

Assessment of the Consequences of ECOWAS Protocol on Free Movement on Nigeria's National Security

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Abstract

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, farmer-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, Cameroon 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.

Keywords: ECOWAS, Protocol, Free, Movement, National Security

Introduction

In recent years, Nigeria has experienced unprecedented levels of insecurity. As a result, the government has prioritized national security as a top priority, allocating a large portion of the national budget to security. The federal government has begun to criminalize terrorism by passing the Anti-Terrorism Act in 2011, which includes the installation of computer-based closed-circuit television cameras (CCTV) in some parts of the country, increased surveillance and investigation of criminal-related offenses, and increased physical security measures around the country, strengthening security agencies by providing security facilities and disseminating security recommendations through the media (Azazi, 2011).

Despite these measures, the country'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 (GPI, 2012), indicating a worsening level of instability. As a result, Okpaga (2012), Olusegun Obasanjo (2015) believes that government initiatives have not achieved sufficient good results.

The security situation in Nigeria appears to have remained overwhelming, and many people have argued that the government at all levels have not done enough by not confronting the situation head-on and dealing with it decisively, while others have argued that the situation has a political undertone or inclination calculated to serve the interests of certain politicians who have been dissatisfied and disgruntled. It is against this backdrop and to provide answers to the above questions that the researcher deemed it fits to carry out this study.

Nigeria's borders are porous, which has major security consequences for the country (Yagboyaju and Akinola, 2019). Nigeria is thought to be home to over 70% of West Africa's estimated 8 million illegal firearms (Zenn,

2014). These migrants, the majority of whom are young men, are among the country's criminals. They use the ECOWAS free movement protocol to infiltrate and incite violence in the country.

For years, Nigeria has been subjected to deadly attacks by Boko Haram, ISWAS, and armed gangs. Although the attacks began in Nigeria's northwestern area, they have subsequently expanded to other parts of the country. Nigeria's most serious security threats remain Boko Haram and its offshoot, the Islamic State of West Africa (ISWA) (Olusegun, 2015). Since 2015, when the government launched a massive assault to drive these organizations out of the region they controlled, the number of violent occurrences attributed to them has almost doubled. Since withdrawing from urban areas during the 2015 onslaught, the groups have concentrated their efforts in Borno State's more desert areas, particularly the harsh Sambisa Forest abutting Cameroon's northwest mountains and the black cotton swamps south and southwest of Lake Chad. The organizations have launched a series of agile strikes and cross-border raids on towns and villages from these remote "hideouts." This has been backed by a series of highway attacks aimed at isolating the state capital, Maiduguri.

This study aims to investigate the effect of ECOWAS protocol of free movement on the safety of people and property. Also, it aims to examine the effect of ECOWAS free movement protocol on Nigeria's National Security.

ECOWAS protocol on free movement of persons

In focusing on immigration, Article 59 of the Revised Treaty (ECOWAS, 1993, p.36) outlines that: Citizens of the Community shall have the right of entry, residence and establishment and Member States undertake to recognise 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.

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, 2001).

ECOWAS Passport and visa

The free development of people without visa inside the ECOWAS Community is a suffering accomplishment of the association. On May 12, 2000 ECOWAS pastors answerable for inner issues and public safety met in Bamako, Mali and consented to present another visa, in three classifications, for residents of the sub-district – red for the strategic, blue for the help and green for the common gathering (ECOWAS, 2000c). This visa would not supplant the ECOWAS travel endorsement – a more savvy and less expensive archive for movement inside the sub-locale. During the momentary time of a long time from the date of endorsement of the proposition by

the Heads of State and Government of the Community, the ECOWAS visa would exist all the while with public international IDs, until it is eliminated toward the finish of the period.

The various road obstructions and security designated spots on global parkways were to be eliminated to diminish deferrals, badgering and coercion. Joint line watches by adjoining provinces of: Niger, Nigeria, Benin, Togo, Ghana, Burkina Faso, and Mali would be mounted to screen and police public boundaries. Hereafter, a nearer joint effort will be produced between the police and inner security offices concerning trade of data, staff trade projects, and association of continuous coordination gatherings, instructional classes and so on. The Heads of State and Government took on ECOWAS identification as an image of solidarity and to logically supplant public visas available for use over a momentary time of ten years.

Right of Residence

The second period of the convention is pointed toward expanding the residency of visiting ECOWAS residents past the underlying 90days, the convention additionally award travelers the option to look for business gave they obtain an ECOWAS home license. Part states are to concede these traveler laborers that have adjusted to the principles overseeing their residency under the ECOWAS convention, equivalent treatment with nationals of the host country in regions like cooperation, on account of employment cutback, re-business and preparing and furthermore support in socio-social exercises (Robert, 2004). In 1986, the advantageous convention on privileges of residency was marked, which required ECOWAS states to allow part states residents the option to take up residency in its territory (Kabbanji, 2005).

Right of Establishment

The third period of the convention stressed on the right of part states nationals to approach and furthermore do financial exercises in another part state. This convention tries to guarantee that these traveler laborers are not victimized. It likewise award ECOWAS nationals the option to get land and property in the region of the host ECOWAS state. Fundamentally it's relevant to take note of that financial participation between part states is exceptionally essential to the prosperity of the district (Kabbanji, 2005).

Free Movement of Persons

The free development of people introduced by the execution of the Protocol on Free Movement of Persons in 1980 sped up instead of set off a work relocation force that would have happened at any rate. The coming into power of the Protocol concurred with a time of financial downturn in many nations of the sub-district while Nigeria's economy was fuelled by the enormous oil area income. The swaying financial circumstance, decaying state of work and helpless wages in Ghana pushed numerous Ghanaians, gifted and untalented people, on the transition to Nigeria, which had become the district's monetary paradise.

Compliance to ECOWAS Protocol on free movement of persons

The oil-drove business openings pulled in travelers of all abilities in their droves from Ghana, Togo, Chad, Mali and Cameroon to work in the development and administrations areas (Adepoju, 2005). A great many ECOWAS nationals – people - , generally Ghanaians, overwhelmed Nigeria in ordinary and unpredictable circumstances. Proficient and talented migrants were enrolled as instructors in optional schools in the nation, however particularly in Lagos State, to fill opportunities made by the presentation of the free auxiliary training plan in 1979. The blundered fleeting oil blast in Nigeria was trailed by a quick disintegration in living and working conditions and cheapening of the public cash, wage freeze and expansion.

In mid-1983, the Nigerian Government disavowed Articles 4 and 27 of the Protocol to remove somewhere in the range of 0.9 and 1.3 million displaced people, for the most part Ghanaians (Adepoju, 2005). The approval of the second period of ECOWAS Protocol on Right of Residence that came into power in July 1986 matched with the execution of the belt-fixing primary change program in Nigeria. In June 1985, about 0.2 million foreigners were

again removed as homegrown financial emergency developed. This advancement made an emergency of certainty that shook the Community to its actual establishment. Asante (1999) focuses to the absence of political responsibility by part expresses that has perplexed ECOWAS endeavors towards building a practical sub-territorial financial local area. As indicated by him, the shortfall of a solid and serious provincial pioneer is additionally a genuine impairment for ECOWAS and subsequently focuses on the requirement for the foundation of a compelling powerful body to rejuvenate the association. In such manner, he is of the assessment that the Nigerian-Benin organization would be fundamental inside the system of the idea of multispeed advancement to viably meet the different types of difficulties hindering the combination cycle of ECOWAS (Asante, 1999). Asante, notwithstanding, disregarded the issue of part states public safety as a genuine underpinning factor restraining the full mix of ECOWAS part nations.

Implication of ECOWAS protocol free movement on Nigeria's National Security

Porous Border Where Individual Movements Are Largely Untracked

According to Achumba et al. (2013), Nigeria's porous borders, where individual movements are mostly untracked, have contributed to the country's high degree of insecurity. Because of the country's porous borders, an uncontrolled infusion of small arms and light weapons has supported insurgency and criminality in Nigeria. Nigeria is home to approximately 70% of West Africa's estimated 8 million illegal firearms (Edeko, 2011). The porousness of Nigeria's borders has also facilitated an uncontrollable influx of migrants, mostly young males, from neighboring countries such as Niger, Chad, and Benin, who are responsible for some of the criminal actions (Adeola and Oluyemi, 2012). Nigeria's 1,497-kilometer border with Niger is poorly patrolled by the Nigeria Customs and Immigration Services. The porous nature of these borders increases the risk of terrorist actions from Burkina Faso, Mali, and Niger spreading into northwest Nigeria.

The border's vulnerability to terror organization infiltration is exacerbated by the region's forest reserves. Surveillance is difficult due to the large, rocky terrain, scant population, and extensive foliage, making the woodlands suitable hiding locations and operational bases for terror groups. Furthermore, the woodland landscape creates ungoverned places where authorities are either absent or only appear on a periodic basis. Because of the open Nigeria-Niger border and subsequent arms trafficking, the terrorist organizations terrorizing northwest Nigeria are known to use advanced weapons in their operations. The illegal spread of weapons has a significant impact on peace and security in the region, as well as increasing the frequency of terrorist activities (Musa, 2013).

The protection of national security necessitates effective border management. As a result, according to Spencer, "the border is the first line of defense against terrorism and the last line of a nation's territorial integrity." To be sure, Nigeria's porous borders with Cameroon (1,690 kilometers) in the east, Niger (1,497 kilometers) in the north, Benin (773 kilometers) in the west, and Chad (87 kilometers) in the northeast have worsened the Boko Haram insurgency in northern Nigeria (particularly the northeast zone). The majority of these border regions are either mountainous or jungle-like. A common aspect of the nation's borders, regardless of their geographic nature, is their porosity.

Nigeria's borders are porous due to the way colonialists split up the African continent as well as the nature of post-colonial states' control of them. The colonialists' original goal in Balkanizing Africa was not to construct a border per se, but rather to build an area of influence based on political and economic interests. Several ethnic and cultural communities were divided by these boundaries, which were specified in terms of latitudes, longitudes, geometric circles, and straight lines. As a result, the majority of African countries find it extremely difficult to manage international borders that cut across cultural and ethnic groups (Achumba et al., 2013). Gros (2011) likewise thought that the feeble boundaries are ways for worldwide weapons and arms developments; and this is more complicit because of the restricted requirement at the line; of which are either inappropriately prepared, ineffectively paid, inadequately prepared and inclined to think twice about gave dangers to their lives;

or with pay-offs of single amounts. It is additionally a known report that the Boko Haram weaponry and arsenal are generally taken from the Nigerian Military stocks prior to intersection the line; and for the most part bought from the underground market which is flourishing and becoming because of the prepared market. In financial matters when a specific purchaser ends up being ready to cook for countless produce, monetary action is driven towards that heading; this is palpable in a proclamation of previous U.S. Diplomat to Nigeria – John Campbell; who indicates that individuals in the Nigerian Army are here and there paid to leave the arsenal entryways open for Boko Haram partner individuals to plunder the weaponry of little and programmed weapons, projectiles, mortars, mines, vehicle bombs, and so on

Ezeanyika & Ubah (2012) have connected the reports of an exchange master that associates the contentions in Nigeria to the arms arrangements and flood of arms illicitly into various pieces of Africa. This suggests that this permeable line issues are not in peculiarity with Nigeria but rather are likewise being capable by adjoining nations; making the criminal rings that see every one of these boundary connections and escape clauses ready to wreck ruin during rebellion. For instance, the Boko Haram rebellion in Nigeria is a test that radiated somewhat from such an arms flood a lot of individuals. Arms sellers that need to manage the group will persistently have courses to pirate their ammo to the Boko Haram order in light of the fact that the boundaries are not idiot proof and are even been undermined by these extremists and aggressors (Garuba, 2010)

Boko Haram's efforts have cost Nigeria dearly in terms of human, material, and financial damages. The Nigerian government has responded with a variety of tactics aimed at weakening or defeating the organisation, the most visible of which is a military crackdown. In addition to decapitating the sect's top commanders, the Nigerian military reportedly stated that Abubakar Shekau, the sect's spiritual head, died of deadly wounds received during a military raid on the sect's hideaway in Sambisa forest in May 2013. Boko Haram's significant firepower, including machine guns, vast quantities of RPGs, and pick-up trucks armed with anti-aircraft guns, was demonstrated in the Baga attack in April 2013, which killed at least 185 people. The threat that their possession of these advanced weapons poses to aviation security has been identified. The widespread availability of SALWs has aided in the stoking of a deadly insurgency in northern Nigeria, necessitating immediate action to limit the inflow and proliferation of weaponry in the country (Adeola & Oluyemi, 2012).

Theoretical Review

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 analysing 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 (Kimbugwe, Perdakis, Yeung, Kerr, 2012). Regional integration theory has since focused on European integration and the European Union with a broad comparative regional and organizational scope in the 1950s and 1960s. Regional integration theories have closely followed and adapted themselves to the development of European integration (Kimbugwe et al., 2012). They cover the establishment and progress of supranational policies and institutions but also the recent crisis of the EU. An exemplary review of their explanations of major development in European integration shows that they are more complementary than competing. 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.

In Lipsey's (1960) view, 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. Krauss (1972), another supporter of the theory believes 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

Despite the general acceptance of Viner’s initial conclusions, criticisms have been made regarding the assumptions on which his model is based, in particular the key assumption of no-scale effects. Gunning (2002) concurs with the critics and insists that by assuming away the scale effects, one misses what he considers the essence of the issue. Krauss (1972) points out that the assumptions are open to criticism because they fail to describe the ‘real world’ and, thus, the applicability of Viner’s conclusions were limited. Lipsey (1957) and Gehrels (1956–7) have argued that Viner ignored the consumption effects that arise from integration. They showed that these effects arise due to changes of relative prices within the union as well as the RoW. 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. Lipsey (1960) indicated that 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.

Methodology

This is a quantitative study which adopted questionnaire as research instrument. The population of the study was 319 comprising of personnel of Nigerian Immigration Service and Nigerian Customs Service. Data collected from the field were analysed using descriptive statistics. The use of descriptive statistics was to provide simple summaries-quantitative about the sample and the observations that were made (Trochim, 2006).

Data Analysis

Research question one: How has ECOWAS free movement protocol impacted the safety of people and property?

Table 4.3: Impact of ECOWAS protocol of free movement on the safety of people and property

Impact of ECOWAS protocol of free movement on the safety of people and property	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Agree (%)	Mean	SD
Common crime like human trafficking, smuggling in contraband goods is causing serious problems in the ECOWAS Protocol on Free Movement of Citizens	180(60.4)	118(39.6)	n		3.60	.490
Free movement protocol has resulted to smuggling of foods and ammunition for the terrorists that are wasting people’s lives and properties	238(79.9)			60(20.1)	3.40	1.205

Impact of ECOWAS protocol of free movement on the safety of people and property	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Agree (%)	Mean	SD
ECOWAS free movement protocol has made better associations which are characterized by free movement of citizens, goods and high level of security along the borders among West African states.	118(39.6)	120(40.3)	60(20.1)		3.19	.749
ECOWAS free movement protocol is associated with detrimental effect of proliferation of small arms and light weapons movement across the borders on people safety	59(19.8)	179(60.1)	60(20.1)		3.00	.633
Sexual harassment of women and illegal recruitment of underage is common due to the ECOWAS protocol of free movement		178(59.7)	60(20.1)	60(20.1)	2.40	.803
Grand Mean					3.12	.776

Decision rule: if mean ≤ 2.49 =low, 2.5-2.99=average, ≥ 3.0 = high

As presented in table 4.3, the grand mean (mean=3.12, SD=.776) revealed that the protocol has had a high negative impact on the safety of people and property in Nigeria. To further explain this, the participant in this study stated their views on how ECOWAS free movement protocol affected the safety of people and property. The result revealed that common crimes like human trafficking, and smuggling in contraband goods are causing serious problems in the ECOWAS protocol on free movement of citizens (mean=3.60). the participants also agreed that Free movement protocol has resulted to smuggling of foods and ammunition for the terrorists that are wasting people’s lives and properties (mean=3.40), and that ECOWAS free movement protocol has made better associations which are characterized by free movement of citizens, goods and high level of security along the borders among West African states (mean=3.19). The respondents equally stated that ECOWAS free movement protocol is associated with detrimental effect of proliferation of small arms and light weapons movement across the borders on people safety (mean=3.00). From the above, it can be submitted that ECOWAS free movement protocol has had more negative impact than good on the security of people and property.

Research question two: How has ECOWAS free movement protocol affected Nigeria National Security?

Table 4.5: Effect of ECOWAS free movement protocol on Nigeria national security

Factors affecting national security	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Agree (%)	Mean	SD
Climate change is wreaking havoc on people’s livelihoods and facilitating the recruitment of poor farmers and vulnerable youths into terrorist groups in the region	239(80.2)	59(19.8)			3.80	.399
Bandits are attracted to the country due to ability to get fund for their operations from lucrative kidnaping for ransom	59(19.8)	239(80.2)			3.20	.399

Factors affecting national security	Strongly Agree (%)	Agree (%)	Disagree (%)	Strongly Agree (%)	Mean	SD
Weak institutional capacity within the police; extreme inequality, poverty, unemployment; and citizens' alienation cause the inflow of terrorists and bandits as a result of ECOWAS free movement protocol in Nigeria.	59(19.8)	179(60.1)	60(20.1)		3.00	.633
The decade long war with Boko Haram in the northeast, cause the inflow of terrorists and bandits as a result of ECOWAS free movement protocol in Nigeria.	119(39.9)	119(39.9)		60(20.1)	3.00	1.099
Deteriorating security in the Niger Delta, farmer-herder conflicts in north-central and southern Nigeria, and other forms of criminality across the country cause the inflow of terrorists and bandits as a result of ECOWAS free movement protocol in Nigeria	59(19.8)	119(39.9)		120(40.3)	2.39	1.202
Grand Mean					3.08	.746

Decision rule: if mean ≤ 2.49 =low extent, 2.5-2.99=average, ≥ 3.0 = high extent.

Table 4.5 presents the participants responses on the effect of ECOWAS free movement protocol on Nigeria National Security. The grand mean (3.08, SD=.746) revealed that ECOWAS free movement protocol has negatively affected Nigeria's national security to a high extent. The respondents indicated that as a result of the ECOWAS Free Movement Protocol, bandits are attracted to the country due to the possibility to get funds for their operations from lucrative kidnaping for ransom (mean=3.20). Also, climate change is wreaking havoc on people's livelihoods and facilitating the recruitment of poor farmers and vulnerable youths into terrorist groups in the region (mean=3.80). The respondents also indicated that weak institutional capacity within the police; extreme inequality, poverty, unemployment; and citizens' alienation cause the inflow of terrorists and bandits as a result of ECOWAS free movement protocol in Nigeria (mean=3.00), and that the decade long war with Boko-Haram in the northeast, cause the inflow of terrorists and bandits as a result of ECOWAS free movement protocol in Nigeria (mean=3.00).

Conclusion

This study was embarked on to investigate ECOWAS protocol on free movement and its implication for Nigeria national security. The study therefore established that the ECOWAS protocol was established to promote peace, unity, trust and free movement among member countries, though here have been bottlenecks in the process of implementing the protocol.

The study equally established that the protocol has had serious implications on the national security of Nigeria as it has paved way for banditry and terrorism by non-nationals thereby endangering the lives and property of the citizenry. The study therefore concludes that the protocol implementation process requires to be strengthened in order to strengthen the security of lives and property in the country.

National security is of utmost importance to the leadership of the nation as it speaks to the international community on what the country considers as priority. Therefore the safety of the citizens is top on the list.

However. This study has established that Nigeria has 70% of the illegal firearms in the country which speaks volume of the porosity or the country's border.

This study therefore concludes that the ECOWAS protocol on free movement has negatively affected national security, safety of lives and property which indicates a low level of instability.

Recommendations

The following recommendations are hereby put forward for cost management strategies in SMEs. This study recommends that member states and the federal government need to revive and strengthen the protocol, thereby fulfilling the mandate of the protocol.

The customs and immigration agencies should put in viable measures to check and curtail the negative effects. The study therefore recommends that security around the borders should be improved as well as around the country in order to curtail insecurity and make human trafficking and kidnapping more difficult.

Negative implications such as inflation, rising cost of living which has characterized the economy should be checked by the federal government and supporting agencies.

This study recommends that 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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