Migration in Nigeria: Thematic Document 2009

National Security and Migration: towards an Effective Cross-Border Management in Nigeria
National Security and Migration: towards an Effective Cross-Border Management in Nigeria

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Foreword

With the financial support from the European Union, the Swiss Federal Office for Migration and the Belgian Development Cooperation, IOM is implementing the “Migration in West and Central Africa: National Profiles for Strategic Policy Planning” Project in several West and Central African countries (Democratic Republic of Congo, Côte d’Ivoire, Ghana, Mali, Mauritania, Niger, Nigeria, and Senegal) to promote a coherent and proactive policy approach to migration in support of strategic policy planning at the national and regional levels.

The National Migration Profile reports are a key result of this research and capacity-building project and will serve as a useful policy tool for monitoring trends and identifying areas in need for further policy development. But being primarily a monitoring tool also means that the National Profiles provide only limited guidance on what type of policies can be developed in a given area (i.e. policy methodologies and approaches).

This Thematic Paper Series shall address this particular issue by helping policy makers and practitioners to define their action priorities and policy options in areas that are of particular relevance to the country’s policy context. Under the guidance of and with input from inter-ministerial Technical Working Groups (TWGs) and thematic Sub-Working Groups (SWGs) that were established in each target countries during the project, three Thematic Papers were drafted by local experts for each target country. The aim of these papers is to enhance the capacity for policy development through identifying good practice and assessing the evidence base for policy development on policy issues of particular concern to the government.

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## List of Abbreviations

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<tr>
<td>BBC</td>
<td>British Broadcasting Corporation</td>
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<td>CERPAC</td>
<td>Combined Expatriate Residence Permit and Aliens Card</td>
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<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>EFCC</td>
<td>Economic and Financial Crimes Commission</td>
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<td>GCIM</td>
<td>Global Commission on International Migration</td>
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<td>International Labour Organization</td>
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<td>International Organization for Migration</td>
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<td>NAFDAC</td>
<td>National Agency for Food and Drug Administration and Control</td>
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<td>NAPTIP</td>
<td>National Agency for Prohibition of Trafficking in Persons and other Related Matters</td>
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<td>NBC</td>
<td>National Boundary Commission</td>
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<td>NBS</td>
<td>National Bureau of Statistics</td>
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<td>National Commission for Refugees</td>
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<td>Nigeria Customs Service</td>
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<td>National Drug Law Enforcement Agency</td>
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<td>National Human Rights Commission</td>
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<td>Non Governmental Organization</td>
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<td>National Intelligence Agency</td>
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<td>NIDO</td>
<td>Nigerians in Diaspora Organization</td>
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<td>NIMC</td>
<td>National Identity Management Commission</td>
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<td>Nigeria Immigration Service</td>
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<td>National Planning Commission</td>
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<td>Nigeria Security and Civil Defence Corps</td>
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<td>SSS</td>
<td>State Security Service</td>
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<td>STR</td>
<td>Subject to Regularization</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>Organization</td>
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<td>UNFPA</td>
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Introduction

Migration has changed the concept and practice of security, and the rules of human interactions. Its threats or perceived threats have made individual governments to formulate policies and strategies to regulate and control the way people move across their borders. Despite its dominant gains, the challenges of migration have become a part of human existence and a matter of survival for countries, most especially in the light of globalization. The dramatic increase in worldwide flow of people, goods, and ideas has created a new group of threats. These are transnational organized crimes such as smuggling, trafficking, terrorism; cross-border crimes, illegal migration, sharp socio-economic differences, mismanaged refugee and asylum seeker flows, amongst others. Countries of origin, transit, and destination are now on the defense against the attacking influences of migration flows.

Nigeria could be said to be much more vulnerable to the threats than any country in Africa. Being the largest population and market in Africa (over 140 million people), peoples of different backgrounds enter the country for socio-economic purposes from all over the world. Almost all the migration and security stakeholders seemed to agree that its borders are porous and poorly monitored. Also almost on the daily basis would one read or hear of migration-related offences committed by Nigerians and non-Nigerians within and outside its borders respectively. Geography, demography, political, and socio-economic circumstances are advanced for the peculiar nature and trend of the threats the nation experiences. The inherited boundaries have been a major problem to its security - to monitor, to recognize, to defend it-against unwanted incursion, movements or activities. Since its independence in 1960, Nigeria’s internal security has been threatened by cross-border crimes such as trafficking in arms, persons, drugs; armed banditry, gun-running, vehicle theft, smuggling, touting and duping, illegal or silent migration (i.e. unnoticed or undocumented movements across borders), illegal lumbering, bunkering of petroleum products, and of course the transhumance activities of cattle rearers who move their herds across national borders regardless of any regulations. Others are terrorism, expatriates hostage taking, expatriate quota abuse, violation of immigration laws, document frauds, and financial crimes.

The various crimes have caused or influenced rate of ethno-religious and political crises in the country, where several lives and property were lost and people displaced. The more recent was the Boko Haram (Nigerian version of Taliban) sectarian crisis against the state. Foreign nationals were discovered among its fold and the Nigeria police alleged that the group received training and arms in Afghanistan. The migration-induced conflicts and violence has led to reductions in revenue of the government, foreign direct investment, infrastructural facilities, and the ability of the government to deliver dividends of democracy to its citizens. Lots of Nigerians and immigrants now live in constant fear of insecurity. Kidnappings of expatriates, robberies and other forms of criminality have led some citizens to call for overhauling of the national security; states to agitate for state police, and also led to growth of private security companies. Some Nigerians in Diaspora are hesitant to come home due to the state of insecurity because a few of them have either been killed or robbed while visiting home.

Unregulated or under-managed international migration has also ridiculed and stained the country’s image in the international community. Government often expressed embarrassments at the ways and manners at which Nigerians are treated abroad or deported for immigration offences and criminal activities. Some Nigerians have been executed while a large number are either awaiting trial, execution, in detention, or jailed. There are syndicates behind fake documents and visa racketeering. The government agencies in charge of migration and security issues also have their criticisms in the way they discharge statutory
assignments. On the whole, national security is threatened as a result of the numerous migration challenges.

Essentially, security is primarily a preoccupation of an individual state to protect its sovereignty, territorial integrity, citizens, and their values. It is on this basis that Nigeria will have to gear up and take preemptive measures to manage migration in a way to enhance its national security.

Literature is often silent on the linkage between migration, security, and individualization, most especially in explaining individual state’s reactions to the hydra-headed nature of migration. Drawing from the Maggie Ibrahim’s power-knowledge nexus, that the relations of power cannot be exercised or instituted without the production, accumulation and functioning of a discourse (Ibrahim 2005: 164). Ibrahim says discourses of truth operate only when we exercise power based on truth. The production and creation of truth and knowledge respectively through a discourse is an exercise of power. The possibility of a discourse is as a result of the broadening “concept of security and the linking of risk and threat to migrants” (p. 164). Thus the “individualization” in security of migration can be explained as a discourse through which relations of power are exercised. So the study exercises power based on truth.

The intellectual usage of this assertion in the field of migration serves as the baseline on which to begin this paper. Thus the paper fills this gap through a bottom-up approach in comparing how states as individuals seek ways and strategies in securing their borders to protect its sovereignty, territory and its citizens with how individual person seeks rights, satisfaction, and freedom in the society. The perspective is also the tenet from which the states, institutions and groups of persons operate in the world. They pursue and protect these interests and aspirations, and most times collaborate with others in the course of their contacts with the larger society. Having explored the individualization principle, the concept will be used to make case for Nigeria to embark on such action, but in so doing, it will suggest ways on how Nigerian government can embrace the West African region and the rest of the world to take appropriate and acceptable strategies in order to achieve internal and regional security and make life worth living for its citizens and immigrants.

**Relevance of study for policy planning**

The priority of any democratic government must be to establish effective control over security issues. One of the ways to achieve this is to effectively police and control its borders by evolving effective and sustainable migration management strategies. Therefore, migration is becoming a focus of attention for Nigerian policy-makers and analysts, especially in the area of cross-border crimes and the ways Nigerians are treated abroad.

The security concerns of the Nigerian government are in some way legitimate. The security situation in the country is worrying. According to the Director-General of the State Security Service (SSS), Afakriya Garzama “the sector that is faced with the greatest challenge in the country today is the security sector” (The Guardian Aug. 11 2009: 2). Besides, the Nigeria Police Force’s Public Relations Officer, Emmanuel C.S. Ojukwu (Sept. 14, 2009), said the Boko Haram’s attacks on police stations and government installations across Bauchi, Yobe, Borno and Katsina states claimed the lives of twenty-eight policemen and over seven hundred civilians, while several thousands of persons were displaced. Lately, there have been calls by concerned Nigerians on the need for the government to overhaul the security sector, more especially in the aftermath of the Boko Haram sect attacks in July-August 2009 in some northern states and the militant attacks on the Atlas Cove (a main source of petroleum distribution) in Lagos on July 13, 2009 by the
Movement for the Emancipation of the Niger Delta (MEND). The Sultan of Sokoto, Sa’ad Abubakar (Daily Trust Sept. 23 2009: 1), the Senate President, David Mark (Daily Trust Sept. 24 2009: 6), the leader of a Nigerian ethnic militia group, Oodua Peoples Congress, Frederick Faseun (The Punch Sept. 13 2009: 9), and other members of Nigerian civil society have expressed their concerns. The concerns are that the country’s internal security apparatus is weak to have detected how members of Boko Haram crossed the borders before it launched a full-scale war against the state, and the ease at which MEND moved through the nation’s waters to carry attacks in Lagos.

In 2006, government had reiterated its commitment to crusade against terrorism when the United Nations Security Committee on Taliban and Al-Qaeda, led by Ambassador Caesar Maiyoral, visited the country. Government said that it had established joint border patrol teams of Immigration, Customs, and the Police to prevent terrorists from operating in any part of the country.

In line with the Nigeria Constitution of 1999, Chapter 11, section 14: 2a, says “the security and welfare of the people shall be the primary purpose of government”, and similarly, in Part 11, section 11, power is given to the National Assembly “to make laws with respect to the maintenance and security of public safety and public order and providing, maintaining and securing of such supplies and services as may be designated by the National Assembly as essential supplies and services”. Thus the government’s obligation to ensure peace and stability in the country rests on its ability to formulate and develop security-sensitive migration policies and practices for the country.

The goals of the paper are relevant to the federal government’s seven-point agenda and the Millennium Development Goals (MDGs) to meet by 2015. The Seven-point Agenda is the guiding framework of the President Umar Musa Yar’Adua’s administration to fast-track growth and development of the nation. Security is one of the goals, and in fact the *sine qua non* of the other goals: power and energy; food security and agriculture; wealth creation and employment, mass transportation, land reforms; security; qualitative and functional education and pursuance of the rule of law.

Similarly, encouraged by the development of other emerging economies in the Middle-East, Asia, and Latin America, the Nigerian government came up with Vision 20:2020, a development strategy to make Nigeria one of the world’s 20 largest economies by year 2020. According to Gani Yoroms, a member of the Security Committee of the Vision 2020 said that the issue of the insecure borders was put into considerations in the committee’s report to the government. Government is serious to achieve peace and security and it is taking bold step in this direction. The ongoing amnesty offer by the federal government on July 4, 2009 to the Niger Delta militants, the proactive response to the Boko Haram crisis, and the evacuation of the members of Darul-Islam group in Niger State, and immediate deportation of the non-Nigerians among its fold, show its readiness to embrace ideas and recommendations to support migration policy planning and formulation.

On the frequent killings, attacks, dehumanization, torture, arrest, and detention of Nigerian emigrants, the government is showing serious interest in protecting them and thereby protecting its integrity. The Honourable Minister of Foreign Affairs, Ojo Madueke adopted a policy of “citizen diplomacy” to address the problem by ensuring the welfare of Nigerians wherever they may be through bilateral talks with concerned countries. Also the lawmakers are interested in ameliorating the plight of emigrants when the Chairman, House Committee on Special Duties, Hon. Samson Osagie, has said that “primary responsibility of any government is to protect its citizens anywhere in the world” (ThisDay Aug. 13 2009: 1).
The seriousness of the government about migration could also be seen in creations of the office of the Special Adviser to the President on Migration and Humanitarian Affairs, the Nigerian in Diaspora Organization (NIDO), appointment of the National Commission for Refugees as the focal agency to manage migration issues, cooperation of technical support with the International Organization for Migration (IOM), and the establishment of agencies to stem trafficking of persons and drugs.

The factual situation in which the research is based upon will assist in ongoing initiatives, and future migration and security policy formulations. It will help the government in its drive to bring back the Diaspora to develop the country. Many of the emigrants will not be apprehensive to return because some have been killed in the past while in the country. It will further deepen the Rebranding Campaign of the federal government, with its logo “Nigeria, good people, great nation”. The government’s current drive to attract tourists and foreign direct investors, and its effort to increase the level of power supply will yield result if there is protection of law and order in the country. It is the regional and international community’s interest to promote global peace and security.

As the government is interested in welcoming suggestions to improve security situations of the nation from its citizens, this paper fits well to that plan and need. This effort will assist in mainstreaming national security concerns into migration management and vice versa, which include the best practices and strategies to manage the nation’s borders with its neighbours, protection of Nigerians whenever they may be, limitation of criminal activities and tendency, and help in the protection of immigrants in the country.
Part I. “Individualization” of State in Security of Migration

Individualization is regarded as one of the most important processes behind the dramatically-changed society. Increasingly, the individual is considered to be the “maker of the world we inhabit” (Halman 2009).

Our world or the international system tends to base more on the principle of self interest or survival instinct. Group actions or public relations have their operations based on self interest. Incidentally, migration is one of the most affected by this doctrine either at as a person, group, or state, and hence it is often referred to as a phenomenon. A man, who desires to migrate today, is to lead “a life of your own” for money, work, power, love, God or whatever, but it would also be, more and more, the promise of “a life of one’s own” (Beck & Beck 1994: 22). According to the Becks, “the struggle of one’s own life has become the collective experience of the Western world, and expresses the remnant of our communal feeling” (p. 22). Individualization argues that we are in the midst of a fundamental change in the nature of society and politics as the change hinges around two processes: globalization and individualization (Beck & Beck). It is a structural characteristic of highly differentiated societies, and it does not imperil social cohesion, but actually makes it possible. The Age of globalization is also the age of nationalist resurgence (Stivachtis 2008: 9), and of course a resurgence of measures to safeguard state against migration threats and risks. Thus globalization and individualization go hand in hand.

The above analysis underlines the actions of institutionalized individualism, either companies or states. The actions and reactions of state in the process of securing its borders against unwanted migration could well be described as individualization. The world system tends to tilt towards self, and hence the basis of the differences in our day to day affairs-be it political, economic, social, cultural, or environmental. It is the underlying theme of capitalism. Using the realist and neo-realist school of thought about power and security politics to explain state behaviour as a basis, Terriff and al., posited that the nature of the international system is such that political groupings exist and interact in an international system that can be characterized as anarchic (1999: 31). Anarchic not in the sense of chaos or disorder, but in that there is no overriding authority or government to regulate the behaviour of states which are, of course, autonomous, exercising sovereign authority over its own affairs. States are constrained by effects of other states’ action in dealing with external world (p. 31). Thus, the usage of “national security,” sounds political and individualized.

In migration, individual states threatened by migration challenges are always on the guard or imposing. Unlike other global issues, national security apprehension denied the world to evolve a common body to provide a framework for the formulation of a coherent and comprehensive response to the issue of international migration, as envisaged by the former United Nations Secretary-General, Kofi Annan and a number of governments with the launch of the Global Commission on International Migration on Dec. 9 2003 (GCIM Summary Reports on Regional Hearings, 2004-2005). Participants at each of the five major regional hearings from 2004-2005 (GCIM Regional Summary Reports in Africa, Europe, Asia-Pacific, and Mediterranean-Middle East and the Americas) did not reach a consensus as to the setting up of a global migration body. So, initiatives and approaches to fight terrorism and other transnational crimes are primarily individualized.
The United States of America, reeling from the horrendous September 11 experience, was at the forefront of its opposition, arguing that migration would be better managed on regional basis. Kelly Ryan, Deputy Assistant, Secretary of State for Migration, Population and Refugees said “The US is highly skeptical about the ability of the United Nations to address the migration issue effectively at the global level and could not support efforts to develop a rights-based migration regime” (www.newsdays.com). The establishment of the Department of Homeland Security in 2002 to protect its citizens and institutions was its direct response to the menace. Furthermore, the US Global War on Terrorism is being fought as a means of achieving national security. Other developed nations have taken similar step by tying visa issuing practices to national security. Visa applications are now subject to a greater degree of scrutiny than in the past. Safety and security of countries and their citizens are being ensured.

Securing oneself may be an assault, i.e. in trying to make oneself secure one endangers fear in others (Dillon 1996: 122). This makes cooperation between states vital, especially within the Economic Community of West African States (ECOWAS), African Union (AU), between Africa and Europe, and other continents to attain regional and international security.

Thus far, attempts by Nigeria to regulate and control migration should raise some questions. Is migration a threat to Nigeria? What should be the focus of our security and migration interests? Who among migrants threatens national security? Who provides for security, and what methods may or should be adopted to provide for security in migration? According to Terriff and al., how we answer these questions provides a basis for developing policies and strategies to achieve national security as a result of cross-border movement. Thus the paper examines the nature and characteristics of Nigerian migration as it relates to national security, and makes case for the imperativeness of the country to develop its own strategies to achieve desirable, workable, and sustainable migration management to combat perennial threats to its national security.

Due to a paucity of studies on African security and migration, the paper represents a fresh attempt to explore the interconnectivity of security and migration in Nigeria. It studies how migration issues are challenging the capacity of the government and various institutions involved to manage security issues. It also seeks for best practices and strategies to manage the nation’s borders in line with its bilateral and multi-lateral agreements with African and international community. The task is achieved through interviews with some government officials whose ministries, departments, and agencies are statutorily concerned with national security and migration in Nigeria. Some examinations of official publications and documents and observations were made. Limitations encountered were as a result of the sensitivity of the study which is primarily on intelligence. Documents or information are often tagged “restricted” or “classified.” Officers and the rank and file sworn on oaths of secrecy which bare them to divulge any information to the public, except a few designated officials who most spoke taciturnly. In most cases, reliable or even approximate data on migration is lacking in the country. However, some efforts were adopted to reach out to a few on personal grounds after a relationship has been built, and this often took time. This set, in effect, spoke unofficially. Also the two arms of the National Assembly were on a recess during the period of the study. But interviews with the public agencies and stakeholders are revealing. The media, the source of public information, was critical to this study considering the goodwill it has built in Nigeria. It played critical role in the democratization of the country, and the news, articles and information are used in some of the analyses. However, all efforts were made to ensure a reliable and authentic paper in spite of the above challenges.

a. The nature of the problems

Migration challenges have become more complex to national security in Nigeria, especially movements across its borders. Some analyses of the geographical, socio-economic, and political life of the country are necessary in order to have good knowledge and understanding of the circumstances, trends, and nature of the threats. The effort will help in identifying possible policy initiatives for the future.

Cross-border crimes tend to have more adverse impact on Nigeria than any other migration threats. One of these is smuggling, the most challenging cross-border crime to Nigeria’s social, economic, political and environmental life. According to Ojukwu (Nigeria Police), cross-border smuggling is the greatest source of illegal arms in the country. These arms fall into the hands of criminals. Banned goods under Schedule 4 of Absolute Prohibition (Nigeria Customs Service) such as clothing, frozen chicken products, Asian rice, narcotics, arms and ammunition, used automobiles and other contraband goods entered the country. The nation loses N4.3 trillion yearly to textile smuggling and, has led to unemployment due to closure of many companies (Daily Trust Aug. 11 2009: 23). Nigerian petroleum and agricultural products are smuggled out to neighbouring countries. Illegal importation is estimated annually to be around 500,000 metric tons, and its loss to Nigeria’s economy is N24 billion per year (The Punch June 9 2006: 19). As the Nigeria Customs Service Public Relations Officer, J.S. Attah (August 26, 2009), “95 pump-action guns being smuggled into the country were discovered at the Idi-roko border this year”. He pointed out that it was a serious task for the Service to effectively man the borders due to its nature-porous, illegally defined while desertification has made identification of some northern borders very difficult. Seme/Igolo/Idiroko in the southwest and Parakou in the north borders with Benin are the main entry points for illegal inflows of banned goods. Manufacturing and agricultural sectors are the most affected as textile and automobile industries have collapsed; government’s effort to increase local rice and poultry production is affected. This is a reflection of weak border control, supervision, and liberalization.

Nigeria is a main source, transit and destination of trafficking in persons in spite of all efforts to curb the obnoxious practice. Making use of the borders, Nigerians are involved in international prostitution, forced marriage, forced labour, slavery, body parts, and illegal migration in Spain, Italy, Morocco, Libya and other Western nations. It posed a serious challenge to the state and citizens because organized criminal groups are behind the trade. They make use of fake documents and infiltrate the ranks of security agents to perpetuate their act. Whenever such groups exist is a threat to national security like the Mexican drug gangs, and Italian mafia.

Armed banditry from Benin, Chad, Cameroon, and Niger Republics is another major cross-border crime the country has experienced - cars and goods are stolen and taken to these countries and vice versa. For example, former President Olusegun Obasanjo’s car was stolen but later found in Benin through the assistance of the INTERPOL in 2002. In addition, Obasanjo’s daughter, Iyabo, escaped death from assassins who killed two teenage girls in her car along Benin border in 2002. When the request of the Nigerian government to the Beninoise authorities to stem the rising crimes and handover the syndicate leader, Hammani Tidjani, was not heeded, the Nigerian government closed its borders on August 9-15, 2003. It was not opened until the gang leader was repatriated to Nigeria for prosecution and subsequent imprisonment.
Also the likes of Shina Rambo had also unleashed a reign of terror on Nigerians from across the borders. Nigeria’s initiatives to provide security for its citizens and investors will be difficult to realize except it strengthens its borders.

Other cross-border related crimes that have various complications for Nigerian migration management include the activities of touts and dupes, illegal migrants, illegal lumbering and poaching, bunkering of petroleum products, and cattle rearers. At the sea borders, smuggling, piracy and bunkering and the activities of Niger Delta militants are ongoing. According to the Nigeria Immigration Service Public Relations Officer, E.S. King, “it is difficult to monitor our maritime borders effectively. The Service has its challenges”. The effect on the nation is the upsurge in crime wave. There are expatriate hostage taking, kidnapping, terrorism, and armed robbery which has instill fear of insecurity among the people. President Yar’ Adua attested to this situation when he said “insecurity is the greatest challenge of its administration” (The Punch Sept.25, 2009: 1).

Other migration challenges facing the country are as a result of the government laissez faire approach to migration and improper or absence of planning, implementation and monitoring of migration laws. Majority of interviewees agreed that the approach has security implication. For example, Ekpedme S. King (Public Relations Officers of the Nigeria Immigration Service) said some Nigerians travelled on student’s visa, but while in the country they began to study. This often does not come to the knowledge of NIS except the host authorities intimate the Service of their presence. He said a lot of Nigerian emigrants are even not known to the Nigerian authorities while some are there illegally. They became a burden to the host government and when their request for refugee or asylum status is turned down, they could join criminal gangs. They were sometimes arrested, detained, or deported. Nigeria is concerned by this phenomenon. Stivachis (p. 7) has said “countries differ in whether or not they regard mistreatment of their citizens as a threat that calls for state action”, Nigerian governments had in the past showed cold attitude to its emigrants in their countries of destination. The democratic regimes have introduced a number of measures to advocate for its citizens. The policy of “citizen diplomacy” of the Minister of Foreign Affairs, Ojo Madueke, and various initiatives of the Nigerian in Diaspora Organization to advocate for the release from jail, converting death sentence to imprisonment, and good treatment of emigrants are some examples. For example, Nigerians serving jail sentences are being negotiated to come home and serve their terms, those on death row (in Libya) have had their execution put on hold with the assistance of the African Union. Same intercession is going on in Malaysia, Indonesia, Saudi Arabia, and Russia. The study discovered that Nigeria is also cooperating with Morocco, Italy and Spain on the same issue.

b. Understanding the nature and characteristics

The above challenges are made complex because of the geopolitical and demographic nature of the country. The population of about 160 million (National Population Commission’s 5% annual growth on 2006 census of 140m), half of the United States’, is large. Migrants with sharp ideological views or intentions are hardly discovered until violence erupts - A country with this pedigree going back to its history needs to keep tap of its nationals and evolve an effective migration policy to safeguard the security of the state and citizens.

Nigeria is multiethnic with over 200 distinct ethnic groups and five hundred languages and dialects (Udo 1980: 14). The people are highly mobile as they are visible in the region and major cities of the world. They are also very religious, and terrorists hide under the canopy of religion. Moreover, the cultural affinity with neighbouring population often presents problems of identification of citizens. Authorities (Nigeria
Immigration Service-NIS and Nigeria Customs Service-NCS) said they often faced the challenge of placing some Nigeriens as they bear similar traits and names with the Nigerian Hausa group, and between the Yoruba of Nigeria and Benin. NIS, in 2006, retrieved 350 Nigerian national identity cards from Beninese (The Guardian, June 9 2006: 3). In September, two Ghanaians were paraded trying to obtain Nigerian passports by the Ogun State Command of the Nigeria Immigration Service. Their agent resides in Israel (The Punch September 8 2009: 8 and Leadership September 8 2009: 7).

This common occurrence often challenged the Nigeria Immigration authority and other security agencies. Security implications of the act not only conferred the citizenship of Nigeria upon the holder, but also have adverse effect on public facilities. National security can be threatened when immigrants get recruited into the security and other strategic sectors of the economy using the cards. Similarly, there are times when non-Nigerians are deported with Nigerians due to the problem of identification.

A few respondents are of the opinion that unemployment of large number of youth also compounds the migration problems. They said unemployment could lead to desperation. The desperate dreams of illegal migrants on the sea, victims or membership of trafficking or document syndicates and other atrocities associated with the problem are as a result of unemployment. The youth with shattered dreams could join criminal gangs in order to make ends meet.

Nigeria’s location between the French West and French Central Africa, the Gulf of Guinea in the south, and Sahara desert in the north behind Niger, puts some migration pressures on the nation. Its four neighbours, i.e. Benin, Niger, Chad, and Cameroon are Francophone and are small and economically not buoyant like Nigeria. The political relationships between Nigeria and these countries are mixed. While Nigeria perceives France as the ‘enemy’, the Francophone states regard Nigeria as the problem (Akinterinwa: 198). This could be because Nigeria often perceived the political and military support France gives to its former colonies even years after independence as a threat to its territorial integrity. For examples, there is still French military presence in Chad, and also the French support to Cameroon during its border clashes with Nigeria over Bakassi Peninsula in the 1980s is still fresh in history. Any violent conflict in any of the Francophone neighbouring countries would see the arrival of French military force as witnessed in Cote d’Ivoire in 2002. Also, more interestingly, is the general view of many Nigerians that the neighbouring nationals often complain of Nigerians being proud and arrogant. This they said could be attributed to the supremacy of the Nigeria’s economy, military power and population in the sub-region, and growing influence of Nigerian immigrants in these countries.

It seems that there are complaints by Ghanaians on the growing influence of Nigerians in the country, especially in trade, commerce, banking and education. There is record of refugee flow into Nigeria from Chad in 1983 when the government in Chad accused Nigeria of harbouring Chadian rebels. There have been criminal activities across-border community attacks between Nigeria and Benin. It is remarkable to note that Benin and Cote d’Ivoire sided with the Biafran rebels during the Nigerian Civil War in 1967-1970 (Meyers 2005: 47). This year, there have been cross-border attacks on Lolo village in Bagudo local government area of Kebbi state from Benin. The village was razed. In the past, Benin has served as place of refuge and transit for wanted Nigerian politicians and criminals. The porous frontiers have been their escape routes. In May 1981, Nigerian troops clashed with the Cameroonian after the latter ambushed and killed five Nigerian soldiers at Ikang, Cross River state. Also in 1983, Nigeria and Chad had fought over some islands on Lake Chad. Despite all this, Nigeria is “confused to formulate an appropriate national security policy” (Akinterinwa: 1). But instead it’s been pursuing a policy of “good neighbourliness” (p. 3), or the Big Brother Africa since independence. Perhaps to be seen as such, the high esteem Nigeria holds of its
neighbours and indeed other African countries is evident in the way it put the continent as the centre-piece of its foreign policy.

In Equatorial Guinea, Nigeria’s south-east neighbour and fifteen minute journey by air, witnessed sporadic shootings in its capital Malabo in 2008. Accusing fingers were pointed to the Nigerian Niger-Delta militants. Besides, there have been reports of human rights abuses, inhuman deportation of Nigerian nationals, and killing of a Nigerian, Akeem Jimoh in the country (Leadership Sept. 15 2009: 2). Unfortunately, the just concluded meeting of the Nigeria-Equatorial Guinea Joint Commission in Abuja (August 31-Sept. 1 2009) did not agree on defence and security matters.

To monitor about 5000 kilometres borders present a great challenge to the security agencies. Approximately 1000 with Benin Republic in the west, close to 1500 with Niger in the north, about 75 with the Chad Republic in the north-east, almost 1700 with Cameroon in the east, and nearly 700 along the Atlantic seaboard (Asiwaju 1992: 32). The Comptroller-General of the Nigeria Immigration Service, Mr. Chukwurah Ude attested to this difficulty in his first comment on the Boko Haram crisis (Daily Trust July 30 2009: 5). All this implies that Nigeria witnesses daily criss-crossing movements of illegal migrants between West and Central Africa. The study finds out that there are some illegal migrants moving across Nigeria by land up to Southern Africa on a regular basis. This points to the vulnerability of the country as illegal movements could undermine it national security.

Similarly, the study discovered that some part of southern Niger has its traditional authority under the Nigeria’s Sultan of Sokoto, and still pay homage to the king. This set of people may decide to obtain Nigerian National Identity Cards or E-Passports if so desired. Also there is evidence of emergence of Al-Qaeda elements in Nigeria and Niger. Chad and Niger are often pointed to as sources of fundamentalists to northern Nigeria. Illegal migrants from these countries are sometimes accused by some southern Nigerian opposition groups of participation in national election and census.

How the above affects cross-border movements is that nefarious activities could still be active across the borders. Illegal movements would thrive and any fallout of major crisis in any the states could precipitate refugee flows. There would be huge tasks for border officials to monitor the borders. Deep cooperation on migration issues will require strong political will and commitment of both the governments and their citizens.

But, from history, Nigerians are receptive and accommodating by nature. Furthermore, it has the ability in terms of space, to absorb immigrants and refugees in large number. Their presence is hardly felt or visible due to its vastness and population. This trait again has been to its security disadvantage. The recently evacuated Darul-Islam members and the deportation of non-Nigerians among them is an example.

Weak institutions have contributed to Nigeria’s inability to manage these types of movement. Immigration officials and other security agents at the borders are frequently accused of corruption. The ill has adversely affected the way it carried out implementations of bilateral and multilateral agreements entered into, including the ECOWAS migration policy. In fact, most of the ills of the ECOWAS Protocol on the Free Movement of Persons, the Right of Residence and Establishment adopted on 29 May 1979 emanated from deep-rooted corruption and Nigeria is the most accused (Babatunde 2005: 127). With corruption, illegal and dangerous activities and persons can gain entry. The incapacity of officials and security agents extorting money from and harassing and brutalizing travellers, the ubiquity of checkpoints along the Nigerian section of the international highway, rigid borders formalities, and poorly-equipped borders have to a great extent
led to undermining the nation's security. Traders might decide to circumvent the border posts and take his goods through the paths across the borders to avoid delay and loss of time. This situation often increases the level of smuggling and other cross-border crimes and the tenacity in which they operate.

Furthermore, Nigeria’s implementation of the ECOWAS legal framework on migration in the 1980s, i.e. the Protocol on Free Movement of Persons and additional Protocols and Decisions, throws up a lot of challenges to its national security. Security implication of large influx of undocumented migrants could be serious. A lot were in prostitution, menial jobs, while some were unemployed. Threatened by the realities of economic crunch as a result of the Structural Adjustment Programmes, Nigeria jettisoned the protocol and expelled thousands of community citizens. The Buhari/Idiagbon military regime (1983-1985) risked dissolving ECOWAS by taking the drastic measure of closing the common borders indefinitely (Ate and Akinterinwa: 6).

From the above, it is clear that Nigeria has been confronted with a lot of cross-border challenges and which have made it unable to effectively control and regulate its borders against unwanted migrants. However, the understanding of these enormous, pervasive, and peculiar cross-border threats will help in the formulation of a comprehensive and sustainable security-sensitive migration policy and practice.
Part 3. Nigerian Migration Policies and Programmes

a. Lessons from its workings

After examining past and current migration policies in Nigeria, a number of lessons can be learnt from the way it has organized and implemented internal and international migration. Among these lessons are:

- The underestimation of multiplicity of security challenges from supranational cooperation;
- Inability to evolve modern migration policies;
- The gaps in our national capacity to deal with the challenges we face from threats of illegal migration;
- Centrality of security intelligence, overlapping of oversight functions and seeming disagreements among related agencies;
- Embarking on national development plans within migration data and statistics vacuum;
- Lack of capacity and modern techniques to tackle cross-border crimes and issues.

From the studies carried out, it is clear that Nigeria did not anticipate large flows of migrants by the time it signed and ratified the ECOWAS Protocol A/P1/5/79 on the Free Movement of Persons, the Right of Residence and Establishment in 1979 with other members. That is, it seems that it did not put into consideration or realize the future security implications.

Nigeria had played politics with ECOWAS by using the regional body has a bargaining model (Meyers: 45). First, to assert its leadership in the region, and secondly, to use the region as a market for its vast manufactured goods. This is evident in being its major donor and secretariat. Therefore, four years after the Commission’s formation, Nigeria through its Federal Commissioner for Economic Development, Dr. Omoniyi Adewoye as the Chairman of ECOWAS Council of Ministers, spearheaded the ratification process of the Protocol on Free Movement. Consequently, as the main destination in the region between 1970 and 1980, it began to witness influx of community citizens, many of whom did not obtained the ECOWAS travel certificate. Results were overstaying of normal 90 days without regularization, illegal entry, prostitution, crimes attributed to immigrants and xenophobic feelings. But the economic recession of the 1980s dawned on the country and violated the spirit of the protocol by expelling 2.7 million illegal migrants in 1983 and 1985. By this act it revoked articles 4 and 27 of the protocol: it closed its borders and placed unilateral conditions on its implementation (Meyers: 45). Ghanaians, Beninese, Nigeriens, and other nationals were stranded at the borders and camps for days before they were evacuated. Government gave the issue of security as the reason. The protocol was unpopular with the Shehu Shagari and Mohammed Buhari administrations. The experience shows that Nigeria is not prepared for such large movement of people into its territory. Once more, the expulsion has shown that free movement cannot be sacrificed in the name of security, and reflected the unpreparedness or inability of the government in handling expulsion.

Moreover, by the protocol, it means that unless there is an adverse security report on a person, it would be a breach of that protocol to refuse a citizen of the community entry into the country. To prevent persons of questionable character from entry would require extensive intelligence. Unlike other nationals who would require visa to enter the country, and can therefore be placed on stop-list, community citizens cannot be stopped.
The challenge of ECOWAS Protocol means that viable economy, like Ghana is experiencing at the moment, will attract people and exert pressure on the economy and security agencies which they may not have resources to handle. An estimated 25,000 mainly Ghanaian riot when they were dumped on the border and pilgrim camps while awaiting deportation after the deadline. Rights of immigrants can also be abused because of national security. Criminals can take advantage of the protocol to perpetuate their acts. Nigeriens and Chadian nationals were arrested in the Maitatsine religious crisis in Kano in 1980 and Gombe in 1982 (Esenwe 1983: 193-4).

Another lesson is the inadequate effort of government to evolve modern migration techniques and strategies to checkmate these challenges and meet up with current migration practices on international scene. Though, the Act to repeal and enact Immigration Act of 2007 is still in the National Assembly, Nigeria Immigration Service (NIS) still functions under the Immigration Act of 1st August 1963, with 56 sections in 5 parts and a list of subsidiary legislation. The Act does not reflect the exigencies of the modern day. For example, the human rights of immigrants, silent on security requirements of a person wishes to obtain residence permit and not explicit on prohibited migrants. The Immigration Court in the Act is non-existent.

b. Role of Nigeria Immigration Service and impact of policies

As a security organization, the Nigeria Immigration Service (NIS) is statutorily charged with the responsibility of controlling entry, exit and monitoring of the activities of non-Nigerians. Its objectives, functions, and power are derived from the following legal instruments: Immigration Act CAP 11 Laws of the Federation 2004 (IMM ACT 1963), 1999 Constitution, Passport Miscellaneous Act No. 15 of 1985, progressive circulars from government, and the ECOWAS Treaty of 1975. Its functions include: control of entry, exit of all persons entering and leaving Nigeria and monitoring non-Nigerians in the country, implementation of Nigeria’s extant visa regime in respect of deserving foreigners, execution of Deportation and Repatriation orders in respect on undesirable foreigners, manning of land, sea and air border posts, issuance and control of travel documents, implementation of various treaties (bilateral and multilateral) entered into by Nigeria with other countries, border patrol and surveillance, and administration and implementation of the country’s quota’s regimes. Others include anti-human trafficking activities, determination of refugees and asylum seekers, and recommendation in respect of non-Nigerians requiring citizenship, naturalization and enforcement of laws arising there from. NIS carries these tasks through 3 Directorates: Finance, Administration and Technical Services (FATS), Operations, Passport, Border Patrol, ECOWAS and African Affairs, and Investigation, Inspectorate and Enforcement.

In addition to the above, NIS is expected to help maintain Nigerian demography, making available data and statistics of Nigerian immigration and emigration to relevant agencies for use, to liaise with other stakeholders on immigration matters and to cooperate with countries of destination of Nigerian emigrants and international organizations to develop Nigerian migration system.

Since it was carved out of the Nigeria Police Force in 1958, the Service has been under the control and supervision of the Ministry of Internal Affairs. It has to good extent, responded to national needs as a law enforcement agency. It works with the Police, State Security Service (SSS), and Nigeria Customs to identify, disrupt and tackle organized immigration crimes including trafficking, fraud and forgery.

Indeed, commendations must be given to the Service for the introduction and practice of E-passport that captured biometrics features and finger-prints of holder that are stored in central database. A closer look shows that every page has some security features and the data page is the overleaf of the front cover. More
so, it is non-renewable, and available on demand. NIS officials agreed that it has actually reduces the rate of documentation fraud like multiple possession, forging, and illegal possession by non-Nigerians. In the past, photographs in passports were transplanted; passport papers were stolen to facilitate crime and other atrocities. Passport fraud has accounted for the smeared image of Nigerians abroad. But the new passport has, to a reasonable extent, checks criminality by reducing multiple acquisitions and enhanced the ability of security agent to track identity of holder if necessary. For example, cases of bank fraud through the use of money transferred via Western Union have reduced as banks demand receiver’s identification by the passport. No official statistics is available to corroborate this assertion.

But further study on the above reveals that the requirements or criteria of the passport acquisition are not water-tight or insurmountable. People with common cultural affinity such as our neighbours could obtain any official document of national identity if they so wish. Example was the two Ghanaians earlier mentioned. The only evidence of national identity of applicant which even carries options is the letter of introduction from local government or state of origin, or a reputable organization. The guarantor is just to produce any two of the following: photocopy of the data page of guarantor’s passport, photocopy of national identity card or photocopy of driver’s licence. A guarantor could be in a syndicate. Asides, there is evidence of non-Nigerian holders of the national identity cards as earlier cited, and there are Nigerians that have not even received theirs since 2005.

Likewise, the power to determine the nationality of any persons is at the directive of the Minister of Interior as he thinks fit (Section 36:1; Immigration Act of 1963). This does not augur well for the nation. But according to the National Identity Management Commission, it has begun planning new blue-chip cards with special number that will contain all individual information and features.

There are Expatriate Quota abuses and violations of immigration laws in the country. Recently, the Chairman, House Committee on Interior, Jerry Manwe said criteria used to issue expatriate quota are not clear as the committee had evidence of breaches of expatriate quota in the country by some government establishments, mostly in the oil sector. He said some expatriates working in the country evaded taxes (Daily Trust July 30 2009: 5). Taking a closer look, there is an absence of spelt penalties in the quota for flagrant violations in the Immigration Act. Nigerians cannot be trained and qualified while others take their jobs. Where not trained, they were not given the chance to understudy the expatriates. Also expatriates are often accused of bringing expatriates with wrong qualification to head a position. In 2005, the Chairman of the House sub-committee on Immigration, Shehu Ibrahim Kagara, investigating allegations of abuses, discovered an expatriate with a permit to work as a chef leading a department in an oil company in Port-Harcourt, and another Economics graduate heading an engineering unit (The Guardian July 26 2005: 8). Labour unions and the lawmakers have criticized the anomaly. They often accused NIS and other agencies involved of not treating complaints posed by unchecked entry of so many expatriates into the country especially the Chinese and Filipinos. Companies are often accused for bringing staff with white skin just to be seen by clients. Thereby incurs higher cost. Many indigenous companies have closed operations due to production cost and overwhelming competition.

The research discovered that there are syndicates behind booming trade in work permits, and they operate with the NIS officials. Issues of expatriate quota and permits are acquired and hoarded by these syndicates which would then be traded in the black market. According to Kagara, in 2005: “They said immigration people are everywhere doing illicit deals and sharp practices.” This matter was often a subject of controversy or a mix up between the Interior ministry and NIS. The NIS denied this scam during the course of this study.
What this trend means is that the country cannot respond efficiently and adequately with new challenges on security and migration matters in local and international realm. Once more, Nigeria has no student visa. Prospective foreign students coming into the country are issued Subject to Regularization (STR) visa/entry permit, which enables the student to be in the country for a period of 90 days. The holder is expected to regularize his stay by obtaining Residence Permit or Combined Expatriate Residence Permit and Aliens Card (CERPAC) in section 16: 1 of the 1963 Immigration Act.

The implication is that an immigrant can come into the country and overstay their visa without the authority knowing unless he reports to the immigration office. During this study, it is observed that there is no effective follow-up and monitoring of immigrants. A case in point was a student from Cameroon who was given STR to study for a master’s programme in one of the Nigerian universities. He did not report to the authority after the expiration of his visa. He concluded the programme up to Ph.D with a 90-day visa. His presence was known when he came to the Immigration office to obtain working permit to teach in same the university. It was learnt that the Service was embarrassed with this development. There are immigration officers posted to the 774 local government areas in Nigeria to monitor immigrants. A good number of the immigrants might not be known unless such report to the Immigration office. Thus it is the records of only those who registered with it that the Service possesses. But these records are not handy or easily accessible. It is observed that the country has been embarking on development plans without information and data on migration since year 2000. If government wants to know the number of immigrants in the country or who enter the borders legally or will enter the country by 2010, i.e. a year from now- that information cannot be obtained. What if the nation wants to know the number of Nigerians that had left the country through the nation’s international airports, or will leave in the next one month for purpose of planning for them or the country, the study discovered such information is not available. Lack of, inadequate or unreliable data has over the years made goals of national development programmes not to be achieved. This portends great danger to Nigerian socio-economic and political security as adequate budget provisions and exigencies would be lacking for planning and development. Such can affect national security in terms of food and other socio-economic services and management.

It is also discovered that there is misplacement of statutory functions which is source of mutual disagreement between institutions. For example, issuance of visa is done by the Ministry of Foreign Affairs instead of the Nigeria Immigration Service. The NIS shall, according to Part 11, section 4 (111) of Immigration Act, among its general duties be responsible for “issuance of visas to foreigners within and outside Nigerians”. By virtue of legal instrument and training, NIS stands a better chance of administering the task.

It is also observed that the policies of government to encourage Nigerians not to emigrate and stay behind to develop country will continue to fail as long as there are socio-economic and political problems. The “Andrew don’t check out” massive campaigns of the 1980s did not yield result as the exodus of people that left afterward now has become the referral point for national development. Government now set up the Nigerians in Diaspora Organization (NIDO) by tapping from their experience, skills and knowledge, and connections.

The former administration’s policy to increase the manpower of the Nigeria Police (by 40,000 for three years) and other security agencies to combat crimes did not yield enough result. The Inspector-General of Police, Ogbonna Onovo said the force needed 2.8 million policemen as against the present 312,223, to the daunting challenge of policing the nation. He said at least one policeman to 50 Nigerians as against the United Nations’ 300 people to one policeman, was needed due to the peculiar nature of the country.
Immigration lawyers tend to be difficult to find in Nigeria. Thus rights of immigrants are not represented or given opportunity to present their case, e.g. on deportation, employer-employee relationship, among others. Employers do not seem to be aware of the provisions of the Act as they often employ immigrants without checking for their papers. To some extent, only big companies and multinationals that employ expatriates do.

Several federal directives to the security agents to reduce security check points are often not complied with. It is observed that this was due to corruption of the officials. While in Ghana on a visit in September 2004, President Obasanjo was informed by Nigerian businessmen that Nigerian immigration officials made business between Nigeria and Ghana difficult as a result of corruption.

It is also discovered the dual citizenship provided by the Constitution seems to be confusing. Nigerians travel out of the country as non-Nigerians while some live most of their time in Nigeria. Most times some Nigerians in this group seem not to identify themselves with the country while some are not registered in their second country. In Nigeria, placement of this category of people in migration data and providing for them could sometimes become difficult.
Part 4. Inter-agency involvements in migration management: roles, challenges and opportunities

a. Demand for policy and cooperation status quo

Following the interviews and observations conducted on some government ministries, departments, and agencies involved in migration and security matters, the following information demands are critical for policy development on Nigerian migration. These are:

- The need to prioritize intelligence and information sharing among agencies;
- The demand for prompt response to identified risks, threats, and vulnerabilities;
- The need to develop and utilize complete, accurate, and reliable data and statistics for national planning; and
- The need to manage the balance between migration processes, national security, and protecting the rights of migrants.

Migration is an all-embracing management. In Nigeria, the federal government ministries active in migration-related matters are the Ministries of Foreign Affairs, Labour and Productivity, Interior, Health; agencies are the Nigeria Immigration Service (NIS), Nigeria Customs Service, National Commission for Refugees (NCFR), National Population Commission, National Agency for the Prohibition of Trafficking in Persons and other Related Matters (NAPTIP), National Drug Law Enforcement Agency (NDLEA), and National Agency for Food and Drug Administration and Control (NAFDAC). The security and intelligence agencies on civil matters are the Nigeria Police, State Security Service (SSS), National Intelligence Agency (NIA), and National Security and Civil Defence Corps (NSCDC). SSS and NIA are part of the intelligence community. The National Planning Commission, established by Decree No. 12 of 1992, is to advise the government on matters pertaining to national development planning and the overall management of the economy (www.npc.gov.ng). Item 1 of its stated functions is “To provide policy advice to the President in particular and Nigeria in general on all spheres of national life”; and item 7 says “To conduct research into various aspects of national interest and public policy and ensure that the implications and results of the findings in such research are geared towards the advancement of national, economic, social, technological defence and security capabilities and management”. Among its three parastatals is the National Bureau of Statistics (NBS) which is saddled with the responsibilities of storing and disseminating data to the public and government respectively. The agencies are expected to coordinate, collaborate and share information on activities relating to national security and migration in accordance with their legislation, mandate and regulation. NPC collects data from NBS but does not have current information on migration since 2000. Also the relevance of the National Identity Management Commission (NIMC) in migration management seems not to have been realized.

There is some level of inter-agency cooperation especially in related matters. If an agency is confronted with a challenge that is not under its statutory obligation, it refers the matter to the other agency concerned and vice versa. For instance, if NIS arrested a smuggler with goods, it refers the issue to the Customs. There is also some level of cooperation between NIS and SSS on deportees with criminal cases. NIS hands over such cases to the SSS who also forward it to the police for further investigation. Both NIS and SSS checked travellers if their names are in the stop or inadmissible list before clearing for departure or arrival.
Under the supervision of the Interior ministry, the NIS is charged with the control and issuance of visa over the entry and exit of migrants, and monitoring of foreigners in the country, it does these tasks with the assistance of these agencies. Any immigration matters that confront these agencies are refers to the NIS, and conversely, it links up with intelligence agencies on investigation and enforcement of immigration laws. Since it has no prosecution power, it refers cases to the Police. The Police, Customs, NDLEA, and NAPTIP say they cooperate with NIS. Ministry of Foreign Affairs which is the Nigerian representative outside handles consular services, bilateral and multilateral agreements with the international community. Ministry of Labour said it works with NIS on expatriate quota, return and readmission matters, and also in the draft of labour migration policies. The Refugee Commission is the focal agency of government on migration, in lieu of a migration agency. It has processed a draft migration policy for the nation with the support of IOM and arrangements have been concluded to present it to the Federal Executive Council very soon. NAPTIP, though not at the borders, receives the cooperation of NIS, Police, and other border agencies in identification, arrest, and trials of suspected human traffickers. Both the SSS and NIA serve as detectives in surveillance and reporting to the Police and the Office of the National Security Adviser to the President on immigration issues. While the level of this coordination is commendable, gaps still remain.

b. Security challenges and prospects

Security intelligence is the collection, evaluation, analysis, integration, and interpretation of all information used to warn a government about activities that may threaten a country’s security. I discovered government has taken a number of initiatives to prevent security lapses at airports, border posts, and to improve the reliability of stop list of individuals considered to be of interest to intelligence organizations. However, there was either little or no progress or it was slow. Nuhu Ribadu, former Chairman of the Economic and Financial Commission, wanted by the police came into the country in September this year from the United Kingdom to commiserate with the family of the social-critic, Gani Fawehinmi over his death. The Inspector-General of Police, Mr. Ogbonna Onovo, told the public he did not believe Ribadu came into the country. The photograph Ribadu took with Gani’s family was then published. Similarly, Mr. Erastus Akingbola, former Chief Executive Officer of the Intercontinental Bank Plc, wanted for financial crime travelled out of the country without detection. Nigeria may still be allowing high-risk individuals with criminal links to be cleared for entry/exit without the knowledge of security and intelligence agencies.

Deficiencies are observed in many areas of coordination and sharing of information between agencies. The interoperability of their systems to support information sharing is low, and it affects the management and sharing of intelligence information. That is low level of technology and capacity, and priority settings. For example, there is no computerized system to analyze digitized fingerprints in the country. There is also no communication link between the airports and the borders except through the GSM. Most of the border areas have no GSM signals. There is no common culture of data and statistics among the agencies. Nigerian security agencies will need state-of-the-art technology to be able to ward off threats of international migration. Transnational criminals are more ahead with tools to carry out their acts.

According to one of the interviewees, our security agents “react to crisis but do not prevent”. There is generally slow response to intelligence that will later result to violent conflict. The situations still remain unchanged since the Maitatsine crisis in 1980 and 1983 in Kano and Bauchi to the Boko Haram. There were allegations against SSS that it did not discover the Boko Haram before it unleashed mayhem. Marilyn Ogar, its Assistant Director, Public Relations responded by saying it arrested Mohammed Yusuf on November 13, 2008. After it gathering substantial evidence he was handed over to the police for prosecution and subsequently released by an Abuja High Court on January 20, 2009. She said 21 reports were submitted on
Yusuf’s activities to appropriate quarters (The Guardian 31 July 2009: 4). There have been a number of commissions of inquiry on most of the crises, reported their findings, made recommendations on the use of intelligence and how it is shared. This effort had not prevented reoccurrence. At the time of writing this paper, the government is yet to announce any plans to implement the recommendations submitted three weeks ago by the commission of inquiry on Boko Haram crisis. Thus there is high need for prompt and proactive inter-agency response to intelligence and information as it relates to migration issues. Also the existence of a joint national security committee was not clear. While some said it exists, others said there was no such body in the country.

There is tendency that a few security agencies view the Police in bad manner. There is an allegation that constant disagreements among security agencies are caused by the Police. This might be because most of these agencies are offshoots of the Police at one time or the other, e.g. NIS, Customs, SSS, NIA, Log Control, NDLEA, NSCDC, and Federal Road Safety Corps. This often is the source of disagreements or overlapping of oversight functions and uncooperative attitudes to intelligence and information sharing. I was told by NSCDC, “no agency has the monopoly of security in the country”. This shortcoming does not augur well for the civil threats the country faces. Nigeria needs a higher degree of cooperation among the agencies.

At the borders, there are joint border patrols mounted by the Police, Customs, and Immigration. The level of the cooperation is not known, but it is on an ad-hoc basis. The combined border patrol between Nigeria and Benin has not been active for some time.

There are no reliable data in the sector. Where it existed, it was not properly managed. As earlier pointed out, there was no up-to-date data and information to offer assessment on the scope of emigration and immigration pattern in Nigeria. Data on legal immigrants in Nigeria or emigrants since 2000 could not be found in any related agency. Departure and arrival cards being filled at the airports and other border posts have not been analyzed. The NBS, whose mandate is to collect, store, and provide data and statistics on all areas of our national life, did not have data on Nigerian migration since year 2000. NBSfeeds the public and the National Planning Commission for budget and development planning purposes. Migration inquiries at NPC were advised to be directed to the NBS as it claimed that it did not have data on migration. According to a source, its advice was not followed by the last civilian administration. Similarly, the National Population Commission was at the time of this study still analyzing immigration data it generated during the 2006 census. The implication is that Nigeria embarks on development plans without migration details.

Ministry of Labour and Productivity coordinates return and readmission programmes in Job Centres at the Small and Medium-Scale Enterprises and Development Agency and National Directorate for Employment with assistance of some NGOs. The Police said it is positioned to ward off any civil threats to the nation. It did not aware of any national security committee and no record of arrest of the ubiquitous Indians and Lebanese immigrants in the country. Its main challenges are logistics, technology, training and retraining of manpower.

Also discovered among the organizations handling national migration issues is that they tend to work at cross-purposes. Ministry of Labour, National Population Commission and National Commission for Refugees sometimes have mutual differences on migration responsibilities. Example was the draft migration policy for the country which each asserted its mandate in a meeting organized by IOM in Jos in September 2009. However, this shows that there is keen interest on the subject. The establishment of an independent national agency on migration will discourage such institutional wrangling, and allows other agencies to work towards the same national goal.
NAPTIP has recorded some success in reducing human trafficking in Nigeria since it was established in 2003. The country has moved from Track 11 Watch list to Track 1 in the 2009 global rating. Out of 130 cases reported, 106 were investigated while 95 traffickers were arrested. It has convicted 11 persons for trafficking in persons and rehabilitated many victims. Interviewees said the public are more aware of the dangers of the trade and operations of traffickers. Since it is not at the borders, it enjoys some support from NIS the police and NGOs, and strong support and cooperation of western nations and international organizations like IOM and ILO (International Labour Organization). Its greatest challenges remain capacity building, minimal commitment of state and local governments on security issues as well as limited funds.

NDLEA is active in anti-drug trafficking. A total of 7,899 suspected offenders were arrested, while 4542.84 kilogrammes of illicit drugs were seized in 2008. Its performance tends to be an improvement on 2007 when 6,308 offenders were arrested. Bulk of cocaine and heroine seizure was made at the international airports in Lagos, Abuja, Kano, and Port-Harcourt. Foreign collaborators and EFCC are assisting the work of the agency. It manages sensitive intelligence with other countries and organizations such as the Serious Organized Crime Agency (SOCA) of the United Kingdom. In 2008, it won a total of 2,242 cases, lost 10 while 361 cases were pending. But the agency does not send biometric data of convicted drug barons and traffickers to NIS so that they would not be issued travel documents and it will help in easy identification of victims at the country’s borders. But a lot needs to be done on assets investigation because drug barons conceal their illegal proceeds through assets.

Lastly, in an effort to protect the country from unwanted migration, the rights of migrants must not be abused. The mechanisms of enforcement and regulation must regard the need to uphold the rights of migrants in accordance with the 1948 Universal Declaration of Human Rights. Deportees are not followed up by authorities as they are often detain for a while and later ask to go home. Non-Nigerian deportees of West African origin are escorted to the borders and let loose. No formal reintegration programme and enough shelters right from the airports. Also, labeling migrant as threat could be dangerous and lead to racism, xenophobia, and insecurity on both sides. Migrants like what is suppose to be their rights and privileges. The National Human Rights Commission said it has not recorded major complaints of abuse by immigrants except on two occasions. These are a Congolese who had a labour-related matter with his employer, and some Cameroonian refugees (Paul Biya’s opposition who fled as a result of fear of persecution) that came to lodge their plights on their living conditions in Nigeria in 2008. Nevertheless, the agencies are confronted with numerous challenges in the course of playing their roles and opportunities.

The major challenges common to the agencies are inadequate logistics, manpower, funds, and training and retraining of personnel. In Nigeria, most organizations complain of high operational and administrative cost, and inadequate number and skills of staff. Some that are trained do not have modern and regular ways of operational delivery. The beginning of democratic governance in Nigeria brought both the government and civil society’s consciousness to migration. Migration and security management in the country suffers the same problems and challenges like any other organization mentioned above. Thus Nigeria is vulnerable to migration threat. But these constraints are not insurmountable so far the nation is ready to be open-minded to change and innovation.
Part 5. Envisioning a new dawn

a. What could be done

As individual states have assumed protection responsibilities to secure their borders against unlawful movements, Nigeria, asserting its sovereign right, should not fold its arms against apparent threats to its security. It needs to develop a more coherent and comprehensive migration policies against the menace. There was a general agreement among the Nigerian stakeholders that the enormity of the task calls for dedication and commitment of the government and agencies as well as the support and cooperation of the Nigerian people and international community.

The following specific policy suggestions can be formulated.

The proof of our nationality should be strengthened. For example, the process of obtaining the national identity card should take a bottom-up approach, i.e. from the family unit to the compound to the village level to the local government area where a citizen will be given a certificate of origin or citizenship certificate. The certificate will be one of the core criteria of securing the ID card. This will improve the ID being proposed by the National Identity Commission Agency. Individual information will be in the chips. The card will serve as means of identification to obtain travel documents, bank transactions, and other services needed by Nigerians both home and abroad.

To effectively track crimes and criminals, government should consider the use of one mobile GSM sim-card per person as against the present multiple use of sims. This is the practice in advanced countries and even in nearby Republic of Benin. Individual details shall be built into the data systems of the telecommunication providers. The practice can even go further in form of a smart card, an integrated identification system of all citizens and visitors with automated fingerprint identification system (afix), to keep track of movements.

On security and intelligence agencies, it is desirable to form a National Security Committee that will meet regularly to share experiences and information gathered over a period of time. This will further enhance inter-agency cooperation and coordination in the sharing of intelligence and information. The task of protecting the nation from the menace of religious fundamentalists is beyond the Police, State Security Service, and Nigeria Immigration Service. Generating long-term security-sensitive migration has much to with using intelligence services to detect and defeat or avoid threats and espionage, and to protect classified information. Furthermore, intelligence information should be distributed widely as possible, so that it can be evaluated and commented upon by experts other than the collectors themselves. There must be an external review body on the activities of the security agencies. This will require a strong political will and higher degree of cooperation and coordination in surveillance and monitoring.

On border security, government agencies that are statutorily mandated by the Nigerian Constitution are posted to the borders. The suggestion to have an independent border patrol agency was rejected as majority of the interviewees were of the opinion that it would amount to duplication of effort and incur financial implications. However, an integrated border patrol team was suggested to police the land, sea, and air borders on permanent basis. Its composition could be drawn from the National Security and Civil Defence Corps (willing to take up the responsibility), and the newly established Peace Corps. The border patrol units of the Police, NIS and SSS should be included on an ad-hoc basis. More focus should also be paid to maritime surveillance with the cooperation of the Nigerian Navy. Functional boats and equipment must
be provided to enhance the work of the team. NIS and NCS need to meet regularly to update their knowledge, compare experiences, share difficulties and find solution to some of the most intractable problems faced by them in the course of discharging their duties (Julins 2002: 188). Government should encourage and support them.

A person applying for security clearance may have a criminal record. The visa clearance of NDLEA for screening Nigerians traveling to drug-source countries in order to check illegal drug trade seems to be working. According to the agency, there had not been any case of arrest of a cleared traveller on drug trafficking. NDLEA should work with NIS in this regard and also collaborate with on the sharing of biometric data of convicted drug barons and traffickers. In 2008, a total of 1,178 Nigerians were deported from 16 countries including the United States of America, the United Kingdom, Spain, Libya and China. Other agencies could copy this step and should share information on individuals who have applied for such clearance.

It is time for Nigeria to put more emphasis on borders by investing in border management. Modern information technology equipment to support the border patrol to monitor movements across the borders. Entry posts should be well located and installed with latest machines to screen travellers. Machines to detect fake documents are not enough. The British High Commission must be commended for donating such machine to the Nigeria Police in September 2009. Personnel trained in psychology and French language should be posted to the borders. The National Boundary must be supported to facilitate the completion of the ongoing re-demarcation process of all the borders. The obliterating desert borderlines and the mountainous areas should be re-delined with the aid of modern tools.

It is time for government to include border areas and communities in development policy. The nation’s security depends on their patriotism, and they make the first sacrifice in the event of external attack. Infrastructural facilities like accessible roads, water, electricity, schools should be provided. Programmes and strategies that will build and promote cordial relationship between them and security agencies should be embarked upon. For instance, community traditional rulers and elders must be encouraged to meet with the police and other security agents in regular meetings. Their sons and daughters are among the perpetrators of these crimes, as examples of what happened in Owode, Ibi-roko, and Ilaro border communities in Ogun State in 2000-2002. Ogboye and some members of his syndicate were killed by the Nigeria Customs in 2001 over alleged car smuggling into the country. A lot of roles and responsibilities should be given to the communities with supervision and coordination of security agencies. They recognize strangers and criminals in their midst. In Francophone West African countries, police and gendarmerie (French police) visit each community everyday. Grassroots security consciousness should be promoted.

Telecommunication companies must be directed to link up the remotest areas to their networks. There must be communication between airports and the borders. Barracks can be built for the officers and their families, schools, health centres, electricity and access roads need to be put up for them. Many officers have lost their lives to armed bandits. As Park puts it “attractive welfare package and life insurance schemes for border patrol staff to compensate for the risk associated with their jobs” (p. 58). Working kits like raincoats, jungle boots, torch and search lights, cardigans, satellite phones should be provided to enhance effectiveness. This effort will encourage total attention and efficiency.

As two interviewees put it, “Nigeria must not do it alone”. Policies in one country might be misconstrued at the other side of the borders. Advancing a cross-border strategy that relies on true partnership with West African governments, is the only approach that is in the mutual, long-term interests of the Nigerian people,
and the people of West Africa. Cooperation must be established more especially with neighbouring countries to enlist their support in achieving internal security. Countries of Niger, Mali, Mauritania and Algeria were able to drive Al-Qaeda out of Silo-Saharan Belt. They can cooperate on extradition and also combined joint border patrols can be set up. Sharing of intelligence and information is vital to the collaboration. Also a standing anti-drug strike force can be put in place in West Africa. After Mexico, West Africa is now the transit for drugs to Europe and America. Publishing a CNN report, a newspaper in Nigeria put it “Drug cartels invade West African countries” i.e. Colombian and Mexico cartels working closely with local criminal gangs have established their bases in 11 West African nations (Daily Trust Sept. 2009: 5). The West African Police Chiefs Committee (WAPPCO) is only for the security executives. According to Cmdr. Abdurahamne Dieng of ECOWAS Commission, the Bureau of Intelligence of Investigation of Crimes, and the Committee of Chiefs of Security Services (CCSS) formed in May 2009 can both deliver on curbing cross-border crimes.

Similarly, strategic cooperation and partnership with countries of transit and destination of Nigerians as advocated by the Rabat Declaration should be pursued, for example, on criminalization of purchase of sex, protecting wanted persons, etc. The deportation and exchange of prisoners’ agreements can be further enhanced.

To achieve a well-managed, comprehensive migration practice, international organizations and civil society organizations must be included. The government needs be commended for partnering with the IOM. Efforts to control migration are costly. So, more regular consultation mechanisms must be established with partners like ILO, UNODC, UNDP, UNICEF, UNFPA, regional organizations, and INTERPOL on international fugitives or criminals. Its cooperation in this area will determine the level of foreign assistance it receives. European Union and IOM should support valuable assistance and training. Migration policy cannot be developed in isolation from the policy framework of other sectors, thus local inputs of agencies like the Institute for Peace and Conflict Resolution, CSOs, National Identity Management Commission, and other are important. International airlines must cooperate in line with international norms to send lists of passengers before arrival in Nigeria. It will help in identifying wanted persons or deportees, and also protects the country from unscrupulous immigrants. Similarly, NIS, SSS, and police need to cooperate, as required by international law, in managing and coordinating the use of advance passenger information (API), collected when passengers check in, and passenger name record (PNR) data, which is drawn from airline flight reservation systems. It is very important that the information processes be accurate and valid.

NIS should focus more on issuance and control of travel documents, monitoring of immigrants, administration and implementation of quota regimes, determination of refugees and asylum seekers. Its directorate of investigation, inspectorate and enforcement should closely work with other security agencies in sharing intelligence and information on national security. It should collaborate with other agencies in the handling of Nigerian deportees at the international airports. NIS should directly handle visa issuance and administration and deploy more attachés in all Nigerian foreign missions. Attachés should interact more with emigrants, have their profile which is shared with the new agencies and know their conditions and respect their rights. Attachés should mediate between emigrants and the host community especially on labour and official matters, so that every Nigerian will not be looked at as criminals. The National Assembly should hasten the passage of the Immigration Bill before it.

Equally important is the need to properly monitor private-owned jetties and beaches. They dotted the costal areas in Lagos and Port-Harcourt with little or no government control. Shi'ite Islamic preachers who sneaked deep into various parts of the country should be checked. The just security checks on those
preachers in Zaria and Kano is a welcome step. The over 150 approved control areas in the country should be mounted with surveillance and monitoring equipment. Structured autogates can be installed at the borders in Nigeria. All control posts should be provided with passport fraud detection equipment to ensure smooth and secured clearance.

b. How it could be done

NCFR should concentrate only on refugees and related matters. A separate agency primarily concerned with migration management should be established. Its mandate should include the following:

- To manage cross-border movements in Nigeria;
- To collect, analyze, and exchange data and information with relevant agencies and government on migration issues;
- To advise the government on migration and other related matters;
- To promote legal and orderly cross-border movements;
- To organize programmes on protection, integration and reintegration, inclusion of migrants, refugees, deportees, etc; and
- To carry out monitoring and evaluation programmes.

Nigeria should seek for ways on how lessons learnt in the past in our migration areas could be incorporated into the new policy and practices. The creation of the agency will be a right step in right direction. The first assignment of the agency is to register all immigrants presently in the country. And in the discharge of its activities, the agency will cooperate with other security organizations to effectively and efficiently monitor the country against illegal or undocumented immigrants and Nigerians traveling outside the country. It works must be clearly distinguished from the NIS. NIS, the migration agency, Police, and intelligence agencies shall extend surveillance to religious centres and monitor employers, and landlords, since this is beyond constitutional responsibilities of NIS. Immigrants shall be made to submit their papers through their employers or hosts. There must be inspection of companies to monitor expatriates as there was some indication of an influx of Asians especially the Chinese migrants with some with fake Nigerian visa.

Violations of these rules should attract sanctions according to the law. Migration data can be improved through effective and efficient processing and management on census data control, reliable border management and proper monitoring of all stakeholders in the sectors concerned. Reliable data is possible if there were prompt and sustainable analysis and storing of all emigration and immigration right from the issuance of travel documents, i.e. passport, visa, quota, etc; of Nigerians and non-Nigerians alike. In putting up a data centre to host migration information, the new agency should put security in place to protect it and all equipment installed. It should work with NIS, NBS, and NPC and other intelligence agencies in this regard.

The root causes of desperate legal and illegal migration of Nigerians should be checked by addressing employment issues, promotion of good governance, protection of human rights, and rule of law, and through quality of life improvements to its people. This is how the will and cooperation of the people can be gained. As a refugee-receiving country, Nigeria should continue to support ECOWAS, and promote good governance and peace initiatives in the region as it did in Liberia and Sierra Leone. The government is doing well in Guinea and Guinea Bissau at the moment. This effort will prevent potential refugee inflow and its attendant challenges in its territory. Nevertheless, Nigeria should formulate and adopt a refugee policy. Similarly, common understanding should be forged on what to do with ECOWAS illegal immigrants in their
midst. Rehabilitation and reintegration of deportees should be given a priority while laws to curb the activities of organized criminal syndicates are made effective.

A functioning migration system in Nigeria will be sustained by expertise on migration and related fields. Government and other stakeholders should introduce and encourage education in this area. Courses on migration can be included in national educational curriculum to boost the capacity that will implement and sustain migration policy and practices, and French language be made compulsory. Nigerians cannot communicate effectively with their neighbours. Civil society and international organizations can assist in this regard by providing technical assistance and educational materials, and of course, international exposure. Also training and retraining of officers should be intensified to acquaint them with modern trends in migration management and anti-terrorism measures, and document fraud detection techniques, and how not to be harsh in their attitudes toward immigrants.

Indeed, more research is needed on Nigerian migration phenomenon, especially on domestic terrorism and the extent of external influences and involvement on political and ethno-religious crises in Nigeria. The magnitude and sophistication of the Boko Haram makes it imperative.

There is need for mass public enlightenment on the dangers of irregular migration and improper conduct of emigrants. Youth education, enlightenment and empowerment should be promoted. Campaigns that promote no emigration of Nigerians are likely to be ignored. Political education and orientation of the populace will benefit their awareness to challenge the authorities to provide for effective implementation of the policy. The system must build confidence between the population and security agencies. NGOs and civil society can sensitize the citizens and immigrants, and advocate for them and help monitor the implementation. There must be ready sources of legal aid to immigrants pertaining to employment, protection of their rights. National security should not be a pretext for suppressing unfavourable political and social views.

On the whole, Nigeria should re-double its efforts toward achieving the objectives of regional integration in West Africa, since migration is a key part of economic integration. Meaningful integration rests on how its peoples could move. Real integration is all about people. A region working towards a Common Market, would have to decide to permit factors of production full mobility between them. National rules which discriminate against the citizens, companies or products of other member countries should be eliminated. Nationals of a regional framework need to be treated as homogenous society and not as aliens to each other. In addition, migration policies can be incorporated into poverty reduction strategies because the root causes of movement are poverty and underdevelopment.
Conclusion

It is evident that patterns of human mobility have become increasingly complex in recent years, and which impacted on national and international security challenges of nations. While establishing cooperation and partnership within regions and the larger world, individual countries are taking serious and pragmatic measures to protect their territories, sovereignty, and citizens against the menace. As cross-border crimes have more impact to Nigeria security than any other migration threats, the paper makes case for Nigeria to take appropriate and acceptable actions and strategies to secure its borders in order to create harmonious and peaceful co-existence for Nigerians and the immigrants in the country. Due to its geographic, demographic, and socio-political nature and characteristics, Nigeria is in need of stricter regulation and close monitoring of its borders. Security-sensitive migration policies and practices to stem the threats and curb further national humiliation and embarrassment on international scene are desirable.

National history is full of migration-induced violence and conflicts that have shaken the foundation of the country and caused untold hardship on the people. To avert more deteriorating situations, and in the spirit of regional integration within the framework of ECOWAS and international conventions, Nigeria must evolve a functioning migration system that will strengthen its borders while promoting free movement of persons in the sub-region, and manage emigration and immigration efficiently and effectively. An establishment of an agency on migration and an integrated border patrol to play these roles are important and should take on added urgency. Though, there is no single solution that will address all of the threats, the measures will drastically reduce the dangers and threats associated with migration while ensuring the safety, dignity and security of Nigerians and immigrants. More so, it will build public confidence, operational effectiveness, and accountability. But in doing so, it should not deprive migrants of their fundamental human rights nor must it affect the obligation of the country to protect its people.
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**Statutory documents**
Annex

List of Interviewees

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<td>Nigeria Immigration Service</td>
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<td>Dr. Umoh, Deputy Immigration Comptroller</td>
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<td>Mr. Innocent Damla, Immigration Police</td>
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<td>Mr. J.S. Attah, Public Relations Officer</td>
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<td>Mr. Ahmed Sulu-Gambari, African Multilateral</td>
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<td>Mr. Mohammed Tafida, Foreign Service Officer, Consular and Immigration</td>
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<td>Mrs. Rosemary Okosolo, Situation Room, Office of the Minister</td>
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<td>Mr. Onazi S. Ogbu, Labour Migration Officer</td>
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<td>Brig-Gen. J.S. Kwabe, Head of Operations</td>
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