

## *Original Paper*

# The Place of Child Labour in the Regional Integration Discourse within ECOWAS: An Analysis of the Existing Legal Instruments and Responses

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### ***Abstract***

***Purpose*** – This study aims to examine the lingering issue of the violation of child rights that occurs through the practice of child labour within the Economic Community of West Africa (ECOWAS) and the ongoing discourse on regional integration.

***Design methodology/approach*** – A textual analysis is conducted and a deconstruction of the argument that has been put forward to sustain the existence of practical actions at regional and sub-regional levels in providing an adequate legal response to the problem of child rights violation through child labour within ECOWAS.

***Findings*** – There is evidence of inequity in legal responses to validate the discourse on regional integration in that enduring human rights violations in general and child rights violations, in particular, cannot consolidate regional integration perspectives.

***Originality/Values*** – The study reveals that Regional integration is a holistic endeavour. It does not rest on it must necessarily encompass the question of human rights promotion and protection.

*Unfortunately, the increasing literature on regional integration has often omitted human rights as a pillar of successful regional integration.*

**Keywords**

*Regional Integration, Child Rights, Child Labour, Legal Instruments*

**1. Introduction**

The dominant regional integration narrative sustained by international organisations such as the World Bank and the International Monetary Fund has reinforced the position of several regions in the world to opt for the new paradigm (Note 1). The underlying argument of economic growth and infrastructural development constituted the triggering factor for speedy regional gatherings. As regional integration was seen as a shared value, the experience of such an integration for the African region was worthwhile. However, the discourse on regional integration may not be pertinent and effective integration might fail if human rights do not become central. This study shows that the discourse on regional integration in the Economic Community of West Africa (ECOWAS) is essentially centered around common political, legal, economic, and social institutions for collective governance. The question of human rights in general and child rights in particular does not appear to draw much attention. The study demonstrates that child rights violation through child labour and the corollary practice of child trafficking is a potential impediment to effective regional integration.

**2. The Concepts of Regional Integration**

*2.1 Regional Integration Defined*

It is observed that regional integration is a multifaceted process whereby sovereign nation-states establish common political, legal, economic, and social institutions for collective governance (Note 2). Regional economic integration occurs when countries come together to form free trade areas or customs unions, offering members preferential trade access to each others' markets (Note 3).

Regional integration is important, and it has proven beneficial for countries. On that point, the World Bank has emphasised that regional integration helps countries overcome divisions that impede the flow of goods, services, capital, people, and ideas (Note 4). These divisions are a constraint to economic growth, especially in developing countries. In that sense, the World Bank Group has helped its client countries to promote regional integration through common physical and institutional infrastructure (Note 5). In the same vein, the African Development Bank Group has indicated that Africa's integration is no longer a matter of choice (Note 6). The Bank's statement is based on the fact that against an international backdrop of changing political and economic priorities, Africa must plot a new course for its industrialisation and economic development, using the momentum of regional integration (Note 7).

*2.2 The Regional Integration Discourse in Ecowas*

The Economic Community of West African States (ECOWAS) was established in May 1975 via the Treaty of Lagos. The ECOWAS is a 15-member regional group with a mandate of promoting economic

integration in all fields of activity of the country members (Note 8). The regional integration discourse has always been sustained by the willingness and devotion of country members to work together to achieve common goals. In that discourse, emphasis is placed on direct actions in the sense of trade, free movement of persons, and others. Among other actions of great interest, the leaders of fifteen country members of the ECOWAS had set a goal of achieving a monetary and currency union by 2020 (Note 9). Although this goal is regarded as one of the most ambitious, It is observed that the COVID pandemic and the lack of macroeconomic convergence among member countries precipitated a postponement of this goal (Note 10).

### **3. Existing Legal Instruments at Continental Level and Actions**

#### *3.1 The African Union Act*

The African Union Act reaffirms adherence to the principles of human and peoples' rights and freedoms contained in the Declarations, Conventions, and other instruments adopted by the Organization of African Unity, the Movement of Non-Aligned Countries and the United Nations (Note 11). Meanwhile, regarding the defunct Organisation of the African Unity, Abass observes that:

The only reference to “human rights in the O.A.U. charter exists in Article II(e), which enjoins the Organisation to promote international cooperation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights” (Note 12).

In the light of this fact, it is hard to believe that replacing the Organisation by referring to the defunct one could effectively promote human rights. Moreover, Abbas rightly states that:

The O.A.U.'s distinct lack of appetite for human rights and civil liberties is further manifested in the fact that it took almost 20 years, that is to say, nearly half the organization's life span before its members adopted the Charter on Human and People's Rights (ACHPR) IN Banjul the Gambia.' It was not until five years later that the Charter entered into force (Note 13).

Abassis right to assert that “as a result, there is no provision in the A.U. Act that makes mentions of human security in direct terms. Indeed, what is commonly found in the constitutive treaties of African organizations is the duty to maintain peace and security in general” (Note 14).

#### *3.2 The African Charter on the Rights and Welfare of the Child*

The African Charter on the Rights and Welfare of the Child (Note 15), as well as the C.R.C., promotes the best interest of the child (Note 16). The concept of 'best interest of the child' was itself fashioned by the U.N. Convention on the Rights of the Child (C.R.C.) (Note 17). According to Viljoen, “it is denied that The African Children's Charter is the replica of the C.R.C. in Africa. Instead, it seems that political and legal motives drove the adoption of the Charter” (Note 18). From a much more constructive viewpoint, the legal motive is the most consistent element. From that perspective, Viljoen writes that:

Therefore, from a legal point of view, there was a need to adopt a regional human rights instrument dealing with the issues of particular interest and importance to children in Africa (Note 19).

The African nations' approach is justified by the fact that some omissions ranging from practices prevalent in African society, such as female genital mutilation and circumcision to the role of the extended family in the upbringing of the child and matters of adoption and, some other issues, were noticeable in the C.R.C. In other words, the contextual consideration underpinned by culture and customs is not covered by the C.R.C. Therefore, the African Children's Charter was the ideal legal instrument to address the points of concern about the conditions of African children. The Charter dissipated the concerns that the C.R.C has not addressed. Therefore, as Viljoen puts it, "the two instruments are not oppositional but rather a complementary relationship" (Note 20).

The Charter has the merit of addressing issues peculiar to the child in the African context. The issue rose to be the promotion and the protection of the child's rights; a Universalist approach would have hardly prevailed in a context that sustains a different value system. Education as a fundamental right for the child and the purpose are present in Article 11 of the Charter (Note 21). Indeed education is the most reliable mean to prepare the child for the status of a good citizen. Therefore, the child's education shall be directed to fostering respect for human rights and fundamental freedom (Note 22).

More significantly, the Charter has the merit of resting all actions regarding children upon the concept of 'the child's best interest (Note 23). Interestingly, the Charter urges all State parties to protect African children from child labour. Article 15(1) provides that: "Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or interfere with the child's physical, mental, moral, or social development".

The justification of child labour and other harmful practices detrimental to the child's welfare, dignity, growth, and development is often premised on settled and well-accepted traditional and social principles. Article 21(1) (Note 24) The Charter urges states parties to take appropriate measures to eliminate all social and cultural practices deemed harmful to the child because they systematically violate child rights. The Charter also designates trafficking in children as one of the most complex issues in sub-Saharan Africa and particularly in West Africa. Trafficking is a phenomenon that systematically violates children's human rights. Therefore, state parties are urged to take appropriate measures in this area (Note 25).

The letter and the spirit of its Articles can yield the Charter admirations and praises. However, it should not be ignored that parents who subject their children to child labour are not strangers to the idea of "best interest of the child" 'that the Charter invokes. Parents know what the best interest of their children is, but the disadvantageous economic context in most developing countries leaves no choice to them than push their children into the child labour practice. This line of reasoning underpinned the argument of the irony of social justice mentioned in the introduction of this thesis. Moreover its

### *3.3 The African Charter on Human and People's Rights*

Commonly known as the Banjul Charter (Note 26), The African Charter on people's rights, among others, is believed to have proved mainly to date to be a false dawn for the promotion and protection of human rights in Africa (Note 27). Such observation sharply contrasts with one of the primary

objectives asserted in the preamble of the Charter. The preamble of the Charter stipulates that “State parties reaffirm their adherence to the principles of human and people’s rights and freedom contained in the Declarations, Conventions and other instruments of the Organization of African Unity, the Movement of the Non-Aligned Countries and the United Nations” (Note 28).

Reaffirming their adherence, among other principles, to the principle of human rights contained in the Conventions, it is evident that the African States parties have thereby adhered to the principle of rights of the child embodied by the C.R.C. Therefore, recognising every individual the entitlement to enjoy the rights and freedom embodied by the Charter equally benefits African children (Note 29).

Noteworthy, the Charter contains some Articles that emphasise the particular circumstances of children in terms of human rights protection. For example, article 5 states: “Every individual shall have the right to the respect of the dignity inherent in a human being and the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, the slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited”. The provision’s wording is concise, and it is appealing to states parties where degrading practices such as Child labour and child trafficking are commonplace—bearing in mind that no provisions of the Charter exclude children as beneficiaries of the rights promoted, any provision that is advantageous to the child must be upheld by state parties.

More importantly, Article 17 of the Charter stipulates the rights of every individual to education (Note 30). Given that education remains one of the child’s substantive rights in every human society, it could not be denied that a charter that promotes the right to education for every individual has pinpointed a crucial element in the interest of children. Naldi writes that: “The African Charter makes the briefest of express reference to the rights of children” (Note 31). This statement is made about 18(3) (Note 32) of the Charter is the only provision containing the term Child Rights. Although the observation is acceptable, this should not purport that the Charter does not promote children’s rights through some of its provisions.

#### *3.4 The African Union’s Direct Action Against Child Labour*

The African Union’s (A.U.) indirect action against child labour is primarily noted through Nepad (Note 33). The New Partnership for Africa’s Development (NEPAD) is the technical body of the African Union. The strategic framework Document of the Nepad was adopted during the 37<sup>th</sup> Summit of the defunct Organisation of African Unity in July 2001. NEPAD is designed to address the current challenges facing the African continent. Critical issues such as the escalating poverty levels, underdevelopment and the continued marginalisation of Africa needed a new radical intervention, spearheaded by African leaders, to develop a new Vision that would guarantee Africa’s Renewal. The primary objectives of NEPAD are as follow:

1. Eradicate poverty
2. Place African countries, both individually and collectively, on the path of sustainable development.

3. Halt the marginalisation of Africa in the globalisation process and enhance its full beneficial integration into the global economy
4. Accelerate the empowerment of women

In that respect, combatting child labour is deemed to include the action of NEPAD. The rationale for this is that poverty is being presented as one of the root causes of child labour in Africa; an effective action to alleviate poverty can significantly impact child labour. The programme of action of NEPAD is a holistic, comprehensive, integrated sustainable development initiative for the revival of Africa, guided by its objectives hereinbefore mentioned, its principle and strategic focus. Although NEPAD's programme of action does not expressly mention eliminating child labour, the alleviation of poverty that remains its main target can incidentally affect child labour practices within communities.

#### **4. Instrument and Actions at ECOWAS Level**

##### *4.1 The ECOWAS's Approach to Child Rights*

Compared to the other African regional organisations, ECOWAS was equally seen as an organisation that circumvents the core debate about human rights. In its constitutive documents, the lack of reference to human rights evidence such assertion. Indeed, emphasis is hardly put on this vital issue within the West African Economic Community.

Ebobrah observes that "a feature of the 1975 ECOWAS Treaty (1975 Treaty) is that it does not mention human rights and completely avoids using human rights language. Even economic freedom usually seen as vehicles for integration was carefully couched to avoid any link with rights" (Note 34).

Meanwhile, after more than a decade of hesitation, the Economic Community made considerable progress in that respect, at least in terms of usage of the human rights language. The paradigm shift in perception, arguably after years of criticisms, occurred in 1993 with the revision of the ECOWAS Treaty (Revised Treaty). The evidence of ECOWAS' willingness to adopt a new approach to human rights transpires in the revised instruments. The particular reference to human rights made in the revised Treaty is evidence of a new approach to the issue of human rights in the sub-regional institution's dealings (Note 35). However, the revised Treaty per se has not provided a wider scope for human rights.

More importantly, the ECOWAS' unequivocally reaffirms the recognition and protection of human and people's rights as termed by the African Charter on Human and People's Rights (African Charter). These fundamental principles are to be adhered to by the ECOWAS Member States to pursue the Economic Community's objectives (Note 36). The shift in perception per se is significant to the issue of child rights in the ECOWAS area. The cultural and traditional stigmatisations of the child are facts contributing to the predicament of children in terms of rights recognition. In a community where Human Rights in general terms are not recognised, it will be a fallacy to imagine or claim the child's human rights.

There is a necessity to make the issue of child rights a relevant question in most developing countries. The critical step to secure the promotion and protection of human rights in most developing countries is to create consciousness of human rights. Once people are conscious of human rights, the next step is to

draw their attention to the necessity of respecting and protecting these rights. When these crucial stages are passed, the attempt to make the child rights debate a relevant question succeeds.

In a declaration adopted in 2001 in Dakar, the ECOWAS asserted its reliance upon the current standing international and regional human rights instruments to advocate child rights in the sub-region (Note 37). The declaration made in that respect was to reaffirm its attachment to the principles outlined in the instruments. The declaration simply recognises the Convention of the African Charter on the Rights and Welfare of the Child. The preamble only provides that: "Ecowas states members' commitment to abide by the terms of the African Charter on the Rights and Welfare of the Child, and the United Nations Convention on the Rights of the Child, the Declaration and Plan of Action of the World Summit". In the general scope of human rights, the issue of trafficking in persons has been a challenge for the ECOWAS. The response to this phenomenon is also given through a mere declaration (Note 38). As per the terms of the ECOWAS Heads of States, the suffering caused by the growing incidence of trafficking in persons within the West African Sub-region and from their member states to other parts of the world has become a matter of serious and deep concern. Adopting a plan of action against trafficking in persons through this declaration is a significant step. The Heads of States declared that they would undertake all necessary efforts to fully implement the ECOWAS Initial Plan of Action against Trafficking in persons 2002-2003. More importantly, the ECOWAS Secretariat was directed to monitor and report to the Ordinary Summits of Heads of States in 2002 and 2003 prospectively on the progress made in implementing the Declaration and the Initial Plan of Action.

Amusan observes that children have been subjected to abuse in West Africa despite the pro-child rights position of the ECOWAS (Note 39). Amusa further noted that despite a plethora of international treaties, protocols and conventions subscribed to by the ECOWAS and sometimes domesticated at the state level, enforcement of child rights remains a pipe dream (Note 40). The author also notes that from child soldiers, trafficking, prostitution, forced labour to activities of ritual killers, children's rights hardly receive proper attention in West Africa (Note 41).

#### *4.2 ECOWAS's Response to Child Labour*

ECOWAS does not provide a straightforward answer to the lingering issues of child exploitation. Hence, the inexistence of a workable legal framework proper to the institution is regarded as of lack interest in efficiently addressing the human rights question in general and the child rights issue in particular. However, ECOWAS' approach to the issue of trafficking in person that has a bearing in the debate about child labour was unveiled in a plan of action (Note 42).

Indeed, the ECOWAS member states, aware of the growing incidence of trafficking in human beings (women and children in particular) in West Africa and beyond, Heads of States at their 23<sup>rd</sup> Session in May 2002 at Abuja (Nigeria) adopted a Decision on the illegal trafficking in Children calling for the formulation of an ECOWAS Policy on child trafficking and the adoption of strategies for effective advocacy and sensitisation in the Members States (Note 43). The focus of member States was to be on the

legal and administrative framework. Their responsibilities established in three major points are as follows:

1. Ensure criminalisation of trafficking, enacts legislation that would prohibit the practice, with adequate sanctions, deal with issues of protection of victims, compensation for damages, repatriation rights and procedures, regulate entry procedures at borders.
2. Ratify and domesticate all International Conventions – United Nations Convention on Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons and all Human Rights Conventions, I.L.O. Conventions on forced Labour and minimum age.
3. Ratify ECOWAS Conventions on Extradition and Mutual Assistance in Criminal Matters to provide a framework for cooperation among law enforcement agencies.

In the light of the ECOWAS' shift in approach, combatting child trafficking is paramount. The evaluation of some legal instruments established by a few member states shows that policy and lawmakers accepted the new approach in the sub-region. For instance, Child trafficking is designated a criminal offence in Nigeria. The Anti- child trafficking legislation in force in Nigeria are – Child Rights Act 2003, Labour Act (CAP.L1 Laws of the Federation of Nigeria 2004) and the Trafficking in Persons (Prohibition) Law Enforcement and Administration 2003 (CAPT23LFN2004), which was amended in 2005 (Note 44). The Trafficking in Persons (Prohibition) Law Enforcement and Administration 2003 established a body known as the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP), vesting it with the responsibility of enforcing laws, rehabilitating and counseling victims (Note 45).

It is worth recalling that in the light of its actions, ECOWAS appears to circumvent the debate on the growing child rights violation in the sub-region. Two declarations were issued, but the revised Treaty does not provide enough for child right in particular and human rights in general. The attitude of the Organisation begs the question of whether the social dimension is a priority on the path to regional integration? Indeed, there is a lack of a community instrument for human rights and child rights. West Africa is a fertile ground for child labour, child trafficking, and several other practices that negate the child's human rights. There ought t. Indeed, Nigeria assented to and promulgated the Child Rights Act in September 2003. The extent of the content evidences the seriousness of the child rights violation in the country. Unlike Nigeria, the Ivory Coast, one of the West African Countries plagued by child rights violations and various types of child abuses, does not have the necessary legal framework. The paradigm shift in the child rights legislation approach could inspire the other ECOWAS member states. Moreover, the Community itself could be inspired and progress towards setting a legal framework related to children's rights and welfare (Note 46).

O be a legal instrument specific to the area to quell all the phenomena in their dynamic.



## 5. Conclusion

The shift to a more comprehensive approach to human rights in sub-Saharan Africa is noticeable. The adoption of regional legal instruments for human rights in general and child rights, in particular, has changed the region's political, social, and political landscape previously believed to be reluctant to espouse the human rights discourse. Nonetheless, the scarcity of provisions related to human rights in the African Union Act is an issue that needs to be addressed. The adoption of the African Charter on the Rights and Welfare of the Child is a significant shift in the child's perception in Africa. Such an instrument is determinant in eliminating the wide range of abuses suffered by millions of children in sub-Saharan Africa. Chiefly, child labour being the most critical area of child rights violation in Africa, it is paramount to set a workable legal framework to address the phenomenon adequately. The regional integration discourse could be balanced, and ECOWAS member states could experience an effective regional integration with all its benefits.

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## Notes

Note 1. Is Regional Trade Integration a Growth and Convergence Engine in Africa? Available at <https://www.imf.org/en/Publications/WP/Issues/2021/01/29/Is-Regional-Trade-Integration-a-Growth-and-Convergence-Engine-in-Africa-50040> accessed 22 February 2022.

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Note 6. African Development Bank Group, Importance of regional and continental integration for Africa's development. Available at <https://www.afdb.org/en/news-and-events/importance-of-regional-and-continental-integration-for-africas-development-18773> accessed 22 February 2022.

Note 7. Ibid.

Note 8. ECOWAS, Basic information. Available at <https://ecowas.int/about-ecowas/basic-information/#:~:text=Established%20on%20May%2028%201975,activity%20of%20the%20constituting%20countries> accessed 23 February 2022.

Note 9. Eswar Prasad and Vera Songwe, Regional Integration in West Africa: Is There a Role for a Single Currency? (Brookings Institution Press, 2021).

Note 10. Ibid.

Note 11. See Preamble of the African (Banjul) Charter on Human and People's Rights (1981), article 9, adopted 27 June 1981, O.A.U. Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986.

Note 12. Ademola Abass, African Peace and Security Architecture and the Protection of Human Security in Ademola Abass (ed) *'Protecting Human Security in Africa'* (Oxford University Press, Oxford 2010) 248. See also Gino J Naldi, 'Future trends in human rights in Africa: The increased role of the O.A.U.?' In Michael Evan and Rachel Murray (eds) *'The African Charter on People's Rights: The system in Practice, 1986-2000'* (Cambridge University Press, Cambridge 2002) 1.

Note 13. Ademola Abass, African Peace and Security Architecture and the Protection of Human Security in Ademola Abass (ed) *'Protecting Human Security in Africa'* (Oxford University Press, Oxford 2010).

Note 14. Ibid.

Note 15. See O.A.U. Doc. CAB/LEG/24.9/49 (1990) *entered into force* on Nov. 29, 1999.

Note 16. See Article 4 of the Convention.

Note 17. Article 3(1) stipulates that: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.'

Note 18. See Frans Viljoen's analysis of the question: Frans Viljoen, *'International Human Rights Law in Africa'* (Oxford University Press, Oxford 2012) 393.

Note 19. Ibid.

Note 20. Ibid.

Note 21. Article 21 (1) provides that: 'All peoples shall freely dispose of their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it.'

Note 22. This idea is underpinned by Article 4, which provides that: 'Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.'

Note 23. Ibid.

Note 24. States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular: (a) Those customs and practices prejudicial to the health or life of the child; and (b) Those customs and practices discriminatory to the child on the grounds of sex or another status.

Note 25. Article 29 stipulates that: States Parties to the present Charter shall take appropriate measures to prevent: (a) the abduction, the sale of, or traffic in children for any purpose or any form, by any person including parents or legal guardians of the child; (b) the use of children in all forms of begging.

Note 26. The African (Banjul) Charter on Human and Peoples' Rights was adopted on June 27, 1981, O.A.U. Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), *entered into force* Oct. 21, 1986.

Note 27. See Gino J Naldi, 'Future trends in n human rights in Africa: The increased role of the O.A.U.?' in Michael Evan and Rachel Murray' *The African Charter on People's Rights: The system in Practice, 1986-2000*' (Cambridge University Press, Cambridge 2002) 5.

Note 28. See the preamble of the African (Banjul) Charter on Human and Peoples' Rights, adopted June 27, 1981, O.A.U. Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), *entered into force* Oct. 21, 1986.

Note 29. Article 2: 'Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or another status.'

Note 30. Article 17(1) states that every individual shall have the right to education.

Note 31. See Gino J Naldi, 'Future trends in n human rights in Africa: The increased role of the O.A.U.?' in Michael Evan and Rachel Murray' *The African Charter on People's Rights: The system in Practice, 1986-2000*' (Cambridge University Press, Cambridge 2002) 5.

Note 32. Article 18(3) The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of the woman and the child as stipulated in International Declarations and Conventions.

Note 33. See NEPAD's actions at <https://www.nepad.org/> accessed 23 February 2022.

Note 34. Solomon T Ebovrah, 'Critical Issues in the Human Rights Mandate of the ECOWAS Court of Justice' (2010) 54 *Journal of African Law* 1, 25.

Note 35. The references are mainly made in the preamble of the COWAS revised treaty.

Note 36. See Gino J Naldi, 'Future trends in n human rights in Africa: The increased role of the O.A.U.?' in Michael Evan and Rachel Murray' *The African Charter on People's Rights: The system in Practice, 1986-2000*' (Cambridge University Press, Cambridge 2002) 5.

Note 37. See Declaration a/dcl.1/12/01 on the decade of a culture of child rights in West Africa (2001-2010). This declaration was *adopted in Dakar (Senegal) on 20 - 21 December 2001*.

Note 38. See Declaration a/dc12/12/01 on the fight against trafficking in persons. This declaration was adopted during the Twenty-Fifth Ordinary Session of Authority of Heads of State and Government in Dakar (Senegal) 20 – 21 December 2001.

Note 39. Letre Amusan, ‘Child Rights in ECOWAS: a continuation of the United Nations and African Union’s positions on child rights?’ (2018) 7 Journal of African Union Studies 49, 65.

Note 40. Ibid.

Note 41. Ibid.

Note 42. See the Joint ECOWAS.UNODCCP/CICP Regional Meeting of Experts on Trafficking in Persons. The meeting was held in Lomé (Togo) from 2 - 3 December 2002.

Note 43. Ibid.

Note 44. See The explanatory Memorandum of the Nigerian’ Trafficking IN Persons (Prohibition) Law Enforcement and Administration (Amendment) Act, 2005’ available at <http://www.protectionproject.org/wp-content/uploads/2010/09/Nigeria-TIP-Amendment-Act-2005.pdf> accessed 23 February 2022.

Note 45. See NAPTIP Information Nigeria available at <https://www.informationng.com/> accessed 23 February 2022.

Note 46. ECOWAS could adopt the European Union’s approach to child’s rights in this perspective. Conventions and Charter of the Council of Europe, such as the Convention on the Adoption of Children, The European Convention on the Legal Status of Children Born out of Wedlock, The European Convention on the Exercise of Children’s Rights, are a wide range of instruments covering all areas of child rights protection. See Council of Europe (1996) The Rights of the Child: A European Perspective, Council of Europe Publishing.