
NIGERIA-ECOWAS COMMON IMMIGRATION POLICY FROM 2007-2019: OPPORTUNITIES AND CHALLENGES

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Abstract

Human migration encompasses permanent or temporary relocation of persons from their places of initial abode to another place, in search of means of livelihood, family reunion, or other things that serve as motivation for the movement. **Specifically, the study aims at** investigating the economic opportunities of skills, transfer through citizens' migration from one African country to another and discussing the potentials in having flexible intra-continental migration laws and to identify the measures put in place for smooth and effective implementation of the economic integration agenda of the ECOWAS Common Immigration Policy in Nigeria from **2007 to 2019**. This study is anchored on functionalist social theory of migration. Migration is perceived as a positive phenomenon that contributes to prosperity productivity, and greater fairness in origin and destination societies through dual direction of flows of incomes that include funds, goods and knowledge. Herbert Spencer and Robert Merton are proponents of this theory. The study sourced for secondary data. The data was analysed in themes. The study concludes that while migration could be perceived as a negative phenomenon on nations, productive advantages too abound in developing countries. The mobility of human capital would help pave way for exchange of ideas and skills which could lead to a robust socio-economic development in the West Africa sub-region. The study recommends that ECOWAS countries need to put in place effective mechanisms that would checkmate crimes associated with migration as a way of checking the perceived negative effect of migration.

Key words: Immigration policy, regional integration, common market, regional development
Human capital development

Introduction

Migration is an essential aspect of human existence. It is usually motivated by several reasons including poverty, unemployment, hunger, conflicts, natural disasters among others (ECOWAS, 2008). Principally, human migration entails temporary or permanent relocation of people from their places of primary residence to another place, either in search of improved livelihood, family reunion, or for other reasons (Federal Republic of Nigeria, 2015). The essence of forming Economic Community of West African States (ECOWAS), a fifteen-member regional organization of West African countries in May 28, 1975 was to promote economic integration among member countries. The history of ECOWAS was traced to the military era of General Yakubu Gowon as the Head of State in Nigeria in April 1972 and his counterpart in Togo, General Gnassingbe Eyadema. The plan was launched to bring in new members between July and August 1973.

The ECOWAS as a sub-regional organization embraces a common market of over a 100 million people. The membership spans fifteen countries of different population and landmass. Consequently, prior to the Treaty of Lagos in May 28, 1975, the West African countries were unable to institute successful long term commercial dealings among themselves. The subregion was characterised by a fast-growing population and steadily increasing urbanisation. These factors greatly affected migration patterns in the region and required collective responses by West African countries (Fayomi and Adeola, 2015).

In recent years, countries in West Africa indicated interest and readiness to tackle challenges related to migration and take advantage of the inherent development potential of migration. Key ECOWAS strategic documents acknowledge the potential of free movement and migration, and, if adequately managed, would pave way for development and regional integration (Adaawen, 2017).

Also, the poor socio-economic conditions and high rate of poverty in the late sixties and early seventies were responsible for rising cases of migration. Macro-economic adjustment measures and a huge increase in the number of entrants into the labour market fueled a job crisis, creating a sustained pressure for emigration. A significant amount of brain circulation takes place among Ghana, Gambia and Nigeria; Togo and Cote d'Ivoire; Burkina Faso and Senegal and Cote d'Ivoire, countries with shared colonial legacy. Since 70s, highly skilled migrants, including doctors, paramedical personnel, nurses, teachers, lecturers, engineers, scientists and technologists moved from Ghana to Nigeria and other African countries. Europe and North America also offer attracted opportunities including relatively higher salaries and better prospects for livelihood. And because of improved living conditions, many students remained behind at the end of their training as political, economic and social conditions at home deteriorated (Ademola, 2015).

Statement of the Problem

The advantages that come with human migration have been under utilized especially in Africa. Human migration is always seen as a challenge while numerous opportunities that come with it are often neglected due to lack of adequate discourse on the what African countries stand to achieve when citizens of other countries move to their countries for greener pasture.

Several studies have been undertaken over the years have not explored the numerous benefits of citizens' migration from one African country to another. This study, therefore, explores and discusses the importance of having friendly migration laws and policies that could easily be implemented by all African countries to allow human movement from one African country to another for the sake of economic integration and development.

However, the Common Immigration Policy as designed by ECOWAS did not take into cognizance the peculiarity of economies of member nations hence its varied impacts. Most West African countries are very small, not only in population, but also in terms of economic output. Only three countries (Nigeria, Ghana, and Côte d'Ivoire) have populations over 10 million; the others have national products equal to that of small cities or medium-sized towns in industrial countries. Nigeria stands out among the rest, with a population of over 200 millions, but low-income levels make even Nigeria a fairly small country in economic terms. Therefore, this gives room for variable inclusion gap.

Objectives of the Study

1. To examine the economic opportunities skills, transfer through citizens' migration from one African country to Nigeria.
2. To discuss the potentials in having flexible intra-continental migration laws among African countries.
3. Identify the measures put in place for smooth and effective implementation of the economic integration agenda of the ECOWAS Common Immigration Policy in Nigeria between 2007 and 2019.

Research Questions

1. What are the economic opportunities in skills' transfer through citizens' migration from one African country to Nigeria?
2. What are the potentials in having flexible intra-continental migration laws among African countries?
3. What are the measures put in place for smooth and effective implementation of the economic integration agenda of the ECOWAS Common Immigration Policy in Nigeria between 2007 and 2019?

Review of Literature

Immigration refers to the movement of people from one country to another for various reasons including search of good jobs, safety and protection. Immigration is a worldwide phenomenon. Its history has been traced to between 17th and 19th centuries when millions of Europeans migrated North and South America, Eastern and Southern Africa, Australia, and Asia. Many of these immigrants resettled in colonies established by their home countries. Most modern immigrants like the colonist of the past, are motivated to relocate to other countries to search for improved economic condition. This category of people is known as economic immigrants; they resettle in other countries in search of jobs, farmland, or business opportunities. Nowadays, economic migrations bring people from less developed, poorer countries to (relatively) more developed and more prosperous countries (Reimers and Dinnerstein, 2009).

However, in the late eighties, traditional labour importing, richer countries in the sub-region (Côte d'Ivoire) and hitherto attractive destinations for migrants (Nigeria) experienced political and economic crises, which also spur out-migration of their nationals. Until the early 80s, few Nigerian professionals emigrated because domestic working conditions were attractive and internationally competitive. The collapse of oil price, a sharp decline in oil revenue, rapid deterioration in living and working conditions, wage free, devalued national currency, declining real incomes, authoritarian military rule and the vacillating economic situation fueled large-scale emigration of skilled and unskilled workers abroad. Post-apartheid South Africa also attracted highly skilled professionals from Nigeria and Ghana to staff the universities and other sectors and tradesmen from Senegal and Mali including street vendors and small traders from Sierra Leone (Adaawen, 2017).

Migration has become a common practice in the world mainly caused by the growing and intensive economic, political and socio-cultural interdependence among countries. It is estimated that three percent of the world's population is migrants (United Nations, 2006). The West African sub-region is no exception to this growing phenomenon. Of the 191 million migrants scattered across the globe, nearly 7 million people hail from the West Africa sub-region (Adepoju, 2005).

Why Economic Integration is key to Africa's Development

Business Dictionary (2017) defines economic Integration as an agreement among countries in a geographic region to reduce and remove tariff and non-tariff barriers to the free flow of goods or services and factors of production among each other. Economic integration allows improvement of welfare of the people and boost the Gross Domestic Product (GDP) of the member states. However, Balassa (1961) points out that economic integration could be seen as a process and state of affairs. As a process, it encompasses measures designed to abolish discrimination among economic units belonging to different national states; viewed as a state of affairs, it can be represented by the absence of various forms of discrimination between national economies.

Balassa (1961) also posits that economic integration can take several forms with varying degrees of opportunities including free-trade area, a customs union, a common market, an economic union and complete economic integration. In a free-trade area, tariffs (and quantitative restrictions) between the participating countries are abolished while each country retains its own tariffs against non-members. Establishing a customs union involves, beside the suppression of discrimination in the field of commodity movements within the union, the equalisation tariffs in trade with non-member countries. A higher form of economic integration is attained in a common market, where not only trade restrictions but also restrictions on factor movements are abolished. An economic union, as distinct from a common market, combines the suppression of restrictions on commodity and factor policies, in order to remove discrimination that was due to disparities in these policies. Finally, total economic integration presupposes the unification of monetary, fiscal,

social and counter cyclical policies and requires the setting-up of a supra-national authority whose decision are binding on the member states.

Migration and Regional Integration

According to Ogbeidi (2004), the eventual merger of separate institutions and communities within a specific geographical region is salient as a characteristic of integration. Integration, therefore, is to be seen as an attainment within the region of institutions and practices strong and widespread enough to ensure a long-time change among its population. Integration implies a higher degree of lock-in and loss of sovereignty, and also tends to apply to a broader scope, although it could as well be limited to a specific market. It also implies more united markets for goods (FTA and custom unions), factors (common markets), and also a common currency such as in the European Union. A deepest form is a federated union such as the United-States, which includes political as well as economic integration, including in infrastructure-related services (telecom, air-transport).

Typically, high degree of economic interactions – trade and investment among others. could make integration more cost effective as opposed to simple harmonisation/coordination, as the opportunity cost of exit rises. Also, the scope of integration and the concomitant complexity call for countries to relinquish sovereignty to a supra-national agency, the purest form being a federal government (Lolette-Kritsinger-van Niekerk, 2005). Citing the view of the European Union, LoletteKritsinger-van Niekerk, (2005) further defined regional integration as the process of overcoming, by common accord, political, physical, economic and social barriers that divide countries from their neighbours, and of collaborating in the management of shared resources and common national goals.

Regional integration can also be conceptualised to mean that, since it is recognised that international problems cannot be solved adequately in isolation or self-autarchic systems, it can thus be ameliorated or can be solved alternatively by collectivisation of common problems, that is to say that, economic liberalism should thrive over economic nationalism, and on this basis, problems that are peculiar to geographic regional blocs should be dealt with by pooling energies, economically, socio-culturally and even politically. The tenets of liberalism (like, free trade, liberalisation of trade) comes to fore which dismantles the barriers to cooperation erected by statist policies in protectionism.

Hence, the conscious knowledge of these problems spurs the states to the pooling of energies to tackle these problems by participating concertedly, though gradually, through functional institutions and processes. Obstacles to cooperation are overcome, problems are communalised, solved and rewards are shared. Regional economic integration would mean, the liberalisation of trade within participating states in a regional bloc, reaping the benefits of trade, by “trade creation” and “trade diversion”. However, there are variations in the concept of regional economic integration. According to Sagir (2010) “there is a “disproportionate” concentration of economic flows or the coordination of foreign economic policies among a group of countries in close geographical proximity to one another.” Disproportionate, implies that the level of intra bloc economic activity exceeds what would be “natural” in an ideal world of free global trade (Starr et al., 2006).

Regional integration is therefore an inward cooperation among integrating states, and the discrimination of states that are not within the integration bloc. It is worthy to observe that term economic integration is implied. It doesn't necessarily have to be engendered by regionalism. Hence, it may involve participating countries from other regions. As such, the EU-ACP cooperation is a typical economic integration scheme.

Immigration Policy and Economic Integration from Global Perspective

International migration has grown in recent time. According to United Nations (2017), the number of international migrants was 258 million in 2017, an increase of 85 million representing 49 per

cent, compared to 2000. UN attributed the cause to economic and social factors such as political instability and social conflict. Many countries, especially those in Europe have had labour migration in recent time, supporting the growth of their businesses and industries though the present immigration has changed from labour migration to refugee and family migration due to increased social and political unrest across the globe as well as unemployment, poverty and economic hardship.

Globalisation also contribute to the rising rate of migration. Perterson Institute for International Economic (n. d) defines *globalization* as “the growing interdependence of the world's economies, cultures, and populations, brought about by cross-border trade in goods and services, technology, and flows of investment, people, and information.” With globalization, countries have built economic partnerships to facilitate the movements across borders. Consequently, this development has led to the rising cases of cross-border migration in developing countries. It is estimated that 158 million people are legal international migrants (United Nations, 2002), while 15 to 30 million of them are undocumented; with nearly 40 per cent living in developing countries (World Commission, 2004). These figures highlight the growing complexity of migration patterns as well as the deepening disparities within the developing world itself. It is believed that people move to developing countries because the movement of capital, goods and skilled professionals has become an integral part of present-day open economies, including the middle and low-income ones.

With globalisation, cities that are or intend to join financial and technological forces rely on international migrants and their contribution to urban productivity. Migrants are believed to have become important actors in maintaining or creating economic dynamism of cities; they help in filling gaps in labour requirement. Moreover, the presence of transnational migrants also makes cities cosmopolitan, hence more attractive to the forces of globalisation (Duany, 2002). Cross-border movements of people are occurring and growing despite a widespread strengthening of control measures, in contrast with the worldwide liberalization of the movement of goods, services and capital. Notwithstanding the introduction of restrictive admission policies in nearly all countries (World Commission, 2004), international migration is a self-sustaining process destined to grow in the future, unless major changes in the distribution of wealth between rich and poor countries are implemented (so far a highly unlikely perspective). Thus, the question is no longer whether international migration should exist, but rather how to manage it effectively to enhance its positive effects and reduce the negative ones. Based on a comparative analysis of case studies.

Consequently, the international community has for a long time recognized the significance of interdependence between international migration and development. It is against this backdrop that the migrants and migration have been integrated into the 2030 Agenda for Sustainable Development which is an important step forward. In specific, 10.7 of the Sustainable Development Goals calls on countries to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well- managed migration policies. Other migration-related targets in the 2030 Agenda, according to United Nations (2008) include retaining health workers in developing countries; providing scholarships for study abroad; ending human trafficking; respecting the labour rights of migrant workers; reducing the costs of transferring remittances and providing legal identity for all.

The available evidence suggests that the overall economic impact of migration is positive for both countries of origin and countries of destination. This shows the significant role of migrants in economic growth and development especially the filling of labour market shortages and provision of jobs and sources of revenue for individual migrants and their families. At the global level, about 61 percent of countries migration policies to maintain current levels of immigration. Globally, about 68 per cent of countries identify meeting labour market demands as the underlying reason for their current immigration policy. The ILO (2015) estimates that migrant

workers make up nearly three quarters of all international migrants of working age (15 years or over) worldwide. Some countries also see immigration policy as a tool to safeguard employment opportunities for their nationals. This rationale informed about 46 per cent of countries' immigration policies globally.

Nearly all Governments have adopted specific policy measures to address the issue of irregular immigration. Globally, 99 per cent of countries employ fines, detention or deportation of migrants in an irregular situation, while 77 per cent use penalties for employers of migrants in an irregular situation. One third of all countries (34 per cent) have taken measures to regularize their legal status through defined schemes or conditions. Migrants in irregular situation are particularly vulnerable to discrimination, exploitation and abuse and are in danger of being exploited by crime organizations involved in human trafficking and migrant smuggling (United Nations, 2008).

Immigration Policy and Economic Integration in Africa

Prominent among the events at the regional African level are the African Union's Strategic Framework for a Policy on Migration (2004) and the AU Common Position on Migration and Development (2006). The African Union's Strategic Framework on Migration and Development and the African Union Common Position on Migration and Development, 2006, cover a number of areas, including human resources, irregular migration, brain drain, remittances, trade, migration and peace, security and stability, migration and human rights, gender, regional initiatives and access to social services.

However, the challenges that emanated for the nature of African politics, geography, and the uneven distribution of benefits of regional economic integration trumped the traditional efficiency gains across Africa's Regional Economic Communities (RECs). The small, sparsely populated, fragmented, and often isolated economies across Africa make a compelling case for these economies to integrate regionally to reap efficiency gains, exploit economies of scale, and reduce the thickness of borders.

However, lack of support from partners and diminishing returns to the exploitation of resources has reduced supply response to market-integration oriented regional policies. Additionally, a very uneven distribution of resources has sharpened the trade-off between the benefits of common policies needed to tackle cross-border externalities and their costs, which are heightened by the sharp differences in policy preferences across members. African RECs have pursued the 'linear model' of integration with a stepwise integration of goods, labour, and capital markets, as well as eventual monetary and fiscal integration. With the exception of the francophone zone, the RECs have not yet completed goods markets integration; the lack of adjustment funds to address the uneven distribution of benefits across partners contributing to the delay.

Additional research evidences reveal that the regional integration in Africa has its roots in the political forces determined by the colonial legacy that resulted in a configuration of geographically artificial states where arbitrary borders coupled with great ethno-linguistic diversity contributed to the continent's high number of conflicts and to its high trade and communication costs (Alesina et. al. 2003; Alesina et al. 2011; and Portugal-Perez & Wilson, 2009). In Africa as a whole, but in Sub-Saharan Africa (SSA) in particular, the RECs were to be the 'building blocs' of the hope for African union in the immediate postcolonial era. Now, they are central for implementing the New Economic Partnership for Africa's Development (NEPAD). In short, the RECs were and continue to be the glue that will cement African unity. An early phase of integration started during the first decades of independence, and was enshrined in the Lagos Plan of Action, an initiative of the Organisation for African Unity, adopted by the heads of states in 1980.

The proposed framework was for African integration into Pan-African unity and continental

industrialisation by the division of the continent into RECs that would constitute a united economy, the African Economic Community. Three regional integration arrangements were supported by the Economic Commission for Africa: Economic Community of West African States (ECOWAS); Common Market for Eastern and Southern Africa (COMESA), and the Economic Community for Central African States (ECCAS), and later, the Arab Maghreb Union (AMU). This first phase corresponded to the heyday of central planning when faster industrialization would take place if carried out at the regional level under free trade among members with high tariff barriers applied to non-members, and during which an inward-looking integration also reflected a desire to develop independently from the former colonial masters. Economic unification would be the solution to Africa's development dilemma and, for many, to work it would require a political union. However, the leaders of these young post-independence African states were reluctant to encourage the erosion of national sovereignty and the emergence of a supra-national authority, which would have been necessary to co-ordinate and manage the affairs of the hoped-for African union.

The great diversity across Africa (resource-rich and resource-poor, coastal and landlocked, artificial borders, many ethnic groups and languages) translated into different interests that strengthened countries' insistence on the 'respect for the sovereignty and territorial integrity of each State and the inalienable right to independent existence' as written in the Organisation of African Unity (OAU) charter of 1963. Commitment to Pan-Africanism was weakened, leading to a vagueness and multitude of objectives, which helped states gloss over the issues that divided them. The outcomes of the first phase of African PTAs were insightfully reviewed by Foroutan (1992). After observing that the Gross National Product (GNP) of SSA was about the same as Belgium's, she noted that it would be hard to imagine Belgium divided into 'forty-something independent countries, each with its own isolated goods and factor markets'. She also pointed out that the skewed distribution of benefits resulting from the great disparity among members required large compensation from the gainers to the losers, large partly because regional trade was mostly inter rather than intra-industry: Absent central funding raised by less distortionary means, funds were either obtained by distortionary taxes negating any efficiency gains from eliminating protection among partners, or trade barriers were not removed. So, with the exception of integration of the franc zone in Economic and Monetary Community of Central African States (EMCCAS) and West African Economic and Monetary Union (WAEMU), implementation never reached the Free Trade Area (FTA) status, let alone deeper integration.

Theoretical Underpinning

This discourse is anchored on functionalist social theory of migration. The theory generally sees migration as a positive phenomenon that contributes to productivity, prosperity and greater fairness in origin and destination societies through bi-directional flows of incomes including money, goods and knowledge. Two theorists, Herbert Spencer and Robert Merton, contributed to the perspective of functional theory. Proponents of functionalism sees society as a complex system whose parts must work together to promote solidarity and stability. The theory mainly focuses on social structure, social functions, manifest functions, and latent functions as well as the consequences of breakdown of social values and structures.

Todaro (1969) and Harris and Todaro (1970) point out that functionalist social theory believes in society as a system, a collection of interdependent parts; individuals and actors who support one another for growth and development. Functionalist migration theories, therefore, see migration as a positive phenomenon that contribute to productivity, prosperity and theory interpret migration as optimisation strategy, in which individuals use migration to access higher and more-secure sources of income and other livelihood opportunities.

The macro level of a functionalist perspective, individual optimisation decisions are expected to contribute to a more optimal allocation of factors of production – primarily through the transfer of

labour from poor to rich areas and countries and concomitant reverse flows of capital from rich to poor areas – which is expected to decrease economic gaps between origin and destination areas (De Haas, 2010). Scholars have argued that even though such accounts have ignored how poverty, inequality, immigration restrictions, government repression and violence can prevent people from migrating, cause their forced displacement or compel migrants into exploitative work conditions, the social and economic benefits of migration would better-off migrants and their place of abode.

Thematic Analysis of Data

The Benefits of ECOWAS Common Immigration Policy to Nigeria

Nigeria is the mainstay of the Economic Community of West African States (ECOWAS). Over 50% of the ECOWAS population live in Nigeria. Nigeria's GDP is larger than that of all the other ECOWAS states put together. Nigeria accounts for the lion share of the annual ECOWAS budget (31%), as well as of the ECOWAS Fund (32%) (Aribisala, 2013).

The pre-eminence of the Nigerian economy vis-à-vis the other ECOWAS states, and its correspondingly large financial responsibilities (among others), inevitably raises the question of the value of ECOWAS for Nigeria. Many regional integration schemes have been established in Africa in the bid to attain a market no more than half the size of Nigeria. Moreover, Nigeria's domestic industrial production is still insufficient to accommodate the vast demands of its internal market, how much more to provide for significant exports to neighbouring ECOWAS states.

This has led to the conclusion in some quarters that Nigeria does not need ECOWAS, at least in the short-term. The feeling is prevalent that what Nigeria basically derives from ECOWAS are the headaches of massive illegal alien immigration, rampant smuggling and large financial obligations, especially for peace-keeping. However, in spite of such "inconveniences," there is no doubt that it is in Nigeria's enlightened self-interest to be fully supportive of the ECOWAS venture. Sooner, rather than later, Nigeria will need a regional framework and market for its burgeoning economy. Therefore, it is only prudent to lay the foundation for that projected enhanced economic interaction now, whatever its immediate costs.

Nigeria has benefited from ECOWAS Common Immigration Policy to Nigeria in Relation to the Economic Integration Agenda in the following areas:

Constraints to Effective Implementation of ECOWAS Policy

While the ratification of the ECOWAS Protocol on Free Movement of Persons is certainly a vital first step in facilitating intra-regional mobility, a number of gaps, obstacles and challenges at both the intra-regional and national levels have militated against the effective implementation of the Free Movement and subsequent protocols. In this section, we identify and discuss these gaps based on primary data and the desk study, with specific reference to Nigeria.

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The Right of Establishment as enshrined in the 1990 Supplementary Protocol on the implementation of the Third Phase of the ECOWAS Protocol on Free Movement of Persons, Goods and Services, entitles nationals of member states to settle or establish in ECOWAS states and carry out business activities under the same conditions that apply to nationals of the host state. The purpose of this is to achieve the overall goal of the ECOWAS Treaty, which is to generate robust economic activities in the region in pursuit of regional prosperity. This would require the creation of a conducive climate for professionals and other business men, including corporate bodies, to

harness the economic resources of the region and create a huge regional market. Unfortunately, the reality is far from satisfactory. The member states have in place, discriminatory legislation and regulations that make it well-nigh impossible for nationals of other member states to settle and establish business in the host state. For example, in 2010, discriminatory and virtually punitive levies were imposed on foreign companies in Ghana. Globacom, a Nigerian company even threatened to pull out. In Nigeria, there are rules and regulations that impose stringent conditions for foreign companies who want to establish businesses. The inevitable conclusion from the foregoing is that, the right of establishment as envisaged by the Treaty/Protocols is yet to be fully enjoyed by community citizens and corporate bodies. In fact, they are still being treated as foreigners, which negates the letter and spirit of the Treaty.

Some of the highlighted challenges and constraints in the effective implementation of the economic integration agenda of the ECOWAS Common Immigration Policy in Nigeria between 2007 and 2019 are: lack of travel documents and residence/ work permits, challenges in harmonising immigration procedures and documents, resource constraints and border management challenges, security and health concerns and economic challenges and political instability.

Lack of Travel Documents and Residence/ Work Permits

It has been argued that the challenge to the implementation of the free movement Protocol has been the difficulty of establishing the nationalities of travellers because they do not carry national ID Cards nor passports. Border management officials described this situation in the following statements: "The free movement protocol enjoins us to admit people into our territory but we also have to establish their nationalities and be sure they are ECOWAS citizens. However, most of the immigrants we have seen at the border do not think they need passports. They come in their numbers and just say they are ECOWAS citizens so they must be allowed to pass. When you tell them they need passports to be allowed to pass, they get angry.... They don't understand the Free Movement thing very well because some say 'why do I need a passport when I am ECOWAS citizen and need to travel anywhere freely'.... And when we tell them what they need they think we just want to make life difficult". "People have always blamed immigration officers for harassment of travelers at the borders but the reality is that some of the travelers also get there without any travel document. You ask them to give you their passports for inspection and they tell you stories. Some will say they have now applied for one. Some will also say they didn't know they need a passport to travel. In such situations, they are asked to wait.... Sometimes our men may also take that opportunity to take money from those without documents".

Challenges in Harmonising Immigration Procedures and Documents

While most ECOWAS member states can be commended for the significant progress made in the area of harmonisation of travel documents, especially with regards to adoption and use of the ECOWAS passport as well as the harmonised "Immigration and Emigration Form of ECOWAS Member States", there are still gaps in the area of harmonisation of procedures of admission and travel documents. One area of concern has to do with what constitute travel documents. Whilst the ECOWAS protocol provides for the use of other travel documents such as travel certificates, some of the border management officials in some countries, including Ghana, tend to emphasize the use of only passports. An official in Ghana made reference to the challenges of harmonisation in the following sentence "You see the harmonisation of policies is one of the biggest issues that must be addressed". The Francophones have what we call the "carte d'identité" which they use to travel among themselves but which the Anglophone countries don't recognise as a travel document. So the ECOWAS Common Approach aims at harmonising policies but we still have problems with implementation because of lack of political will. So the political heads should be committed to whatever protocols they have signed".

Resource Constraints and Border Management Challenges

Given the importance of resource availability for effective policy implementation, public officials were asked about adequacy of resources for implementing ECOWAS protocol. The data collected also shows that most countries who are members of ECOWAS do not have sufficient technical and human resources for the effective control and management of their porous borders. Consequently, many irregular migrants are able to enter these countries through the porous borders. Another dimension of the problem is that many migrants leave their home countries without proper travel documents and enter host countries irregularly. To address these challenges, they have established Border Patrol Units within their Immigration Services to police their borders.

However, policing of borders is very difficult as there are several hundreds of unapproved border crossing points and which have security implications. Indeed, the immigration officials interviewed reported that as a result of resource constraints, they do not have equipment to patrol the unapproved borders.

Security and Health Concerns

The data also indicates that increasing securitisation of migration and migrants, especially in the wake of what is perceived as growing threats of terrorism, is also a challenge to the implementation of the ECOWAS protocol on Free Movement. The influx of migrants has also been blamed for rising criminal activities such as kidnapping and armed robberies, money laundering and flow of fake goods. In the area of health concerns, pandemic, epidemic and other diseases outbreak have been perceived to raise more threat due to free movement protocol.

Economic Challenges and Political Instability

The poor economic situation in most ECOWAS member states and pressure from indigenes of these countries also frustrates the migration process by making the benefits for most low-skilled jobs not worth the efforts of migrants. Economic challenges facing citizens create anti-migrant sentiments that render States reluctant to implement the ECOWAS free movement Protocols (Konan and Kouakou, 2012). The blame for economic problems is usually put on immigrants rather than the root causes of corruption and mismanagement (Yaro, 2008). Officials in both ECOWAS member states noted that poor people are likely to blame immigrants for their troubles. In the past, this has contributed to mass expulsion of ECOWAS citizens from some countries. For instance, Ghana expelled Nigerians in 1969. In early 1979, Ghana again expelled Togolese farmers. Nigeria also expelled undocumented aliens in 1983 and 1985 (Adepoju 2005).

These mass expulsions of ECOWAS migrant workers undermine the broader regional aims and principles set out in the ECOWAS Treaty on Free Movement (Adepoju et al., 2007). In both countries studied, economic challenges continue to create anti-migrant sentiments. These sentiments are more pervasive in Ghana's informal trading sector where Ghanaian traders are attributing low sales to the presence of Nigerian traders. As noted already, there has been series of demonstrations in Ghana against Nigerians and Chinese in the trading sector (Adjavon, 2013). Additionally, political instability also poses a serious challenge to using intraregional mobility to promote development. Teye et al (2015), noted that since the early 1990s, West Africa has experienced a number of intra-State conflicts. Interviewees noted that as a result of the belief that terrorism and banditry are exacerbated by mercenaries from other countries, border officials are concerned about the security implications of the inflows of migrants. According to Yaro (2008), a major challenge to ECOWAS is establishing an emergency response system capable of handling emergency migrants in an integrative manner rather than the current refugee camp system which tends to breed all sorts of social vices rather than promoting development. Even though the aim of the free movement protocol is to enhance economic activities, criminals have availed themselves of this initiative to perpetrate their nefarious activities. These have a lot of implication for the security of the sub-region. There is no security of lives and properties, weapons are readily available as a

result of the proliferation of small arms and light weapons. Refugees generate a different set of problems for their host country. In fact, the expected future conflict in the sub-region is conflict over amenities and resources between refugees and host communities (Olonisakin, 2008).

The challenges of the Protocol have not helped the security landscape of the sub-region. Even though ECOWAS prides itself as the first region in Africa with the free movement initiative, the Protocol is poorly implemented constituting more security concern than boosting regional trade and economic development. The security forces have rather turned the job to their own business, encouraging the crossing of smugglers of all sorts of commodities from one country to another with just a tip of tokens. There is high number of roadblocks, illegal barriers and the problem of insecurity on the roads. In 2005, about 44 Ghanaians were killed in The Gambia while trying to exercise their rights to freedom of movement within the sub-region (Ghanaian Times, 2008).

Also, because ECOWAS does not have adequate instituted mechanism for checking the entry of illegal immigrants, people who carry out nefarious activities have exploited the opportunity to their advantage laundering money, trafficking in human, drugs, illegal arms etc. Thus, the privileges of the protocol have been abused. The Protocol rather than serve the purpose of integration is rather contributing to the insecurity prevalent in the sub-region.

Unrestricted free movement of people in the sub-region can easily bring about a situation of tension among citizens of the receiving country and migrants especially in places where migrants dominate trade and labour. This will lead to resentments towards migrants which can degenerate to 'populist political sentiments'. Regimes that are rather weak can become destabilised under such tensions.

Conflicts now originate from within a state and gradually spread outside into the neighboring countries in its spill-over effects. This is the experience in West African sub-region today as in other parts of the continent. The ECOWAS protocol on free movement because of the lack of instituted mechanism for proper monitoring of cross border movements is rather positively contributing to the spill-over effects of conflicts in the sub-region. The free movement protocol cannot be said to be solely responsible for the ease of passage of militants and their weapons but the subversion of security agents have also contributed to the insecurity of the sub-region.

Conclusion and Recommendations

This discourse juxtaposed the general belief in migration. While the phenomenon was believed to have negative consequences on nations, it comes with a lot of productive advantages to nations especially developing countries. It allows mobility of human capital that will pave way for exchange of ideas and skills that would lead to greater socio-economic development.

What African countries need to do is put in place effective mechanisms that would checkmate crimes associated with migration. This can be achieved, first through proper documentation of migrants on arrival to other countries. Migrants should be properly engaged in areas of their specialization for productivity and development.

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