

JOURNAL OF AFRICAN MIGRATIONS (JAMs)

SPECIAL ISSUE VOLUME 1(2) 2023

FAIR RECRUITMENT AND LABOUR MIGRATION

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Published by:
Centre For Migration Studies Nnamdi Azikiwe University Awka (CMS-NAU)
https://migrationstudies.unizik.edu.ng/

Acknowledgment :
Appreciation for ILO Support under the Fairway Project Nigeria: Support to Enhancing Fair Recruitment in Nigeria.

JAMs

Journal of African Migrations
106-122
Online ISSN:3027-1045
Print ISSN: 3027-1037
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https://journals.unizik.edu.ng/index.php/amr/about

Psychosocial Implications of Fair Recruitment Initiative: Lessons from Nigeria Intervention Projects.

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Abstract

Safe, orderly and regular labour migration are the common watch-words that are necessary to understand the need for fair recruitment in this era where modern information technology has made all sorts of practices (negative and positive) easy. The fair Recruitment Initiative (FRI) document and the General Principles and Operational Guidelines (GPOG) have set standards which have guided countries to develop specific policies that can promote fair recruitment. A pertinent query has been whether the FRI pillars, the GPOG and national documents contain enough policies that can protect the psychosocial well-being of labour migrants. The present article reviewed the psychosocial components of some selected national and international labour standards. The results showed that all the reviewed documents have components that provided rules and guidelines that ensure protection of the psychosocial domain of the labour migrants. It was recommended that some of the national documents require revision to accommodate and clarify some major issues such as recruitment fees. Also, there is need for more information dissemination so that more labour migrants could learn about their rights and thus use the knowledge to protect their psychosocial well-being.

Keywords: Fair recruitment, psychosocial, ILO, labour migration

Introduction

Labour migration is simply the movement of person(s) from one state to another, or within their own country of residence, for the purpose of employment. Some of the theories of migration such as Lee's (1966) push-pull theory, Piore's (1979) dual labour-market theory, and Stark's (1991) new economics of labour migration suggested that labour/employment was top among the reasons why people migrate. Interestingly, out of the 272 million

estimated migrants according to the global estimate of international migrants as of 2019, labour migrants were about 169 million (ILO, 2021b). These migrant workers are unevenly distributed with majority 67.4% working in high income countries and the lowest percent about 3.6% working in low-income countries (ILO,2021b).

International labour migrants are confronted with numerous recruitment related challenges. These challenges have limited the capacity of labour migration to attained required the heights in terms of advancing the socio-economic and human development (e.g., psychosocial balance). Most of these challenges that can also influence psychosocial balance negatively are related to unfair recruitment practices according to ILO (2021c) and they include the following:

a. **Deceptive recruitment:** This refers to recruitment in which the worker is deliberately caused to believe something that is not true. The worker may be deceived about the nature of the job, the location or the employer; conditions of employment; the content or formality of employment; family reunification; housing and living conditions; legal documentation or obtaining regular migration status.
b. **Coercive recruitment:** This is when recruitment is imposed on the worker under the threat of penalty and to which the worker does not agree voluntarily. It may include the infliction of violence on victims; abduction, forced marriage, forced adoption or the selling of the victim; confiscation of documents; debt bondage; isolation, confinement or surveillance
c. **Abusive recruitment:** This refers to recruitment in which the position of vulnerability of the worker is abused. This vulnerability may be related to: family situation; irregular status situation; lack of education (incl. language); lack of information; control of exploiters; economic reasons; false information about law, attitude of authorities; false information about successful migration; personal situation; psychological and emotional dependency
d. **Discriminatory recruitment:** This refers to recruitment in which equality of opportunity and treatment in recruitment is nullified or impaired. Discrimination may be on grounds such as: race, colour, sex, religion, political opinion, national extraction, social origin, age, disability, family responsibilities, language, matrimonial status, nationality, property, sexual orientation, gender identity and expression, sexual characteristics, state of health or trade union affiliation.
e. **Corrupt recruitment:** refers to recruitment in which the recruiter or a third party influencing the recruitment acts dishonestly in return for money or personal gain.

Such acts may include offering, promising, giving, requesting or accepting bribes, such as bribes from workers or bribes to employers or government officials.

f. **Fake recruitment:** refers to recruitment in which the PEA or the advertised job do not exist, or in which the job exists but what is claimed to be the recruitment process is actually unrelated to the job. Fake recruitment often involves scammers posing as labour recruiters.
g. **Worker fee-charging during recruitment:** refers to recruitment in which recruitment fees and related costs are borne by the worker.

The Beginning of Fair Recruitment

In the efforts to manage these challenges, the international labour organization (ILO) launched Fair Recruitment Initiative (FRI). The Fair Recruitment Initiative is one of international Labour Organization's (ILO) programs launch in 2014 as part of the ILO Director General's call for a Fair Migration Agenda (ILO,2021a). At its inception, the primary purpose of FRI was to ensure recruitment practices nationally and across borders are grounded in labour standards, developed through social dialogue, and considered gender equality (ILO,2021a). The recruitment practices as contained in the General Principles and Operational Guidelines (GPOG) include the advertising, information dissemination, selection, transport, placement into employment and – for migrant workers – return to the country of origin where applicable (ILO,2019). The specific objectives of FRI are to ensure that the fair recruitment practices:

- are transparent and effectively regulated, monitored, and enforced;
- protect all workers' rights, including fundamental principles and rights at work (FPRW), and prevent human trafficking and forced labour;
- efficiently inform and respond to employment policies and labour market needs, including for recovery and resilience.

Following the implementation of the first phase of the strategy between 2014-2019, the role of ILO and its constituents has expanded and the development of additional knowledge, tools and guidance has contributed to advancing the international debate on this subject.

The current 2021-2025 FRI Strategy (Phase II) is grounded in relevant international labour standards (ILS), global guidance, and social dialogue between governance institutions and

actors of the labour market (those who directly experience the challenges and opportunities of implementing fair recruitment practices).

Through the implementations of FRI, Larbour migration is expected to have positive impact on socio-economic and human capital developments at all levels whether national or international (Foresti & Hagen-Zanker, 2017; Okikiola, 2022). There seemed to be a redefinition of the term development within migration field to also include that development is a process of improving the overall quality of life of individual or a group of people, and in particular expanding the range of opportunities open to them (ILO, 2010). This definition is broader than some traditional notions of development that are primarily concerned with economic growth and associated statistics like gross domestic product (GDP), gross national income (GNI), and incomes of individuals and families. By focusing on quality of life and opportunities a 'human development or Psychosocial' perspective is taken instead.

Psychosocial Development and Risks

Pursuing psychosocial development in labour migration during recruitment processes means pursuing all avenues to improve a person's opportunities and freedoms, feeling of competent, healthy personality and mental wellbeing. This can include improvements to labour migrants lives such as expanded access social services, reduced vulnerability to risk, or increased psychological wellbeing. A human development approach also places a greater focus on protecting people's human rights such as political, social and economic rights.

The labour migration recruitment processes factors that can cause stress can be labelled as psychosocial hazards (Forastier, 2016). These psychosocial hazards resulted from the interactions between and among various processes that are involved in recruitment of labour migrants including full information about the nature of the job, the location or the employer; conditions of employment; the content or formality of employment; family reunification; housing and living conditions; legal documentation or obtaining regular migration status; travel and recruitment conditions; wages/earnings; promises of marriage or adoption; or access to education opportunities ILO (2021c). This description emphasized the dynamic interaction between the recruitment processes and human factors. A negative interaction between recruitment processes and human factors may lead to emotional disturbances, behavioural problems, and biochemical and neurohormonal changes, presenting added risks of mental or physical illness (Forastier, 2016; Pujol-Cols & Lazzaro-Salazar, 2021). On the other hand, when the recruitment processes and human

factors are in balance, labour migration creates a feeling of mastery and self-confidence, increases motivation, working capacity and satisfaction, and improves health (Forastier, 2016; Pujol-Cols & Lazzaro-Salazar, 2021). Psychosocial hazards are therefore those aspects of the design and management of recruitment processes that have the potential for causing psychological or physical harm.

The current article utilized simply review method to examine the nexus between the FRI documents and in country document that are related to psychosocial development of labour migrants in Nigeria. Specifically, the article examined whether the FRI documents and the related in country specific documents contained policies that promote psychosocial well-being of labour migrants

Method

This paper utilizes simply review of available literature in fair recruitment initiative that are related to FRI in Nigeria. In addition to the available FRI documents such as ILO Fair Recruitment Initiative Strategy 2021-2025**,** General Principles and Operational Guidelines (GPOG) some in country specific documents such as The National Policy on Labour Migration (NPLM) 2020, The National Migration Policy (NMP) 2015, The National Employment Policy (NEP) 2017, Revised Code of conduct for Private Employment Agencies, (PEAs), Standard operating procedure (SOP) for International Recruitment of Nigerian Migrant Workers, Trade Union Information Guide for Returning Migrants and Migrant Workers, Nigerian Immigration Act, 2015, NAPTIP Act 2003, as amended in 2005, The Nigerian Labour Act, Laws of the Federal Republic of Nigeria, 2004 and Reporting on Forced Labour and Fair Recruitment: An ILO toolkit for Journalists in Nigeria that promote fair recruitments were identified and summarized for their contribution to psychosocial well-being of labour migrants.

Results of the Review

Below are the brief summaries of the reviewed documents that are related to fair recruitment and psychosocial well-being.

ILO Fair Recruitment Initiative Strategy 2021-2025

The outstanding points in this policy document is the pillars and targets of Fair recruitment. Specifically, out of the four main pillars and their targets, some of the pillars and targets have more implications for the psychosocial well-being of labour migrants.

Instants include:

Pillar 1: Enhancing, exchanging and disseminating global knowledge on national and international recruitment processes

- **Target 1.3:** ILO fair recruitment standards, principles, including the fundamental principles and rights at work, and guidelines are prominent on the global and regional agendas and pilot innovations are promoted.
- **Target 1.5:** The general public has increased access to information about abusive recruitment practices and their impact in terms of forced and bonded labour and human trafficking, including through improved and accurate reporting by the media on this topic.

Pillar 2: Improving laws, policies and enforcement to promote fair recruitment

- **Target 2.1:** National laws and policies are adopted, in consultation with social partners, and implemented to support employment creation and protect workers throughout the recruitment process.
- **Target 2.2:** Increased number of countries that have introduced/improved their recruitment enforcement system to monitor recruitment violations and provide effective remedies.
- **Target 2.3:** Increased number of countries that agree or renegotiate bilateral labour agreements in line with ILO standards and principles, and through social dialogue at all stages.
- **Target 2.4:** Workers' and employers' organizations engage effectively in bipartite or tripartite social dialogue in the area of recruitment.
- **Target 2.5:** Increased number of countries that have taken steps towards the ratification of international labour standards relevant to fair recruitment.

Pillar 4: Empowering and protecting workers

- **Target 4.3:** Workers are provided with independent, relevant, understandable and actionable information about their rights and obligations in recruitment, including on access to justice and remedies.

- **Target 4.4:** Workers can effectively access compensation and other remedies through justice and company-union grievance mechanisms and social dialogue

General Principles and Operational Guidelines (GPOG)

GPOG is a non-binding ILO general principles and operational guidelines for fair recruitment which has the major aim of informing the current and future work of the ILO and of other organizations, national legislatures, and the social partners on promoting and ensuring fair recruitment. These principles and guidelines are derived from a number of sources, including international labour standards and related ILO instruments. These principles and guidelines are intended to cover the recruitment of all workers, including migrant workers, whether directly by employers or through intermediaries. They apply to recruitment within or across national borders, as well as to recruitment through temporary work agencies, and cover all sectors of the economy. It is advised that the implementation of these principles and guidelines at the national level should occur after consultation between the social partners and the government. A distinction is drawn between the 13 general principles: which are intended to orient implementation at all levels and the 31 operational guidelines: which address responsibilities of specific actors in the recruitment process and include possible interventions and policy tools.

The National Policy on Labour Migration (NPLM) 2020

One of the objectives of the NPLM that relates to fair recruitment according a ILO report is promoting and protecting the rights of Nigerian labour migrants in recruitment for employment abroad through supervision and monitoring of recruitment activities.[1]

Important highlights of NPLM that supports psychosocial well-being and FRI include

- Need for application of Convention No. 181 and associated Recommendation No. 188 to prevent trafficking and other forced labour outcomes by stopping unscrupulous intermediaries, agencies and employers from luring migrants into exploitative employment, especially domestic workers.
- Need for constant monitoring of PEAs involved in the recruitment of Nigerians for employment abroad to eradicate excessive fees, false job offers, misleading

[1] *https://publications.iom.int/books/national-policy-labour-migration-2014*

propaganda relating to emigration, provision of credits with high interest rates for travel, and job-brokering services, as well as the use of forged documents.

- Need for penal provisions to address offences by PEAs.
- Importantly, the revised version included deliberate inclusion of the gender perspective of labour migration therefore making it gender responsive as well providing for attention on the varied women issues in migration with specific focus on the Nigerian female migrant worker

The National Migration Policy (NMP) 2015

This policy aims to establish and strengthen the migration governance structures that protect the human, civil and economic rights of Nigerian citizens at home and abroad, as well as the rights of aliens residing in Nigeria, through commitment to all existing international and national instruments, principles and standards related to migrants. NPM addressed the multifaceted issues of migration, including labour migration issues. Thus, one of the objectives of NMP was to strengthen mechanisms regulating the activities of PEAs to prevent the exploitation of potential Nigerian labour migrants. According to the National Labour Migration Policy, and Standard operating procedure (SOP) PEAs are to register with the Federal Ministry of Labour and Employment for the purposes of regulating and monitoring PEA activities to forestall bogus job advertisements, trafficking in persons, smuggling and other fraudulent activities.

The National Employment Policy (NEP) 2017

This addresses objectives, measures, strategies and institutional framework to meet the challenges of rising unemployment and underemployment in Nigeria. The highlights of the NEP that are related to FRI include

- Need to ensure nondiscrimination and equality of treatment for all workers, migrants and nationals abroad and at home.
- It commits the Government to well-coordinated fair and efficient recruitment processes by all employers that is devoid of manipulation, discrimination and other malpractices.
- Need to eliminate open or disguised discrimination against women workers in recruitment and to discourage the maltreatment of migrant workers, including in relation to racism, racial discrimination, xenophobia and related intolerance.

- It provides that job advertisements shall not state any requirement related to sex, age, ethnicity, religion or other personal attributes except where such attribute are inherent requirements for the job.
- Need to ensure that workers recruited by PEAs are not denied the right to freedom of association and the right to collective bargaining.
- NEP specifies that all costs associated with recruitment must be borne by the employer and such costs shall not be passed directly or indirectly, wholly or in part to jobseekers.
- It seeks to regulate and supervise multiple levels of recruitment, including the activities of labour contractors and PEAs.[2]

Most of the provisions of NEP are in line with General principles and operational guidelines GPOG for fair recruitment and Pillars and targets of FRI framework.

Revised Code of conduct for Private Employment Agencies (PEAs)

The code of conduct articulates the ideals to which Private Employment Agencies aspire as well as the behaviours and conducts that are admissible and mandatory in the industry. [3]

The Private Employment Agencies are companies that are involved directly or indirectly with recruitment, selection, and placement (and in some case, the management) of employees, skilled and unskilled for themselves and other companies.

Important highlights of the code of conduct which are in line with the international standard are

- Description of responsibilities of PEAs to stakeholders, duties to clients (hiring companies) duties to prospective employees
- Description of the Processes of recruitment from outside Nigeria
- Description of the Processes of recruitment to work outside Nigeria
- Breach of the Code of Conduct
- Disciplinary Procedures
- Sanctions for Breach of the Code of Conduct

[2] *https://www.ilo.org/static/english/emplab/download/nep/nigeria/nigeria_national_employment_policy_2017.pdf*

[3] *https://hucapan.org/wp-content/uploads/2022/03/Code-of-Conduct-for-Private-Employees-Agencies.pdf*

These highlights mentioned here are in agreement with the provisions of GPOG and FRI framework.

Standard operating procedure (SOP) for International Recruitment of Nigerian Migrant Workers[4]

SOP was designed to facilitate inter-agency collaboration in regulating the activities of licensed Private Employment Agencies (PEAs) for placement of Nigerian workers abroad. Specifically, the SOP maintained that all governmental bodies shall be committed to fostering unhindered information exchange concerning PEAs operating within the country and abroad as well as exchange of information about the wellbeing of Nigerian citizens placed in jobs abroad by licensed PEAs. It highlights the responsibilities of key government agencies in ensuring fair recruitment in Nigeria. The SOP also ensure that all the governmental bodies parties shall be committed to monitoring the wellbeing of the Nigerian citizens recruited for work abroad especially low skilled workers such as domestic workers, farm workers and nannies.

It was designed in line with the international guideline as stipulated in the FRI and GPOG especially as it concerns the responsibility of government agencies. The SOP did not consider the role of PEAs and it was alleged that PEAs were not consulted as required by ILO tripartite policy during the development of the SOP. The it does not align with the pretext of social dialogue.

Trade Union Information Guide for Returning Migrants and Migrant Workers[5]

This is an information guide which was design to assist migrants and migrant workers and other persons caught in the migration challenge wishing to return, be readmitted and reintegrated back home and into the communities they left. The guide is hands-on, handy and simple tool for these categories of persons to navigate their return, readmission and

reintegration and it is completing the national Special Operating Procedures (SOPs) developed by the Federal Government Agencies on Migration Governance in Nigeria.

[4] *Federal Republic of Nigeria,* Standard operating procedure (SOP) for International Recruitment of Nigerian Migrant Workers, *2022*

[5] *https://www.nlcng.org/wp-content/uploads/2022/11/Trade-Union-Guide-A4-1-Approved-for-Printing-1.pdf*

The guide assumed that the availability and accessibility of adequate and up-to-date pieces of information will serve and contribute substantially to how migrant workers can successfully prepare, undertake and achieve a return back home in fulfilment of Objective 21 of the Global Compact on Migration and in line with the provisions of the ILO fundamental Conventions that promote FRI. Thus it aligns well with the aims of the Fair Recruitment Initiative Phase II

Nigerian Immigration Act, 2015[6]

The act sets out the provisions for matters relating to immigration, passports, visas, resident permits, work permits, and the prohibition of smuggling of migrants into and from Nigeria, and for the protection of and provision of remedies and assistance to, objects of smuggling of migrants' offences in Nigeria. It makes provisions of the protocol against the smuggling of migrants by any means for any reasons, supplementing the United Nations Conventions Against Transnational organized crime. The Immigration Act of 2015 helps in managing Unregulated recruitment and migration in abusive conditions. For instant, it established the Directorate of Migration and the Divisions of Regular and Irregular Migration within the Nigeria Immigration Service. The Act prohibits the smuggling of migrants (sect. 64). The act also helps in regulation of employment: The Immigration Act of 2015 stipulates that a non-national cannot accept employment (not being employment with the federal, state or local governments) without the consent in writing of the Comptroller General of Immigration. A person desirous of entering Nigeria for employment must produce that consent; failure to do so makes the person liable on conviction to a fine of 1 million naira or deportation or both as a prohibited immigrant (sect. 36). A person desirous of employing a non-national must make application to, and receive permission from, the Comptroller- General of Immigration, including in relation to the repatriation of the worker and the worker's dependents (sect. 38). GPOG guide stipulates the responsibilities of enterprises and public employment services. As stated in one of the general principles: "Recruitment across international borders should respect the applicable national laws, regulations, employment contracts and applicable collective agreements of countries of origin, transit and destination, and internationally recognized human rights, including the fundamental principles and rights at work, and relevant international labour standards. These laws and standards should be effectively implemented".

[6] *https://www.placng.org/lawsofnigeria/laws/I1.pdf*

NAPTIP Act 2003, as amended in 2005[7]

The instrument is a fulfillment of the country's international obligation under the Trafficking in Persons Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Transnational Organized Crime Convention (UNTOC). The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act (2005) established the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP). The main purpose was to ensure protection of all persons against human trafficking, and violence against persons through a people-centered access to justice, and the provision of safe spaces. Data provided periodically by NATIP helps in monitoring and managing the incident of migrant labour abuses and trafficking. The issue of force labour and trafficking in person is covered under some of the ILO conventions, FRI pillar 4 Empowering and protecting workers and the GPOG speaks to this theme at various points in the guide.

The Nigerian Labour Act, Laws of the Federal Republic of Nigeria, 2004

This is the principal law that governs employment-related matters and the relationship between an employer and employee in Nigeria. Part I outlined general provisions relating to wages, contracts and terms of employment. Part II regulates recruiting, including the licensing of recruiters. Part III relates to special classes of workers. Part IV contains supplemental provisions relating to administration and the settlement of disputes.[8]

Specifically, in the part II, the Labour Act forbids recruitment of any citizen for employment as a worker in Nigeria or elsewhere except in pursuance of an employer's permit or recruiter's licence. The Minister of Labour and Employment has the possibility of waiving the need for a permit or licence under specific conditions and can issue a certificate to recruit citizens as workers in Nigeria (sect. 23). The Act defines labour contractors as persons who undertake to provide another party with the services of workers while themselves remaining the employers of the workers in question (sect. 48).

The labour Act has other provisions that supports FRI and they include

[7] *https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101267/121929/F958851509/NGA101267%20Part%201.pdf*

[8] *https://www.ilo.org/dyn/travail/docs/915/Labour%20Act.pdf*

Monitoring: Citizens cannot leave the country under a foreign contract before undergoing medical examination to ensure their fitness to work.

Inspection: Authorized labour officer will certify citizen as duly recruited, and verifying, among other things, that the citizen has not been subjected to illegal pressure or recruited by misrepresentation or mistake, and is not abandoning dependents (sect. 39). Sanction: Persons engaging in forms of deception in recruitment are liable to a fine not exceeding 1,000 naira or to imprisonment for a period not exceeding one year, or to both (sect. 72).

Furthermore, there is issue relating to fee charging in the labour act that seems to differ slightly with the provision of GPOG. A section of the Labour Act (sect. 71(3)) defines a fee-charging employment agency as:

(a) an agency conducted by any person who acts as an intermediary for the purpose of procuring employment for a worker or supplying a worker to an employer with a view to deriving either directly or indirectly any pecuniary or other material advantage from either employer or worker; (b) an agency for conducting the placing services of any company, institution, agency or other organisation which, although the agency is not conducted with a view to obtaining any pecuniary or other material advantage, levies from either employer or worker for those services an entrance fee, a periodical contribution or any other charge, but excludes any organisation for the production of newspapers (or other publications) which are not produced wholly or mainly for the purpose of acting as intermediaries between employers and workers (sect. 71(3)). The establishment and operation of a fee-charging employment agency requires the written consent of the Minister of Labour and Employment (sect. 71(1)). The Labour Act stipulates that the Minister of Labour and Employment may make regulations providing for the supervision and control of fee charging PEAs and prescribe the scale of fees which PEAs may charge (sect. 71(2)). The Act allows for charging fees to either the employer or to the worker (sect. 71(3)), an issue that the National Employment Policy (2017) seeks to rectify. Finally, the ratification of relevant instruments such as Conventions Nos 181 in Nigeria would be opportunity for the review of the national labour act with respect to the provision on fee charging.

Reporting on Forced Labour and Fair Recruitment: An ILO toolkit for Journalists in Nigeria

The ILO media toolkit was adapted to Nigeria's context within the framework of the FAIRWAY Programme, being implemented by ILO Nigeria's Country Office in Abuja with

the support of Swiss Development Cooperation (SDC).[9] The project is an inter-regional initiative that aims to enhance stakeholders' capacities to protect the rights of all migrant workers, especially women and other vulnerable groups, along the labor migration cycle, explicitly focusing on the labour migration corridor between Africa and the Arab States.

The toolkit was created to help Journalists report on fair recruitment and forced labour. Therefore, the Nigerian adaptation was prepared to expose media personnel and civil society organizations to the knowledge and processes of reporting forced labour and fair recruitment.

The toolkit also contributes to the Alliance 8.7 global partnership committed to achieving Sustainable Development Goal 8.7 to "eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour" worldwide. It further contributes to the realization of the Sustainable Development Goals 8.8 and 10.7 regarding the protection of labour rights and promotion of safe and secure working environments for all workers, including migrant workers, as well as to the facilitation of orderly, safe and responsible migration and mobility of people.

Conclusion and Recommendation

It is interesting to note that all the fair recruitment documents reviewed have component(s) that were designed to capture and take care of the psychosocial domain of human development. This ensured that as countries gradually, adopt or develop and implement their country specific models from the international documents on issues that are related to fair recruitment of labour migrants the necessary technicalities the protect the psychosocial well-beings of the labour migrants were factored-in. As could be observed from the national and international labour standard documents, starting from recruitment processes, it was vital that fundamental rights of the labour migrants are protected through ensuring safe, orderly and regular labour migration that fell within the country-specific requirements which are guided by international guidelines.

Noticeably, each national document was uniquely designed for certain purpose, and carefully drafted accommodate the international interest. They also outlined the

[9] *https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/--migrant/documents/publication/wcms_853406.pdf*

responsibilities of stakeholders in labour migration and expectation that through social dialogues the synergy among the different stakeholders involved in the tripartite structure of labour migration can achieve dignity of labour at national and international levels.

Recommendation

From the review it can be deduced that there is a need to create a framework for International Recruitment of Migrant Workers in Nigeria for members of PEAs through a tripartite consultation of all the stakeholders, since the existing SOP did not consult or consider the responsibilities of PEAs in international recruitment. Similarly, the is need to develop a process of creating more sustainable knowledge and awareness on paths and important of fair recruitment. This can be achieved through consultations with experts, training and institutionalizing the fair recruitment courses in the university curriculum, publishing a special issue on fair recruitment in an academic journal which serve a reference on the topic and creating other training and awareness tools such as short film clips for sensitization and power point slides of training experts in the field. Moreso, the is need to find a way of revision of the section of the labour Act that encourage some form of fee charging during recruitment, by clearly redefining the intention of the law in favor of international standard and provision on the fee charging.

Finally, more research is needed to evaluated the unique impacts of different fair recruitment programs and how they impact both the socio-economic factors and psychosocial factors in countries in Africa.

References

Federal Government of Nigeria (2004). The Nigerian Labour Act, Laws of the Federal Republic of Nigeria, 2004. *https://lawsofnigeria.placng.org/laws/L1.pdf*

Federal Government of Nigeria (2005). NAPTIP Act 2003, as amended in 2005. *https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101267/121929/F958851509/NGA101267%20Part%201.pdf*

Federal Government of Nigeria (2015). National Migration Policy. *https://publications.iom.int/system/files/pdf/national_migration_policy_2015.pdf*

Federal Government of Nigeria (2015). Nigerian Immigration Act, 2015. *https://www.placng.org/lawsofnigeria/laws/I1.pdf*

Federal Government of Nigeria (2017). The National Employment Policy (NEP) 2017. https://www.ilo.org/static/english/emplab/download/nep/nigeria/nigeria_national_employment_policy_2017.pdf

Federal Government of Nigeria (2022). Standard operating procedure (SOP) for International Recruitment of Nigerian Migrant Workers.

Forastier, V. (2016). Prevention of psychosocial risks and work-related stress. *International Journal of Labour Research 8* (1–2) 11-33

Foresti, M, and J. Hagen-Zacker (2017). *Migration and the 2030 Agenda for Sustainable Development*. Overseas Development Institute (ODI), London.

HuCaPan/FMLEP (2022). Revised Code of conduct for Private Employment Agencies (PEAs). https://hucapan.org/wp-content/uploads/2022/03/Code-of-Conduct-for-Private-Employees-Agencies.pdf

ILO (2010). Mainstreaming migration into development planning a handbook for policy-makers and practitioners

ILO (2019). General principles and operational guidelines for fair recruitment & Definition of recruitment fees and related costs. International Labour Office guidelines *https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_703485.pdf*

ILO (2021a). ILO Fair Recruitment Initiative Strategy 2021-2025 - Taking stock, moving forward. . *https://www.ilo.org/global/topics/fair-recruitment/fri/lang--en/index.htm*

ILO (2021b). *ILO Global Estimates on International Migrant Workers – Results and Methodology – Third edition.*

ILO (2021c). *Africa regional fair recruitment report: The recruitment of migrant workers to, within and from Africa*. International Labour Office – Geneva.

ILO (2022). Reporting on Forced Labour and Fair Recruitment: An ILO toolkit for Journalists in Nigeria. *https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/--migrant/documents/publication/wcms_853406.pdf*

IOM (2020). National Policy on Labour Migration. *https://publications.iom.int/books/national-policy-labour-migration-2014*

Lee, e. S. (1966). A theory of migration. *Demography, 3*(1), 47–57

NLC (2022). Trade Union Information Guide for Returning Migrants and Migrant Workers. *https://www.nlcng.org/wp-content/uploads/2022/11/Trade-Union-Guide-A4-1-Approved-for-Printing-1.pdf*

Okikiola O. T.(2022).An Empirical Analysis of the Relationship between Net Migration and Macroeconomic Condition of Nigeria. *International Journal of Research and Innovation in Social Science 4*(1)140-144

Piore, M. J. (1979). *Birds of passage: Migrant labor and industrial societies*. Cambridge: Cambridge University Press

Pujol-Cols, L. and Lazzaro-Salazar, M. (2021). Ten Years of Research on Psychosocial Risks, Health, and Performance in Latin America: A comprehensive Systematic Review and Research Agenda. *Journal of Work and Organizational Psychology 37*(3) 187-202

Stark, O. (1991). *The migration of labor*. Cambridge and Oxford: Blackwell