



Navigating Complex Social Relations



The Migration Industry as a Key Player in Transnational Labour Migration in Ghana

Key lessons

- Contrary to the migrant smuggling and human trafficking discourse which portrays migrants as playing a passive role in setting their own migratory agenda, migrants are active participants in the migration decision-making process.
- While recruitment agents and other actors in the migration industry play a part in reinforcing and representing structures of inequality and perpetuating exploitation, they are an important part of migrants' strategies to navigate through restrictive migration regimes and to realise their migration aspirations.
- Religious and cultural belief systems are key targets for messages on trafficking and irregular migration in Ghana.
- The exploitation and abuses highlighted in this Policy Brief are in part a result of a weak regulatory framework.
- Effective bilateral labour agreements have the potential to address the issues of exploitation and abuse that have been highlighted in the two migration corridors.
- There is a need for an effective labour migration governance system, characterised by a responsive legislative and regulatory framework that recognises the complexities of the migration industry.

Overview

Migration is seen by many poor rural households as a strategy to escape poverty and to improve on livelihoods. Although much is known about the drivers of migration, migrant experiences

upon arrival in the place of destination, as well as migration decision-making processes, much less is known about what facilitates and conditions migrant mobility. In response to strict migration



policies that frustrate the aspirations of potential migrants in developing countries, an array of brokerage services and intermediaries at various levels have emerged to facilitate mobility and fill the gaps left by migration control policies. Agents who facilitate the migration of people are often portrayed as unscrupulous exploiters of migrants for financial gain, while migrants using the facilitative services of brokers are framed as passive victims with no agency in setting their own migration agendas. Recent research conducted under the Migrating out of Poverty Consortium (Awumbila *et al.*, 2017, 2018; Deshingkar, 2018) has criticised this binary characterisation and has argued for a broader conceptualisation of the migration industry for a more holistic understanding of the mediating practices that facilitate and constrain it. This Policy Brief examines the flow of low-skilled migrants along two migration corridors – from Ghana towards Libya and Europe, and from Ghana towards the Gulf states – for work in the domestic and construction sectors, to provide insights into how migrants' mobility processes are impacted in various ways. These two migration corridors have assumed increasing importance in Ghana's migration trajectories, not only as a result of strict visa regimes in North America and Europe, but also due to recent political changes in Libya and North African countries.

Methods

A comparative, multi-sited and qualitative research approach was adopted to collect data on the inner workings and functioning of the individuals and institutions that collectively make up the migration industry in Ghana. The study was undertaken in three different sites – two rural locations in the north (Tamale and Bawku areas) and the Nkoranza area in Brong

Ahafo Region. The urban location was Accra and its surrounding towns of Tema and Ashaiman. In addition to these migrant source areas, phone interviews were conducted with current migrants at some transit points and destinations in Libya, Europe, and the Gulf states. In-depth interviews with 91 respondents and non-participant observation constituted the main data collection methods used.

The context for labour migration for work in domestic and construction sectors in Ghana

Labour migration has historically been a livelihood strategy in Ghana. Since the late 1990s, when strict visa regimes made regular migration to the global North more difficult, migration to the Gulf region as well as irregular migration through the Sahara Desert to North African countries and across the Mediterranean into Europe, have become major migration corridors. Work in the construction and domestic work sectors have provided opportunities for many Ghanaian migrants in these corridors. Recruitment into these two sectors is largely facilitated by licensed and unlicensed private recruitment agencies, 'connection men', social networks, and other intermediaries. Data from the Labour Department in 2017 indicate that the number of recruitment agencies in Ghana rose sharply from only three registered/licensed agencies in the mid-2000s to about 200 recruiting domestically and another 43 recruiting for employment abroad.

Key findings

Aspiring migrants largely made their own individual migration decisions

Our findings indicate that the majority of migrants in both migration corridors made migration decisions largely on their own, mainly based on maximising their own expected utility, rather than as a result of a family decision-making process. This meant that often, after taking their individual decisions, some migrants would migrate before informing their relatives of the move.

Migrants actively seek the services of brokers to realise their migration aspirations

Once the decision to migrate was made, migrants on both corridors actively sought the services of agents or brokers to realise their migration aspirations. Brokers of all categories therefore constitute some of the intrinsic social capabilities that aspiring migrants require for their migration to be successful. Migrants moving along the Ghana–Libya route rely on a chain of agents to facilitate the different segments of the migration route. Many of them relied on informal agents ('connection men') to help them acquire passports and to connect to truck drivers and intermediaries at the transit points and destinations. In comparison, aspiring migrants in the migration corridor to the Gulf states tend to use formal/semi-formal recruitment agencies/intermediaries, as under the *Kafala* system in the Gulf migrants are unable to make private travel and employment arrangements with employers at the destination without accessing the services of an agent.

The choice of recruitment agent used by aspiring migrants depended on a number of factors.

These included the agent's track record of helping others to migrate, how well known the agent was in the community, and the social status of the broker, such as being an *Alhaji* (a person who has been on a pilgrimage to Mecca). This underscores the importance of trust-based relationships between migrants and recruitment agencies and intermediaries, especially where formal employment exchanges and insurance are absent.

Brokers play a range of multiple and often contradictory roles

Recruitment agents provide a variety of services including the supply of critical information – on the dangers of the journey for the North Africa corridor migrants, trusted agents, how to manage meagre resources such as food, water, and money, and general security and safety issues – plus links for migrants to migrate successfully. This was corroborated by most of the migrants we spoke to. However, there were also cases where brokers played a significant role in providing misinformation, in deceiving migrants to undertake perilous journeys, or leading them into exploitative situations in the Gulf states. SHA a return migrant from Morocco, recounts:

He said, 'Oh the route is easy... it will take us straight to Libya border then we will just walk some metres and cross the barrier.' He was lying to us... I will call it propaganda... he is doing propaganda to suit his illegal business.
(SHA, 36-year-old return migrant, Morocco)

Thus, as noted by Deshingkar (2018), brokers play a range of multiple and often contradictory roles that straddle hazy boundaries between subjugation and empowerment.

Risk perceptions of migrant domestic and construction workers

Contrary to earlier assumptions that better information about the risks and dangers of migration would reduce irregular migration flows, our findings indicate that the majority of migrants who travelled along the Ghana–Libya/Europe corridor had prior knowledge of the risks and dangers of the route, but this did not appear to deter their migration aspirations. The need to improve on livelihoods, assurances from connection men, and the perceived cost of regular migration all influenced migrant risk perception during their travel. ABM, an aspiring migrant, was unperturbed by the risks of travelling to Italy through Libya, even though he was well informed by major international news networks and TV stations:

Yes, I have heard a lot about it that it is risky, but I am willing to take the risk to achieve my dream. I got to know about this risky travel through the desert from people who have returned from Libya and also from news in al Jazeera, CNN, BBC and other TV stations. I have even watched a documentary on that, the documentary showed people who died on the journey. Some were on their way to Libya, and some were on their way to cross the sea from Libya to Italy. Although I know that travelling this road is dangerous, I still want to go. The reason is that, in life if you don't have, you have to take risks and win big. (ABM, 24-year-old aspiring migrant, Bawku)

Furthermore, many still undertook such journeys because they believed they would be protected by God. Others also believed in destiny, arguing that those who do not survive the journey across the desert were destined to die that way.

Religious and cultural belief systems are therefore important for targeted messages on trafficking and irregular migration.

Weak regulatory framework

The exploitation and abuses highlighted in this Policy Brief are partly a result of a weak regulatory framework for managing recruitment practices in Ghana. The establishment and regulation of private employment agencies, including those recruiting Ghanaians for employment in other countries, is governed by the Labour Act 2003 (Act 651), Labour Regulations 2007 (LI 1833) and complemented by administrative measures. In practice, however, the monitoring and enforcement of these regulations is fraught with many challenges. There are also no strict penal systems to deal with agencies or persons that violate stated rules on recruitment. The lack of bilateral labour agreements with popular destination countries such as Libya and the Gulf states to provide effective protection for migrant workers means that human rights violations in destination countries cannot be addressed directly.

In the absence of a comprehensive labour agreement, recruitment of Ghanaian workers to some Gulf states for domestic work was managed under the Visa-20 system. However, in response to reports of abuse of Ghanaian migrants in the Gulf states, in 2017 the Government of Ghana banned the issuance of visas to Ghanaian domestic workers to work in the Gulf region as part of measures to curb the abuses. Anecdotal evidence indicates that some migrants, through the use of informal brokers or connection men, are still able to travel to the Gulf region through other Economic Community of West African States (ECOWAS) countries, while formal registered



recruitment agencies who tend to offer better protection – at least in theory – are unable to recruit as a result of the ban. The implication is that this may encourage irregular migration along the Ghana–Gulf routes in addition to the already existing irregular migration flows along the Libya/Europe route.

Recommendations

Our findings indicate that while recruitment agents and other actors in the migration industry play a part in reinforcing and representing structures of inequality and perpetuating exploitation, they are an important part of migrants’ strategies to increase their bargaining power and exercise agency in the context of highly unequal power relationships. The exploitations and abuses highlighted in our research were found to be partly a result of a weak regulatory framework.

These findings highlight the need for an effective labour migration governance system, characterised by a responsive legislative and regulatory framework that recognises the complexities of the migration industry. This should include a holistic review of the ban on recruitment to the Gulf states to enhance the potential of labour migration for Ghana’s development. Effective bilateral labour agreements have the potential to address the issues of exploitation and abuse that have been highlighted in the two migration corridors. Finally, the complexities of the migration industry in the migration process as illustrated by our findings indicate the need for a nuanced approach to how migrants’ mobility processes are impacted in various ways by the different actors of facilitation and control.

Further reading

Awumbila, M.; Deshingkar, P.; Kandilige, L.; Teye, J.K. and Setrana, M. (2018) 'Please, Thank You and Sorry – Brokering Migration and Constructing Identities for Domestic Work in Ghana', *Journal of Ethnic and Migration Studies*. Available at: www.tandfonline.com/doi/abs/10.1080/1369183X.2018.1528097?journalCode=cjms20 (Accessed 31 July 2019).

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Deshingkar, P. (2018) 'The Making and Unmaking of Precarious, Ideal Subjects – Migration Brokerage in the Global South', *Journal of Ethnic and Migration Studies*, special issue. Available at: <https://doi.org/10.1080/1369183x.2018.1528094> (Accessed 31 July 2019).

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