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**UNIVERSITY OF GHANA**

**CENTRE FOR MIGRATION STUDIES**

**THE ROLE OF MIDDLEMEN IN THE FACILITATION OF LABOR**

**MARKET ACCESS OF MIGRANTS IN GHANA**

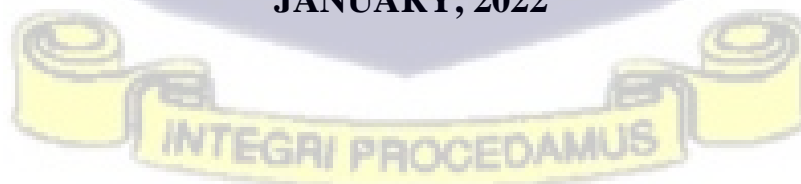
**BY**

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**THIS DISSERTATION IS SUBMITTED TO THE UNIVERSITY OF  
GHANA, LEGON IN PARTIAL FULFILMENT OF THE REQUIREMENT  
FOR THE AWARD OF MA MIGRATION STUDIES DEGREE**

**JANUARY, 2022**



**DECLARATION**

I declare with academic honesty that this work except for the references to other books authors is the outcome of my own research work, creativity and innovative ideas.

I am therefore responsible for any errors, omissions and shortcomings that may be associated with this research work. References cited have been duly acknowledged.



31<sup>ST</sup> JANUARY 2023

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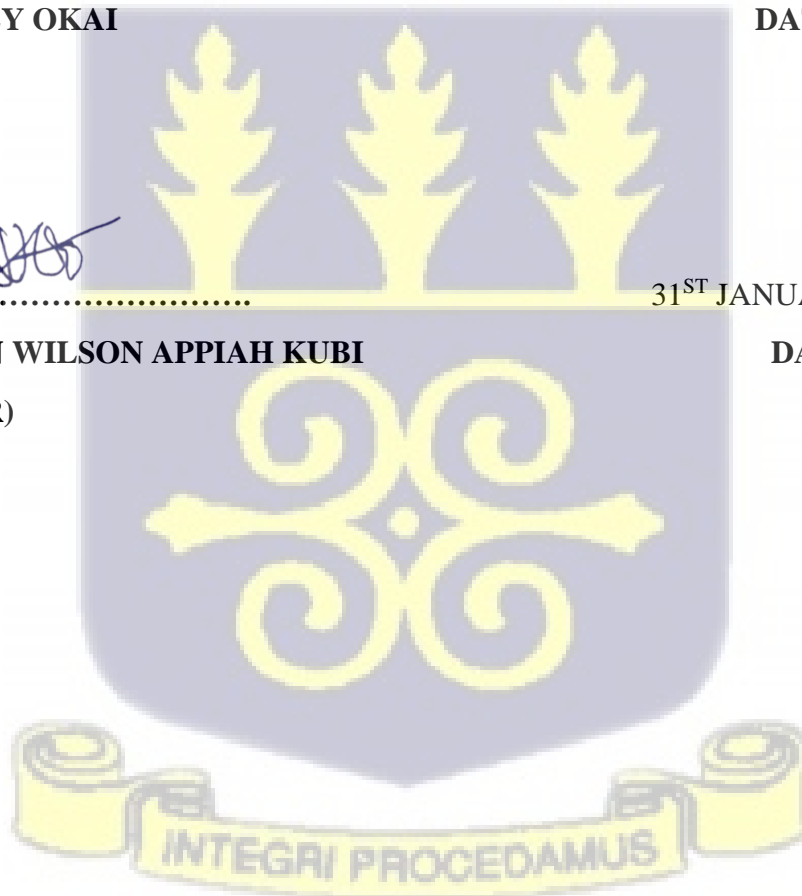
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**DATE**



## ABSTRACT

Migrants have increasingly become much more reliant on intermediaries for their migration. Consequently, migration intermediaries or "middle men" have become increasingly critical for understanding of the current patterns and experiences of international migration. The main objective of the study is to generally examine the activities of migration intermediaries/middlemen in facilitating the acquisition of immigration permits to migrants in Ghana. The study employed the structuralist approach as its theoretical foundation to show the role middlemen and migration intermediaries play in the facilitation of labour access entry for newly migrants. The study employed a qualitative research design in exploring how middlemen and migration intermediaries facilitate labour access entry for newly migrants. An interview guide was used as the primary data collection instrument. Twenty-Five (25) respondents were chosen using purposive and snowballing sampling. The respondents interviewed includes ten (10) Ghana Immigration Service Officials, five (5) migrants and ten (10) migration intermediaries stationed in Greater Accra. According to the findings of the research, newly migrants benefit from the facilitation roles played by migration intermediaries. The research also shows that the majority of these intermediaries are unregistered and operate illegally. This research strongly recommends that the operations of the GIS be digitized to eliminate the activities of *goroboys* who are not regulated by any law in Ghana. It also helps to reduce the human element in the immigration permits processing chain thereby reducing extortion, corruption and exploitation of migrants and the loopholes in the current manual processing system being used.



## DEDICATION

This paper is dedicated to my family for their immense contribution, love, care, prayers, encouragement and support.



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## LIST OF ABBREVIATION

AU – African Union

DVLA - Driver and Vehicle Licensing Authority

ECOWAS – Economic Community of West African States

GHCM – Ghana National Commission on Migration

GIPC – Ghana Investment Promotion Centre

GIS – Ghana Immigration Service

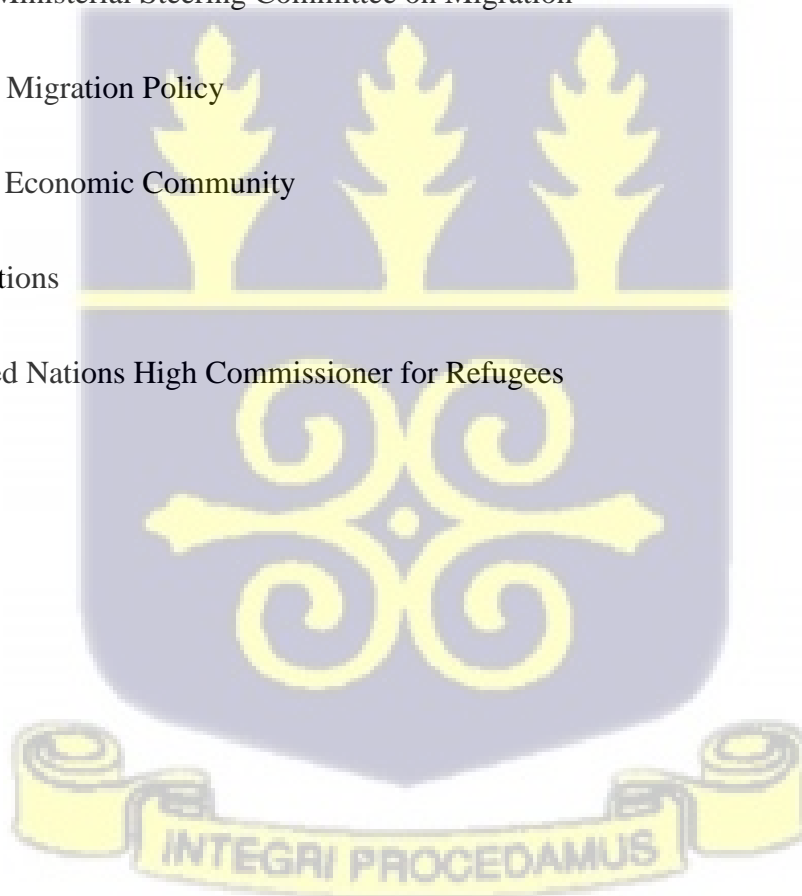
IMSCM - Inter-Ministerial Steering Committee on Migration

NMP – National Migration Policy

REC – Regional Economic Community

UN – United Nations

UNHCR – United Nations High Commissioner for Refugees



## CHAPTER ONE

### INTRODUCTION

#### 1.1 Background of Study

Migration has become one of the underlying drivers of human growth and development (De Haas, 2009:5). As long as humanity has existed, humans have sought to adapt to different environments and cultures. According to the most recent published figures, there were around 169 million migrant workers worldwide in 2019, accounting for over two-thirds (62%) of the 272 million global stock of international migrants (World Migration Report, 2022). In order to properly manage the ever-changing migration phenomena, governments throughout the world must better grasp the dynamics of migration and its different forms, as well as the numerous difficulties involved with the acceptance and support of migrants' diverse requirements. People's urge to relocate to new locations may be explained by a variety of factors. Typically, inequalities, war, violence, population shifts, and environmental changes are only but a few of the causes cited why people migrate (World Migration Report, 2018). Many others move out of their own volition to new locations to seek better employment opportunities, higher quality of life, higher education, family integration and other economic reasons. However, a large number of people are forced to leave their homes due to compelling reasons like natural and chemical disasters, persecution, and conflicts (World Migration Report, 2018).

As interest in the players who facilitate and influence international labor migration has grown (Cranston, Schapendonk and Spaan 2018; Deshingkar 2019; Hernández-León 2021; Krifors 2021; Pijpers 2010; Walton-Roberts 2021) in recent years, more than ever, a variety of players have been identified to facilitate migration (Xiang and Lindquist, 2014:124). According to academics, there is nothing new about them, but over the last three decades their numbers have grown significantly (Jones et al., 2017).

Migrants have increasingly become much more reliant on third parties for their migration. Consequently, migration intermediaries 'middle men' have become increasingly critical for understanding of the current patterns and experiences of international migration (Cranston et al., 2018; Deshingkar, 2019; Gammeltoft-Hansen and Sorensen, 2013; Lindquist et al., 2012).

Migration may be facilitated by the use of intermediaries (Harvey et al., 2018; McCollum and Findlay, 2018; McDowell et al., 2008). On the ground, intermediaries perform a wide range of activities aimed at facilitating migration, such as helping broker visas, arranging birth certificates and passports, facilitating transportation bookings, guiding migrants, finding jobs and/or accommodation, connecting migrants to healthcare and medical tests, and providing training (Agunias, 2009; Ayalew, 2018; Broek et al., 2016; Salt and Stein, 1997; Spaan, 1994). Loans and forgeries as well as services linked to remittances are offered by these organizations (Agunias, 2009; Gammeltoft-Hansen and Sorensen, 2013). Aspiring immigrants might rely on them to assist them through bureaucracies that are frequently unpredictable (Castles and Miller, 2003; Findlay and Li, 1998). In addition, intermediaries manage the process of selecting and training newcomers for work opportunities (Findlay and McCollum, 2013; Xiang and Lindquist, 2018), intermediaries play an important role, yet their actions are far from impartial. The actions they do and the methods they use to support migration have far-reaching social consequences that go beyond the specifics of migration. The phenomenon of migration affects people on a personal, social, political, and economic level. Who and why people move, where and under what circumstances, is critical because intermediaries act as go-betweens and any study of them must address questions of power relations and inequality (Lindquist et al., 2012).

Millions of people travel across the globe every year to find work, education, and a better life for themselves and their families. The failure of globalization to provide jobs and economic

opportunities is predicted to lead to a rise in the number of people crossing borders in search of work and safety in the future decades.

Middlemen have been implicated in a number of Ghanaian media publications about the purchase of services from institutions such as the; Registrar Generals Department, Passport Office, and Driver and Vehicle Licensing Authority for Ghanaians (DVLA) for underhand dealings in the procurement of government services to their clients.

This study therefore seeks to investigate the activities and contributions of middlemen in the facilitation of international migration, integration and access to the Ghanaian labour market by migrants. For the purpose of this study middlemen in Ghana is akin to unregulated agents or individuals who facilitate labour migrants in the acquisition of various documentations and permit to regularize the labour market access to migrants in Ghana. The term middleman is also used interchangeably with intermediaries.

### **1.2 Problem Statement**

A number of recent migration commercial studies have shown that intermediaries play a crucial role in facilitating the movement of migrants across international boundaries (Iversen and Torsvik, 2010; Botchwey et al., 2018; Jones and Sha, 2020; Fudge and Hobden, 2018; Agunias, 2009; Badwi et al., 2018; Sandox, 2019; Wee et al., 2020). Moreover, the existing evidence suggests that the attention shifts more to the role of intermediaries in facilitating the movement of migrants across international boundaries and not how they navigate migrants to integrate in host countries. Work on how labour and/or how end users of their expertise are assisted to obtain various immigration permits to enable them stay and live legally in destination countries especially Ghana has been sparse. The gap in the literature suggests that there is little work or only fragmented acknowledgment and analysis of how middlemen influence migrant access to the Ghanaian labor

market and how they procure immigration services to legitimize their stay in accordance with the dictates of the Ghana Immigration Service laws and other statutory enactment (Jones and Sha, 2020; Fudge and Hobden, 2018; Agunias, 2009; Badwi et al., 2018).

Migrant middlemen's actions are unclear in literature, and this research is designed to investigate their legal position in Ghana and its ramifications for both the state and the migrants. Numerous actors in the migration industry, each with varying levels of formalization and organization, have been identified in previous studies (Srensen, 2012; Agunias, 2013).

It has been argued that intermediaries may be divided into private, government, and/or specialized players while others (Jones and Sha, 2020; Fudge and Hobden, 2018; Agunias, 2009; Badwi et al., 2018; Srensen, 2012) have classed them into international firms, agencies providing access to legal or illegal migration, smaller migrant enterprises, as well as clandestine actors. Much work has not been carried out on how these different groups are seemingly able to pull through cumbersome bureaucratic state procedures and processes. The role of those players who are not necessarily supporting border crossing but rather assisting the admission of labor migrants is obviously lacking from these conversations. Migration governance studies have also shown that non-state players are increasingly becoming active in managing international migration, therefore this research integrates ideas from the fragmented literature on intermediate actors in migration and migration governance studies (Freeman 1995; Lahav 1998; Menz 2009).

Migration intermediaries have an important role in shaping and reshaping the regulatory environments through which they broker migrant labor, but their position in the regulation of international labor market access is often overlooked. Migration policies and the plethora of bureaucratic activities that result from them form the basis of these regulatory spaces. In fact,

research on intermediate players in migration has focused mostly on the role of intermediaries themselves.

To avoid this, emphasis has been focused on the role of intermediaries in shaping international labor flows through mediating between migrants and the state and the illegality of their activities in Ghana. In certain cases, migration intermediaries use regulatory gaps to manipulate the immigration system to provide channels for migrants (Alberti and Danaj 2017; Goh, Wee, and Yeoh 2017; Millar and Salt 2007) by subverting (Fernandez 2013), obfuscating, evading, or bypassing (Alberti and Danaj 2017; Knox 2018; Spaan and van Naerssen 2018) migration laws to serve their clients.

### **1.3 Research Objectives**

The main objective of the study is to generally examine the activities of migration intermediaries/middlemen in facilitating the acquisition of immigration permits to migrants in Ghana. To achieve the main objective of the study, the under listed specific objectives are highlighted for examination.

1. Explore the practices and strategies intermediaries/middlemen employ to establish and cultivate relations with state agencies like GIS.
2. Identify the types of intermediaries/middlemen agencies offering services to labour migrants in Ghana
3. Explore the outcomes of the facilitation roles of the intermediaries/middlemen to the demands of the labour migrants or the end user.

### **1.4 Research Questions**

1. What are the activities of migration intermediaries/middlemen in facilitating the acquisition of immigration permits for migrants in Ghana?

2. What are the practices and strategies of intermediaries/middlemen employ to establish and cultivate relations with state agencies like GIS?
3. What are the outcomes of the facilitation roles of the intermediaries/middlemen to the demands of the labour migrants or the end user?

### **1.5 Significance of Study**

Migration policies and practices that enhance better lives of migrants, their families, communities and promote confidence in state institutions in the governance of migration by the end users (employers) in Ghana are the primary goals for this research. The study also seeks to come out with suggestions to streamline the activities of middlemen to be in line with international best practices to promote safe, orderly and legal migration devoid of exploitation. This research uses an extensive literature survey as a starting point for constructing empirical and theoretical understandings of migratory intermediates.

It is hoped that the results of this research will help policymakers, state agencies and other stakeholders better understand the function of migration intermediaries in Ghana and establish a strategic development strategy in managing labor market access that will facilitate legal and orderly migrant integration in the labour market in Ghana. It is expected that the study will help fill a gap and contribute literature on how the function of intermediaries/middlemen in the facilitation of labor market access may be used as a future reference for academics exploring or studying their activities.

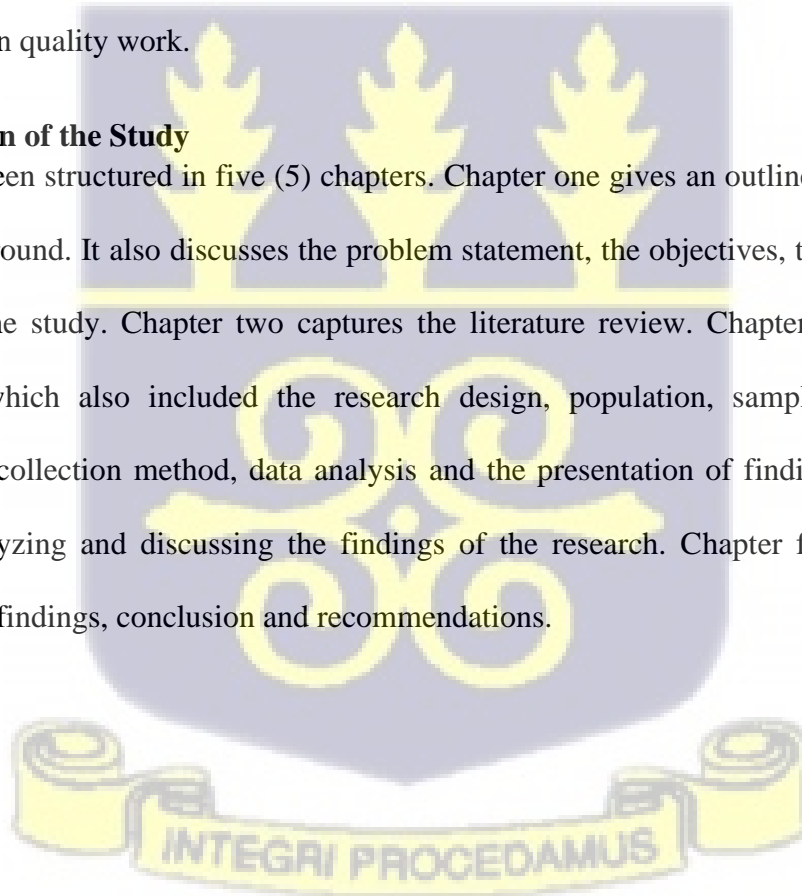
### **1.6 Limitation of Study**

There were a few limitations to the study. In the first place, it was difficult to ascertain the truthfulness of information provided by the respondents specifically the informal middlemen, especially during the interview. This is a challenge with any primary data collection and this study may not be an exception. For example, in Ghana most individual informal middlemen do not want

to disclose true information about their business activities for fear of persecution. Another limitation of the study had to do with getting respondents both officers and migration intermediaries. Migration middle men usually are under a lot of pressure from clients because of how long it takes to acquire the permits and the fact that they give unrealistic timelines to complete the process. In addition to that, some middlemen take more jobs than necessary in order to make more money therefore adding to their pressure which made it difficult to get them to participate in the interview. It was also difficult to get officers from the work permit section because they have tight schedules are many applications to work on because they have also been charged by the Comptroller-General of Immigration to reduce the turnaround time of applications without compromising on quality work.

### **1.7 Organization of the Study**

The study has been structured in five (5) chapters. Chapter one gives an outline introduction and the study background. It also discusses the problem statement, the objectives, the limitations and the setting of the study. Chapter two captures the literature review. Chapter three covers the methodology, which also included the research design, population, sample size, sampling technique, data collection method, data analysis and the presentation of findings. Chapter four focuses on analyzing and discussing the findings of the research. Chapter five presented the summary of the findings, conclusion and recommendations.



## CHAPTER TWO

### LITERATURE REVIEW

#### 2.1 Introduction

In order to aid understanding of the context within which this research is being conducted, a review of literature of adequate knowledge is required. Therefore, this chapter discusses literature on migration intermediaries, their role in migration and labour access entry and the implications of their role in migration management.

#### 2.2 Migration

Migration is defined differently depending on whether it is international migration, domestic movement, or migration for economic reasons, since there are many different schools of thought on the topic. Temporary or permanent relocation of a person's primary home across geographical or temporal boundaries is what is often meant by the term "migration" (Weeks, 1999). Development, urbanisation, and forced migration due to war or natural catastrophe are all possible causes of migration. People migrate for a variety of reasons, but generally they leave their nation of origin to live in another one temporarily (Murphy, 2002). One of the most significant contributors to population shift, migration has been an important element of the process of diversifying people's means of support in many developing nations for at least a century (Agesa & Agesa, 1999).

According to Skeldon (1997), it is very unusual for an individual to live his or her whole life inside the confines of a single village or city wall. According to him, migration is not unusual nor extraordinary; rather, it is an inherent feature of the behaviour of all cultures at all periods. In the strictest sense, migration is not really permanent until one reaches the location of their death. Thus, migration is "all types of human population mobility," according to Skeldon. As defined by Lee (1969), migration includes all types of relocation, whether it be voluntary or involuntary. The term

"internal migration" describes the movement of individuals (both in and out of their nation of origin) for a variety of reasons. Both rural-to-urban and urban-to-rural migration are on the rise in Agona West Municipality, particularly in Swedru, the Municipal seat, owing to the township's remote position and the scarcity of available jobs.

Migration is an ancient phenomenon that extends all the way back to the dawn of human existence. When migrants leave their home nations and go to new ones, they open up new possibilities for themselves, their families and the communities they join. According to the most recent figures available, there were approximately 244 million foreign migrants in 2015, a significant rise from the 155 million projected in 2000. Internal migration, on the other hand, is on the increase, with 740 million individuals moving inside their own nation of origin. There are certain governments that want to boost immigration, while others have established policies attempting to affect migration levels presenting a dilemma in its governance. In terms of global data on immigration policy, 32% of European and 10% of Asian nations want to increase immigration levels, while 23% and 13% of other Asian and African countries want to lower migration levels (UN, 2017) as a result to demographical dynamics and other exigencies.

Researchers in the social sciences have been intrigued in migration's scope and patterns ever before Ravenstein articulated the rules of migration in the 1880s. According to the migration-distance theory proposed by Ravenstein (1885), migration is inversely linked to distance, and most migrations take place over very small distances. As a result, Ravenstein claims that the total number of migrants counted in a "centre of absorption" decreases with increasing distance from that centre. To explain the movement of people from rural areas to urban centres in emerging nations throughout the middle of the twentieth century, the hypothesis proposed that people were drawn to major industrial hubs. According to another tenet of Ravenstein's theory, migrants from

rural areas closer to cities prefer to congregate there. He said that the more remote a hamlet is from the city, the less likely its residents are to move there (Adepoju, 1987).

The pull and push components are central to Lee's (1969) reinterpretation of Ravenstein's theory. He built a model to examine migration patterns, migrant profiles, and policymaking considerations (Lee). Lee also describes the good and bad aspects of both the home and new countries to illustrate the reasons that influence migration. Lee constructed a model to examine migration trends; the model drew on research on migratory patterns and the decision-making process (Bryceson & Mooji, 2000). According to his model, people are enticed to leave their home places because of better economic and social prospects elsewhere, and are pushed out of those locations when their own economies decline (Lee). He maintained that both the places people left for and the cities they settled in had advantages and disadvantages. According to Lee, emigration occurred when the negative characteristics of the homeland were more potent than the good ones of the target country. Since the 1950s, rural poverty in developing nations has been a driving factor in migration to urban centres, where greater wages and access to cultural amenities have attracted people.

As the global remittance flow from high-income countries to low- and middle-income countries reached \$429 billion in 2013, more than three times the total amount of official development assistance provided to developing countries. The advantages migration offers to both sending and host countries are geared toward development (UN, 2017). Despite this, migration has arisen as a major policy problem in the areas of integration, displacement, safe movement, and border control (World Migration Report, 2018).

### **2.3 Migration and Integration Trends in Ghana**

Ghana is both an immigration and emigration country. Over time Ghana has become a transit and destination for immigrants over the years, and many have become well-integrated into the

Ghanaian economy and society and contributing to its development. Migration to and from Ghana and its neighbors extends back to pre-colonial periods, when commerce was the primary motivator for people to move there (Adepoju, 2005). This kind of migration, according to Anarfi et al. (2003), enhanced commerce throughout the colonial period and was responsible for the tranquility that existed at the time. A large number of self-employed merchants from West African nations such as Niger, Mali, and Nigeria relocated to Ghana in the early 1990s, according to Eades (1993).

During much of the 20th century, Ghana's relative affluence made it an attractive destination for migrants seeking work in the country's mines, agriculture and related trades. The 1960s were a highpoint of immigration, when about one in eight people in Ghana was an immigrant. This trend continued until the 1970s, when Nigeria, due to a booming oil-based economy, replaced Ghana as the primary destination for migrants in West Africa. Economic and other crises dampened Ghana's attractiveness, and the country expelled many Nigerians without residence permits in 1969. Apart from Nigerians, immigrants from other countries in the region, such as Togo, and from the Middle East, particularly Lebanon, have a long history in Ghana.

Immigrant employment has increased rapidly in Ghana since 2000, but the numbers remain small in comparison to the nation's population. These immigrants are found mostly in service sectors of the economy. Despite the increased presence in service sectors such as retail and trade, many also were fairly represented in the mining, petroleum and financial services.

Gold mining and cocoa plantations sprung up in Ghana in the late nineteenth and early twentieth centuries, luring thousands of people into the country. These newcomers were mostly young men from Ghana's northern regions, working mostly in agriculture and mining (Amin, 1974). Another factor that attracts more migrants to the south of Ghana is its forest zone, which has a more favorable climate for economic growth than the northern Savannah (Mabogunje, 1972). The ease

with which individuals from other West African nations may relocate to Ghana and establish themselves can be ascribed to Ghana's signing of the ECOWAS (free movement and establishment) and the African Union (AU) protocols on immigration and labor immigration.

Asylum seekers, refugees, students, and tourists are just few of the categories of migrants that have continued to arrive in Ghana up to the current day (IOM, 2006). With a population of roughly 31,000 refugees and asylum seekers, UNHCR (2009) claimed that Ghana had the fourth biggest refugee population in West Africa in 2008. Refugees in Liberia, Sierra Leone, and the Ivory Coast were the most common targets of the report's findings. Refugee numbers in Ghana increased from 11,721 in 2001 to 53,524 in 2005, but dropped to 34,950 in 2007 and dramatically to 18,206 in 2008, according to official statistics (UNHCR, 2009). Ghana until recently hosted 13,216 refugees (UNHCR, 2018). Liberians made up the bulk of those seeking sanctuary at the Gomoa Budumburam camp, while other nationalities are concentrated in the Krisan Camp.

Since migrants in Ghana may take advantage of the country's many social amenities, such as jobs, healthcare, and educational opportunities, the country's migrants tend to flourish. The fact that these migrants can use these services shows how well they have integrated into Ghana's economy. According to the research of Kyereko (2020), migrants' integration is mostly determined by their ability to get a high-quality education. Immigrant workers tend to be the most common kind of newcomers to Ghana. Worker migrants are included in the category of those who move to their destination nations primarily in order to get access to the labor market. This category includes both individuals who are already working and those who are actively searching for a new position. There are considerable variations in the employment and unemployment outcomes for women, even while integration into labor markets is evident in terms of labor migrants' presence both in

quality and quantity in the labor market. According to the findings, male migrants are more likely than female migrants to find jobs after they arrive in the United States.

The impact of immigration to the development of a country can either be negative or positive based on certain factors which is not the main focus of the study. However, the effects of immigrant integration on Ghana's gross domestic product (GDP) per capita is unlikely to be negative. The contribution of immigrants to GDP in 2010 is estimated at 1.5%, which is just below the commensurate share in employment (1.6%) (OECD/ILO 2018). Following from the above, it has become clear that these labour migrants are facilitated one way or the other by state, private or individuals to access the labour market when admitted in Ghana which the study explored.

#### **2.4 Migration Policies in Ghana**

The migration history of Ghana suggests, the country has been an attractive destination for immigrant workers over the years, and many have become well-integrated into the Ghanaian economy and the larger society. The 1960's the migration policy placed restrictions on the economic activities of immigrants that resulted in the mass expulsion of foreigners especially West African nations back to their countries of origin. However, Ghana in the early part of the 1990s introduced a far more welcoming migration legal and regulatory framework which culminated in the adoption of the National Migration Policy (NMP) in 2016. The main focus of the NMP is '...to promote the benefits and minimize the costs of internal and international migration through legal means with the rights and security of migrants well respected in order to ensure socioeconomic development in Ghana' (Government of Ghana, 2015, p. 1).

The efforts to manage migration for development are led by an Inter-Ministerial Steering Committee on Migration (IMSCM), which was responsible for the formulation of the NMP.

Following its adoption, the policy envisages the establishment of the Ghana National Commission on Migration (GNCM) to oversee its implementation.

Apart from the Inter-Ministerial Steering Committee, various parts of government are involved in the governance of migration. These include the Migration Unit of the Ministry of Interior, which was inaugurated in 2010 with the aim to provide support to the Government's efforts to better integrate migration into its national development framework, while also playing a pivotal role in the implementation of the NMP. The Ghana Immigration Service is responsible for managing immigration controls and facilitating orderly entry and exit of legitimate travelers and operating fair but firm work and residence permit system. Furthermore, the Ministry of Employment (Labour Department) serves as an intermediary on the international labour market between employers and job seekers, and monitors and licenses private employment agencies among other state agencies (Government of Ghana, 2015, p. 39).

In the absence of migration policy both migrants and the host communities lost highly the advantages that comes with having the policy. Establishing the migration policy is thus critical to safeguarding both migrants and the host communities they live in.

#### **2.4.1 Labour Migration Governance**

Migration legislation and policies have become more migrant friendly since the 1990s. Ghana's Constitution (1992) empowers its institutions to implement labour and immigration laws which includes the obligation to respect the human rights and freedoms of all persons in Ghana, including foreign nationals, irrespective of their country of origin or immigration legal status. It is provided in the 1992 Constitution of Ghana that, no one shall be subjected to forced labour or servitude irrespective of one's origin, race or nationality. Since the advent of the fourth republic of Ghana,

migration and investment laws are constructed to encourage foreign talents and expertise into the country.

It was also reformed with the intention of encouraging the return of the highly skilled Ghanaians in the diaspora who migrated out during the economic downturn of the 1970s and 1980s and well the African decent in the diaspora to return home to contribute to the development of the country.

The Immigration Act 2000 (Act 573) and the Immigration Regulations 2001, LI 1691 Provides admission, entry, employment and removal conditions for migrants who one way or the other have infringed on the laws of the country.

The Labour Act, 2003 grants permission for immigrant labour to stay and work in Ghana without discrimination. It also includes provisions that protect all workers equally irrespective of nationality, race, tribe or origin. In other words, the act seeks to protect both citizens and non-citizens who are part of the labour market. Other laws such as Refugee Law, 1992 (PNDCL 305D) grants refugees' status in accordance with UN Conventions and AU Protocols and establishes a Refugee Board to address the issue refugee of resettlement with the aim of integrating them into the larger Ghanaian society or find other durable solutions for them. Similarly, there exist some investment laws such as the Ghana Investment Protection Act, 1994, Act 1994 (Act 478) amended again in 2013 establishes the Ghana Investment Promotion Centre to implement policies that encourages investment and foreign trained individuals to enter Ghana, through facilitated residence permits acquisition process. The Act stipulates investment requirements for (partially) foreign-owned enterprises, immigration quotas based on the lack of specific skills locally, and reserves certain types of enterprises for Ghanaian citizens, such as working in selected retail or service enterprises (sale of goods in a market, beauty salons, and barber shops), gambling enterprises, and the operation of taxi services with a fleet smaller than ten cars.

Another investment laws that govern migrant market integration is the Ghana Free Zone Act 1995 (Act 504) which establishes Free Zones to encourage foreign investment, permits the granting of permits to foreign workers. Furthermore, the Minerals and Mining Act 2006, (Act 703) Permits holders of mineral rights immigration quotas that enables the investor to employ specific numbers of expatriate workers based on the level of investments, provides tax incentives and repatriation of profits abroad. Last but not least, the Petroleum Act (1984) (PNDC Law 84) allows holders of petroleum rights similar incentives accrues to holders of mining rights.

The Immigration Act 573 of 2000, which consolidates various laws on immigration and provides for admission, residence, employment, and removal of foreign nationals, and a host of other immigration related issues. The Immigration Regulations of 2001 (LI 1691) provide guidelines on the implementation of Act 573 (Devillard et al., 2015, p. 169). A key role is taken by the immigrant quota committee, which advises the Minister of Interior on the decision to grant a work permit, and this committee also grant other agencies such as the GIPC, Free zone, the petroleum Commission to approve work permit of expatriate in their respective industries or establishments. According to the Ghana Immigration Service (2015), 38 411 permits were granted by the immigration quota committee in 2015, and 36 691 were granted in 2014 migrant workers respectively.

#### **2.4.2 The AU African Passport for Free Movement**

Affirming the AU's policy of unrestricted travel across the continent, the African Union Executive Council advocated for the creation of an African passport (AU, 2018). It then went on to approve a framework for migration policy as well as a statement of African Union Member States' commitment to free movement of people within Africa. It was also agreed upon by Member States, RECs, and the African Union to include free movement of people in Africa in the AU (2018; 115)

Minimum Integration Programme, which "consists of different activities on which Regional Economic Communities (RECs) should agree and parties involved to speed up and bring to a successful conclusion the process of regional and continental integration."

Free movement of persons inside REC member states and throughout Africa as a whole will be achieved by 2023, with all visa restrictions for intra-African travel waived so Member States are encouraged to implement all procedures that facilitate free movement of people inside the RECs. There are currently a number of nations in Africa that have implemented this strategy by enabling all Africans to receive visas on arrival for a 30-day stay in these countries (Kidane, 2016). A unified, electronic, biometric African passport was unveiled during the African Union Summit in Kigali in July 2016, facilitating the free movement of people throughout Africa and increasing labor and student mobility. Migration to Africa will thus grow as a result of this strategy.

According to AU (2018), effective mechanisms should be put in place so that migrants can file complaints against their employers regarding sexual harassment in the workplace, as well as access solutions to issues like unpaid wages and compensation for labor rights violations without fear of punishment. Gender-sensitive and nondiscriminatory labor migration policies must also be promoted to increase the feminization of labor migration. This is essential if we are to safeguard the rights of women migrants. There is a pressing need to promote and safeguard the rights of African labor migrants, including the battle against xenophobia through civic education in African.

Equality of employment, working conditions, wages, social security, education and geographic mobility must be a priority for policymakers. This includes both natives and workers migrating from other countries. According to AU (2018), measures should be put in place to make it easier for newcomers to integrate into the labor market and educational system. Migrant workers should be given the opportunity to take part in collective action through membership in trade or labor

unions as well as other favorable employment regulations. All labor migrants should have access to appropriate social protection and social security benefits while working abroad or upon their return to their home countries; this includes providing unemployment insurance, compensation for work-related injury and long-term illness; death benefits; disability benefits; parental leave; supplementary insurance schemes; and old-age pensions.

### **2.4.3 The ECOWAS Protocol on Free Movement**

Due to demographic environmental, political, civil strife, and economic reasons, West Africans have been migrating for centuries and have been described as a way of life or a culture (Adepoju, 2000). This culture stretches back to pre-colonial times.

In the bid to promote cooperation, integration and easy migration amongst West Africans, the Economic Community of West African States (ECOWAS) was established in 1975 to facilitate free intraregional movement of people and goods among countries of the region. This will be carried by relaxation of immigration control measures to help its member states' economic and social growth, as well as the living conditions of its population (ECOWAS Treaty, 1975). That's why ECOWAS was founded on the premise that efficient economic cooperation and integration necessary to foster Member States' harmonious economic growth (Agyei and Clotey, 2007). The Article 27 of the ECOWAS Treaty asserted that economic integration was a must, including the free flow of people and products and services, and so the ECOWAS Protocol on the free movement of persons, right of residence, and right of establishment was created. First adopted in 1980 to provide free entrance for citizens from Member States without visa for 90 days and to remove all impediments to migration in West Africa. There was no longer any necessity for a visa in order to enter a country where one is not a citizen, since just an international passport and an international health certificate were recognized (Agyei and Clotey, 2007). The Protocol guaranteed the right of

residency for such nationals in 1986. By this Protocol, Community citizens are granted the rights and settlement or establish in another Member State and to have access to economic activities, to carry out these activities as well as to establish and manage businesses under the same conditions as defined by the legislation of the host Member State for its own nationals. A major challenge presented by this Protocol is the existence of national laws that give preferential treatment or reserve some sectors for Ghana nationals only.

ECOWAS nationals' successful freedom of mobility encourages them to integrate with their sister states. In terms of their access to education, health care, and the labor market, this integration process may be seen. Due to this familiarity and acknowledgement of the socio-cultural and socio-political environments in their sister countries, ECOWAS citizens in host countries that are Member States are able to acquire assets and integrate into the socio-cultural and socio-political environments of their sister countries.

## **2.5 Migration Industry**

Massey et al. (1988)'s groundbreaking research on migration networks introduced the concept of intermediates to the public consciousness in the 1970s. This study is conducted at the "meso" level, and it emphasises the importance of existing solidarity linkages, especially within families, which provide migrants with not only the ability to migrate, but also support during the full process of establishing in host nations (Audebert, 2004). These studies place an emphasis on the benevolent motives of the different informal mediators, downplaying the importance of monetary concerns in mutual assistance situations (Goss and Lindquist, 1995).

Migration Industry, which originated in the 1990s to refer to "the commercialization of human migration" (Hernández-León, 2012), was a reaction to these complaints. Thus, migration is seen

of as a market in which organisations, agents, entrepreneurs, and people provide services that ease movement in exchange for financial benefit (Bilger et al., 2006). In particular, this mostly empirical study has recorded the identities of players that may be regarded as intermediates, demonstrating that they can exist in both the official and informal sectors (Salt and Stein, 1997) and that they do not necessarily assist migration, but might, for some of them, inhibit or even obstruct it (Gammeltoft-Hansen and Sorensen, 2013).

Still, this effort is impeded by the many individuals that might be labelled as middlemen and the plethora of terms used to describe them (Jones and Sha, 2020). The wide variety of identities for these players and the range of services they provide are reflected in the range of terms used to describe them, from "smugglers" and "brokers" to "consultants" and "recruiters"; from "coyotes" in Latin America to "coxers" in West Africa. There are many who would want to see more attention paid to the function that intermediaries play in the migration process and the job they do (Spener, 2009). The results of these investigations indicate that middlemen do, in fact, affect whether or not a certain individual migrates. However, they have also served to remind us that there are two separate aspects to intermediation: the role of intermediaries in facilitating emigration, and the role of intermediaries in facilitating social integration.

In the first example, intermediaries tend to intervene upstream of the migration process, influencing migrants' destinations as well as recruiting in certain economic sectors. Associations, host families, activists, and family and community networks all play crucial roles in the settlement and integration of migrants in transit and destination countries. Whether in the West (Pette, 2014; Harney, 1979) or the Global South, a number of publications have previously established this function in the process of migrant assimilation (Barraud, 2011; Pian, 2008). Last but not least,

we'll include all the private actors brought in to ensure the administrative side of the "Migration Industry" runs smoothly, such as the companies that profit from contracts to build barriers and develop technologies for identity control, and the police and even military sides, like the ones that profit from contracts to process visa applications.

### **2.5.1 Migration Intermediaries**

For the purpose of this study, Migration intermediaries are commercial actors that take up the responsibility of processing immigration permit applications as an economic activity for survival. For this research, we are interested in identifying the types of intermediaries who facilitate the acquisition of work permit for immigrants in the country, rather than the broad concept of an "intermediary actor" that has been used in the literature in general. Commercial actors that have made a business out of processing work permit applications are among the immigration service providers. Firms that have elected not to outsource this job are also involved in document processing (Hedberg and Olofsson 2021; Menz 2013). While the role of migration intermediaries in regulating international labour migration has been well documented (Khan 2019), less attention has been paid to the ways in which they, together with state actors, construct and change the regulatory settings in which they broker migrant access to the labour market in the host state. Migration policies and the plethora of bureaucratic activities that result from them form the basis of these regulatory spaces. In fact, research on intermediate players in migration has been mostly focused on state-to-state interactions rather than state-to-state relationships. To avoid this, emphasis has been focused on the role of intermediaries in shaping international labor flows through mediating between migrants and the state. According to Nyberg Srensen and Gammeltoft-Hansen (2013), nations are largely seen as a background against which to explain how migratory

intermediaries come into being and function. There are a number of methods in which migration intermediaries use regulatory gaps or manipulate the immigration system to create channels for migrants through migration rules (Alberti and Danaj 2017; Goh, Wee, and Yeoh 2017).

According to Axelsson and Pettersson (2021), governments often rely on migration intermediaries to "package" labour migrants in such a way that they are governable (Findlay et al. 2013; Goh, Wee, and Yeoh, 2017) or to share some of the administrative burden of labor migration schemes; Hernández-León 2021; Xiang & Lindquist 2014) or to monitor temporary migrant workers (Findlay et al. 2013; Xiang, 2012; Surak 2018; Tseng and Wang 2013).

However, in-depth knowledge of intermediary's regulatory functions is still limited, beyond their role in controlling labor movement on behalf of the state. As a result, it is believed that the regulatory spaces of international labour migration are constantly being built and remade through an examination of the "black box" of migration and the multiplicity of exchanges and interactions between migration intermediaries and state actors. This thesis is made by combining findings from a fragmented literature on intermediate players in migration with research on migration governance, which has shown that non-state entities increasingly play a role in controlling international migration (Freeman 1995; Lahav 1998; Menz 2009).

## **2.6 The Role of Intermediaries in Migration and Labour Market Access**

Individuals' perceptions of migration are shaped by the actions and methods of intermediaries.

Intermediaries may have a significant impact on whether or not someone decides to relocate (Cranston et al., 2018; Spaan, 1994; Spaan and Naerssen, 2018; Xiang and Lindquist, 2018). For those looking to migrate, brokers, who operate outside of established institutions, are often the first point of contact. This might be a local authority figure (such as a village or religious leader, a school principal), a member of the local government, or a return migrant with extensive experience

of the migration process and access to many networks and resources (Deshingkar, 2019; Faist, 2014; Lindquist, 2015; Spaan, 1994). A broker is a "particular form of middleman, mediator, or intermediary," according to Lindquist (2017:224). It is commonly accepted that brokers are human actors who earn something from the mediation of valuable resources that they do not directly control.

As a result of their ability to access resources, translate, and communicate between migrants and others, brokers mediate within their own communities (Kern and Müller-Böker, 2015; Spaan, 1994). Migrants are frequently encouraged to leave their home countries to find work abroad by highlighting the resources and infrastructure that make this feasible (Xiang and Lindquist, 2018). Migration may also be used as a sales technique by other sorts of middlemen (Fawcett, 1989; Salt and Stein, 1997). Tseng, for example, contrasted the function of immigration consultants and recruiters who helped Taiwanese "capital owners" migrate to the United States with that of real estate brokers in a study of the role of immigration consultants and recruiters. Immigration experts frequently push individuals to leave the country by highlighting the negative aspects of being there. By reducing immigration stereotypes and making migration acceptable, they also build demand for their services (Tseng, 1997).

They also help potential migrants decide where to go on their journey to another country (Cranston et al., 2018; Spaan, 1994; Spaan and Naerssen, 2018). Thus, they use their professional expertise to lead migrants toward a certain location over another (Harvey et al., 2018). In particular, this service is sought after by persons who have limited access to information concerning abroad employment (Broek et al., 2016; Kern and Müller-Böker, 2015; Spaan and Naerssen, 2018). Even though the two countries are physically or culturally apart, this may be the case (Fernandez, 2013). However, migration companies may not be necessary if there are substitutes in place, such as

migrant social networks that provide the same roles as for-profit intermediaries but on an altruistic basis (Radcliffe, 1990). Additionally, in diverse political contexts, migration mediators may assist individuals fleeing perilous or autocratic nations, persecution, and violence to seek safe havens (Ayalew, 2018; Crawley et al., 2017; Sanchez and Natividad, 2017). Persons who are fleeing violence, persecution, or economic hardship often need the support of people who serve as drivers, guides and document dispatchers, as well as those who help them manage difficult bureaucracy (Cranston et al., 2018; Fernandez, 2013; McDowell et al., 2008).

Additionally, middlemen who assist labor movement have a role in the employment process (Barrientos, 2013; McCollum and Findlay, 2015; McCollum and Findlay, 2018; McDowell et al., 2008; Pijpers, 2010). As a result, they have an impact on who is hired, what they are paid, and on what terms and circumstances they are employed (Jones, 2014; McCollum and Findlay, 2018; Pijpers, 2010). In addition, intermediaries may play a significant role in the integration of migrants after they have left their home countries (Garapich, 2008; Groutsis et al., 2015; Salt and Stein, 1997). They may be able to help you find lodging, lend you money, or give you guidance on how to fit in socially in the new country (Spaan, 1994). Intermediaries may not be the primary focus of their work, but they may nevertheless play an important part in assisting migrants in adapting to their new surroundings (Garapich, 2008).

Although they may seem to be helpful, mediators' actions are not always kind. Migrants may be disadvantaged or even deceived by intermediaries who restrict access to information and resources (McDowell et al., 2008; Salt and Stein, 1997; Spaan and Naerssen, 2018). Migration brokers may also extort money from migrants (Agunias, 2009; Broek et al., 2016; Kern and Müller-Böker, 2015). Migrants may find themselves in debt and subject to abuse as a result of this (Davidson, 2013; Kemp and Raijman, 2014; Spaan, 1994). There have been instances in which middlemen

have been spotted committing acts of dishonesty such as stealing identities or abandoning migrants (Fernandez, 2013; Kemp and Rajjman, 2014; Strauss and McGrath, 2017).

Intermediaries have a more complicated role in transactions than many of these narratives allow for, however. Brokers in Ghana who recruited women for domestic employment performed paradoxical roles, as described, for example, by Awumbila et al. (2019). They are, on the one hand, crucial to the system that creates precarious work conditions for migrants by placing poor rural migrant women into precarious domestic work with risk of abuse, non-payment, and sexual exploitation and shaping them into ideal workers for middle-class and expatriate families in urban Ghana and overseas employment. For rural migrant women, however, brokers are a vital source of social support that may assist them get better working circumstances or find other employment if they find themselves in a tough situation. In addition, several intermediaries are engaged in a single route, and their roles might fluctuate from helpful to predatory and back again (Spaan, 1994).

Migration facilitation may be seen as a communal experience for migrants, their families, and others who are frequently marginalized in the same way as the migrants themselves; this is what intermediaries do (Alpes, 2017; Ayalew, 2018). Intermediaries play an important role in assisting individual migration experiences, but also in extending possibilities for migrants and contributing to the economic growth of local communities. In a world where mobility is a privilege for the wealthy, intermediaries can assist individuals in poorer countries overcome the inherent disparities (Alpes, 2017; Majidi, 2018; Sanchez, 2015; Spener, 2009). A protective role for refugee populations is provided by intermediaries in the absence of state protection and/or when the state is an aggressor (Sanchez and Natividad, 2017; Ayalew, 2018). As a result, nations' asserts that they are the sole valid arbiters of migration may be challenged by intermediaries (Alpes, 2017).

Power imbalances and socioeconomic inequities may also be perpetuated through intermediaries (Awumbila et al., 2019; Faist, 2014; Spaan and Naerssen, 2018). Intermediaries, for example, establish highly gendered and racially differentiated migration patterns by pre-selecting women and people of certain races and nations (Awumbila et al., 2019; Deshingkar, 2019; Deshingkar et al., 2019; Jones, 2014; Liang, 2011; Wee et al., 2019).

## **2.7 The Need for Intermediaries in the Context of Migration and Labor Market Access**

Migrants require intermediaries because they are increasingly unable to move without one, according to the literature. Immigration limitations and border militarization have led to a rise in the use of intermediaries (Ayalew et al., 2018; Feibisch, 2007; Gammeltoft-Hansen and Sorensen, 2013; Pijpers, 2010; Schapendonk, 2018; Spener, 2004). If migrants are going through conventional channels, the need for an intermediary who can help them through the increasingly complicated immigration procedures of major destination nations has become even more critical. (Kern and Müller-Böker, 2015; Spaan and Naerssen, 2018). Migrants find it challenging to keep up with the ever-changing legislation in both their destination and their home countries. It is the job of intermediaries to have the expertise and networks as well as the infrastructure and resources to quickly get the relevant papers.

Tougher immigration laws have made it more difficult for many migrants to travel through the ordinary channels of the economy. Many people rely on unorthodox forms of transportation to go to a safe location or a place where they may make a job. As a result, intermediaries play a critical role in assisting migrants cross sometimes militarized borders when they lack access to a visa (Crawley et al., 2017). It has also grown riskier for migrants because of militarized borders, necessitating the aid of intermediaries yet again (Crawley et al., 2017). Migrants traveling between the United States and Mexico, or crossing the Mediterranean Sea, need the assistance of

intermediaries in order to avoid the hazards that these routes provide (Crawley et al., 2017; Spener, 2009; Vogt, 2016). For migrants, using intermediaries is a sensible and relational reaction to unsafe travel, since intermediaries have the expertise in how to travel securely (Alpes, 2017; Ayalew, 2018).

The second point made in the literature is that the expanding privatization of migration management activities is driving a market for commercialized migration services, whether official or informal (Gammeltoft-Hansen and Sorensen, 2013; Fernandez, 2013; Gammeltoft-Hansen and Sorensen, 2013; Harvey et al., 2018; Lindquist, 2017). According to theorists of neoliberalism, these processes are fueled by a dual "rolling out" and "rolling back" of the state (Lindquist et al., 2012). Moreover, migration intermediary services have been decentralized, not only permitting bigger movement flows but also luring and mediating migrant paths in ever more interventionist and less transparent manners (Gammeltoft-Hansen and Sorensen, 2013). Subcontracted intermediary networks have resulted in a proliferation of commercialized migration brokerage options (Lindquist, 2017).

Globalization and neoliberalism have led to the astonishing expansion of intermediaries, particularly the highly institutionalized migrant recruiting sectors (Beech, 2018; Cranston et al., 2018; Fernandez, 2013; Gammeltoft-Hansen and Sorensen, 2013; Harvey et al., 2018; Lindquist, 2017). Globalization has led to an increase in the need for inexpensive, flexible labor as a result. Migrant workers are employed in low-wage jobs in order to meet the demands of their employers for higher productivity and profitability, according to this theory (Miles, 1982; Parreas, 2012; Parreas et al., 2020; Piore, 1979). Migrants are more likely to accept low-paying jobs, tolerate terrible working conditions, and are less likely to join labor unions than citizens (Barrientos, 2013; Beech, 2018; Guevarra, 2010; Jones, 2014; McCollum and Findlay, 2015; McDowell et al., 2008;

Spener, 2009). Employers are looking for middlemen that can source and provide migrant labor because of these structural issues (Gammeltoft-Hansen and Sorensen, 2013; Groutsis et al., 2015; Jones, 2014; Liang, 2011; Wheaton et al., 2010). Cranston (2018) argues that migration intermediaries should be seen as part of the knowledge economy, drawing on a broader relational approach in the analysis of economic dynamics that encourage commercialized intermediaries to pursue market possibilities (Jones, 2014). In other words, intermediaries create their own markets by creating and disseminating information regarding migration. Employers' need for middlemen to source and provide large numbers of migrant workers prepared to labor for a lower price than citizens has been pushed by immigration regulations (Jones, 2014).

By deregulating, privatising, securitizing, and deconstructing the welfare state, neoliberalism has established a new political, economic, and cultural setting. The effects of these shifts on women have been ambivalent, at best. Advocates of neoliberalism have lauded the advantages of a free market economy, hailed economic individualism and personal choice as the foundations of liberty, and claimed that these supposedly gender-neutral economic institutions may help women gain more control over their lives. Human rights for women have been used as an intellectual and discursive basis for neoliberalism's spread in various regions of the globe. The crumbling of the patriarchal system has benefited some women, particularly those who are economically secure and have access to education. Many writers, however, contend that neoliberalism's promotion of the notion of a rational person exercising free choice while destroying social democracy has made life tougher for most women and expanded the racial and economic gap between women. Despite the numerous bad effects of neoliberal economic reforms, I argue that these profound disturbances of the social order may provide opportunities for the collective mobilisation and progressive political transformation of impoverished women.

A further factor contributing to the rise in the use of intermediaries is government regulation and development policies. Immigration restrictions and guest worker programs were established by advanced industrial governments when they realized that migrant labor was essential for their economy (Harvey et al., 2018; Jones, 2012; Spaan and Naerssen, 2018). Migrant middleman (recruitment) companies benefited directly from these actions, which facilitated the expansion of these businesses (Bakan and Stasiulis, 1995; England and Stiell, 1997; Hennebry, 2008; Pratt, 1999). Recruitment sectors in many countries throughout the world have flourished due to these processes. These policies have included "labor export" programs aimed at decreasing poverty, easing labor market pressures, and generating foreign cash through remittances in countries of origin for migrants (de Haas, 2018). Because of this, a wide variety of middlemen have seen an opportunity to profit from such swings (Guevarra, 2010; Lindquist, 2017; Lindquist et al., 2012).

## **2.8 Regulation and Monitoring of Intermediaries**

Intermediaries play a critical role in facilitating the movement of both low and high-skilled workers across borders. However, as intermediaries have expanded their services and options, they have also taken on an increasingly crucial role in helping migrants gain access to the labor market. Because of this, the employment on public policy to reduce costs while simultaneously keeping tabs on these "agents of human growth" is up for dispute (Agunius, 2009: 2). The quality and control of intermediate operations, such as recruiting, selection, and placement of migrant workers, are as varied as the nations' definitions of what constitutes "skilled" migrants. Since skilled migrants are in high demand, it is critical for policymakers to pay close attention to how these organizations find and place newcomers. Employer-sponsored migrants, for example, are more susceptible since they are limited in their capacity to move between companies and join trade unions compared to local employees, who are more allowed to do so (Carens, 2003). If the

intermediaries fail to offer credible and dependable information regarding working and living circumstances, employer-sponsored migrants may be subject to downward mobility. Many immigrants may not question their job status since it is still a better option than remaining at home (Jokinen et al., 2011). Migrants may also rely on a positive recommendation from their current employment in order to get permanent residence in the new country. Migration intermediaries and the enforcement of labor norms in the receiving countries are becoming more important issues to deal with.

Intermediary activities should be controlled and monitored to evaluate their impact in enhancing or damaging human potential and job opportunities in the same way that immigration law examines international agreements established to safeguard migrants from precarious employment practices (Fudge, 2012; Cangiano and Walsh, 2014). For skilled migrants, two methods for minimizing poor labor market integration are providing more government-mediated intermediary services, and increasing the consistency of industry regulation. According to early research, there is substantial heterogeneity in the regulation of intermediaries even in mature economies and nations that have been absorbing migrants for a long period. If you are a Canadian immigrant in Manitoba, for example, you are obliged to self-report any violations of job rules or the activities of unethical migration brokers (Fudge, 2012), but in many other provinces, it is not the reality (Fudge, 2012).

As a result, several OECD nations have enacted stricter regulations on the use of recruiting firms to employ health professionals. Recruitment agencies for health professionals in some countries are governed by an ethical code of practice that restricts recruitment of health workers from agencies that do not comply with the WHO Code of Practice for both domestic and international recruitment (Zurn and Dumont, 2008). These countries include Australia, the Netherlands, Poland,

and the United Kingdom (WHO, 2006). However, enforcement is a challenge even in nations with a lot of legislation on paper. Despite the fact that some countries have robust regulatory frameworks, only a minority of potential cases of recruiter mistreatment may be reported due to a lack of knowledge about the regulations, a lack of documentation and proof of mistreatment, recruiter dependence on engaging unregistered subcontractors, and prosecution levels being low even when complaints are made (Taylor-Nicholson, 2014).

Regulating intermediaries in a consistent manner is difficult because to the wide variety of regulatory frameworks in different countries. Political calls for deregulation and the dominance of free markets will also spur the growth of intermediaries with a commercial focus (Harvey et al., 2018; Jones, 2012; Spaan and Naerssen, 2018). Further study might examine and analyze whether supranational or national frameworks could better regulate, monitor, or penalize intermediate activity despite the limitations. Governments, employers, recruiters, and other migration brokers may need to work together to bring subcontractors into the formal sector in both the country of origin and the country of destination. More study might emphasize the strategic potential of different types of intermediaries to enhance or destroy migrant capacities in the labor market and society as a whole. While it may be naïve to believe that migration processes would ever be devoid of unlawful and consequently dishonest operators.

## **2.9 Theoretical Framework**

### **2.9.1 Structuralist approach**

With this perspective, migration was "understood as the interplay between migrants' expectations, on the one hand, and systems such as access to jobs, markets, education, and power," offering a new way of looking at the phenomenon. As "economic and political power is unequally divided across developed and undeveloped nations, that individuals have unequal access to resources, and

that capitalism growth has the potential to entrench these disparities," this perspective argues that migration leads to brain drain and exacerbates global inequality (Jessop, 2013; Mau et al., 2015). Thus, structuralist perspectives contend that migration results from the inevitable upheavals and reorganisations brought about by capitalism's evolution. The "penetration of capitalist's economic connection into non-capitalist or pre-capitalist cultures creates a mobile population that is prone to move," as the theory puts it (Sanyal, 2014).

This approach examines the migration from the standpoint of commercialization. Migrants are seen as a commodity, and firms like brokers, security companies and transporters are used to facilitate the movement of people (Grammeltoft-Hanssn 2013; Nyberg-Sorensen; 2012, Spaan 1994) for monetary gains. It's clear from the literature that structuralists are interested in the extent and complexity of migration concerns. A fuller knowledge of how these economic players are linked to other migration facilitators, such as the phenomena of migrants' social networks and the state, is missing from this discussion. How to separate the migration business from migrant social networks is an equally crucial concern for the migration industry. Due to this, it is clear that the actions of these individuals are closely intertwined (Harvey, Groutsis, and Van den Broek, 2015). Historical-structural explanations shift from an exclusive focus on individual/ family decision-making and consider how structural factors create conditions in which migration takes place. These structural factors - such as the nature of modern industrial economies which create a demand for particular categories of workers, political factors such as the availability of visas or work permits for certain jobs, and social factors like access to social networks - can be seen as 'pushing' emigrants from their homes and 'pulling' them to their destinations. The notion of "dual labour markets" provides one structural reason (Piore, 1979). The two main categories of employment in a market economy are service jobs and production occupations. The

first kind of employment is the permanent, high-paying ones that need a lot of specialised training and education. The second kind of employment is the poorly paid 3-D jobs, or transient, disagreeable, low status occupations (dirty, dangerous and demanding). There are limited avenues for advancement in these positions, and employees are seldom safeguarded by laws and regulations meant to safeguard their rights on the job. When locals refuse to accept low-paying employment, it's often because they can't find anybody else who will.

Globally-operating forces are the primary emphasis of both world systems theory and the world society approach. According to world system theory, migration is a direct result of the transnational nature of the modern economy (Wallerstein, 1974). In more modern perspectives on migration, cultural issues are given equal weight to economic ones. For instance, cultural globalisation causes individuals to sense economic disparities and move as a result of their shared consumption of common cultural forms like music or films.

These structural explanations are macro-level, looking at things like national or international employment trends. It has been said that they don't care about the people that make up their decisions or how they get to those decisions.

### **2.10 Chapter Summary**

In this chapter, we looked at the literature that may help us achieve our goals. The chapter examined migration intermediaries and their role in the migration and integration of migrants. A theoretical framework for the research was constructed after a thorough examination of the existing literature. Migrants have increasingly become much more reliant on intermediaries for their migration. Consequently, migration intermediaries or "middle men" have become increasingly critical for understanding of the current patterns and experiences of international migration,

## CHAPTER THREE

### METHODOLOGY

#### 3.1 Introduction

Methodology, according to Howell (2013), is a strategy that shows the form in which research will take and the methods that will be used to achieve the findings. This section comprises the mode of the research method or design, research environment, population, sample, method of sampling and techniques, the process of data collection and analysis of the data.

#### 3.2 Research Design

A research design is a complete scheme for collecting data in order to answer the research question. According to Ahuja (2010), research design is used to explain the type of research carried out by a researcher. It is a plan that reveals the overall framework used for a study. The nature of the design used is dependent on mode of research problem being worked on; there are several types of design for research work. The study employed a qualitative research design. Qualitative research design explores the attitude, values, and beliefs to understand better people or organisations' way of life (Boateng, 2016). The chosen research design assisted in addressing the research objectives and questions.

#### 3.3 Population

A population, according to Aly (2016), is all members who meet a particular criterion specified for a research work. They include a set of persons or objects that possesses a common characteristics or features (Obeng-Koranteng, 2009). The population of the study comprise the migration intermediaries (migration agencies/companies, individual agents, shipping agents, state agencies- GIPC, Free zone etc) who help facilitate the labour access of migrants, officials of Ghana Immigration Service and migrants who have used the services of migration intermediaries. This study population was chosen for the study because they can give a true or accurate details or

responses about the intermediation function these middlemen perform in the facilitation of labor market access (work/residence permit) for migrants.

### **3.4 Sources of Data**

Dango (2018) stated that there are two main sources of data which are accepted worldwide. They are primary data and secondary data. Primary data are raw and fresh data that are originally gathered from the field. They are new and fresh information that are collected to be analyzed. On the other hand, secondary data are data that already exists or have been worked on by other people or researchers (Dango, 2018). They are works of other people that have been documented and serve as a reference material for other people or researchers. The study employed both primary source of data and secondary source of data. The secondary data used included the scholarly document and publications on migration intermediaries. On the other hand, the primary data was collected through interviews.

### **3.5 Sampling**

Respondents are chosen for the research based on specific characteristics that are of interest and relevance through a non-probability sampling approach called purposive sampling and snowballing. Twenty - Five (25) respondents were used for the study these sampling methods. The respondents interviewed includes ten (10) Ghana Immigration Service Officials, five (5) migrants and ten (10) migration intermediaries stationed in Greater Accra. For the purpose of the study, (8) eight unregistered intermediaries and two registered intermediaries in Ghana were included. The sample size was selected as saturation was reached on the 25<sup>th</sup> respondent of the study.

### **3.6 Data Collection**

An interview is the process of acquiring information directly from a respondent in their own words (Creswell, 2009). For this study, it was decided to conduct a semi-structured interview, which is an interview approach in which certain questions are set before the interview begins and new ones emerge during the session. Twenty-five respondents, including senior GIS officers, migration companies/agencies, individual agents including offices in their personal capacity and migrants were engaged to gain a better understanding of the facilitation function played by middlemen in the labour access of migrants. During the semi-structured interview, only open-ended questions were asked. The structure of the interview was dictated by the study's objectives and research questions. The average interview lasted 45 minutes per interviewee. Interviewees granted their permission for their interviews to be recorded, and the resulting data was transcribed. These interviews were organised at the headquarters of the Ghana Immigration Service and the office premises of the intermediaries interviewed for the research. All these interviews were conducted from 10<sup>th</sup> December to 22<sup>nd</sup> December, 2021. Respondents were informed about the interviews before the researcher visited them for the interview.

### **3.7 Data Analysis Techniques**

The semi-structured interviews were first transcribed, extensively checked, and then categorized based on the primary interview guide sections in an iterative and systematic manner. The themes that emerged from the data were developed using the exact words of the respondents. Case study research may use the inductive technique as a result of the possibility for open-ended inquiry (Amaratunga et al., 2002). An inductive approach, rather than being forced on respondents prior to data collection and analysis, uses patterns, themes, and categories of analysis that evolve from the material provided by respondents themselves.

### 3.8 Researcher's Positionality

According to Mohammed (2001), the sort of issues to be investigated, as well as the qualities of the researcher and the respondents, might influence the researcher's access to informants and the type of data collected (as cited in Teye 2012). In some cases, if the phenomena being studied are sensitive, the quality of data obtained and the depth of insight provided are largely determined by the researcher's attributes, such as sex, age, and the type of work he or she does.

As an Officer serving with the Ghana Immigration Service. My position as an immigration officer presented both some advantages and disadvantages during the course of collecting data for the study. Throughout the data collection exercise all the respondents identified me as an 'insider' who could help their case or jeopardise their situation. My position kept shifting with the different respondents encountered. For instance, the formal agencies were more willing to share information than the individual intermediaries. The formal agencies saw me as a stakeholder who has the potentials to present a favourable case for them with regards to the legalisation of their operations. On the other hand, some intermediaries who circumvent certain procedures were very economical with their information for the fear that I could use it against them. Others were also suspicious of me being a spy for the Ghana Immigration Service. It must be noted that some of the agencies declined to participate because I was perceived to be assigned to investigate their activities. My position as a serving officer enabled me to gain access to some agents through interviewing some end users. Some of them willingly without fear gave the information I needed, even though initially they were sceptical about the whole exercise. Some of them willingly gave me the information I needed because they thought I could help by being an inside person to help facilitate acquisition of immigration permits, and also make a case for them to be recognised just as vessel agents are

recognized by law. Others also refused to participate in the study because they thought I was secretly investigating them under the guise of a student.

To overcome these challenges, my identity as an Immigration officer and a student was made known; an introductory letter from the University introducing me and sanctioning the study was also made evident to remove the fear that I was investigating them. Consent was sought from the heads of the institutions as well as the individual participants. The objective of the study was explained in a manner that all the participants understood before the consent was sought. Participants were assured that their participation in the interviews was voluntary and that they could withdraw at any point during exercises. No secret recordings were done because permission was sought and more importantly the places and time of the interviews were purely at the discretion of the participants.

My position as an immigration officer did not compromise the integrity of the data collected and the quality of the results because the study was done following the laid down ethical principles in conducting research.

### **3.9 Ethical Consideration**

Ethical standards are necessary in every research because they serve as a guideline to protect and ensure that the rights, safety, well-being and dignity, of all the people who will participate in the study are respected (Babbie and Mouton, 2002; cited in; Luci, 2012). In this research, ethical standards were strictly adhered to. Respondents were informed about the purpose of the study. Respondents were assured of their anonymity and privacy. Respondents were also advised that if they were uncomfortable or believe their rights are being violated, they had the option to stop the interview or refuse to answer any question. The information gathered were professionally maintained and handled to protect respondents' identities.

## CHAPTER FOUR

### PRESENTATION OF RESULTS AND DISCUSSION OF FINDINGS

#### 4.1 Introduction

This chapter addresses the following objectives which includes the role middlemen play in the facilitation of labor market access of migrants in Ghana.

#### 4.2 Demographic Characteristics

The respondents of the study had with ages ranging from 26 to 57. The majority of the respondents were males (91%). This is attributed to the fact that migration intermediaries in Ghana are mostly dominated by males. The reason for this gender disparity was not explored as it was not the focus of the study. The number of years of experience and service for the respondents range from 3 to 27 years in the business. Significant members of respondents selected for the interview were senior immigration officers stationed at the VISA Application Center of GIS at the Immigration headquarters in Accra, migration intermediaries and employers from reputable companies in Ghana.

#### 4.3 Types of Migration Intermediaries

The study finds a multiplicity of actors involved in the facilitation of labour access of newly migrants. I distinguish three main typws of intermediaries and their characteristics;

1. Formal fully registered agencies (registered and with a license to operate)
2. Formal partially registered agencies (registered, but with no license to operate),
3. Informal agencies and individual informal middlemen (neither registered nor have a license to operate)

These migration intermediary types vary in terms of agents' compliance to state legislation, namely registration/licensing requirements, institutional arrangements, facilitation mechanisms employed,

motives, fees paid, and contract arrangements. Regardless of the intermediary or activity you look at, the formality or informality of the rules and procedures that govern it is a crucial differentiator. Keith Hart (1973) defined the word "informal" as referring to activities that are not subject to regulation, non-compliance with immigration laws, or transactions that are not subject to government oversight. As a result, even though the term "informal" is often used to denote a negative connotation, such as "instability," "lack of organization," or "disorganisation," we use the terms "formal" and "informal" here to shape our examination of intermediaries' activities and their adherence to state regulations, rather than as an informal.

The interviewed *Goroboy*s revealed that the facilitation roles they play are informal as they have not registered and as such have no license for operation. One of the interviewed *Goroboy*s indicated that “*Boss, this is not a company oo, this is just a one man show*”. The submission of the *goroboy*s above confirmed the view of Awumbila et al., (2017) who affirmed that majority of migration intermediaries in Ghana are unregistered and this might result from the lengthy registration process, bureaucratic obstacles such as absentee officials and bribe requests.

Working in Ghana requires a permit and registration, both of which must be obtained in order to work legally. Newly migrants must obtain a permit in order to work or set up a company in the nation under the Labor Act of 2003 (Act 651, Article 7) and the Legislative Instrument of 2007 (LI 1833). Despite these legislative restrictions, a significant percentage of migration intermediaries and middlemen in Ghana that assist in the processing of permits for newly arrived migrants are either just registered with the Registrar General's Department – but have not secured the requisite licenses to practice from the Labour Department – or have neither registration nor license to operate. The respondents from the Ghana Immigration provided some examples of

organizations in Ghana who have been registered in Ghana but do not have license to operate as migration intermediaries. One of the respondents indicated that;

*hmm... I can say the auditing firms (KMPG, Deloitte, PWC) and the law firms are registered entities in terms of the work they do but with regards to facilitating acquisition of work permits I don't think there is a law backing that activity. As for the individual consultants, retired officers and active officers they strictly have no legal backing.*

Another GIS officer affirmed the assertion earlier;

*For instance, if you go to Tullow or Eni or any of these big companies. They have employees in the office and their job description is to follow up on any immigration issues. So in my view most of these individuals also act as agents. Like I said there are lawyers and others. Some choose to call them protocol officers. And then we have travel and tour agents who not only sell tickets and book flights or front for visa applications from embassies but they also take up this type of jobs and do permits for foreigners. So, we can consider them as agents also.*

Another shared that;

*Immigration is a very complex area that a lot of people don't understand. In other jurisdictions lawyers are used as agents. Which is also applicable in Ghana. there are lawyers and others who have specialized in immigration processes to act as agents on behalf of the individual or the company in dealings with GIS. Then some organizations also employ people specifically to work on immigration issues for them and they pay them. they usually call them immigration consultants or protocol officers. They have several names for them.*

Non-compliance with the registration requirement is often blamed on bureaucratic impediments, such as absentee officials and requests for bribes, which prolong the process of registering a business. Accordingly, the registration status of Ghanaian migration intermediaries acts as a differentiating element when categorizing middlemen and organizations. According to the Labor Department, there has been an increase in the number of registered but unlicensed organizations (Labour Department 2015). This might be attributable to the large number of foreign employees that have recently arrived in Ghana.

#### **4.3.1 Other Special Types of Migration Intermediaries in Ghana**

Smugglers, brokers, gatos, employment/placement agencies, coyotes, saloceiros, village chiefs, teachers, and travel agencies are all examples of intermediaries in migration. They might be a business/organization or person. Employment agencies, for example, that allow foreign recruiting, are examples of legally registered organizations that pay taxes. However, intermediaries may also be unregistered or 'illegal,' depending on the legal framework in place. A broad range of words for intermediaries are used by migrants based on the circumstances, such as *dalal*, *dellalo* and *Goroboys*.

From the interviews conducted, it appeared that there are intermediary firms in Ghana. The GIS officer interviewed indicated some big companies in Ghana that also help in the facilitation of permits for newly migrants in Ghana. He indicated that

*before we go there, there is another group I forgot. Some auditing firms. For instance, the likes of PWC, KPMG and Deloitte also facilitate permits. And they charge about 5 times the cost of the permits. I remember when I was in Takoradi some years back, KPMG represented some expats in the oil industry and wrote to Ministry for the interior to take their permits from them and only come to immigration so we just issue these permits. The*

*procedure is that all oil exploration companies are to go through petroleum commission to satisfy local content regulation and also pay a fee before coming to immigration but they were attempting to bypass that. There is also a fee they have to pay every year to renew their licensing. But they were also not paying. So I directed officers to investigate and findings were presented to Ministry of Interior to cancel that arrangement.*

One of the interviewed GIS officers expressed that there have been circumstance where immigration officers acted as agents in the facilitation of labour access entry for newly migrants. Some of these officers use their familiarity of the system to circumvent the application procedures to fraudulently acquire the necessary permits to allow migrants entry into the Ghanaian labour market.

*The officer made the above claim as follows; well, some officers just take the applicants passports and the permit fee and go manufacturing their own documents i.e all the requirements and feed them into the system. And because they know the system and can maneuver, they get the permit issued. Hence the information of the applicant in the system is inaccurate. So, the risk is that in the event of an occurrence and probably that applicant is involved it is difficult to trace that applicant. Because all the information with the exception of the passport is wrong. So, if there is something involving that person it is almost impossible to find that individual most especially tracking a person of interest. That's the main implication.*

The question was put to find out if governmental organizations and big institutions such as those in oil exploration and mining companies that facilitate immigration permit acquisition could be classified as being or playing middleman roles. The GIS officer interviewed did not consider these big institutions and governmental organizations as middlemen. According to him;

*No, they are not. They are state institutions specifically to perform specific functions to promote certain agenda. If you take GIPC for example, their mandate is to promote investments into the country. So in their case we don't go through strict immigration procedure for instance ensuring that the required skills or competencies being sought after cannot be found in Ghana. Ones there's large investment in the country a quota is given to the expats to work and generate revenue. So they are more like incentive programs to entice foreigners to come and invest in Ghana.*

Many organizations and individuals who were engaged in assisting migration were also recognized in past literature, although intermediaries were still seen as businesses offering services with the goal of making money. For instance, Hernández-León (2008) claims that the migration market is made up of a group of "entrepreneurs who, driven by the pursuit of financial gain, offer a range of services that facilitate human movement across international boundaries". All the interviewed intermediaries indicated that financial gain is the major reason why they engage in the facilitation of newly migrants. One respondent indicated that;

*Why did I become a middle man? Hahaha, for money. Man must eat. I have a brother working in the Immigration Service so when a friend approached me with some immigration questions about a work permit for his company, I was able to assist, thanks to my brother. He later came back and asked if I could help him acquire the permit with ease if he provided all the needed materials. I said yes as I needed the extra cash he was willing to pay and that's how my job as a middle man begun.*

These services encompass both legal and illegal activities such as smuggling and the issuance of fake documents. Most practitioners, despite the fact that they have found themselves in the immigration market by accident, expressed a high level of work satisfaction and delight in their

roles. Even when the job did not pay as well as planned, many employees talked of their "passion" for it and how much they enjoyed it.

In terms of operation, there are significant distinctions between the various types of intermediates. Type 1 and 2 agents are official, fully registered agencies that recruit candidates via formal channels including newspaper ads, social media, and online platforms, and conduct formal registration procedures like interviews with prospective employees. They usually only deal with candidates who have completed some kind of formal schooling, usually at the junior secondary level, and they always act lawfully, including not hiring anybody under the legal working age of 18. The majority of them, especially the larger ones, provide some kind of instruction in basic housekeeping skills. The more established agents (Types 1 and 2) are hesitant to hire newcomers from the countryside, commonly referring to them as "village people," and favor hiring city dwellers instead. The experiences of migrants vary according to the different types of intermediaries. The experience of the fully registered and partially registered agents is seen to be seamless and of high assurance as compared to the informal intermediaries. Based on the assertion made, formal and fully registered intermediaries are mostly preferred than the other two typologies. However, the use of their services is seen to be expensive and as such, migrants tend not to use their services.

#### **4.4 Migration Intermediaries Facilitation Practices**

A broad range of services are provided by intermediaries, including document dispatch (helping broker visas, arranging birth certificates, passports), transportation booking, guiding, finding employment, lodging, connecting to healthcare and medical exams, and giving training. Migrants in the global south were not the only ones who engage in these activities.

One intermediary painted a mental picture of the role these *Goroboys* play in the facilitation of labor entry of migrants in Ghana. He stated that;

*I only work with those already in the country. I don't facilitate their movement in to the country; it is when they get here that I render my services to them in helping to make their stay legal. I tell them all the documents they need and I help push or keep an eyes on the documents when it goes into the system so there are no unnecessary delays.*

One intermediary disclosed how he goes about his facilitation process. In this, he indicated that;

*I talk to them about the country and what they need to expect here, also they have my number and can always call me for any assistance in other areas. If I can help or point them in the right direction, why not.*

Another Intermediary asserted that;

*I help foreigners find answers to some of the questions they have concerning immigration and permits, I also assist them to get their permits without stress. Which is very important because if you do not know the system you will be stressed and might not even get your permit on time.*

One intermediary stressed on the importance of the role of migration intermediaries in the labour access of newly admitted. He further indicated that the situation of newly migrant would not necessarily change if he had not provided his services to them as there are other intermediaries available who are ready to help newly migrants. He stated that;

*Oo I don't think so, if I had not done it someone else would have taken the contract. We middle men provide a very vital service because without us these migrants will find it very*

*difficult to integrate into the system as the information, they need is not readily available and like I said earlier if you don't know the system, it can be very frustrating.*

Respondents were asked the steps and requirement they follow in acquiring work permit from the Ghana Immigration Service. These respondents walked us through the various steps they follow in offering their intermediary services to the newly migrants. One of the intermediaries interviewed indicated that;

*after I have taken possession of all the documents and am satisfied that they meet the entire requirement, I help them fill the immigration work permit forms after which I get the documents to my contact at the immigration head office. He makes sure the work is fast tracked and handles any hiccups that arrive along the way. If my client is supposed to come in for an interview or Covid test or something else is needed, he informs me and I make sure to provide it or inform my clients. We keep in touch until the work is done. Then I go for the passport and give the officer something small for his troubles.*

The respondent further talked about the instances where he has to deviate from the stated steps and requirement in order to provide intermediary service to the newly migrants. He stated that “*oh yes, sometimes you have to use your head. You just find a way with money haha*”.

#### **4.5 Labour Market Entry Procedure in Ghana**

Expats are only able to work in certain sectors in Ghana (Abugre & Williams, 2020). The government has immigrant quotas in place that limit the number of foreigners who can be employed by companies in Ghana. These regulations aim to reduce unemployment in the country and manage the labour market access of migrants as well as give preference to the local workforce

where possible. In Ghana, most employers assist with the work permit application process. This assertion was confirmed by an officer from the Ghana Immigration service who indicated that;

*There is the immigrant quota which is based at the Ministry of Interior and that one is for Big companies like Coca cola, mining companies etc. such companies bring in huge sums of investment and then ministry of interior based on the quantum of investment made could grant the company a quota of let say thirty and that quota will probably take care of all engineers and staff with special skills that are not readily available in Ghana. The underlining principle of work permit is knowledge transfer from the migrant to the local employer. Under the MOI work permit, a Ghanaian is supposed to be employed to understudy the foreigner. Usually, three years apprenticeship after which the Ghanaian will take over the role but that isn't the case. So that should be the priority for the head of operations and also those working at the permit section to ensure that the transfer of knowledge is practiced. Some of the employers are also smart, after about two years they fire the local employee such that the transfer of knowledge is not complete and a new person would have to learn from scratch.*

It was evident from the response provided by one respondent who indicated that;

*Well, normally voluntary migrants i.e labour migrants are the group of migrants that qualify. In some cases holders of student permits after completion of their education get engaged by some local companies apply for work permits.*

*The most common cases are migrant medical students who end up getting employment with the Ghana health service. In my experience Nigerian students usually remain the most and seek employment in the country. I am pretty sure it has to do with the fact that we are both*

*anglophone countries. Interestingly, some Gabonese tend to stay longer, they do have a solid community in the country. In practice however some refugees and asylum seekers find their way in the Ghanaian work force as a means of integration just a handful of them apply for working permits though.*

Work permit applications are usually done in person at the GIS headquarters in Accra. In accordance to Immigration Act 2000 Act 573, work permits must be acquired before migrants arrive in the country. One of the respondents indicated how long it takes for an approval of a work permit. In his response he stated that “ideally it should be between three to six weeks” for the approval of a work permit. These permits are usually granted for one year, the length of the contract or a maximum of two years. After this period, expat will need to apply for a renewal. Under Section 13 of the Immigration Act 573, “a person may be issued with a residence permit upon application to the Director (Comptroller General) in the prescribed manner after the person has been lawfully admitted entry into Ghana.” The residence permit given is only valid for a maximum of eight years, with the first four years being the most restrictive. Information on indefinite residency status is provided by Sections 14, 15, and 16. Foreign nationals who want to stay in Ghana for a long length of time are eligible for a residency under Section 9 of the Immigration Regulation, 2001, which is part of Act 537's implementation. There is a four-year limit on the first residency permit, however it may be extended if necessary (Kottoh, 2017).

One of the respondents interviewed stipulated the stated procedure in acquiring work permit. He stated that;

*well, usually the individual or a representative from the company submits the application to our office. The documents are then scrutinized by the officer at the receiving counter to make sure all the relevant documents are attached i.e company registration, certificate to*

*commence business, tax clearance certificate, employment letter, acceptance letter, medical report, passport police extract, negative covid test result, also an advertisement in the dailies and evidence of the procedure the company used in employing that expat and also a proof that a local has been employed to understudy the foreigner. After the applicant satisfies all these documents, he/she is allowed to complete the work permit form and attach two recent passport sized photographs.*

Some workers at the Ghana Immigration Service were found to be unsure of their responsibilities when it comes to work permits. Some members of the service's employees were unfamiliar with basic concerns such as punishments for defaulters and the processes for paying fines for illegalities. It's possible that the service's employees were under-trained since their understanding of work permits for expatriates was inaccurate. However, it was discovered that senior staff members were well-versed in the nuances of the Immigration Act of Ghana's work visa regulations.

Due to a lack of awareness concerning expat work permits, the Ghana Immigration department has had to deal with certain difficulties. The immigration agencies have not kept enough records of expatriates' employment or taxed them appropriately. Expatriates use the service's lack of information to exploit loopholes and dodge taxes. Because expatriates' identities may not be known or recorded, this presents an opportunity for criminals to operate secretly. As a result, the findings of this research show that Ghana Immigration Service employees have misconceptions and misunderstandings about work permits for foreign nationals.

#### **4.5.1 Employers Opinion on Act 573**

The majority of companies that took part in the research agreed that obtaining a work permit for foreign workers in Ghana seems to be a good idea. In spite of this, they felt that the permit application procedure was cumbersome and time consuming. They said that the procedure and

documentation requirements were onerous and sometimes unclear. The process of obtaining a work visa also took too long, they said. According to some companies, they had to wait up to a year for a work permit to be signed and delivered since the GIS and Act have no time limit for processing. Even though the resident permit is easily provided within two weeks of receiving the work permit, this has implications for the time it takes to get it. Foreign nationals are being hired and maintained illegally because of delays and lack of clarification on the requirements for the documents required by Ghana Immigration Law 2000 (Act 573) for employers, as per published studies. Employers' past experiences and stated difficulties affected their choice on whether or not to apply for a work permit. When given the option, an increasingly large majority of them would opt out of participating in the process altogether. Those who had a more favorable view of the permit believed it was essential, and that belief may lead to action, and the other way around.

One employer expressed the reasons why his company employs the use of intermediaries in facilitating the issue of permits. He explained that;

*not exactly, but the only issue we have is the lack of information from their (GIS) portals and also well from my experience, parking space and probably the up and downs. The nature of our job doesn't grant us a lot of free time to spare. So it works well for us using middlemen so they can deal with all that while we pay for their services*

Kottoh (2017) study on the effects of the immigration acts on employment permits confirms this assertion that the stress in documentation and navigating the headquarters is sometimes not so easy and as such very cumbersome. For this reason there have been several complaints of companies not enforcing the Ghana Immigration Law 2000 (Act 573) when it comes to recruiting and retaining foreign nationals.

According to other migrants, they have no idea how to go about acquiring a work permit. Migrant workers are not directly involved in the application procedure, but rather their employers do so on their behalf. An employer in his interview asserted that *“I am not really knowledgeable when it comes to the processes of attaining work permit for employees”*. Another employer remarked that *“the company human resource manager has the full disclosure of the steps involved in obtaining work permit for workers.”* Immigrant employees in Ghana may be unfamiliar with the procedures and prerequisites for obtaining a work permit. The reason for this is because, according to responses from the interviewed organizations, migrants do not apply for a work permit on their own, but rather through the use of the employer as a middleman. In the process of obtaining a work permit, however, they have little influence since the process is handled through negotiations among businesses and the immigration office.

#### **4.6 The Shortcomings of the Ghana Immigration Service in Facilitating Labor Access Entry**

The GIS, the immigration intermediaries, and the immigrants themselves all benefit from a greater knowledge of who these intermediaries are. To understand the influence of immigration industry on migration dynamics, it's crucial to look at the nexus between this connection and immigration policy. We'll look at how the GIS is attempting to imitate the developed world's approach to immigration in this chapter, as well as the more stringent standards the GIS is implementing to reduce the influx of labor migrants.

Migrants, local communities, employers and national governments in both origin and destination nations are all linked via intermediaries, which are meso-level players. In many places, they are nothing new; they have long been the norm. However, researchers believe that their numbers have risen in the last three decades in tandem with the rise in worldwide migration. Immigration (and departure) rules have gotten more stringent and bureaucratic, making it more difficult for migrants

to handle the process of routine movement on their own, as has been noted in the literature. Intermediaries may be hired to handle the paperwork involved in the relocation process as a first option. Alternatively, a third option is to use a third-party broker to assist effectuate illegal travel. Neoliberalism and flexible labor markets are often cited as factors for a rise in intermediaries in labor migration brokerage. Because intermediaries are able to rapidly and inexpensively offer low-wage, highly regulated workforces to companies, this is why.

The state's incapacity to efficiently manage migration is the primary reason for the need for immigration consultants or middlemen of any kind. Intermediaries are needed in Ghana because of the lengthy application procedure and the GIS's lack of interest in supporting applicants. This fact was revealed by a respondent *“I also want to believe the stress in documentation and navigating the headquarters is sometimes not so easy so these middle men take advantage.”* An intermediary also revealed that;

*Like I said earlier, the system can be quite stressful and time consuming if you do not know your way around and that's where I come in., they prefer to work with me because I take all that stress away and make sure they get their permits in time for a small fee.*

The tightening of immigration controls and militarization of borders has driven the demand for intermediaries (Ayalew et al., 2018; Feibisch, 2007; Gammeltoft-Hansen and Sorensen, 2013; Pijpers, 2010; Schapendonk, 2018; Spener, 2004). For labour migrants, as the immigration procedures of leading destination states have become more complex, the assistance of an intermediary who can help migrants enter the labour markets which are time-consuming, costly and often prone to corruption, has become increasingly essential (Kern and Müller-Böker, 2015; Spaan and Naerssen, 2018). An officer with the Ghana Immigration Service, acknowledge that fact that no institution in Ghana is without challenges when he conceded that *“every organization*

*has its own shortcoming and so does Ghana Immigration*". Accordingly, a respondent from GIS claimed that it is these challenges or shortcomings within the Service that have necessitated the need for migration intermediaries in the facilitation of labor access entry for newly migrants. He indicated that;

*Every manual system has loopholes because you see, if someone brings an application of a company in Kasoa and you are in Tema meanwhile you don't have resources to verify its authenticity. The application and its attached documentation will have to be processed manually and in some cases the vetting officer is forced to accept it as it is due to pressure or work load. The current system causes needless delays and frustrations to the applying institution. Therefore, the best way to avoid delays and extortion from applicants is to digitize application and issuing process.*

To digitize the permit and other Immigration operations, E-immigration an electronic application and processing platform was introduced somewhere in 2013 but has not been able to thrive because some officers and other people who are benefiting from the inadequacies in the manual system are not enthusiastic in seeing the operationalization of the electronic system. This is because, if this system is allowed to function about 99% of the incidence of fraud would be taken care off. Due to that people will not allow it to work for their own personal benefits.

Instead, their power comes from learning how to navigate through structural and operational deficiencies, to offer of legal entry to immigrants into the Ghanaian labour market. This is because intermediaries possess the experience and networks as well as the infrastructure and facilities to efficiently secure the necessary documents (Kern and Müller-Böker, 2015; Lindquist, 2017).

#### **4.7 Outcomes of the facilitation roles of the intermediaries/middlemen to the demands of the labour migrants**

Migration is mediated by a range of intermediaries, now more than ever (Xiang and Lindquist, 2014). While there is nothing new about them, this research generally agrees that their numbers, reach and influence have increased in the past three decades. Migrants are also now even more dependent on third parties to facilitate their labor market entry in Ghana. Consequently, the ‘middle space’ of migration intermediaries is now essential to understanding contemporary patterns and experiences of international migration (Cranston et al., 2018; Deshingkar, 2019; Gammeltoft-Hansen and Sorensen, 2013; Lindquist et al., 2012).

Intermediaries are powerful agents in facilitating migration (Harvey et al., 2018; McCollum and Findlay, 2018). On a practical level, intermediaries conduct a wide variety of different activities aimed at facilitating labour migration, including helping facilitate permits, arranging passports, finding jobs and/or accommodation, connecting migrants to healthcare and medical tests and providing training (Ayalew, 2018; Broek et al., 2016). They help aspiring migrants navigate complex immigration bureaucracies for which the outcomes are often uncertain (Findlay and McCollum, 2013; Xiang and Lindquist, 2018).

##### **4.7.1 Negative Outcomes**

The activities of intermediaries are not always benign or helpful. Intermediaries may control access to information and resources which serves to disadvantage migrants or even set out to deceive them (McDowell et al., 2008; Salt and Stein, 1997; Spaan and Naerssen, 2018). Migrants may also be extorted by migration intermediaries. This may put migrants into debt and make them vulnerable to abuse. In worst cases, intermediaries have been observed cheating, defrauding, stealing identities, abandoning migrants, deceiving or even killing migrants (Agunias, 2009; Fernandez, 2013; Kemp and Raijman, 2014; Salt and Stein, 1997; Spaan, 1994; Spener, 2004;

Strauss and McGrath, 2017). This assertion was evident in the responses provided by the GIS officers. A senior GIS Officer indicated that;

*I have been involved in a few investigations involving such unscrupulous agents or agencies. Usually what they do is to get a hold of contracts from the government that waives or reduces the fees of the work permit of some foreigners doing some work in Ghana and long after that contract expires they use such documents to apply for work permits for people who do not qualify. From about 2014, with the influx of Chinese Nationals this was a common practice. A lot of these Chinese engaging in illegal mining (galamsey) we are fighting have work permits for different companies but they are in the forest areas engaging in this galamsey. When we go for operations and arrest them you find out they have legit work permits but the question is are they really working where they claim to be working? It's a bit frustrating because they have support from people in high places.*

One of the interviewed respondents indicated that there are many unscrupulous companies/agents/agencies/individuals who are involved in fraudulent acquisition of work permit for migrants. He asserted that

*oooh yes; there are a lot of such people in the system. They forge documents and even alter some of the passports by editing the pictures in the bio data pages. They are very smart in the way they handle their business. Some of the things they do is very risky and can land them in trouble; no amount of money is worth me going to jail.*

Aside these unscrupulous activities done by these intermediaries, their activities mostly constitute exploitation. These vulnerable are exploited in their bid to employ the services of intermediaries in the facilitation of labour market access (Jones and Sha, 2020). One GIS officer informed that;

*From information available to me I think there are issues of abuse. Some officers acting as middlemen tend to create an assumption that it's very difficult to acquire the permit and end up charging way more than the required fees claiming they have to compensate a lot of senior officers to have their permits approved. Some officers also after charging their clients go on to constantly visit their places of work for goodies especially those into production. Those other middlemen through some ties with some officers also practice this exploitation. Another form of this exploitation is the so-called facilitation fees where they charge thousands of dollars. It's quite pathetic to be honest and I feel embarrassed when I come across an expat and they complain about such exploitation. Some of us try hard to stop this but people in high places are benefitting so there is not much we can do. Some officers also deliberately hide applicants' passports for months claiming there is an issue with the application hence the need to pay more monies to solve the problem.*

Another Officer stated that;

*oh yes, because the fees some of them charge is exorbitant. For instance some auditing firms or lawyers charge about 5 times the legally recognized fee claiming they factored in filing and facilitation fees. I don't entirely blame them because due to the fact that all work permit applications are processed only at the HQ sometimes these applications take forever to be approved so some of them end paying some officers huge sums to money to facilitate the process. But in my opinion those charges are just too much.*

The respondent went further to clarify what constitute extortion based on the legalities of their operations. According to him,

*Not all their activities amount to extortion, well depending on the case. For instance, if you take Price Water House Coopers, or a lawyer they would pay tax on that fee. However, if it's done through an informal middleman, officer or goroboy the fees are not taxed and can't be accounted for so in those cases this can amount to extortion. Even with that it's not always the case, we can say its extortion when they demand more money by threatening not to return the passport or issue the permits. So you need to differentiate the middle men, that is , the properly regulated ones and unregulated ones.*

He went further to recommend some strategies that must be put in place to address and control the activities of these unscrupulous groups/agencies/individuals. In his submission, he stated that;

*A number of officers are being trained in document fraud and investigation to be able to early detect such miscreants. The customer service delivery is also being worked on so that applicants find it less stressful to come through the GIS/HQ and apply themselves. A lot of PR in print media and social media has also been rolled out to create awareness of the dangers of employing unscrupulous agents with regards to work permit acquisition. One thing people fail to understand is that with issues of work permit application if any foul play is detected especially in cases where an agent or middleman applied on behalf of the applicant, both the middleman and applicant will be found culpable and not just the middleman. So people need to be careful in such dealings.*

## CHAPTER FIVE

### SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

#### 5.1 Introduction

The research and its conclusions are summarized in this chapter. The study's conclusion outlines the conclusions drawn from the findings. In addition, this research chapter includes the implications of the study results, practice recommendations, and future research.

#### 5.2 Summary

The general purpose of the study is to broadly examine the activities of migration intermediaries/middlemen in facilitating the acquisition of immigration permits to migrants in Ghana. Smugglers, brokers, employment/placement agencies, coyotes, village chiefs, teachers, and travel agencies are all examples of intermediaries in migration. They might be a company or a person. Employment agencies, for example, that allow international hiring, are examples of legally registered intermediaries that pay taxes. On the other hand, intermediaries may lack legal standing or be deemed "illegal" under the current legal frameworks (e.g. brokers, smugglers). As a result, migrants have a slew of various words for the middlemen, depending on the situation, such as *dalal*, *semsari*, *dellalo*, and *goroboys*, to name just a few. As a result, it's difficult to come up with a precise operational description of what an intermediary is. It's also important to consider who is using the word in the first place. Because money is exchanged between the intermediary and the recipient, migration intermediaries are typically distinguished from social networks (friends and family). There is a growing realization that intermediaries of all types are firmly ingrained in the host society, making it simple to distinguish them from social networks.

Intermediaries provide a broad range of migration-related tasks, including document dispatch (e.g., helping broker visas, arranging birth certificates, passports), transportation booking, guiding, finding employment, lodging, connecting to healthcare and medical testing, and offering training,

among other services. Migrants in the global south are not the only ones that engage in these behaviors, which are common around the globe. Even while the operations of migration intermediaries are not inherently "illegal," their legality might vary depending on whether the movement is irregular or regular.

Migrants, local communities, employers, and governments in both the country of origin and the country of destination are all linked through intermediaries. There is nothing new about them, but researchers largely agree that their numbers have increased over the last three decades with the growth in foreign immigration. Increasing bureaucracy and stricter immigration (and departure) regulations have made it harder for migrants to handle their own regular permit application processes, which is one of the explanations given by scholars. Intermediaries may be hired to handle the paperwork involved in obtaining work permits.

One should be wary of the actions of middlemen since they are not always beneficial. Migrants may be disadvantaged or even deceived by intermediaries who restrict access to information and resources. Intermediaries in the migration process may potentially demand money from migrants. Migrants may be forced into debt and become more susceptible to abuse as a result. Intermediaries have been accused of scamming, robbing, abandoning, and even murdering migrants in the worst instances. There is a wide range of micro and macro repercussions on individuals, places, labor markets and policy frameworks that may be attributed to intermediaries.

### **5.3 Conclusion**

Individuals' perceptions of migration are shaped by the actions and methods of intermediaries. Intermediaries may have a significant impact on whether or not someone decides to relocate. For those looking to migrate, brokers, who operate outside of established institutions, are often the first point of contact. As a result of their ability to access resources, translate, and communicate between

migrants and others, brokers mediate within their own communities. Although they may seem to be helpful, mediators' actions are not always kind. Migrants may be disadvantaged or even deceived by intermediaries who restrict access to information and resources. Migration brokers may also extort money from migrants. Migration facilitation may be seen as a communal experience for migrants, their families, and others who are frequently marginalized in the same way as the migrants themselves; this is what intermediaries do. Intermediaries play an important role in assisting individual migration experiences, but also in extending possibilities for migrants and contributing to the economic growth of local communities. In a world where mobility is a privilege for the wealthy, intermediaries can assist individuals in poorer countries overcome the inherent disparities.

Migrants require intermediaries because they are increasingly unable to move without one, according to the literature. Migrants find it challenging to keep up with the ever-changing legislation in both their destination and their home countries. It is the job of intermediaries to have the expertise and networks as well as the infrastructure and resources to quickly get the relevant papers. Tougher immigration laws have made it more difficult for many migrants to travel through the ordinary channels of the economy.

#### **5.4 Policy Implications**

This study provides insightful findings on the roles and practices of the labour market intermediaries in facilitating the labour access entry of newly migrants in Ghana. The findings provide some significant implications for the Ghana Immigration Service and the government in managing migration and unemployment in Ghana.

The activities of middlemen/*goroboys* in facilitating the entry of migrants in the Ghanaian labour market has far reaching policy implications as far as the governance of labour migration and

security of the country is concerned. Their activities though beneficial to the end users of the migrant labour, tend to deprive Ghana of such employment where qualified Ghanaian may be employed through the manipulation of the system to circumvent the law. As revealed by one of the respondents who asserts that the middlemen in connivance with the companies that use migrants who are employed to transfer their expertise to Ghanaians, fail to comply by sacking the Ghanaian before his three (3) years training. The perpetuation of this practice defeats the policy on knowledge transfer and deprives the state and the individual Ghanaian the needed skills to needed for national development.

### **5.5 Recommendations**

The recommendations for the study are based on the study's findings and conclusions. The following are the recommendations made for the study;

The GIS and the Ghana government should work together to ensure that GIS personnel get regular training and workshop on how to enhance and fast-track the process of issuing work permits to newly migrants. Every level of government official should get uniform training in order to improve their abilities and understanding in this area.

This research strongly recommend that the operations of the GIS should be digitized to eliminate the activities of *goroboys* who are not regulated by any law in Ghana. It also helps to reduce the human element in the immigration permits processing chain thereby reducing extortion corruption and exploitation of migrants and the loopholes in the current manual processing system being used.

Public participation is essential to completing the implementation of GIS policies. Applicants seeking immigrant visas should be well-versed in the regular procedures. GIS authorities will be able to track down any illegal practices by migration brokers.

This study did not include labor unions, NGOs, or youth organizations, thus future research may include these groups to better understand the fundamental characteristics of labor market intermediaries and their involvement in enabling labor access entrance in Ghana. Additional studies may concentrate on a specific industry, rather than the whole economy, to better understand the roles and practices of these intermediaries in facilitating labor access entry for newly admitted immigrants within a specific industry

Finally, future study should include more employers and employees who use and do not utilize the intermediaries in aiding the labor entry of their new employees in order to validate the results of the roles and practices of the labor market intermediaries. Employee and employer input on labor access in Ghana will uncover any inconsistencies or areas that require improvement.



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