

Fostering Free Movement of Persons in West Africa: Achievements, Constraints, and Prospects for Intra-regional Migration

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ABSTRACT

Migration in West Africa is strongly influenced by poverty, depressed economies, and socio-political crises. The influx of migrants into the cities and irregular migrations across national borders in search of decent living conditions reflect a crisis of development. To understand the dynamics of these diverse migrations, we focus on causes and changing configurations of emerging migratory flows; autonomous female migration, trafficking in women and children; intra-regional migration as alternatives to “illegal” migration to the North; progress and constraints in creating a borderless subregion and fostering intra-regional migration.

The abolition of the mandatory residency permit, introduction of Brown Card travel certificates, and the elimination of the ubiquitous border formalities are aimed at facilitating intra-regional movements of persons. Progress was constrained by multiple cooperation groupings and memberships, conflicting objectives, inconsistent political support, growing national identity, depressed economies, and xenophobia against “foreigners”. We suggest that governments should align national employment laws with regional treaties, protect the rights of migrant workers, promote pro-poor employment strategies, adopt variable speed approach in implementing migration policies, and enforce migrants’ rights of residence and establishment.

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INTRODUCTION

The context of migration

This paper sketches the patterns and major trends of migration in West Africa with a focus on the socio-economic conditions in the subregion that gave rise to these migratory configurations. To understand the dynamics of these diverse migrations, we focus on causes and changing configurations of emerging migratory flows; autonomous female migration, trafficking in women and children; and intraregional migration as alternatives to “illegal” migration to the North. It then outlines the path to the formation of the Economic Community of West African States (ECOWAS), the practical aspects of the implementation of the protocol on free movement of persons, and the delays with respect to the protocol on establishment and settlement. Attention is also focused on the achievements and constraints in implementing the protocol on free movement of persons, as well as recent attempts to create a borderless subregion. The lessons learned form the basis of the conclusions and recommendations of the paper.

Migration is historically a way of life in West Africa. Over the generations, people have migrated in response to demographic, economic, political, and related factors, including population pressure, environmental disasters, poor economic conditions, conflicts, and the effects of macro-economic adjustment programmes (Adepoju, 1988b).

In the past, population movements to restore ecological balance and for greater security prevailed over wide areas. Migrants have always considered the West African subregion as an economic unit within which trade in goods and services flowed. Today, intra and intercountry movements continue to be a central feature of African life (Ashante, 1990; Bach, 1999). In general, migrants from and within the subregion include temporary cross-border workers, professionals, clandestine workers, and refugees. Much of the movement has been intraregional (mainly from the northern zones to the coastal regions), short-term, male dominated, and over long distances.

In recent times, clandestine migrations have been sustained by poverty and human deprivation, and the deterioration of the well-being of the vast majority of the population. Poverty has become both widespread and intense and the proportion of the population living in abject poverty is increasing (Ndongko, 1993). Rural to urban migration has intensified as landless farm labourers, deprived of the means to improve their living conditions, are pressured to abandon work and life in the rural areas and emigrate in search of wage labour in the urban areas (Adepoju, 1995a). In recent years, macro-economic adjustment measures and huge increases in the number of entrants into the labour market have fuelled the job crisis, creating a sustained pressure for labour emigration (Adepoju, 2000b). In the Sahel, in particular, desertification

and cyclical famines have triggered waves of environmentally displaced persons across national frontiers within the subregion (Findley, 1997).

As the economic situation continues to deteriorate rapidly, the pressure to emigrate is at its height. The retrenchment of public sector workers in several countries of the subregion (Senegal, Togo, Sierra Leone, Guinea, and Nigeria), and the stressful socio-economic environment coupled with declining real incomes, contributed to the sustained exodus of both skilled and unskilled persons, both males and females (Diatta and Mbow, 1999). This situation has triggered an outflow of professionals and skilled persons on a scale not experienced before to various African countries in addition to Europe, the United States, and Canada (Adepoju, 1995a).

The feminization of poverty also drags women migrants increasingly to the wage labour market (both formal and informal) as a survival strategy to augment meagre family income (Adepoju, 1984). Conflicts, environmental degradation, and mismanaged economies have further aggravated the pressure for migration from poorer to relatively prosperous regions – within, and increasingly outside of, West Africa (Kennes, 1999).

MAJOR TRENDS IN INTRAREGIONAL MIGRATION

The West African subregion encompasses countries of immigration and emigration as well as those that combine both. There are also countries that serve as transit routes for migrants. The main traditional countries of immigration in the subregion are Côte d'Ivoire and Ghana. In the early 1970s, Nigeria also became a major migrant receiving country as the oil boom generated ample employment in various sectors of the economy. The major sending, mainly labour exporting countries, include Burkina Faso, Guinea, Mali, and Togo. Senegal has been both a labour exporting and labour receiving country (Adepoju, 1996b; Diatta and Mbow, 1999). These migratory configurations, however, have somewhat changed in recent years. Senegal, for example, has taken on an additional role as a transit country for migrants seeking to enter the European Union (via Las Palmas to Spain); Ghana, and in later years, Nigeria, have turned into labour exporting countries as a result of the deteriorating economic conditions in Ghana in the late 1960s and in Nigeria in the mid-1980s (Adepoju, 2000a). In recent years, Ghana has experienced a flow of return migrants as the economic situation there continues to improve.

Since the late 1980s, traditional labour importing, relatively richer countries in Africa (Gabon and Côte d'Ivoire) and, until now, attractive destinations for migrants (Zimbabwe, Zambia, and Nigeria) have experienced endemic political and economic crises, which also spur out-migration of their nationals. As long

as the economies of the recipient countries could accommodate clandestine labour migrants who fail to possess a passport, entry visa, or residence permits where required, there was little sign of stress. However, as economic conditions worsened and unemployment among nationals intensified, immigrants were targets for reprisals through expulsion (Ojo, 1990).

Highly skilled migrants, including doctors, paramedical personnel, nurses, teachers, lecturers, engineers, scientists, and technologists have moved from Ghana, and recently Nigeria, to virtually all African countries, attracted by relatively higher salaries and better working and living conditions (Fadayomi, 1996). Others migrated to Canada, United States, Britain, and Germany, as did students in various disciplines who failed to return home at the end of their training. For example, until the early 1980s few Nigerians saw emigration of professionals as rewarding because their working conditions were attractive and internationally competitive. The collapse of oil prices leading to a sharp decline in oil revenue; a rapid deterioration in living and working conditions; devaluation of the national currency; biting effects of the macro-economic adjustment programme, especially wage freeze and inflation; authoritarian military rule; and the vacillating economic situation fuelled large-scale emigration of all categories of workers, both skilled and unskilled, to other parts of Africa, Europe, North America, and the Gulf States (Adepoju, 2000b).

During the apartheid regime, skilled professionals drawn especially from Ghana and trickles from Nigeria migrated clandestinely to the then homeland states in South Africa. The numbers were small – mostly teachers, university professors, doctors, lawyers, nurses, and engineers. Independence in 1994 and the prospects of a booming economy in a democratic setting opened a floodgate for immigration into the Republic of South Africa – highly skilled professionals from Nigeria and Ghana to staff the universities and other professions; tradesmen from Senegal and Mali, including street vendors and small traders; and a wide range of illegal migrants who are accused of engaging in illicit activities. Some of these illegal immigrants entered the country without proper documentation, while others overstayed the legal residency (Adepoju, 2000c).

Overall, within the West African circuit, a great deal of cross-border movements, involving female traders, farm labourers, and unskilled workers who paid little attention to the arbitrary borders, have essentially been intraregional (Iyun, 1995). The interdependent economies of neighbouring countries also facilitated this migratory configuration. In recent years, however, the deteriorating socio-economic conditions in West Africa in the late 1960s and early 1970s, the small scale of national population and markets, the miniscule intraregional trade, and the inconvertible currencies that constrained intraregional trade, hindered rather than promoted intraregional migration. Poverty has propelled a wide variety of migration configurations, including autonomous female migration and trafficking in migrants.

AUTONOMOUS FEMALE MIGRATION

Autonomous, selective female migration has become a major survival strategy in response to deepening poverty in the subregion. Statistics on poverty indicate, for instance, that seven out of every ten poor Nigerians are women. About 51 per cent of rural women live below the nationally defined poverty line, lacking access to basic education, decent nutrition, adequate health, and social services. Women perform the majority of the work in food processing and dominate the rural and urban informal sector activities. Yet, less than 20 per cent of women own their own farmlands, fewer than 10 per cent have access to agricultural inputs, and less than 5 per cent have access to agricultural credits (Chinsman, 1998). This dismal picture is replicated, in varying degrees, in other countries of the region (Adepoju and Ngom, 1990), a situation that prompted and sustained female migration to the towns in search of wage employment as a coping mechanism.

Sponsored, selective migrations flourished as the adverse effects of macro-economic adjustment programmes bit harder, subsidies from social services were removed, and wage freezes drastically affected living standards. Retrenchment across sectors also implied that few families had the working members necessary to sustain its budget and livelihood. For a large majority of families, migration became a coping mechanism of the last resort (Adepoju, 1996a). In the process, the traditional male-dominated, long-term, and long-distance migratory streams in West Africa are becoming increasingly feminized. Anecdotal evidence is showing an increase in migration by women who traditionally had remained at home while men moved around in search of paid work (Oppong, 1997). Significant proportions of females now migrate independently, even internationally, to fulfil their own economic needs rather than simply joining a husband or other family members (Adepoju, 2000b). To the extent that this is a relatively new phenomenon, it constitutes important changes in gender roles in the subregion. Female-headed and single-parent families have burgeoned as a result of male migration, divorce, or death of the male head, with intense pressure on the females who have to combine work and familial responsibilities (Mbugua, 1997). Higher educational attainment among females has also enhanced their mobility, locally and internationally.

As the economic crisis deepened and living conditions deteriorated, female migrants, as autonomous migrants, have been moving principally to improve their economic status and gain control over their lives. Such autonomous female migration reflects increasing economic pressure on rural families, as female migrants tend to be concentrated in the low-paid, low-skilled labour market. Women in the subregion generally face discrimination in employment, economic opportunities, and access to credit and financial facilities, and are marginalized politically. Although empirical studies focusing on gender analysis of structural adjustment programmes (SAPs) and women's work are few, it seems evident

that the overall impact has been negative (Adepoju and Oppong, 1994). One of the most noticeable effects is the increased workload that women, both in rural and urban areas, have had to bear.

Since the mid- to late 1990s, a large proportion of poor women in the subregion have been increasingly pushed into the labour force almost uniformly on very disadvantageous terms, due to the lowering of household incomes as real wages fall and unemployment rises. The removal of subsidies on basic goods and services and the introduction of charges for health and education tend to force women into paid employment. In particular, they are forced into the informal sector because they must meet these increased expenses. This only worsens as remittances and supplementary incomes from migrant and resident husbands, respectively, thin out and become inadequate for household consumption needs. In effect, SAPs have affected women in their roles as producers, mothers, and household managers. They also had serious consequences for the family, women in particular, at the micro level (Adepoju, 1996a; Oppong, 1997). Forced to do more with less, the family has developed a variety of survival strategies ranging from selective migration to differential investment in education for its various members. These survival strategies have led to new residential patterns, changing income streams, different types of health seeking behaviour, and different expenditure patterns.

Traditionally, men migrate, leaving behind wives and children (who may join them subsequently) in the care of the extended family. Autonomous female migration was sanctioned by a variety of customs and made more difficult by job segregation and discrimination in the urban labour market (Adepoju, 1983; 1984). All these have changed. Autonomous female migration directed toward attaining economic independence through self-employment or wage income has intensified. A large proportion of women who migrate to urban areas are household heads. Female migration has burgeoned in recent years, especially the new phenomenon of females migrating internationally, leaving their husbands behind to cater for their children – a turn-around in sex roles. This feature is increasingly visible among professionals in Nigeria, Senegal, and Ghana.

Yet, for so long, migration surveys simply did not ask women about their migration experiences. Where women did move, it was implicitly assumed that this was for marriage or to join family members (Adepoju, 1983). Hence, female migration was viewed merely as associational. This stereotype was questioned and surveys are confirming that economic concerns play an important role in female migration decisions, even when joining a spouse (Iyun, 1995; Findley, 1997).

When women migrate they face a number of gender-specific problems: loss of rights to village lands left behind, lower pay in urban employment owing to lack of education, the need to juggle childbearing and work outside the home, and

separation from their children who may be fostered to another family or left behind in the care of grandparents. Women in the subregion engage in a life-long struggle to combine reproductive and productive tasks and responsibilities within the family context (Oppong, 1997). They are socially disadvantaged with respect to access to productive resources, to control over the labour process in both domestic and market places, to modes of remuneration, and so on. In essence, gender-specific responsibilities reduce the flexibility and ability of women to migrate. Because women tend to experience more constraints on land access, the separation of roles tends to handicap women relative to men with respect to independent migration.

What factors have sustained the upsurge of economically motivated female migration in recent years? Before the economic crisis deepened, women could supplement their husbands' income and remittances. As men increasingly lost their jobs and incomes became irregular, women, like men, were increasingly turning to migration to meet their economic obligations. Women are, therefore, adopting a variety of survival strategies given the pressures on their time and energy that they encounter, both at the household and community levels (Adepoju, 1996a). The economic situation of the women is getting worse, not better. Given the current economic crisis, women are now the poorest of the poor. Economic downturn and social disintegration have reduced the woman's family's resource base, shifted a larger share of income-generating activities unto her shoulders, added more family health-provision and health-care responsibilities for the family to her burden, and locked women more tightly into the migration system as a survival strategy (Mbugua, 1997). We are now witnessing and need to document and understand a phenomenon of increasing proportions of women alone without husbands and kin, either to assist, control, or protect them. Women, especially the resilient trans-border traders, are now evolving a series of initiatives, including migration to survive the economic crisis and political instability and the perception of a dismal future (Oppong, 1997).

UNDOCUMENTED MIGRATIONS AND TRAFFICKING IN MIGRANTS

Young West African migrants are adopting more sophisticated, daring, and evasive methods to enter the countries of the North, as they tighten their border controls. Movements are more clandestine and spontaneous, involving more risky passages and trafficking via more diverse transit points (Adepoju, 1999). Some of these migrants enter the host countries clandestinely as tourists or students and later work and live there without officially changing their status. Others travel via intermediate countries such as Gambia, Cape Verde, or Guinea Conakry to obtain false documentation for a fee en route to Spain, Portugal, Italy, or Libya, invariably via another country, giving rise a multipolar and multidimensional migratory path (Findley, 1997). While some continue with the

traditional two-step moves from a village to a coastal city and then to Europe, many others pursue varied itineraries through Sahelian or coastal African cities to reach Europe, the ultimate destination.

Clandestine migrants, who initially migrate as businessmen, students, or tourists, employ a variety of tactics to stay on at the destination, living with friends and working in the “underground” sector. The deteriorating political and economic situation in Africa has reinforced the resolve of emigrants to sidestep the official channels. The youths are especially vulnerable – their exaggerated aspirations and expectations remain unfulfilled in a deteriorating socio-economic and political environment, while at the same time they are fed with exaggerated information about the opportunities in the countries of the North (Adepoju, 1999).

Although firm statistics are difficult to find, it is now evident that trafficking in illegal migrants, until now a rare phenomenon, is on the increase as young persons are now involved in daredevil ventures to gain entry into Europe. In addition to the sporadic incidences of so-called stowaways who engage in life-threatening ventures hidden on board ships to southern Europe, and recently to as far as East Asia, there are accounts of unscrupulous agents who also exploit youths with promises of passages to Italy, Spain, and France via, for instance, Dakar and Las Palmas. Most of these youths get stranded in Dakar; others who find their way through get apprehended and deported on arrival or soon afterwards (Adepoju, 2000b).

Worsening youth unemployment, the rapidly deteriorating socio-political and economic conditions, and poverty stimulated and intensified irregular and undocumented migration and trafficking in migrants. The dramatic changes in the region’s economic fortunes undermined the abilities of families to meet the basic needs of its members. One of the consequences is the weakening and disintegration of family control on the youth that roam the street, seeking a lowly paid job for months without success. For most youths, migration, either in pursuit of higher education or for wage employment, is destined toward the towns and then to other countries. For a few, such migration is of the mobility type, but for the large majority, it is strictly for survival (Adepoju, 2000b).

In desperation, most of these youths fall easy prey to scams and risk their lives during the hazardous journey to the countries of the North, with the assistance of labour traffickers and bogus agencies. Many are seeking asylum, citing abuse of human rights in their home countries. Newspapers have also reported incidences of trafficking in children and young girls from South-East Nigeria to Equatorial Guinea and Gabon. The shock story of the ship carrying young children from Benin destined for, but turned back from, Gabon and Cameroon, raised consternation locally and internationally. It is in this context that the potential role of ECOWAS in fostering managed intraregional migration is discussed.

THE CREATION OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES AND IMPLEMENTATION OF THE PROTOCOL ON FREE MOVEMENT OF PERSONS IN PRACTICE

The leaders of West Africa recognized in the early 1970s that intraregional integration could be an important step towards the subregion's collective integration into the global economy (Ndongko, 1985; Uka, 1984). Thus, the treaty signed in Lagos on 28 May 1975 creating the Economic Community of West African States (ECOWAS) covered almost all fields of economic activity.

What is of particular relevance to the theme of this paper is Article 27, which affirms a long-term objective to establish a community citizenship that could be acquired automatically by all nationals of the 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 subregion. Thus the treaty simulated efforts towards a homogeneous society that once existed in the subregion (Onwuka, 1990). It is in that context that the Protocol on Free Movement of Persons and the Right of Residence and Establishment of May 1979 was explicit on free mobility of labour. Phase one, guaranteeing free entry of Community citizens without visas for 90 days, was ratified by Member States in 1980 and put into effect to usher in an era of free movements of ECOWAS citizens within member countries.

The rights of entry, residence, and establishment were to be progressively established within 15 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 certificates could enter Member States without a visa for up to 90 days. Member States can nevertheless refuse admission into their territory to so-called inadmissible immigrants under its laws (Ojo, 1999). If there is an expulsion, States normally guarantee the security of the citizen concerned, but it is at the expense of the immigrant. The delayed second phase (Right of Residence) came into force in July 1986 when all Member States ratified it, but the Right of Establishment has not been implemented until 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 recognize these rights in their respective territories. It also calls on Member States to take all necessary steps at the national level to ensure that the provisions are duly implemented.

The coming to force of the Protocol on Free Movement of Persons coincided with a period of economic recession in most of West Africa, especially those countries bordering Nigeria, which at that time was booming economically,

fuelled by the huge oil sector earnings. The oil-led employment opportunities attracted migrants of all skills, but especially unskilled workers, who arrived from Ghana, Togo, Chad, Mali, and Cameroon to work in the construction and services sectors (Adepoju, 1988a). The short-lived oil boom resulted in a rapid deterioration in living and working conditions, devaluation of the national currency, wage freeze, and inflation. In early 1983 and in mid-1985, the Nigerian Government revoked Articles 4 and 27 of the Protocol to expel 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 structural adjustment programme in Nigeria. In June 1985, about 0.2 million illegal aliens were again expelled as the economic crisis deepened (Onwuka, 1990). This development created a crisis of confidence that rocked the Community to its very foundation.

Aliens are usually scapegoats when governments are confronted with economic and political problems. The situation in Côte d'Ivoire illustrates this. A major country of immigration in the subregion, it has a vast natural resource endowment but a small domestic labour force – about a quarter of its waged labour force are foreigners. The country's first post-independent president, ignoring the arbitrary borders drawn by colonial powers, encouraged immigration from the country's poor neighbours. Immigrants from Burkina Faso, Nigeria, Liberia, Senegal, and Ghana flooded the plantations clandestinely and did menial jobs that the local population despised. They brought their families and were allowed to marry cross-culturally, settle, and vote. By 1995, there were 4 million such immigrants in a population of 14 million. The recent shift in the country's liberal immigration policy and the growing anti-immigrant sentiment is taking a dramatic, sometimes violent turn as non-indigenes continue to flee the country. The policy to register and issue special identity cards to foreigners is widely viewed as aimed at deporting (now classified) illegal immigrants (Adepoju, 2000a). In March 1999, Ghana also requested that all aliens in the country register and be issued identity cards. Immigrants are suspicious, recalling the antecedents of the 1969 Alien Compliance Order that culminated in the expulsion of all non-Ghanaians.

Most countries of the subregion have enacted or retained a series of laws, which in effect restrict "foreigners", including nationals of community states, from participating in certain kinds of economic activities. The expulsion of aliens from some Member States also negates the *raison d'être* for establishing such communities. Expulsions and deportations are common policy measures directed at illegal migrants before and after the formation of subregional economic unions. Examples of expulsions of non-nationals include Sierra Leone (1968), the Côte d'Ivoire (1958, 1964), Ghana (1969), Chad (1979), Equatorial Guinea (1974), Senegal (1967, 1990), Guinea (1968), Nigeria (1983, 1985), Liberia (1983), Benin (1998), and Côte d'Ivoire (1999).

Persistent border disputes deriving from arbitrary borders are common in the subregion 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, Ghana and Togo, and so on have led to the expulsion of Community citizens from these territories.

The 25 year existence of ECOWAS was punctuated by a series of success stories and unfulfilled expectations in achieving the ideas of the founding leaders. Nigeria and Togo were catalysts at the formative stage of ECOWAS. Currently, Ghana and Nigeria seem to be pushing ahead for faster and closer regional integration. It is against this background that the following sections provide a brief analysis of the performance of ECOWAS, highlighting the progress made and constraints encountered in creating a monetary union and borderless space, and facilitating free movement of persons as envisioned by its leaders.

CONSTRAINTS IN ENHANCING FREE MOVEMENT OF PERSONS

Member States of ECOWAS belong to more than one union with different ideologies, aims, and objectives; nationals from different groups migrate in stages across countries associated with the Community and the balkanization of these countries along colonial lines – francophone, anglophone, and lusophone – has hindered rather than promoted free mobility of labour in the region. The countries of the Community also exhibit different levels and patterns of development, political systems, and ideologies. Countries with small populations are juxtaposed within those with large populations and land area. Some are resource poor while others are endowed with human and natural resources. The smaller and economically less prosperous countries are often suspicious of the demographic and economic giants – Nigeria and Côte d’Ivoire – in the Community.

The major constraints include the multiplicity of economic groupings whose objectives, population, market size, and structures are as diverse as the membership of the groupings. The wavering political support, political instability, and inter-state border disputes and wars have retarded progress in ratification and implementation of protocols designed to facilitate migration, settlement, and establishment of Community citizens in Member States. The persistent economic downturn has crippled the ability of States to pursue consistent macro-economic policies and resulted, in part, in poor funding of cooperation unions. The non-convertibility of currencies hinders financial settlements and the harmonization of macro-economic policies and procedures. A high proportion of cross border movement in the subregion is unrecorded due to the ubiquitous roadblocks across frontiers, the lengthy and costly formalities at border posts, and the corruption of officials.

Community citizens have been expelled by most Member States, in spite of the Protocol on Free Movement of Persons. Sentiments against non-nationals have risen in recent years as a result of the economic downturn, increasing unemployment among young nationals, and political instability. The Protocol on Establishment and Residence has not been implemented, despite the close link to the right of free movement, integration of trade, tariff regimes, and promotion of labour mobility in the subregion.

The absence of peace and stability in several parts of the subregion discourages investment, the very foundation of development, leads to capital flight, stalled sustainable development, and employment generation. The conflicts in Sierra Leone and Liberia have gradually spread to Guinea Conakry and Guinea Bissau with the potential to become a regional conflict. The current crisis has uprooted thousands of people internally and across national borders as refugees and displaced persons.

PROGRESS MADE IN ENHANCING FREE MOVEMENT OF PERSONS

The free movement of persons without visas in the West African subregion is a major achievement of the organization. Associated with this development is the progress made in the area of monetary policy, communication, trade, and related matters. These include the introduction of ECOWAS travellers' cheques – the West African unit of account – to harmonize the subregion's monetary policy; the proposed adoption of a common currency by 2004 to facilitate cross-border trade transactions; and the introduction of the Brown Card travel certificates to be used as ECOWAS passports.

Regional infrastructure has been rehabilitated and expanded to foster economic integration with the proposed establishment of two rail links: a coastal route from Lagos to Cotonou, Lomé, and Accra; and a Sahelian route linking Lagos to Niamey and Ouagadougou. The abolition of the mandatory residency permit and the granting by immigration officials of the maximum 90-day period of stay to ECOWAS citizens at entry points took effect in mid-April 2000. Border posts and all checkpoints on international highways are to be policed by customs and immigration officials only. These posts, which until now constituted a menace to the free movement of persons and goods, were to be scrapped. To this effect, the Nigerian government ordered all checkpoints between Nigeria and Benin to be dismantled immediately. Border procedures are to be modernized by the use of passport scanning machines and border patrols are to be 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, staff exchange programmes, and frequent meetings and training courses (Adepoju, 2000c).

Customs policies and shipping laws are to be harmonized and updated to promote liberalization of maritime services. In the process, a zero per cent rate of duty would be applied on approved industrial products, goods, and traditional handicrafts as measures to facilitate effective establishment of a free trade zone. Free movement of goods and persons across the borders of the subregion would take effect by the end of April 2000. The trade liberalization scheme is to progressively establish a customs union over a 15-year period from January 1990 when the scheme went into effect.

Other recent developments include proposals to create a borderless subregion as the major agenda of the meeting of Heads of State and Government held in Abuja in early 2000; the adoption during their summit in Abuja (May 2000) of an ECOWAS passport as a symbol of unity, and to progressively replace national passports in circulation over a transitional period of ten years. The subregional airline was launched in Abuja to coincide with the twenty-fifth anniversary of the organization to facilitate intraregional travel

Firm proposals were made to boost transport and telecommunication links among Member States, and to establish trans-coastal, trans-Sahelian rail links. Effective 1 January 2000, a zone for the circulation of goods, free of custom duties, was set up. The Lome Protocol on the mechanism for the prevention, management, and control of conflicts, and maintenance of peace and security was signed in December 1999 and the free movement of goods and persons across the borders of ECOWAS Member States was scheduled to begin by the end of April 2000. Nigeria and Ghana are taking the lead to implement the scheme, ahead of other countries.

CONCLUSION AND RECOMMENDATIONS

In general, migrants from and within the region include temporary cross-border workers, professionals, clandestine workers, and refugees. Much of the movement has been intraregional, short term, male dominated, and involving long distances. These movements are mostly of the “survival” type in search of whatever work migrants can get – in any location and at any wage.

Migration within and from West Africa is strongly influenced by poverty. One visible manifestation of the crisis is the influx of migrants into the cities, autonomous female migration, trafficking in migrants, and migration in regular and irregular situations across national borders and to the developed countries in search of viable employment opportunities and decent living standards. The implementation of the protocols on free movement of persons, establishment, and settlement in West Africa highlights the need to harmonize the diverse cooperation unions, especially with respect to national laws and regional treaties dealing with labour migration. The improvement in the communication and

transportation network, including the construction of highways and railroads to link the various countries in the community and to facilitate the movement of people and goods, is a major prerequisite for effective integration.

Based on lessons learned, how best can the free movements of persons be fostered in ECOWAS? The Lagos Plan of Action and Final Act of Lagos clearly set out the framework for establishing subregional unions to serve as building blocks in a functionalist and gradualist approach towards a continent-wide economic integration. In 1991, African Heads of State signed the Abuja Treaty establishing the African Economic Community to take off over a 34 year period. Among other objectives, it was hoped that subregional unions would facilitate intraregional labour mobility and promote self-reliant development in the region.

In that context, member countries of ECOWAS should:

- 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 intraregional labour mobility and cross-border trade. They 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 – some rapidly and others slowly.
- Revise national employment codes in line with ECOWAS protocols and ensure that the rights of migrant workers in the host countries are protected. To facilitate implementation, the concerned governmental officials should receive various regional (and international) laws and treaties dealing with migrants, and which have been acceded to by the respective countries
- Harmonize national laws, which conflict with regional and subregional treaties, and address the issue of the right of residence and establishment of migrants and obligations of the host countries. In that context, they 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.
- Provide their nationals, especially potential migrants, with adequate information on the full provisions of the protocol on free movement of persons and the rules and regulations guiding entry, residence, and employment in Member States, especially the need for valid travel documents.
- Harmonize their macro-economic policies and boldly implement the common currency proposal to facilitate financial transaction by migrants and the business community.

- Above all, ensure that objectives set for ECOWAS are realistic and achievable and that political will is sustained.

Some of these issues were addressed at the Interregional Meeting on the Participation of Migrants in the Development of their Country of Origin, organized by the International Organization for Migration and held in Dakar from 9 to 13 October 2000. The conference focused on three themes: migration management, including development, remittances, technology transfer, reintegration programmes, and intraregional and interregional cooperation in migration management; the role and position of the family; and the impact of migrant women in the development process. Extracts of the Dakar Declaration and its implementation and follow up are reproduced in the Appendix.

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APPENDIX

WEST AFRICAN REGIONAL MINISTERIAL MEETING
ON THE PARTICIPATION OF MIGRANTS
IN THE DEVELOPMENT OF THEIR COUNTRY OF ORIGIN

DAKAR DECLARATION

Dakar, 13 October 2000

We,

Ministers and Representatives of the Governments of West African States, meeting on 13 October 2000, in Dakar, (Republic of Senegal), at the West African Regional Conference on “the Participation of Migrants in the Development of their Country of Origin”;

Considering:

- The Treaty of the African Economic Community (AEC);
- The Treaty establishing the Economic Community of West African States (ECOWAS);
- The Bamako Declaration of 5 November 1999, on Migration and Urbanisation in West Africa.

Considering international migration as a phenomenon closely linked to the history of mankind;

Aware of the profound economic, political, demographic, social and cultural transformations, as well as the phenomenon of globalisation that influence the dynamics of West African migrations;

Concerned about the intensification of the phenomenon of migrant trafficking, involving women and children in particular, through trans-national channels and networks, which particularly affects the most vulnerable segments of the populations of the West African region and constitutes a flagrant violation of national international laws and norms;

Noting that only a situation allowing for lasting peace and development in the West African region can create conditions for the return of migrants and for their reintegration into productive economic sectors;

Considering that the development of migrants’ areas of origin constitutes an appropriate solution to problems connected with migration;

Recognising that intraregional and inter-regional cooperation makes it possible to strengthen and harmonise migration and development policies.

DECLARE THAT WE ARE COMMITTED TO:

Promoting peace and stability, particularly through conflict prevention, as a means of fostering the harmonious and sustainable development of the West African region;

Protecting the rights of migrants in their capacity as vulnerable persons, especially in conflict and transit areas;

Strengthening relations between migrants and their countries of origin, by creating favourable conditions for migrants' remittances and savings, to ensure a more productive use of such resources;

Assisting in integrating migrants, who choose to return to their home country, into the economic production system;

Incorporating all the social realities concerning migrants in return programmes by taking into account the particular interests of women and children and their problems;

Developing poverty alleviation programmes in the areas of origin, in partnership with migrants, with the aim of reducing the inclination to emigrate;

Encouraging vocational training for migrants and promoting the creation of intraregional and inter-regional cooperation mechanisms to facilitate technology transfer suited to the needs and conditions of the various countries;

Assisting with activities for the collection, processing and dissemination of information on internal migration and international migration;

Informing the populations of the West African region and making them more aware of the positive and negative prospects connected with international migration, including public health issues;

Accelerating the West African regional integration process, with emphasis on the free movement of persons, the right of residence and establishment;

Promoting dialogue and cooperation in matters concerning migration and development between countries of the West African region and between other regions, especially the African regions, the European Union and North America;

RECOMMEND:

- a) that the West African States
 - Adopt the “Implementation and Follow-up” appended to the Dakar Declaration;
 - Establish follow-up mechanisms for the conclusions of this Conference in collaboration with IOM, ECOWAS and UEMOA;
- b) that the International Organization for Migration (IOM)

provide technical and institutional support for the implementation of the recommendations enshrined in this Declaration, in partnership with international, regional and subregional organisations and other partners at the national and local levels by :

Providing support to projects initiated by migrants and to development programmes for areas predisposed to international emigration;

Assisting in training staff of regional and governmental organisations and associations, particularly in the formulation and implementation of policies, institutional systems, laws and administrative regulations concerning international migration;

Providing support to West African countries, regional and subregional organisations to enable them to launch a systematic information and research programme on international migration;

Assisting in harmonising, co-ordinating and integrating regional migration policies as well as cooperation at inter-regional and global levels;

Supporting efforts made by West African countries, to heighten awareness of the close inter-relationship between migration and development and to make adequate provision for the migration variable during the formulation of national development and regional integration policies;

Contributing to the technical and institutional capacity-building efforts of the West African States and regional organisations to enable them to settle the conflicts that cause large-scale movement of people and ensure a more effective use of the humanitarian assistance and development aid associated with migration management;

Appealing to development partners to provide for migrants’ concerns in their development programmes.

Done in Dakar, Senegal
On 13 October 2000

IMPLEMENTATION AND FOLLOW UP OF THE DAKAR DECLARATION

The commitments of West African States as expressed through the Declaration of the “*Conference on the Participation of Migrants in the Development of their Country of Origin*”, held in Dakar on 9-13 October 2000, reflect the need for the governments of the region to set up a mechanism for cooperation so that, by their sustainable joint efforts with all partners concerned, they can give concrete expression to their will to search for joint solutions to the problems of international migrations facing them.

A. FIELDS OF INTERVENTION

Promotion of Peace and Stability in West Africa and Protection of Migrants’ Rights

- Implementation of training programmes on laws and institutional development for the prevention of conflicts, and on technical assistance to migratory movements, including refugees and displaced people;
- Implementation of the African Charter on mass expulsions in order to avoid forced collective repatriations among West African countries;
- Specific measures for the ratification and effective application of the international convention on migrants’ rights so as to guarantee their protection as human beings and workers;

Measures to be taken in home and host countries for the reinsertion of returning men and women migrants

- Ensuring that all ECOWAS Member States and receiving countries among them ratify the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Convention on Children’s Rights, adapt their national legislation where needed and adopt the mechanism required for their enforcement;
- Re-settlement of victims of the traffic in their countries of origin, and their productive reintegration in the local fields of economic activity through vocational training sessions and search for job opportunities;

Strengthening the role of migrants' associations and Promoting Men and Women Migrant Investment

- Facilitate the periodic return of emigrants in their country of origin and promote synergies with targeted sectors, in particular the areas of research and technological innovation;
- Providing for migrants' vocational training and initiation to project management in host countries in order to enhance the efficiency of their contribution in their home countries either in cases of voluntary return or during short visits home;
- Implementing programmes for highly skilled persons and their reinsertion in key sectors of production of national economies;
- Strengthening the role of mechanisms of intraregional and inter-regional cooperation for the dissemination of information and transfer of technologies adapted to the specific needs and situations of the communities of origin;

Information, sensitisation and research into the different aspects of West African international migration

- Creating a permanent Observatory and Information System on international migrations within and outside the West African region with the support of the International Organisation for Migration (IOM) and the other regional and international organizations concerned;
- Pending the creation of the proposed permanent Observatory mentioned above, setting up a base of international West African data- to be broken up into categories - by compiling existing sources, carrying out specific research and contributing to the promotion of statistics on migrations by national institutions;
- Realising research into the new profile of West African men and women migrants, the process of their insertion in receiving countries, and their participation in the development of their regions of origin, including a study of the positive and negative reinsertion and adaptation experiences of migrants, with their families and children, after they have voluntarily decided to return home;
- Support to the constitution of an intraregional and inter-regional network to disseminate information on migrations;

Intraregional Regional and Inter-Regional Cooperation

- Analysis of specific measures and modalities for an efficient implementation of conventions on the free movement of persons between ECOWAS and UEMOA (West African Economic and Monetary Union) member countries, to facilitate, among other things, a better use of the human resources and know-how already available in the region;
- Examining the possibility of creating a mechanism of consultation and dialogue between ECOWAS and partner countries, particularly the European Union, in order to foster collaboration on migratory issues.

B. MEASURES FOR ACTION FOR WHICH THE SUPPORT OF THE INTERNATIONAL ORGANISATION FOR MIGRATION (IOM) IS NEEDED

- Contribution to the implementation of research programmes, including the establishment of a permanent Observatory and a System of Information on international migrations
- Assistance for the elaboration and realisation of programmes for migrants' return and reinsertion in their countries of origin, including transport of the migrant, his/her family and personal goods, support for the acquisition of professional equipment and financial contribution to reintegration;
- Contribution to project formulation and execution to alleviate the pressure for disorderly emigration by reinforcing the fight against food insecurity and poverty in areas prone to international migration;
- Support to training in migration issues for senior staff of West African government services and regional organisations through sessions dealing with the legal, political and economic aspects of the phenomenon, the analysis and improvement of existing structures and laws, and cooperation between governments in the fields of development and migration;
- Support to the harmonisation, co-ordination and integration of migratory policies at regional level through courses designed to assist West African governments in elaborating mechanisms for the co-ordination of migratory policies;
- Contribution to the training of ECOWAS officers in order to develop their technical and institutional capacities needed for the prevention of conflicts that cause disorderly mass movements of populations, and for a more efficient use of the humanitarian aid and assistance for development related to the management of migrations;

C. FOLLOW-UP MECHANISMS FOR THE CONCLUSIONS OF THE CONFERENCE

- Setting up a Follow-Up Commission of the Dakar Declaration including IOM, ECOWAS and UEMOA, and which, in partnership with the governments concerned and migrants, will be responsible for the implementation and the follow of the Dakar Declaration.

ENCOURAGEMENT A LA LIBRE CIRCULATION DES PERSONNES EN AFRIQUE DE L'OUEST: SUCCES, CONTRAINTES ET PERSPECTIVES DE LA MIGRATION INTRAREGIONALE

En Afrique de l'Ouest, les migrations sont dans une grande mesure le résultat de la pauvreté des habitants, du mauvais fonctionnement de l'économie et des crises socio-politiques. L'afflux d'immigrants dans les villes et le franchissement de frontières nationales par des migrants clandestins en quête de conditions de vie décentes reflètent une crise de développement. Pour faire comprendre la dynamique de ces différentes migrations, l'auteur met l'accent sur les causes et les formes nouvelles des flux migratoires émergents – où l'on voit des femmes migrantes autonomes occuper une place grandissante et où la traite des femmes et des enfants ou encore les flux migratoires intrarégionaux se substituent progressivement aux flux de migrations "illégaux" à destination du nord – mais aussi sur les progrès réalisés et les contraintes rencontrées dans la création d'une sous-région exempte de frontières et l'incitation au développement de la migration intrarégionale.

L'abolition du permis de résidence obligatoire, l'introduction de certificats de voyage ("cartes brunes") et l'élimination des sempiternelles formalités aux frontières sont autant de mesures visant à faciliter les mouvements intrarégionaux de personnes. Les progrès en la matière se sont heurtés à la multiplicité des groupements coopératifs et des structures d'accompagnement, à l'incompatibilité des objectifs, à l'incohérence du soutien politique, au regain du sentiment d'identité nationale, à la dépression de l'économie et à la xénophobie. L'auteur suggère que les gouvernements alignent leur législation nationale en matière d'emploi sur les traités régionaux, qu'ils protègent les droits des travailleurs migrants, incitent à l'adoption de stratégies d'embauche favorisant les plus démunis, appliquent les politiques migratoires à des rythmes différents selon les conditions locales et veillent au respect du droit de résidence et d'établissement des migrants.

FOMENTO DE LA LIBRE CIRCULACIÓN DE PERSONAS EN ÁFRICA OCCIDENTAL: LOGROS, RESTRICCIONES Y PERSPECTIVAS EN LA MIGRACIÓN INTRARREGIONAL

En África occidental, la migración está sujeta a la pobreza, a la depresión de las economías y a las crisis sociopolíticas. Las corrientes de migrantes hacia las urbes y las migraciones irregulares a través de las fronteras nacionales, en busca de condiciones de vida decentes, son el reflejo de una crisis de desarrollo. Para poder entender la dinámica de las diversas migraciones, en este artículo nos hemos concentrado en las causas y configuraciones cambiantes de: las

corrientes migratorias emergentes; la migración autónoma de mujeres; la trata de mujeres y niños; y la migración intrarregional como alternativas a la migración “ilegal” hacia el norte; al progreso; a las restricciones resultantes de la creación de una subregión sin fronteras; y al fomento de la migración intrarregional.

La supresión del permiso de residencia obligatorio, la introducción de los certificados de viaje denominados “*Brown Card*” y la eliminación de las distintas formalidades fronterizas tienen por objeto fomentar los movimientos intrarregionales de personas. Ello se ha visto frenado por diversas agrupaciones y membresías cooperativas, por objetivos incompatibles, por la falta de un apoyo político constante, por una creciente identidad nacional, por la depresión de los tratados internacionales; protejan los derechos de los trabajadores migrantes; promuevan estrategias de empleo en favor de los pobres; adopten perspectivas de velocidad variable en la puesta en práctica de políticas migratorias; y apliquen el derecho de residencia y radicación de los migrantes.