



**NIGERIA BORDER CLOSURE AND THE ECOWAS
PROTOCOL ON FREE MOVEMENT OF PERSONS, RESIDENCE
AND ESTABLISHMENT AMONG MEMBER STATES:
IMPLICATION FOR ECOWAS SUB-REGIONAL COHESION**

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Abstract:

This study was on the Nigeria border closure and ECOWAS protocol on the free movement of persons among member states: implications for sub-regional cohesion. Thus, the 2019 policy of Nigeria's Government to close borders between its neighbours Benin Republic, Cameroon and Niger Republic was followed by the circular issued on 20th August 2019 and disseminated to all border security agents. The people living around border communities largely depend on cross-border trade for their survival, and closing the border has led to difficulty and hardship for those living around the border. On the other part, the government proclaimed that closing its border has numerous benefits and for security reasons which will ensure economic growth and development of Nigeria, whereas member states of the West African sub-region believed this action to be, an affront and counter-productive act to ECOWAS protocol on the free movement of goods and persons in the West African sub-region and for the sub-regional integration at large. Hence, the main objective of this paper was the assessment of the border closure and its implications on sub-regional cohesion. The research study made use of a secondary source of data collection and data from the secondary sources were subjected to qualitative content analysis, with the main purpose of assessing the implication of the border closure on the sub-regional integration as stipulated by the ECOWAS protocol. The Theory of Comparative Advantage as propounded by David Ricardo was adopted for the work. His notion significantly explained the theoretical exploration and analytical

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discussion of the need for a country to trade and relate with other countries in various ramifications with certain advantages especially when these countries are under a common economic bloc, as the case in ECOWAS. The findings showed among other things that the policy of border closure by the Nigeria government has so far been counter-productive, as other West African member states with particular reference to Ghana, have started rejecting and getting Nigerian goods out of their countries, thereby posing a serious threat to economic cohesion of the sub-region. The study recommended among others that the policy of border closure should always consider the poor people who are about 87 million in Nigeria and became subject to hardship following the closure of cross-border trade. And that such border closure was not necessary when the effort was being made to fully actualize the principles of the ECOWAS protocol as applied to all member states.

Keywords: border closure, Nigeria, ECOWAS, regional cohesion, AfCFTA, free trade

1. Introduction

In August 2019 the Nigerian government imposed a ban (border closure) on the movement of all goods and persons from and to countries with which Nigeria shares a land border. The motivation for this according to the Nigeria Custom Service (2019), was to curb the menace of smuggling goods such as rice, tomatoes and poultry in order to enhance Nigeria's agricultural sector.

However, this drastic move has attracted quantum criticism from many quarters, including Nigerian citizens and those in neighbouring countries, premised on the fact that the decision is against the concept of "free trade" between African Countries (Punch Newspaper, March 3, 2020) it was, however, reported that this drastic move was taken without consultation with the Economic Community of West African States (ECOWAS) to the effect that business owners in the various affected countries could not load vehicles with goods (including perishable items) heading for Nigeria (Punch Newspaper, March 3, 2020).

The Economic Community of West African States (ECOWAS) Treaty as a multilateral agreement is signed by the member states that make up the Economic Community of West African States. The treaty is meant to bind the sovereign states so that they work together as a single regional economic block. It is pivotal to note that the treaty is to encourage, foster and accelerate the economic and social development of member states in order to improve the living standard of their citizens. By and large, the drastic move (the border closure) is seen to be a big obstacle to the promotion of harmonious economic development within the sub-region.

The publication of the United Nations Economic Commission for Africa made it known that the "*ECOWAS Trade and market Integration are revealed to be the strings at the heart of ECOWAS aims and objectives*". Article (3) of the Revised Treaty of ECOWAS

stipulates the removal of trade barriers and harmonization of trade policies for the establishment of a free trade area, a customs union, a common market and an eventual culmination into a monetary and economic union in West Africa (United Nations Economic Commission for Africa, 2019) Perhaps, Nigerian government took this step without considering the global market and free market syndrome, or even the ECONAS Trade Liberalization Scheme (ETLS), which is a trading instrument designed by the Regional Economic community and administered by the ECOWAS Commissions through its member States National Units in order to encourage duty-free trade between ECOWAS countries.

The scheme is rendering unflinching market access to the fifteen member countries and also promoting economic relations with the sub-region. Countries covered in ECOWAS include Nigeria, Ghana, Benin, Cote d'Ivoire, Gambia, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Senegal, Sierra Leone, Togo, Burkina Faso and Cape Verde.

ECOWAS Trade Liberalization Scheme was adopted in 1999 with an agreement on agricultural products, artisanal handcrafts and unprocessed products and extended to the industrial product in 1990. It is the main structure for trade and market integration in ECOWAS as it addresses protocols on the free movement of goods, persons and transportation (United Nations Economic Commission for Africa 2019). All these treaties, with President Muhammadu Buhari's decision, appear to be rendered completely ineffective. The main pursuit of these treaties to consolidate free trade between African countries would automatically cease when all the member states adopt Nigeria's ban, betraying the market harmonization scheme and killing the promotion of investment and financial market integration.

A fact-check published by International Centre for Investigative Reporting (ICIR), discredited the controller-general of the Nigerian customs service, Hameed Ali claims that China closed its borders for 40 years to the World. The ICIR found that China did not close its borders in recent times as suggested by Ali (International Centre for Investigative Reporting (2010). This border closure is counter-intuitive as breaching the ECOWAS free-trading policy, is bound to encourage much more smuggling and black-market transactions, thereby creating more challenges than solving them.

An important provision of the first, second and third phases of the ECOWAS protocol (A/P1/5/79; A/SP1/7/86 and 'A/SP2/5/90'), for example, enjoins member states to *inter alia* make efforts at ensuring the right and freedom to enter, reside and establish for the purposes of employment or engaging in economic activities. However, these obligations that are legally binding on member states of the community have not been implemented to the letter and as such, are still saddled with a lot of challenges and inconsistencies.

Nigeria acted just three months after it had signed the Africa Continental Free Trade Agreement. With 55 member countries, a combined GDP of \$2.4 trillion and a total population of 1.2 billion, the agreement will create the World's largest free trade area. Its aim is to promote intra-Africa trade, which is abysmally low at 16% (Ghins et al., 2019).

To restrict trade flows so shortly after this momentous feat is a major blow to integration efforts. It also shows how unprepared African countries might be for free trade. It is hard to see how the free trade deal can increase intra-Africa trade to 60% by the end of 2022, as projected, when it is being undermined from the start by border closure and counter-border closure policies.

These early trade tensions between Nigeria and its neighbours are hardly surprising. They underlie some of the fundamental problems that must be addressed before cordial free trade can succeed on the sub-regional and the continental level at large.

In the case of Nigeria, Africa account for only 13% of its exports and 4% of its imports. These statistics probably underestimate the true volume of trade between Nigeria and its neighbours. But they show that Africa is a dispensable market, hence the closure of the border. To this end, it is pivotal for this work to find out:

- 1) How has the implication of the border closure affecting the sub-regional cohesion of ECOWAS?
- 2) What are the justifications by the federal government of Nigeria as regard the border closure?
- 3) To what extent is the impact of the border closure on the Nigerian economy and on Nigerians?

2.1 Conceptualizing Migration and Border Security

Borders play a significant role in any country. According to Oommen (1995), borders clearly define themselves from others. A properly demarcated, well-functioning border protects insiders from those on the outside. Borders also define the territorial boundaries of a country and accord it sovereign status (Agnew, 1994). As Okumu (2011, 2) notes, borders define a country's sovereignty by determining its territory and where its administration and justification ends. Borders which serve as corridors are utilized for different purposes, including negative or positive cross-border flow. It is for this reason that countries have strongly defended their borders at different points in time. Border security aims to control the movement of people and goods, with the intensity of such control mainly determined by threats that surface.

According to Rosenblum et al. (2013), border enforcement in the United States (US) has changed over time. The US Border Patrol was established in 1924 to stop the entry of illegal Chinese migrants and the inflow of alcohol from the north. In the late 1960s and 1970s, attention shifted to the southern border when illegal migration and drug trafficking through Mexico into the US became the order of the day. Border security was further tightened following acts of terrorism on US soil in 1993 when the First World

Trade Centre was bombed, the seizure of the "millennium border at Port Angeles" in Washington in 1999 and the September 9/11 bombings. The focus shifted to preventing the entry of terrorists and terrorist weapons, securing US borders, territorial waters, ports, and transportation system immigration enforcement; and customs enforcement

(including presenting the entry of illegal drugs). Zaiotti (2008) observed that the Second World War had a significant impact on European politics which was mainly manifested in border control. Although attention shifted from the “hyper-militarization” that marked the previous era, borders across Europe continued to be patrolled by the relevant law enforcement agencies, with a constant militancy presence. People and goods were thoroughly searched before being allowed into the country. Border security has proven to be a challenge on the African continent. Countries face the daunting task of managing their borders in ways that secure their territorial sovereignty and integrity and yet ensure that they are bridges rather than barriers for cross-border cooperation and regional integration (Okumu, 2011). They are called upon to simultaneously prevent illegal entry and exit of people and goods while allowing easy movement of such, as well as enabling relations to visit their kin and offering easy access to tourists but barring criminals such as drug and human traffickers, terrorists etc. These challenges are compounded by globalization which is tearing down traditional borders through technological advancements and the transformation of international relations.

In modern times, crimes are committed without crossing borders and huge amounts of goods are sold through cyberspace. The internet has not only made it more difficult to manage borders and combat cross-border crime but also effectively dismantled borders by allowing imports without customs inspection.

Human migration is an ancient phenomenon that dates back to the earliest period of human existence and remains a global phenomenon (International Organization for Migration, 2018). While it offers countries, societies and migrants’ diverse opportunities in the past few years, migration has also posed serious political and policy challenges relating to integration, safe migration, displacement, and above all, border management. The global international migrant index estimated that 244 million people migrated in 2015, representing 3.3% of the global population 2.8% of the global population in 2000 (IOM, 2018). In 1990, the figure stood at 153 million. The migration flow in 2015 thus increased by around 100 million, with the total reaching almost three times the estimated figure of 84 million in 1990 (IOM, 2018) while international migration attracts attention, internal migration is equally significant and is also on the rise. Current global figures show that more than 740 million people migrated within their own country from one area to another.

According to the IOM (2018), Asia and Europe hosted about 75 million migrants in 2015, representing 62% of international migrants, and North America receive around 54 million. International migrants (22% of the total) with Africa at 9%, Latin America 4% and Oceania at 3%. The United States remains a preferred destination; the country received less than 12 million migrants in 1970 and this increased to 46.6 million by 2015. More than 12 million international migrants live in Germany. While the Russian Federation was the second most favoured destination for about 15 years after the dissolution of the Soviet Union in 1991, UN DESA statistics show that, after 2005, this position was occupied by Germany (IOM 2018).

The literature on migration identifies push and pull factors as the major causes of this phenomenon. From Gheasi and Nijkamp's (2017) assessment, mass out migration does not occur only due to the wage gap between the poor and rich countries as postulated by neoclassical economists. Push factors include civil war, natural disasters, conflict, etc., which have forced millions of people to seek refuge in other countries (Europe Refugee Crisis). The pull factors include gainful employment opportunities, higher standards of living, a better educational system etc. (Gheasi and Nijkamp, 2017). The 2018 IOM Report cites inequality, economic prosperity, demography, crisis and conflict, and more recently, environmental changes, as the main cause of migration. Thus, while many people leave their countries in search of better opportunities, a significant number also leave for fear of persecution and due to conflict and disasters (IOM, 2008).

The movement of people across different countries and regions of the world has resulted in trade and investment (Gheasi and Nijkamp, 2017). Indeed, Goldin et al. (2011) aver that opening up a country or region's borders could add more to global output than trade liberalization. Amid the porousness of the West African border, this gave birth to the ECOWAS Protocol in 1979. However, ILO (2016) identified the absence of all-inclusive, dependable and accurate data on migration and movement of labour within the sub-region as a major obstacle confronting the implementation of the ECOWAS protocol on free movement. Since 2000, the ECOWAS established the Migration Dialogue for West Africa (MIDWA) with the responsibility to liaise with delegates and experts from member states to synchronize migration data, analyze regional statistics and put in place policies to bolster regional cooperation on border management in the sub-region. As a monitoring strategy, the ECOWAS proposed a trade information system which will be able to update member States on the implementation of trade and trade-related protocols (ECOWAS, 2016).

2.2 West African Regional Integration Efforts and the ECOWAS Protocol

The drive for regional integration in Africa stems from the political rivalry emanating from the colonial era. Colonialism created artificial states with arbitrary borders and high levels of ethno-lingual diversity. This has negatively impacted trade and communication and above all has led to numerous conflicts across the continent (Portugal-Perez and Wilson, 2009). The first phase of the integration process was the Organisation of African Unity (OAU, now the African Union (AU) Lagos Plan of Action which was adopted by Heads of State in 1980 (De Melo and Tsikata, 2014). This framework aimed to achieve Pan-African Unity and speed up industrialization by dividing the continent into Regional Economic Community (REC) envisaged enhancing economic unification. The Economic Commission for Africa (ECA) supported the establishment of three RECs, namely, the common market for Eastern and Southern African (COMESA) the Economic Community of West African States (ECOWES) and the Economic Community for Central African States (ECCAS). The Arab Maghreb Union (AMU) was established at a later stage (De Melo and Tsikata, 2014).

ECOWAS came into being on 28th May 1975 by means of a treaty signed in Lagos by Benin, Burkina Faso, Cape Verde, Cote d' Ivoire, the Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo. The initiative was inspired by the benefits accruing to countries following the establishment of organisations such as the European Economic Community (EEC); the Latin America Free Trade Association (LAFTA); the Caribbean Community (CAICOM); the Association of South East Asian Nations (ASEAN); the Central American Common Market (CACM); and cooperation agreements among African, Caribbean and Pacific (ACP) countries. Cooperation under the auspices of these organisations facilitated and enhance the free flow of trade and the creation of a common market and reduced tension in some areas after the end of the Second World War (Adepoju, 2003).

The preamble of the ECOWAS Treaty states, that the key objective is to remove obstacles to the free movement of goods, capital and people in the sub-region and thus enhance economic development. More specifically, Article 27 notes that the long-term objective is to establish community citizenship that would be acquired automatically by all member states' nationals; in other words, a borderless West Africa (Adepoju, 2005). The ECOWAS Treaty was described in London as "one of the most ambitious projects of its kind in the world" (The Times 1975) and in West Africa as by far the most momentous and far-reaching economic treaty (Daily times 1975). Okom and Udoaka (2012) observed that:

"In 1975, 15 West African states, conscious of the overriding need to accelerate, faster and encourage the economic and social development of their states in order to improve the living standards of their peoples; convinced that the promotion of harmonious economic development of their states calls for effective economic cooperation largely through a determined and concerted policy of self-reliance, recognizing that progress towards sub-regional economic integration requires an assessment of the economic potential and interests of each state decided to create an Economic Community of West African States which they signed on 28th May 1975 in Lagos, Nigeria."

In line with these objectives, the protocol was adopted in 1979, based on three major provisions of the treaty that established ECOWAS. The protocol stipulates the right of community citizens to enter, live and be established in any of the territories of member states. Secondly, provisions were made for these rights to be progressively established over 15 years from the date of ratification of the protocol. This will summarily lead to the eradication of obstacles to the free movement of persons across the West African borders. Third, it was intended that the right of entry, residence and establishment will be implemented over three phases: Right of Establishment (Phase III).

Upon the expiry of a maximum period of five years from the definitive entry into a force off the protocol, based on the experience gained from the implementation of the first phase as set out in Article 3, the commission will make proposals to the Council of

Ministers for further liberalization towards the subsequent phases of freedom of residence and establishment of persons within the community.

In line with Article 2(2) of the ECOWAS Treaty, the protocol called on member states to ensure the removal of obstacles to the free movement of persons, services and capital in order to ensure a borderless region. The ECOWAS Community envisioned the transformation into one massive borderless region, an ECOWAS of people, not countries (Daily Times, 15 March, 2008). This was reiterated by the ECOWAS Commissioner for Trade suggesting that *“The ECOWAS Commission... has developed a vision to have an ECOWAS of people and a borderless region ...”* (Okom and Udoaka, 2012).

2.3 Border Relations between Nigeria and her Immediate Neighbours since Independence

Nigeria is strategically located in the heart of West Africa and is surrounded by former French colonies in the sub-region. Nigeria shares her boundary with the Benin Republic to the West; Cameroon to the east; Chad to the North-East; Niger to the north; and Equatorial Guinea, to the South on the Atlantic coast (Osuntokun, 2008:142). Since independence, Nigeria has had mixed border relations with her immediate neighbor (Ate, 1992), which in some cases had impaired diplomatic relations between them. As it was in other parts of Africa, the partitioning of the African continent in 1884/85 separated ethnic nationalities that had lived together for centuries between Nigeria and her immediate neighbours. For instance, the Berlin debacle divided part of the Yoruba and the Bariba ethnic nationalities between Nigeria and Benin republic in the West and in the North-West border of both countries. Similarly, some parts of the Hausa in northern Nigeria were divided between Nigeria and southern Niger. In the same way, the Kanuri of North-Eastern Nigeria were separated between Nigeria and Chad. The same can be said of the Mandara, the Jukun, the Chamba and the Efik between Nigeria and Cameroon (Asiwaju, 1984,6).

Nigeria's border with her immediate neighbours provides an opportunity for the country's leaders and that of her immediate neighbours to promote and build on existing relations among their border communities dating back to the pre-colonial era. That was altered by colonialism and the creation of boundary lines separating the people into different territories. The border areas equally serve as a platform to promote nation-building through economic cooperation and the promotion of cultural ties among the peoples. In addition, it offers the opportunity to resolve national issues at the local level and among border communities, despite the existence of border lines that defines their separation.

Figure 1: West African Map showing Nigeria and her immediate neighbours



Source: Google Map, 2021

However, the mixed relations between Nigeria and her limitrophe neighbours have created suspicion and fear of Nigeria based on her strength, population and resources. Border relations between Nigeria and her immediate neighbours since independence have been ambivalent. There have been periods of cooperation as well as conflict between Nigeria and her immediate neighbours. Shortly, after independence, the Nigeria government established cordial relations with her immediate neighbours (Nwolise, 1989). For example, the Sir Tafawa Balewa led government (1960-1966) in 1964, in conjunction with Chad, Cameroon and Niger established the Chad Basin Commission to promote economic ties across their borders. Apart from the joint commission, the Nigeria government equally established bilateral relations with her immediate neighbours to promote economic, cultural, political and security cooperation over the years. For instance, in 1971 the Nigeria-Niger Joint Cooperation was established to resolve the various forms of challenges facing both Countries, especially the border communities (Asiwaju and Barkindo, 1993). The border-related issues include smuggling, border clashes and irredentism among others. In 1981, the Nigeria-Beninois government created the Nigeria-Benin Joint Border Commission to address border-related challenges in their borderlands.

On the other side of the border relations between Nigeria and her immediate neighbours, involving rancor have been well documented. For instance, during the

President Shehu Shagari's (1979-1983) civilian administration, some Nigerian villages in Illo district in Sokoto State, in 1983, were invaded by Beninois military (Nigerian Herald, 1981). They even hoisted their country flag in these villages. The same event repeated itself in 1983 when Cameroonian troops ambushed and killed five Nigerian soldiers at Iking, a border town adjoining Cross River State. In the same vein, Chadian soldiers encroached into Nigerian territory and occupied some border towns in 1983 (Ate, 1992). This development created tensions between Nigeria and her immediate neighbours. Despite the fact, that the Shagari administration resolved the issues diplomatically, instead of force, the situation raised security concerns on border relations between Nigeria and her immediate neighbours.

General Muhammadu Buhari (1983-1983) in April 1984 closed Nigeria's land border with her limitrophe neighbours. The regime closed Nigeria's borders with her immediate neighbours to all human and material traffic following the change of her currency. In the same vein, the border closure was influenced by the threat of smuggling from neighbouring countries into Nigeria through their borders. The decision to close the country's border was reinforced by the need to protect Nigeria's infant industries. The prices of Nigerian products have been greatly affected by the cheap prices of smuggled goods entering the country. The border closure had negative effects on the economic well-being of Nigeria's immediate neighbours-particularly traders involved in carrying trade across the Nigerian border into their country. In the course of the border closure, Niger Republic lost nearly one-fourth of its 1984 customs revenue (www.country-data.com/cgi). General Buhari's decision to close Nigeria's borders with her immediate neighbours was condemned by the Economic Community of West African States (ECOWAS), as a breach of its protocol on open borders and free movement of persons and goods across the sub-region ECOWAS is the major inter-governmental international organization in the West African sub-region which was established in 1975.

Several failed appeals were made by the government of Nigeria's immediate neighbours to General Buhari to re-open Nigeria's border. Efforts were made to address some of the factors that led the Nigerian government to close its borders with its immediate neighbours. One of such efforts brought together some of the affected states namely Nigeria, Benin Republic, Ghana and Togo who signed the Quadripartite Agreement to address and combat border-related issues among them (Gambari, 1989:56). Despite, these efforts, General Buharia refused to re-open Nigeria's border. Significantly, it was after Buhari's regime was toppled by General Ibrahim Babangida in a military coup in 1985, that Nigeria's borders were re-opened with immediate effect in 1986 (Asiwaju, 2003). Thus, the trend of open borders characterized Nigeria's external relations with her neighbours until the end of his administration.

In 1996, during the military regime of General Abacha, Nigeria closed its borders with Benin Republic. This was because President Soglo had criticized his administration for killing the Nine Ogoni activists (Abegunrin, 2003:148). Still, during the Abacha military era, the Nigeria-Cameroon boundary dispute over who owns the Bakassi

Peninsula came to a high point. The leaders of both countries laid claim to the disputed peninsula rich in crude oil deposits. The development led to the militarization of both sides of the border. The boundary dispute was finally resolved later by the International Court of Justice (ICJ) judgment in 2002 (Abang, 2010:222-223). The period of the crisis affected relations between both countries, and especially relations between the border communities that had lived together for centuries.

Trans-border criminal activities on Nigeria's border with her immediate neighbour have been on the increase since the 1970s. Several factors contributed to the upsurge in illicit criminal activities such as poverty, unemployment, and the porous nature of the border. At the Nigeria-Benin border, the illicit enterprise undermined security and economic development. Trans-border crime has become an embarrassment to the Nigerian government; despite the efforts, she has put in place to stem the tide. The development compelled the Nigerian government of the civilian administration of President Olusegun Obasanjo to take decisive action to compel the Beninois government to act (Nigerian Tribunes, 2003).

The notorious activities of trans-border criminals, especially across Nigeria-Benin borders forced the Obasanjo administration to close the border between the two countries in 2003. The closure of the border between the two countries affected commercial activities between businessmen and women from both countries. For the border to be re-opened, the Nigerian government demanded the Beninois government to hand over Ahmed Tijani, a notorious criminal engaged in trans-border crime to the Nigerian government (The Punch, 2003; Daily Champion, 2003).

2.4 Promoting Border Relations and Nation-Building through Trans-Border Cooperation

The colonial boundaries inherited by post-independence African states created several challenges for the new African states, internally and with their immediate neighbours, African leaders through their actions and policies have equally aggravated border-related problems between countries. The growth and expansion of trans-border crime across the border regions of African countries and their impact on the socio-economic and political development of the continent have become one of the major challenges confronting the continent in recent times. These border issues have hindered cooperation among African countries as they blame each other.

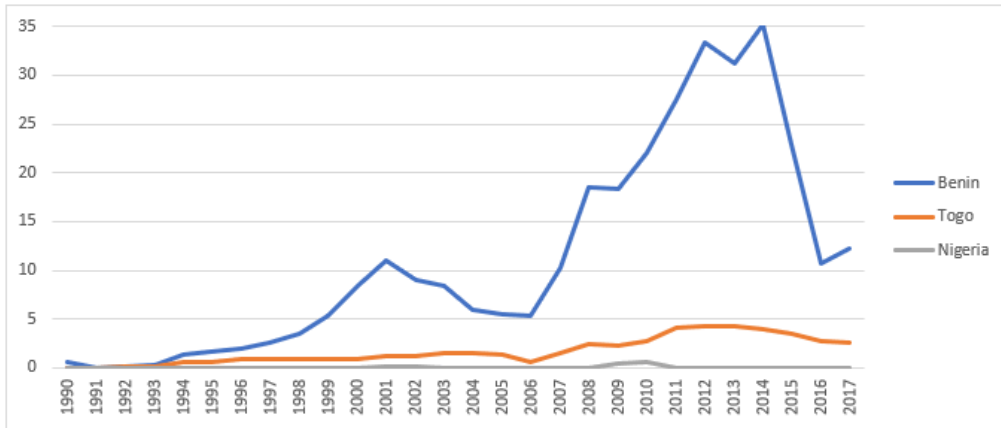
The Nigerian government since independence has shown commitment to promoting cordial relations with its immediate neighbours. The commitment is enshrined in her foreign policy objectives at independence, among which, Nigeria will not interfere in the domestic affairs of her immediate neighbours and vows to promote the policy of good neighbourliness with her immediate neighbours (Gambari, 2008). Like other countries in the continent faced with border and boundary issues, the Nigerian government has sought various ways to find a lasting solution to the myriad of challenges emanating from border-related challenges with her neighbours. These border issues are

a by-product of colonialism that has hindered cooperation and by extension nation-building between Nigeria and her limitrophe neighbours. One of the avenues that the Nigerian government has tried to address boundary and border-relate challenges with its neighbours is through the establishment of the National Boundary Commission (NBC) in 1987 (Ahmad, 2015). The NBC focuses on organizing trans-border cooperation workshops as part of its strategies to resolve border issues between Nigeria and adjacent neighbours and by extension promote nation-building. It is interesting to note that the formation of the NBC was a by-product of boundary and border-related problems between Nigeria and her neighbours (Asiwaju, 2013).

One of the ways, NBC has sought to resolve boundary and border issues between Nigeria and her neighbours is through trans-border cooperation and intellectual discourses through workshops, conferences and seminars. In line with the objective of intellectual discourse, NBC has organized several workshops since its inception, NBC trans-border cooperation workshops are held to discuss border-related issues in a friendly atmosphere. The communiqué crafted at each of the workshops serves as a blueprint of intent in addressing the numerous border challenges between Nigeria and her immediate neighbours. The workshops serve as a laboratory where solutions to border conflicts and efforts at promoting regional integration through the borders are discussed (Aswaju and Barkindo, 1993). The idea of the trans-border cooperation workshops was initiated by the then commissioner of international boundaries in NBC, now Emeritus Professor Anthony I. Asiwaju. In his words, the entire project is aimed at forging a border-specific bilateral cooperative policy and practice between Nigeria and each of the five adjacent countries (Asiwaju and Igue, 1992). NBC has organized five workshops on trans-border cooperation between Nigeria and her immediate neighbours from 1988 to 2005. The first workshop was held in 1988 in the ancient town of Badagry titled the Nigeria-Niger Trans-border Cooperation Workshop, between Nigeria and Cameroon and was held in Yola in 1992. Still, in 1992, the Nigeria-Equatorial Guinea Trans-border Cooperation Workshop was held in Calabar. The fifth and last was the Nigeria-Niger Trans-border Cooperation Workshop of 2002, which took place in Sokoto. These workshops provided a forum to discuss various border-related challenges that had over the years confronted Nigeria and her neighbours. The workshops discuss an array of issues affecting border communities. They also, seek to establish areas of cooperation between Nigeria and her neighbours. Interestingly, the workshops are influenced by the feat achieved by the European Union (EU) member countries in 1992 of “Europe without frontiers”.

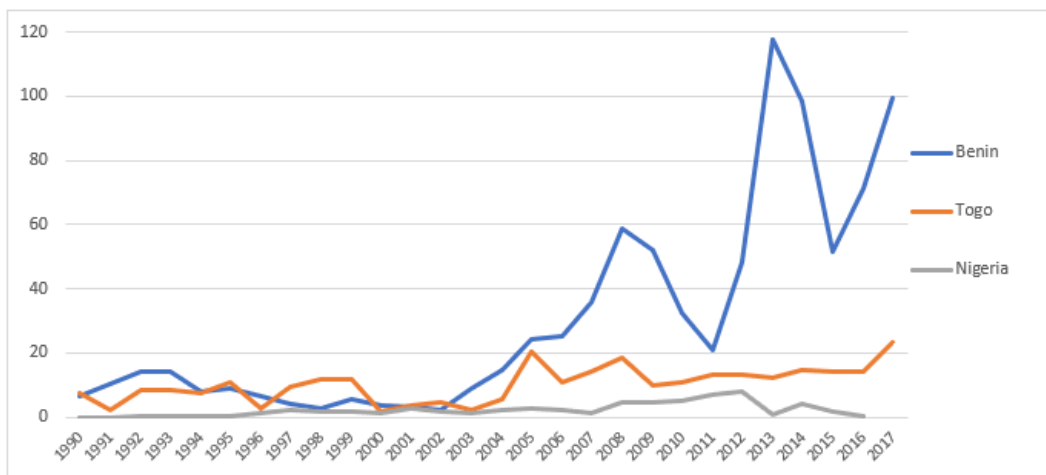
Figure 2: Import per capital for Benin and Nigeria USD

A. Rice



Source: Authors' calculation using U.N. Comtrade, World Bank, World Development Indicators, 2018.

B. Poultry



Source: Authors' calculation using U.N. Comtrade, World Bank, World Development Indicators, 2018.

These trans-border cooperation workshops examine an array of topical issues in which leading experts in the academia and professional bodies as well as traditional rulers from both sides of the international border present papers. The workshops examine issues on culture, local administration, the border economy, delimitation questions and border security, and legal issues and close with conclusions and recommendations (Asiwaju and Igue, 1992). The trans-border cooperation workshop is a noble idea that has not only addressed border-related issues but also, serves as a platform to promote nation-building between Nigeria and her neighbours. The commitment by the Nigerian government through the NBC to sponsor these workshops reveals the country's determination to correct the ills of colonialism on boundary relations between her and her neighbours. In the same vein, the workshop provides a platform to promote cultural and economic cooperation among border communities, a major requirement for promoting nation-building.

The Nigerian experience of trans-border cooperation workshops through the NBC to address and resolve border-related issues with her immediate neighbours has influenced similar programmes in West Africa and the AU. In 1999, the Malian Government influenced by the Nigerian model established National Borders Directorate, which promotes and articulates the policy concept of “Pays Frontiers” (Border Country or Cross-Border Area) in 2002 (Asiwaju, 2013:26-38). Also, ECOWAS launched her version of the programme (2015) tagged “ECOWAS Cross-Border Initiatives Programme (CIP)” in 2005-2006 CIP has metamorphosed into ECOOWAS Cross-Border Cooperation Programme, domiciled in the ECOWAS Commission in Abjua. In 2007, the AU launched the Africa Union Border Programme (AUBP), as a strategy for the transformation or systematic conversion of Africa’s inherited colonial borders from traditional postures of barriers to new pro-active roles and functions as bridges between limitrophe member states (Asiwaju, 2015).

2.5 Theoretical Framework

The work employed the Theory of Comparative Advantage developed by the prominent proponent of the idea in the person of David Ricardo his notion significantly explained the theoretical exploration and analytical discussion of the need for a country to trade and relate with other countries in various ramifications.

According to Ruffiin, the Law of Comparative Advantage or rather Theory of Comparative Advantage was discovered and developed by David Ricardo (1772-1823). However, other proponents who contributed immensely towards the development of the theory include James Mill (1773-1836) and Robert Torrens (1780-1864).

Ricardo considered two countries like Nigeria and Benin for instance whereby Nigeria produces certain goods or commodities at a cheaper rate and with higher specialization whereby Benin may equally be specialized in the production of other goods that Nigeria does not produce. This brings the two countries together for international trade probably cross-border trade (as in this case) since Nigeria and Benin share boundaries together. However, when it stated that, international trade depends on the differences in comparative advantage one may explore not absolute cost of production in the two countries. For instance, England might be able to raise coal at one-half of the price of labour and abstinence needed in France. Therefore, this will not render it profitable for France to purchase or supply coal to England. On this note, it is good for a country to import commodities from another country where the cost of production of those commodities costs less than it would be at home. This by extension necessitated the trading, transaction and relating with one country by another perhaps Nigeria and Benin or Niger Republic. Whereas closing the border between countries will disconnect one from the other. Ricardo cited an instance:

“Two men can both make shoes and hats and one is superior to the other in both employments but in making hats, he can only exceed his competitor by one-fifth or 20%”

and in making shoes he can excel him by one-third or 33% will it not be in the interest of both that the superior man should employ himself exclusively in making shoes and the inferior man in making hats?"

The above instance can be applied between countries or among nation-states not even between individuals as portrayed in the above indention. When such a model was adopted between Nigeria and Benin, foreign trade or cross-border trade will benefit both countries, increases revenue generation through tariffs and allow the import of commodities and other goods at a cheaper rate as well as provides employment to so many people in both of these countries and in return, advance peaceful coexistence and integration on the West Africa sub-region.

Consequently, the aforementioned benefit and advantages will be lost when a country like Nigeria closed its entire borderland with neighbouring countries, in the sense that, whenever a border is closed, the government's revenue generation will drastically be reduced, cost of goods or commodities be very high, the unemployment rate will persist as those involved in the Cross Border Trade will lose their jobs, farmers who cultivate vegetables other perishable fruits meant for Cross Border Trade will automatically incur serious loss and damages, drivers who carry goods on their vehicles across the border will be jobless and the labourers who load goods and offload such commodities from trucks will also run out of jobs. This, by extension, will lead to a high unemployment rate, high poverty percentage, high crime rate and backwardness of economic growth and development, above all damaging the cohesion of the sub-region as stipulated in the ECOWAS Protocol on the movement of persons, goods within the member states.

Thus, the paper realized the relevance and significance of the Theory of Comparative Advantage which was discovered and developed by its prominent proponent David Ricardo the paper finds it highly imperative, apt and adapted accordingly.

2.6 Nigeria and the Policy of Land Border Closure: The Justification by the Federal Government of Nigeria

According to Ghins and Heinrigs (2019), the Nigeria Authorities have justified the fundamental reasons upon which it closed the land borders of the country. Basically, there is a need to support the domestic Agricultural sector and accelerate the National Production Growth thereby reducing the smuggling rate for goods and fundamentally curbing illegal inflows of foreign rice. In addition to this, the government as part of her justification for the border closure includes preventing the exporting of subsidized fuel to the Niger Republic, Benin and Cameroon. Hence, the need for border closure is enforced by the government of Nigeria.

Following the policy statement made and fully implemented on Nigeria's borderland closure since August 2019 by the Federal Government of Nigeria through the

Nigeria customs service as entrenched in the circular Reference No. NCS/ABS/058/S.24 dated 20th August 2019 stipulate and order the total closure of all land borders and that the closure is to ensure that, goods and services are not traded or moved through the said borders and that the border security agents were categorically warned in the letter (circular) to ensure strict compliance (Nigeria Custom Service, 2019).



Figure 3: Nigeria's land border close
Source: The Punch Newspaper, 2021

The above policy for border closure was a result of the fact that the Council for the Regulation of Freight Forwarding in Nigeria (CRFFN) as Kunle Folarin (2019) proclaimed, Nigeria discovered that its immediate Neighbour Benin Republic has a population of 12 Million people only but Benin Republic is the 5th importer of Rice in the world. That in 2018 alone, Benin Republic imported rice with 996 million US. Dollars whereby 98.2% of these imported rice by Benin are then exported to Nigeria from Benin Republic without payment of appropriate custom duty, tax and so on rather through smuggling through porous borders. These served as sabotage to Nigeria's economy (Nigeria Customs Service, 2019).

However, it is pertinent to note that, there are thirty-six (36) official land borders as ports of entry to or from Nigeria to Niger Republic. These borders of Entry to Niger from Nigeria are Kebbi, Sokoto, Katsina, Jigawa, Yobe and Borno States. The land borders in each state are as follows:

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Table 1: Land Border between Nigerian States and Niger Republic

S/N	State in Nigeria	Official/formal Borders with Niger Republic	Number of Borders
1	Borno State	Gashagar, Damasak, Malam Fatori, Baga Doro Wulgo, Gambore Ngala, RigalJilbe, Kunshe, Bank in Kirawa and Ashiqashiya	Twelve (12) borders
2.	Jigawa State	Maigatar	One (1) border
3.	Katsina State	Jibiya-Magama, Jibiya-Maje, Mai-AduaYardaji, Kongolom Babban Muhum, Zanga, Birnin Kuka and Dankam	Nine (9) borders
4.	Kebbi State	Bagudo, Maje, Lolo, Dole-Kaina, Kamba, Kangiwa and Bachaka	Seven (7) borders
5.	Sokoto State	Illela, Gada and SabonBirni	Three (3) borders
6.	Yobe State	Nguru, Machina, TeloTulao and Geidam	Four (4) borders

Source: Nigeria Customs Service Land Border Port Map 2019.

However, from the inquiry made it was understood that Borno through its 12 official borders about 440,800 traders were transacting across the borders. The rate fell down due to the insurgency in the state. Jigawa through Maigatari border has about 20,630 Traders while Katsina with 9 official borders has about 185,730 traders who were cross-border traders across the boundary. Thus, when a border is closed many individuals will lose their jobs. In addition to the above, Gordon (2019), Moore (2019) Park (2019) and Richardson (2019) observed that the closure of borders disrupts international trade with specific reference to cross-border trade and travel across borders. In that, closing the border is an extreme policy that might create a threat to so many individuals, especially the border communities. Not only that, the economy suffered and experiences backwardness.

On the other hand, Adeola and Oluyemi (2019) stressed that, in the interest of national security, the Government of the Federal Republic of Nigeria embarked on the policy of Border closure. That, movement of goods and people between Nigeria and her neighbours such as Niger Republic, Benin, Chad and Cameroon tends to be informal whereby temporary clandestine workers, traders, cross borders workers, professionals and refugees are always moving from one country to another through intra-regional movement within West African sub-region is permitted without a visa due to the existing principles and provision of the economic community of West African State (ECOWAS). This made cross-border movement between Nigeria and her neighbours to be less monitored and did not attract the attention and intervention of governments. However, it is gradually becoming an issue now that needs state policy as modern mobility contributes to impact dangerously on the security of the nation (Nigeria). This propels external aggression and criminality which grows across the border. Hence, Nigeria's government adopted the policy of border closure.

Figure 4: Smuggling continues despite the border closure



Source: Punch Newspaper, 2021

2.7 Impact of Border Closure on Nigeria's Socio-Economic Phenomena

The closure of borders has both positive and negative impacts on the socio-economy of the country on one hand and on the general public on the other hand. This paper notwithstanding examined both impacts from a scientifically analytical perspective and discussed below:

- a) Positive impact of the border closure, and
- b) Negative impact of the border closure.

2.7.1 Positive Impact of Border Closure on Nigeria and Nigerians

The border closure which commenced in August, 2019 has noticed a remarkable achievement in terms of saving huge amounts of U.S. Dollars spent on subsidies by the Federal Government of Nigeria. Ghins and Heinrigs (2019) stated that it has been recorded that 20% decrease in fuel imports reduced the Nigerian state's hefty fuel subsidy bill.

In addition to the above, Bouillon (2019) pointed out that the sales of gasoline also in Nigeria has fell by 12.7% after the border closure. This by extension indicated that, millions of subsidized litres are being secretly smuggled and taken abroad for re-sale at the neighbouring countries of Nigeria. Thus, the reduction in consumption, if sustained could lead to subsidy savings of about 13.5 billion Naira equivalent to 37 million U.S. Dollars monthly and 162.1 billion Naira annually which is equivalent to 444 million U.S. Dollars.

Moreover, suppliers of Nationally produced goods and agricultural-related commodities such as Olam, Family rice, Onya rice and Quarra rice have recorded huge patronage and higher profit from the local processing and Millig companies. This positive and remarkable achievement was as a result of border closure which prevented the smuggling and import of rice and Agro Allied chemicals and other agricultural tools and inputs (Bouillon, 2019).

Notwithstanding, the border closure has positively helped the local rice Millars in all states of the federation and Nigeria markets are full of local rice produced in Nigeria.

Not only that, the border closure has created positive progress with regard to the value chain of Rice production, particularly on production. Processing, packaging, marketing and storage of both processed rice and paddy ones.

2.7.2 Negative Impact of Border Closure on Nigeria and Nigerians

The border closure is badly affecting the livelihood of people living in border communities and local areas relied on border markets for their survival and earnings. Because thousands of householders and farmers were similarly affected by the closure of the border. For instance, residents of Seme border between Nigeria and Benin Republic out-cried seriously. The outcry was a result of losing their principal sources of income and their means of living (Bouillon, 2019).

Bouillon further explains that, in Ibadan alone, the capital city of Oyo State Nigeria which has over three (3) million inhabitants experiences an increase in the price of rice by 9% as a result of the border closure. Hence, half of householder's budgets approximately spent on food due to the higher increase in food prices.

In addition to the above, the general inflation especially on food stuff was recorded to be increased to 13.51% following the land border closure through which the majority of the foodstuff, items and grains were being imported to Nigeria through Niger and Benin Republics. As a result of the land border closure, Lagos and coastal borders remain the port of entry for goods and other commodities. Unfortunately, Bouillon (2019) discovered that Lagos Port became congested and operates very slowly to clear imported goods. Therefore, one has to pay too many bribes to get his or her good out in good time. However, it contradicts the effort of the current government which claimed to be fighting corruption.

Moreover, the volatile policy of Border Land closure is not favorable to investors who have invested huge amounts of money which takes a long time to become profitable. A good example is for those who invested in agriculture, machinery, storage or transport facilities which require amortization over a long period of years. Hence, the closure disrupts these kinds of investments especially if the said investments were meant for cross-border trade. The policy is for this reason a disruptive one.

In Nigeria, it was recorded by Food and Agricultural Organisation of the United Nations that from 2010 to 2016, the Food and Agricultural Organisation (FAO) recorded twenty-three (23) changes in Nigeria's food import regulations with particular reference to inconsistencies in tariff rates and bans (the policy of contraband). This inconsistency and policy summersault does not speak well of Nigeria and is a considerable factor by foreign investors either to invest in Nigeria or otherwise.

Basically, 10% to 20% of the goods manufactured in Nigeria such as pasta, cosmetics and plastics are sold to West African countries through informal routes of cross-border trade. Thus, the closure by extension has negatively affected the manufacturers and industrialists who produced and export their products to neighbouring countries such as Niger Republic Cameroon and Benin Republic.

To this end, the policy of land border closure has undermined the contemporary trend of an interconnected world on the basis or model of Comparative Advantage whereby a given country can explore what it can not sufficiently provide for its citizenry. By extension, keeping borders closed. Especially the land border largely affects the economic growth and development of not only Nigeria but other developing economies.

2.8 The Implication of Boarder Closure on the ECOWAS Protocol of Free Movement of Persons, Resident and Establishment

Notwithstanding the revenue increase the Nigerian Customs Services, (NCS), had recorded with the on-going border closure, exporters are counting their losses as countries within the Economic Community of West African States (ECOWAS) sub-region have started rejecting Nigerian cargoes, apparently, as a form of retaliation against the land border closure. (Vanguard Maritime Report, 2020).

Nigeria has a large economy on the African continent, and it becomes the latest African nation to close its borders following similar actions by Kenya – Rwanda and Sudan in recent months. For some experts, the border closures of Nigeria are a slap in the face for the continent’s integration efforts. It is likely to damage the African continental free Trade Area Agreement (AFCFTA), which has the potential to be the world’s largest free trade zone, even surpassing the World Trade Organization, established in 1995. The closure of the Nigerian border goes against the spirit, and as of July 2020, the letter of the AFCFTA. Reflecting Agenda 2063, the AFCFTA aspires to “*create a continental market with the free movement of persons, capital, goods and services*”.

To accomplish this, AFCFTA members committed to disciplines on trade in goods, including commitments to refrain from quantity restrictions, (reciprocal) most-favoured action (MFN) status, and various annexes aimed at streamlining border processes with rules on customs cooperation and mutual administrative assistance, trade facilitation and non-tariff barriers. By responding to a trade problem through unilateral border closure, Nigeria defies the provisions of the AFCFTA which it committed only a few months ago.

In Ghana, Ghanaians shut down Nigerian-owned businesses and Ghanaian officials went as far as closing almost 70 businesses belonging to Nigerians, Ghanaians claim that foreign retailers (referring mostly to Nigerians) violated section 27 of the Ghana Investment Promotion Centre (GIPC) Act 865, which stipulates that “*the sale of goods or provision of services in a market, petty trading or hawking or selling of goods in a stall at any place must be reserved only for Ghanaian citizens*” (Vanguard Maritime Report, 2020).

Figure 5: Ghanaians Attacking Nigerian Business in Ghana



Figure 6: Ghana Trade Union Protesting Nigeria's Border Closure



Source: Punch Newspaper, 2022

However, many believe that the action by the Ghana Union of Traders' Association (GUTA) was a response to the decision by the Nigerian government to close its borders and GUTA stated that the closure of Nigeria's trade borders with its neighbours

is against the Economic Community of West African States (ECOWAS) treaties and that it is an affront to the sub-regional integration.

3. Conclusion

The findings of this study discovered that Nigeria is consistently inconsistent with regard to the policy of import regulation which dictates and determines the border closure, import ban on certain goods and the fluctuations of tariff rates chargeable and paid by businessmen and women. However, the policy repercussions extremely trickle down to the masses or poor individuals, who constituted about 89 million whereby they receive N30,000 as salary based on the minimum wage and a bag of rice costs N25,000. The study discovered that, prior to the border closure, the price of one bag of rice was affordable to common citizens.

On the other hand, the porous nature of the Nigerian border and the failure of the Nigeria Custom Service (NCS) to effectively and efficiently man the formal and porous border gave the Benin Republic an advantage in 2018 to import rice worth &996 million U.S Dollars and to export 98.2% of such rice to Nigeria through the criminal and nefarious trend of smuggling.

Apart from the aforementioned economic sabotage which led to the border closure, the policy has caused about 1,207,160 cross-border traders in Nigeria to lose their jobs trading across borders. This led to the high rate of unemployment, poverty and high crime rates among the youth and the general public who lost their means of earning a living.

On the sub-regional cohesion, the study discovered that the border closure is an aberration as it has gone completely contradictory to the ECOWAS protocol of persons among member states and the integration of the sub-region.

4. Recommendations

In view of the above, the study recommended the following:

- 1) Nigeria and other ECOWAS member states should first of all come to terms with one basic reality. The reality is that the achievement of viable economic integration has to be at some cost to member-states. If they have this at the back of their mind, then the whole issue of trying to maximize their domestic interests at the expense of sub-regional interests will no longer assume prominence.
- 2) The Government of Federal Republic of Nigeria should engage the policy experts (both domestic and foreign) right from the inception of the policy formulation, implementation, analysis of the outcome of the policy and evaluation before its adoption. This will prevent the enactment and implementation of the disruptive policy and its repercussion affects both citizens and the economy.

- 3) The policy of border closure should always consider the poor people who are about 87 million in Nigeria and became subjects of hardship following the closure of cross-border trade.
- 4) The Nigeria Custom Services (NCS) should engage its officer and men of service in rigorous training, seminars and workshop both domestically and internationally on the tricks of manning or handling border security with modern gadgets and sophisticated equipment to the international best practice. This will drastically reduce the perennial smuggling across Nigerian's border.
- 5) Concerted effort should be made to strengthen, improve and integrate national civil registration systems, especially the integrity of identity and travel documents.
- 6) Develop and improve cross-border infrastructure corridors that include telecommunications internet, roads railways, waterways and airways.
- 7) Member states should put in place legislative policies and other mechanisms to guarantee the protection and promotion of labour rights of migrants and address as use of migrant labour, unethical recruitment and human trafficking.
- 8) Member states should strengthen regional and national security systems including law enforcement, rule of law and public order and also their capacity to deal with national and regional security challenges of the region, if effective trade and movement of persons must be achieved.

Conflict of Interest Statement

The authors, whose names are listed immediately below, certify that apart from submitting this manuscript to European Journal of Political Science Studies for publication, there are no other affiliations with or involvement in any other organisation or entity with a financial interest or non-financial interest in the subject matter or materials discussed in this manuscript.

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