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## **Migration in West Africa**

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## **An overview of key migration trends in West Africa**

The sub-region shares common characteristics. With the exception of Nigeria and Cote d'Ivoire, the scale of population and economy of countries are small; so is the private sector, normally the engine of growth and employment generation. Increasingly the limited capacity of the public sector to provide viable employment opportunities for the rapidly growing labour force resulted in large numbers of unemployed youths. The majority live in rural areas, are illiterate and work on subsistence agriculture that employs about 70 per cent of the labour force.

West Africa has experienced a variety of migrations caused by population pressure, poverty, poor economic performances and endemic conflicts. Historically, migrants regarded the sub-region as an economic unit within which trade in goods and services flowed, and people moved freely. In order to fully comprehend contemporary migration systems, and current migration policies, in the sub-region, it is pertinent to set the migration configuration in its proper historical context.

In pre-colonial times, migration occurred largely in search of security, new land safe for settlement and fertile for farming. Colonial regime altered the motivation and composition of migration by introducing and enforcing various blends of political and economic structures, imposing tax regimes and establishing territorial boundaries. A series of economic and recruitment policies - compulsory recruitment, contract and forced labour legislation and agreements - were employed to stimulate regional labour migration from Mali, Togo and Upper Volta to road networks, plantations and mines in Gold Coast and Ivory Coast. Transportation development also facilitated labour migration by reducing the distance and hazards of journeys that hitherto hampered long distance migrations. These developments stimulated and altered large-scale population movements, giving rise to the male-dominated, seasonal and cross-border migration which subsequently became institutionalised.

Contemporary patterns of migration in West Africa are therefore rooted in socio-economic, political and historical-cultural factors which have shaped the direction of development and types of economic activities and laid bold imprints on especially international migration. Migration from and within the sub-region includes temporary cross-border workers, female traders and farm labourers, professionals, clandestine workers and refugees and are essentially intra-regional, short term and male dominated, in response to the interdependent economies of neighbouring countries. The emigration configuration is also highly diversified. The sub-region also encompasses countries of immigration and emigration as well as those that combine both; some serve as transit routes for migrants.

The main traditional countries of immigration are Côte d'Ivoire and Ghana. In the early 1970s, Nigeria also became a major migration receiving country buoyed by oil-led employment in various sectors of the economy. The major labour exporting countries have been and still are Burkina Faso, Mali, Guinea Conakry, Cape Verde and Togo. The situation in Cape Verde is unique in that the Diaspora outnumbers the resident population

(Carling, 2002). Senegal has been a labour exporting and labour receiving country. All these have changed in recent years. Thus, for instance, Senegal has become a transit country for migrants seeking to enter the European Union countries clandestinely via Las Palmas to Spain. Ghana and later Nigeria turned labour exporting countries when economic conditions deteriorated in Ghana in the late 60's and in Nigeria in the middle 80's. Ghana is currently experiencing return migration of its nationals in response to the government's progressive economic policies, and political stability in the country.

The deteriorating socio-economic conditions and deepening poverty in the late sixties and early seventies propelled a wide variety of migration configurations. Macro-economic adjustment measures and a huge increase in the number of entrants into the labour market have fuelled a job crisis, creating a sustained pressure for emigration. A significant amount of brain circulation takes place between Ghana, Gambia and Nigeria; Togo and Cote d'Ivoire; Burkina Faso and Senegal and Cote d'Ivoire, countries with shared colonial legacy. Since the 70s, highly skilled migrants, including doctors, paramedical personnel, nurses, teachers, lecturers, engineers, scientists and technologists moved from Ghana first to Nigeria and later to other African countries, Europe and North America, attracted by relatively higher salaries and better prospects of living conditions. Many students also remained behind at the end of their training as political, economic and social conditions at home deteriorated.

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

Women migrants are increasingly drawn to the wage labour market (both formal and informal) as a survival strategy to augment meagre family income. Among the educated, emigration of unaccompanied married females has blossomed, this being a particular and recent phenomenon in the sub-region's migratory scene. Traditional male-dominated short-to-long-distance migratory streams in West Africa are increasingly feminised. Independent female migration has become a major survival strategy in response to deepening poverty in the sub-region. The phenomenon of females migrating independently, even internationally, enables them to fulfil their economic needs rather than simply joining their husbands; some professional women are emigrating from Nigeria, Senegal and Ghana leaving husbands behind to cater for their children. This development is a turn-around in traditional sex roles.

Commercial migration, a dominant feature of the migration configuration in the sub-region, is essentially female-dominated, helping to promote intra-regional trade and serves as the lifeline for small-country economies of especially Benin, Gambia and Togo. Outside the sub-region, it is essentially male dominated. Migrants from the Sahel, especially Senegalese and Malians initially used to migrate to France, then to Zambia and Zimbabwe and now to South Africa and USA, non-traditional English-speaking destinations (Adepoju, 2000).

Trafficking in children from Togo, Nigeria, Mali, to Cote d'Ivoire's plantation and domestic servants in Gabon, and of women from Ghana, Nigeria, Mali, and Sierra Leone as exploited sex workers in countries of the European Union has also taken root. Trafficking in girls is reportedly rampant in the so-called "Triangle of Shame" the Niger/Chad/Nigeria border. Hundreds of trafficked girls from Edo State, Nigeria, end up in the sex industry in Italy.

### **Policy responses to observed migration configurations**

The attainment of independence in the late 1950s and early 1960s substantially altered the traditional free movement of persons across West Africa. The new national governments, anxious to identify their own national territories as sovereign and independent states, enacted migration laws and regulations governing conditions of entry, residence and employment of non-nationals, the aim being to reduce the flow of immigrants as a whole and limit entry to authorised immigrants who were admitted on the basis of their special skills. Prominent among these regulations are the Immigration Act (1963), Immigration (Amendment) Act (1973) and Immigration Manuals and Regulations (1972) in Nigeria, and the Immigration Quota System and issue of work permits in Sierra Leone. The latter was designed to discourage the inflow of unskilled or unqualified persons into the country for the purpose of taking up employment.

The elaborate visa and passport regulations, customs and controls, and the need for "foreign" workers to obtain work permit ushered in a period of restrictions on intra-regional free movement of person across West Africa. These regulations, aimed at preserving available employment opportunities for nationals in fulfilment of election promises, also introduced a subtle distinction between internal and international migration both of which once involved free movement across wide space of the sub-region. For once, the enactment of indigenisation measures placed restrictions on the participation of aliens in major economic activities; a distinction was made between legal and illegal aliens, based on proof of nationality, passport, visa, residence and work permits which were hitherto irrelevant to the migrants.

Most West African countries are agglomerations of peoples arbitrarily merged by colonial map drawers that traversed ethnic lines, as are the Yoruba in Nigeria and Benin; Ewes in Togo and Ghana; Vais and Kroos in Liberia and Sierra Leone; Hausa-Fulani in Niger and Nigeria, and so on. Indeed, these elaborate entry rules and regulations were hardly enforced or enforceable: the large porous borders, virtually uncontrolled and in fact

unpolicable by national governments facilitated “illegal” immigrants along several porous bush paths. Even where control posts were mounted, the laxity and corrupt practices by some immigration officials, who often collude with illegal immigrants to gain entry, considerably hindered effective implementation of these regulations. At any case, few nationals have access to passport; hence, so-called illegal migrants are not only illegal at destination, they may have left their countries illegally without appropriate exit documents - passports, visa, health certificate - and failed to use designated official departure posts. Moreover, it is murky classifying ‘aliens’ in countries with close ethnic and cultural ties.

Post-independence nationalism was manifested in several other ways, including changes in immigration laws that prescribed specific procedures for entry and employment of non-indigenous workers and later xenophobia against immigrants. As unemployment among young educated nationals reached a peak, governments resorted to expelling and deporting so-called illegal immigrants. The most obvious policy responses to undocumented immigration includes regulations governing the issue of visa and passport, laws requiring foreign workers to obtain authorization for work permits and later, residence permits, or at least identity cards. In Nigeria, for instance, residence permit is assumed to have been given when a non-national worker actually applied for employment. In Senegal, employers are obliged to submit regular reports of the number of non-national employed. These policies are aimed in part to restrict the influx of migrants.

A different policy directed at undocumented migrants already resident in a country takes the form of expulsion and deportation. Such expulsions were endemic. Senegal expelled Guineans in 1967; Ivory Coast expelled about 16,000 Beninise in 1964; Sierra-Leone, and later Guinea and Ivory Coast, expelled Ghanaian fishermen in 1968. Earlier on, Ivory Coast had expelled over 1,000 Benin and Togo nationals in 1958; Chad expelled thousands of Benin nationals who were ‘illegal migrants’ and not ‘law abiding’. In early 1979 Togolese farmers were expelled from Ghana and Ivory Coast. . Ghana expelled all illegal aliens without valid residence permit as from 2 December 1969; this exercise involved an estimated half a-million people mostly from Nigeria, Upper Volta and Niger. Nigerian traders were once expelled from Cameroon, Zaire and Ivory Coast. These examples show that expulsion has been used extensively by most countries of the sub-region. The largest case of mass expulsion of undocumented aliens took place in Nigeria in 1983 and 1985 (see below). Aliens are usually scapegoats when governments are confronted with teething economic and political problems; migrants are targets of hostility from the native population and are blamed for whatever economic, social and political problems arise in the country.

Persistent border disputes deriving from arbitrary borders has been a common event in the sub-region even when the OAU enjoined governments to respect these borders in order to avoid potentially protracted, widespread conflicts that such disputes may generate. Yet border disputes between Senegal and Mauritania, between Ghana and Togo and so on have led to the expulsion of Community citizens from these territories.

Below we review the performance of ECOWAS, highlighting the progress made and constraints encountered in creating a borderless space and

### **Multilateral initiatives and regional migration processes.**

The leaders of West Africa recognised in the early seventies that regional integration could be an important step towards the sub-region's collective integration into the global economy. The need to create sub-regional and regional economic cooperation and integration organisations in Africa was reinforced by the experiences in other parts of the world: the Latin America Free Trade (LAFTA); Caribbean Community (CAICOM); Association of South East Asian Nations (ASEAN); the Central American Common Market (CACM) in Latin America and the Caribbean Region; European Union; and the African, Caribbean and Pacific (ACP) countries, among others.

Thus, the treaty signed in Lagos on 28 May 1975 creating the Economic Community of West African States (ECOWAS) covered wide areas of economic activities. Article 27 of the Treaty affirms a long-term objective to establish a community citizenship that could be acquired automatically by all nationals of Member States. This reinforced the preamble to the treaty that outlined the key objective of removing obstacles to the free movement of goods, capital and *people* in the sub-region. It is in that context that the Protocol on Free Movement of Persons and the Right of Residence and Establishment of May 1979 capitalised on free mobility of labour. Phase 1 of the Treaty, the Protocol on the Free Movement of Persons - the first to be ratified and put into effect – was ratified by Member States in 1980 and put into effect forthwith. It guaranteed free entry without visa for ninety days, ushering in an era of free movements of ECOWAS citizens within member countries.

Two countries, Nigeria and Togo, served as catalysts at the formative stage of ECOWAS. Currently, two countries, Ghana and Nigeria, are also pushing ahead for faster and closer regional integration of ECOWAS. It is against this background that we discuss below the progress made and constraints encountered in creating a borderless West African migratory space, as envisioned by its leaders.

The formation of ECOWAS was a bold attempt to stimulate the kind of homogeneous society which once existed in the sub-region. The leaders realised that efforts to enhance living conditions of their people, achieve an egalitarian distribution of income, combat poverty, and so on, can be achieved faster within the framework of regional economic integration. The complementary of neighbouring countries' economies, close socio-cultural ties, and historical record of free labour migration, made ECOWAS' integration imperative. With the ratification of the protocol of the Treaty on Free Movement of Persons, the smaller countries expressed fear of economic domination by Nigeria, the Community's demographic and economic giant. At the same time, Nigerians were concerned about the possible influx of ECOWAS citizens into their country and demanded that the effects of the protocol be closely watched, monitored and contained in the national interest (Onwuka, 1982).

The rights of entry, residence and establishment were to be progressively established within fifteen years from the definitive date of entry into force of the protocol. The implementation of the first phase over the first five years abolished requirements for visas and entry permit. Community citizens in possession of valid travel documents and international health certificate could enter Member States without visa for up to ninety days. Member States can nevertheless refuse admission into their territories so-called inadmissible immigrants under its laws. Where a citizen of the Community is to be expelled, States undertake to guarantee the security of that citizen, his/her family and his/her property.

The delayed second phase (Right of Residence) of the Protocol came into force in July 1986, when all Member States ratified it, but the Right of Establishment has not been implemented till now. In 1992, the revised Treaty of ECOWAS, among others, affirmed the right of citizens of the Community to entry, residence and settlement and enjoined Member States to recognise these rights in their respective territories. It also called on Member States to take all necessary steps at the national level to ensure that the provisions are duly implemented.

The free movement of persons ushered in by the implementation of the Protocol on Free Movement of Persons in 1980 accelerated rather than triggered a labour migration momentum that would have occurred anyway. The coming into force of the Protocol coincided with a period of economic recession in most countries of the sub-region while Nigeria's economy was fuelled by the huge oil sector earnings. The vacillating economic situation, deteriorating condition of work and poor wages in Ghana pushed many Ghanaians, skilled and unskilled persons, on the move to Nigeria, which had become the region's economic heaven.

The oil-led employment opportunities attracted migrants of all skills in their droves from Ghana, Togo, Chad, Mali and Cameroon to work in the construction and services sectors. Thousands of ECOWAS nationals – men and women -, mostly Ghanaians, flooded Nigeria in regular and irregular situations. Professional and skilled immigrants were recruited as teachers in secondary schools in the country, but especially in Lagos State, to fill vacancies created by the introduction of the free secondary education scheme in 1979.

The mismanaged short-lived oil boom in Nigeria was followed by a rapid deterioration in living and working conditions and devaluation of the national currency, wage freeze and inflation. In early 1983, the Nigerian Government revoked Articles 4 and 27 of the Protocol to expel between 0.9 and 1.3 million illegal aliens, mostly Ghanaians. The ratification of the second phase of ECOWAS Protocol on Right of Residence that came into force in July 1986 coincided with the implementation of the belt-tightening structural adjustment programme in Nigeria. In June 1985, about 0.2 million illegal aliens were again expelled as domestic economic crisis deepened. This development created a crisis of confidence that rocked the Community to its very foundation.

These, and other expulsions discussed earlier, are often justified on the argument that illegal aliens were aggravating host country's economic conditions: in a few case are

aliens expelled on the basis of the illegality of their status. This trend did not abate in the 1970s and 1980s even in the face of the protocols on free movement of nationals of union or community countries.

### **Recreating a borderless West Africa**

The free movement of persons without visa within the ECOWAS Community is an enduring achievement of the organisation. On May 12, 2000 ECOWAS ministers responsible for internal affairs and national security met in Bamako and agreed to introduce a new passport, in three categories, for citizens of the sub-region – red for the diplomatic, blue for the service and green for the ordinary group (ECOWAS, 2000c). This passport would not replace the ECOWAS travel certificate – a more cost-effective and cheaper document for travel within the sub-region. During the transitional period of five years from the date of approval of the proposal by the Heads of State and Government of the Community, the ECOWAS passport would exist simultaneously with national passports, until it is phased out at the end of the period.

The meeting of heads of State and Government, held in Abuja at the end of March 2000, had as its major agenda the creation of a borderless sub-region. It was recognised, among other factors, that the inadequate and poorly maintained transport and communication facilities constituted major hindrance to cross-border trade, economic activities and movement of persons and goods. Consequently, regional infrastructure was to be boosted to foster economic integration with the feasibility study, and later construction/and or completion of a coastal route from Lagos to Cotonou, Lomé and Accra and a Sahelian route linking Lagos to Niamey and Ouagadougou to facilitate free movement of persons and goods. Meanwhile, in May 2000, ECOWAS launched ECO-AIR, a private sub-regional airline, to coincide with the organisation's 25<sup>th</sup> anniversary and to facilitate intra-regional travel.

Other decisions taken at the Summit include the elimination of rigid border formalities and modernization of border producers through the use of passport-scanning machines. Immigration officials to be instructed to accord the maximum 90-day period of stay to ECOWAS citizens at entry point by 15 April 2004, and personnel at border posts would be limited to essential staff such as customs and immigration.

The numerous roadblocks and security checkpoints on international highways were to be removed to reduce delays, harassment and extortion. Joint border patrols by neighbouring states of: Niger, Nigeria, Benin, Togo, Ghana, Burkina Faso, and Mali would be mounted to monitor and police national borders. Henceforth, a closer collaboration will be forged between the police and internal security agencies with regard to exchange of information, staff exchange programs, and organization of frequent coordination meetings, training courses etc.

The abolition of residence permit requirement for each other's citizens in the spirit of equal treatment of Community citizens would be effected and to that effect, intensive



enlightenment campaign would be mounted to inform immigration officials of the decision.

The issue and effective use of the ECOWAS travel certificate, the adoption and introduction of a single ECOWAS passport; and adoption and introduction of a multi-country, Shengen-type visa would be pursued. Immigration officers would meet to discuss implementation of the fast-track programme, and Member states yet to ratify Convention A/P1/8/94 on extradition signed in Abuja on 6 August 1994 were urged to do without delay.

These are a catalogue of ambitious projects which also reflect the urgency with which the political leaders planned to move the borderless sub-region flagship forward.

The Heads of State and Government adopted an ECOWAS passport as a symbol of unity and to progressively replace national passports in circulation over a transitional period of ten years. The decision to foster free movement of goods and persons across the borders of ECOWAS member countries and the abolition of the mandatory residency permit and the granting of the maximum 90-day period of stay to ECOWAS citizens by immigration officials at entry points took immediate effect from April, 2000.

The trade liberalisation scheme is designed to progressively establish a customs union among member states over a 15-year period from January 1990 when the scheme took effect. Customs policies and shipping laws are to be harmonised and updated to promote liberalisation of maritime services. In the process a zero percent rate of duty should be applied on approved industrial products, goods and traditional handicrafts as measures to facilitate effective establishment of a free trade zone. Nigeria and Ghana are taking the lead to implement the scheme, hoping other countries will follow.

Border posts and checkpoints on international highways which hitherto menaced free movement of persons and goods were scrapped. Nigerian government dismantled all checkpoints between Nigeria and Benin and border patrols were installed by Niger, Nigeria, Benin, Togo, Ghana, Burkina Faso and Mali to monitor and police national frontiers, in addition to closer collaboration between the police and internal security agents on exchange of information and staff, frequent meetings and training courses. Elimination of rigid border formalities and modernization of border procedures through the use of passport scanning machines were designed to facilitate free and easier movement of persons across borders.

Nigeria and Ghana invited other non-French speaking (UEMOA) countries to establish a second currency that would later be fused with the CFA Franc zone to achieve a single regional currency for West Africa. The introduction of ECOWAS travellers' cheques – WAUA, the West African Unit of Account - is designed to harmonise the sub-region's monetary policy and facilitate cross-border and other transactions. The adoption of a common currency by 2004 was muted during the ECOWAS' Ministers meeting in Ouagadougou to facilitate cross-border transactions. Equally important is the signing on 10 December, 1999 of the Lome Protocol on the mechanism for the prevention,

management, and control of conflicts, and maintenance of peace and security. The pertinent question is: will these ambitious policies work?

The West African Regional Ministerial Meeting on the Participation of Migrants in the Development of their Country of Origin, organised by the International Organization for Migration in Dakar (October 2000) underscored the urgency for strengthening regional integration process, with emphasis on the free movement of persons, the right of residence and establishment; and among others, to promote dialogue and co-operation on migration and development between various sub-regional organisations in Africa in order to harmonise, co-ordinate and integrate regional migration policies as well as co-operation at inter-regional and regional levels.

ECOWAS is already working towards rationalization of some of its inter-governmental organisations and is forging a cooperation network with UEMOA, CILSS and, outside the sub-region, with ACP/European Union. Greater integration is however, anchored on several developments which indirectly affect intra-regional migration. The Community's policy makers have set targets for a Community Passport expected to take effect by 2005; a Common External Tariff billed for 2005, a Single Monetary Zone expected to take effect in 2007 and integration of ECOWAS and UEMOA by 2005. All indications are that these ambitious targets, like others before them, may not be realised due to some of the bottlenecks discussed below.

### **Lessons learnt from migration policy formulation and implementation in West Africa.**

At the institutional level, several lessons have been learnt in the functioning of ECOWAS' migration policy. The achievements of ECOWAS were realised with minimal or weak institution. Indeed, during the first twenty five years of the organisation's existence, its activities were based largely on state-to-state relations, and with a weak secretariat.

The major constraints in the path of creating a borderless sub-region and fostering closer integration include the multiplicity of economic groupings whose objectives, market size and structures are as diverse as the membership of the groupings. In addition, the wavering political support, political instability and inter-state border disputes and conflicts, and what Lelart (1999) called the veiled external interference especially in the francs zone, have retarded progress in ratification and implementation of protocols.

The persistent economic downturn experienced by Member states has crippled their ability to pursue consistent macro-economic policies; this also resulted in part in poor funding of cooperation unions. The non-convertibility of currencies – there are about eight odd currencies in use in the sub-region, excluding the CFA franc which binds former French colonies - hinders financial settlements and the harmonization of macro-economic policies and procedures. Besides, the objectives and targets set for ECOWAS are often unrealistic and difficult to achieve. Thus, for instance, the right of residence

and establishment, explicitly recognised in the 1992 revision of ECOWAS Treaty, has not been fully implemented, in spite of its close link to the right of free movement, integration of trade, tariff regimes and promotion of labour mobility in the sub-region.

The treaty establishing ECOWAS is explicit on trade promotion, elimination of tariff and other barriers between Member States and the establishment of a customs union. The uncoordinated economic reform programmes have hampered the implementation of trade liberalisation and intra-community trade, and as a by-product, the movement of persons. Economic downturn for over two decades has led to deteriorating social services, infrastructure and road network, declining per capita consumption and living conditions. Poverty is widespread, and unemployment is at its height. Transport networks, especially railways have different track systems and rules and regulation that change across frontiers. This also limits trade especially for land locked countries that must transport their goods to and from the coastal harbours.

The share of intra-regional trade, a useful measure of the success of an integration grouping, is very low in West Africa: 11 percent among ECOWAS countries compared to over 60 percent in the European Union. It is to be noted however that a high proportion of cross border trade in the sub-region is unrecorded due to the harassment by customs officials and other barriers, especially the ubiquitous roadblocks across frontiers, the lengthy and costly formalities at border posts, and the corruption of officials. All these artificially hike the cost, and hence the price, of transported goods from one country of the sub-region to another increases by up to one quarter.

The overlapping membership with conflicting interests and complex institutional arrangements constrains the efforts at integration, exacerbates the difficulties in meeting financial obligations, and is reflected in lacklustre implementation of sub-regional protocols. It also seems that the smaller and more homogenous the Community is, the easier it is to function cohesively, as is the case of UEMOA, for example, where member States share a common currency, colonial history and the French language and therefore find it easier to implement joint programmes faster than the larger ECOWAS, which re-groups former colonial Francophone, Anglophone and Lusophone countries. The communality of language in the francophone zone tends to facilitate networks and communication across boundaries especially because a large part of trade across borders consists of informal and clandestine transactions. But West African leaders have come a long way to realise that linguistic barrier need not constitute economic barrier. That reality is evident in the case of Ghana, surrounded by UEMOA states, teaming up with Nigeria, the demographic leader of ECOWAS.

The civil society, especially NGOs, was not involved in many ECOWAS' activities to create a nexus between them and national governments through annual consultations. This was a major shortcoming of the organisation's outreach activities. It was not until 2003 that an ECOWAS-Civil Society Consultation was held in Abuja to affirm ECOWAS' commitment to establish a partnership with and draw upon the available expertise and experience in civil society. Its programme of action includes promoting the benefits of ECOWAS for its peoples, especially ECOWAS passport and visa-free travel

in the sub-region; and popularising ECOWAS in the consciousness of West Africa's peoples and particularly the youth through commemorations of anniversaries, essay competitions, and popular media; and active promotion of Community citizenship by ECOWAS, member states and civil society organisations.

Sustained political support is a critical element in the process of regional integration, which translates into willingness and capacity to implement fully at the national level decisions taken at the sub-regional level. In many cases, national concerns override regional issues. In others, overlapping membership in competing groups mitigates against effective implementation of decisions, protocols and programmes of the economic community by national governments reluctant to surrender national sovereignty to the sub-regional organ, thereby rendering economic groupings largely ineffective.

It was not smooth sailing with respect to ECOWAS' protocol on free movements of persons. In mid 2004, Liberia sent *note verbale* to Embassies of ECOWAS member states requesting their nationals to register and threatening to expel "so-called" illegal aliens. This is an unfortunate development in that Ghana and Nigeria shed blood to defend and hold Liberia together which did not even ratify the Protocol on free movement of persons before the outbreak of civil war. Mauritania gave an indication to pull off in 1999 and withdrew its membership in June, 2000. Cape Verde was ambivalent, wanting to pull out of ECOWAS, a decision that was halted by an attempted *coup d'etat* in the country.

In many cases, national political exigencies supersede Community interests. In spite of the protocol on free movements of persons, for instance, Nigeria twice expelled thousands of nationals of the Community in 1983 and 1985 as the economic conditions in the country worsened. This development created a crisis of confidence that rocked the Community to its very foundation. Poor economic performances and increasing youth unemployment probably encouraged the policy to register immigrants in Côte d'Ivoire. In March 1999, Ghana requested all aliens in the country to register and be issued with identity cards. Immigrants are suspicious of this move, recalling the antecedents of the 1969 Alien Compliance Order that culminated in the expulsion of non-Ghanaians.

In recent years, there has also been a turn around in the liberal immigration policy in Cote d'Ivoire, a situation that owes much to politics, as it is economically motivated. Rising unemployment and crime in the country are blamed on the influx of immigrants. The economic downturn and increasing unemployment among young nationals probably informed the recent shift in government policy to apprehend and deport illegal immigrants. The political unrest that followed the transition to civilian rule recently sparked off anti-foreigner sentiments. The first post-independence president's liberal policy of accommodating settlers from Burkina Faso, Mali and Togo, and enfranchising them was revoked; long-standing immigrants that have intermarried with locals and obtained citizenship were attacked and in fear thousands fled to their countries of origin. Thousands of nationals of Mali, Burkina Faso, Guinea and Nigeria have returned home as anti-foreigner sentiments peaked and dislodged Liberian refugees sought solace in Mali and

Guinea. Behind it all was the fear that the large Muslim non-Ivorians would vote for the frontline contestant for the presidency.

The absence of peace and stability discourages investment, the very foundation of development and leads to capital flight. Border disputes between Senegal and Mauritania, and Ghana and Togo have resulted in expulsion of Community citizens, in contravention of the Protocol on Free Movement of Persons. Liberia's contagious civil war that started in 1989 soon engulfed Sierra Leone, Guinea Conakry, Guinea Bissau and Cote d'Ivoire, the later since September 2002. In its trail, the conflict has uprooted thousands of people internally and across national borders, as displaced persons and refugees. This almost turned to a regional conflict. Nearly 70 per cent of Liberia's population was displaced, and thousands who fled the war to seek refuge in Sierra Leone, were soon dislodged as conflict broke out there in March, 1991. Refugees were dispersed to Guinea and Cote d'Ivoire, only to be embroiled in another flight for safety in Mali, Ghana and Burkina Faso. About 750,000 people were displaced within the country and another 500,000 "foreign" residents, mostly nationals of Burkina Faso, were rendered homeless and in desperation fled to their countries of origin (UN, 2003).

Sentiment against non-nationals is on the increase in many parts of this sub-region. This unwholesome development is rooted in economic downturn, increasing unemployment among young nationals, conflicts and political instability. Thus, the xenophobia against immigrants in Cote d'Ivoire was fanned by media (mis)reporting and by politicians hastily blaming so-called illegal migrants for all of society's ills. Aliens are usually scapegoats when governments are confronted with teething economic and political problems. Migrants are targets of hostility from the native population, are blamed for whatever economic, social and political problems that arise in the country, and are accused of taking jobs from nationals when youth unemployment rises.

Some countries are using ethnicity and religion to re-classify long-standing residents as non-nationals and are weary of the presence of large numbers of immigrants fearing that during elections, they may swing the vote in favour of the opposition along ethnic or religious alliances. The long-delayed National Identity Card scheme launched in Nigeria in mid-February 2003 is designed, in part, to "effectively control" illegal immigrants and their nefarious activities. About the same time, Liberia introduced compulsory exit visa for all residents in the country – a move criticised as violating the fundamental right of its citizens to free movement in and out of the country.

Nigeria plays a pivotal role in the socio-political and economic affairs of West Africa. It accounts for over 50 per cent of the population of West Africa, which itself is one of the largest sub-regional markets across the world. The possibility of political crisis in Nigeria, following the run-up to presidential elections in 2007 is a worrisome scenario. The clamour for restructuring the country into three or more entities is equally worrisome. Nigeria is at the forefront of the two-track approach to closer integration in the sub-region, and any major disruption in the country, the Community's demographic and economic giant, could seriously derail the path of ECOWAS integration efforts, spur millions of refugees and emigrants that would completely dwarf the sub-region since two

in every three West African is a Nigerian. Such a scenario could completely destabilise the sub-region politically, economically and socially. The on-going political crisis in Cote d'Ivoire is a pointer in this direction.

### **Prospects and challenges for managing migration in West Africa**

The management of migration essentially implies making migration a win-win-win situation for migrants, countries of origin and destination. A rational migration management approach must balance the interests and needs of countries of origin, transit and destination as well as the aspirations of the migrants. Migration management is a complex process that goes beyond punitive and control measures. Hence, policy makers need to appreciate the fact that human mobility is an inherent, desirable, component of the development process and that many prosperous countries and communities historically were built on migrant labour. As the political and economic processes evolve, the major challenge is how to make migration work productively for migrants, origin and destination countries and societies and families; that is, how to channel movements to benefit the three key actors – migrants, origin and destination.

The recent political and economic history of West African countries highlights the fluidity of transition between immigration and emigration configurations and dynamics. Countries that were once immigrant receiving (Ghana, Cote d'Ivoire) have metamorphosed into migrant sending countries with Nigeria assuming both situations between 1975 and 1990, within a time span of a less than a generation.

Migration is an essential tool in integration which should be used effectively to break language, and colonial barrier, and a correction of history of the sub-region before its people were categorised as francophone, anglophone and lusophone. This colonial heritage promoted national sentiments among West Africans along this divide and above that of the Community. Students' study and exchange programmes and placement in West African countries are a viable channel to redress this colonial heritage and also serve as a building block for the future integration of community nationals.

A framework for monitoring of the integration scheme, and of the implementation of decisions at national and sub-regional levels should be established. This is especially crucial in view of the need for member countries to cede authority to re There is need, first, for an integrated and comprehensive approach to migration management policy development and implementation, involving all partners engaged in the migration policy regimes especially government sector (Ministries of Labour, Trade, Home Affairs, Integration, Trade, Foreign Affairs, Justice, etc. ), private sector, civil society and trade unions, as well as close collaboration between and among these divergent constituencies, with often conflicting interests.

The elements of migration management would include short-term, medium-term and long-term measures. The key elements are the development of a comprehensive policy framework to take into account direct and indirect impacts of sectoral policies on trade,

investment, employment, health, and so on; comprehensive and coherent migration management policy formulation and its implementation; research in partnership with policy makers, starting from policy frameworks and working through to objectives, findings and recommendations; intra-agency collaboration and synergy between sectoral policies and its impact on migration and policy dialogue to engage all stakeholders - policy makers, politicians, civil society, the media, migrant associations etc - in matters of migration management (IOM, 200 ).

The collection of up-to-date information on migration across borders will have to be factored into the data gathering procedures. Censuses are the more comprehensive data source, but these have to be supplemented by special collaborative border survey data collection, dissemination and use.

ECOWAS secretariat should undertake, or commission, a study to take stock of national laws and treaties that implicate migration and review existing laws, employment and investment codes that are at variance with ECOWAS Protocol on free movement of persons, establishment and settlement. There is need to retrain and inform officials the revised national laws and treaties, as well as ECOWAS Protocols, to ensure that they at their level foster rather than frustrate the objectives, modalities and procedures for free mobility of Community citizens.

Capacity building at the national and sub-regional levels is critical. Capacity building of immigration officials is most critical as well as urgent. Presently functioning as border control and security officials, their role has to be transformed into that of migration management, helping to facilitate rather than restrict migrations in regular situations and in the context of the sub-regional integration agenda.

In most countries of the sub-region, the institutional capacity required to manage migratory flows and for effective policy formulation and implementation is weak, and must be strengthened through training and retraining of key officials. Capacity building of officials – customs, immigration, police, security - to deal with free movement of persons and goods, and on the rights and obligation of migrants should be a continuing process. Training of officials, exchange of information, and networks should be institutionalised to replace on-going ad-hoc arrangements.

The Secretariat of ECOWAS lacks the resources, both human and material, and power to implement decisions of the Authority. The human and technical capacity to implement recommendations is in short supply and must be boosted. It is generally accepted that greater institutional strengthening of ECOWAS is essential but also requires human and financial resource input. Capacity building of the officials is a top priority to ensure efficiency, transparency, public accountability and productivity.

There is no formal forum in the sub-region specifically to discuss migration matters. Hence, a West African Dialogue on Migration Management for all stakeholders, in particular the media and the public, should be established as a continuous process in order to avoid misrepresentations, ignorance and xenophobia that currently surround the issue

of migration. Discourses on migration, especially from the receiving end, are full of anxiety, misconceptions, myths and prejudices; and are also fed on xenophobia. In that context, the positive aspects of migrants as agents of development in source and destination countries should be elaborated.

There is need for dialogue and consultations among various stakeholders to discuss common approaches to their migration concerns and interests, share ideas and enhance understanding and cooperation in migration management. Such a process could lead to the development of a coherent policy framework for the management of migration.

Public enlightenment, concerted advocacy and public education campaign should be mounted, possibly simultaneously in all countries of the sub-region in order to halt unwholesome hostility against migrants and refugees amongst traditionally hospitable peoples ready to share their meagre resources with strangers. In doing so, accurate information about the positive contribution of immigrants to national development, the causes and consequences of migration at origin and destination, and the fluidity of migration dynamics, turning countries of immigration into sending and transit countries, should be emphasised.

It is obvious that migration cannot be managed effectively by unilateral action: many countries simultaneously serve as origin, transit and destination of a variety of migrations. Hence bilateral relations should be forged between the countries sending and receiving migrants within and outside the sub-region, and also, in this context, multilateral arrangements between ECOWAS, Southern African Development Community (SADC), the European Union (EU), the African, Caribbean and Pacific (ACP) countries, and so on.

At the national level, collaboration between and within agencies of government dealing with migration matters is essential but rarely exists at the moment. The key role of trade relations, especially the intended and unintended, short as well as long term effects of bilateral and multilateral trade agreements on migration is not yet evident and appreciated by many migration stakeholders and should be explicitly recognised while conducting trade negotiations. Cooperation between governments of sending, transit and destination countries is also crucial to combating trafficking, more so because strict immigration policies in developed countries can actually fuel markets for trafficking and smuggling and irregular migrations.

Attempts should be made to undertake cooperative research and information sharing between countries of origin and destination. In the same vein, it is imperative for law enforcement authorities of recipient countries to share information on numbers and nationalities of trafficked persons, smuggling routes, and methods of interdiction with countries of origin's agencies, and to also institutionalise operational contact between them. Cooperation between researchers in origin and destination countries that focus on, for example, tracer studies of trafficked victims is to be encouraged. Above all, channels of communication between countries of destination and origin must be established and reinforced, and information sharing is a major component of cooperation.



Experience shows that effective free movement of persons cannot be divorced from access to employment at the destination, and better still, possibly settlement and also ease of remitting earned income through formal channels of the banking system. Currency convertibility and common currency arrangement become imperative and can greatly facilitate transactions especially for illiterate female traders that dominate the Nigeria-Benin-Togo-Cote d'Ivoire-Senegal-Gambia trade network.

An integrated transportation network is required, and must be maintained, to facilitate the smooth movement of persons and distribution of goods and services. The infrastructural deficits in many States must be addressed and road networks upgraded and maintained. ECOWAS needs to harmonise and implement the intertwined policies of trade, investment, transport and movement of persons integrally.

Migration in regular situations, with clearly stated obligations and responsibilities, could enhance a win-win-win situation and minimise illegal entries. States have and may choose to exercise the right on who to admit into their territories, and for how long, all within the context of the ECOWAS Protocol.

A sustained sensitisation activity is required to create awareness in the private sector and among the general population on the Single Monetary Zone concept, currently being spearheaded by Nigeria and Ghana, and the Trade Liberalisation Scheme, leading to the creation of a Custom Union and a single regional market, and the adoption of a single ECO currency by 2007. These are facilitative factors that if fully implemented, could considerably enhance intra-community trade, and especially the movement of persons, goods and services.

The high levels of unemployed, rapidly growing, young population, poverty, internal disorder, mismanaged economy and rural degradation are indicators that the emigration pressures are pervasive in the sub-region. Responsive policy making would have to take this scenario into consideration in designing measures relating to employment generation, good governance, conflict resolution, sound environmental management and indeed comprehensive migration policies.

The elements of comprehensive migration management would include the development of a comprehensive policy framework to take into account direct and indirect impacts of sectoral policies on trade, investment, employment, health, education, and so on. A comprehensive and coherent migration management policy formulation and its implementation would require research in partnership with policy makers, starting from policy frameworks and working through to objectives, findings and recommendations. Intra-agency collaboration is as essential as synergy between sectoral policies and its impact on migration.

A system of continuous policy dialogue should be instituted to engage all stakeholders - policy makers, politicians, civil society, the media, migrant associations, etc - in matters of migration management. Above all, a framework for monitoring of the integration scheme, and of the implementation of decisions at national and sub-regional levels should

be established. This is especially crucial in view of the need for member countries to cede authority to regional bodies.

### **The way forward**

What lessons have been learnt in formulating and implementing comprehensive migration policies in the sub-region? At the moment, several national laws conflict with regional and sub-regional treaties. These have to be harmonised. Governments have to revise national laws and employment codes in line with ECOWAS protocol and ensure that the rights of migrant workers in the host countries are protected.

To facilitate implementation, an intensive advocacy is required to widely disseminate to various stakeholders - the concerned governmental officials, civil society, organised private sector and NGOs, (including migrant serving associations) various regional and international laws and treaties dealing with migrants, and which have been acceded to by the respective countries

Alarmed by the delays in getting member countries to ratify Community protocols and implement Community decisions, Nigeria, the Community's economic giant, spearheaded efforts at revitalizing that goal. At the 22nd ordinary summit of ECOWAS Heads of State and Government, held in Lome, Togo early December 1999, Nigeria proposed a new strategy for accelerating the process of regional economic integration. This involves the adoption of a two-track approach which allows three or more member-states to take concrete, pragmatic measures to jointly implement integration programmes at a faster pace (ECOWAS, 2000). This proposal, a variant of the principle of variable geometry that allows some member states within a regional organisation to move at different speed than others, was adopted by the Authority of Heads of State. In view of the slow progress in implementing decisions of the Community, member countries could now identify areas of agreement which they can progressively implement, notably free movement of persons, travel cards, traveller's cheques, tariff regime, customs and immigration formalities to enhance intra-regional labour mobility and cross-border trade. Member countries should then implement other agreements using the variable speed approach, whereby sets of common objectives are agreed upon but component countries move at different speeds towards implementation, rapidly and others slowly. The two track approach is currently being pursued by Nigeria and Ghana.

Greater integration is anchored on several developments which indirectly affect intra-regional migration. The Community's policy makers have set targets for a Community Passport expected to take effect by 2005, a Common External Tariff billed for 2005, a Single Monetary Zone expected to take effect in 2007 and integration of ECOWAS and UEMOA by 2005. The record of ECOWAS member states on harmonisation of macro-economic policies is weak; so is the implementation of the common currency proposal to facilitate financial transaction by migrants and the business community. This is a major challenge which must be addressed with urgency, but indications are that these ambitious targets, like others before them, may not be easily realised.

Efforts at promoting regional integration and co-operation must also address the right of residence and establishment of migrants and obligations of the host countries. In that context, member states should amend national laws and investment codes that in effect restrict “foreigners”, including nationals of Community states, from participating in certain kinds of economic activities.

To date the issue of migration is low in the development and political agenda of the sub-region. This situation has to be reversed radically with a shift in perspectives in order also to show-case the positive aspects of migration, and of migrants as development agents. It is therefore imperative for each member state to establish an Advisory Board on Migration. Membership of the board will be drawn from all stakeholders (civil society, researchers, officials from a range of relevant ministries and agencies, political, religious and traditional leaders and so on). The primary role of the board is to serve as a forum to discuss country-specific concerns on migration and migration management issues.

ECOWAS, like most regional economic organisations in Africa exhibit a lack of national and sub-regional and regional monitoring of the implementation of decisions (Cilliers, 2001). A major responsibility of the Board therefore, is to monitor the status of implementation of national laws and ECOWAS decisions relating to migration. The role of the Board is crucial at this moment as a major setback to the achievements of ECOWAS is the unwillingness to implement ECOWAS protocols and decisions into national laws. It is the member states themselves that need to implement the initiatives they committed themselves to and signed during the meetings of Ministers and Heads of State and Government.

Information dissemination is essential for potential emigrants in countries having or likely to have a significant potential emigrant population regarding rules and regulations guiding entry, residence and employment abroad is an essential component of the migration management agenda. Government agencies should endeavour to provide their nationals with adequate information on conditions in the receiving countries. Senegal and Mali have set up such mechanisms and their experience should be shared.

The government of Mali has created a ministerial-level post to assist Malians abroad with their return and to conduct public relations visits to help the receiving countries understand the peculiar situation prompting emigration of Malians living abroad, as well as about job and residence requirements in the receiving countries. Emigrants are encouraged to send money home regularly, and consular positions have been expanded in the major receiving countries to deal with the Malian immigrants’ problems (Adepoju, 1999). Senegal has also taken steps to facilitate the emigration and return of thousands of its nationals resident in Africa, Europe and America, and to promote remittances by these emigrants. The Ministry of Foreign Affairs and Senegalese Abroad was restructured in 1993 to enhance the welfare of nationals abroad, and articulated programmes for their repatriation and rehabilitation. The new orientation encourages emigrants to be actively involved in the socio-economic development of Senegal.

The fight against trafficking in women and children requires the cooperation of all stakeholders. It is important that governments fully implement ECOWAS recommendations to combat trafficking in children and women, migrants' smuggling and trafficking, and set up legal framework for the arrest, prosecution and punishment of the perpetrators of trafficking, and for the protection and rehabilitation of victims.

At the ECOWAS policy level, the objectives set for the organisation should be realistic, sustainable and achievable. The Lagos Plan of Action and Final Act of Lagos's framework for establishing sub-regional co-operation unions remains more relevant now than the situation two decades ago. As envisaged, these will serve as building blocks in a gradualist approach towards a continent-wide economic integration that would facilitate intra-regional labour mobility, and promote self-reliant development in the region remains more relevant now than the situation two decades ago.

Many West Africans are not aware of the existence of the ECOWAS Green Card. Indeed many nationals do not have access to national passports. Each government should mount public enlightenment campaign on the ECOWAS Passport which is expected to progressively replace national passports, and decentralise the issuance of the passport from national capitals to provincial and district headquarters to facilitate access of the majority of rural dwellers, and optimise the incentive to obtain the ECOWAS passport. This recommendation also applies to national passports which remain out of reach of many citizens.

A viable starting point to the formation of attitudes favourable to migration is through the formal educational system, using the "catch them young strategy" to inform young students in schools about the positive roles and benefits of migration, as well as the duties and obligations of migrants. Youths should be involved in cross-cultural activities to foster the integrative agenda of ECOWAS, and also to reverse the top-to-bottom approach of the functioning of ECOWAS. Exchange of students should be encouraged more so since these are leaders-in-waiting, and are expected to assume the mantle of the Community leadership in the future. The example of the First Africa Integration Days in Cotonou (10 -12 May, 2001), organised by the ECOWAS Community in Benin, and the Children of Integration, a youth wing of that outfit (ECOWAS, 2001a), should be replicated all over the sub-region. Effective integration can be hatched and nurtured through such exchange programmes; hence member states should abolish existing discriminatory fees against non-nationals in their tertiary educational institutions.

Some political leaders are ambivalent to the principle of free movement of persons and are reluctant to modify domestic laws and administrative practices and to surrender national sovereignty to supra-regional organisations. Some leaders prefer to preserve the Anglophone-Francophone-Lusophone divide, for selfish reasons. Growing xenophobia is often fanned by media' sensational reporting on issues of migration and by politicians hastily blaming so-called illegal migrants for all of society's ills – rising crime, drug peddling, unemployment, and other untested negative aspects of migration. Concerted advocacy and public education is required to show-case the positive aspects of migration,

and to halt the simmering, and unwholesome hostility against migrants amongst traditionally hospitable African peoples.

The absence of peace and stability in many parts of the sub-region discourages investment, the very foundation of development, leads to capital flight, stalls sustainable development and employment generation, and prompts emigration. Conflicts in the sub-region are endemic, contagious, very violent and often senseless, as the experience of Liberia, Sierra Leone and Cote d'Ivoire shows. In this context, the Lome Protocol on the mechanism for the prevention, management, and control of conflicts and maintenance of peace and security as well as other and ECOWAS' efforts at conflict prevention and resolution should be reinforced. This mechanism is well ahead of other regional organisations in Africa. What is needed is an overwhelming emphasis on early warning and prevention, backed with resources, financial and human, to forge ahead in also addressing the root causes of conflicts, and in order to create an environment to build peaceful and stable conditions for sustainable development. In this context also must be placed the limited achievements of ECOMOG in peacekeeping, monitoring engagements and in curtailing Liberia's leader's regional destabilisation plans.

The low popular participation in the political process, widespread illiteracy and poverty are critical shortcomings that must be redressed, by establishing a stable environment conducive to good governance. As reiterated in the ECOWAS Executive Secretary's report (ECOWAS, 2000a), the environment for peace, stability and development is essential for lasting growth and economic development. Rather than undertake a catalogue of new decisions, what is most pertinent is to apply, with conviction, the decisions that have already been taken.

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