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ECOWAS Protocol on Free Movement of Persons and Cross Border Violence in West Africa

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Abstract
This study examined the implications of the ECOWAS Protocol on the Free Movement of Persons for sub-regional security in West Africa. Anchored on the Regional Security Complex Theory (RSCT), the paper interrogated whether the protocol, despite its integrationist objectives, has contributed to the escalation of cross-border violence in the sub-region. The study adopted a qualitative research design and relied on secondary data sourced from books, peer-reviewed journal articles, official reports and credible online materials. Findings revealed that while the protocol has facilitated mobility and economic interaction among ECOWAS citizens, its implementation has significantly exposed weak and porous borders, thereby enabling the proliferation of transnational crimes such as arms trafficking, drug trafficking, human trafficking, terrorism and cross-border armed robbery. The study further observed that poor border governance, inadequate coordination among national security agencies and uneven domestication of the protocol across member states have undermined its security outcomes. The paper concluded that the ECOWAS free movement regime, though beneficial for regional integration, requires complementary security mechanisms to prevent its exploitation by criminal networks. It therefore recommended the adoption of a comprehensive regional identity management system, strengthened border surveillance and enhanced inter-state security cooperation to balance regional mobility with collective security imperatives.

Keywords: ECOWAS, Free Movement Protocol, Regional Security, Cross-Border Violence, West Africa

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Introduction

The treaty that established the Economic Community of West African States guarantees every citizen in the region the right to freedom of movement. Article 59(1) of the ECOWAS treaty, enacted on May 28, 1975, stipulates that citizens of the community possess the right to enter, reside and establish themselves, and Member States commit to recognizing these rights for Community citizens within their territories in line with the relevant provisions. This right was further detailed in a Protocol on Free Movement of Goods and Persons adopted on May 29, 1979, and revised in 2006. However, despite these provisions in the Treaty and the Protocol on Free Movement of Persons and Goods, the challenges to realizing the objectives are still quite evident, as community citizens experience 'harassment, extortion, brutality, threats of deportation and traumatic delays in crossing borders. There are numerous checkpoints and roadblocks established by various security officials, many of whom are often unauthorized.

Over the past two decades, West Africa has experienced a significant increase in violent crime. This trend can be traced back to political instability caused by violent regime changes. During the 1960s, 70s and 80s, military coups and countercoups occurred in countries such as Togo, Nigeria, the Republic of Benin, Mali, Liberia, Sierra Leone and Burkina Faso (UNDP, 2010). These events resulted in various forms of political instability. The civil wars in Nigeria, Liberia and Sierra Leone triggered political and humanitarian crises that affected neighbouring countries. By the late 1990s, security issues were exacerbated by acts of terrorism, driven by extremist political and religious ideologies. Notable terrorist groups include Boko Haram in Nigeria and the Tuareg rebels in Mali. Collectively, these events have not only destabilized West Africa but have also highlighted the region's vulnerabilities (the Center for Preventive Action, 2025). The situation was further aggravated by emerging cross-border threats such as drug trafficking, human organ trade, child piracy and terrorism. Consequently, the region has witnessed a regrettable setback in its development. The underdevelopment is apparent when considering issues like insufficient infrastructure, poor conditions of hospitals and schools, lack of access to clean drinking water, inconsistent power supply and inefficiencies in transportation and telecommunications, among others. These challenges have significantly impacted the region.

In general terms, cross-border crime refers to a collection of criminal activities where both the offenders and the consequences extend beyond territorial boundaries. This type of crime is prevalent in West Africa, manifesting as drug trafficking, human trafficking, the illicit trade of small arms and light weapons, terrorism, smuggling of contraband, advance fee fraud, illegal oil bunkering, economic espionage and sex slavery. The escalating frequency of these issues, coupled with the growing sophistication of organized criminal groups, has emerged as a significant security challenge for the region. The cumulative impact of these crimes poses a harmful threat to peace, social cohesion, stability, good governance, the rule of law and fundamentally undermines the essential goal of regional integration, which is the free movement of people and goods. Each type of violence listed above has either direct or potential repercussions that cross national borders. While some incidents may occur within a single state, their ramifications can substantially impact neighbouring countries in the sub-region and/or violate the core values of the ECOWAS community. Indeed, since the conclusion of the Cold War, the ECOWAS community has been marked by various forms of violence that have detrimental effects on regional peace and security due to spillover consequences. However, in recent years, there has been a heightened concern among states regarding the activities of cross-border criminal networks. Such violence, which inherently involves cross-border transfer as a fundamental aspect of criminal operations, has been

increasing in Nigeria. This includes human trafficking, goods smuggling, trafficking in small arms and light weapons, cattle rustling, banditry, terrorism and transnational armed robbery, among others (Nosiri & Ohazurike, 2019).

The aspiration for economic progress and regional integration among West African countries gave rise to the idea of the Economic Community of West African States (ECOWAS). Article 3, section 1 of the Treaty of ECOWAS, signed in Lagos, Nigeria, on May 28, 1975, outlines the community's objectives as improving economic stability, member state relations, cooperation and integration to create an economic union in West Africa, as well as the advancement and development of the continent. In order to accomplish the integration component of these goals and objectives, the ECOWAS community passed the Protocol on Free Movement of Persons, Residence, and Establishment of West African Citizens (Chukwudi, Osimen, Ezebuilo & Adi, 2024).On 29 May 1979, the ECOWAS Treaty was promulgated, which included a protocol concerning the Free Movement of Persons, Residence, and Establishment. This protocol enables the unrestricted mobility of community citizens, meaning citizens from member states. As a result, after the Protocol was enacted in May 1979, members of the group were free to live, travel, and establish themselves wherever they preferred. Articles 2 and 3 of the Protocol grant ECOWAS citizens, also known as community citizens, the right to enter and work in the territory of any member state, provided they have valid travel documents and international health certificates. They are also free to enter and exit the community at any time during a ninety-day period. In 1985, during the first five years of the Free Movement Protocol (Phase 1), which lasted from 1981 to 1985, all community members were required to stop using visas. With the aim of achieving a borderless West Africa for rapid socio-economic integration, as stated in Article 2, Section 2 of the Protocol, all member states accepted the right of residency (Phase 2) in July 1986. According to the 1979 ECOWAS Protocol on Free Movement, Article 3, Sections 1 and 2, citizens who possess a valid travel certificate and an international health certificate can enter and exit the community freely, without needing a visa, for a maximum of ninety days. Article 2(2) of the Protocol specifies that member states must eliminate all obstacles to the implementation of the Free Movement Protocol. The removal of barriers to cross-border movement was intended to serve as the foundation for sub-regional integration and cooperation in West Africa. The Supplementary was enacted in 1985. Thus, the programme was to be achieved in three phases: the first phase is the right of Entry and abolition of visa, the second phase is the right of Residence and the third phase is the right of Establishment. The initial segment of the protocol ensured that citizens could enter the regions of member states without a visa for duration of 90 days. A community citizen travelling to any member state for a period not exceeding 90 days is exempt from visa requirements. Instead of a national passport and visa, ECOWAS has developed a travel document (Carnet de voyage) that serves as simplified documentation for cross-border travel. In 1980, all member states signed the ratification of this phase (Okom & Udoaka, 2012). Member states are permitted to gradually implement the Protocol on the free movement of persons, residence, and establishment over a span of fifteen years. The Supplementary Protocol established Phases 2 and 3, respectively.

The second phase of the protocol, concerning the right of residence, stipulates that any national within the ECOWAS domain can enter another member state's territory without a visa if they choose to do so. Should such an individual wish to stay beyond three months, it is the responsibility of the citizen to visit the immigration department of the host country to obtain a residence permit. This phase was enacted in July 1986 and received authorization from all member states. The protocol includes provisions for the implementation of Phase 2

and was also intended to be effective for five years. Phase 2 is designed to enable community members to secure well-paying jobs within their community, provided they possess an ECOWAS residence card or permit. Regarding job security and engagement in social and cultural activities, these sections require member states to treat migrant workers on par with citizens (Chukwudi, Osimen, Dele-Dada & Ahmed, 2024). Furthermore, they obligate member states to promote adherence to the rules and guidelines governing the residence of migrant workers under the ECOWAS free movement framework.

The third section of the protocol, known as the right of establishment, grants nationals of ECOWAS member states the ability to reside in any member state. This right permits citizens to engage in various activities, including industrial, commercial, artistic or professional endeavors. It is essential to ensure job security, involvement in social and cultural events, re-employment opportunities in the event of job loss due to economic factors, access to training and advanced education, as well as access to general educational institutions and professional training centers, and protection for children. Furthermore, access to social, cultural and health facilities, the ability to acquire and utilize land, the establishment of agencies or companies, and the protection of assets and investments in the host country must be safeguarded against discrimination. However, this phase has not yet been implemented (Abdoulahi, 2005; Agyei & Clottey, 2008). Article 2(3) also addresses Phase 3 of the right to establishment within any community state in its third paragraph. The year 1995 was initially set as the target for completing Phase 3, which encompasses the final five years. This phase aims to enable citizens to start businesses, allowing them to access, engage in, and oversee economic activities in member states outside their own, thereby promoting business development. With the implementation of this protocol, member states have eliminated visas and other entry requirements for citizens traveling to another ECOWAS country. This implies that a citizen from an ECOWAS member state who holds a valid travel document and international health certificate is permitted to stay in another state for a duration not exceeding 90 days. However, the protocol includes a provision that allows a member state to refuse entry to any immigrant deemed unacceptable according to its own laws (Agyei & Clottey, 2008). These rights may be restricted for reasons related to national security, public order, and morals. In the event of an epidemic in a member state, other community member states may need to close their borders to nationals from the affected state (Kouyate, 2013).

To facilitate the movement of individuals, restrictions on the entry of private or commercial vehicles into member states were to be lifted, provided that the driver possesses a valid driving license, matriculation certificate (ownership card) or log book, insurance policy and international customs documents recognized within the community. While a private vehicle can remain in another member state for a maximum of 90 days, commercial vehicles are permitted for only 15 days (during which they must cease business operations). These permits can be renewed upon request at the expiration of the initial permit. To enhance the seamless movement of people, ECOWAS introduced a ‘brown card’ insurance scheme for inter-state road transport to facilitate the unhindered movement of individuals, goods, and services (Ajomale, 2013). The ECOWAS Brown Card Motor Vehicle Insurance Scheme was established in 1982. Its purpose was to promote a standardized minimum insurance coverage for vehicles traveling among participating member states. In 1985, the ECOWAS Travel Certificate was introduced to facilitate cheaper inter-state movement without disruptions. These certificates can be obtained in seven countries within the region (Burkina Faso, the Gambia, Ghana, Guinea, Niger, Nigeria, and Sierra Leone) and are valid for two years, with the option to renew for an additional two years. They are noted for being easier to obtain than

national passports (Butu, 2013). Member states claim that the fees charged are minimal and symbolic aimed at preventing the imposition of exorbitant fees on their citizens by other states. This is intended to curb the rising trend of residence fees imposed by member states (Bamfo, 2013).

Throughout the protocol's implementation period, there appears to be evidence of an increase in cross-border violence. Olonisakin (2008) seems to concur with this paper, noting that while the protocol's purpose is to promote economic activities, there are signs that criminals may have exploited this initiative for their illicit activities. They reported not only a rise in criminal behavior but also intra-state security issues that have spillover effects. However, some scholars argue that the protocol should not be blamed for the rise in cross-border violence (Opanike, Aduleju & Adenipekun, 2015).

The shortcomings in particular national strategies for tackling the issues of cross-border crime in West Africa ultimately led to ECOWAS adopting more unified regional strategies to address the problem. This was evident in the implementation of various initiatives, conventions and protocols, including the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) established in 1999, the Convention on Small Arms and Light Weapons (2006), and the Regional Action Plan to combat illicit drug trafficking, organized crime, and child trafficking (2008), which were designed as frameworks to fight cross-border crime. However, it remains true that cross-border crime persists, and the different regional conventions established to combat various types of crime have not produced the expected results. This is largely due to the fact that only a limited number of countries have ratified some of these innovative tools intended to address these threats.

Despite the extensive literature on regional integration and migration in West Africa, existing studies have largely focused either on the economic benefits of the ECOWAS Free Movement Protocol or on isolated dimensions of insecurity without sufficiently interrogating the causal link between the protocol’s implementation and the escalation of cross-border violence in the sub-region. There remains a gap in systematically explaining how the operational weaknesses of the protocol interact with porous borders and fragile state institutions to produce regional security threats. This study seeks to bridge this gap by critically examining the relationship between the ECOWAS Protocol on Free Movement of Persons and the persistence of cross-border violence in West Africa. Specifically, the objectives of the study are to: (i) examine the core provisions of the ECOWAS Free Movement Protocol; (ii) analyze the nature and dynamics of cross-border violence in the sub-region; and (iii) assess the security implications of the protocol for regional integration in West Africa.

ECOWAS Protocol on Free Movement of Persons

The ECOWAS Protocol on Free Movement of Persons, Residence, and Establishment (1979) grants ECOWAS citizens the right to enter, reside and establish economic activities in other member states. It follows a three-phased roadmap:

The protocol outlines a gradual implementation process:
Phase 1: Right of entry (Visa-free entry and exit for citizens).
Phase 2: Right of residence (The right to reside in other member states).
Phase 3: Right of establishment (The right to establish businesses and economic activities in other member states).

In 1979, there was signing of ECOWAS Protocol on Free Movement of Persons, and the Right of Residence and Establishment (ECOWAS, 1979). Article 27 of the ECOWAS Treaty makes provisions for freedom of movement and residence.

Purpose of the ECOWAS Protocol:
Regional Integration: The protocol aims to promote economic and social integration among ECOWAS member states by removing barriers to the movement of people and goods.

Economic Benefits: Free movement is seen as a fundamental way to enhance economic integration and foster the development of resources and opportunities within the region.

Visa Exemption: It establishes a free visa requirement for ECOWAS citizens to visit other member states for up to 90 days.

Common Travel Document: The protocol introduced the ECOWAS passport, which exempts holders from visa requirements for intra-regional travel.

The Article's Protocol on Free Movement of Persons, and the Right of Residence and Establishment affords citizens of the Community the right of residence and establishment anywhere within the territory of Member States (ECOWAS, 1979). According to Udoh (2015), the commission's protocol on free movement was designed as a tool to allow ECOWAS citizens to travel freely within the sub-region without encountering travel restrictions like quotas and visa requirements. With five years allocated to each step of implementation, the Protocol specifies a fifteen-year timeline.

The protocol was divided into three stages. First, from 1980 to 1985, the protocol pertaining to the implementation of entry and cancellation of visas was put into place. The second stage involved the 1986 signing of the Right of Residence, which gave the host state the authority to set the standards for ensuring migrant workers' and their families' employment. The Right of Establishment adopted in 1990 constituted the third phase. The intention was to give community members the chance to establish themselves in any of the member states, engage in economic activities, and create and oversee businesses in compliance with the laws of the host nation that apply to its citizens. It is evident that this enhances cooperation among states and citizens of the sub-region. The protocol in question has enhanced incessant movements of "refugees, male and female traders, farm labourers and cross-border workers across-borders." It is evident that this effort creates a borderless sub-region within which there is free flow of goods and services.

In 2000, a fourth supplemental protocol was added to the original one to initiate the three phases. However, under their own domestic laws, member states have the authority to refuse entry to anyone they believe to be of dubious character. In order to achieve these goals, ECOWAS decided on May 12, 2000, to introduce a new passport that falls into three categories (red for diplomatic community, for the general public (ECOWAS), a blue passport, and a green passport (Adepoju, 2002, as cited in Nwokah, 2022). Among the essential areas ECOWAS has focused more on as part of its integration agenda is the free movement of people, products, and services. Based on the idea that migration promotes development, the ECOWAS protocol grants its citizens the freedom to migrate freely throughout the sub-region as well as the ability to settle and conduct business anywhere in the area. For the purpose of this article, the 1975 ECOWAS treaty guarantees the freedom of movement of people, right of residence, and right of establishment in Articles 2(2) and 27. Article 2(2) of the ECOWAS treaty, subparagraph (d), requires member states to guarantee

the removal of any barriers to the free flow of capital, people, and services (ECOWAS treaty, as cited in Nwokah, 2022).

However, while designed to promote regional integration and economic development, its effective implementation is hindered by member states' differing interests, challenges with national security, and difficulties in fully domesticating the protocol into national laws.

Theoretical Framework

This paper is anchored on the Regional Security Complex Theory (RSCT). Regional Security Complex Theory (RSCT), developed by Barry Buzan and Ole Wæver. They posit that international security is best understood from a regional perspective, where states within a geographical area have deeply interconnected security concerns due to enduring patterns of interaction, particularly those of friendship and hostility (amity and enmity). These regional security complexes (RSCs) are a foundational substructure of the international system, influencing how global power dynamics operate and providing a framework to analyze and anticipate regional security developments by considering local geography proximity and external influences. Major concepts are:

Regional Interdependence: States within an RSC cannot address their security issues independently because their fates are tied to the security concerns of their neighbours.

Amity and Enmity: The defining feature of an RSC is the durable patterns of positive (amity) and negative (enmity) relationships that emerge among the states within the region.

Geographical Proximity: Local geographical proximity is a major factor in the formation and character of an RSC, as it fosters closer, more interdependent security relationships.

Structure of the International System: RSCs are an inherent substructure of the anarchic international system, arising from the interplay of the balance of power and the geographical realities of the world.

Levels of Analysis: RSCT adds a crucial regional level of analysis to international relations, complementing state-centric and global-level theories by focusing on how security dynamics unfold within geographically bound clusters of states.

RSCT offers a practical and nuanced framework for understanding security dynamics and predicting regional trends, allowing for more effective foreign policy. While often focusing on states, the theory can also incorporate other actors, such as non-state entities and economic forces, especially when examining multi-sectoral security complexes. Originally state-centric, the theory has been adapted to include non-state actors, such as terrorist organizations or transnational corporations, which play a significant role in modern security dynamics. The theory acknowledges the historical dimension of security, enabling an understanding of current developments by linking them to past patterns and long-standing regional dynamics.

Regional Security Complex Theory (RSCT) is a framework for analyzing international security that posits security issues are geographically clustered and interdependent at a regional level. It argues that states' security concerns are so deeply intertwined within a particular region that they cannot be understood in isolation from one another, this explains the case of West Africa. The theory counters traditional approaches that focus solely on

national or global security by highlighting the regional level as the primary arena where security dynamics unfold.

The porous borders of West Africa continue to foster cross-border crime and instability in the sub-region due to the absence of an effective mechanism for monitoring movements and illegal activities across these borders. In West Africa alone, there are thirty-five international boundaries that are notably porous. This vulnerability exposes them to various threats, including the trafficking of people, drugs, small arms, light weapons and recent acts of terrorism. Furthermore, the administrative procedures at borders can place irregular migrants at risk of extortion, detention or deportation, leading them to steer clear of authorities. Additionally, land border crossings in West Africa are often overlooked due to the remoteness and extensive nature of the borders, which are challenging to monitor effectively (Bakewell & De Haas, 2007). These borders frequently separate communities sharing the same ethno-cultural heritage, resulting in a more lenient approach to border management by the relevant authorities. In West Africa, many States are deficient in administrative capabilities necessary for implementing robust border enforcement policies. However, issues related to border security are not consistently incorporated into regional security or economic strategies, and border agencies often lack adequate training, resources, and equipment (Lamptey, 2013). The implementation of the ECOWAS Protocol on Free Movement of Persons has been associated with the escalation in security concerns as it has enabled the mobility of criminals and terrorists across-borders in the region.

Applied to the West African sub-region, Regional Security Complex Theory provides a compelling framework for understanding how security threats transcend national borders and become regionally embedded. The ECOWAS region constitutes a distinct security complex in which the insecurity of one state directly affects others due to geographical proximity, shared borders, ethnic continuities, and weak state capacities. The implementation of the ECOWAS Protocol on Free Movement of Persons has intensified these interdependencies by increasing cross-border interactions without corresponding security safeguards. As a result, criminal networks, insurgent groups, and traffickers exploit porous borders and uneven security architectures to operate across multiple states. RSCT thus explains why insecurity generated in one ECOWAS member state such as terrorism in Nigeria or instability in the Sahel, rapidly spills over into neighbouring countries, reinforcing a cycle of regional insecurity. The theory therefore situates cross-border violence in West Africa not as isolated national failures but as a collective regional security dilemma requiring coordinated sub-regional responses. This theory is relevant to the study as it effectively elucidates that while the free movement protocol has brought significant benefits to the West African sub region, it has also posed regional security challenges, and thereby it has provided opportunities for criminal networks to exploit the weaknesses in border management systems. To tackle the difficulties created by unrestricted cross-border movement, several countries within the sub-region have implemented different measures such as setting up border control systems, exchanging intelligence and introducing disarmament initiatives. Despite these efforts, cross-border violence in West Africa persists, indicating that these measures have not been entirely effective, due to the poor management of porous borders and the limitations of the security agencies making it difficult to achieve the desired level of security. West Africa should thus strive to balance the promotion of cross-border trade with protecting its sub-regional security interests. To promote regional security in West Africa, member states must cooperate and address these issues.

ECOWAS Protocol on Free Movement and Travails of Cross Border Violence in West Africa

While the free movement protocol has brought significant benefits to the region, it has also posed regional security challenges. Indeed, the development of the protocol on the free movement of persons, goods and services is encumbered by both political and administrative restrictions since the 1980s to date. Nigeria has been a major source of migration flows in the West African region. According to the International Organization for Migration (IOM) (2021), in 2020, over 305,000 migrants were recorded as arriving in Nigeria, while over 144,000 departed from the country, while in 2024, the number of Nigerian emigrants abroad reached approximately 2.1 million (IOM, 2025). These numbers highlight the importance of effective management of porous borders along the Nigeria-Benin-Niger-Chad-Cameroon axis to stem the tide of security threats from cross-border crimes, such as drug trafficking, human trafficking, arms smuggling, and illicit trade in natural resources. Because such security challenges has the potential to undermine the stability and development of Nigeria and the region.

The ECOWAS Protocol on Free Movement of Persons has resulted in several consequences for Africa's regional security. Notably, it has enabled criminals and terrorists to cross-borders within the region, leading to a rise in trans-border criminal activities such as terrorism in member countries. According to the United Nations Office on Drugs and Crime (2021), the volume of drugs trafficked through West Africa increased by over 80% in 2020, with Nigeria being a major transit point. Terrorist organizations like Boko Haram and Ansaru have utilized the provisions of the protocol to conduct attacks in Nigeria and then flee to nearby nations (Onapajo & Balogun, 2019). Additionally, the protocol has posed a challenge to member countries immigration and border control system. Among challenges of cross-border violence in West Africa Include:

a. Cross Border Terrorism and Insurgencies: Terrorism is inherently a complex and emotionally charged phenomenon. However, the definition provided by the United States Department of State will act as a foundational definition for this paper. According to the U.S. Department of State, the term 'terrorism' refers to premeditated, politically motivated violence directed against non-combatant targets by sub-national groups or clandestine agents, typically aimed at influencing an audience. The term 'international terrorism' refers to acts of terrorism that involve citizens or the territory of more than one nation. The phrase 'terrorist group' denotes any organization that engages in, or has significant factions that engage in, international terrorism (US Department of State, 2013). Therefore, terrorism can be defined in relation to how a government plans to tackle counter-terrorism.Connected to terrorism is the notion of insurgency. Similar to terrorism, insurgency is a guerrilla tactic employed by individuals and groups who believe they cannot attain their political objectives or seize political power through traditional methods. As outlined in the 2009 Counter Insurgency Guide from the United States government, insurgency can be described as the deliberate use of insurrection and violence to challenge, seize, or undermine the political framework of a region. According to Metz & Millen (2004), insurgency is marked by prolonged, asymmetric violence, ambiguity, the utilization of complex terrains (such as jungles, mountains, and urban settings), psychological warfare and political mobilization, all aimed at safeguarding the insurgents and ultimately shifting the political balance of power in their favor.

In Nigeria, the Boko Haram insurgency operates along the borders of Nigeria and Cameroon, as well as in certain regions of Niger and Chad. This situation has led various

countries to develop counter-insurgency strategies both individually and on a regional, continental, or global level. The revival of Boko Haram in 2009, along with the takeover of northern Mali by terrorist factions in 2012, raised concerns not only among West African nations but also within the wider international community. These events have highlighted the vulnerability of West African states and the significant threat that terrorism poses to peace, stability, development, and territorial integrity. Both existing and new national laws have been established to address this threat. As noted by Adigbuo (2014), these include the Sierra Leone Malicious Damage Act of 1961; Niger's Titre VI du Terrorisme et du Financement du Terrorisme (2003); Ghana's Anti-Terrorism Bill (2005) and the Anti-Money Laundering Bill (2007); Senegal's Loi Modifiant le Code de procedure Penale et Relative à la lutte Contre les Actes de Terrorisme (2007); Gambia's amended Anti-Terrorism Act of 2008 and the Money Laundering Act (2003); Nigeria's Counter-Terrorism Bill of 2010 and the Anti-Money Laundering Bill of 2004. In addition to these national laws, organizations such as the West African Police Chiefs Cooperation, the African Centre for the Study and Research on Terrorism, and the ECOWAS Inter-Governmental Action Group against Money Laundering in West Africa, along with its Committee of Chiefs of Security Service, play a crucial role in combating terrorism (Adigbuo, 2014). The new ECOWAS Counter-Terrorism Strategy was officially adopted by the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) in 2013 during its 66th ordinary session held in Yamoussoukro, Côte d'Ivoire. The primary aim of the Declaration and Strategy is to thwart and eliminate terrorism and associated criminal activities in West Africa, aiming to foster an environment that supports robust economic growth and guarantees the welfare of all ECOWAS citizens. Additionally, the plans strive to implement regional, continental, and international counter-terrorism frameworks and to establish a unified operational structure for action (ibid).

b. Smuggling and Human Trafficking: In the mid-2000s, organized crime in West Africa emerged as a significant international security issue, primarily due to the discovery of substantial cocaine shipments passing through the region en route to Europe. Evaluations by UNODC indicated that various transnational organized crime challenges threatened stability and development in the area, including oil bunkering, arms trafficking, human trafficking, migrant smuggling, toxic waste dumping, counterfeit medicine, cigarette smuggling, and the plundering of natural resources (UNODC, 2013). Criminal activities that cross-borders in the region exploit weak borders, targeting specific geographic areas in affected nations where the state’s ability to address the threats and challenges posed by these illegal activities is similarly limited. The smuggling of goods, particularly cocoa, timber, ivory and petroleum products is most common along the Côte d’Ivoire-Ghana-Togo-Benin-Nigeria and Burkina Faso corridors of the sub-region. Ordinary businesspeople, as well as rebels and criminal gangs involved in civil conflicts in the area, participate in the smuggling of these and other items. These goods are transported in vehicles or on foot, utilizing clandestine and illegal routes across-borders to avoid specific regulations, levies, or taxes, thus generating higher profits from the sale of these products (Addo, 2006).

The escalation of drug trafficking introduces new challenges to the region and aids in the rise of new threats to international security. The primary concern is the connection between drug-trafficking cartels, corrupt government officials, and suspected terrorist factions in West Africa. As noted by Cockayne (2011), the income generated from global illicit markets, such as drugs, sex, counterfeit pharmaceuticals, music, cyber fraud, stolen oil, and hostage situations provides political and military leaders with a rapid, straightforward, and relatively low-cost source of funding for their electoral and military campaigns, as well

as patronage systems. In exchange, political leaders may grant traffickers protection or access to government services, including diplomatic passports and military assistance for trafficking operations. It seems to be a mutually advantageous situation.Areas with a legacy of state neglect and various sources of conflict particularly act as sanctuaries for drug traffickers, facilitating these transnational operations across national and international borders, and occasionally offering refuge to radical groups (Aning & Pokoo, 2014). The extent of the human trafficking crisis is significant in West Africa. Child trafficking, in particular, spans eleven of the fifteen ECOWAS Member States, including Ghana, Togo, Benin, Burkina Faso, Nigeria, Niger, Côte d'Ivoire, Guinea, Sierra Leone, the Gambia, and Mali (De Andrés, 2008). The primary factors driving trafficking are the demand for labor and the demand for sex. In Africa, and specifically in West Africa, it is mainly children and women who fall victim to trafficking. Children are trafficked within the region and between sub-regions, often for labor purposes, particularly in the mining and petroleum sectors. Trafficking also occurs for domestic servitude and various other service roles, as well as for forced marriages.

c. Proliferation of Small Arms and Light Weapons: It is crucial to highlight that West Africa exemplifies the issue of arms proliferation, particularly concerning Small Arms and Light Weapons (SALW). A significant influx of arms has inundated the region, despite their widespread misuse by both state and non-state actors. The extensive availability of small arms, particularly to violent individuals, represents a substantial threat to West Africa. There are multiple factors that contribute to SALW being potent instruments of violence in this region. These weapons are not only inexpensive and readily accessible, but they are also lightweight, making them suitable for use by child soldiers, who have been pivotal in major conflicts across West Africa (Keili 2008 cited in Piccolino & Minou, 2014). The illegal arms trade among Benin, Ghana, Nigeria, and Togo is driven by an increased demand for self-defense, stemming from a pervasive sense of insecurity in the area. This regional demand is primarily satisfied by forgers in Ghana, as well as in Togo, where local revolvers, shotguns, and rifle-type weapons saturate the arms markets of the sub-region (Asoba, & Glokpor, 2014).

The rampant circulation of weapons significantly destabilizes countries where it occurs. Civil wars, organized crime, and terrorist activities thrive due to illegal access to firearms that would otherwise be unattainable. Destabilization is closely linked to the illegal arms trade. In nations that have recently experienced significant political turmoil or the breakdown of state oversight, military stockpiles of small arms and light weapons (SALW) are vulnerable to theft by criminals or corrupt military personnel (United Nations, 2014). The influx and distribution of arms, especially small arms and light weapons, in the region have evidently exacerbated conflicts and led to abuses against civilians by both governments and armed factions. This situation has also facilitated the emergence of new armed groups and the recruitment of undisciplined fighters, including mercenaries (Human Rights Watch, 2014). Due to ineffective national security frameworks, porous borders, and an increasing demand for weapons by criminals and militants, arms trafficking cartels have developed strategies to hide and efficiently transport weapons across-borders in West Africa. The boldness of militants in West Africa has surged with the spread of weapons in the Sahara-Sahel region following Libya's destabilization. Arms from Libya, initially acquired by AQIM and other mercenaries, have been passed on to groups like Ansar Dine, Boko Haram, and MUJAO, empowering them to launch more lethal attacks (Onuoha & Ezirim, 2013).

d. Trans-border Armed Robbery: Trans-border Armed Robbery (TAR) is a widespread issue in the sub-region. Travelers, residents of border towns and villages, and traders frequently

face robbery and violence from armed criminals, often without any support from law enforcement. The borders in this region are either completely unguarded or inadequately monitored, making them easy targets for these criminals. A key reason for this situation is the absence of effective ECOWAS protocols to secure borders against armed robbery. Additionally, nations often neglect and fail to recognize border towns and villages in their security strategies. These areas are sometimes viewed as irrelevant, except when disputes arise, particularly when valuable resources like crude oil are discovered. Even in such cases, the focus tends to be on the resources rather than the local communities. As a result, ECOWAS border villages are left vulnerable to fate and the threats posed by trans-border armed robbers, as countries do not adequately ensure the security of these regions.

There are many instances of TAR in ECOWAS, but some recent notable cases in the sub-region are particularly significant. Among these are the trans-border robbery incidents in Potiskum, Plateau State, and Adamawa. The Potiskum case took place at the Potiskum cattle market and was a retaliatory attack that resulted in over 50 fatalities, most of whom were innocent cattle traders. This incident followed the killing of a trans-border armed robber who had been captured after his gang escaped. The armed robbers then regrouped and attacked the defenseless traders, customers, and cattle with advanced weapons and explosives in a clear act of vengeance. The victims received little to no assistance from the security forces responsible for the area, making this incident especially tragic and bloody. These incidents should be of concern to ECOWAS as the robbers move unhindered across the borders of Chad, Cameroun and Niger (African Examiner, 2012) with arms and ammunition, to perpetrate their obnoxious acts, especially during market periods, ceremonies and any time of day.

Cross-border armed robbery incidents are frequently reported in the Sorou-Belel and Konkol communities located in the Maiha Local Government Area of Adamawa State, Nigeria, according to Muhammad (2010). The northern border communities of the state are often targeted by trans-border armed robbery gangs, prompting residents to alter their cultural practices as a strategy to cope with these threats. A key element of this cultural shift, as noted by Muhammad (2010), is the tendency to present a facade of poverty despite being affluent, avoiding the public counting of money, and refraining from displaying cash at cultural gatherings, as these behaviors could attract armed robbers in the absence of security. Given the shortcomings of state security forces in the area, the residents have created a local system for safeguarding themselves and their assets; however, these efforts have largely been ineffective, as the armed robbers are generally better equipped and more sophisticated than the local security measures, indicating a pressing need for sub-regional and national security intervention. Robberies are common, particularly on market days when robbers expect substantial cash inflows in the cash-centric economies of these communities, akin to many traditional African societies that lack a strong banking infrastructure and alternative cashless payment options. These communities are adjacent to Cameroon, allowing armed robbers to move freely between the Republic of Cameroon and Nigeria to execute their crimes, to the detriment of the rural populace that has faced significant neglect from both governments and ECOWAS. In recent times, trans-border armed robbery has led to around thirty (30) deaths and many injuries.

The victims included police officers and civilians, in addition to millions of uninsured cash and property that were taken at gunpoint by trans-border armed robbers. The phenomenon of cross-border banditry in the Benin Republic/Lagos corridor is widespread and has resulted in numerous diplomatic tensions between the governments of Nigeria and

the Republic of Benin, especially during the presidency of Olusegun Obasanjo, owing to the brazen robbery activities of the notorious armed robber, Shina Rambo, along with other armed robbery groups that, while not as famous, are equally threatening.

The Implications of Cross Border Violence to Integration

The ECOWAS protocol on the Free Movement of People was adopted on 29 May, 1979. The protocol was to mitigate hindrance to the free mobility of the community citizens, that is, citizens of member states. The protocol on free movement conferred on community citizens the right to enter and reside in the territory of any member state, provided they possessed a valid travel document and an international health certificate. However, it also allowed member states the right to refuse admission to any community citizens who were inadmissible under the member state's own domestic law. The four supplementary protocols adopted between 1985 and 1990 committed member states to make available valid travel documents to their citizens, grant community citizens the right of residence for the purpose of seeking and carrying out income-earning employment, ensure appropriate treatment for persons being expelled, not to expel community citizens en masse and limit the grounds for individual expulsion to reasons of national security, public order or morality, public health or non-fulfillment of an essential condition of residence (Opanike & Aduloju, 2015). The ECOWAS does not have an adequate instituted mechanism for checking the entry of illegal immigrants. The protocol rather than serving the purpose of integration contributes to the prevalent human and national insecurity in the sub-region.

Cross-border violence in West Africa results in increased displacement and humanitarian crises, straining public resources and exacerbating poverty, while also fostering widespread human rights abuses like human trafficking and the use of child soldiers. Economically, the violence disrupts trade, deters investment, and fuels organized crime such as drug trafficking and money laundering, severely impacting national economies and contributing to overall instability. Politically, it undermines good governance and the rule of law; fuels distrust in state institutions, and can trigger a cycle of instability and conflict across the region, thereby hindering efforts towards economic, social, and cultural cooperation and the establishment of institutions like ECOWAS.

It leads to displacement and refugees. Violence and conflict force large numbers of people to flee their homes, creating massive Internally Displaced Persons (IDPs) and refugee populations that strain the capacities of receiving communities and host countries, as seen in the influx of asylum seekers into coastal West African states. Also, it encourages human rights abuses. Cross-border crime and conflict create an environment where human trafficking, the recruitment of child soldiers, and other forms of exploitation thrive. Again, it undermines economic growth. This lead to overall impact of disrupted economic activity and rampant crime undermines economic growth and development across the affected sub-region. Violence directly hinders trade routes and creates an unstable environment, leading to significant economic losses and a downturn in investment in affected regions. It undermines governance and rule of law that is cross-border violence challenges the authority of governments, weakens the rule of law, and erodes trust in public institutions.

Porous borders facilitate cross-border organized crime, including the illicit trafficking of small arms and light weapons (SALW), narcotics, and the laundering of money, which siphons resources away from legitimate economic development. The movement of fighters, illicit goods, and people across-borders contributes to the spread of instability from conflict zones like the Sahel into more stable coastal areas. It causes deterioration of living

conditions. Increased violence and insecurity lead to a decline in living standards, increased youth unemployment, and worsening overall human security. It weakens regional cooperation. The rise of threats and the collapse of cross-border cooperation can lead to a further weakening of regional security frameworks, increasing vulnerability to a larger and more costly regional impact.

Conclusion and Recommendations

There is barely any region globally that does not experience its share of trans-border criminal networks and violations. However, West Africa is a unique case due to the diverse economic and political issues confronting the sub-region, which include financial crises that result in severe poverty, inequality, unemployment and widespread corruption, all of which have, in various ways, strengthened transnational criminal networks. The sub-region has largely neglected extensive areas, particularly those surrounding porous borders, which provide a safe environment for terrorist organizations to engage in their harmful activities. The study concludes that the application of the ECOWAS Protocol on Free Movement of Persons, Residence, and Establishment of West African Citizens yields positive outcomes, such as intelligence sharing, counterterrorism initiatives, and efforts to combat smuggling. However, its effective implementation has been impeded by porous borders and the exploitation of these routes by transnational criminal groups, leading to an increase in cross-border violence, including armed banditry, human trafficking, and terrorism. Addressing these security challenges through better border management, enhanced diplomatic cooperation, and stronger security frameworks is vital for achieving the protocol's aims of regional integration and development. The permeability of West African borders has facilitated the activities of insurgent groups and criminal networks in the region. While the Free Movement Protocol has admirable objectives, it has also been taken advantage of by individuals involved in covert activities, who exploit the protocol to execute their illicit operations in the sub-region.

This study contributes theoretically by extending the application of Regional Security Complex Theory to the analysis of migration-security linkages in West Africa. It demonstrates that the ECOWAS Free Movement Protocol operates within a tightly interconnected regional security environment where weak borders, fragile institutions, and uneven policy implementation amplify transnational threats. While the protocol has advanced regional integration objectives, its unintended security consequences highlight the limitations of integration initiatives that are not matched with robust regional security governance. From a policy perspective, the findings underscore the urgent need for ECOWAS to recalibrate the free movement regime by embedding it within a comprehensive regional security architecture that prioritizes intelligence sharing, coordinated border management, and institutional capacity building. Future research should adopt comparative and empirical approaches to assess how specific member states have domesticated the protocol and to evaluate the effectiveness of emerging regional security mechanisms in mitigating cross-border violence.

Accordingly, this paper recommends the following:

a. Strengthening border management: Multi-layered responses are needed to address the local, national and regional dimensions of violent extremism and conflict. There is a call for paradigm shifts in border management to include modern technology, increased funding, and adequate training for security personnel.

b. Enhanced cooperation: Improving diplomatic ties and security coordination among ECOWAS member states is essential to address these challenges effectively. This paper recommends that to successfully execute a regional integration based on the free movement

of individuals; ECOWAS should develop and implement a regional identity management strategy aimed at countering hidden agendas across national borders.

c. Policy and implementation review: The ECOWAS framework needs to be reviewed and amended to better address the current security crises and promote better implementation of protocols by member states.

d. Addressing the root causes: Sustainable development, conflict prevention and employment creation are also necessary to promote the peace and stability required for orderly migration.

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