



# Free movement in West Africa: Juxtapositions and Divergent Interests

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- The coronavirus pandemic has brought international movement to a standstill, including in West Africa. In reality, however, implementation of the free movement protocols has long faltered.
- Recent EU cooperation with countries of the Economic Community of West African States (ECOWAS) in restricting irregular migration to Europe has led to the adoption of more formal procedures at internal ECOWAS borders. Yet in many regions, free movement within ECOWAS relies on the absence of effective controls on the ground. Thus, more formal border procedures have led to de facto restrictions on free movement.
- Diverging national interests among West African states are another reason why application of the free movement protocols within ECOWAS is fragmentary.
- ECOWAS needs to re-establish norms for free movement and plans for implementation. These should include finding a balance between the informality needed to allow for cross-border mobility, and the effective formalities needed to track migration patterns, prevent trafficking, and manage other security issues.
- For the EU, a commitment should be made to respect what free movement and mobility mean in the ECOWAS context, even if they may differ from the European notions of migration and mobility.

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### **The Political Economy of West African Migration Governance**

This policy brief draws upon a series of expert meetings and interviews carried out within the framework of the WAMiG project. The project explores how migration governance instruments and institutions are made and implemented, the stakes and stake holders involved or excluded and the societal discourse that surrounds these interests. The qualitative study focuses on four case studies—the Gambia, Niger, Nigeria and Senegal.

A significant contribution to this policy brief comes from Amanda Bisong (European Centre for Development Policy Management (ECDPM)) whose work addresses migration agreements, labor migration, and linkages between trade and migration in Africa.

WAMiG is an independent research project conducted by the Arnold Bergstraesser Institute as part of the Mercator Dialogue on Asylum and Migration (MEDAM). The WAMiG project focuses on the African perspective and its implications for European policy making. WAMiG and MEDAM policy recommendations may therefore differ slightly.

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## Introduction

In March 2020, there was an unexpected halt to mobility as the COVID-19 pandemic spread across the world, resulting in lockdowns and restrictions on all ‘non-essential’ travel. In the ECOWAS region, national borders and internal boundaries (towns and states) are closed to contain the spread of the infection. The region is no stranger to epidemics or to imposing restrictive measures for public health reasons, having taken similar measures to curb the spread of the Ebola virus in 2015. Still, these restrictions to mobility in ECOWAS have resulted in increasing food prices owing to logistical problems in food supply chains (Karkare 2020). The mobility restrictions have also affected workers who can neither go home to their families nor to their place of work. Among them are seasonal workers in the agricultural sector, itinerant workers, and boundary workers, many of whom live in the ECOWAS region. But some states are creating bubbles within border communities, as small-scale cross-border traders are still moving with limited restrictions. In addition, food supplies, personal protective equipment, and other essential goods are allowed to move freely within the region, to alleviate shortages in some areas. In a context where goods and people still move together, these waivers are important for the free movement of people and illustrate that strict adherence to border control makes little sense in this region.

Prior to the pandemic, what was the state of free movement in the ECOWAS region, and what needs to be considered in a post-coronavirus era? In this policy brief we take stock of free movement, noting that European interests in migration governance in West Africa have increasingly been criticized as acting detrimentally on regional mobility. We also show that the implementation of the ECOWAS free movement protocols was already being hindered by the divergent interests of member states, putting ECOWAS in a difficult position. Finally, we look at the potential role of civil society actors. In all, this enables us to give a more rounded picture of how the free movement protocols are being applied. We conclude with recommendations.

## ECOWAS free movement

Despite the European focus on migration from Africa to Europe, most mobility within West Africa is regional, especially within ECOWAS. According to a series of protocols from ECOWAS starting in 1979,<sup>2</sup> citizens in its 15 member states are granted the right to free movement, including the rights of entry, establishment, and residency. ECOWAS citizens are legally allowed to enter each country and stay visa-free for up to 90 days. This provision is subject to the possession of valid ‘regional’ travel documents.<sup>3</sup> The protocols reflect the region’s culture of mobility. Migration from the perspective of the free movement protocols in ECOWAS encompasses both cross-border mobility (short-term movement) and migration (longer-term movement for more than a year). Cross-border mobility often involves ethnic communities—mostly pastoralist communities traveling with their livestock (transhumance).<sup>4</sup>

The free movement protocols are widely praised for their technical setup and comprehensive policy framework for regional mobility, especially in comparison with other regional mobility frameworks in Africa (e.g. Feltes, Musker, and Scholz 2018). As such, they recently served as a template for the African Union Free Movement of Persons Protocol.<sup>5</sup>

The reality, however, is that apart from the visa-free entry of people, the rights to establishment and residency are far from being implemented. Even with visa-free entry, an identity document is needed to cross the borders, which is an obstacle for the many ECOWAS citizens who do not have an ID. Combined with widespread corruption and abuse of migrants, free movement is largely limited to an ideal (Olusegun Bolarinwa 2015). Nonetheless, the porous nature of many borders in West Africa also means that crossing borders still happens as part of normal everyday life, especially for cross-border communities (see also Kleist and Bjarnesen 2019; Okyerefo and Setrana 2018).

For at least the last decade there has been increased attention from the EU and its member states on migration governance in West Africa, including in the ECOWAS region, with

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<sup>2</sup> The 1979 Protocol A/P.1/5/79 relating to Free Movement of Persons, Residence and Establishment together with the 1985 Supplementary Protocol A/SP.1/7/85; the 1986 Supplementary Protocol A/SP.1/7/86; the 1989 Supplementary Protocol A/SP 1/6/89 and the 1990 Supplementary Protocol A/SP 2/5/90 are known as the ‘free movement protocols.’ Note also that the West African Economic and Monetary Union (WAEMU, comprising the eight states that share the CFA franc currency) has its own rules, with border controls between WAEMU states even less strict (see also Idrissa 2019).

<sup>3</sup> Identity documents include the ECOWAS Travel Certificate (introduced in 1985), the ECOWAS-tagged national passport (in operation since 2000) and the Biometric Identity Card (since 2014 and so far being piloted in Ghana and Senegal). ID documents cannot be used for air travel to Ghana and only when crossing the Ghanaian border by road. The Ghana Immigration Service argues they are not ‘endorsable’ (i.e. with an entry and exit stamp).

<sup>4</sup> There is a 1998 ECOWAS Transhumance Protocol and a regulation relating to its implementation (2003), which provide a regional framework that recognizes the economic value of transhumance and authorizes cross-border transhumance in respect of certain conditions (IOM 2019).

<sup>5</sup> The Protocol to the Treaty Establishing the African Economic Community Relating to the Free Movement of Persons, Right of Residence and Right of Establishment (the ‘Free Movement Protocol’) was introduced in 2018 and has been signed by 32 African Union member states and ratified by one (Rwanda). It needs 15 ratifications to come into force.



significant ramifications for the regional level (e.g. Jegen and Zanker 2019). Meanwhile, migration to Europe (rather than intra-regional migration) was already prominent in the ECOWAS “Common Approach to Migration” adopted in 2008 (see also Idrissa 2019). The significance attributed to intercontinental mobility has subsequently grown. Since the launch of the 2015 European Agenda on Migration (EAM) and the Valetta summit of that year, the emphasis has been on addressing the root causes of migration, strengthening borders, tackling human trafficking, enforcing returns, and—almost as a side note—pursuing legal pathways (Zanker 2019). Moreover, under the EAM, anti-smuggling measures became both a short- and long-term priority for the first time. These priorities were also mirrored in the ensuing new EU Migration Partnership Framework with non-EU countries under the EAM, with four of its five priority countries being members of ECOWAS (Mali, Niger, Nigeria, and Senegal).

The influence of European interests in managing mobility has been criticized by scholars and activists in the region.<sup>6</sup> European efforts in West Africa may undermine daily mobility practices, increase border harassment, and even put trade at risk; in the long run they may affect development, which is dependent on cross-border movement. At best this is outside the spirit of ECOWAS, and at worst it is an outright contradiction. While these concerns are not new (e.g. De Haas 2008), they are being raised with growing frequency (Andersson 2016; Castillejo 2019; Idrissa 2019; Uzelac 2019; Tchingankong Yanou 2018).

Taking the example of anti-smuggling policies, in several countries the process for legal reform has been ongoing since 2015 with the support of the UN Office on Drugs and Crime (and the Office of the UN High Commissioner for Human Rights). In at least two of the ECOWAS countries (Niger and Senegal), this has resulted in police capacity building funded by the EU Emergency Trust Fund for Africa (EUTF), and the setup of operational partnerships between the national and European police present on the ground. In the Nigerien context, the EU’s push for new anti-smuggling legislation in 2015 has had negative consequences on the ECOWAS free movement regime, de facto blocking any mobile populations beyond Agadez, which is still more than 800 km from the ECOWAS border.

This critique should likewise consider what is happening in terms of implementing the free movement protocol from an ECOWAS perspective, namely by the member states, as well as ECOWAS as an institution and the role of civil society. In the following sections we look at the divergent interests of ECOWAS member states when it comes to border control, the weak position of ECOWAS as an institution, and the potential role of civil society. Our focus is on experiences in Niger, Nigeria, the Gambia, Senegal, and Ghana.

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<sup>6</sup> This policy brief is based on the research project the “Political Economy of West African Migration Governance” (WAMiG), which analyses the political dimension of migration governance and its multiple stakeholders on the basis of four qualitative case studies in the Gambia, Niger, Nigeria, and Senegal. We interviewed 133 policy makers, politicians, civil society activists, and academic experts, reviewed our findings with country experts, and discussed and debated them at dissemination events in Abuja, Banjul, Niamey, and Dakar between July and November 2019. The findings presented here, however, are for the most part based on discussions at a stakeholder workshop held in Accra in November 2019 with a total of 15 experts—including academics and civil society activists—from Niger, Nigeria, the Gambia, Senegal, and Ghana. Their reflections and ideas substantially contributed to the content of this brief. Further information about them is given in the appendix.

## Interests of ECOWAS member states in free movement

From the outset, the heterogeneous ECOWAS member states had different priorities and motivations for signing up to the regional group (see e.g. Adepoju 2009; Okom and Udoaka 2012). There was no singular reason for one country or another—rather they ranged from the political goal of avoiding international isolation (the Gambia), economic or trade considerations (Nigeria and Cote d’Ivoire) to fulfilling the ideals of Pan-Africanism (Ghana and Senegal) (see Ojo 1980; Plenk 2015). Today, with regard to free movement, each country has a variety of stakes, including a volatile security situation, labor market needs, trade and customs, and diplomatic relations with external countries. Hence, state interests in free movement and specifically in the EU building up border-control capacities depend on their national contexts.

Niger, for example, has to some extent been using the EU’s involvement strategically to reinforce its capabilities in view of complex security challenges, a weak regime, and a tight state budget, allowing for state-building exercises especially in remote areas. Working with the EU on border-management projects and more strengthens its political regime and provides a short-term inflow of material and financial resources (Jegen and Zanker 2019). Similarly, Senegal and Ghana have been cooperating on a wide range of border-enforcement projects funded by the EU and its member states, welcoming them as a financial resource (Adam et al. 2019). In the Gambian case, border strengthening has been portrayed as fostering movement, because externally funded measures like biometric screening at border posts are seen as increasing the confidence of the Senegalese government and hence its commitment to freedom of movement. The Gambia is enclosed by Senegal, which in light of the long-standing Casamançe conflict and suspicion over former President Yahya Jammeh’s involvement in it, has long employed a restrictive border policy toward the country (for more on the Gambian migration-governance context, see Altrogge and Zanker 2019).<sup>7</sup>

Juxtaposed with this partial interest in border control in countries like Niger, Nigeria, Senegal, Ghana, and the Gambia—the importance of (informal) mobility for traders and local communities across border towns was mentioned. Inter-communal mobility remains a notable source of development, is based on historical and social ties, and brings significant livelihood opportunities. Cross-border communal mobility is in many contexts not even considered migration, even though it *de jure* entails crossing international borders (see Jegen 2020). While there are protocols at the ECOWAS level that deal with cross-border communities, for the pastoralist communities they largely lack implementation and discussion tends to be linked to herder conflicts (see also IOM 2019). For the member states

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<sup>7</sup> A low-intensity independence conflict has been ongoing since the 1980s in a part of Senegal that borders the Gambia called the Casamançe, the longest-running conflict in Africa. For many years, refugees from Casamançe moved back and forth between Senegal and the Gambia depending on conflict waves. In 2006, a large number came to the Gambia permanently and were issued refugee identity cards for the first time. The former dictator Jammeh followed a generous policy toward these refugees, which some argue was for political reasons (Hopkins 2015; Zanker 2018).

themselves, putting the free movement protocols into better effect through strengthening border management could help to enhance security or economic benefits in terms of customs fees, but it may also undermine local livelihoods if rural populations have only limited access to identity documents.

As a result, the *lack of implementation* of free movement due to lax or absent border controls continues, and actually seems to improve mobility in the region, with an increased recognition of border management posing a potential threat (see also Idrissa 2019; Miyandazi et al. 2018). Notwithstanding this balancing act between informal mobility and border-strengthening trends, the political will to realize the free movement protocols in the Gambia, Nigeria, Niger, and Senegal is low, or at the very least the matter is seen as uncontroversial and is not widely discussed (Altrogge and Zanker 2019; Arhin-Sam 2019; Jegen 2020). How does ECOWAS then fare as an institution?

## ECOWAS at the center of competing interests

Even though ECOWAS as an institution has a strong foundation, it is also stuck between the domestic interests of its member states on the one hand and the influence of EU partners on the other. This limits the sway of the institution, also when it comes to implementing free movement.

First, in isolated situations, for instance through its intervention in the Gambia in 2017 to uphold the election results, ECOWAS has shown strong leadership on political and security measures. In what may signal a strengthening of ECOWAS, in the Gambia an ECOWAS-EU project focusing on infrastructure in agriculture, vocational training and skills development for youth, and building local capacities is currently underway.<sup>8</sup> More recently, ECOWAS has also shown strong leadership in managing public health crises, including epidemics like Ebola and the global COVID-19 pandemic. The West African Health Organization (WAHO) and the ECOWAS Centre for Disease Control (CDC) have assisted states in achieving a coordinated regional response to the coronavirus crisis (Medinilla, Byiers, and Apiko 2020). Through measures like risk communication, expert policy advice, and standard operating procedures in implementing border closures, states have responded to the crisis with similar approaches intended to maintain trade and avoid hampering economic activity (closely linked to the movement of people) within the region. On the whole, however, when it comes to migration issues and implementing free movement, ECOWAS as an institution is still limited in its impact. Member countries aiming to advance their own interests can undermine fulfillment of ECOWAS protocols, effectively juxtaposing regional integration with the sovereignty of member states (Okunade and Ogunnubi 2018).

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<sup>8</sup> The project falls under the Gambia Stabilization Fund, which was launched in April 2019. See <https://www.ecowas.int/ecowas-bmz-and-the-gambia-government-launch-the-gambia-stabilisation-fund-in-banjul/>.



Thus far, ECOWAS has relied upon soft power to respond to members contravening its protocols on freedom of movement. Measures have included naming and shaming as well as facilitating dialogue among its members. A case in point is the ongoing conflict between Ghanaian traders and their Nigerian counterparts over the participation of Nigerian traders in Ghana's retail businesses. The source of this conflict is the Ghana Investment Promotion Centre law (GIPC Act 865, Section 27), which reserves petty trading for Ghanaian nationals only, in contradiction of ECOWAS protocols. In this case ECOWAS refrained from directly intervening. The regional body rather insisted on setting up and facilitating bilateral meetings between Ghana and Nigeria. These efforts have so far not been successful, as the matter remains unresolved. Although ECOWAS conventions exist, the lack of political will to enforce them or harmonize state laws with ECOWAS protocols remain important political points of contestation.

Second, the achievement of ECOWAS free movement is affected by the often diverging interests of external parties, especially the EU and its member states. While the EU and its members are in no way opposed to free movement in the region, to the contrary even, critics have noted that their policy measures can have detrimental effects on it (e.g. Andersson 2016; Castillejo 2019; Idrissa 2019; Uzelac 2019). For both the EU and ECOWAS member states, this combination of sovereign aspirations and other interests means that bilateral deals are often preferred to multilateral ones. In other words, countries within ECOWAS not only pursue their own interests, but also deal with European interests, which are increasingly centered on specific transit countries like Niger. This can more easily translate into bilateral rather than regional cooperation.<sup>9</sup>

Among examples, European dominance in the promulgation of the 2015 anti-smuggling law in Niger stands at the forefront: it jeopardizes free movement within ECOWAS by putting into place restrictions on mobility within Niger (see also Idrissa 2019; Jegen 2020; Molenaar and El Kamouni-Janssen 2017).<sup>10</sup> Given the importance of external funding, along with a variety of security concerns, cooperation with the EU is a priority for Niger (Jegen and Zanker 2019) to the detriment of free movement and ECOWAS as an institution.

At the same time, the EU is also (multilaterally) backing free movement within ECOWAS, most notably through the project on Support to Free Movement of Persons and Migration in West Africa (FMM) and the related Migration Dialogue for West Africa (MIDWA) launched in 2001.<sup>11</sup> At the moment, cooperation like that with Niger runs a real risk of undermining the EU's own multilateral work in supporting free movement within ECOWAS by concentrating on bilateral agendas. Such a bilateral approach entails a change of direction in

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<sup>9</sup> By some accounts the EU is simultaneously financing multilateral projects that enhance ECOWAS free movement and bilateral-level country ones which impede such movements (cf. Idrissa 2019).

<sup>10</sup> Though some of these restrictions can be explained by security concerns, they also concretely affect what can be termed 'regular mobility,' especially among cross-border communities (Jegen 2020).

<sup>11</sup> MIDWA is a regional consultative process in West Africa, organized by the IOM, for which the secretariat is the ECOWAS Commission. The FMM project promotes implementation of the free movement protocols and labor mobility within the region, in addition to harmonizing border-management procedures between states. The FMM project also assists ECOWAS in its role as the secretariat of the MIDWA process. The EU influences the ECOWAS regional initiatives on migration through its support for them (Bisong 2019a).

objectives (stronger borders rather than improved mobility) as well as a divergence of attention and a de-prioritization of multilateral work at the ECOWAS-EU level (see also Idrissa 2019; Castillejo 2019; Uzelac 2019). ECOWAS is already in a weak position to start with, restrained by a lack of political will surrounding the multilateral institution as described above. The interests of external countries, institutions, and the EU, which are becoming more bilateral, further weaken the institution (Hamadou 2018; Mouthaan 2019).

For the time being, setting aside the political ideas of free movement and regional integration, ECOWAS is on the whole unable to counteract the outcomes of bilateral cooperation. The strong post-colonial links between EU member states and former colonial countries further undercuts the potential political backing of countries in the region for ECOWAS. Within the region, several countries continue to rely heavily on economic, military, and other support from their former colonial powers. This provides some European countries with an opportunity to influence a number of policies, notably those on migration, but also fiscal, security, and natural-resource extraction policies of ECOWAS member states (see also Nunn 2003).

To sum up, the member states of ECOWAS and the EU tend to prefer bilateral cooperation on migration, which bears the risk of undermining the spirit of the ECOWAS protocols on free movement. Moreover, the conditionalities often tied to bilateral deals, including development aid if countries agree to increase (joint) border management, lead to competition between member states regarding cooperation with the EU (see also Bisong 2019a).

In a best-case scenario border-strengthening projects introduced bilaterally may, under ideal conditions, lead to better establishment of the ECOWAS free movement zone. However, in view of the harassment and corruption at border-crossing points and the varying access to identification documents, currently border-strengthening projects could reduce the safety and mobility of people within ECOWAS (see also Yeboah et al. forthcoming). Could civil society play a positive role in ensuring mobility?

## Civil society as the saving grace?

Civil society groups could act as protectors of free movement in the region, especially when it comes to defending the interests of cross-border communities and informal modes of mobility. Yet, the idea of civil society as key players in ECOWAS is challenged by diverging state interests as well as those from the EU (and other donors).

Given the importance of intra-regional migration within West Africa for family livelihoods and broader societal development (Awumbila, Teye, and Yaro 2017), changes in migration policies and practices have economic and societal implications—for example, for cross-border traders, pastoralists, or seasonal migrant workers. These interests are represented by civil society as they inform migrants of their rights, report breaches of such rights, and contest state policies and practices that contradict regional commitments.

CSOs and NGOs are increasingly playing a vocal role in migration governance in West Africa.<sup>12</sup> They participate in their communities, nationally, and in regional migration policy processes (see Bisong 2019b). These actors unilaterally (as well as in collaboration with other regional and international organizations) promote community awareness of migration and mobility within ECOWAS. They also amplify the views of the public on the realities of mobility within the region. Through their engagements, they can inform policy makers of the difficulties that migrants face daily in navigating borders across the free movement space. These include irregular and unpredictable application of the right to entry by the immigration service and police, corruption at the border posts, and increasing criminalization of movements within ECOWAS. But there are no complaint mechanisms for inhumane treatment of migrants within the region. Thus, civil society cannot step up to make sure that free movement is put into effect in a way that benefits member states and local populations on the move.

Civil society actors are impeded in a number of ways. Those in the region have limited capacity to engage with stakeholders and policy makers at the regional level, because most CSOs focus their activities on either the national or the community level (Bisong 2019b). More importantly, in a bid to survive, some CSOs feel the need to align themselves closely either with the position of states or with regional organizations and international actors. For the former, when states refuse to stand up to policies imposed by external actors, civil society can efficiently mobilize protests that oppose these policies (in the case of Mali, see Sylla and Schultz 2019).

Mostly, however, civil society actors work in ways that is not closely linked to state actions on migration governance. This is because there are limited opportunities for formal engagement between civil society and state actors, which are usually seized by organizations that align with the views of policy makers (Bisong 2019b). Far more frequent is alignment with external interests, which enables civil society actors to secure funding for their activities and sometimes access in order to engage in national policy processes (see also Jegen 2020 for Niger). Deriving from this, external parties (including the EU) influence West African CSOs with their funding. For example, most NGOs are now dealing with return and reintegration measures as opposed to addressing pressing issues that require their action, such as working with state actors on the rights of ECOWAS citizens within the region, or raising awareness of conflicts between the implementation of the free movement protocols and national regulations.<sup>13</sup>

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<sup>12</sup> Civil society organizations in West Africa comprise networks of NGOs. These networks are organized nationally, for example, the Nigeria Network of Civil Society Organizations against Child Trafficking, Abuse and Labour (NACTAL), which brings together all NGOs working on the trafficking of people in Nigeria. Another example in Senegal, Réseau Migration et Développement, brings together over 31 different organizations that work on migration, ranging from trade unions to associations formed by repatriated migrants.

<sup>13</sup> Which is not to say that important groups are not actively speaking up outside the constraints of funding and member state interests. For example, regional networks like Alarm Phone Sahara (APS) span the ECOWAS countries, and strongly criticize and oppose those state processes and practices that are contrary to regional commitments.

## Outlook

We are far from the initial ECOWAS vision of a “borderless West African migratory space” (see Okunade and Ogunnubi 2018), and the region faces a number of dilemmas. On the one hand, there are many communities that depend on cross-border movement for their basic livelihoods. Hence, restrictions to mobility for migration governance or public health reasons may have a direct, detrimental effect on their livelihoods. Many do not have access to identity documents for a variety of reasons and border strengthening ironically restricts free movement in the area. On the other hand, to the degree that border controls exist or are being built up, corruption and harassment remain pervasive.

Moreover, EU interests in migration do adversely affect free movement in the region (see also Jegen and Zanker 2020). These include a preference for bilateral deals and tightening border controls, which can impede free movement, but also information campaigns changing the perceptions of migration into something negative and unbalanced support for member states (e.g. leaving out Sierra Leone and Liberia, which are unable to receive funds from the EUTF, cf. Castillejo 2019). Furthermore, as we have shown in this brief, there is more to the impediment of free movement than that. Not only is there a juxtaposition of different notions of borders, but also the competing interests of ECOWAS member states; these factors, along with the weak institutional framework of ECOWAS and as-yet limited role for civil society, all come into play.

Problems of harmonization and the effect of different stages of economic development continue to explain much of both the varying degree of willingness to implement free movement (e.g. Adepoju 2009; Olusegun Bolarinwa 2015) and the diverging national interests of ECOWAS member states. Altogether, they lead to a lack of coherence in the levels of policy making (i.e. bilateral or multilateral), with overlapping bilateral and regional agreements and policies (Bisong 2019a). In the long run this can not only undermine free movement in the region, but can also affect long-term cooperation between the EU and ECOWAS member states due to fragmented approaches or member states feeling left out.

To reiterate, for the time being the *lack of implementation* of free movement due to lax or absent border controls seems to actually improve mobility in the region, and the increased attention on border management poses a threat to it and raises further protection concerns. In the status quo, it migrants who bear the brunt of difficulties in the current free movement framework, facing harassment and corruption at borders. How better access to IDs and more borders will counteract this is yet unclear. With Ebola and more recently the coronavirus pandemic, migrants are seen as disease carriers and a risk to communal health. Indeed, xenophobia still plays a role within the ECOWAS region, particularly so in times of economic hardship. The language of strong border controls—and the securitization agenda this usually entails—risks bringing back images of the mass deportations of the past (see also Idrissa 2019; Olusegun Bolarinwa 2015; Okunade and Ogunnubi 2018).

A common goal for ECOWAS and the EU is surely to ensure that free movement does not come at the cost of migrants’ rights or dignity. Anti-smuggling legislation is also motivated by

humanitarian concerns for refugees and other migrants who otherwise face a dangerous and arduous journey across the desert and worse in Libya (on the Nigerien state legislation, see Jegen and Zanker 2019). Balancing the formality needed to track migration patterns and ensure that trafficking and other security issues can be addressed, with the necessary informality that allows cross-border communities to continue their livelihood strategies, is no easy task.

The current self-perpetuating dynamic of creating more controls because of the failure of existing ones will in all likelihood neither reduce irregular migration toward Europe in the long run nor will it reduce security concerns or allow free movement (see Andersson 2016). A new vision of what free movement means, including the kinds of borders it would entail, needs to be a priority in the coming years. This warrants a clearer understanding of free movement and mobility in the context of ECOWAS and how it will be designed in a post-COVID-19 world. All actors—including ECOWAS member states, ECOWAS as an institution, civil society, and the EU—will need to step up to the task.

## Recommendations

1. ECOWAS member states need to prioritize regional integration and strengthen ECOWAS as an institution if they want regional mobility. The coronavirus pandemic has shown how important a regional response is. Regional mobility necessarily has to include the needs of cross-border communities and member states must consider what this means in practice. Member states should bring free movement in the region to the political forefront, supporting and strengthening the institution of ECOWAS. Countries like Nigeria, Senegal, and Ghana play an important signaling role and should act accordingly. ECOWAS states should also provide more opportunities for engagement with CSOs at the regional and national levels, and encourage their inclusion in policy processes.
2. In parallel, there should be a stronger coordinating role for ECOWAS to ensure coherence with regional priorities for migration and to increase its understanding of ‘informal’ modes of mobility. More generally, ECOWAS as an institution should independently re-establish its norms for free movement and develop plans on how to best achieve them. These should include finding a balance between the informality needed in the region to allow for cross-border mobility and more formalized processes, such as a common currency and a common passport.
3. To promote inclusive policy-making processes in the region and support the implementation of ECOWAS protocols, civil society should be allowed to play a more important role. CSOs should do more to better cooperate among themselves at the regional level to lobby ECOWAS states and their agencies for improved effort in putting the ECOWAS protocols into effect. This includes strengthening synergies and networks across local and regional CSOs in different countries in the region for



monitoring implementation by state actors, increasing states' accountability for the ECOWAS protocols, and broadening respect for the rights of ECOWAS citizens on the move (for migration and mobility purposes).

4. The EU and its member states should pay more attention to the effects that the increasing bilateral approaches as well as border capacity-building projects can have, which can negatively impact free movement in the region. A commitment should be made to understand and respect what free movement and mobility mean in the ECOWAS context, even if in light of informal mobility this may differ from European notions of migration and mobility.

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## Appendix

### Workshop participants

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**Moctar Amadou** is an activist for migrants’ rights and currently works as a public relations officer for Alarmphone Sahara, as a member of Observatoire Migrants en Detresse, and as a researcher for Koncept Media. He also works as a translator and fixer for journalists working in Niger. He has a degree in English literature.

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**Amanda Bisong** works as a policy officer in the migration program of the European Centre for Development Policy Management (ECDPM) in Maastricht. She is also a PhD student at the Free University of Amsterdam and has previously worked for ECOWAS in Nigeria.

**Nyiamasata Camara** is a lecturer and PhD student at the University of Gambia. Her research interests include peace, development, equity, and protection—especially for women and children. More recently her focus has turned to migration governance in the field of reintegration assistance and the effects this has on long-term economic development.

**Lamin Darboe** is the executive director of the National Youth Council in the Gambia, specializing in youth development programs and strategies.

**Mounkaila Harouna** is a professor of Geography at the Abdou Moumouni University in Niamey. His research currently delves into the development of migration policies in Niger and the stakes of migration for farming in Niger.

**Leonie Jegen** is a researcher associated with the Arnold Bergstraesser Institute (ABI). Her research concentrates on EU-Africa relations, migration governance, and critical border studies, mainly in the West African context (Ghana, Niger, and Senegal in particular).

**Leander Kandilige** is a lecturer in Migration Studies at the Centre for Migration Studies, University of Ghana, as well as a research associate at the Refugee Studies Centre, University of Oxford. His research interests are in migration and development, migration theory, labor migrations in Africa, diaspora and development, and return migration.

**Moustapha Kamal Kebe** is a migrant activist working for the Réseau Migration et Développement (REMIDEV) in Senegal. He has a Masters in International Cooperation and Multilingual Communication from the University of Stendhal Grenoble.

**Roland Nwoha** works at the Idia Renaissance Centre in Benin City. His interests include anti-trafficking campaigns, return, and reintegration, along with micro business management skills, value and supply chains.

**Papa Sakho** is a professor of Geography at the Cheikh Anta Diop University of Dakar (UCAD). His work concerns African cities, mobility, and urban transport, and notably internal and international migration in relation to the dynamics of territories.

**Mary B. Setrana** is a lecturer at the Centre for Migration Studies, University of Ghana. Her fields of research are return migration and reintegration; migration management and policies; diaspora and transnational migration; gender, social change, and development; and the politics of belonging, citizenship, and identity.

**Omolola S. Olarinde** is a lecturer at the Elizade University in Ilara-Mokin (Nigeria). Her research concentrates on migration from countries in the global south, including Nigeria as a source, transit, and destination economy.

**Franziska Zanker** is a senior researcher at the Arnold Bergstraesser Institute (ABI), where she heads the research cluster on “Patterns of (Forced) Migration.” Her research interests include the political stakes behind migration governance, especially concerning return, as well as the role of non-state actors, with a focus on Sub-Saharan Africa.



# IMPRINT

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