2 of the Convention to Suppress the Slave Trade and Slavery of 1926²⁴; as well as the 1999 ILO Convention on the Elimination of the Worst Forms of Child Labor made various similar provisions against human slavery and servitude in all forms including against women and children²⁵.
- The 1956 Supplementary Convention on the Abolition of Slavery²⁶, the Slave Trade and Institutions and Practices Similar to Slavery criminalized the act of human slavery and transportation of slaves thereof under its Article 3 (1).

²⁰ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking In Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November, 2000.

²¹ See the International Agreement for the Suppression of the "White Slave Traffic", Paris, 18 May, 1904, 35 Stat. 1979, 1 L.N.T.S. 83, entered into force 18 July 1905

²² United Nations, *Universal Declaration of Human Rights*. 1948

²³ United Nations (General Assembly) "International Covenant on Civil and Political Rights" *Treaty Series*, Vol. 999, Dec. 1966

²⁴ League of Nations, Convention to Suppress the Slave Trade and Slavery, 25 September 1926, 60 LNTS 253, Registered No. 1414.

²⁵ ILO, Worst Forms of Child Labor Convention, 1999 (No. 182)

²⁶ UN Economic and Social Council (ECOSOC), Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 7 September 1956.

- The 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of Prostitution of Others²⁷ by its Article 17 mandated states parties to establish measures for the combating of human trafficking in all forms. This is similar to Article 6 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women²⁸.

It should be noted that despite the attempts made by these various treaties towards the elimination of human trafficking, they generally paid greater attention to slavery/servitude as the dominant form of human exploitation; unlike the Protocol which shade more light across all the areas of human trafficking, thereby expanding the concept for a better understanding of "exploitation in all its forms.

5.1. The impact of the Protocol against Trafficking in Persons on National Legislation

The protocol significantly impacted positively in the legalization of human trafficking across many national legislations. For instance, Article 34(1) of UNTOC²⁹ call on the member states to undertake every necessary step to guarantee the realization of the goal of the Convention. Article 34(2) goes further to mandate States parties to make commitment by enacting laws that would criminalize actions of traffickers identified within the Convention.

In line with the above, as noted by the United Nations Office on Drug and Crime, Human trafficking principles have been endorsed by many nations in their laws³⁰. The challenge remains the harmonization of the underlining concepts to mean the same time across several cultures and jurisdictions for effective unified action across transnational boundaries.

5.2. Differences between smuggling of migrants and human trafficking

Even though, migrant smuggling and human trafficking may appear similar and often used interchangeable, yet the both concepts differ in the following ways:

²⁷ UN General Assembly, Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 2 December 1949, A/RES/317.

²⁸ UN General Assembly, Convention on the Elimination of All Forms of Discrimination against Women, 18 December 1979, A/RES/34/180.

²⁹ UNODC, *United Nations convention against transnational organized crime and the protocols thereto 2004*.

³⁰ UNODC, *Global Report on Trafficking in Persons 2018* (United Nations publication, Sales No. E.19.IV.2).

- Smuggling of migrants is inherently transnational, whereas, human trafficking might be international or occur inside the boundaries of a single country.
- Migrant smuggling does not in many cases warrant exploitation of the migrant, but human trafficking has the element of exploitation as its crucial component.
- Consent also is another defining difference between smuggling of migrants and trafficking; however, despite this element, consent to a smuggler may become immaterial once the smuggler commits any of the acts prohibited under the protocol.
- Profits are made in situations of migrant smuggling by facilitating the unlawful entrance or stay of a person into another country, but profits in cases of human trafficking are generated by the abuse of the trafficked person³¹.

6. Migration and Drug Trafficking

The interaction of international migration, particularly irregular migration, and drug trafficking has been supported by evidence, since both unlawful international operations usually follow the same pattern as other international illicit markets³². Drug trafficking is a worldwide illegal enterprise that involves the planting, manufacturing, transmission, and sale of products that are illegal under international drug regulations³³.

According to recent studies, in the year 2018, approximately 269,000,000 individuals took drugs globally, up 30% from the year 2009, and over 35,000,000 individuals experience disorders associated with drug addiction³⁴.

Diminished opportunities and the increasing rate of unemployment brought on by Covid 19 are likely to adversely impact the poor and vulnerable, making them more susceptible to the use of drugs, as well as drug smuggling for profit. As a result, disadvantaged and impoverished members of the society continue to bear the greater burden of the global drug trafficking problem.

Again with border closures and shutdowns associated with Covid-19 disrupting established drug trafficking routes, new channels are constantly being discovered by the drug traffickers. Individuals also seek out other easily

³¹ Ibid

³² UNODC, *Global Report on Trafficking in Persons 2018* (United Nations publication, Sales No. E.19.IV.2).

³³ Ibid

³⁴ UNODC, *World drug report 2020* (United Nations publication, Sales No. E. 20)

accessible addictive substances, or combining synthetic narcotics as alternatives to shortages in opioid as a result of the pandemic³⁵.

The United Nations through the activities of its various agencies- the United Nations Office on Drug and Crime and the General Assembly has initiated several policy/regulatory instruments, which included notable 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances towards the effective management of the effort of all stakeholders in eradicating drug abuses and trafficking across the globe.

7. Migration and Brain Drain

Brain drain occurs when a nation loses highly skilled persons due to emigration, while the receiving nations gain due to immigration of well qualified or skilled persons. It causes a shortage of skilled workers in the nations of origin. In Africa, it is believed that about seventy thousand highly qualified persons leave the continent annually due to increasing population of young skilled workers within the continent and restricted economic possibilities for young Africans³⁶.

The effect is the gradual depletion of the continents talents as a result of this phenomenon³⁷. In Cape Verde for instance, almost one- third of the population live outside the nation, the same is the case for other smaller nations like Seychelles and Mauritius where a significant portion the population reside outside the country.

Brain drain is particularly troubling in the health sector as many of senior doctors and nurses trained in Africa continue to reside and work outside its shores especially among the many developed OECD Countries. This poses a huge treat to the continent's public health as most African countries may begin to lack highly skilled health professionals to care for their populations. Regrettably, roughly \$2.0 billion have been lost by African nations from the year 2010 due to the continuous flight of locally trained health workers to

³⁵ Ibid

³⁶ Mo Ibrahim Foundation, *Brain drain: a bane to Africa's potentials* (9 August, 2018) <https://mo.ibrahim.foundation/news/2018/brain-drain-bane-africas-potentials> accessed 16 February 2022.

³⁷ Shubhaangi Srivastava, Assembly of European Regions, 2020 <https://aer.eu/author/shubhaangi/> accessed 16 February 2022.

destination nations outside of Africa. The same trend continues year after year to the brain drain³⁸.

8.1 Better policies to curb brain drain in Africa

As clearly indicated above, Africa as a continent continues to lose both in term of its young manpower as well as economically due to loss of the money spent in training health workers. This demands better approaches to correct this phenomenon.

Currently, a number of attempts and initiatives have been carried at the regional level as well the various sub regional levels to manage the negative effects of migration in the continent. Notable is the effort of the African Union to establish a common migration policy framework for member states.

The AU Migration Policy Framework for Africa and Plan of Action (2018 – 2030)³⁹ which established several policy steps geared towards better good migration governance, ensuring the effective management of Africa's talents and curbing the crises resulting from systemic depletion of the its skilled population. These frameworks consist of provision of strategic education of youths within the continent, gender development, border controls, improved opportunities and harmonized migration policy for effective monitoring of migrants.

This policy steps despite proffering innovative recommendations for unified management of migration across the region still lacks proper mechanism for its effective implementation by state parties. This ought not to be so, as the continent should realize that it is only by overturning the current brain drain challenge and establishing stable environment for young Africans to actualize their capacities, that the continent will start enjoying the fruits of its rich human capitals⁴⁰.

³⁸ Mo Ibrahim Foundation, *Brain drain: a bane to Africa's potentials* (9 August, 2018) <https://mo.ibrahim.foundation/news/2018/brain-drain-bane-africas-potentials> accessed 16 February 2022

³⁹African Union, *Migration Policy Framework for Africa and Plan of Action (2018 – 2030)* 2018

8. Migration and fortunes of a country: Assessing the economic impacts of Migration.

Numerous studies on migration demonstrate that immigrants in many instances help to open up opportunities for economic advancement across many destination nations. On the other hand, sending nations profit from emigration as well when it is handled appropriately.⁴¹

There is widespread consensus that migrants contribute significantly to global innovation. The concentration of migrants in more creative industries and their contribution to start-ups have gained considerable attention. The United States is a great manifestation of migrants' inventiveness and contribution to economic advancement. A rising corpus of study have shown how migrants have contributed to this field in other nations, including the increasing number of foreign patents, medical and pharmaceutical inventions, and advancements in other fields of endeavor⁴².

One area of benefit for the sending nation is in the field of remittances. The World Migration Report 2020 details the ways in which remittances have benefited families and local communities in the countries of origin. In many circumstances, remittances from migrant workers in foreign countries assist families back home in meeting daily domestic requirements and importantly eradicating poverty⁴³.

In both their countries of origin and destination, migrants have contributed significantly to growth. Worldwide remittances reached an aggregate of 689 Billion Dollars in the year 2018, with 529 Billion Dollars going to small- and lower-income countries alone, a record higher than the 483 Billion Dollars recorded in 2017⁴⁴. Money returned home by migrants can act as essential buffers against unforeseen costs, allowing households to maintain financial stability and resilience. Diaspora ties have allowed people and citizens living abroad to participate in development efforts in their home nations. Nigeria's first Diaspora bond was issued in 2017, earning \$300,000,000 to support

⁴¹Goldin, I., G. Cameron and M. Balarajan; *Exceptional People: How Migration Shaped Our World and Will Define Our Future*. (Princeton University Press, Princeton, 2011);

Ruhs, M. *The Price of Rights: Regulating International Labor Migration*. (Princeton University Press, Princeton, 2013)

⁴² Ibid

⁴³⁴³ International Organization for Migration (IOM) 2019. *World Migration Report 2020*.

Mcauliffe, M. and B. Khadria (Eds.) Geneva

⁴⁴ World Bank, *Migration and Remittances, Recent Development and outlook* (Migration and Development Brief 31, April 2019)

infrastructural efforts. Israel has been able to raise roughly \$40 billion using this funding arrangement since 1951⁴⁵.

Businesses established by the citizens in Diaspora are also very instrumental to the overall economic prosperity of their home nations, enhancing productivity and innovation. Over time, the economic impacts of migrants in destination nations have been widely investigated. There is a substantial body of study on how small- and technically inclined migrants have helped to ease labor deficiencies. In certain nations, migrant workers practically depended on to fulfill shortages in areas like medicine, nurses, health and social care⁴⁶.

Labor migrants occupy the greater percentage of high skilled workers in major cities like Silicon Valley, London, Kuwait, and the United Arab Emirates⁴⁷. In a 2012 study of 69 economies, it was determined that foreigners were more entrepreneurial than locals. New research reveals that if refugees are given the opportunity to work, they contribute favorably to the economies of their host countries. This is evident in Uganda and South Africa where refugees in both the cities and rural areas have demonstrated very incredible enterprising ability, leading to the development of jobs. This trend is very significant in South Africa due to the self-settlement policy which have allowed refugees in South Africa to move freely and establish businesses, helping to create employment opportunities for the indigenes⁴⁸.

9. Migration and lessons from Covid – 19

COVID-19's economic catastrophe is more severe and broad than any prior pandemic- stimulated recession ever since the early 1990s. The crisis has brought worldwide economic movement next to a halt, with activities suspended in all corners of the world at the same time, a feat unprecedented in history. This puts many migrant workers, especially undocumented migrants to a defenseless position due to their often less stable employment conditions and lower levels of seniority on the job⁴⁹.

⁴⁵ Khadria B, *The Future of International Migration to OECD Countries, Regional Note, South Asia*. (Organisation for Economic Cooperation and Development (OECD) 2009) www.oecd.org/futures/43484309.pdf accessed 16 February 2022.

⁴⁶ International Organization for Migration (IOM) 2019. *World Migration Report 2020*. Mcauliffe, M. and B. Khadria (Eds.) Geneva

⁴⁷ United Nations, Department of Economic and Social Affairs, Population Division, (*World Population Prospects 2019*) Highlights. ST/ESA/SER.A/423.

⁴⁸ Crush J and Tawodzera G, *Refugee Entrepreneurial Economies in Urban South Africa* (Southern African Migration Programme, South Africa, 2017)

⁴⁹ World Bank, *Covid-19 Crisis through a Migration Lens. Migration and Development Brief, No. 32*; (World Bank, Washington DC, April 2020)

Equally, internal migrants have been left stranded as a result of crisis-related lockdowns, travel bars, and social distancing measures. They are incapable of going back to their places of work or homelands. Loss of employment and livelihood has severed a vital lifeline for rural households in a number of countries. Not only do immigrants have to work to sustain their households during the pandemic, but in some areas, they also face tough and dangerous working environment which makes them more prone to contract the virus. This was the case in Germany, where a corona virus outburst spread to over 1500 workers at a slaughterhouse, the bulk of them were migrants from the EU.

Immigrants have borne a disproportionate burden in terms of COVID 19 incidence, infection risk, and death, despite their typical younger age. In Norway, 31 per cent of confirmed cases are foreign-born (typically from nations with a high proportion of humanitarian migration). The same trend was maintained in Sweden, Portugal Denmark and Canada where immigrants accounted for 43.5 percent of Covid cases in Canada⁵⁰

9.1. Policy reactions taken to mitigate the health impact on immigrants

During the pandemic, the World Bank proposed the commencement of actions to address the many issues faced by migrants by incorporating them in health care, financial assistance, and other social benefits, as well as by safeguarding them against inequities⁵¹.

To this effect, many nations, particularly the OECD nations established several measures to lessen the hardships faced by many new and undocumented migrants including providing them right to health facilities for migrants who have acquired COVID 19, even those who are in an irregular position. Other assistance included websites and social media channels in multiple languages to give trustworthy and the latest information about COVID 19. Intermediaries including local governments and non-governmental organizations (NGOs) play a critical part in expanding the reach of information given by central

⁵⁰ Guttman A. F et al. *Covid 19 in Immigrant, Refugees and other Newcomers in Ontario: Characteristics of those tested and those confirmed positive as of June 13, 2020*, ICES <http://www.ices.on.ca> Accessed on 16 February 2022.

⁵¹ World Bank, *Covid-19 Crisis through a Migration Lens. Migration and Development Brief, No. 32*; (World Bank, Washington DC, April 2020)

governments. Social media has established itself as the most effective method for tracking and responding to spreading disinformation⁵².

The migratory problem accelerated innovation in the field of digital and online education as various innovative steps were taken by many of the OECD nations including the United Kingdom, Germany, France and Austria which established education portals to educate migrants properly on health care and available public health service and other vital issues relating to the epidemic. Germany committed EUR 40,000,000 and authorized the establishment of roughly 7,000 digital classes for refugees⁵³.

For migrants who had previously completed French classes, France gave 15-24 hours of remote learning each week. Also due to the need for internet connectivity and basic technical and understanding of the French, distant education courses were limited to 100 hours⁵⁴.

In conclusion, COVID 19 was a trial project that examined how nations may include e-learning into their standard course offerings and experiment of how it may continually serve as a reliable tool for reaching out vulnerable immigrants across many nations.

9.2. Nigerian government response to Nigerians in Diaspora during the Covid 19

As already highlighted above, with COVID19-inducing many unforeseen hardships across several destination countries exasperated by lockdowns of all sort, a great many Nigerian migrants especially irregular migrants (who represented the highest number of migrants from sub-saharan Africa)⁵⁵ were forced into extreme suffering. Though, as already shown, many host countries made notable improvements in their immigration policies towards easing the plights of these irregular migrants including extension of health coverage and language supports to the migrants and their dependents. These interventions in most situations identified were not widespread especially with the less developed host destinations including India and Brazil where the pandemic was degenerating into a major humanitarian crisis for both citizens and migrants.⁵⁶

⁵² OECD (2021), International Migration Outlook 2021, OECD Publishing, Paris <https://doi.org/10.1787/29f23e9d-en>

⁵³ Ibid

⁵⁴ Ibid

⁵⁵ World Bank, 2020, *Nigeria Development Update, June 2020: Nigeria in Times of Covid-19- Laying the Foundation for a Strong Recovery*, World Bank Group, Washington DC.

⁵⁶ Shailendra Kumar et al. *Migrant workers and human rights: A critical study on India's COVID 19 Lockdown policy*; Social Sciences & Humanities Open, Volume 3, Issue 1, 2021.

These inadequacy necessitated pleas from such Nigerian migrants in those countries for the intervention of the Nigerian government. Already in the past, over 15,000 Nigerians from Libya and other irregular migration hubs have been returned since 2016 through IOM's Assisted Voluntary Humanitarian Return and Repatriation (AVHRR) programs⁵⁷ following similar calls for government intervention.

The federal government through the Federal Ministry of Foreign Affairs, in response to the plights of many Nigerians stranded in diaspora, mandated its various missions abroad to obtain information of willing nationals who wanted to come back home for repatriation to Nigeria. Unfortunately, as noted by Hon. Abike Dabiri-Erewa, Chairman/CEO Nigerians in Diaspora Commission (NIDCOM)⁵⁸, the financial implications were to be borne by the prospective evacuees, which placed a grave limitation to the rescue effort itself as many of the stranded Nigerians were either victims of trafficking or irregular migrants who many lack to means to offset such financial burden.

While the Nigerian embassies remained on lockdown as a result of the pandemic, interested Nigerians were asked to apply online in the form provided by the Nigeria in Diaspora commission. This equally put a constraint on the effort as the Nigerian government failed to factor in possibilities of stranded citizens who might lack means of communication and internet to reach out considering the fact that the crises were extreme across many destinations.

On the whole, one might conclude that the intervention was not robust and failed to adequately address/remedy the challenges faced by the Nigerian migrants during the Covid 19 due to the various reasons already highlighted above

10. Managing migration in the right direction: role of governments, NGOs and CSOs

With the rising global economic instability, expanding violence and variety of other difficulties affecting developing nations notably Nigeria, the topic of migration would continue to be at the centre of attention. Considering the vulnerabilities related with migrants, especially illegal migration; extra precautions must be introduced to handle the increased demand for migration.

⁵⁷ Info Migrants, *Returnees Struggle to Adjust to Life in Nigeria, 2019***Error! Hyperlink reference not valid.** [Accessed: 16 February, 2022]

⁵⁸ <https://nidcom.gov.ng>

The World Bank in its 2020 Nigeria Development Update⁵⁹; proposed a number of advice for Nigeria in order to properly address the growing adverse migratory trend and on the other hand harness its youthful population potentials.

The report emphasized prioritizing normal migration while lowering irregular migration, as well as actions to facilitate the transfer of investments and talents from Nigeria's diaspora and returning migrants.

This will be achieved by adopting sound framework that will properly manage labor related migration which must be founded on three correlated bedrocks a) curbing undocumented migration; b) advancing healthier migration; and (c) providing assistance to migrants who returned home as well as the Diaspora.

- Curbing undocumented migration: this will entails actions geared towards effective border control for the eradication of irregular migration, smuggling activities and trafficking in human persons. Curbing undocumented migration can also be achieved through increasing incentives for productivity as well as increase of employment opportunities for youths as better alternative to irregular migration.
- Advancing better migration: this can be achieved through a deliberate effort by the Nigerian government to secure additional, larger labor migration partnerships with other countries, allowing prospective Nigerian job seekers to find gainful employment in destination countries. Mapping out skills shortages in Nigeria and overseas might also help to promote demand-driven skills development for the youths in Nigeria.
- Assist Returning Migrants and the Diaspora: in Nigeria, since the year 2016, nearly 15,000 migrants have been returned from various places, and will continue to return as a result of the pandemic. These returning migrants should be thoroughly informed and referred to existing assistance accessible in Nigeria including job and loan portals, business registration as well as other social benefits.

⁵⁹ World Bank, 2020, *Nigeria Development Update, June 2020: Nigeria in Times of Covid-19- Laying the Foundation for a Strong Recovery*, World Bank Group, Washington DC.

Additionally, the Office on Drugs and Crime's of the United Nations in its 2018 Global Study on Migrant Smuggling⁶⁰ highlighted that following values must be applied by all stakeholders for migration to be efficiently managed:

- a) Equipping and educating law enforcement and migration agencies, particularly in poor and underdeveloped countries, to address the unique vulnerabilities of smuggled children and women and to ensure their best interests are protected.
- b) Adopting an all-inclusive approach to the twin problems of human trafficking and smuggling in order to properly examine and address the many causes that contribute to the continued demand for the services of these smugglers.
- c) By minimizing the administrative burden associated with legal migration and so reducing the need for migrant smuggling, additional opportunities for normal migration may be expanded.
- d) Educating local communities, especially refugee camps, about the hazards associated with undocumented migration, narcotics, and smuggling may also assist lower demand for the services of smugglers and destructive effects.
- e) Targeting efficient law enforcement/immigration programs to deter unlawful/undocumented migration and smuggling, especially via established hubs used by smugglers and drug traffickers, noting these hubs are more relied upon by traffickers and smugglers than the traditional routes for migration.
- f) The development of several livelihood options for local communities who depend on revenue from migrant and drug smuggling via constructive activities that lessen the economic incentives for lower-scale smugglers to participate in the smuggling industry.
- g) Collaborations with significant private sector players, such as mobile and social media companies, may be critical to effectively combating people smuggling and narcotics trafficking.

Finally, we advocate the formation of competent diplomatic missions, staffed by extra immigration professionals, in important host countries to allow rapid response to emigrants experiencing a variety of challenges.

⁶⁰ UNODC, *Global Study on Smuggling of Migrants 2018* (United Nations publication, Sales No. E.18.IV.9).

11. Conclusion

What are we communicating? We are merely stating that it is past time for us to begin on a thorough and ongoing education and reorientation program for our kids about migration and migration concerns, so that they realize early on that not everything that glitters is gold. These training and awareness efforts must reach the lowest strata of society via the use of agents and agencies close to the people, such as NGOs, civil society groups, schools, and religious organizations. The Covid-19 Pandemic has taught us several things, one of which is that our climate is superior to that of Western Europe. Additionally, it has taught us that one does not need much to have a happy and productive life in one's own nation. As a result, there is no need to enter slavery in the pretext of seeking better pastures overseas. Movement will continue to be a key aspect of global economies, but if you lack the appropriate credentials and skills to find profitable job overseas, you should avoid embarking on such migration, particularly if it is unlawful.