

Border Security Management and ECOWAS Protocol on Free Movement in West Africa

Agbebaku E. Philip^{[a],*}; Osimen Goddy Uwa^[b]

^[a] Prof., Department of political Science Ambrose Alli University, Ekpoma- Edo State, Nigeria.

^[b] PhD., Department of International Relations & Diplomacy, Afe Babalola University, Ado-Ekiti, Nigeria.

*Corresponding author.

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Abstract

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. The vision of the ECOWAS is to create a borderless region where the population will have access to the abundant resources and, able to exploit same through the creation of opportunities under a sustainable environment. Nevertheless, the unrestricted free movement of people in the sub-region resulted to situation of tension among citizens of the receiving country and migrants especially in places where migrants dominate trade and labour. The regimes that are rather weak can become destabilized under such tensions thereby resulting to free flow of criminalities. 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. Despite these challenges and threats posed by border insecurity, there is a lack of a common approach in terms of policy formulation, especially from the direction of the government. Therefore, it is on this note the paper seeks to examine these overlapping issues and hold attempts to provide a possible solution in resolving them. Data were obtained using secondary sources and the data were analyzed qualitatively. The paper observed that the prospect of achieving effective border security was truncated due

to unrestricted free movement of people and improper implementation of ECOWAS protocol in the sub-region. This uncontrolled and unmanaged border has resulted to infiltration of terrorists/insurgency, loss of government revenue, smuggling or trafficking of illegal goods among others. The paper further revealed that the issue of corruption, poor technological gadgets, and porous nature of the borders among others serve as strong challenge to effective border management in the region. Therefore called for a Paradigm Shift in achieving effective border management to include adequate provision of funds, use of modern technological gadgets, adequate training of security personnel, strengthening of Multinational Joint Task Force among others.

Key words: Border; Border management; Security; ECOWAS protocol; West Africa

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INTRODUCTION

ECOWAS was established on May 28 1975 via the treaty of Lagos, ECOWAS is a 15-member regional group with a mandate of promoting economic integration in all fields of activity of the constituting countries. Member countries making up ECOWAS are Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Sierra Leone, Senegal and Togo. Considered one of the pillars of the African Economic Community, ECOWAS was set up to foster the ideal of collective self-sufficiency for its member states. As a trading union, it is also meant to create a single, large trading bloc through economic

cooperation. Integrated economic activities as envisaged in the area revolve around but are not limited to industry, transport, telecommunications, energy, agriculture, natural resources, commerce, monetary and financial issues, social as well as cultural matters. Expectations of economic integration have always been high and a lot has been accomplished by the regional group since the endorsement of the treaty which gave it the required legal teeth. Going by current assessments, the regional body has exceeded the expectations of its founding fathers. Today, the organisation is being acknowledged globally as a successful regional body, a toast to a workable integration and regional co-existence.

The vision of ECOWAS is the creation of a borderless region where the population has access to its abundant resources and is able to exploit same through the creation of opportunities under a sustainable environment. What ECOWAS has created is an integrated region where the population enjoys free movement, have access to efficient education and health systems and engage in economic and commercial activities but this has not gone than well in recent past as it has also brought about porous borders thereby promoting activities of criminalities or cross-border crimes; terrorist attacks, drug trafficking, illegal trade such as smuggling of contraband goods like shoes, frozen poultry products, duty non-paid cars and foreign parboiled rice (Akinyemi, 2013). These border crimes also include human trafficking, money laundering, child trafficking, arms smuggling or trafficking of weapons, international terrorism, illegal oil bunkering, and illicit trafficking in diamonds, business fraud, to mention but these notable few (Ukwayi & Bassey, 2019). This situation has also promoted the unrestrained influx of illegal migrants and cross border criminality through her Francophone neighbours, which seemed to be posing serious challenges for Law Enforcement Agencies to contend with.

Ghosh (2000, p.221) argued that many of the security threats posed by illegal migration and human smuggling are those of “disruptive movements of people that could provoke immediate border security problems because of the scale of such movements or adverse domestic political reactions to perceived governmental “loss of control” of borders and, the threat may come from small groups or even individuals within larger illegal flows in the border. Small Arm Survey Report (2012) reveals that porous borders encourage inflow of weapons thus making its acquisition easy and cheap. This is largely a major cause of regional instability witnessed in Africa especially in West Africa. Auto theft which is a constant phenomenon in South and West Africa is also a constant feature of the porous borders. The same report indicated that in South Africa on a monthly basis, about 100 vehicles, mainly Sport Utility Vehicles (SUVs) and Four-Wheel Drives are stolen and smuggled across the border into Mozambique with the connivance of border inhabitants

who are accomplice in this trans-organized crime. Similar experience is reported in West Africa especially in Nigeria that cars stolen are smuggled out of the country through the porous borders into Benin Republic (Small Arm Survey Report, 2012).

Transnational movements of people, goods, and capital have become important security policy items on national and global agendas, and the control of such movements is focused largely on efforts at borders. Marenin, (2003) opines that the powers and reach of border control systems have been enhanced by changes in law, increased political attention, an influx of resources, the utilisation of technological detection and control devices and systems, and a security discourse which stresses border management as crucial element in ensuring the stability of states and the well-being of citizens. In short, as border management and other state authorities have been given more authority and as their capacity to coercively control people has been magnified, the perennial question of how to control and hold accountable agencies and agents who exercise that power, often within wide margins of discretion, has risen to greater salience. At the same time, the means and mechanisms of accountability must respond to the realities of evolving forms of border management if they are to be effective and legitimate (Marenin, 2003). There are widely acknowledged reasons why borders evolving border control systems now matter. In an era of globally structured change and the increasing interconnections of international and local affairs, advancing integration of even remote societies into a global system of commerce, migration and production is apparent, supported by technologies of communication and transportation far more efficient and more difficult to know about and control than traditional means. All of these factors enabling legitimate traffic flows in people, capital, resources and commerce have also enabled illegitimate activities within borders.

The increasing interdependence of global means of production and information raises practical questions of how to coordinate production and trade (such as building cars or computers with parts manufactured in many countries) and the flows of capital and profits which can only be done efficiently if traditional borders and notions of sovereignty on which they are based are devalued (Marenin, 2003). At the same time, that necessary permeability of conventional borders also allows illegitimate flows of people and capital (human trafficking, uncontrolled migration, money laundering, the trafficking of illegal goods and services) and, as well, the ingress of terrorists into target states. As economic liberalisation produces more global markets, borders need to be more carefully watched; whilst globalisation beats against the crumbling ramparts of sovereignty, security practitioners must seek more effective ways to prop up national borders. This dilemma will only worsen and complicate the very notion of the function of borders in

the new era. Borders that serve as transit points for large numbers of people are particularly vulnerable to illegal crossings by criminals and terrorists.

Against this entire stand the fears that open borders bring with them the real and perceived threats posed by cross-border crime. The dangers of cross-border crime in drug trafficking, illegal weapons trade, car and cigarette smuggling, money laundering, fraud and corruption, human smuggling, among others must not be underestimated (Bort 2002).

Therefore, the main thrust of this paper is to access and undertake the linkage between ECOWAS protocol on free movement and its effects on the border management in the sub region with the aim to identifying measures designed to combat emerging cross-border related threats in the region and to recommend appropriate border management strategies for a safer border security architecture within the sub region as it has often be said that a “safe border is a safe nation” therefore, the failure of nation to manage its borders effectively and properly affects both domestic and international economic activities and also poses threats to national sovereignty and the security of the country .

CONCEPTUAL CLARIFICATION

Concepts clarified in this section include border, border management and border security.

Concept of Border

This section explains what border entails generally in the society. Weber (2012) 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) he believes that 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 (2012, p.5) 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, (2003, 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 (1997) 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. 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 instrumentalised as an identity marker for the “homeland (Bort, 1997)”.

Eselebor (2008) has also noted that a border is a line or thin strip delimiting the territories of sovereign states with equal jurisdiction as can be observed at the Nigeria border with Benin Republic at Seme. Eselebor further notes that

an understanding and interpretation of what border is and means vary with different strategic interests that could be social, economic, political or environmental; and that our border, therefore, performs the dual function of a line that links and separates.

Concept of 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, (2011) 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 et al. 2000), 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 categorisation used by the OSCE, whose 2001 Police Reform Co-ordination Conference included border policing within six priority areas for police reform in Serbia (Monk, 2001).

Hills (2002) 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 (Bigo, 1999). 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, 1999). 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 organisation. 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.

BORDER SECURITY

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 (Willie, Predd, Davis & Brown, 2010). Nelson, et al. (2010) defined border security as "managing the flow of people, goods, and other tangible items across national boundaries.

BORDER MANAGEMENT AND ECOWAS PROTOCOL ON FREE MOVEMENT: MATTERS ARISING

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 and vis to:

- Ensuring the issuance and security of ECOWAS travel documents.
- Organising 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.
- Harmonising 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 (2012):

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, 2012).

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, online, mar 15, 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 (Okunade, 2019).

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 (Barkindo, 2016). As observed by Asiwaju (1985), 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 (Barkindo, 2016).

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PARADIGM SHIFT IN BORDER SECURITY MANAGEMENT IN ECOWAS REGION

Boundaries in West Africa were delineated by the Europeans at the 1884/1885 African- Berlin Conference, and consist of 5, 112, 9030 km of land and 2,350,000 km of maritime borders (Babatola, 2015). The sheer size and nature of these borders make it difficult for them to be policed and managed operationally by the relevant security agencies assigned the responsibility of protection. The porosity resulting from poor demarcation and poor manning presents serious security challenges (Babatola, 2015). This has therefore paved the way for constant occurrences forming part of a climate of criminality across the West Africa borders (Eselebor and Okunade, 2020). The dynamics of globalisation and the rise of new threats and security ideologies have continually seeking for new ways of managing border security, of dealing with economic opportunities arising within the context of a global free market while simultaneously protecting the territorial integrity, cultural identity, security of citizens, and the political stability of the state. Both legal and illegal flows of people and goods cross borders and have to be sorted out in a way that is effective and legitimate in the eyes of entrepreneurs, publics and elites. The increase in perceived threats from foreign terrorists and rhetoric of war suggest a further expansion of control efforts:

...the militarisation of border control will likely increase; intelligence collection and risk analysis personnel will be deployed in and outside the country; liaison personnel of various sorts (police advisers, trainers and observers, customs and drug enforcement officers, documents experts, delegates to regional and international planning groups and international/regional organisations) will be stationed outside the country; undercover operatives to detect organised illegal and criminal activities and plans will work globally; and a massive managerial capacity and staff to coordinate strategies, policies and activities will have to be developed.

Reimann (2001, p.44) provides an extensive and detailed description of the tactics and strategies pursued by the German border police to achieve the four basic goals of “securing the borders; measures in the countries of origin; international cooperation; and national cooperation according to him:

What is interesting is the large variety of skills and personnel required to carry out these varied duties. At the very least, providing border security within the context of a securitization discourse and a widened border involves: customs personnel to check the transit of goods; immigration officers to check the

flow of long-term migrants, tourists and daily workers crossing the borders; border guards to patrol and protect the borders between crossing stations, at the blue borders and in the air (some of these forces are heavily militarised, or work with military forces, depending on the nature of border threats, civil turmoil in adjacent countries, or massive organised crime involved in smuggling activities).

A framework for cross-border co-operation between regional and local authorities was provided by the 1980 (Madrid) Outline Convention on Transfrontier Co-operation; an annex to the Convention provided a model agreement for these authorities. An additional protocol came into force in 1994, allowing the transfer of transfrontier agreements from public international law to the administrative law of the states concerned. The main categories of transfrontier agreements are intergovernmental treaties, conventions or recommendations; treaties such as the Bonn Treaty of 5 March 1975, setting up the tripartite commission for the Upper Rhine and the bipartite commission for the Middle Rhine; private law agreements between local authorities (and sometimes other organisations); informal agreements between local authorities, sometimes including other organisations which result in de facto regular co-operation; and intermittent consultations about common problems on border management.

The physical border most also continue to involve traditional forms of screening, detection, detention and protection. Most of the work away from the physical border will be intelligence and pre-screening externally and follow-up work internally. Reimann's (2001, p.50), further argued that the fundamental strategic approach" underlying border control and management is "police work should not be hindered by borders." Functional needs should override political divisions. The combination of common training, tools, systems and equipment provided below will help countries in the region to accomplish the following goals according to UNODC (2013):

- Sustain and expand national coordination and policy committees
- Strengthen cooperation between front-line border agencies
- Strengthen cooperation between border agencies across national borders
- Enable the rapid sharing of intelligence leading to seizures and arrests
- Enable the sharing of information on modus operandi, trends and trafficking routes, and
- Facilitate the execution of joint operations against transnational crime networks.
- As regional integration will lead to rapid increases in the movements of people and goods across borders.

Hills (2002, p.16) argued that the very notion of accountability by border security systems to democratic processes presumes the existence of effective

accountability mechanisms within political systems, a willingness on the part of political leaders to insist on adherence to specified standards, and the capacity to effectively evaluate performance and sanction violations of rules and regulations by border security agencies or individual agents. The interplay between agents of control and the state and civic society they serve can take many forms, only some of which may reflect and embody the conventional benchmarks of good governance and democratic oversight, transparency, accountability, responsiveness, equity, redress, service delivery and participation.

THE CHALLENGES OF EFFECTIVE BORDER SECURITY MANAGEMENT IN WEST AFRICA

In the view of McGuire in Ukpogon, (2017) West Africa is one of the most underdeveloped and instability prone regions in the world and this attests to the postulation of Brown (2013) that the sub-region's governance and law enforcement are the direct reasons for its underdevelopment. McGuire, therefore, describes many states in the sub-region as obviously feeble, without strength to perform basic security and welfare responsibilities of statehood. They are therefore marked by corruption, political disorderliness and crises, McGuire in Ukpogon, (2017)

Though, there is no doubt that a lots of efforts have been made both in the past and in present to secure west Africa borders, it has been revealed by previous research that certain factors appear to pose a problem or challenge to effective border security in the region; lack of political will, bad governance, and poorly equipped and motivated military and security agencies, coupled with others problems such as the porosity of borders and non-involvement of the people continue to inhibit real progress in the region. In Africa there is lack of combat-readiness, armaments, mobilisation and rapid deployment capability, which are required for so complex peace operations. Corruption is another problem affecting effective border security in West Africa. It has been discovered that most security agencies are often compromised to allow illegal flow of goods and people. McGuire in Ukpogon, (2017) noted that some checkpoints are not meant to check passport but to extort money from people. The problem of adequate facilities and other logistics serve as a problem to effective border security in West Africa. There have been reported cases of low operational facilities like: poor border barrack or substandard office; lack of or insufficient communication or technological gadgets or facilities; inadequate patrol vehicles etc (Uzoma, & Eudora, 2016). There is no how effective border security can be achieved without adequate facilities and logistics.

In West Africa alone, there are a total of 35 international boundaries characterised by high levels of porosity. This makes them highly vulnerable to threats such as trafficking of people, drugs, small arms and light weapons as well as recent instances of terrorism. Nonetheless, border security issues are not always integrated into national security or economic strategies, and border agencies are usually ill-equipped, ill-trained and poorly resourced. According to SALW Report (2012) the sub-region, appropriate infrastructure such as detection equipment and scanners are not always present at some border posts, especially the further away from the capital. The Customs administration in different countries of the region is also not usually equipped with national databases of offenders, their networks and types and volumes of illicit commodity seizures. Compounding the issue are understaffed agencies and unmotivated staff who do not effectively collaborate and coordinate their activities nationally and regionally.

Closely related to the above is to the difficulties created as a result of lack of consensus among states in the West African sub-region. For example, Nigeria initially was not open to external assistance and did not want the involvement of foreign troops in the fight against Boko Haram insurgency. This possibly explains why the concerns of ECOWAS about the Boko Haram insurgency in Nigeria were limited to rhetoric declarations. Even with the establishment of the multinational force to fight the insurgents, there are concerns that the contributing countries were not as committed as the public was made believe.

Uzoma, & Eudora, (2016) believes that despite the positive effect of globalization, it still poses a threat to effective border security in West Africa. Through the advancement of information and communication technology and transformation of international relations caused by globalization has increased the challenges of African states to manage their borders (Okumu, 2011). Studies has pointed out that there is a relationship between globalization and trans-border (economic) crimes because the logic of time and space have been become speed up and condensed which deterritorialize boundaries and undermines sovereignty leading to increasing speed and sophistication of criminal activities and networks.

A report from the United Nations Office on Drug and Crime UNODC (2013) notes that countries in the sub-region have become important locations in the smuggling of illicit goods because there has been increased law enforcement success in the Caribbean and Europe. This points to two important issues, firstly, that international crime prevails in weak or developing states because of the involvement of some highly placed public officials, who take advantage of their good offices to perpetuate the crime and secondly, that the weak states, due to their incapacity to apply drastic measures in their territories and

for the fear of counter strikes from the perpetrators of the crime stay away from taking actions. Inadequate financial, human and material resources required in the fight against the criminal business have also been labeled a major contributor to their growth in West Africa. Therefore, although there are signs of some legal and institutional instruments to confront the crime, they unfortunately do not make good impacts because the environments do not have the organizational wherewithal to support such moves and also because there is a lack of political will on the part of the governments to do so (UNODC (2013).

C O N C L U S I O N A N D R E C O M M E N D A T I O N S

The management of border security in west Africa Sub-region in this 21st century has so far face a couple of well-known challenges and has occurs in the context of fundamentally conflicting imperatives. It is imperative because borders must be both open and closed, be both gates and walls. With the regime of free movement external borders remain a hotspot for all forms of international organised crime, such as smuggling of all kinds of goods including stolen cars, cigarettes, drugs, weapons, and nuclear material, and illegal migration, people smuggling and organised prostitution. External borders promise to be the most important area to prevent and counter/fight organised crime. In an area without internal border controls, as is the ECOWAS region, police and other sisters authorities have to take into account that not just national land borders, but crossroads of international traffic, such as airports, railway stations, trains and service areas on highways, are becoming more and more important as locations for successful investigation. In order to respond to the complex challenges of the 21st century in the field of border security, comprehensive solutions are necessary, but these can be based only on enhanced co-operation among all relevant actors, while respecting basic laws and fundamental principles. Therefore, the rising crime rates, terrorism, uncontrolled migration, violence and instability appear to call for a proper management response to border-related issues in the sub region. 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. To this end, the following points must be recognised:

- A first step towards achieving this is to develop and align national and sub-regional policies which can be operationalised across the region for an integrated regional approach to border management.

- It remains very important to develop the future design of an effective border regime in a faithful manner with all member states, on bilateral and on community levels.

- To improve border security means first of all to perform a permanent and most intensive co-operation border covering all aspects of border management between the direct neighbours on both sides of the border. This requires mutual trust above all, given that it is quite easy to perform close co-operation at the land borders, but more difficult at the sea borders and at the airports.

- Add to CMCEB a section “Best Practices” regarding all aspects of practical border management (organisation, infrastructure, staff, training etc).

- Develop a “Practical Handbook” for border guards, to be available in electronic form. This publication would cover the same subjects as the “Best Practices” compendium but be held in a more colloquial tone.

- Identify principles and adopt common measures on “local border traffic” .

- Check identity documents, visa etc of persons crossing the border legally or illegally.

- Question aliens on the reasons of their stay or border crossing.

- Border guards need to receive adequate professional training and compensation. There needs to be appropriate oversight of their activities. Border control and customs also need to be more closely integrated.

- Align national border management strategies into a sub-regional ECOWAS strategy to allow for an integrated regional approach to border (in) security.

- Prioritise capacity building of all the agencies involved in border management (particularly Customs, Police and Immigration) as a cost effective way of maintaining the security of the state.

- Involve border communities in managing the security of borders.

- The problems of corruption in the border services of many countries remain fundamental obstacles to effective border control. In many developing and transitional countries, border patrol personnel are paid less than the survival wage in their countries and it is presumed that they will enhance their incomes through bribes. Therefore, they should be well paid and appropriate law should be put in place to punish corrupt officials.

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