

# The Migration Partnership between Switzerland and Nigeria

## Opportunities and Risks



Brief Report of the Federal Commission on Migration FCM

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## Foreword

For the longest time, migration was approached as a domestic policy issue. And many politicians still feel that each individual country has the exclusive right to decide on matters pertaining to immigration and emigration. But reality is far more complex. What do the countries of departure and return have to say on the subject? What happens when the people in these countries are appalled by how migrants are treated in transit, in destination countries or during repatriation? What happens when, unlike the people in European countries, the people in these countries do not perceive migration to be a problem at all? Very quickly, the power of a single country reaches the extent of its own borders. Many people find the inability to take effective action upsetting and this unease bolsters political forces in Western countries that seek to keep borders as closed as possible and ideally to build a wall. There are also some politicians that would prefer to cut back aid or take other measures to force uncooperative countries to be more accommodating. Here too, reality is more complex. Many countries of origin actually do not receive any aid at all. And many of these same countries play an important role in regional and international bodies that are important to Switzerland in other areas.

As an instrument, migration partnerships therefore facilitate bilateral cooperation with countries on issues surrounding immigration and return. In the present report, the Federal Commission on Migration (FCM) devotes its attention to an instrument that the general public knows very little about and in most cases equates with the return of asylum seekers. Based on fact-finding missions to Kosovo and Nigeria, reports and evaluations and discussions with many stakeholders, the FOM presents the strengths and weaknesses of these partnerships and provides recommendations on how they could be further developed.

As a small country, Switzerland depends on constructive international cooperation with a wide range of partners, both at the bilateral and multilateral level. And Switzerland has a long tradition of successfully finding diplomatic solutions. It is an old credo, but one that has lost none of

its lustre. On the contrary, diplomacy deserves a more prominent place in areas such as migration policy, where it has played a rather subordinate role so far. For migration always involves several countries of origin, transit or destination. And migration has become a global issue, placing it on the international diplomatic agenda. As our report shows, it is international cooperation that offers potential solutions to all currently unresolved issues and problems. This implies working not only with the respective government authorities, but also with NGOs and international organisations active in individual countries, and above all with the respective business community and civil society as these partners play a key role in determining how migration issues are addressed.

The FCM would like to thank the authorities in Switzerland and in the countries visited – especially Jolanda Pfister Herren, Migration Attaché in Abuja –, the respective Nigerian authorities and the many experts and actors from business, civil society and international organisations for their support and their impressive willingness to share their knowledge and experience with us.

Walter Leimgruber,  
President of the Federal  
Commission on Migration (FCM)

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## 1. Introduction



Migration has become increasingly complex in this globally networked world. People migrate for a wide variety of reasons, and countries are confronted with the growing complexity of *mixed migration flows*. Within this context, migration policy can no longer be perceived and developed from the perspective of a single country, but rather from an overall perspective. In short: migration policy challenges can no longer be tackled by individual countries acting in isolation.

For several years now, the Federal Commission on Migration (FCM) has therefore focussed not only on the usual domestic issues of importance to Switzerland, but also on the international dimensions of migration. In 2014, for example, it devoted considerable attention to concepts for dealing adequately with refugees as well as to issues affecting both domestic and foreign migration policy. Particular importance was given to the still novel instrument of migration partnerships, the legal underpinnings of which were first established in the Foreign Nationals Act back in 2008. Since the corresponding article came into force, Switzerland has signed *Memoranda of Understanding* with several countries. In 2012, an FCM delegation travelled to Kosovo at the invitation of the Swiss Ambassador in Kosovo and gained insight into projects and activities being pursued within the

framework of this migration partnership. In the spring of 2019, an FCM delegation travelled to Nigeria to gather information about the migration partnership there, which was described as being particularly successful.

The FCM's interest in the migration partnership between Switzerland and Nigeria was based in particular on the fact that this partnership builds on long standing bilateral ties, that this partnership has been recognised by various stakeholders as being quite productive and, last but not least, that it has been praised as particularly effective by Nigeria itself. The aim of our fact-finding mission was to gain insight into the specific implementation of this specific migration partnership and to talk to various actors involved so as to better ascertain the advantages and disadvantages associated with this instrument.

The delegation led by FCM President Walter Leimgruber visited Nigeria from 26 April to 5 May 2019.<sup>1</sup> In Abuja, Lagos and Benin City, FCM delegation members were able to gain an overview of ongoing activities, visit projects and exchange views with government officials and non-governmental actors and individual experts. Prior to the

<sup>1</sup> See the list of FCM participants in the Annex.



trip, discussions were also held with specialists from Swiss federal departments and offices involved in the area of migration.

This brief report discusses the strengths, weaknesses, opportunities and threats of this foreign migration policy instrument, specifically in relation to cooperation between Switzerland and Nigeria. It is based on discussions that FCM staff held with officials working at Swiss federal departments and offices as well as with local actors in Nigeria.<sup>2</sup>

Chapter 2 provides a historical and legal classification of foreign migration policy instruments and discusses different migration concepts: from a domestic policy perspective or from an overall perspective. In addition, the various levels of cooperation within a migration partnership as well as the structure and bodies involved in international cooperation in migration are briefly illustrated using Nigeria as an example.

Chapter 3 explains the background that gave rise to the migration partnership between Switzerland and Nigeria. Switzerland's priority at the time had initially been to respond to the increasing number of asylum applications from Nigerian nationals. However, over time the scope of this migration partnership was expanded to cover other areas of cooperation and corresponding projects. The individual thematic areas and their respective focus will be discussed in light of the projects that the FCM delegation was able to observe first-hand.

Chapter 4 describes the areas of tension that the FCM delegation identified during its stay in Nigeria and which have adversely affected migration efforts at times. These areas of tension point to contradictions and require careful consideration to be given as to the best course of action in the future.

Finally, Chapter 5 presents a summary of the conclusions that came out of the discussions and observations in Nigeria. The chapter concludes with recommendations drawn from analysis of the migration partnership between Switzerland and Nigeria and offers a brief outlook.

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<sup>2</sup> For a detailed description, see the report entitled "The Migration Partnership between Switzerland and Nigeria. Report of the Federal Commission on Migration (FCM)" (2021).

## 2. Migration partnerships as an instrument



### 2.1 Historical and legal classification

Under international law, countries may freely and independently decide on the entry, stay and residence of foreign nationals or stateless persons as these policy areas are considered to fall under domestic jurisdiction (reserved domain). This means that international commitments are only binding under international law if the countries involved expressly agree to subject themselves to International Law.<sup>3</sup>

Switzerland's bilateral foreign migration policy dates back to the 19th century,<sup>4</sup> although it has pursued different interests over the decades. While Switzerland was initially concerned with ensuring the equal treatment of Swiss nationals abroad, its focus later shifted to drawing workers for its domestic industrial and services sectors as well as to ensuring the return of migrants who do not have a legal right to remain in Switzerland.<sup>5</sup> This

orientation towards primarily self-serving interests has recently and gradually given way to more partnership-based considerations and approaches. This has led to the creation of new, formalised bilateral cooperation instruments in foreign migration policy. Another reason for this development is the recognition that countries of origin expect certain reciprocal benefits in return for their willingness to cooperate on migration issues.<sup>6</sup>

The various partnership-based instruments of foreign migration policy vary in degrees of complexity and formalisation: *bilateral migration dialogue* is limited to the regular sharing of information on migration issues; *readmission agreements* are based on international treaties and regulate the terms, procedure and deadlines for the return of irregular migrants to their home countries or countries of origin; finally, *migration agreements* include provisions on the return of migrants, on the admission and residence of foreign nationals and on cooperation between the authorities of the countries involved.

However, the most comprehensive partnership-based instrument of foreign migration policy is the *migration partnership*, which was first

3 Multilateral forms of cooperation remain difficult to implement in the area of migration and therefore play a rather marginal role.

4 Switzerland and the United States signed a Friendship, Reciprocal Establishments, Commerce, and Extradition Convention in 1850.

5 This means persons who have not been granted political asylum or temporary admission or whose temporary admission has been revoked.

6 For further details see Medici and al. (2013).

mentioned in Article 100 (1) para 1 of the Foreign Nationals Act (FNA) in 2008. This article authorises the Federal Council to “encourage bilateral and multilateral migration partnerships with other states”. Migration partnerships are flexible instruments whose content can be shaped according to specific interests, enabling tailor-made cooperation for projects, programmes and agreements where needed. The flexibility of this instrument is also illustrated by the fact that all migration partnerships signed by Switzerland to date are based on *Memoranda of Understanding* (MoU)<sup>7</sup>. The respective MoUs clearly state that they are intended as a basis for more extensive cooperation. However, they do not contain any legally binding commitments and do not indicate any express willingness to be bound by International Law provisions. Since MoUs for migration partnerships are not international treaties, they are not subject to a corresponding referendum, which means that the Federal Council may enter into them without the formal consent of the Federal Assembly.

Although it is the express aim of migration partnerships to take into account the concerns of the partner countries in a spirit of partnership-based cooperation, the instrument itself was actually created as part of Switzerland’s efforts to “manage migration”<sup>8</sup>, i.e. ensure the return of “foreign nationals who are required to leave the country”.<sup>9</sup> From a Swiss perspective, the focus has tends to be on issues relating to readmission, return assistance, visa policies or curtailing irregular migration. In contrast, the priorities for partner countries relate more to combating human trafficking, building capacities of government structures responsible for dealing with migration, improving the general regulatory climate for investments by diaspora or promoting the rule of law and reconciliation. By their very nature, migration partnerships are designed to balance interests and foster both cooperation and dialogue as the basis for cooperation. This makes it a unique instrument of foreign migration policy.

## 2.2 “Taking all aspects of migration into account”

A closer look at Swiss foreign migration policy through the lenses of the migration partnership between Switzerland and Nigeria reveals migration is handled by several different federal departments and offices. The Federal Office of Justice and Police (FDJP) is represented by the State Secretariat for Migration (SEM) and the Federal Office of Police fedpol. SEM focuses on various areas of migration governance: trafficking and smuggling of human beings, vocational education and training and social reintegration, prevention of irregular migration, return, border control. Fedpol focuses on the training of Nigerian police officers and the regular exchange of expertise on organised crime. The Federal Department of Foreign Affairs (FDFA) focuses its attention on matters pertaining to human rights, human security, development cooperation and humanitarian aid, including internal displacement among other things. The aim is to achieve a “coherent and comprehensive foreign migration policy” that “considers all aspects of migration”, encourages intergovernmental partnership dynamics and takes “the interests of all parties concerned” into account.

## 2.3 Different levels of partnership cooperation

A migration partnership can cover different depths of cooperation: bilateral migration dialogue, migration cooperation at inter-institutional level and concrete implementation of migration partnership projects.

### Bilateral migration dialogue

With bilateral migration dialogue, government officials of the two partner countries meet at regular intervals, place their interests on the table, seek common solutions and develop common strategies. Migration dialogue may take place at both operational and strategic levels.<sup>10</sup>

<sup>7</sup> Switzerland has entered into migration partnerships with the following countries: Bosnia and Herzegovina (2009), Serbia (2009), Kosovo (2010), Nigeria (2011), Tunisia (2012) and Sri Lanka (2018).

<sup>8</sup> Even the Bern Initiative (2004), launched by the then Federal Office for Refugees (FOR), was intended to facilitate cooperation with other countries in order to manage migration more effectively.

<sup>9</sup> The readmission agreements drafted for this purpose were excessively weighted in favour of Switzerland’s interests and were therefore often doomed to failure.

<sup>10</sup> See SEM (2014).



### Cooperation at inter-institutional level: an overall perspective on migration

Seen from an overall perspective, migration can only be understood as a complex phenomenon with different aspects that all need to be taken into account. A whole-of-government approach is therefore intended to enable the various federal agencies dealing with migration to coordinate their activities as part of a unified Swiss migration policy. In 2011, an interdepartmental structure for international cooperation on migration (ICM structure) was set up for the express purpose of coordinating the Switzerland's foreign migration policy, including activities carried out within the framework of migration partnerships<sup>11</sup>. The following federal agencies are members of the ICM structure:

- FDFA: Directorate Political Affairs (DPA), Swiss Agency for Development and Cooperation (SDC), Directorate for European Affairs (DEA);
- FDJP: State Secretariat for Migration (SEM), Federal Office of Police fedpol,
- EAER: mainly State Secretariat for Economic Affairs (SECO).<sup>12</sup>

In June 2015, the migration partnership instrument was externally evaluated in response to a political postulate.<sup>13</sup> Overall, the evaluation report gives the instrument a positive rating. Improved cooperation between the various federal agencies and the resulting policy coherence achieved are considered the most significant outcomes to date. The ICM structure was also adjusted in 2017 in response to evaluation recommendations. However, the specific functioning of migration partnerships in the respective partner countries had not been covered in the evaluation.

### A common Swiss migration policy?

Cooperation between the various federal departments arose ad hoc in the 1990s from the return and reconstruction programmes in the former Yugoslavia. This cooperation has expanded considerably in recent years and takes place through the

International Migration Cooperation (ICM) structure. Within the ICM structure, the activities of the various actors are coordinated in particular, and dialogues are also conducted with partner states involving all the relevant federal departments. In addition, the federal offices represented in the ICM working group submit proposals for possible projects. The different orientations and specific remits of the federal offices involved are reflected both in the respective project proposals.<sup>14</sup> And in the allocation of funding.<sup>15</sup> The ICM working group sets aside around CHF 1 million each year to cover the costs of the various projects relating to the migration partnership between Switzerland and Nigeria.<sup>16</sup> This cooperation, sometimes described as exemplary in Europe, nevertheless has certain limitations: first of all, the Swiss authorities have practically no room to manoeuvre when it comes to creating legal migration pathways, which is an important policy concern for partner countries: given current immigration provisions affecting third-country nationals, there are hardly no possibilities for low- and medium-skilled persons to be admitted to Switzerland. At the same time, the financial means available for international migration cooperation are comparatively limited and would need to be increased.

Finally, even the organisational structure, which seems convincing at first glance, cannot hide the fact that the various Swiss actors occasionally pursue their own objectives due to different political and legal mandates. Coordination between these actors could therefore be improved. The scope for migration foreign policy cannot be significantly expanded in the absence of a migration policy adopted at governmental level. Such a policy would enable common objectives to be decided and also enable innovative approaches in the area of legal migration to be tested.

11 The ICM structure consists of the ICM Chair, the ICM Committee and ICM Working Groups (ICM WGs) (e.g. ICM WG "West Africa", which includes Nigeria). For a detailed description of the ICM structure, see the ECM report "The Migration Partnership Between Switzerland and Nigeria" (2021), as well as FDFA (2011).

12 The EAER and SECO are also involved in migration cooperation with Nigeria at the level of the ICM structure. However, they have not yet provided any funding.

13 See Maastricht Graduate School of Governance (2015), FDJP and FDFA (2016) and Federal Council (2015).

14 Project proposals focus on the following areas: SEM readmission and reintegration, border control and border protection, prevention of irregular migration and detection of forged documents; fedpol fight against international organised crime; FDFA's Human Security Division (HSD) promotion and protection of human rights; SDC migration and development in a broader sense.

15 The funding for SEM and fedpol projects are drawn from the ICM general budget; SDC projects from the general budget for development cooperation, the general budget for humanitarian aid and the SDC's embassy budget; funding for HSD projects come from the general budget for peace and human security; funding for SECO projects are drawn from the general budget for economic development cooperation.

16 A breakdown of budget allocations among the various federal offices involved can be found in the FCM report entitled "The Migration Partnership between Switzerland and Nigeria".

### 3. The migration partnership between Switzerland and Nigeria



#### 3.1 Background

Although Switzerland has been cooperating with Nigeria in the area of migration since the 1990s, Nigeria did not come into the focus of migration policy until 2002, when for the first time over a thousand asylum applications came from Nigerian nationals. While the vast majority of applications were rejected, many rejected Nigerian asylum seekers remained in the country despite an official removal order. This created an “enforcement problem” for Switzerland.<sup>17</sup>

Although the bilateral readmission agreement (“Agreement on Immigration Matters”) signed in 2003 was never ratified, the readmission of rejected asylum seekers worked relatively well. The then Federal Office for Refugees (FOR), in cooperation with the International Organization for Migration (IOM) in Bern, launched a country-specific “voluntary return assistance” programme, which

was locally implemented by IOM Nigeria to facilitate the reintegration of returnees.

Starting in 2007, Switzerland experienced a sharp increase in the number of Nigerian migrants who entered Switzerland by regular or irregular means from other European countries. From 2009 onwards, due to its association with the Dublin Convention,<sup>18</sup> Switzerland was able to dismiss most of these asylum applications. The persons concerned received a removal order, some returned to Nigeria voluntarily, others went underground, and still others were returned to Nigeria from emergency shelters or from administrative detention centres.

The steady increase in asylum applications from Nigerian nationals, whose applications were only very rarely approved,<sup>19</sup> drew public ire and became a heavily debated policy issue. Young Nigerians also earned themselves a very poor reputation in

<sup>17</sup> In 2002, only 20 persons returned voluntarily after their asylum applications were rejected; 37 rejected Nigerian asylum seekers were forcibly deported.

<sup>18</sup> Under the Dublin Association Agreement, the country responsible for the asylum procedure is the one where the asylum seeker demonstrably entered European territory for the first time.

<sup>19</sup> In 2009, one out of 1,808 asylum applications were approved and six persons were granted temporary admission.

the eyes of the general public because they were often openly involved in drug trafficking.

Relations between Switzerland and Nigeria entered a critical phase in March 2010 when a young Nigerian died during forced deportation.<sup>20</sup> It took the FDFA several months of diplomatic efforts to restore the trust of the Nigerian authorities.<sup>21</sup> In the search for a solution to the deadlocked situation, the migration partnership instrument proved to be the proverbial “silver bullet”. The solutions discussed at the meetings resulted in the signature of a *Memorandum of Understanding* (MoU) in 2011. With this MoU, both countries committed themselves “on the basis of the principle of reciprocity, to deepen and expand their dialogue and cooperation in the field of migration, identify opportunities offered therein and find constructive solutions to the challenges of global migration”.<sup>22</sup>

When a further peak was reached in 2012 with 2746 applications from Nigerian asylum seekers, the Federal Office for Migration (FOM) introduced a procedure to accelerate processing of applications in cases where the asylum seekers came from countries where asylum was rarely granted or from “countries considered to be safe”. This practice and the consistent implementation of Dublin transfers<sup>23</sup> led to a marked decrease in the number of asylum applications. At the same time, Switzerland sought to sustainably improve relations with Nigeria.

### 3.2 Activities and projects

The migration partnership between Switzerland and Nigeria takes place at all of the levels envisaged: bilateral migration dialogue, inter-institutional cooperation in migration and concrete implementation of projects in Switzerland and Nigeria. In addition to public authorities, migration project partners also include international organisations, NGOs, civil society and the private sector. The cooperation set out in the MoU reflects the interests of both countries and covers the following areas:

- fight against smuggling of migrants, trafficking in human beings and drugs;
- capacity building in immigration administration;
- return assistance;
- readmission and reintegration;
- prevention of irregular migration;
- migration and development (including remittances, Diaspora, brain drain and gain);
- assistance to enable identification;
- promotion and protection of human rights;
- document fraud protection;
- border management and control;
- legal migration (including visa issues, consular matters, capacity building and exchanges in the field of education and training); and
- other areas concerning movement of persons within the territory of either Party.

The following paragraphs relate to the activities that observed during the visit of the FCM delegation to Nigeria and on discussions with the actors involved in those activities.<sup>24</sup>

<sup>20</sup> See [humanrights.ch](http://humanrights.ch) (2010).

<sup>21</sup> Statement by Eduard Gnesa, then Special Ambassador of the Swiss Confederation for International Cooperation in Migration.

<sup>22</sup> See SEM (2011).

<sup>23</sup> In 2012, 2,032 asylum applications from Nigerian nationals were declared Dublin cases. 1,024 persons were transferred to a Dublin State. 231 rejected asylum seekers returned to Nigeria voluntarily, and 210 persons were forcibly deported.

<sup>24</sup> The FCM members could not visit all projects directly. Some information comes from second-hand sources.

### 3.2.1 Focus on return: return assistance and reintegration

Return assistance and reintegration of migrants are a central part of cooperation with Nigeria<sup>25</sup>. In 2005, the Federal Administration established the *Assisted Voluntary Return and Reintegration Programme* (AVRR Programme), where return and reintegration support was given to around 1,000 Nigerian nationals between 2005 and 2016. IOM Bern and IOM Nigeria implemented the country programme on behalf of Switzerland. Since the termination of this country programme in 2016,

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“Even when they find themselves in an extremely difficult situation, migrants often decide not to return. Great expectations were placed on them and returning would be seen as a failure.”

(Frantz Celestin, Chief of Mission, IOM Nigeria)

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the Federal Administration has been providing individual return assistance to voluntary returnees within the framework of an adapted IOM programme (AVRR-II).<sup>26</sup> Switzerland's contribution focuses on business training and the granting of microcredits.<sup>27</sup> Returnees with concrete business ideas thus gain access to start-up capital.

With the increasing number of deaths in the Mediterranean and the rise in asylum applications in 2015, Europe was looking for ways to tackle the “migration crisis”. Measures were taken to reduce “irregular migration” and to reinforce external border controls. In addition, cooperation on bor-

der and migration control has been improved with countries of origin and transit. This resulted in Nigerian migrants increasingly becoming stranded in Libya and Niger. Switzerland therefore enlarged the scope of its return assistance activities to include Nigerian migrants from Libya and Niger wishing to return to Nigeria with Swiss support. Switzerland thus moved beyond its primary objective of providing return assistance to Nigerian nationals to facilitate their departure from Switzerland and focused its assistance on migrants stranded in transit countries. This example illustrates how a migration partnership can evolve over time and can also be geared more closely to the interests of the partner state. By enlarging the scope of return assistance, Switzerland helped vulnerable persons and eased the burden of the European restrictive migration policy.

#### The IOM programme for returnees: rehabilitation and transfer of know-how

IOM Nigeria currently works primarily with people who choose to voluntarily return from transit countries. In Nigeria, those who are in situation of vulnerability and wish to return are accommodated in so-called “shelters”, where they receive initial medical care, mental health and psychosocial support (MHPSS). In addition, IOM Nigeria has established three *Migrant Resource Centres* (MRCs) to help returnees gain self-confidence and prepare them for professional integration. The MRCs provide information and various services to potential migrants and returnees with the aim of reducing vulnerabilities associated with migration, curbing irregular migration, encouraging legal migration and improving the level of protection afforded to migrants.

That return is a complex process was made apparent in discussions with the wide range of people involved in the IOM programme as well as in visits to the MRCs in Lagos and Benin City. The decision to return is difficult for many migrants. They have often left with their relatives' money and now have to disappoint the great expectations placed in them. Therefore, many prefer to remain in their hopeless situation rather than return destitute with a loss of face.

Voluntary returnees usually have to completely re-orient themselves and find the motivation to tackle the new phase of life: The vast majority of them have to come to grips with experiences of violence on the migration route. They must learn to deal

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<sup>25</sup> The concept of return assistance was enshrined in 1997 in the fully revised Asylum Act (Article 93 AsylA) under the title “Return assistance and prevention of irregular migration”. The EU programme, as well as those of other EU Member States, is closely aligned with the concept of return assistance developed by Switzerland.

<sup>26</sup> The AVRR programme was discontinued in 2016 due to the small number of participants from Switzerland. A more detailed presentation of return assistance programmes can be found in the FCM report on the migration partnership between Switzerland and Nigeria.

<sup>27</sup> Compared to the millions of euros that the EU spends on return assistance programmes, Switzerland's financial commitment to return assistance is comparatively low.



with the feeling of “having failed” and develop new perspectives. All this often happens without family support, because returnees are often rejected by their families. At MRCs, a great deal of energy is therefore devoted to conveying hope and restoring self-confidence. At the centre in Lagos, the course leaders organise workshops for the collective sharing of reintegration experiences.

### **Trafficking in human beings: criminal prosecution and information campaigns**

In discussions with experts from the Nigerian authorities, international organisations and NGOs, it was agreed that internal displacement, economic uncertainties, gender inequality, poverty and lack of prospects in particular increase the likelihood of irregular migration as well as the risk that people will become victims of human trafficking. In all discussions, human trafficking was identified as one of Nigeria’s biggest migration-related issues. Along with drug trafficking, which often takes place through the same channels, human trafficking is regarded as the real driver of irregular migration flows.

Human trafficking has become increasingly professional, particularly in connection with the major refugee and migration flows to Europe between 2011 and 2016. This problem requires consistent prosecution of offenders in combination with information campaigns and the systematic identification of victims. According to experts, the fight against human trafficking is made more difficult by the fact that it is not uncommon for victims’ families to benefit from this “branch of the economy”: for example, as intermediaries, pimps or providers of transport.

Switzerland is currently supporting several projects to prevent human trafficking by raising awareness and sensitising potential migrants and local communities. A further aim of these projects is to professionalise structures for the reintegration of (mostly female) victims of human trafficking and to strengthen nationally active organisations that seek to prevent irregular migration and fight human trafficking.

The fight against human trafficking has been high on Nigeria’s political agenda for some time. The *National Agency for the Prohibition of Trafficking in Persons* (NAPTIP), set up by the government in 2003, has a comprehensive mandate covering investigation, prosecution, counselling and

rehabilitation services for victims, public awareness campaigns, research and training, and international dialogue.

In addition to law enforcement, awareness raising is essential in the fight against trafficking in human beings. According to NAPTIP Director General Julie Okah-Donli, parents often have no idea that their girls are lured to Europe by pimps (“madams”), often acquaintances who themselves have been victims of human trafficking, using extremely perfidious recruitment methods and false job prospects, where they end up in slavery-like employment or prostitution. The young women are put under religious, financial and/or moral pressure and usually have to work off the cost of their journey. This is why NAPTIP would like to see closer cooperation with Switzerland in the area of criminal prosecution and victim identification.<sup>28</sup> Swiss efforts to build the capacity of state structures in the fight against human trafficking is one area where potential has not yet been fully exploited.

### **Protecting victims, empowerment and work with relatives of victims of violence**

FCM delegation discussions and visits to various institutions revealed that the rehabilitation of victims of trafficking and violence is another

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“What is needed is education, enlightenment, empowerment and inclusion. Women should be encouraged to believe that they are worth as much as a man.”

(Khadijah Hawaja, Professor of Islamic Studies and Koran Exegesis, University of Jos Nigeria)

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herculean task. People affected by violence, especially women, are often discriminated against and have to accept that they will be excluded from the family and the village community because of their “behaviour”. There is therefore a need for

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<sup>28</sup> The Swiss authorities have responded at least partly to this concern. Two NAPTIP staff members were invited to a workshop in Switzerland in 2018 to share their expertise with SEM officials on the identification of human trafficking victims.



awareness-raising work in the communities from which violated women come. Media professionals in particular should become more involved in this endeavour by reporting on cases of human trafficking and violence against women in general. This is the only way to raise awareness among the population that gender-based violence will not be tolerated. Victims of human trafficking must also be offered longer-term prospects and their social environment must be strengthened through targeted structural assistance measures. Otherwise there is a danger that “they will set off again”, because ultimately many families are dependent on the income that flows back to them from migrants. With the exception of NAPTIP, this extremely important but difficult work has so far mainly been carried out by small NGOs, including the *Women’s Aid Collective* (WACOL), the *Society for the Empowerment of Young Persons* (SEYP) and the *Web of Heart* Foundation.<sup>29</sup>

#### **Excursus: strengthening the role of women in Nigerian society**

Many of those who spoke with the EKM delegation mentioned that strengthening the role of women in Nigerian society was a particularly urgent concern. Women are at a disadvantage in many respects, e.g. in their access to education, employment and health care. Polygamy is also widespread in many non-Muslim regions and affects women from all walks of life. In rather poorer areas, young women are often married before they reach adulthood or “sold” to traffickers to “have one less mouth to feed”. Only improved access to education, which enables women to stand on their own two feet, can break the vicious circle of dependencies. Investment in the education of girls and young women is therefore also essential from a human rights perspective.

This opinion is shared by Khadijah Hawaja, an Islamic scholar, gender expert and mediator in the area of peace promotion. She sees a pressing need for action, particularly when it comes to education, empowerment and information. The rights of women in Nigeria are often very limited, regardless of whether they live in a Muslim or Christian context. Women should be encouraged to believe that they are worth as much as a man. As she sees it, it is also important to refute the prevailing view in

Nigeria that women’s rights are an invention of the West. In order to prevent misunderstandings and gain support for her efforts to improve the plight of Nigerian women, she acts as a representative of a pro-women movement and explicitly avoids references to feminism, which is discredited as a Western idea.

#### **3.2.2 Focus on prevention: raising awareness and showing alternatives**

The migration partnership agreement between Switzerland and Nigeria also covers the prevention of irregular migration. In addition, many anti-trafficking projects include awareness raising aspects.

Between 2013 and 2019, for instance, Switzerland financed the television series *The Missing Steps*<sup>30</sup>,

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“More substantial training is needed beyond training to become a hairdresser or to set up a small tailor shop. Ultimately, it is a matter of creating real long-term prospects that ensure our livelihoods, not simply stop-gap measures.”

(Godwin Obaseki, Governor of Edo State)

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which highlights the risks of following irregular migration routes. Dramatic scenes show the dangers of venturing north and how difficult it is to stay in Switzerland illegally. The mini-series format was deliberately chosen to appeal to the largest possible audience.<sup>31</sup> Currently, with financial support from the State Secretariat for Migration (SEM), action is being taken to reach potential migrants in more remote areas of Nigeria through a mobile information campaign on the subject of human trafficking.

<sup>29</sup> A detailed description of individual NGOs and their activities can be found in the full FCM report on the migration partnership between Switzerland and Nigeria.

<sup>30</sup> The implementation of Missing Step was coordinated by IOM Nigeria.

<sup>31</sup> The mini-series was produced in English, which, according to the producers, limited the audience.

The Governor of Edo State, Godwin Obaseki, has responded to the complex challenges arising from the lack of prospects with an action plan to create alternatives. Its *Managing Migration Through Development Programme* (MMDP) takes a holistic approach to migration. A task force was set up and law enforcement training is being provided to improve the legal system. In addition, the MMDP has created 90,000 new jobs in the past two years. In his opinion, however, more needs to be done in the area of education and especially on-the-job vocational education and training: “More substantial training is needed beyond, for example, training to become a hairdresser or to set up a small tailor shop. Ultimately, it is a matter of creating real long-term prospects that ensure our livelihoods, not simply stop-gap measures.”<sup>32</sup>

### 3.2.3 Focus on education: encouraging legal migration

Although education is not explicitly mentioned in the MoU as an area of cooperation, it is implicitly mentioned in the context of “legal migration”. In addition, most of the projects involving the reintegration of returnees and the rehabilitation of victims of trafficking include an educational component. Two projects, of a more symbolic nature, further the objective of encouraging legal migration:

- As one of the few *public-private partnership projects*, the *Nestlé Nigeria* exchange programme is often presented as a showcase project. Financially supported by the State Secretariat for Migration (SEM), it offers a three-month internship at a Nestlé production facility in Switzerland to the best graduates of a mechanical engineering training course. However some at *Nestlé Nigeria* question the value of these internships since the technical training provided in Switzerland is not directly relevant to local needs and the internships are costly.
- The project of the Swiss company *Rainbow Unlimited* includes a certification course and an internship in Kenya allowing prospective

service personnel in the hospitality and tourism sector to gain “international experience”.

In both projects, the legal migration pathways are for relatively short internships in two rather narrowly defined occupational fields. However, nearly all of the dialogue partners we spoke to in Nigeria expressed the hope that Switzerland, with its highly developed VET system, could provide even greater know-how. They wondered whether a programme could be developed that would give more young people access to specialised vocational education and training based on Swiss expertise. These discussions were not focussed on the demand for legal migration in particular, but rather on the lack of adequately trained workers with hands-on work experience.

### 3.2.4 Focus on capacity building: border control, migration management and police cooperation

Switzerland supports the Nigerian authorities in their efforts to build capacities and improve their government structures: the *National Drug Law Enforcement Agency* (NDLEA), the *National Commission for Refugees, Migrants and IDP's* (NCFRMI), the *National Agency for the Prohibition of Trafficking in Persons* (NAPTIP) and the *Nigeria Immigration Service* (NIS). The amounts allocated to the various projects range from around CHF 200,000 to CHF 500,000. Some projects also involve funding contributions from the EU and individual donor countries.

#### Combating drugs as a common goal

Founded in 1990, NDLEA brings all the skills needed to combat illegal narcotics together under one roof. Through the migration partnership, the fight against drugs became an important subject of bilateral migration cooperation between Switzerland and Nigeria. Its main remit is to fight crime.

<sup>32</sup> With a loan from the World Bank, the governor was able to commission a study in which 5,000 returnees were asked about their profile, origin, reasons for migration, but also about the assistance given to them after their return (Edo Returnee Report, 2018). Some interesting initial results were obtained, which can be read in the FCM report “The Migration Partnership between Switzerland and Nigeria”.

### Reinforcing structures for national migration dialogue

As the national body responsible for migration issues, NCFRMI is another important governmental actor and partner for Switzerland. Since 2015, following a migration policy<sup>33</sup> announced by the President of Nigeria, NCFRMI was set up to coor-

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“Dialogue helps us to understand the potential that migration offers for Nigeria’s development.”

(Sadiya Umar Farouq, NCFRMI President)

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dinate the activities of all agencies dealing with issues surrounding migrants and refugees in Nigeria. Switzerland assists NCFRMI in implementing its strategy and establishing itself as a structure. This top-down approach is important to put migration on the political agenda. Switzerland’s interest in bilateral migration cooperation is mainly to ensure functioning state structures. Issues such as migration, internal displacement and deportation must always be addressed from the bottom up through the greater involvement on civil society actors on both sides.

### Border control to curb irregular migration and organised crime

In order to improve control of Nigeria’s northern border, which is permeable in many places, the EU launched a joint border control project with the Nigeria immigration service (NIS) in 2015. As part of this project, strategically important border posts were connected to the Migration Information and Data Analysis System (MIDAS), which was developed by the International Organization for Migration (IOM). These border posts were also connected to the Internet and equipped with solar power.<sup>34</sup> Various donor countries, including Switzerland, are also part of *Enhancing Land and Sea Border Data Systems* in Nigeria (ELSBDS II), a follow-up project being implemented by IOM Nigeria.<sup>35</sup> However, there is no overarching body to coordinate the migration activities of these donors and there is a lack of projects that con-

sistently focus on the protection of migrants. A large portion of the ICM’s general budget for the Switzerland-Nigeria migration partnership is used for capacity building (infrastructure and training) in the area of border control. Large sums are allocated to border control projects that are intended to tackle cross-border crime.

### Exchange programme for young diplomats

The exchange programme for young diplomats is rather modest compared to the high level of funding allocated to capacity building in technical areas. Nevertheless, these diplomatic exchanges are of high political and symbolic significance in developing the partnership and strengthening bilateral relations.

### 3.2.5 Focus on protection: young migrants and internally displaced persons

A 2014 report from the Norwegian Refugee Council (NRC) states that no other country on the African continent has more internally displaced persons than Nigeria. As a country of origin, transit and destination for migration, Nigeria faces major challenges in its efforts to protect the rights of migrants, refugees and internally displaced persons. These challenges cannot be met alone. At multilateral level, the government therefore works with various partners, including the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC).

Switzerland provides project funding to *Service Social International* (SSI), a Geneva-based non-profit organisation that seeks to protect and reintegrate unaccompanied minors in West Africa. SSI has developed regional standards for this purpose and is committed to ensuring that these standards are implemented throughout West Africa.

The *Civil Society Legislative Advocacy Center* (CISLAC) project for the protection of internally displaced persons, co-funded by Switzerland, has managed to put this issue on the Nigerian government’s political agenda.<sup>36</sup>

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<sup>33</sup> Federal Republic of Nigeria (2015).

<sup>34</sup> Co-funded by the EU, Switzerland and Japan, a total of ten border posts were connected to MIDAS.

<sup>35</sup> This is a multi-donor approach with IOM as the implementing organisation.

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<sup>36</sup> The FCM delegation was not able to communicate directly with the sponsors of these projects; our comments are therefore based on second-hand information.

### 3.2.6 Focus on dialogue: human rights policy and peace promotion

A certain proportion of the projects supported by Switzerland within the framework of the migration partnership are intended to protect human rights and promote peace. In particular, the activities funded by the FDFA's Human Security Division (HSD) are explicitly aimed at improving human rights in Nigeria. In regular dialogues, the two countries also address human rights issues.

#### **Switzerland-Nigeria Days**

Annual meetings between the Nigerian and Swiss authorities have been organised since 2011. These *Switzerland-Nigeria Days* include various discussions about migration, human rights and foreign policy. These events help to facilitate co-operation on specific projects and maintain trust on an interpersonal level, which ensures respectful interaction between the two partner countries.

#### **Focus on human rights in police work and criminal justice**

Two projects are currently being run to promote human rights standards in police work and within the criminal justice system.<sup>37</sup> In the first project, Switzerland works with Nigerian police forces to organise human rights training for mid-level police officers. A total of over 2,000 police officers have undergone this training since the first courses began in 2011. In the second project, Switzerland works with the *Nigerian Prison Service* (NPS) to provide human rights training to correctional officers working for the Nigerian Prison Service. This project has been ongoing since 2014 and was expanded in 2018 to include police and judicial officers. So far, a total of 435 people have undergone this training.

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<sup>37</sup> The FCM delegation did not have the opportunity to visit these projects. The information comes from the FDFA's Human Security Division.

## 4. Areas of tension: Assessments and observations on the migration partnership between Switzerland and Nigeria



During their visit to Nigeria, the FCM delegation members identified a number of migration issues that were a source of tension both in general and specifically in connection with the migration partnership. The following comments are based on the delegation's own observations and its discussions with various actors.

### 4.1 Different interests of countries of origin, transit and destination

Countries of origin, transit and destination naturally have different interests that depend on their respective roles. As each country takes measures to safeguard its own interests, reconciling these interests becomes a major challenge.

#### Interests of destination countries

The fair and appropriate distribution of asylum seekers in European destination countries was an issue long before the period 2015-2017, when many European countries had to contend with a major influx of migrants and refugees. Governments in these countries are also concerned

about how to deal with asylum seekers who are not granted asylum or temporary protection. Historically, many countries initially adopted a policy of "non-entry"<sup>38</sup>, making access to the asylum system more difficult through unilateral (legal) provisions in the destination country. Such measures include the designation "safe countries of origin and third countries" and discontinuance of the practice of allow asylum seekers to request asylum at diplomatic missions abroad. In addition, cooperation between countries is now regulated by the Dublin Association Agreement. As is well known, Switzerland is a landlocked country with no maritime borders. It has therefore benefited from this system and has been able to transfer many asylum seekers to other Dublin States.

Since the introduction of the free movement of persons within the EU, immigration opportunities have been restricted for non EU/EFTA nationals. Immigration from third countries is also very

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<sup>38</sup> See Hathaway (1992).



restrictive in Switzerland.<sup>39</sup> Switzerland's policy is aligned with that of the EU, which critics describe as the "Fortress Europe" policy.

The policy of "sealing off" Europe can also be observed in the increasing externalisation of responsibilities for border protection or the granting of protection.<sup>40</sup> Foreign migration became a new policy area for the EU around the turn of the millennium. This resulted in the *Global Approach to Migration* and a corresponding series of "mobility partnerships"<sup>41</sup> to regulate dealings between the EU and its neighbouring countries in Eastern Europe, the Middle East and North Africa. This instrument originally provided for three areas of cooperation: legal migration, migration and development, and combating irregular migration, although empirical studies show that the latter has always dominated.<sup>42</sup> The fight against irregular migration also includes the return of persons who do not have the legal right to stay in the EU.

#### Interests of countries of origin

The interests of countries of origin, which often also find themselves to be countries of destination for migrants and refugees, must in principle be regarded as contrary to those of destination countries. Countries of origin are interested in securing safe and legal migration to destination countries, most of which are located in the global North, be it for business, study or employment. In many countries of the global South, remittances from emigrated citizens contribute a substantial portion of gross domestic product.

In the case of Nigeria, the interests are quite diverse. The government's key migration concern in recent history has been for its citizens to be "treated decently" and for the return of rejected asylum seekers to be "dignified". It should also be possible to migrate legally, a concern raised in relation to the migration partnership existing between the two countries.

However, reality shows that very few legal migration options have been created so far and that there is still considerable room for improvement. Only a few projects offer internships in Switzerland

or outside Nigeria. Nigerian experts feel that the creation of legal migration options, e.g. temporary

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**"Nigerians migrate irregularly mainly because of poverty, lack of prospects and difficult pathways to legal migration. It would help if there were minimal legal alternatives."**

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(Emmanuel Obinyan, founder and Director of the Global Initiative Against Illegal Migration GIAIM)

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traineeships and jobs in Switzerland for a limited group of people could send out a more positive signal that would change the current outlook. A modified visa policy in the area of admission to the labour market could also curb irregular migration.

#### Interests of transit countries

Transit countries are often caught in the middle between the interests of countries of origin and destination. Although they have not been targeted as a destination country, they frequently have to contend with large numbers of people who become stranded after fleeing from armed conflict or because borders are blocked. Transit countries often reach the limits of their own infrastructural capacities and are dependent on international aid.

Libya is the most important transit country for migrants from Nigeria and other countries, most of whom have taken the West African migration routes through irregular means. The situation in Libya is extremely precarious at the moment. Many migrants are held in detention camps or prisons under conditions that are highly dubious from a human rights perspective.<sup>43</sup>

Generally speaking, however, all Maghreb countries are confronted with the situation of serving as transit countries for sub-Saharan migrants. However, with the closure of the European borders for workers from Maghreb countries, African migration routes are also blocked. The EU's attempts to persuade Maghreb countries to prevent mi-

39 Each year, Switzerland allocates a relatively small quota for particularly specialised experts from countries outside the EU/EFTA.

40 See Lavenex (2019).

41 See Angenendt (2012).

42 See Reslow (2017).

43 Cf. Molenaar, Fransje et al. (2018).

grants from other African countries from coming to Europe have been met with little support from Maghreb governments. Various experts are therefore of the opinion that cooperation on migration issues between Europe and North African countries can only succeed if migration partnerships are established with these countries “which are worthy of the name”.<sup>44</sup> In concrete terms, education offensives would have to be launched and job prospects created so that people can envision a future in their own country.

#### 4.1.1 Nigeria as country of origin, transit and destination

Nigeria itself is a country of origin, transit and destination for migrants and is thus confronted with a wide variety of different migration flows. Nigeria is also a member of the Economic Community of West African States (ECOWAS),<sup>45</sup> where the free movement of persons has been in force since 1979. Many ECOWAS countries are experiencing both significant emigration and immigration, which has led to a high degree of mobility within the region.<sup>46</sup> It is worth mentioning that migration is commonplace in West Africa and people from this region are among the most mobile in the world. For this reason, managing migration has not been a priority issue for the Nigerian government for a long time. It is only in the last decade that the government has begun to establish a national migration policy that takes into account of a wide range of aspects.

#### Regional migration and migration pressure

Migration to and from Nigeria is still primarily a regional phenomenon: according to estimates, seventy per cent of emigrants go to another ECOWAS state; only nine per cent emigrate to Europe or North America. This also has to do with their visa policy, which severely restricts legal migration to the global North<sup>47</sup>. At present, the population of Nigeria is estimated to be at least 200 million peo-

ple. According to UN forecasts, the country will have a population of around 264 million people in 2030 and is expected to reach 410 million in 2050.<sup>48</sup> Nigeria will thus be the most populous country in the world after India and China. The United Nations Children’s Fund (UNICEF) estimates that the lack of appealing and/or viable local employment prospects will intensify migration pressure from Nigeria, especially since over half of the population will be under eighteen years of age.

#### IDPs and refugees

Nigeria currently has 2.2 million internally displaced persons (IDPs) seeking protection in their own country. They fled their regions of origin because of armed conflicts, but also because of natural disasters such as droughts and floods<sup>49</sup>. According to Amnesty International, in 2016, 54,931 Nigerian nationals applied for asylum in another country (particularly in Italy, Germany and South Africa). However, only a very small proportion have actually been granted asylum, despite the fact that in some regions the country is not in a position to protect people from violence.<sup>50</sup> Finally, Nigeria is also a destination country for refugees from Cameroon, the Democratic Republic of Congo and the Central African Republic of Congo.

#### 4.1.2 Mobility within African countries and migration across the continent

Across the entire African continent as well as between North African and Southern European countries around the Mediterranean Sea, migration flows are part of a centuries-old tradition<sup>51</sup> and expressions of the economic activities of many people: nomadic societies, traders or even seasonal workers are highly mobile and cross national borders in response to demand. The fact that migrants not only send money back to their country of origin, but also establish and cultivate relationships for the future, runs somewhat counter to the aim of curbing migration, even when irregular migration is the main focus of these efforts.

44 See Stauffer (2019).

45 The Economic Community of West African States is comprised of 15 members: Benin, Burkina Faso, Cabo Verde, Côte d’Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

46 The countries most affected by emigration and immigration flows are Senegal, Côte d’Ivoire and Nigeria.

47 The top five emigration destinations are: USA, the UK, Cameroon, Italy and Côte d’Ivoire. About six per cent emigrate to other sub-Saharan countries; the remaining fifteen per cent to the Middle East.

48 See Unicef (2014). More recent official estimates are not available.

49 Conflict-driven internal displacement occurs mainly in the north-east. Violent clashes between (mainly Christian) farmers and (mainly Muslim) nomads over water and land resources take place mainly in the Middle Belt. Attacks on oil infrastructure by criminal gangs occur in the Niger Delta.

50 See Mixed Migration Centre MMC (2019).

51 See Abulafia (2011).

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**“Migration has always been a normal thing on the African continent.”**

(José Candahula, UNHCR Representative to Nigeria)

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People who migrate generally enjoy a high standing in Nigerian society. Through their actions, they help to establish networks and business relationships and, last but not least, provide economic support for the families left behind in the country. With annual remittances of around USD 22 billion, the Nigerian diaspora working abroad makes a substantial contribution to gross domestic product.<sup>52</sup>

#### **Varying appeal of destination countries and varying safety of migration routes**

The representatives of government agencies, international organisations and NGOs, however, tended to be far more concerned with the unsafe and treacherous migration routes through the Sahel to Maghreb countries, the latter being the departure point for Mediterranean crossings to Europe. The bitter experiences of exploitation and violence that most of those willing to migrate have had to endure epitomise the precariousness of these unsafe routes. Nevertheless, the dramas suffered do not seem to prevent many new migrants from setting off anyway, despite awareness of the risks.

While migration flows to continental Europe tend to be comprised of less educated and poorer population segments, the United States, Canada and the United Kingdom tend to draw members of Nigeria's elite. They have the necessary means to study or establish business ties abroad and usually maintain extensive and well-established connections with the diaspora. The inequality between the elite and the underprivileged is thus also reflected in the different migration options available to them: the elite have greater access to legal migration pathways and the underprivileged are left with “no other alternative” but to pursue irregular migration.

#### **Human trafficking as a driver of migration**

Human trafficking is one of the most lucrative businesses in the world. According to the *Global Slavery Index*, Nigeria has the largest number of victims of human trafficking: 1,386,000 persons<sup>53</sup>, placing the country 32<sup>nd</sup> out of 167 countries. According to NAPTIP, about 75 per cent of people are “trafficked” between states within Nigeria and 23 per cent within a state itself, and only two per cent of victims are sold across the national border<sup>54</sup>. For those who make it to the European continent, Italy is generally the first country of arrival. According to IOM and Italian authority estimates, between 10,000 and 30,000 Nigerian women work as prostitutes in Italy, of their own volition or through coercion.<sup>55</sup>

#### **4.1.3 Different viewpoints of Nigerian authorities, prospective migrants and those who make migration a business**

A further area of tension also becomes apparent when considering the concerns and needs of the various actors involved in migration flows. The Nigerian authorities, prospective migrants and those who make migration a business generally all consider migration to be “normal” and a “positive” thing. Nevertheless, these three groups do not share the same perspectives on migration.

##### **Nigerian authorities: importance of safety**

For Nigerian officials, ensuring the safety of migration routes for their own citizens is a priority. Accordingly, they advocate that people refrain from irregular migration. Most of the people we spoke to expressed their concern about criminal organisations that “ruthlessly” exploit “the longing for a better life” of migrants. Putting a stop to organised crime is an extremely complex undertaking that requires not only “staying power” but also a systematic and coordinated approach.

##### **Prospective migrants: longing for a better life**

Potential migrants are themselves driven by the hope of building a better life elsewhere.<sup>56</sup> The promises of a more beautiful and comfortable life

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52 In 2018, Nigeria's GDP stood at USD 327 billion (Statista 2019).

53 See Pathfinders Justice Initiative (2019).

54 See SEM reports (2019b) and (2019c).

55 See IOM report (2017).

56 Cf. Aderanti et al. (2010).

in the “West”, which are spread by (social) media, or the prospect of “fast and good earnings” lure many to set out for “paradise”. In addition, emigration is part of a “tradition”, so to speak, and emigrants are held in high esteem. It is therefore not surprising that, despite awareness campaigns, people are prepared to expose themselves to the risks of irregular migration<sup>57</sup>. The question thus arises as to which alternatives in their own country are appealing enough to deter people from irregular migration.

#### **Those who make migration a business**

For those who make migration a business, i.e. the transporters, providers of accommodation and food along the migration route, migration is a lucrative business. This business, which some have been doing for decades, has become increasingly professional in recent years. When far fewer people were travelling to Europe, smugglers offered their services at comparatively “fair” conditions and were concerned about maintaining their good reputation as decent professionals. Nowadays, it is mainly criminal organisations that are at work. They operate in highly structured networks, which makes it difficult for the authorities to intervene in a targeted and effective manner.

In addition to the service providers along migration routes, civil servants in some West African countries also benefit from irregular migrants. However, unlike countries such as Niger, Mali, Libya and Burkina Faso, where the greasing of border officials is commonplace, bribery of public officials seems to be less commonplace in Nigeria.<sup>58</sup>

#### **4.1.4 Migration policy interventions: Nigerian government, international organisations and civil society**

A further area of tension becomes visible when we turn our attention to migration policy interventions. Efforts to “manage” migration are perceived differently depending on the actor, corresponding interests or mandates.

#### **Nigerian government: migration policy focussed on various stakeholders**

The trafficking in human beings is an issue that has hit international headlines. Not only does the Nigerian government have to take measures to combat trafficking in human beings, it also has to protect the victims of human trafficking. At the same time, the 2.2 million internally displaced persons (IDPs), which receive far less media coverage, are by no means a less significant problem. The Nigerian government is currently developing a national strategy to protect and support IDPs and offer long-term solutions to improve their plight. The Nigerian government also has to deal with the influx of Cameroonian refugees, all of whom need to be accommodated and integrated.

#### **International organisations: overarching interests**

The work of international organisations such as UNHCR or ICRC is guided by their respective mandates. They intervene in situations where an individual country reaches the limits of its own capacities in the event of conflicts or natural disasters, resulting major refugee flows. In Nigeria, the ICRC is primarily concerned with crisis regions in the north-east, where violent conflicts have led to displacement of the local population. For its part, UNHCR is committed to finding lasting solutions for refugees in Nigeria and in the ECOWAS region. IOM Nigeria, for its part, works on behalf of the Nigerian government to facilitate the return and reintegration of migrants.<sup>59</sup>

#### **Civil society: a highly diversified group of actors**

Government agencies and internationally active organisations rely on civil society actors to implement migration policy measures. Based on its observations, the FCM delegation considers Nigerian civil society to be very heterogeneous both in terms of professionalism and (ideological) background of civil society initiatives. Donor countries often require tasks to be assigned to civil society organisations as a precondition for releasing funds. In a country with still rather underdeveloped civil society structures, it is unclear what criteria can be used to select civil society organisations for a given mandate and how professionalism can be measured.

<sup>57</sup> A recently published study by the United Nations Development Programme UNDP (2019), based on interviews with around 3,000 African migrants in 13 European countries, concludes that irregular migration pays off for the majority of those interviewed despite adversity and precarious work situations.

<sup>58</sup> See Frouws and Brenner (2019).

<sup>59</sup> IOM is also active in other types of support to the Nigerian government, for instance policy development.

#### 4.1.5 Migration policy versus human rights and peace policy concerns

Another area of tension relates to the orientation of the projects supported. Depending on the focus, for example, building structures (e.g. to protect borders) or working with people (e.g. to rehabilitate victims of human trafficking), diametrically opposed approaches may emerge. The question here is the extent to which “migration management” should take precedence over human rights and peace policy concerns.

Since Switzerland has reduced emphasis on return assistance and the reintegration of rejected Nigerian asylum seekers, there is an opportunity for it to play a greater role in the area of human rights and peace policy. In addition, human rights issues have been raised in human rights discussions since 2011 and at *Switzerland-Nigeria Days* since 2016. Although Switzerland is a small player in these areas compared to other actors, it enjoys a high degree of credibility in connection with its migration partnership with Nigeria. Specific action could therefore be taken for improvements in the following areas: the empowerment of women,<sup>60</sup> the development of a functioning asylum system<sup>61</sup> and the fight against human rights violations.<sup>62</sup>

#### 4.1.6 Migration and economic development

One of the particularly challenging areas of tension has to do with Swiss and Nigerian economic interests. Several international companies based in Switzerland have been active in Nigeria for quite some time already.<sup>63</sup>

##### Great interest in Nigeria as trading partner

Nigeria is Switzerland’s second most important trading partner in Sub-Saharan Africa after South Africa. While Nigeria exports mainly crude oil, Switzerland exports mainly machinery, pharma-

ceuticals, chemicals and textiles to Nigeria. 60 to 70 Swiss companies are based in Nigeria, mainly

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“I see potential and growth prospects in the Nigerian market; however, the environment for (Swiss) investors is challenging.”

(Georg Steiner, Swiss Ambassador to Nigeria)

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in the south of the country. Their foreign direct investments stand at around USD 300 million and these companies employ some 4,000 people.

Nowadays, Switzerland covers almost all its needs with high-quality Nigerian oil.<sup>64</sup> Switzerland’s significant position in commodity trading has repeatedly raised questions about the activities of Swiss companies in recent years.<sup>65</sup> Glencore, based in Baar, was one of the main customers of Nigerian oil magnate Kola Aluko, who is accused of disloyal management.

The Swiss Ambassador to Nigeria sees potential and growth prospects in the Nigerian market; however, the environment for (Swiss) investors is challenging.

##### Financial ties

In the past, relations between Switzerland and Nigeria have also been shaped by finance policy issues. As a member of the Paris Club, Switzerland is part of an informal group of public creditors seeking solutions for indebted countries in financial distress<sup>66</sup>. As a financial centre, Switzerland also played an instrumental role in the “Abacha money” affair. Under the military regime of Sani Abacha, over USD two billion in state funds were embezzled to foreign accounts, some of which to Swiss banks.

60 See Chapter 3.1.1 “Excursus: strengthening the role of women in Nigerian society”.

61 The UNHCR and NGOs point to fundamental deficiencies in the Nigerian asylum system, e.g. in granting asylum and legal protection. An important task is therefore to build the capacities of state and civil society organisations to better protect asylum seekers, refugees and IDPs.

62 In its country report on Nigeria, Amnesty International draws attention to various forms of human rights violations and the precarious situation of homosexuals.

63 See Page (2015).

64 In 2015 Switzerland imported the equivalent of CHF 462 million of Nigerian crude oil, but only exported CHF 183 million in goods to Nigeria (Swiss Embassy Abuja 2016).

65 According to NGOs, around 35 per cent of the global oil trade is conducted through Swiss trading companies.

66 Nigeria was the first African country to completely pay off its debts to the Paris Club; on 21 April 2006 the Club received USD 4.5 billion.



### What legal channels?

Representatives of the Nigerian government and civil society expressed the hope that the existing economic ties between the two countries could be leveraged to establish legal migration channels to Switzerland for Nigerians. However, Switzerland's migration policy, which provides for only very limited admission of third-country nationals for particularly specialised workers, makes it impossible for Switzerland to offer the prospect of such legal migration channels. Thus, there are only a few possibilities that could address this wish. The exchange programmes of Nestlé and *Rainbow Unlimited* are one step in this direction. However, due to the very limited number of potential beneficiaries and the very short duration of the internships offered, these options cannot really be described as "legal migration channels" and certainly do not constitute real alternatives to irregular migration.

### Migration partnerships versus development cooperation

Switzerland's migration partnerships with other countries are not directly linked to Swiss development cooperation objectives and concerns. And although humanitarian aid and global programmes are certainly part of Switzerland's commitment, Nigeria is not an SDC priority country. From viewpoint of the actors involved in a highly diverse range of migration partnership activities, Swiss development cooperation could serve as a means of shaping and solidifying the migration partnership, though one should not become contingent on the other.<sup>67</sup>

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<sup>67</sup> The FCM is of the opinion that although the issue of migration should or could be addressed in the context of Swiss development cooperation, the corresponding activities should not be pursued with the objective of curbing migration. See also the position of the FCM on the federal strategy for development cooperation (FCM 2019).

## 5. Conclusions and recommendations



### 5.1 The Switzerland–Nigeria migration partnership in practice

Using the example of the migration partnership between Switzerland and Nigeria, the FCM analysed the normative structures of migration partnerships and the ideas underpinning these structures. It was able to gain deeper insight into local practices and, on this basis, assess the potential advantages and weaknesses of migration partnerships.

Many people who spoke with members of the FCM delegation described the difficult socio-economic situation facing the Nigerian population. The focus has always been on the lack of prospects for a large part of the population, which is increasingly comprised of young people. However, other problems and challenges were also mentioned.

To sum up, it can be said that

- the economic situation is difficult and for many people a cause for concern.
- there are few opportunities for training, employment that could be considered appealing and/or adequate to earn a living.
- the consequences of military dictatorships on the public education system are still felt today.
- violence against women is widespread
- corruption is still widespread and permeates the whole of society.
- conflicts – e.g. between shepherds and farmers, from radicalised Boko Haram fighters or between rival criminal gangs – have claimed thousands of lives in recent years.
- there is a large number of internally displaced persons who have to cope with very precarious living conditions.
- from the perspective of the migrant, migration is often as a way out of a difficult situation.
- the increasingly restrictive migration policies in the “global North” prevent the possibility of safe migration
- there is no narrative on the risks of irregular migration and on the situation that Nigerian migrants can expect to find in Europe.
- many young women and men who return are ostracised by their families and local communities
- trafficking in human being has become more prevalent, especially in the informal economic sectors.
- there is a need for more integrated programming looking at the different angles of prevention, protection and prosecution.
- it is also a great challenge for a government with good intentions to improve the difficult living situation of many people.

The members of the FCM delegation were also impressed by the confidence and positivity of the many people they met in Nigeria. These people want to help create opportunities for the population and reduce the risks of migration. The focus was less on better management of migration and more on ensuring the safety and dignity of people.

The situation can be improved in this respect if

- poverty is reduced and prospects are created to allow people to remain in the country.
- access to education is improved.
- young people migrate in a self-determined and informed way (e.g. with bottom-up information campaigns).
- migrants receive protection and psychosocial support when needed.
- families learn what has happened to family members who are *missing* (*missing migrants*).
- countries like Switzerland encourage legal migration or relax visa systems (e.g. for training purposes coupled with scholarships).
- investments are made to create jobs.
- there is a transfer of know-how between Nigeria and Switzerland in practical and technical professions or in agriculture.
- Nigeria and Switzerland work more closely together in the area of human trafficking – as an area of internationally organised crime – (victim identification, victim protection, access to justice, legal assistance).
- practical research is conducted to show the tangible benefits of countries working together through migration partnerships.

### 5.1.1 SWOT analysis of the migration partnership

The results of our analysis of the strengths, weaknesses, opportunities and threats (SWOT) of the migration partnership between Switzerland and Nigeria are described below.

#### Strengths and opportunities

Migration partnerships are participative: they are designed to facilitate dialogue and a balancing of interests. In principle, they enable migration issues to be addressed beyond the scope of domestic policy and allow fair bilateral negotiation processes to take place in a spirit of mutual respect.

Switzerland's pursuit of partnership dynamics, regular dialogue and a balancing of interests has garnered its reputation as a credible and reliable

cooperation partner in Nigeria. The network established as part of the migration partnership and the goodwill that Nigeria has shown towards Switzerland also benefits our country in other foreign policy areas as well.

Another strength of migration partnerships is their flexibility of content. This makes it possible to find appropriate solutions to new challenges and develop partnership cooperation not only at project level but also at institutional and dialogue level. Practical experience shows that this freedom to shape the content of cooperation has enabled the actors involved to successfully exploit available opportunities.

In recent years, the *win-win concept*<sup>68</sup> presented in the Swiss federal government's brochure has been expanded to a *win-win-win concept*<sup>69</sup>. The aim is not only to reconcile the interests of the two countries involved, but also to take into account the interests of migrants of the partner state. The expansion of the concept creates new scope for practice. For example, Switzerland is increasingly supporting institutions that seek to create prospects for young people in Nigeria. With great commitment, small NGOs offer technical and/or psychosocial support, thus helping young Nigerians to gain a foothold in everyday life and build a livelihood for themselves. Swiss support for these projects helps to strengthen civil society. Structures are also needed to enable these civil society actors to interact with one another within a network, to share information and experiences and bring their concerns to political bodies.

The business community could also do more to ensure that the needs of the population are taken into account in the partnership. Global companies, in particular, could be encouraged and offered incentives to create more internships and vocational education and training in the future.

In summary, the FCM feels that the full potential has not yet been fully exploited. It would therefore urge both countries to make even greater use of the opportunities in future: for example, by providing greater support for projects that open up more opportunities for social advancement in Nigeria through education, further training and the creation of appealing jobs; by involving civil

68 See FDJP and FDFA (2008).

69 See SEM (2018) and SDC (2017).

society more closely in the implementation of projects; and finally, by making greater use of the migration partnership to improve democratic processes and a human rights policy.

### Weaknesses and threats

A closer look, however, reveals weaknesses: the various federal offices involved in the migration partnership with Nigeria pursue the goals and objectives of their respective federal departments, which are not always identical. It is true that on a practical level there is a balancing of interests within the ICM structure. Although the Swiss-funded projects make sense on their own, outside observers are left with the impression that projects are being implemented ad hoc as opportunities arise. Due to the budgetary requirements of the federal offices and departments, funding for foreign migration policy projects and activities is not drawn from a single general budget, which would be desirable as it would enable funding to be allocated strategically. In addition, multilateral aspects should receive greater emphasis and it should be shown that bilateral and multilateral levels (e.g. Global Compact on Migration) must necessarily complement each other if foreign migration policy is to be successful. It would also be desirable for the Federal Council to adopt an overall strategy that makes fundamental statements on the objectives of migration policy and also envisages expanding the opportunities and scope for legal migration from third countries.

Switzerland's financial resources for foreign migration policy are limited. In addition, Switzerland competes with other players in this area that have much more extensive resources. When implementing projects, Switzerland should therefore leverage its strengths, namely by fostering a partnership-based dialogue with local partners and by developing innovative approaches to address the various issues.

Migration partnerships have a transparency problem: the ICM structure that coordinates Switzerland's foreign migration policy has so far failed to indicate which projects are being implemented in the various migration partnerships, what goals they pursue and what impact they have. Greater transparency would be an important prerequisite for migration partnerships – both as a structure and as a practice – for this would bring greater awareness and support from the general public.

The shortcomings of Nigeria's education system cannot be remedied by a few committed NGOs and companies. Sustainable improvement must also start at the structural level. The Nigerian government is well aware that a lack of prospects is one of the main causes of migration and that education can help to create opportunities for upward social mobility within the country. Education is therefore an important cross-cutting theme in the *National Migration Policy*. The Federal Office of Economic Affairs, Education and Research (EAER), which is also part of the ICM structure, has the know-how to improve education structures. In the long term, these structures should be consolidated at institutional level, e.g. in cooperation with the Nigerian Ministry of Education.

Switzerland could also create prospects in the education sector by relaxing visa requirements for educational purposes and by offering scholarships.<sup>70</sup> During the FCM delegation's visit to the Nigerian Foreign Ministry, Nigerian officials suggested that if Switzerland were to strive for a balancing of interests in the area of legal migration and help to improve the educational opportunities for young Nigerians, this would send out a strong signal.

There are considerable gaps in migration research in Nigeria and many activities are based on speculative assumptions. Cooperation in the area of research would therefore also be an important part of the migration partnership. For example, cooperation between Swiss and Nigerian research institutions – such as the *Swiss Sub-Saharan Africa Migration Network*,<sup>71</sup> which is supported by the EAER<sup>72</sup> – should be broadened. Encouraging the transfer of knowledge to society and policymakers would be another important step.

## 5.2 Recommendations

As an instrument of foreign migration policy, migration partnerships have developed continuously since they were first established in Swiss legislation. There is great potential to be tapped through a partnership between two countries that work

70 Each year, the Federal Commission for Scholarships for Foreign Students (ESKAS), for example, offers Federal Excellence Scholarships worldwide, including Nigerian students.

71 See: <https://www.unine.ch/sfm/home/formation/ssam.html>.

72 The FCM delegation was impressed, for example, by the *Center for Migration Studies* at Nnamdi Azikiwe University in Awka, which conducts applied research on a facts-oriented basis and wishes to contribute to Nigeria's migration policy.

together on migration challenges from a shared viewpoint of migration as a global. Such a partnership would allow them to initiate processes that would certainly challenge both sides. However, even in the presence of diverse and contradictory areas of tension, specific projects and (particularly) dialogue would enable concerns of interest to both countries to be addressed.

The processes launched within the framework of migration partnerships can thus lead to greater understanding of migration from both a domestic policy perspective and an overall perspective. The Global Migration Pact, which Switzerland was instrumental in formulating, is based on this latter perspective. While Nigeria has drawn up its own migration policy based on a more comprehensive understanding of migration, Switzerland is rather hesitant to take up this work. Not least with a view to Agenda 2030, which aims to “reduce inequalities between countries” and “facilitate orderly, safe, regular and responsible migration and mobility of people through the application of planned and well-managed migration policies”, the positive experiences gained through migration partnerships could help to raise corresponding public and political awareness.

The following recommendations were adopted by the FCM at its plenary meeting on 5 December 2019:

## 1 Develop migration partnerships further

In addition to careful consideration of extending migration partnerships to other countries, there is also scope for deepening existing partnerships. In individual countries, the projects supported are relatively small and manageable and their impact rather limited. It would be worth considering whether partnerships in individual countries can be intensified both in terms of scope and thematic coverage.

## 2 Involve and strengthen civil society

The example of Nigeria has shown the crucial importance of civil society actors when it comes to project implementation. In many places, civil society structures are still in their infancy. Support for

these structures, combined with the sharing of experiences among actors, could help to strengthen and professionalise the organisations involved.

## 3 Ensure continuity and stable structures to monitor and coordinate activities on the ground

The successful implementation of activities requires adequate human resources, maintained over a longer term to build on the practical experience gained by staff over time. Accordingly, local personnel must be provided with the necessary know-how locally. Stable structures provide the basis for ensuring the quality of cooperation.

## 4 Mainstream security, dignity and human rights

Both Switzerland and Nigeria are interested in the issue of security, dignity and human rights, although not always from the same perspective. The common interest in this topic provides the basis for making human rights issues, in particular the empowerment of women, a cross-cutting theme of cooperation in the migration partnership.

## 5 Create pathways for legal migration

The fight against irregular migration and the return of Nigerian nationals are key areas of action in the migration partnership between the two countries. Nigeria's desire to participate in globalisation and legal migration processes was also reflected in comments that pathways for legal migration should be established. In this context, the creation of further opportunities for legal migration (covering limited durations) should be considered.

## 6 Encourage economic actors to become more heavily involved in the migration partnership

A considerable number of smaller and larger Swiss companies have a subsidiary in Nigeria or are otherwise active in this country that offers great economic potential. However, so far only a few economic actors have been involved in the migration partnership. Greater involvement, par-



ticularly with regard to the provision of internships or apprenticeships, could help to create appealing prospects in the country itself.

## 7 Support research and encourage reflection processes on various aspects of migration

Research on the complex and multi-layered topic of migration is still rather underdeveloped in Nigeria. Support, e.g. in the form of funding for research projects, joint research programmes, exchanges of experts or fellowships for Nigerian researchers, could improve the level knowledge needed to respond more adequately to migration challenges.

## 8 Complement migration partnerships with multilateral forms of cooperation

The experience gained by the two countries in the framework of the migration partnership shows that challenges in this area never affect two countries alone. While bilateral cooperation is useful and productive, in many cases complementary multilateral approaches would be needed to find adequate solutions.

migration and mobility issues will become an even more pressing matter in the future. Moreover, it is obvious that the current policy alone does not suffice. Both the free movement of persons within the EU/EFTA and the rigid attitude towards third countries will not solve the problems in the medium and long term, but rather will intensify them. It would therefore be time to think about expanding existing approaches and developing and testing new ones through various exploratory projects and action steps. Europe currently seems to be failing because of its inability to handle migration and mobility of all kinds. From Brexit to the electoral successes of right-wing national parties, it is becoming apparent that the tensions are leading to enormous distortions rather than solutions. Given the tremendous importance and global dimension of migration issues, a reactive policy is therefore inadequate.

It goes without saying that there can be no simple or even quick solutions. But this should not stop us from trying out new approaches. Migration partnerships offer an opportunity that must be exploited. Building on the experience gained with this instrument, the concerns formulated in the Global Migration Pact and Agenda 2030 could also be promoted in Switzerland itself. In this sense, Switzerland could develop a migration strategy that is designed to reconcile domestic and foreign policy aspects in the longer term.

### 5.3 Outlook

All of the recommendations made here are intended to broaden the focus of migration policy to include an overall perspective. The ICM structure has opened up the possibility for the various federal departments to share information. This structure is intended to ensure that Switzerland has a uniform foreign migration policy in dealings with the outside world. Generally speaking, however, we find that migration is still not an independent topic. Instead, each office involved in the ICM structure supports projects in pursuit of its own logic. There are no independent structures, strategies, criteria and budgets geared to the specific interests and needs of partners in the migration partnership.

When developing a migration policy from an overall perspective, the aim should not be to “prevent” migration, but to think more along the lines of approaches that “enable” migration and safeguard humanitarian and human rights. It is likely that

## 6. Annex

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## 6.2 List of FCM delegation members

FCM delegation that visited Nigeria in April/May 2019:

- Walter Leimgruber  
President, Head of Delegation
- Fiammetta Jahreiss  
Vice-President until end of 2019
- Martina Caroni  
Member of FCM until end of 2019
- Andrea Lanfranchi  
Member of FCM
- Inés Mateos  
Member of FCM
- Dragica Rajčić Holzner  
Member of FCM until end of 2019
- Simon Röthlisberger  
Member of FCM until end of 2019
- Iris Seidler-Garot  
Member of FCM
- Simone Prodoliet  
Director
- Sibylle Siegwart  
Deputy Director
- Pascale Steiner  
Scientific advisor



### 6.3 List of abbreviations

HSD	Human Security Division, FDFA	MGSOG	Maastricht Graduate School of Governance
Asyla	Asylum Act	MIDAS	Migration Information and Data Analysis System
AU	African Union	MoU	Memorandum of Understanding
FNA	Foreign Nationals Act	MRC	Migrants Resource Center
AVRR Programme	Assisted Voluntary Return and Reintegration Programme	NAPTIP	National Agency for the Prohibition of Trafficking in Persons
FOR	Federal Office for Refugees	NCFRMI	National Commission for Refugees, Migrants and IDP's
FOM	Federal Office for Migration	NDLEA	National Drug Law Enforcement Agency
CISLAC	Civil Society Legislative Advocacy Center	NGO	Non-governmental organisation
CYID	Center for Youth Integrated Development	NIS	National Immigration Service
DEA	Directorate for European Affairs	NPS	Nigerian Prison Service
SDC	Swiss Agency for Development and Cooperation	PA-IV	Political Division IV of the FDFA (now HSD)
DIL	Directorate of International Law	DPA	Directorate of Political Affairs
ECOWAS	Economic Community of West African States	PiR	Protection in the Region (instrument of Swiss foreign migration policy)
FDFA	Federal Department of Foreign Affairs	PPP projects	Public-private partnership projects
EFTA	European Free Trade Association	SECO	State Secretariat for Economic Affairs
FDJP	Federal Department of Justice and Police	SEM	State Secretariat for Migration
FCM	Federal Commission on Migration	SEYP	Society for the Empowerment of Young Persons
ELSBDS	Enhancing Land and Sea Border Data Systems in Nigeria	SIYB	Start and Improve your Business
ETAHT	Edo Taskforce Against Human Trafficking	SSI	Service Social International
EU	European Union	UN	United Nations
EUTF	EU Emergency Trust Fund for Africa	UNDP	United Nations Development Programme
fedpol	Federal Office of Police	UNHCR	United Nations High Commissioner for Refugees
IDPs	Internally displaced persons	UNICEF	United Nations Children's Fund
ICRC	International Committee of the Red Cross	WACOL	Woman's Aid Collective
ICM structure	Interdepartmental structure for international cooperation in migration	EAER	State Secretariat for Economic Affairs, Education and Research
IOM	International Organization for Migration		
JTC	joint technical committee		



## 6.4 Map of Nigeria

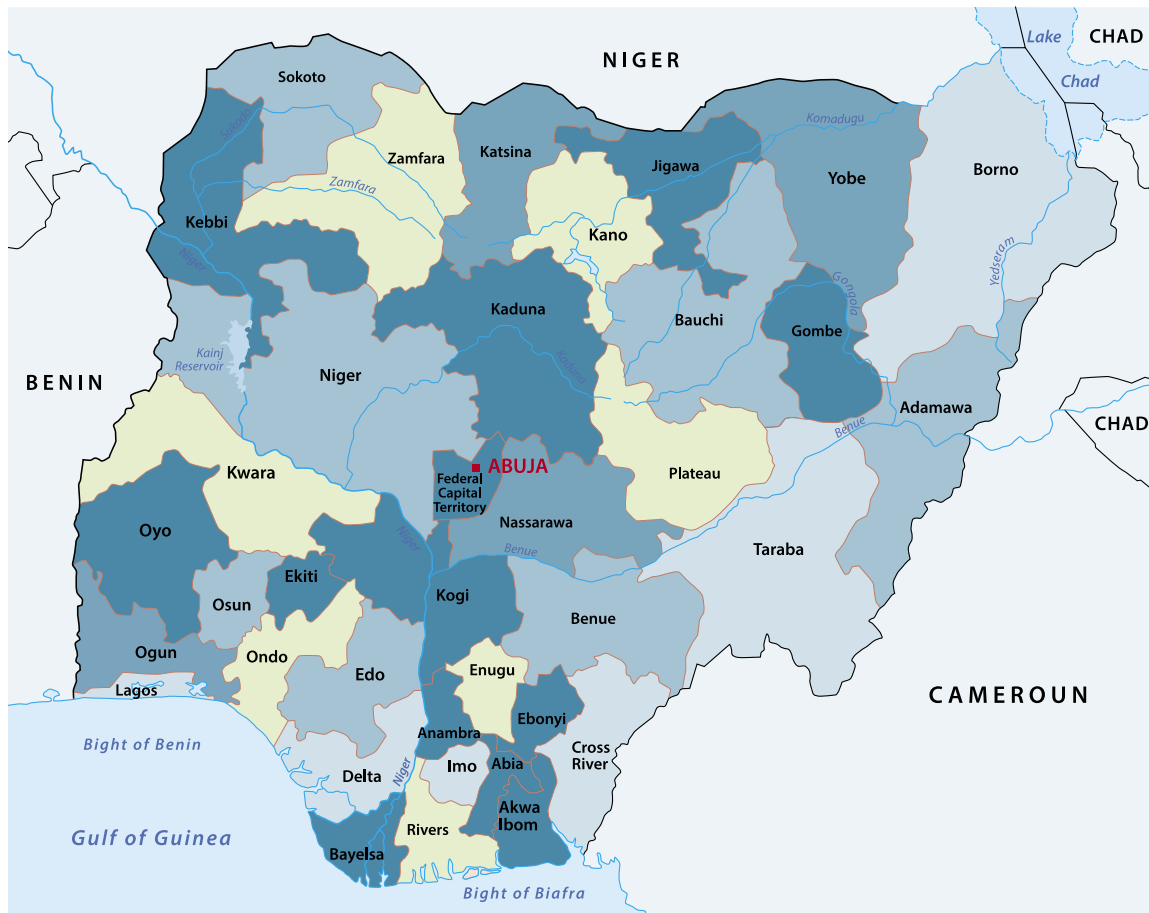


Figure 5: States of Nigeria.<sup>73</sup>



<sup>73</sup> [https://en.wikipedia.org/wiki/Nigeria#/media/File:Political\\_map\\_of\\_Nigeria.svg](https://en.wikipedia.org/wiki/Nigeria#/media/File:Political_map_of_Nigeria.svg)



