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African Scholars Digest



VOLUME 2 ISSUE S

MAY 8, 2022

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INSIDE THIS ISSUE:

IIAS 2022 | Conference

Panorama 2

Orits Williki 2 Jerri Jheto

Illegal 3 Migration

Ab-ReAP 4
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IIAS Confer- 4 ence Promo

IIAS Arms 4

IIAS Book 4 Project

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PAGE 2

PANORAMA







As The

By: Jerri Jheto



Dr. Christian Ehiobuche, FIIAS

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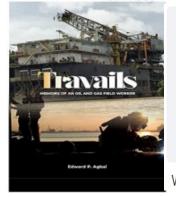
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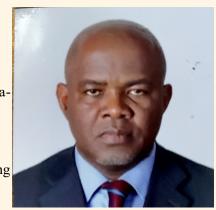


Watch out. Coming soon.

VOLUME 2 ISSUE 5 PAGE 3

Illegal Migration and Relocation to Rwanda by Mike Nwosu (Ph.D.)

A key attribute to National Sovereignty is the right of States to admit or exclude aliens from their territory. Most of those who arrive at the borders claim international protection: asylum under the Geneva Convention on the status of Refuges or Protection Under Article 3 of the European Convention on Human Rights which prohibits expulsion to face prohibited treatment. Against this backdrop, the recent proclamation of the British Prime Minister, Boris Johnson, that illegal migrants would be deported to Rwanda is not only disturbing but arbitrary and condemnable. The European Court of Human Rights has repeatedly emphasized that it is one of the fundamental principles of a democratic society that a State must strictly observe the rule of law when interfering with the right of personal liberty. The underlying aim of Article 5 is to ensure that no one is deprived of his liberty in an arbitrary manner.



It is obvious that this decision by the British Government is targeted toward Africans especially Nigerians who constitute the bulk percentage of global migrants. Albeit, Immigration Laws of various jurisdictions envisage violation of laws with attendant punishment, this scenario presents a unique configuration – relocation to Rwanda, with or without the consent of the migrant. Nigeria's Government should put schemes in perspective to ensure that citizens who would be eventual victims are discouraged from such ventures. The Government needs to protect the socio-economic interest of its citizens as well as protect them from the unhealthy consequences. Rights of International Migrants are protected under the 1990 United Nations International Convention on the Protection of All Migrants (United Nations, General Assembly, 1990)3. The unanimously adopted Declaration of the General Assembly's second High – level Dialogue on International Migration and Development in October 2013 called upon the member States to reaffirm their commitment to the human rights of all migrants.

Earlier migrations were characterized by permanent settlement of people essentially from Europe to America. These immigrants participated in Nation-building by settling in frontier areas, adapting to the culture of the receiving country, and becoming citizens. Countries such as Australia, Canada, New Zealand, and the United States of America are considered Countries of permanent migration, as these countries have policies in place to facilitate the long-term stay of immigrations. The Nigerian immigration Act empowers The Minister of Interior, The Nigerian Immigration Service, and the Nigerian Courts were necessary to detain persons suspected to have violated the provisions of the Act for the purpose of establishing their guilt and enforcing specific provisions of the Act. Section 26 of the Act empowers an Immigration officer to detain, after due examination, any person who appears to him to be a prohibited immigrant who enters Nigeria inland or overland.

Globalization theory as it bears on migration takes into forms. One perspective, focusing on the economic transformation of the World Economy, holds that intensifying pattern of trade in goods, services, and capital creates pressures that make the mobility of labour inevitable. Traditional notions of National Sovereignty and secure borders are, in this view, obsolete as States are driven by their economic goals to accommodate mass migration. Some scholars are undertaking systematic research to uncover the causes of empirical outcomes. A promising line of inquiry proceeds from the observation of a gap between the intentions and outcomes of immigration policies as noted by Wayne Cornelius, Philip Martin, and James Hollifield in 1994. Several theoretical models have been employed to address this and related questions, not one of which has yet emerged as the most persuasive. The British – Rwandan Project is condemnable because it constitutes illegal detention. Article 9(1) of the International Covenant on Civil and Political Rights (ICCPR) provides: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law"

Therefore, measures should be reasonable and proportionate in light of the circumstance. International law also expects conditions of detention to be humane and dignified. The Implementation of the British – Rwandan Refugee Plan will certainly reduce humanity. The Archbishop of Canterbury Justin Welby described the move as "the opposite of the Nature of God". The cleric stated that subcontracting out our responsibilities even to a Country that seeks to do well, like Rwanda, is the opposite of the Nature of God who himself took responsibility for our failures. This project will indeed pose serious ethical questions.

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lived out
the true
meaning of
its position
on the
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of
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Some IIAS Arms











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