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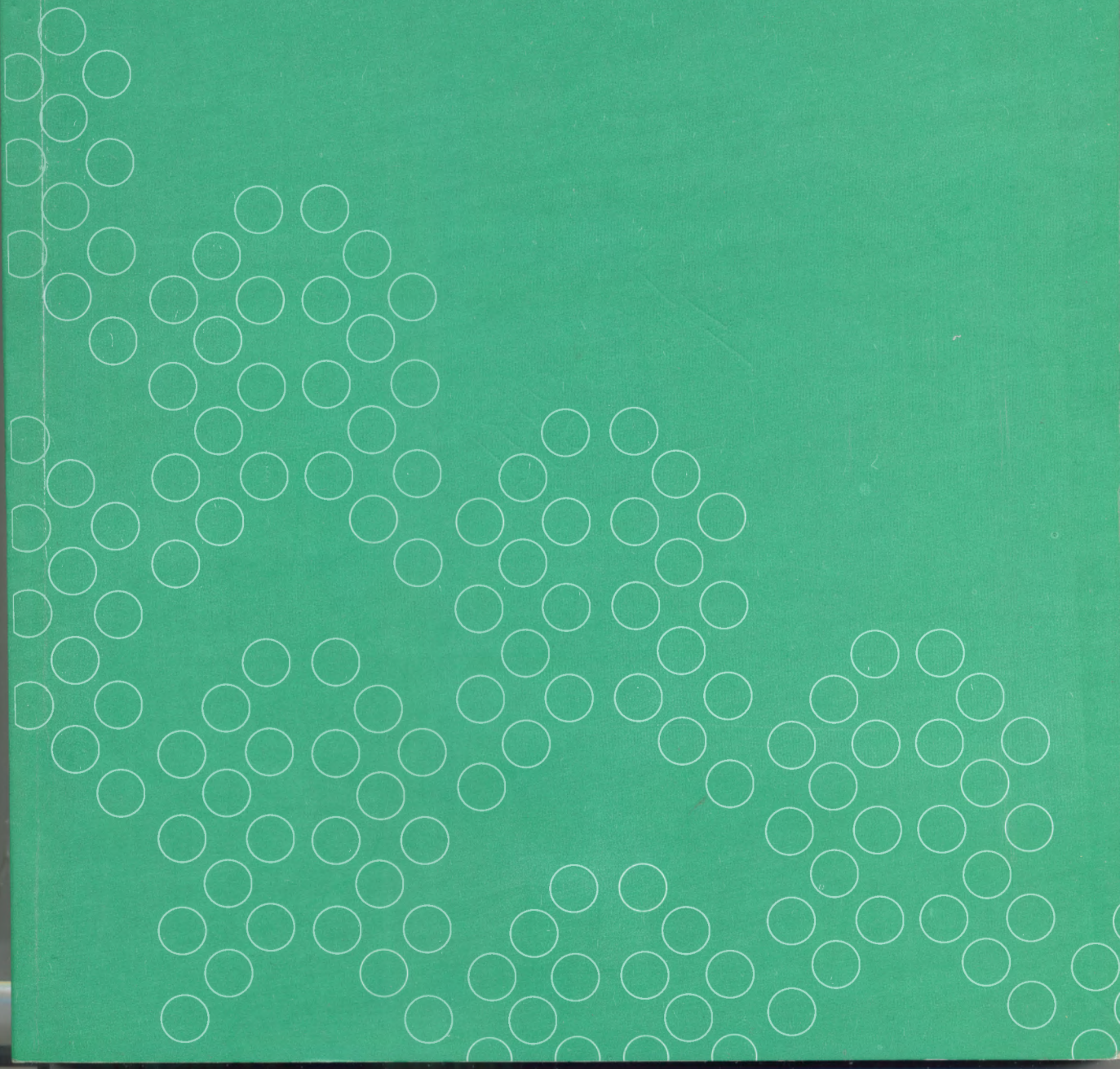## Volume 14, No. 1, January 2016

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Is West Africa Borderless?
Non-State Actors in Intra-Regional
Migration in the Sub-region

Oluyemi O. Fayomi and Bonny Ibhawoh

Abstract

The inter-state borders in West Africa remain mini "iron curtains" and "narrow gates" through which migrants traverse with pain, stress and tears. Visa requirements have been removed but migrants continue to be confronted by customs and police harassment, resulting in considerable economic loss and humiliation. They are a major cog in the wheel of the Economic Community of West African States' (ECOWAS) dream of borderless West Africa. In January 2007, the Heads of State of the member States of ECOWAS had reached an agreement that only two checkpoints should be maintained along common borders, but up till now, the agreement is yet to be implemented. This paper will utilise multi-methods which include ethnography and case study in analysing the intricacies surrounding the borders and ineffective Protocol on Free Movement in West Africa and the effects on the non-state actors. Ghanaian and Nigerian diasporas living in Nigerian and Ghana respectively are used as the case study of the non-state actors that move back and forth within the region. The implementation of the Protocol on Free Movement of Persons by the governments of the ECOWAS member States and the officials at the borders will lead to borderless West Africa.

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Introduction

The formation of Economic Community of West Africans States (ECOWAS) in 1975 opened the opportunities to formally migrate from one country to other member countries of ECOWAS. The phase one of the ECOWAS Protocol was signed in Dakar on May 28, 1979 and was ratified by member States on April 8, 1980. ECOWAS was established for the purpose of promoting cooperation, and sustainable development among the member states, and sub-regional integration. The ultimate aim is to raise the standard of living of the sub-region's diverse peoples. In order to achieve the stated goals, ECOWAS embarked on a program of economic integration to attain accelerated and sustained economic growth within the region through the enforcement of Protocol on Free Movement of Persons, goods and Services.

This is the policy of complete elimination of all barriers to free movement of goods, capital and persons. This was undertaken through a structured regional programme of trade liberalisation which was hinged on the complete removal of all barriers to trade within the region, establishment of a customs union, establishment of a common external tariff and the elimination of customs duties and taxes of similar effect and liberalisation of migration barriers. The overall purpose is to ensure stability and economic growth throughout the region by opening up the door to greater gains for the member States of the community. In reality, while looking back at its 37th year of the existence of EOWAS, ECOWAS internal market programme remains largely incomplete due to the low commitment and lack of effective compliance on the part of member States in the implementation of regional decisions.

Though the regional policy of trade liberalization offers a catalogue of rational conjoint utilities and benefits to be derived when completed, which otherwise member States cannot achieve alone, it is clear that those utilities and benefits lack rationality in the minds of member States actor's preferences. The missing gaps hinge on the poor implementation of the ECOWAS policies and Protocols, in which 16-member States of ECOWAS are signatories and parties to the enforcement (Mauritania withdrew in December 2000). When the ECOWAS Protocol on free Movement Residence and Establishment was enacted in 1991, it held great promise for the earlier vision of the founding fathers for a borderless West African region.

The Protocol indicated that West Africa was envisioned to become a region where national, boundaries would become "lines on water, as it were, for ECOWAS citizens, who could, traverse the entire region without any socio-economic and political obstacles. After the promulgation of the ECOWAS Treaty in 1975, the Protocol on Free Movement had to be enacted to layout the legal and administrative framework for the implementation of free movement and residence. The central research question that this article

seeks to answer is, are the formal institutional arrangements, such as ECOWAS Protocols, enhancing or obstructing the integrative roles of the Nigerian and Ghanaian diasporas in Ghana and Nigeria as they move across the borders in West Africa?

Migration Within West Africa in Retrospect: Pre-colonial to Post-colonial Eras

Migration within the present day West African sub-region in the pre-colonial era existed over a long period of years. Adepoju (2006) is of the view that intra and inter-country movements continue to be a central feature of the people's life in the region and the general features of the migrants within the West African sub-region include temporary cross-border workers, professionals, clandestine workers and refugees. Much of the movement has been from the northern zones to the coastal regions, short term, male dominated and over long distances.

While expatiating on the pre-colonial activities of the migrants in the sub-region, Adepoju (1998) opines that trade-related migration between Nigeria and Ghana (former Gold Coast) also featured in the pre-colonial period and involved both males and females. Indeed, migrants have always considered West Africa as an economic unit within which people, trade in goods and services flowed freely. The distinction between internal and international migration is obscured: migration between neighbouring countries with similar social and ethno-cultural features took place on a routine basis; these factors also facilitated migrants' relocation at the destination.

Amin (1974) asserts that the colonial period provoked large-scale labour migration required for plantations, mines and public administration beyond local supply. These resulted in a series of economic measures, including compulsory recruitment, contract and forced labour legislation and agreements to secure cheap labour, sparked clandestine internal and cross-border migration of unskilled adult males required for infrastructural work, especially transport networks in the north and plantation agriculture in the coastal countries.

According to Adepoju (1998) the colonialists paid little regard to the socio-cultural realities of countries, and many ethnic groups split by pencil sketches in adjacent countries regarded movements across artificial boundaries simply as an extension of internal migrations, in line with longstanding ethnic solidarity. Free movement across frontiers was facilitated by cultural affinity, especially where immigrants speak the same language, and share the same customs with the indigenous population of the host country.

Zachariah and Conde(1981) affirm that forced recruitment later gave

way to free migration of individuals and families in search of better living conditions in cocoa farms, plantations and forestry in Ghana and cote d'Ivoire, and groundnut fields in Senegal and Gambia. Circular savannah-coastal short-term and male- dominated migration now classified as international migration spanned wide areas especially from the north to coastal, prosperous agricultural regions.

In the Post-colonial period, migration is heavy especially in sub-Saharan Africa, where almost 7 out of 10 people who had moved abroad were estimated to live in other sub-Saharan African countries in 2005. (Migration DRC) (2007). For example, almost 3 per cent of West Africans living in the region are not living in their country of origin. Between 1989 and 1991, the number of Malians in Côte d'Ivoire was estimated at somewhere over 1 million. Burkina Faso alone had about 3 million of its nationals living in Côte d'Ivoire. ECOWAS Commission, 2007: 3)

According to a report by the Economic Commission for Africa (ECA 2012) the studies confirm that as at mid-2007, among non-citizens living elsewhere in ECOWAS there were no less than 270,000 refugees in the West African region, with most of them fleeing civil wars in Liberia (120,000) and Sierra Leone (19,000). In Guinea, it was estimated that some 15,800 refugees were living in the country, the majority from Liberia. Oumar Ba and Choplin (2005) analyse that about 93 per cent of emigrants from Niger were living in Africa compared with 27 per cent and 33 per cent of emigrants from São Tomé and Príncipe and Cape Verde. According to official estimates, about 100,000, predominantly Senegalese and, to a lesser extent, Malians live in Mauritania.

It should be emphasised also that migration activities in the West African sub-region from pre-colonial through the post colonial have remained largely un-documented but the difference between pre-colonial and post colonial migration dynamics in the sub-region has been the unhindered and un-policed borders which lacked physical landmarks that existed in the pre-colonial.

The Activities of Nigerian and Ghanaian Diasporas in Origin and Destination Countries in West Africa

Nigerian and Ghanaian diasporas and their associations operate in transnational settings by taking advantage of the opportunities that are available to them as a result of the Protocol on Free movement of Persons, and Rights of Residence and Establishment. The process enables the diasporas and their associations to operate transnational networks crisscrossing Ghana and Nigeria. They are able to build social, economic, and political bridges with valuable benefits across borders.

As succinctly expressed by Weiner (1985), the bilaterisation of migration may also become linked to other bilateral issues which are trade, investment, aid, water resources, and environments - involving a variety of diplomatic and bureaucratic agencies hitherto not related to migration issues. He further stipulates that any investigation on international migration issues should involve a close study of the changing intra-bureaucratic relationships within both sending and receiving countries.

The South-South migration involving different categories of migrants both skilled and unskilled workers remains the magnitude of migration streams. The migration takes place in diverse political, economic and ecological settings but remains essentially intra-regional. The bulk of the migrations with the resultant diasporic statuses play fundamental roles in the livelihood strategies of many families and communities in West Africa. The study of intra- African migration streams within West African sub-region is necessary for planning and implementing holistic migration policies for the development of West Africa and Africa as a whole.

As a result of this development, the issues of migration and diasporas' activities in both Nigeria and Ghana have become a subject of bilateral and regional discussions. At the bilateral level, it raises the issue of socio-economic integration. This is reiterated by the Chairman of ECOWAS as emphasised by Onuorah and Obayuwana (2009:15) that the focus of ECOWAS discussions "will remain on the imperatives of the socio-political and economic stability and meaningful integration." In this article, the conditions of the diasporas in Ghana and Nigeria, especially with respect to their enterprises and contributions to the development of their countries and destination countries are examined in relation to the ECOWAS Protocols for the purpose of moving freely on all territories of Member States.

Therefore, within the context of ECOWAS integrative programmes, it is imperative to state that effective bilateral relations between Nigeria and Ghana, as a result of diasporas developmental activities, can be emulated by other member States of ECOWAS within the region, culminating in the strengthening of socio-economic cum political integration of the sub region.

The Protocol on Free Movement of Persons, Rights of Residence and Establishment in West Africa

Migrations within the West Africa and Africa in general have been regular phenomena and have been on the increase over the years. In the current continuous integrated world, migration across borders will expand.

One of the founding principles of the African Economic Community AEC (chapter VI of the Abuja Treaty) is the free movement of people and their rights of residence and establishment across borders. According to the

UNDP (2009), the people's freedom to move across countries is a basic human entitlement, recognised in the 1948 Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights as "freedom of movement". Movement of people is the ability of individuals, families or groups of people to choose their place of residence, and human movement or migration as the act of changing one's place of residence. Free movement of people in Africa consists in enabling regional economic community (REC) nationals to move freely in all the REC member states (and thus to exempt them from needing a visitor's visa or residence permit), allowing them to reside in a member state other than their country of origin and eventually to establish in one country and exercise an employment there or undertake commercial and industrial activities.

Firstly, the personal experience of this researcher while conducting the research in 2009 along Nigeria-Seme-Togo-Ghana borders revealed that driving freely from Lagos to Ghana was impossible without harassment, extortion of money and unnecessary delays at the border checkpoints by the overzealous official and unofficial security operatives which made the sub-region full of restrictions and bottlenecks. In fact, some drivers revealed that they sometimes spend hours at borders where customs and immigration officials delay them. The journey that should have ordinarily taken them three hours may end up becoming ten hours. These have negative consequences on their turnover per day. At the borders and checkpoints where unofficial fees were demanded, they do not receive receipts to prove payment later to their clients. The use of "Kelebe" who are unofficial agents of the security operatives along the border is rampant. Like many other transport companies in the West African sub-region, they bear costs and lose income due to unpredictable expenses on West African roads and borders

Secondly, below is the analysis of the survey conducted by the US Agency for International Development (USAID) Trade Hub on public and private sector representatives in eight countries in order to identify the gaps in the implementation of ECOWAS protocols on the free movement of people, goods and transport.

ECOWAS Member States Surveyed for Trade Hub Gap Analysis
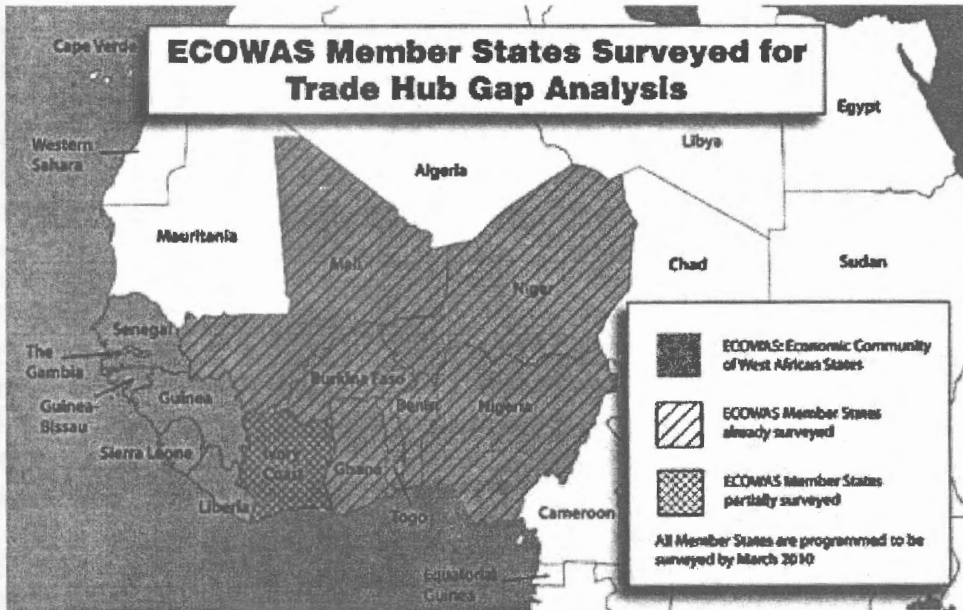
Source: USAID West Africa Trade Hub, 2010

In a group interview in September 2010, 18 disgruntled truck drivers in Cotonou, Benin, vented their frustrations to two Trade Hub consultants: driving freely from Cotonou to Ouagadougou was impossible without harassment, they said. They sometimes spend three days at borders where customs officials hold up paper work when they refuse to pay bribes; meanwhile, their clients in importing countries wait impatiently to receive the goods. Even when you have all the paperwork, it is not always taken into account," one said. "There is not a lot of documentation required really, but there are too many unnecessary delays. "Laws are different from country to country and the fees are exceptionally high. There is really no free movement across West Africa."

The truckers' experiences were echoed in interviews in eight countries conducted by the Trade Hub to determine how well West Africa is economically integrated. The unfortunate answer is: not very well. The interviews are part of a study of the gaps between what regional policies say on paper and how they are actually implemented in ECOWAS Member States.

Two Trade Hub teams conducted the interviews from May to September 2010. One interviewed public sector officials and agents who enforce policies on the movement of persons, goods and transport, which should be consistent with ECOWAS protocols. The other team interviewed company

managers, transporters and others who see daily how those policies are actually enforced. The team conducted hundreds of hours of interviews in Benin, Burkina Faso, Cote d'Ivoire, Ghana, Mali, Niger, Nigeria and Togo, involving over 200 people. It learned that the gaps between what ECOWAS Member States have agreed to do and what actually happens in each Member State are significant. None of the countries is fully implementing the ECOWAS Trade Liberalization Scheme – the set of protocols meant to achieve integration.

The Complexities of West African Sub-Regional Integration
The ECOWAS community leaders aimed at a borderless West Africa when they signed the ECOWAS treaty. Everyone seems to be ready for the integration but the officials entrusted with implementing the policy seem to be self-centered and not community-oriented. Everyone in West Africa which includes the West African diasporas, irregular migrants, traders, professionals, artisans, skilled and unskilled West Africans, etc. wants the sub-regional integration but translating the dictates of the treaty into reality is the mirage.

The Economic Community of West African States (ECOWAS), in recent times, has shown some commitment to the need to facilitate better trade relations among West African States. This led to the adoption of the ECOWAS Strategic Vision, by ECOWAS Heads of States in June 2009, which seeks to convert West Africa into a borderless sub-region, where citizens can avail themselves of opportunities emanating from unrestricted movement of goods, services and persons. Freedom of movement in the ECOWAS region is more advanced than in any other sub-region, but only the first of the three phases of the relevant protocol (visa-free entry for up to 90 days) has been completely implemented in all ECOWAS countries.

The integration schemes in West Africa are clearly suffering from the ambiguity and the difficulties of regional coordination, but the regional economic communities have ideas for strengthening it, but the implementation of the idea remains a farce. The absorption of the diasporas into their host countries make them homogeneous as they are not recognised as foreigners thus their contributions in a local community may be accounted for a general one which cannot be differentiated and quantified. This again is because we are all black, eat the same kind of food etc.

We cannot have a free community for a people without free movement of persons, goods and services, and the right to establish businesses and ventures within West Africa Sub-region. Free movement is what binds us together as people pass through countries with their goods and services, mixing with fellow ECOWAS citizens while meeting the demand and the

needs of the people of the region. This integrates people and their economies.

The effective operationalising of Protocol on free movement is one of the most important factors in binding/facilitating regional integration. We should not only look at only what the diaspora can do but also the contributions of the media/ press. Reporting false information/news or the right news communicates either safety/fear/ insecurity in the minds of those at home. Such reports are important in the decision making process of both home and origin countries of the West African diasporas living in the Sub-region. False reports hinder bilateral relations. This brings about reciprocation of either good or bad behaviours towards each other in the West Africa. The media should importantly send out news that promote integration and not ripple out negative effects of isolated cases on miscreants amongst migrants. We need to see each other in the West African Sub- region as strategic partners in progress and not as monsters

Making sub-regional integration a reality requires harmonisation of Protocol on Free movement of persons, Rights of Residence and Establishment, and other provisions in the revised 1993 ECOWAS Treaty which include trade policies and practices to eliminate uncertainty for traders and security personnels at borders and the political will of the Member States of ECOWAS. "There is a price to pay when a region fails to come together following agreements, regardless of language or currency barriers."(Lori Brock, Trade Hub Business Environment Advisor).

Below is an excerpt from the documented personal experience of Kadiatou Lah (Mali National Shea Foundation), who is also is a member of the Global Shea Alliance Executive Committee at the West Africa borders.

I believe that Borderless is a very good initiative. I was leaving Accra last week travelling by local transport. Once we arrived at the Benin-Togo border, the police asked me for 1,000 CFA. I said, "I'm not paying – and if I have to pay, I would like a receipt." The officer got angry and said, "OK, so you will not cross the border." I made a scene and when the officer's chief arrived, he said I was right and let me pass.

I arrived at the Togo-Ghana border, just as I was with you during the inauguration of the Border Information Center in August. They asked me for money and I told them the same thing. The officer threw passport on the ground and said, "You are not going to cross, you're just a simple trader with the nerve to ask for a receipt!" I went to see his boss and told him, "I work with the people from Borderless and your officer threw my passport on the ground because I asked for a receipt." The boss was obviously nervous and asked me to excuse him for the situation. He then himself went to stamp my passport and warned the officer.

Arriving at the Ghana side, the same thing – "Madam, you must pay

1,000 CFA!" My response the same: "OK, no problem, just give me a receipt!" The officer was a woman this time and she got angry and told me that if I want a receipt I will have to pay 10,000 CFA. I said, "No problem, if that's the legal fee, I will pay it." She became angrier and, when she saw that I did not have an exit stamp on my passport, she said, "Now you have a more serious problem, let's get the boss to see this!" Once we were at the chief's office, I said, "I was with the Borderless delegation for the launch of the new centers and as I was late to leave for the airport, I forgot to get the exit stamp – and when I told your officer I would not pay her 1,000 CFA, she became very angry." The officer tried to lie that she had stopped me because there was no exit stamp but the boss told her, "Don't let me ever hear that you are stealing from people – take her passport, stamp it with the exit and entry stamps quickly. Madam," he said to me, "please truly excuse us, we are going to be vigilant, please forget everything you've seen today."

Findings

The findings revealed that there are challenges in implementing this protocol. The causes of some of these challenges are identified and presented below:
Member-States of ECOWAS belong to multiple unions with different aims and objectives, different levels and patterns of development and political systems and ideologies. Countries with small population are juxtaposed within those with large population and land area; some are resource poor while others are endowed with human and natural resources. The smaller and economically less prosperous countries are often suspicious of the demographic and economic giants – Nigeria, Ghana and Cote d'Ivoire – in the Community.

The wavering political support, political instability and inter-state border disputes and wars have retarded progress in ratification and implementation of protocols. The persistent economic downturn has crippled the ability of States to pursue consistent macro-economic policies and resulted in part in poor funding of economic unions. The non-convertibility of currencies hinders financial settlements and the harmonization of macro-economic policies and procedures. The ubiquitous roadblocks across frontiers, the lengthy and costly formalities at border posts, and the corruption of officials, have hindered free flow of persons and trade.

The coming to force of the protocol on free movement of persons coincided with a period of economic recession in most West Africa, especially those bordering Nigeria, whose economy was fuelled by huge oil sector earnings. The oil-led employment opportunities attracted migrants of all skills, but especially unskilled workers, in their droves from Ghana, Togo, Chad, Mali and Cameroon to work in the construction and services sectors.

The short-lived oil boom resulted in a rapid deterioration in living and working conditions and devaluation of the national currency, wage freeze and inflation. In early 1983 and in mid-1985, the Nigerian Government revoked Articles 4 and 27 of the Protocol to expel over 1 million illegal aliens mostly Ghanaians. The ratification of the second phase of ECOWAS Protocol on Right of Residence that came into force in July1986 coincided with the implementation of the structural adjustment programme in Nigeria.

In June 1985, about 0.2 million illegal aliens were again expelled as the economic crisis deepened, a development that created a crisis of confidence in the Community. Aliens became scapegoats when governments were confronted with teething economic and political problems; migrants were targets of hostility from the native population and blamed for whatever economic, social and political problems arose in the country.

Most countries of the sub-region have enacted, or retained a series of laws, which in effect restrict 'foreigners', including nationals of ECOWAS, from participating in certain kinds of economic activities; the expulsion of aliens also negated the raison d'être for establishing the Community. So long as the economies of recipient countries accommodated clandestine labour migrants there was little sign of stress. As economic conditions worsened and unemployment among nationals deepened, immigrants become targets for reprisals through expulsion (Ojo, 1999). Illegal immigrants were expelled from virtually all West African countries before and even after the formation of ECOWAS.

Some political leaders are using ethnicity and religion to reclassify long-standing residents as non-nationals as in Cote d'Ivoire and are weary of the presence of large numbers of immigrants on their shores during tightly contested elections, fearing that they may swing the vote in favour of the opposition along ethnic or religious alliances.

The situation in Cote d'Ivoire illustrates this: a major country of immigration in the sub- region with a vast natural resource endowment but a small domestic labour force, foreigners constituted about a quarter of its waged labour force. The country's first Post- independent President, ignoring the arbitrary borders drawn by colonial powers, encouraged immigration from its poor neighbours.

Immigrants from Burkina Faso, Nigeria, Liberia, Senegal and Ghana flooded the plantations clandestinely and did menial jobs that the local population despised. They brought their families and were allowed to marry cross-culturally, settle and vote. The recent shift in the country's liberal immigration policy and growing anti-immigrant sentiment took a violent turn. The introduction of the concept of ivorite, and the stripping of immigrants of some of the rights they hitherto enjoyed, sparked discontent

and mistrust among immigrants. The chaos and war between elements of the predominantly Muslim North and the Christian South threaten the survival of the once stable country. Thousands of nationals of Mali, Burkina Faso, Guinea and Nigerian have returned home as anti-foreigner sentiments peaked.

Dislodged Liberian refugees sought solace in Mali and Guinea. The policy to register and issue special identity cards to foreigners is widely viewed as aimed at deporting (now classified) illegal immigrants (Adepoju, 2003).

The long-delayed National Identity Card scheme launched in Nigeria mid-February 2003 is designed in part to "effectively control" illegal immigrants and their nefarious activities. About the same time, Liberia introduced compulsory exit visa for all residents in the country – a move criticised as violating the fundamental right of its citizens to free movement in and out of the country. In March 1999, Ghana requested all aliens in the country to register and be issued with identity cards. Immigrants are suspicious of this move, recalling the antecedents of the 1969 Alien Compliance Order that culminated in the expulsion of non-Ghanaians.

The refugee regime, for long localised in the Horn of Africa and the Great Lakes region has spread swiftly to the sub-region as Liberia's contagious civil war soon spread to Sierra Leone, engulfing Guinea Conakry and Guinea Bissau and now Cote d'Ivoire in its trail and uprooting thousands of people internally and across national borders, as displaced persons and refugees. As soon as one refugee-generating crisis is resolved, new or renewed crisis emerges sequentially. Sporadic border disputes between Senegal and Mauritania, Ghana and Togo, Liberia and Guinea have also led to refugee flows and expulsion of Community citizens from these territories.

ECOWAS member citizens have been expelled by most member States, in spite of the protocol on free movement of persons. Sentiments against non-nationals have risen in recent years as a result of the economic downturn, increasing unemployment among young nationals, and political instability. The Protocol on Establishment and Residence has not been implemented despite the close link to the right of free movement, integration of trade, tariff regimes and promotion of labour migration in the sub-region.

Although, despite the constraints enumerated above, progress has been recorded on many fronts. The free movement of persons without visa within the sub-region is a major achievement of ECOWAS (though some certain amount of money will have to be given to the security personnel along the borders). Associated with this development is the progress made in the area of monetary policy, communication, trade and related matters. These include the introduction of ECOWAS travellers' cheques – the West African Unit of

Account – to harmonise the sub-region's monetary policy; the proposed adoption of a common currency by 2004 (later postponed till 2012) to facilitate cross-border trade transactions and the introduction of the Brown Card travel certificates to be used as ECOWAS passports.

The abolition of the mandatory residency permit and the granting of the maximum 90 day period of stay to ECOWAS citizens by immigration officials at entry points took effect from April, 2000 (although in reality, some persons may get 30days, 60 days or 90 days depending on the discretion of the immigration personnel on duty). Border posts and checkpoints on international highways which hitherto threatened free movement of persons and goods were scrapped and the Nigerian government dismantled all checkpoints between Nigeria and Benin. Border patrols were set up by Niger, Nigeria, Benin, Togo, Ghana, Burkina Faso and Mali to monitor and police national frontiers, in addition to closer collaboration and information sharing between the police and internal security agents. Elimination of rigid border formalities and modernisation of border procedures through the use of passport scanning machines were designed to facilitate free and easier movement of persons across borders, the ultimate goal being the creation of a borderless West Africa (Adepoju, 2002). But presently, the researcher observed rigid border formalities associated with delay and money collections along the Nigeria-Benin-Togo-Ghana borders and vice-versa.

The creation of a borderless West Africa sub-region was the major agenda of the meeting of Heads of State and Government held in Abuja early 2000. During the Summit, the ECOWAS passport was adopted as a symbol of unity to progressively replace national passports in circulation over a transitional period of ten years. The sub-regional private airline (ECOAIR) was launched in Abuja to coincide with the 25th anniversary of the organisation to facilitate intra-regional travel.

Transport and telecommunication links between member States were boosted by transcoastal, trans-Sahelian and trans-coastal/Sahelian road networks. Regional infrastructure has been rehabilitated and expanded to foster economic integration with the proposed establishment of two rail links: a coastal route from Lagos to Cotonou, Lomé and Accra and a Sahelian route linking Lagos to Niamey and Ouagadougou. Border posts and all checkpoints on international airways are to be policed only by customs and immigration officials. Effective 1 January 2000, a zone for the circulation of goods, free of custom duties, was set up and the free movement of goods and persons across the borders of ECOWAS Member States was scheduled to begin by the end of April 2000. In addition, in December 1999, the Lome Protocol on the mechanism for the prevention, management, and control of conflicts, and maintenance of peace and security was signed.

Conclusion

The bugging questions include: Is West Africa actually borderless? And could a borderless West Africa be sustained? The first phase of free movement has been achieved but less effective. The second and third phases, relating to establishment and residence, respectively, are still not fully implemented because of the issues arising from attempts at implementing the protocols at the national levels. The peace-meal implementation of the protocols highlights the need for Member-States' governments to harmonise national laws which conflict with regional and sub-regional treaties and address the issue of the right of residence and establishment of migrants and obligations of the host countries by amending national laws and investment codes that restrict "foreigners", including nationals of ECOWAS member States, from participating in certain kinds of economic activities. They should also identify areas of agreement which they can progressively implement, notably free movement of persons, travel cards, traveller's cheques, tariff regime, customs and immigration formalities to enhance intra-regional labour mobility and cross-border trade, and then implement other agreements using the variable speed approach, whereby sets of common objectives are agreed upon but component countries move at different speeds towards implementation, some rapidly and others slowly.

In line with the recommendations put forward by ECA (2012), expanding the number of one-stop border posts should help to reinforce RECs' efforts to open borders and reduce delays and the red tape at customs. Member States also need to expedite their supply of identity documents, as well as travel and health certificates to community citizens' resident on their territories. The border information centres between Ghana and Togo, and the planned centre between Mali and Senegal, are a welcome development in this regard. REC member States should also facilitate work and business permits for REC citizens to foster closer integration. This is also important for promoting intra-community trade and investment, which will boost employment. RECs should, as a matter of urgency, activate national protocol-monitoring committees and help to coordinate their activities with the secretariat of the REC. This should contribute to harmonizing regulations, implementation procedures and guidelines to boost free movement of people.

Presently, West African sub-region can be classified as full of borders (border-full). The concept of borderless West Africa can be relevant if the Protocols are effectively operational with ECOWAS member citizens moving freely within, working and residing in any of the member States without any bottlenecks or restrictions.

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