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ECOWAS PROTOCOL ON FREE MOVEMENT AND NIGERIA BORDER SECURITY

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Abstract

This study focused on ECOWAS protocol on free movement and Nigeria border security. The study was carried out to determine the extent ECOWAS protocol on free movement of individuals and goods across borders has posed challenge to not only Nigeria but all the states in the region. The work used descriptive research design and only secondary data were sourced and used. The data collected were discussed qualitatively. The work discovered that there is significant impact of ECOWAS protocol on free movement on national security and public order concerns in Nigeria; and ECOWAS protocol on free movement affects security and investment in Nigeria. This is true because there has been cross-border insurgency/terrorism especially in the North East of Nigeria as exemplified by the nefarious activities of the Boko Haram terrorist group and other splinter sects such as Ansaru, and ISWAP. For that, the Protocol is lacking full implementation by member states till today because of the perceived problems it poses to their national security. The study recommends that there is need to revisit of ECOWAS protocol on free movement to correct the framework that has led to porous borders in the region. The study concludes that; the ECOWAS protocol on the free movement of persons and goods has contributed immensely to the worsening security situation in Nigeria.

Key Words: ECOWAS Protocol, Free Movement, Border Security, National Security, Public Order and Investment.

Introduction

All over the world, the path to modern economic independence has been found in regional integration. In the West African sub-region, the Economic Community of West African States (ECOWAS) came into being through the endorsement of the treaty in Lagos on the 28th of May, 1975. ECOWAS is the biggest and the most inclusive

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having among its members seven francophone countries belonging to Communauté Economique del' Afrique de l'Ouest (CEAO); three Mano River Union (MANU) and the rest made up of Anglophone and Luxophone countries totaling sixteen in number with the exception of Mauritania which withdrew its membership in the year 2000. Other countries are: Nigeria, Togo, Ghana, Benin Republic, Burkina Faso, Cote d' Ivoire, Senegal, Guinea, Gambia, Liberia, Niger, Mali, Sierra-Leone and Guinea Bissau (Fayomi & Adeola, 2015).

It has a population of roughly 300million and a GDP of US $29.4billion (ECOWAS, 2021). Initially ECOWAS was conceived as a sub-regional integration scheme to promote economic development, modernization and growth among other things in the sub-Region. But, it has expanded its objectives and roles, authority and focus in order to accommodate new issues, exigencies, changes and development. These include the unique manner ECOWAS was able to manage and encourage one another through free movement of persons and good. Practically, the current global trend of interdependence between and among states has encouraged the opening of borders among them for free movement. Countries with varying degrees of development in socio-economic, political and cultural spheres are thrown together in one form of regional arrangement or the other and this has further helped in facilitating the activities of transnational criminal activities (Okorie & Enwere, 2020).

The dimension of trans-border crimes with its implication for regional and global peace and security at large have taken a new turn in this era of globalization. In an effort to achieve more positive goals in its integration, the ECOWAS approve free movement of person. Article 59(1) of the revised Treaty establishing the Economic Community of West African States (ECOWAS) provides that the "citizens of the community shall have the right of entry, residence and establishment. Though it many have some positive impact, however, Haas cited in *Odeyemi (2020)* argued that the free movement of persons is a security treat to Nigeria. This is true because recent development has showed that majority of people perpetrating insecurity and destruction in Nigeria are mainly foreigners from nearby African countries. Before the approval of free movement of people in 2015 by ECOWAS, the poor border security was the major issues encouraging insecurity in Nigeria as people.

It is obvious that the free movement created by the ECOWAS protocol is a serious problem to Nigerian security. According to Ojukwu, Chukwuma and Nwagbo (2021), a country that is struggling to maintain and improve its internal security cannot compound its problems. To him, Nigeria has worsened its security challenges by signing the free movement of people and goods. Since 2015, the killings, and destructions have increased. More people are now in Internal Displaced People (IDP) camp. Security reports have always pointed accusing finger at foreigners, most of which got advantage and entered Nigeria on the implementation of ECOAS protocol on free movement. In this case, there

is need to secure our border. A properly defined boundary would facilitate adequate security arrangement. Nigeria share land borders with Niger Republic, Chad, Cameroon and Benin with the border line estimated to be about 400 km however, most of these boundaries are not well demarcated and efforts to clearly demarcate them are inconclusive.

There is existence of 1475 official border sites and estimate of 2000 unofficial border sites across Nigeria borders. The porosity of Nigeria's border is manifested in the use of dried tree, oil drum, tyres etc to demarcate national borders which makes the borders highly disorganized (Chukwu, 2016). The prevalence of large number of unauthorized routes has encouraged "all sort of transnational crimes like movement and smuggling of illegal goods, trafficking of persons, theft, terrorist and other violent activities etc". ECOWAS is an organization formed by the West African Heads of State and government for the purpose of economic integration, promotion of cooperation and development in economic, social and cultural activities with particular objectives of improving the standard of living of ECOWAS citizens; increase and maintain economic stability; improve relations among member countries and to generally contribute to the progress and development of Africa (Chapter II Article 3 Revised ECOWAS Treaty).

Statement of the Problem

The ECOWAS protocol on free movement of persons and rights of residence and establishment is guaranteed by Article 2 and 27 of its treaty. The protocol literally required member states to make every effort to eliminate all obstacles to the free movement of persons, services and capital within the region. It also mandates all member states to recognize the new status of nationals from the region as "community citizens." With this, citizens of the region are to enjoy special rights and privileges in any member state visited for residence or establishment of businesses. Citizens of the region therefore enjoy almost unlimited rights and privileges in any country in the region. But these rights have led to some undesirable consequences in many countries of the region. Nigeria, for instance, have suffered a lot of human and material loses as a result of observing the dictates of the ECOWAS protocol.

Economic activities that are subversive to Nigeria have been carried out by both Nigerians themselves and citizens of other states in the region also. For instance, substandard goods are berthed in ports of smaller states in the region, while their cargos are primarily smuggled into Nigeria via its porous land borders. These activities causes Nigeria to loss revenue and at the same time expose its citizens to consumption of fake goods which are harmful to health. Again, many unscrupulous elements from neighbouring community states hide under the guise of being 'community citizens' to unleash terror on Nigerians. There have been incidents of cross border robbery spree from neighbouring community

states. Also there is the issue of many criminal elements who reside in parts of Europe, North America, and South East Asia with fake passports that identify them as Nigerians, but who in reality are citizens of states in the West African sub region other than Nigeria. They acquire Nigerian passports with the complicity of corrupt immigration officials in Nigeria. This has done a lot of damage to Nigeria's foreign affairs and impacted its reputation in the international community. The Nigeria's degree of insecurity remains high. Bandits and terrorist groups, as well as assailant organizations associated to the movement of persons and weaponry from neighboring countries while exercising the right to free movement provided by the ECOWAS protocol, have posed a threat to Nigeria's public safety. This practice has put Nigeria's security in jeopardy, as the country has repeatedly placed low in the Global Peace Index, indicating a worsening level of instability. Based on that, this work focused on ECOWAS protocol in free movement and Nigeria border security 2015 – 2020.

Objectives of the Study

The broad objective of this research work focused on ECOWAS protocol on free movement and Nigeria border security. The specific objectives are to:

1. find out the impact of ECOWAS protocol on free movement on national security and public order concerns in Nigeria.
2. identify the extent ECOWAS protocol on free movement affects security and investment in Nigeria.
3. investigate the relationship between ECOWAS protocol on free movement and management of Nigeria border.

Research Questions

The questions related to this work are:

1. What are the impacts of ECOWAS protocol on free movement on national security and public order concerns in Nigeria?
2. To what extent does ECOWAS protocol on free movement affect security and investment in Nigeria?
3. What is the relationship between ECOWAS protocol on free movement and management of Nigeria border?

Research Hypotheses

To identify the achievements of the desired objectives, the following hypotheses are formulated:

Ho1: There is no significant the impact of ECOWAS protocol on free movement on national security and public order concerns in Nigeria.

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Ho2: ECOWAS protocol on free movement does not affect security and investment in Nigeria.

Ho3: There is no significant relationship between ECOWAS protocol on free movement and management of Nigeria border.

Conceptual Review

ECOWAS

The Economic Community of West African States, also known as ECOWAS (*CEDEAO* in French), is a regional political and economic union of fifteen countries located in West Africa. Collectively, these countries comprise an area of 5,114, 162 km^2 (1,974,589 sq mi), and in 2015 had an estimated population of over 349 million. According to *Odeyemi (2020), t*he union was established on 28 May 1975, with the signing of the Treaty of Lagos, with its stated mission to promote economic integration across the region. A revised version of the treaty was agreed and signed on 24 July 1993 in Cotonou. Considered one of the pillar regional blocs of the continent-wide African Economic Community (AEC), the stated goal of ECOWAS is to achieve "collective self-sufficiency" for its member states by creating a single large trade bloc by building a full economic and trading union. *Adeyemi (2013) stated that* ECOWAS also serves as a peacekeeping force in the region, with member states occasionally sending joint military forces to intervene in the bloc's member countries at times of political instability and unrest.

In recent years these included interventions in Ivory Coast in 2003, Liberia in 2003, Guinea-Bissau in 2012, Mali in 2013, and The Gambia in 2017. Before the creation of ECOWAS, the collective territory known as West Africa was made up of an aggregation of states that had emerged from different colonial experiences and administrations which largely defined the boundaries of the 15 states domiciled in the area *(Adeyemi, 2013)*. Even though Member States of the community now make use of three official languages (English, French and Portuguese), there are well over a thousand existing local languages including cross-border native tongues such as Ewe, Fulfulde, Hausa, Mandingo, Wolof, Yoruba, Ga, etc. that constitute its over 300 million people tucked in a vast land of about 5.1 million square kilometres. Prior to colonialism, the area played host to many proud empires and kingdoms that spanned centuries, some of which included Ghana, Mali Songhai, Wolof, Oyo, Benin and Kanem Bornu (ECOWAS, 2016). The region's cultural, linguistic and ecological diversity presents both opportunities and challenges for the integration process.

The longing to combine forces politically and economically has always been recognized as a step forward in the desire to engender co-prosperity in the area. In this regard, the first effort at integration dates back to 1945 with the creation of CFA franc that brought the francophone countries of the region into a single currency union. Then in 1964, Liberian

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president William Tubman proposed an economic union for West Africa leading to an agreement which was signed in 1965 by the four states of Cote d'Ivore, Guinea, Liberia and Sierra Leone (ECOWAS, 2016). However, it was not until 1972 that a proposal for a union of West African States emerged. That year, the Nigerian head of state Gen Yakubu Gowon and his Togolese counterpart Gnassingbe Eyadema toured the region in support of the integration Idea. Thanks to the drafts that emanated from their efforts. These formed the basis for the emergence of the treaty of Lagos in 1975 which birthed ECOWAS. The treaty of Lagos was originally touted as an economic initiative, but emerging political events led to its revision and therewith the expansion of scope and powers in 1993 (ECOWAS, 2016). ECOWAS is meant to foster interstate economic and political cooperation.

History is on its side in this regard. Dating back to pre-colonial times, West Africans have been among the world's most mobile populations although much of the migration had been intra-regional. About 7.5 million West African migrants (3 percent of the regional population) are living in ECOWAS countries other than their own. The 1.2 million other migrants are dispersed mainly in North America and Europe. Estimated at about 149 million in 2013, women constitute over 50 percent of the region's population. The cross-border migration of women as traders and business persons places them as potential champions for promoting integration. This reality needs to be fully exploited (ECOWAS, 2016). The diverse socio-cultural dimension of development should be a necessary building block for establishing peace and security in the region. Drawing strength from its past, leaders of the community has been making sacrifices to keep the shape of the political structure of the region. In 1976, Cape Verde, one of the two Lusophone countries in the region joined ECOWAS, and in December 2000, Mauritania withdrew its membership (ECOWAS, 2016).

ECOWAS Protocol on Free Movement

Movements in the ECOWAS sub-region have been either voluntary or forced. Since the end of Cold War, emphasis of states has centred on national security policies. The security architecture of the Nigerian state has been compromised by several cases of banditry, kidnapping, militancy, terrorism, famer-herder crisis as well as ethno-religious conflicts, which have negatively affected not only the economic but also the security policies of Nigeria. These vices are regional located in Benin Republic, Niger, Chad, Cameron and Nigeria. It is to address the implications on Nigeria's national security that this study was carried out. In focusing on immigration, Article 59 of the Revised Treaty (ECOWAS, 1993) outlines that: citizens of the community shall have the right of entry, residence and establishment and Member States undertake to recognize these rights of community citizens in their territories in accordance with the provisions of the protocols relating

thereto; Members States undertake to adopt all appropriate measures to ensure that community citizens enjoy fully the rights granted and enumerated in section 1 of the article above and lastly, Member States undertake to adopt, at national level, all measures necessary for the effective implementation of the provisions as stipulated within this Article (Article 59).

ECOWAS arrangement was endorsed on the 28th of May 1975 in Lagos by Nigeria, Senegal, Sierra Leone, Côte d'Ivoire, Gambia, Liberia, Mali, Niger, Ghana, Guinea, Guinea-Bissau, Benin, Burkina Faso, Cape Verde, and Togo. As per Article 27 of the settlement record, one of the significant destinations of ECOWAS is to empower a joint citizenship for all ECOWAS states which has worked on way of life among part states. The association incites a system for security checking and oversight through the production of ECOMOG to support harmony in the district (Bigo, 2019). A firm ECOWAS visa and earthy colored card was made to help the free development of people, vehicles, products and capacities across states. This could be applied through the Common External Tariff (CET) and ECOWAS Trade progression (TLS). ECOWAS likewise incites free development of items and administrations through the dropping of duty and exchange bars. West Africa is the lone sub-locale in Africa where their residents don't need to hold a visa to approach free section. Considering that, the written works to be assessed for this investigation will chiefly form peer-looked into articles by eminent journalists on ECOWAS rules on free movement (Bilal, 2021).

Concept of Border

This section explains what border entails generally in the society. Weber (2022) describes a border as a line that symbolizes a boundary. Borders are seen as boundaries between states, while boundaries are markers in existing states. As borders distinguish a state's territory, it also expresses belonging, identities, and political affiliation. Weber goes on to say that borders, boundaries, and borderlands make up numerous potentials as well as obstacles. As borders remain important in demarcating the physical boundaries of state territories, it remains important in daily practice to the people living within such spaces. She further opines that smuggling of small arms, human trafficking, and provision of refuge for armed opposition groups are all activities which can be carried out by borderland communities. This constitutes a risk to the security of the state. According to Okunade (2019), border is not a spatial fact with a sociological impact, but a sociological fact that shapes spatiality. In this sense, a border is not defined by the geographical space but by the impact of people. Barka (2022) notes that a border post can be defined as the location where one country's authority over goods and persons ends and another country's authority begin.

It is the location where a multitude of government agencies (i.e. Revenue Authority - Customs; Immigration; Security-Police; Ministry of Agriculture; Ministry of Health; Bureau of Standards etc.) are involved in the various document and goods controls, the calculation and collection of duties and taxes, as well as immigration. This definition clearly describes how a border is demarcated; it also enlists the stakeholders in the activities carried out at the border. Talking about international borders, the 29th Report of the European Union on the proposal for a European body guard (2013, p.9) asserted that:

> …borders are natural points at which to make checks on entry to a country, not only on people but on goods for customs, health, plant health and other purposes; and to enforce rules on prohibited and restricted goods. The border is also a natural focus of police activity, as it provides an opportunity to check people arriving and it is also the place where by definition the act of smuggling takes place. Border control therefore have a role to play in combating illegal immigration and various forms of cross-border crime ranging from small arms smuggling to organized crime and international terrorism.

The above is what the ECOWAS's borders connote. These borders exist all over the region where it geographically connects among West Africa countries including Cameroon. A border provides a practical opportunity to assist a state to maintain its internal security against external threats and aggression against its territory and people. A border is subsequently, a separation between states but also a process of control on behalf of their national security. Bort (2020) argued that borders have always existed as this set of opposites. They cut off, delimit, serve as barriers; yet they can also be bridges, channels of trade and communication. The control of borders and their security function can sit uneasily with the need to transcend boundaries for the sake of stability on both sides of the border. With new surveillance and control technologies and an increasingly globalised market, border regions have come to the fore again.

The be-all and end-all of border management seems to reach far beyond the actual borderline, particularly in tracing and combating the origins and sources of cross-border crime. It is understandable that, in the security community, the concerns of control prevail over the concerns of openness; openness for trade and communication is often perceived as a threat (Bort, 2017). If, on the other hand, economic and social stability in the borderlands is seen as a consequence of open boundaries, then this stability could be a major factor in the provision of security as well. Negotiating the proper compromise between short-term fears and long-term hopes seems to be of crucial importance. Traditionally, border regions have been marked by their peripherality and remoteness from the core of the state they belong to, not only in the geographical sense, but also

administratively, socially and culturally. Yet, in disputed borderlands, the borderland culture could be instrumentalized as an identity marker for the "homeland".

ECOWAS Protocol on Free Movement and Border Security in Nigeria

Border security is the control of cross-border movement of people with the main goal of reducing illegal flows and not (unduly) limiting legal flows. Nelson et al (2020) defined border security as "managing the flow of people, goods, and other tangible items across national boundaries. Willies cited in Ferraro (2018) sees border security as "the control of cross-border movement with the ultimate goal of reducing illegal flows and not limiting legal flows". Nelson et al (2020) defined border security as "managing the flow of people's goods, and other tangible items across national boundaries. Therefore, border security means safeguarding any state against illegal cross-border activities such as illegal arms and ammunitions, illegal migration including human trafficking, illegal drugs etc. Put differently border security means preventing illegal movement of goods and persons which militate against national security and development.

The ECOWAS Protocol on the Free Movement of People and Goods ensures free mobility of the community citizens i.e. citizens of member states. The Protocol on free movement conferred on Community citizens the right to enter and reside in the territory of any member state, provided they possessed a valid travel document and international health certificate. However, it also allowed member states the right to refuse admission to any Community citizens who were inadmissible under the member state's own domestic law (Willie, Predd, Davis & Brown, 2020). The four supplementary protocols adopted between 1985 and 1990 committed member states, among other things, to: provide valid travel document to their citizens, grant Community citizens the right of residence for the purpose of seeking and carrying out income-earning employment, ensure appropriate treatment for persons being expelled, not to expel Community citizens en masse, limit the grounds for individual expulsion to reasons of national security, public order or morality, public health or non-fulfilment of an essential condition of residence.

Since the end of the Cold War, West Africa has been characterized by series of conflicts in different dimensions. There are hardly any of the countries in the sub-region which did not experience one form of crisis leading to conflict or another. Several authors have tried to analyze the root causes of these conflicts and there is a consensus on a number of causes such as the weak structure of states inherited from colonial rule, unstable and feeble political institutions, under developed economy, mismanagement of natural resources, self-enriching rulers who will protect their stay in power by all means etc (Barkindo, 2016). Most of the states have experienced full scaled civil wars; examples are Liberia, Sierra Leone, Guinea Bissau, Ivory Coast, Nigeria, most have also experiences coup d'état, religious and ethnic clashes. There is no single factor that can be said to be the

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cause of any of these conflicts, however, our interest is not on the conflict and their causes per say, but in its implication for regional peace and security especially with the ECOWAS Protocol on Free Movement as a point of analysis.

Looking at the nature of conflicts generally in Africa immediately after independence, conflicts were mostly over disputed territories e.g. dispute over Ogaden between Ethiopia and Somalia, also between Nigeria and Cameroon over the Bakkassi Pennisula, Libya and Chad over the Aouzou Strip, this went on for the most part of the Cold War period. However, from the end of the cold war, states started experiencing internal crisis as a result of a number of factors. One of which is the international criteria of democratization to receive foreign assistance coupled with civil unrest in their demands for more participation and openness in government (Schott, 2019). Thus, most West African states went through different dimensions of civil war. West Africa's security atmosphere has changed since the outbreak in the 1990s of the Liberian war, Sierra Leonean and Ivorian conflicts. Today, there is a change in the security calculations of the sub-region. The sub-region's internal conflicts have included groups who are fighting among themselves over such things as natural resources, political and chieftaincy matters, sometimes the groups fight against their governments, these conflicts have often been internationalized as a result of the spillover effects they have.

States' concerns about the activities of cross-border criminal networks have increased. The sub-region is now notorious for trans-border criminality. Even though the aim of the free movement protocol is to enhance economic activities, criminals have availed themselves of this initiative to perpetrate their nefarious activities. These have a lot of implication for the security of the sub-region. There is no security of lives and properties, weapons are readily available as a result of the proliferation of small arms and light weapons. Refugees generate a different set of problems for their host country. In fact, the expected future conflict in the sub-region is conflict over amenities and resources between refugees and host communities (Schott, 2019). The challenges of the Protocol have not helped the security landscape of the sub-region. Even though ECOWAS prides itself as the first region in Africa with the free movement initiative, the Protocol is poorly implemented constituting more security concern than boosting regional trade and economic development.

The security forces have rather turned the job to their own business, encouraging the crossing of smugglers of all sorts of commodities from one country to another with just a tip of tokens. There is high number of roadblocks, illegal barriers and the problem of insecurity on the roads. In 2005, about 44 Ghanaians were killed in The Gambia while trying to exercise their rights to freedom of movement within the sub-region. (Ghanaian Times, 2007) Also, because ECOWAS does not have adequate instituted mechanism for checking the entry of illegal immigrants, people who carry out nefarious activities have

exploited the opportunity to their advantage laundering money, trafficking in human, drugs, illegal arms etc. Thus, the privileges of the protocol have been abused. The Protocol rather than serve the purpose of integration is rather contributing to the insecurity prevalent in the sub-region. Unrestricted free movement of people in the sub-region can easily bring about a situation of tension among citizens of the receiving country and migrants especially in places where migrants dominate trade and labour.

This will lead to resentments towards migrants which can degenerate to "populist political sentiments". Regimes that are rather weak can become destabilized under such tensions. As earlier said, the nature of conflicts changed after the end of the Cold War. Conflicts now originate from within a state and gradually spread outside into the neighbouring countries in its spill-over effects. This is the experience in West African sub-region today as in other parts of the continent (Monk, 2021). The ECOWAS protocol on free movement because of the lack of instituted mechanism for proper monitoring of cross border movements is rather positively contributing to the spill-over effects of conflicts in the sub-region. The free movement protocol cannot be said to be solely responsible for the ease of passage of militants and their weapons but the subversion of security agents have also contributed to the insecurity of the sub-region.

Border Management

Managing borders is most difficult where there are thousands of kilometres of borders and limited controls over those extended borders. Border management is based on a number of competing assumptions, so it is additionally necessary to identify the assumptions and rationalities of security and governance implicit in contemporary border management. How, for example, does border management reflect our assumptions about the nature of African security? What are the implications of today's emphasis on tighter border regimes and greater co-operation between law enforcement and intelligence agencies? What does contemporary practice tell us about the principles of knowledge underpinning border management? Okumu (2021) opine that border management essentially entails controlling and regulating the flow of people, goods and services across a country's borders in the national interest and usually for the maintenance of peace and security. These tasks are typically undertaken by government agencies (Customs and Excise, Immigration and Police) with different combinations of agencies according to the country's laws.

Contemporary literature on border management focuses on the general task of policing borders, on the need for co-operation, and on measures to stop trafficking (Salt, 2020), rather than on the functional necessities or the agents guards responsible for border policing. It rarely addresses the unique nature of border guarding. The neglect stems from the assumption that border guarding is merely a subset of policing, a technical or

administrative task performed by a specialist police. This is reflected in, for example, the categorization used by the OSCE, whose 2001 Police Reform Co-ordination Conference included border policing within six priority areas for police reform in Serbia. Hills (2022) examine the conceptual and empirical parameters of border management, defined as:

> …the rules, techniques and procedures regulating activities and traffic across defined border areas or zones, and emphasises that the specific political and historical context and multiple rationalities will play a determining role in shaping the border policing approach of any state.

Border management is also treated as an activity dependent on administrative and technical networks in which border guards" work alongside public police, immigration and customs officers, and private transport and security companies. Border management is seen as a policing role, designed to filter out problems at borders, is further reinforced by the belief that crime and insecurity are synonymous. On the contrary, Eselebor and Okunade (2020) have this to say:

> …border management is a function of regime types in place for the purpose of maintaining border administration. It includes routine administration to be undertaken at the border and in border zones. Border management generally rests on governmental surveillance agencies like the immigration, customs and police forces to ensure a lawful flow of human and economic resources in the national interest, be it economic security or peace.

Border guarding has, moreover, become specialist policing because, as Bigo points out, "The routine identity check carried out according to the Schengen Convention is motivated by a kind of rationality different from that of earlier frontier checks concerning foreigners. All those who pass the frontier now are suspected of being potential criminals" (Bigo, 2019). Nowadays border security has more to do with filtering, monitoring, protection and law enforcement than traditional defence or guarding. The assumption that border guarding is a policing matter is in many respects legitimate. Most border guards are capable of acting as conventional police, most perform a wide range of duties, and many are integral parts of their state's police organization. Policing accordingly plays a defining role in conventional understanding of border management. But there is still a need to identify the relevant policing paradigms and to assess the extent to which they are applicable to border guarding.

Theoretical Framework

Regional Integration Theory

The origins of regional integration theory can be traced back to the publication of Viner's study in 1950. This established a mechanism for analyzing the impact of creating a customs union on both the participants and those outside the union. Regional integration theory

seeks to explain the establishment and development of regional international organizations. Key questions are why and under which conditions states decide to transfer political authority to regional organizations, how regional organizations expand their tasks, competencies, and members, and what impact they have on states and societies in their regions. The theory assumes that governments are central actors both in the formation of integration preferences and in the negotiations on integration. Another assumption of the theory is that welfare is an important goal of regional integration and that the differential power of governments is an important determinant of integration outcomes. The regional integration theory's evolution has been a conceptual movement from the general notion that customs unions will always or nearly always enhance welfare to acknowledging that, depending on the particular circumstances, a customs union may or may not be welfare-enhancing.

There has also been a reorientation away from the question of the economic effects of various integration schemes to the fundamental question of why they are formed in the first place. Supporters of the theory believe that such change reflects both a theoretical and institutional imperative – from a theoretical standpoint, as a response to the failure of traditional international trade theory to explain why policies other than free trade are advocated. In effect, consumers in the region gain extra rents because of the lower prices they pay post integration compared with the pre-integration period, enhancing their welfare. Customs unions will not necessarily always raise welfare and suggested that, depending on the particular circumstances, a customs union might have a number of negative welfare effects. This theory is relevant to the present study as it sees to the ECOWAS regional free movement of goods and people as it postulates to bring together West Africa countries to make and authorize laws that will enhance economic development of member states through cheaper price of goods. This could be felt according to the theory with the impact of creating a customs union on both the among the West Africa countries.

State Fragility Theory

This theory was developed in 1960s from the dependency theory. It was popularized by Alkin-Jeo in 1970s. The theory points to states' inability to fulfill their social contract by providing protection and basic services for its citizens (Recupero, 2015). That something is fragile means that it is prone to getting damaged by the slightest carelessness. State fragility theory is one of the economic, political, social and environmental concepts in explaining human living conditions and society development or countries using comparative mechanism. The state fragility theory stresses the fundamental failure of a state to perform functions necessary to meet citizen's basic needs and expectations. It also shows the incapability of government in assuring basic security, maintaining the rule

of law and justice, or providing basic services and economic opportunities for their citizens. The centrality of state fragility theory posits weak and ineffective central government with little practical control over much of its territory; non-provision of public services widespread corruption and criminality; refugees and involuntary movement of populations (Organization for Economic Co-operation and Development, 2008).

The fragile state theory has been widely used to measure the extent to which a state is underdeveloped, developing or developed. It is a very relevant theory adopted in explaining living condition of people in relation to human development and global security from the angle of government policies, their effects or outcome on the larger society. The state fragility theory is adopted in this study because it gives a critical understanding of insurgency, cross-border insurgency and why border communities have to device coping strategies against the looming daily threats that confront them. The activities of the Boko Haram sect have seriously challenged the security of the state and increased humanitarian crisis in North-Eastern Nigeria especially in the form of food insecurity, leading to a rise in prices of consumable items within the nation and neighbouring nations of Chad, Niger and Cameroon. This continues to increase the rate of refugee influx and adverse economic and security implications. These are all indicators of fragility which the Nigerian government continues to contend with and fails to adequately address due to ECOWAS free movement protocol.

Empirical Review

Ajibola and Ayomola (2022) focused on assessment of the consequences of ECOWAS protocol on free movement on Nigeria's national security. The study states that the security architecture of the Nigerian state has been compromised by several cases of banditry, kidnapping, militancy, terrorism, famer-herder crisis as well as ethno-religious conflicts, which have negatively affected not only the economic but also the security policies of Nigeria. These vices are regional located in Benin Republic, Niger, Chad, Cameron and Nigeria. It is to address the implications on Nigeria's national security that this study was carried out. The quantitative method was adopted for this study, using 319 respondents. The respondents comprised of personnel of Nigerian Immigration Service and Nigerian Customs Service. Two major findings were arrived at in this study. Firstly, the ECOWAS protocol has had a high negative impact on the safety of people and property in Nigeria. Secondly, ECOWAS free movement protocol has negatively affected Nigeria's national security to a high extent. The study recommended that government should provide adequate security along our borders. Also, the government should ensure member countries of ECOWAS should ensure full implementation of the ECOWAS protocol on free movement.

Sagna (2022) focused on ECOWAS and economic development of growth. The work used survey method and data were collected using questionnaire. It used mean to analyze the data. The work discovered that ECOWAS has promoted economic integration and unity in Africa.

Aduloju (2017) carried out a study on ECOWAS and free movement of persons: African women as cross-border victims. According to him ECOWAS Free Movement Protocol of Persons was instituted to enhance economic development of West Africa's citizens. However, studies have shown that the protocol has relatively aided trans-border trafficking in persons, drugs, Small Arms and Light Weapons (SALW). However, vulnerability of trans-border women traders in the sub-region has received little attention. This study utilized both primary and secondary sources of data gathering in order to interrogate the provisions of ECOWAS Protocol on Free Movement of Persons vis-à-vis its operationalization and incapacity to increase women's economic opportunity and empowerment in West Africa. Through field survey, twenty (20) interviews were conducted at the Nigeria-Benin border. The interviews targeted 14 purposively selected women traders at the border, two officials each of the Nigerian Immigration Service, Nigerian Customs Service and the Nigeria Police Force. Moreover, observation method was employed to substantiate the interviews conducted. Data obtained were analyzed using descriptive analysis. Consequently, this study discovered that women constituted more of trans-border traders on Nigeria-Benin border, and precisely in West Africa. In addition, they are vulnerable to extortion, intimidation and sexual harassment by border officials, which has impinged on their rights contained in the ECOWAS Protocol on Free Movement of Persons. The study showed that the protocol does not fully protect women (mostly the ones with low economic characteristics who constitute larger population of women at the border) and thereby having implications for their livelihood and survival. The study then concluded that while the problem faced by women on the Nigeria-Benin border persists, it has a huge impact on the credibility of ECOWAS to properly integrate the sub-region for development and for the benefit of its significant population of women.

Opanike and Aduloju (2015) studied ECOWAS Protocol on free movement and trans-border security in West Africa. He stated that previous studies on regionalism in West Africa affirm that one of the reasons for integration in the region is the selfish interests of Nigeria. The study maintained that the benefits of regional cooperation amongst West African states cannot be sacrificed on the altar of the political interests of Nigeria as previously claimed. Undoubtedly, the Economic Community of West African States (ECOWAS) has embarked on different integration schemes to foster cooperation and development among member states; the most important among all is the Free Movement Protocol. Although existing literature has investigated the benefits and effectiveness of

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the protocol in West African Sub-region. Studies on the security implications of the Free Movement Protocol for the region are scanty. The study concludes that Protocol is lacking full implementation by member states till today because of the perceived problems it poses to their national security. If these issues raised i.e. instituted mechanism for proper implementation and adequate training of security agencies to curb subversions and machinery for proper checking and detection of fraudulent travel documents, can be addressed, then the Protocol on free movement will serve its purpose of integration in the West Africa sub-region.

Ojukwu, Chukwuma and Nwagbo (2021) investigated ECOWAS treaty on migration, and challenges of internal security in Nigeria. According to the study, the mass movement of people within West African countries has reached an unprecedented magnitude, with attendant internal insecurity implications in Nigeria. The recent killings in Benue and Taraba states and other threats to internal security in Nigeria have increased persistently with the influx of immigrants estimated to be 1.1 million, mostly from the ECOWAS region. Thus, despite the dialogue on the operational framework for improved coordination and cooperation between the Nigeria Immigration Service, and Immigration Institutions in neighbouring countries, migration dilemma and its immigration challenges have continued to increase. Therefore, anchored on John Rudolph Killen's Theory of Geopolitics, data for the study were generated through the documentary methods of data collection and analyzed using the qualitative technique. The finding reveals that the internal insecurity challenges in Nigeria persist majorly because of the impacts of geopolitics that is an inseparable link to increasing migration/immigration inflow to Nigeria vis-a-vis the ECOWAS treaty on free movement. The study recommends the need for governments in the ECOWAS region to revisit the free movement protocol to incorporate national interests.

Oseahume (2020) researched on the ECOWAS Protocol on free movement and implications for border security management of the Nigeria-Benin borders. The study started that the ECOWAS Protocol on Free Movement of Persons was enacted in 1979 to ensure the free flow of persons, goods and services deemed crucial to attaining economic integration. The authors maintained that despite the benefits of the Protocol including promotion of free trade and commerce as well as easy exchange of human resources across the border, severe challenges still persists including the concomitant increase in Transnational Organized Crimes (TOCs) that are a signature of African borders. The paper looked at human trafficking in particular as notorious crime due to the emphasis by the ECOWAS Common Approach to Migration of 2008. Porosity of the borders and inefficient border facilities are also obstacles. Unofficial routes have sprung up thereby compounding the issue of policing these borders. The study recommended that, it is important that the governments of Nigeria and Benin and the ECOWAS authorities begin

to reconsider the effects of the protocol in the light of the current realities. The paper suggested a more proactive implementation of the ECOWAS protocol by installation and maintenance of sound border facilities, creation of an external border for the region and an efficient information management system in the region.

Gap in Literature

Though some related studies have been done, however, the exact subject matter has not been covered. The gaps are:

1. Gap on the subject matter: Most of the past studies covered related areas, but not specifically on independent and independent variables of this work.
2. Gap on the geographical scope: The research also identified gap in the area of study or geographical differences. On that, most of the studies did not cover both ECOWAS and Nigeria, but they used specific organizations. Some of the studies were even done outside Nigeria environment.
3. Gap on the objectives: There also exists certain gap on the objectives of this work with past researches. Such find out the impact of ECOWAS protocol on free movement on national security and public order concerns in Nigeria; the extent ECOWAS protocol on free movement affects security and investment in Nigeria; and the relationship between ECOWAS protocol on free movement and management of Nigeria border. In line with the above, this topic has not been covered. This work focused on impact of the Economic Community of West African States (ECOWAS) protocol on free movement on the Nigerian security challenges

Research Methodology

Research Design

This work, the researcher adopted descriptive research design. Descriptive research design is a research method which enables the researcher to analyze phenomenon, issues and situations very effectively.

Method of Data Collection

In this work, secondary data were sourced and used. They were collected from published materials like books, journals, periodicals, and internet materials.

Method of Data Analysis

The study utilized both content analysis and trend analytical techniques for the analysis of data. As such the information employed for analysis were carefully extracted from

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logical claims of evidence presented in journal papers, conference papers, periodic papers, edited books, documentary materials etc.

ANALYSIS OF DATA AND INTERPRETATION

The data collected from secondary sources were discussed thus:

1. The Impact of ECOWAS Protocol on Free Movement on National Security and Public Order Concerns in Nigeria

   The 1948 Universal Declaration of Human Rights and the 1981 African Charter on Human and Peoples' Rights, as well as the 1966 International Covenant on Civil and Political Rights, link free movement of persons with the freedom of movement: the right to leave one's country, the right to return, and freedom of movement and residence within one's own country (Sunkel, 2019). These instruments maintain that such rights cannot be abridged arbitrarily, but only as "provided for by the law for protection of national security, law and order, public health or ethics" (Africa Charterr on Human and Peoples' Rights, editorial 12.2). Free movement of persons, as defined above, is associated with rights of establishment and residence. With this kind of change, there are bound to be social challenges which already are given many States cause for concern and reluctance. Statistics has shown the disconcerting unemployment levels in many African countries. There is already fierce competition for jobs among the citizens themselves. This was largely to blame for the xenophobic attacks in South Africa which some have called 'afrophobia', because the hostility is mostly against African foreigners rather than white foreigners.

   Besides, in major African urban centres, high levels of conflict fuelled by both political and social violence, such as terrorism, (organized) crime, riots and protests, xenophobic incidents, election-related violence etc are already challenges. To effectively implement free movement of persons in Africa, 'subtle and context-specific political understanding and advocacy to secure buy-in and support' is required. In the short-to-medium term, policymakers must dedicate careful attention to the differential needs and capacities of individual nations to aid their faultless implementation of such a regime (Aja-Akuru-Aja, 2018:57). Internationally standard travel documents, underpinned by breeder documents and civil registration systems of high integrity, are key enablers of free movement of persons in a managed and trustworthy process. This type of free movement needs the coordination, adoption and operationalization of certain travel documents and standards. Additionally, the African passport envisioned by the African Union requires biometric systems of registration. The big challenge is the availability of resources and means to actualize these arrangements. Studies in Southern Africa have shown that even when there is the will to implement free

movement of persons, a lack of resources can hamper any meaningful advancement (Adams, 2022).

National security and public order are often cited as key challenges to facilitating free movement of persons in Africa. For example terrorist attacks on the continent increased ten-fold between 2014 and 2021, from 171 to 1345, with Boko Haram, Al-Qaeda in the Islamic Maghreb Al-Shabaab as the primary actors (HISMarkit, 2022). Another potential and real security threat is organized crime, including migrant smuggling, human trafficking and arms and drug trafficking. In parts of Eastern Africa, for example, the poor condition of the land borders is a contributing factor for the widespread smuggling of migrants from Ethiopia, and a number from Eritrea into Somalia for secret departure to Yemen. More so, diseases do not care about borders - free movement of persons, where public health is concerned, also translates into free movement of diseases. In Africa, this is particularly worrisome because the national and cross-border monitoring systems are limited and not effective. Epidemics present numerous challenges to the public health safety of African Union Member States, as illustrated during the outbreak of the Ebola Virus Disease, particularly in Guinea, Sierra Leone and Liberia, in 2015 and Covid-19 (corona virus) pandemic in 2019.

2. The Extent ECOWAS Protocol on Free Movement Affects Security and Investment in Nigeria

   According to Touzenis (2021), West Africa is among the most unsecure regions in the world, and Nigeria is the most unsecure country in the region as it has consistently ranked high among the countries in West Africa with huge insecurity challenges. Insecurity discourages investment as it makes investment unattractive to business people. That is why countries considered to be insecure, have high cost of doing business either because of direct loss of goods and properties, or the high cost of taking precautions against business risks and uncertainties (Christopher, 2015). When there is a high level of insecurity in a particular area or region, there will be migration of people from the area; and this could lead to the dearth of skilled labour. Insecurity affects the general human security of the people as the situation promotes fear, while at the same time limiting the peoples' ability to work effectively. More so, insecurity affects sustainable developments which aim to meet the needs of the present without compromising the ability of future generations to meet their own needs.

Therefore, security is crucial for sustainable development. In the absence of security, economic growth and development cannot be sustained as it destroys economic, human, and social capital. Under conditions of peace and security, people and government can

direct their efforts and resources towards improving human life. In insecure areas, there is usually a deployment of government troops in strategic locations to quell or control some of the threats. Besides, the government normally sets up commissions of enquiry to examine the remote and immediate causes of these conflicts. All of these activities usually lead to diversion of scarce human, material, and financial resources to resolve such conflicts. Poor image in the international community: Internal security threats have lowered the image of the country and make her unattractive in the eyes of the international community (Estok & Renata, 2021).

Nigeria is no longer respected globally and many investors are forced to relocate to other West African countries due to threats to lives and properties. Therefore, the present internal security challenges in Nigeria - with particular reference to Benue and Nassarawa in the North East region - are a huge problem. The capacity of the Nigerian state to effectively contain and curtail domestic threats to security of its people, institutions, and structures, is at an all-time decreasing basically as a result of geopolitics spillover. The number of deaths recorded in Benue and other parts of the country, despite security personnel, can be said to be a by-product of the influence and impact of the geopolitics of movement from West African countries into Nigeria. We make bold to say that ever since the thirty-year war which ended with the treaty of Westphalia in 1648, and later led to the emergence of a central bureaucracy within a given territory, migration from one country to another has been primarily regulated by the decision of each sovereign states regarding who gained entrance and exit of its boundaries.

3. ECOWAS Protocol on Free Movement and Management of Nigeria Border

ECOWAS Member States launched a process to establish a regional economic zone. In 1979, they adopted a Protocol on Free Movement of Persons and the Right of Residence and Establishment. The protocol, along with the supplementary texts later added, testifies to member countries" determination to place the free intra-regional movement of persons at the heart of the regional integration process. West African citizens are among the world's most mobile populations. Population censuses indicate that the region's countries now harbour approximately over 20 million migrants from other West African countries i.e. almost 5% of the regional population. Implementation of the Protocol on Free Movement of Persons, the Right of Residence and Establishment, ECOWAS Member States are committed to taking the necessary measures to remove all obstacles to the free movement of persons according to ECOWAS Commission, (2008) viz a vis to:

- Ensuring the issuance and security of ECOWAS travel documents.
- Organizing technical and administrative training programmes as well as awareness building and educational campaigns on the rights and

obligations of the community's citizens among officials in charge of migration and populations.

- Ratifying the United Nations Convention on the Protection of Migrant Workers" Rights and their Family member's rights and are calling on EU countries to do the same.
- Harmonizing labour laws related to professional occupations, in accordance with the Protocol's clauses on the right of establishment for professional purposes and;
- Removing all forms of harassment along the road.

In order to promote this mobility within the ECOWAS zone, it is important to give particular attention to border and cross-border areas. ECOWAS Member States thus recommend that the Regional Cross-border Cooperation Fund be made operational. The development of a common approach on border management in the ECOWAS is a recent and ongoing process. The elaboration of the new concept at community level is related to the political dynamic in favour of the free movement of persons and goods within the ECOWAS sub region. This dynamic is a direct consequence of the development of the ECOWAS citizenship. A key objective of the preamble to the treaty is to remove obstacles to the free movement of goods, capital and people in the sub-region with the aim of promoting co-operation in economic activities for closer relations among its members. This objective is aptly and succinctly captured in the words of Okom and Idoaka (2022):

> …in 1975, 15 West African States, conscious of the overriding need to accelerate, faster and encourage the economic and social development of their states in order to improve the living standards of their peoples; convinced that the promotion of harmonious economic development of their states calls for effective economic cooperation largely through a determined and concerted policy of self-reliance; recognizing that progress towards sub-regional economic integration requires an assessment of the economic potential and interests of each state decided to create an Economic Community of West African States which they signed on 28th May 1975 in Lagos, Nigeria (Okom & Udoaka, 2022).

Owing from this therefore, the Commission enacted The Protocol on Free Movement of Persons, Goods and Capital and the Rights of Residence and Establishment in 1979. Okunade, (2019) indicated that the protocol is premised on three major provisions of the

treaty establishing the ECOWAS of which sub-paragraph (d) of paragraph 2 of Article 2 calls on Member States to ensure by stages the abolition of the obstacles to free movement of persons, services and capital, while paragraph 1 of Article 27 of the confers the status of Community citizenship on the citizens of Member States, and also enjoins Member States to abolish all obstacles to freedom of movement and residence within the Community. In the same treaty, paragraph 2 of Article 27 further calls on Member States to exempt Community citizens from holding visitor's visa and residence permits and allow them to work and undertake commercial and industrial activities within their territories.

The Protocol thus stipulates that the Community citizens have the right to enter, reside and establish in the territory of Member States, and that the right of entry, residence and establishment referred to in paragraph 1 above shall be progressively established in the course of a maximum transitional period of fifteen (15) years. Another important provision of the Protocol is that the right of entry, residence and establishment which shall be established in the course of a transitional period shall be accomplished in three phases, namely: Right of Entry and Abolition of Visa, Right of Residence, and Right of Establishment. Removing all obstacles to free movement is the only way a borderless region could be realized. The ECOWAS Community envisioned the change of the Union into one "massive borderless region, an ECOWAS of peoples, not countries (Daily Times, 2008:1). This was reiterated by the ECOWAS Commissioner for Trade, when it was said that "The ECOWAS Commission has developed a vision to have an ECOWAS of peoples and a borderless region.

Consequently, prior to the enactment of the ECOWAS Protocol on free movement, people move from one location to another, there was little or no regards for the artificial borders created by the colonial powers, in fact, tribes find themselves divided into two sovereign nations by these artificial borders. Cross-border movement among these artificially divided tribes continued to be seen as not international but part of their own internal movements as members of same families are found in two different countries (Opanike & Aduloju, 2015). Unrestricted free movement of people in the sub-region brought about a situation of tension among citizens of the receiving country and migrants especially in places where migrants dominate trade and labour. This led to resentments towards migrants which degenerated into "populist political sentiments" . Regimes that are rather weak can become destabilized under such tensions. The security forces have rather turned the job to their own business, encouraging the crossing of smugglers of all sorts of commodities from one country to another with just a tip of tokens.

There is high number of roadblocks, illegal barriers and the problem of insecurity on the roads. The ECOWAS protocol on free movement because of the lack of instituted mechanism for proper monitoring of cross border movements is rather positively contributing to the spill-over effects of insecurity in the sub-region. Opanike & Aduloju

(2015) believes that the free movement protocol cannot be said to be solely responsible for the ease of passage of militants and their weapons but the subversion of security agents have also contributed to the insecurity of the sub-region. Accordingly, the establishment of ECOWAS protocol on free movement of persons and goods among states was meant to ensure free movement of persons or citizens of member states in order to achieve development in the region. Uzoma & Eudora (2016) believes that the abuse of this protocol has contributed much infiltration of illegal goods and persons. According to Uzoma & Eudora (2016), "this protocol on free movement has however become a subject of abuse particularly by criminal and terrorists that engage on smuggling of arms, ammunitions and other items within the region.

In addition, Akinyemi (2013) stated that:

> …this protocol allows the movement of criminals across the border and also engages in cross border activities under the pretext of this protocol. It is important to note that border has become a safe passage for people without identities as ECOWAS protocol on free movement has been abused to mean an entry without valid document.

Opanike and Aduloju (2015) added that:

> …the challenges of the protocol have not helped the security landscape of the sub-region. Even though ECOWAS prides itself as the first region in Africa with the free movement initiative, the protocol is poorly implemented constituting more security concern than boosting regional trade and economic development… ECOWAS does not have instituted mechanism for checking the entry of illegal immigration; people who carry out nefarious activities have exploited the opportunity to their advantage laundering money, trafficking in human, drugs, illegal arm etc.

Therefore, the poor mechanism of ECOWAS for checking illegal immigrants has led serious border insecurity in Nigeria and other West African regions (Opanike & Aduloju, 2015). In other words, what border symbolizes to some states could be different to other states. Some see the border region as an open area which allows for peaceful interchange while it is a closed area which stimulates tension and conflicts to some. As observed by Asiwaju (2015), borders are seen by operators of the machine of state in Africa and areas once under colonial dominance as perpetual area that generate conflict. Such conflicts emanate through the adherence of the African elite to the notion of state-centric mentality which makes the elite perpetually live in the euphoria of independence and are all out to defend and safeguard their hard-won national sovereignty which can be realized

by protecting and securing the borders to guarantee the defense and security of the state. The abuse of this protocol has contributed much infiltration of illegal goods and persons.

Discussion of Findings

This work discovered that ECOWAS protocol on free movement negatively affects national security and public order concerns in Nigeria. The internal insecurity challenges in Nigeria persist majorly because of the impacts of geopolitics that is an inseparable link to increasing migration/immigration inflow to Nigeria vis-a-vis the ECOWAS treaty on free movement (Quobo, 2017). It was also discovered that despite the benefits of the Protocol including promotion of free trade and commerce as well as easy exchange of human resources across the border, severe challenges still persists including the concomitant increase in Transnational Organized Crimes (TOCs) that are a signature of African borders. This work found that ECOWAS protocol on free movement affects security and investment in Nigeria negatively. The ECOWAS protocol on free movement of persons, rights of residence and establishment has actually contributed to insecurity in Nigeria. First, the records of community citizens who cross Nigeria border everyday have not been assessed for proper profiling.

Some of these people enter into Nigeria and begin to exhibit their criminal behavior. They commit such crimes as armed robbery, banditry, car theft, murder, and kidnapping which sometimes go unpunished (Siebert, 2017). Second, after crossing border for one reason or the other, no Nigerian government agency conduct follow-up intelligence investigation to find out whether they are actually where they claimed to be going, or even whether they are engage in any economic activity. Many end up roaming the streets of towns in Nigeria aimlessly with no known means of livelihood, hence, they constitute themselves into public nuisance wherever they find themselves. Third, it has been found out that criminal activities linked with citizens of other West African states in Nigeria have exacerbated the rate of kidnapping. There have been cases where people from such countries as Togo and Benin Republic commit crimes in Nigeria, after which they hastily cross over back into their country in order to evade arrest and possible prosecution. Fourth, some sectors of the Nigerian economy have suffered setbacks due to the ECOWAS protocol.

It has exposed the level of porosity of the nation's borders. Goods that should have berthed in Nigerian ports are directed to Benin republic form where they are now smuggled into Nigeria through the land borders, thereby avoiding payment of duties accruable to the government. Furthermore, citizens of Nigeria have also been exposed to health hazards in the form of substandard goods which are smuggled into the country for people's consumption (Wachira, 2018). Such goods as dairy products, frozen meat, chicken and fish, medicines, and so on are crossed through the borders. Some of these

products are actually expired from the point of import. The work discovered that ECOWAS protocol on free movement negatively affects management of Nigeria border. This means that the protocol on free movement has however become a subject of abuse particularly by criminal and terrorists that engage on smuggling of arms, ammunitions and other items within the region.

Conclusion

Having reviewed some relevant literature on the topic under study, this work concludes that the ECOWAS Protocol on Free Movement has inadvertently heightened the border insecurity for Nigeria and other ECOWAS member stated. This is in spite of the deliberated benefits including promotion of intra-regional trade, easier movement of human and material resources and economic integration proposed by the organization. The negative implications of the ECOWAS Protocol on free movement on security include rise in transnational organized crimes such as human trafficking, poor detection of threats to national security, improper awareness of the Protocol, increased corruption by border officials, inadequate cooperation of border agencies and language barriers. ECOWAS needs to diminish these challenges as way of gaining the people's trust and maintaining its relevance. Therefore, it should create and manage an external border for the region, formulate an efficient information sharing system and maintain smart borders with the latest technologies.

Recommendations

Based on the findings, it was recommended that:

1. There is need to revisit of ECOWAS protocol on free movement to correct the framework that has led to porous borders in the region. It is important that ECOWAS develops an effective data sharing system such as the EU Visa Information System. The European Union has the Visa Information System that ensures that all member states are kept abreast of potential security threats.
2. There is the need for an external border for the region since ECOWAS has succeeded in abolishing the internal borders within the community. It is now very urgent to empower the personnel of the Nigeria Immigration Service, Customs, and other agencies, to tackle porous borders and immigrants' inflow into Nigeria.
3. Search and surveillance technologies which were identified as a means to curtailing negative effect of the ECOWAS protocol be installed and used by the customs and immigration agencies in order to achieve a higher level of security and efficiency around the nation's borders.

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