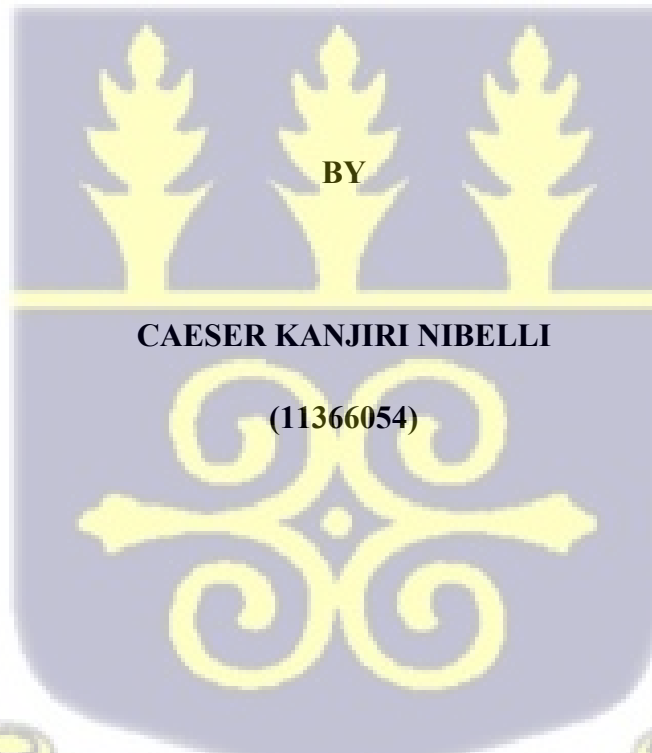


UNIVERSITY OF GHANA

CENTRE FOR MIGRATION STUDIES

**THE EMERGING CHALLENGES TO THE EFFECTIVE IMPLEMENTATION OF
THE ECOWAS FREE MOVEMENT PROTOCOL IN GHANA.**



**THIS DISSERTATION IS SUBMITTED TO THE UNIVERSITY OF GHANA, LEGON
IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE AWARD OF
MASTER OF ARTS IN MIGRATION STUDIES**

NOVEMBER, 2025

DECLARATION

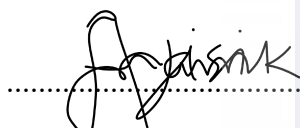
I Caesar Kanjiri Nibelli, hereby declare that this dissertation is the product of an original research conducted by me under the supervision of (Dr) Frank Ayisi. I also declare that I have not submitted this work to any institution for assessment, publication, or for any other purpose and that all references have been duly acknowledged.



14/11/2025

CAESER KANJIRI NIBELLI
(STUDENT)

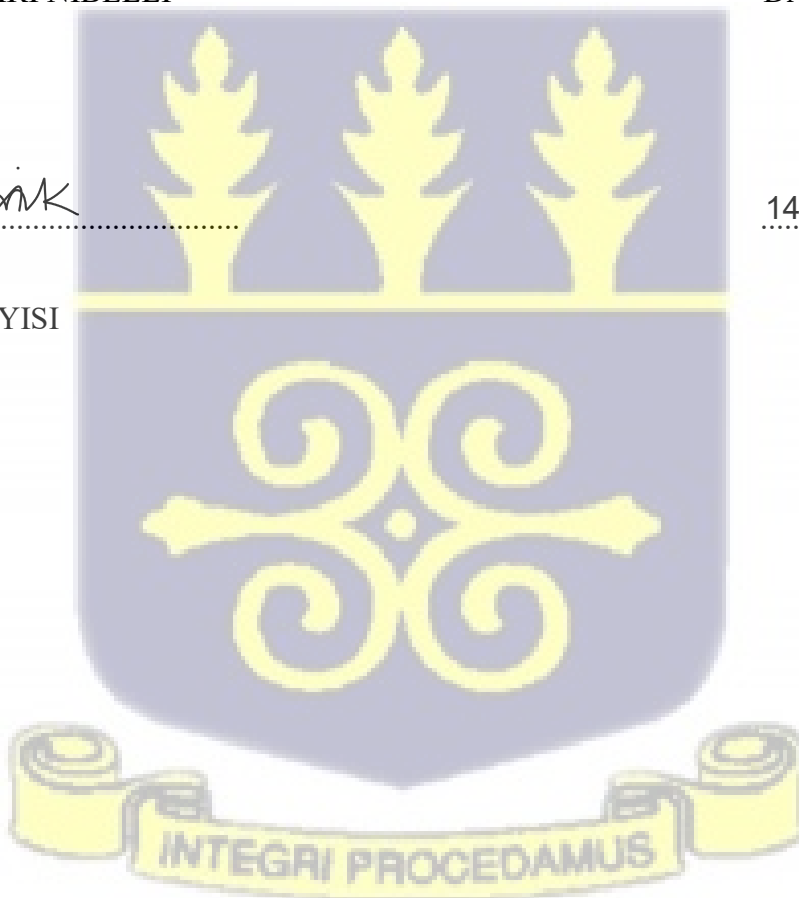
DATE



14/11/2025.....

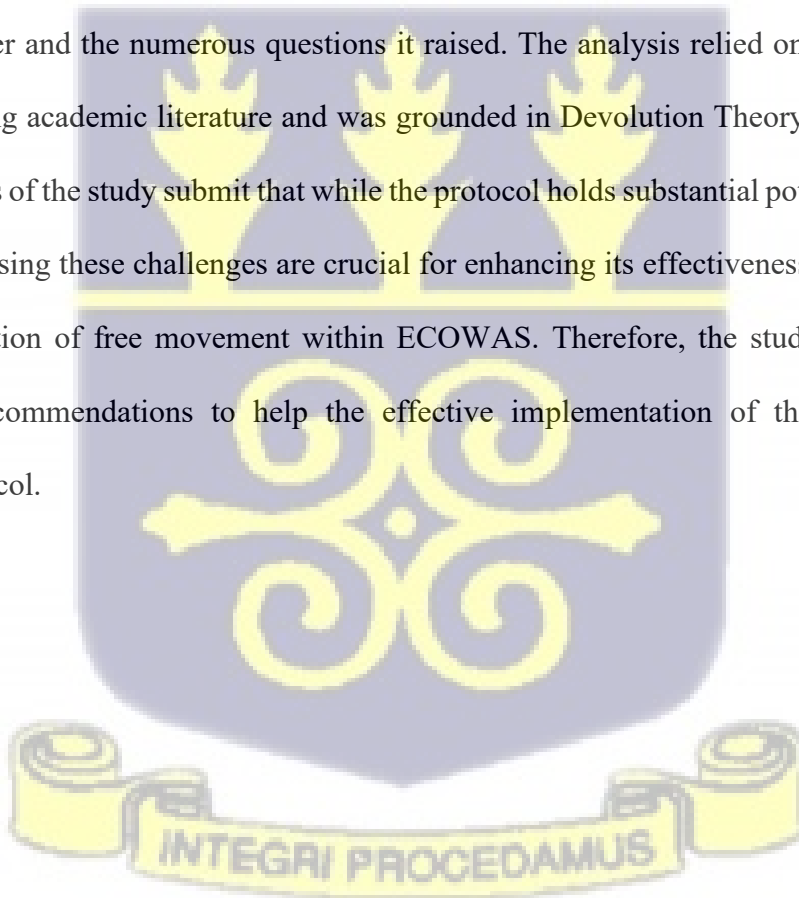
(DR) FRANK AYISI
(SUPERVISOR)

DATE



ABSTRACT

The ECOWAS Free Movement Protocol is designed to promote the unrestricted movement of people, goods, and services among its member states. However, its implementation faces significant challenges. This study explores the emerging challenges hindering the effective implementation of the ECOWAS Free Movement Protocol in Ghana. Key issues examined include state secessions, military coups, economic difficulties, and conflicts between national policies and the protocol's objectives. A qualitative research approach was employed, utilizing secondary data from books, journals, articles, and online sources to gather information on the protocol and its associated challenges. The research adopted an interpretive approach to address the complexity of the subject matter and the numerous questions it raised. The analysis relied on a comprehensive review of existing academic literature and was grounded in Devolution Theory and Regionalism Theory. Findings of the study submit that while the protocol holds substantial potential for regional cohesion, addressing these challenges are crucial for enhancing its effectiveness and realizing the full implementation of free movement within ECOWAS. Therefore, the study concluded with some policy recommendations to help the effective implementation of the ECOWAS free movement protocol.



DEDICATION

To my late Mom Mrs. Hyacintha Esther Bobtuo Nibelli



ACKNOWLEDGEMENTS

It is with great pleasure that I express my heartfelt gratitude to all those who contributed in various ways to my studies and the completion of this dissertation. First and foremost, I extend my deepest appreciation to my supervisor, Dr. Frank Ayisi, for his invaluable constructive criticism, insightful comments, patience, guidance, advice, and unwavering support throughout the progress and completion of this work. Dr. Ayisi played a pivotal role in ensuring the successful outcome of this dissertation, providing both direction and encouragement every step of the way. I am also immensely grateful to the individuals and organizations who made this study possible, particularly the management and staff of the Ministry of Trade and Industry and the Ghana Boundary Commission, who generously granted me their time for interviews. Without their input, this work could not have been completed. My sincere thanks go to the lecturers of the University of Ghana, especially Prof. Mary Setrana and Prof. Leander Kandilige, whose academic guidance and mentorship greatly enhanced my knowledge and shaped the successful completion of this dissertation. I also deeply appreciate the administrative staff of the Centre for Migration Studies for their various forms of assistance. I owe profound gratitude to my coursemates for their constant encouragement and support throughout this journey. Finally, I extend my heartfelt thanks to my family, my brothers and sisters, especially Diana, Cassius, Henrietta, Charlotte, Jude, and Emmanuel, for their unwavering sacrifices and steadfast belief in my pursuit of higher education. To all of you, I say a big thank you!



TABLE OF CONTENTS

Contents

DECLARATION.....	i
ABSTRACT.....	ii
DEDICATION.....	iii
ACKNOWLEDGEMENTS	iv
TABLE OF CONTENTS	v
LIST OF ABBREVIATIONS	viii
CHAPTER ONE	1
INTRODUCTION	1
1.1 Background of the Study.....	1
1.2 Problem Statement.....	5
1.3 Objectives of the Research	7
1.3.1 General Objective	7
1.3.2 Specific Objective.....	7
1.4 Research Questions.....	8
1.5 Significance.....	8
1.6 Scope and Limitations of the Study.....	9
1.7 Organization of Chapters.....	9
CHAPTER TWO	11
LITERATURE REVIEW AND THEORITICAL FRAMEWORK	11
2.1 Introduction.....	11
2.2 Literature Review	11
2.2.1 The Evolution of the ECOWAS Free Movement Protocol.....	11
2.2.2 The Existing Challenges of the Implementation of the ECOWAS Free Movement Protocol	12
2.2.3 The Successful Efforts of Ghana in implementing the ECOWAS Free Movement Protocol.....	14
2.2.4 The Emerging Challenges of the Effective Implementation of the ECOWAS Free Movement Protocol.....	15

2.3 Theoretical Framework.....	18
2.3.1 Devolution Theory.....	18
2.3.2 Regionalism Theory.....	21
CHAPTER THREE.....	26
RESEARCH METHODOLOGY.....	26
3.1 Introduction.....	26
3.2 Study Area.....	26
3.3 Research design.....	29
3.4 Data Collection Tools and Techniques.....	30
3.5 Research Population.....	30
3.6 Sample Size and Sample Selection Processes.....	31
3.7 Data Analysis.....	32
3.8 Ethical Consideration.....	33
3.9 Conclusion.....	33
CHAPTER FOUR.....	34
ANALYSIS AND DISCUSSION.....	34
4.1 Introduction.....	34
4.2 The Evolution of the ECOWAS Free Movement Protocol.....	35
4.3 Existing Challenges of the Implementation of the ECOWAS Free Movement Protocol. ...	37
4.3.1 Contradictions between ECOWAS Free Movement Protocols and National Policies.....	37
4.3.2 Discrimination and Refusal of Admission.....	42
4.3.3 Harassment and Absence of Travel Documents.....	42
4.3.4 Economic Challenges.....	44
4.4 The successful efforts of Ghana in the Implementation of the ECOWAS Free Movement Protocol.	45
4.4.1 First Phase: Right of Entry.....	45
4.4.2 Second Phase: (Right of Residence) of the Protocol.....	52
4.4.3 Third Phase: Right to Establishment.....	55
4.5 The Emerging Challenges to the Effective Implementation of the ECOWAS Free Movement Protocol in Ghana.....	59
4.5.1 Threats to Democratic Norms.....	59
4.5.2 Rampant Military Takeovers.....	60

4.5.3 Formation of the Alliance of Sahel State (AES)	62
4.5.4 The Emerging Challenges of the ECOWAS Identity Card.....	67
4.5.5 The increase in Illicit Trade and Transnational Organised Crimes through Informal Cross Border Trade	69
4.6. Conclusion	72
CHAPTER FIVE	73
SUMMARY OF KEY FINDINGS CONCLUSIONS AND RECOMMENDATIONS	73
5.1 Introduction.....	73
5.2 Summary of Findings.....	73
5.2.1 The Evolution of the ECOWAS Free Movement Protocol.....	73
5.2.2 The Existing Challenges of the Implementation of the ECOWAS Free Movement Protocol	74
5.2.3 The Successful Efforts of Ghana in the Implementation of the ECOWAS Free Movement Protocol.....	75
5.2.4 The Emerging Challenges to the Effective Implementation of the ECOWAS Free Movement Protocol in Ghana	76
5.3 Conclusions	77
5.4 Recommendations	78
BIBLIOGRAPHY	80
APPENDIX 1	87
INTERVIEW GUIDE FOR RESPONDENTS	87



LIST OF ABBREVIATIONS

AES	Alliance des États du Sahel
CMS	Centre for Migration Studies
ECOWAS	Economic Community of West African States
EU	European Union
FMMM	Free Movement of People and Migration in West Africa
GIPC	Ghana Investment Promotion Centre
GIS	Ghana Immigration Service
IOM	International Organization for Migration
MADE	Migration and Development
MENOM	Media Network on Migration
NDPC	National Development Planning Commission
NLMP	National Legislation Migration Policy
UN	United Nations
US	United States



CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

ECOWAS Free Movement Protocol is a component of a larger global trend of regional cooperation and economic integration in response to globalization and the need for more robust economic ties (Teye et al, 2019; Awumbila et al, 2014). Regional economic communities are now essential to international trade and economic diplomacy. In order to strengthen their influence internationally, improve economic circumstances, and foster greater interdependence, nations have worked harder throughout the past century to cooperate and integrate on economic, political, and social concerns (Warleigh-Lack & Rosamond, 2010; Wiener, & Diez, (eds) 2009; van Langenhove, 2011; Mattli, 1999). The European Union (EU), the North American Free Trade Agreement (NAFTA), and ASEAN (Association of Southeast Asian Nations) are a few notable examples (Warleigh-Lack & Rosamond, 2010; Wiener, & Diez, (eds) 2009; van Langenhove, 2011). These organizations seek to lessen the effects of worldwide economic swings, establish more stable economies through regional cooperation, and offer a stronger negotiation position with more powerful economic players like the United States, China, or the European Union (Buzan & Waever, 2003; Farrell et al, 2005)

Since the era of decolonization, the African continent has been pursuing economic integration. Africa has long aimed to improve intracontinental commerce, encourage growth, and lessen poverty because of its varied and dispersed economies (Adepoju, 2005; Castles, 2014). The African Union (AU), the Organization of African Unity (OAU), and the African Continental Free

Trade Area (AfCFTA) are some of the initiatives or organizations created to strengthen trade and economic integration (Adepoju, 2005; Castles, 2014).

West Africa has long been an economic hub where trade in goods and services naturally flourishes. Migration within the region is deeply embedded in livelihoods and cultural practices, tracing back to the pre-colonial era (Adepoju, 2015). Ghana and Côte d'Ivoire have historically been immigrants' key destinations. However, Nigeria also emerged during the early 1970s as an important destination, spurred by the oil boom, which created abundant job opportunities across various economic sectors (Adepoju, 2015). The main labor-exporting nations in the region, including Guinea, Mali, Togo, and Burkina Faso, predominantly sent migrant workers abroad. Senegal, on the other hand, has historically played a dual role as both a labor-sending and receiving country. In recent years, however, Senegal has transitioned into a key transit hub for migrants aiming to reach the European Union (Adepoju, 2015).

Meanwhile, economic challenges in the late 1960s in Ghana and the mid-1980s in Nigeria transformed both countries into labor-exporting nations (Adepoju, 1988). However, with Ghana's economic recovery in recent years, the country has seen an increasing number of return migrants (Adepoju, 2015). Following their independence, West African states pursued policies of regional cultural and economic integration, aiming to foster stability and economic growth (ECOWAS, 2007).

Sixteen West African countries on May 28, 1975 came together to sign a treaty that established the Economic Community of West African States (ECOWAS) in Lagos, Nigeria (ECOWAS, 2006; Adepoju et al., 2007). The treaty sought to strengthen regional economic integration by encouraging the free movement of people, capital, and goods, while promoting intergovernmental

cooperation to achieve peace, stability, and security (Adepoju et al., 2007). Four years after the treaty's signing, member states ratified the Protocol on the Free Movement of Persons, Right of Residence, and Establishment in May 1979 (ECOWAS, 2006). This protocol introduced a three-phase plan to achieve full freedom of movement, allowing citizens of member states to enter, reside, and establish businesses across the region. The ECOWAS Protocol on Free Movement was a landmark initiative, reflecting the shared economic, cultural, and social connections among West African nations and marking a significant step toward regional unity (ECOWAS, 2006; Adepoju et al., 2007). The protocol is structured around three key phase. The first phase, implemented in 1980, allowed people of ECOWAS countries to enter other member states without needing a visa for a stay of up to 90 days. This phase sought to facilitate cross-border mobility, encourage trade, and improve labor market flexibility within the region (ECOWAS, 2006). The second phase, ratified in 1986, gave ECOWAS inhabitants the right to reside in other member states to work, provided they have proper identification and employment documents (ECOWAS, 2006). The final phase, agreed upon in 1990, granted people of ECOWAS countries the right to set up businesses and establish their livelihoods in other member states (ECOWAS, 2006). This phase encouraged economic investment and fostered entrepreneurship across borders. The protocol has faced challenges in implementation, such as inconsistent national policies, concerns over security, and economic disparities among member states, which sometimes led to tensions around migration (Agyei & Clotey, 2007; Adepoju et al, 2007). However, it remains a landmark agreement aimed at strengthening regional cooperation, facilitating the movement of people, and promoting economic integration across West Africa.

Notwithstanding the challenges Ghana has made some notable progress in implementing the ECOWAS Protocol on Free Movement of Persons, Rights of Residence, and Establishment. This

commitment supports greater regional integration and facilitates trade and mobility within West Africa (Agyei & Clottey, 2007). Ghana has shown success in areas such as allowing nationals of ECOWAS to enter and reside in the country relatively freely, fostering a welcoming environment for business and trade across borders. Ghana's efforts in this direction have also led to strengthened trade ties and boosted economic cooperation with neighboring countries, highlighting its role as a central player in the ECOWAS bloc.

Ghana's government, along with various non-governmental organizations, has invested in educating citizens and officials about the ECOWAS free movement protocols. Training workshops, such as those conducted by the Ghanaian Ministry of Foreign Affairs, have helped stakeholders understand the economic and cultural benefits of regional integration and free movement (Agyei & Clottey, 2007; Adepoju et al, 2007). These initiatives underscore Ghana's dedication to harmonizing policies with ECOWAS's vision of a borderless West Africa, despite challenges like occasional enforcement issues at border posts.

While Ghana has enabled significant progress, there are emerging challenges that hinder its full implementation and effectiveness. Despite the protocol, many countries still impose bureaucratic obstacles, delays, and informal fees at borders. Corruption among border officials leads to illegal fees, bribery, and intimidation, which frustrates travelers and discourages the free flow of goods (Kandilige et al., 2019). Rising insecurity in some countries in West African, due to issues like terrorism, armed banditry, and cross-border crime, has led countries to impose stricter border controls. For example, the ongoing conflicts in Mali, Burkina Faso, and Nigeria have made countries wary of allowing unchecked movement, fearing the spread of violence and illegal arms (Aning & Bjarnesen, 2024). Health Concerns and epidemics, such as Ebola and COVID-19, have highlighted the vulnerability of free movement protocols to health crises. During such outbreaks,

countries often close borders or restrict movement to contain the spread, which disrupts trade, business, and social connections (Agyei & Clottey, 2007; Adepoju et al, 2007). ECOWAS countries, like Nigeria and Ghana, experience higher levels of migration from nations, like Niger and Burkina Faso. This can strain resources, create social tensions, and lead to stricter border policies to limit influxes of economic migrants (Teye, 2015; Adepoju 2005; Yaro, 2008).

ECOWAS member states have varying national laws and policies on issues like residence permits, work permits, and the right to do business, which can hinder effective implementation. For example, differences in tax systems, customs duties, and business registration requirements complicate cross-border activities. Political instability in some member states also leads to changes in policy, often reverting back to restrictive practices. In some cases, coups and political conflicts have disrupted cross-border relationships and cast uncertainty on the commitment to the ECOWAS free movement protocol (Aning & Bjarnesen, 2024). Both the AES's founding and Côte d'Ivoire's unstable elections challenge those assumptions. For instance: Election pressure may cause host governments to impose travel restrictions or marginalize non-nationals; AES withdrawal lowers mutual legal commitment; and structural flaws exacerbate such disruptions. Movement undermines regional integration, migrant populations become vulnerable, and rights under the Protocol are less safeguarded. This paper examines the emerging challenges to the effective implementation of the ECOWAS free movement protocol in Ghana.

1.2 Problem Statement

The Economic Community of West African States (ECOWAS) was established in 1975 and was created through the signing of the Treaty of Lagos by 15 West African countries. One of its primary objectives has been to facilitate the free movement of people, goods, and services across member nations, aiming to create a borderless region for West Africans. To support this, the Protocol on

Free Movement of Persons, Right of Residence, and Establishment was adopted in 1979, setting a framework for seamless cross-border movement within the ECOWAS area (Adepoju, 2005). The implementation of the free movement protocol was planned in three stages. The first stage in 1980, granted ECOWAS citizens the right to enter member states without a visa and can stay up to 90 days. The second stage, focusing on the right of residence, began in 1986 and aimed to enable citizens to reside in any member state for work. The final stage, aimed at full rights of establishment, started in 1990, allowing ECOWAS citizens to establish businesses and reside in other member states for up to 90 days. Despite the phased approach, however, full implementation remains incomplete (Ndiaye, 2020). Nationals of various countries within ECOWAS still have to go through some regulations which are supposed to be abolished. In recent times, countries closed their borders because of COVID-19 for security reasons (Adetula, 2021; Antwi-Boateng, 2022). Obviously, there are challenges in the implementation of the protocol.

Article 27 of the ECOWAS Treaty emphasizes the necessity of economic integration among member states, mandating the gradual removal of barriers to the free movement of capital, people, goods, and services within the region (ECOWAS, 1993). This provision underscores ECOWAS's commitment to establishing a seamless regional market, allowing West Africans the right to work and engage in commercial and industrial activities across borders without requiring visas or residence permits (Adepoju, 2005). Ghana has shown dedication to implementing the ECOWAS Free Movement Protocol through several initiatives.

Ghana has implemented policies to streamline entry requirements for ECOWAS nationals, including issuing travel documents and standardizing customs procedures. These initiatives support the ECOWAS vision of enhancing intra-regional mobility, promoting economic opportunities, and facilitating cross-border trade (Awumbila, 2014). Despite existing challenges,

Ghana's progress reflects a strong commitment to advancing the Free Movement Protocol, setting a positive example for other member states in the pursuit of regional integration (Ndiaye, 2020). The ECOWAS Protocol on Free Movement has been a focal point in scholarly research, particularly concerning its implementation and associated challenges (Antwi-Boateng, 2022; Ndiaye, 2020). Studies have documented both progress and persistent obstacles, such as security concerns, economic disparities, and inconsistent policy enforcement, which complicate its full realization (Adepoju, 2005; Awumbila, 2014). Recent developments, including health crises like COVID-19 and rising security threats, have further complicated efforts to enable free movement across West Africa (Antwi-Boateng, 2022). This study aims to examine the emerging challenges to the effective implementation of the ECOWAS Free Movement Protocol, with a specific focus on Ghana. As a key ECOWAS member, Ghana's experiences illustrate both the potential and the hurdles in advancing regional integration, providing valuable insights into the barriers still facing the protocol's success (Ndiaye, 2020).

1.3 Objectives of the Research

1.3.1 General Objective

The main objective of the study is to examine the emerging challenges to the effective implementation of the ECOWAS free movement protocol in Ghana.

1.3.2 Specific Objective

The specific objectives of the study are;

- To discuss the evolution of the ECOWAS free movement protocol
- To examine the existing challenges of the implementation of the ECOWAS Free movement protocol

- To examine the successful efforts of Ghana in implementing the ECOWAS free movement protocol.
- To examine the emerging challenges of the effective implementation of the ECOWAS free movement protocol.

1.4 Research Questions

- How did the ECOWAS free movement protocol evolved?
- What are the existing challenges of the implementation of the ECOWAS free movement protocol?
- What are the successful efforts of Ghana in implementing the ECOWAS free movement protocol?
- What are the emerging challenges of the effective implementation of the ECOWAS free movement protocol?

1.5 Significance

By attempting to comprehend the obstacles to the protocol's successful implementation and gathering compelling recommendations for moving forward with the protocol's implementation, this study adds to the knowledge of the ECOWAS Free Movement Protocol. Practical relevance is closely related to theoretical contributions in this work. The idea that the protocol relating to the free movement is practically essential for bolstering sub-regional economic integration by gradually allowing the movement of people capital, and goods to be more freely moved, as well as for combining state efforts to uphold security, stability, and peace. It is vital to recognize that this study can be interpreted as a critical issue review or policy examination of Ghana's efforts and the degree to which Ghana has carried out the ECOWAS free movement protocol. This has the effect of strengthening sub-regional economic integration by gradually allowing the movement of capital, people, and goods more freely, as well as combining state efforts to uphold peace, stability,

and security. Thus, in general, this research will support the growth of regional cultural and economic integration. The qualitative method used in this study adds even more significance because rich knowledge, particularly regarding the hindrances to the effective execution of the ECOWAS free movement protocol, is revealed through in-depth interviews with pertinent subjects. Owing to the interview sources' intimate knowledge of the topic or their specialized training, the information acquired may reveal several threads or facets of the ECOWAS free movement protocol.

1.6 Scope and Limitations of the Study

As indicated in the objectives of the research, the scope of the study is to explore the emerging challenges that hinder the effective implementation of the protocol. There were some challenges in undertaking this research. Contact to some important data obstructed the smooth transmission of the research. This work had some limiting factors like near absence of a reliable and up to date central data on the theme of the study. Access to significant individual and experts for an interview was hard to get. Most of the individuals questioned were unwilling to give detailed explanation on the issues raised. This limited the data available to the research.

1.7 Organization of Chapters

The study contains five chapters. Chapter One covers the introduction of the study and statement of the problem. The chapter consists of research questions, the objective of the study, significance of the study, the limitation of the study and the organization of the chapters. Chapter Two presents a review of related literature and theoretical framework. Chapter Three discusses the methodology of the study. Chapter Four examines the emerging challenges to the effective implementation of the ECOWAS free movement protocol in Ghana. Chapter Five presents the summary of key findings, conclusions and recommendations.



CHAPTER TWO

LITERATURE REVIEW AND THEORITICAL FRAMEWORK

2.1 Introduction

This chapter reviews literature on the emerging challenges to the effective implementation of the ECOWAS Free Movement Protocol in Ghana, drawing from books, articles, and other relevant sources. Additionally, it examines theories that provide insights into issues related to the ECOWAS Free Movement Protocol more broadly. The theoretical framework serves as a critical foundation, guiding and shaping the overall direction of the study.

2.2 Literature Review

This section reviews literature on ECOWAS Free Movement Protocol. It critically examines literature on the emerging challenges to the effective implementation of the ECOWAS free movement protocol in Ghana.

2.2.1 The Evolution of the ECOWAS Free Movement Protocol

Yeboah et al. (2021) explored the development of the ECOWAS Free Movement Protocol by arguing that the protocol was designed as a comprehensive framework to establish a unified regional socioeconomic space. This framework aimed to enable ECOWAS citizens to access opportunities across member states, including coastal access for landlocked nations, the utilization of arable land by indigenous agriculturalists, employment opportunities for skilled professionals, and unhindered access to natural resources by member states (Yeboah et al., 2021). The treaty, according to the authors, chose a staged strategy for implementing unrestricted movement in the area. The first stage started when all community members were denied visas (Yeboah et al, 2021). All community members now have 90 days of visa-free travel to any other nation within the

community. The protocols also protect the rights to residency and establishment, which are the second and third phases (Yeboah et al., 2021). The authors pointed out that, in order to carry out these practices, member states are required under the protocols to grant community citizens the right of residence with a reference to adhering to established national processes.

Nelly (2009) addressed the evolution of the ECOWAS free movement protocol by explaining that the legal framework and conditions for implementing the ECOWAS Free Movement Protocol were established in 1979. The protocol outlined a three-stage process: the elimination of visa requirements for entry, the right of residence, and the right of establishment. Under the first stage, citizens of ECOWAS member states are permitted to enter the territory of any member state at an official entry point without a visa, provided they possess a valid travel document and an international vaccination certificate (Nelly, 2009). The author further notes that individuals intending to stay in a member state for up to ninety (90) days must obtain authorization from the appropriate authorities. The implementation of travel certificates, resident cards, and passports for Member States marked the realization of these legislative initiatives, which aimed to promote unrestricted mobility among individuals.

2.2.2 The Existing Challenges of the Implementation of the ECOWAS Free Movement Protocol

Kandilige et al. (2019) explored the challenges associated with implementing the ECOWAS Free Movement Protocol in Ghana. They highlighted that the Ghana Investment Act of 2013 restricts migrants from participating in "low capital economic activities" such as petty trading, taxi driving, and hairdressing, and from investing in businesses below a certain high capital threshold. These restrictions, the authors argue, have created policy contradictions that have led to tensions between Ghanaian and Nigerian petty traders, as well as between the governments of the two countries. The

National Labour Migration Policy (NLMP) identified these inconsistencies between the Ghana Investment Act and the ECOWAS Free Movement Protocol as critical issues that need resolution.

Similarly, Garba and Yeboah (2022), examined the challenges in implementing the ECOWAS Free Movement Protocol. They noted that the supplementary protocol to the second phase exempts civil service jobs from the right to employment unless otherwise permitted by the member state. Additionally, they observed that community immigrants are entitled to pursue redress when their rights are violated and must be deported in a manner that respects their rights. These provisions have slowed the implementation and success of the second phase of the protocol. The authors further highlighted that some member states fail to align their processes for granting work and residence permits with the Right of Residence Protocol. For instance, they observed that community nationals and other foreign nationals often face the same standards for obtaining work permits, undermining the intended benefits of the protocol.

In a PSC Report (2025), the authors argued that, the ongoing challenges in ECOWAS-AU cooperation, especially in the area of peace and security, are rooted in obstacles to efficient coordination. According to the authors, three obstacles are responsible for them. The first are the few unambiguous and legally binding principles that specify the functions and obligations of the AU and RECs, such as ECOWAS, in issue management (PSC Report, 2025). A key component of the AU's institutional reform agenda was an attempt to improve AU-REC cooperation through a workable division of duties (PSC Report, 2025). It was anticipated that the suggested framework would make clear "who should do what, when, and how" in areas such as mediation and conflict prevention. The authors explained that, there is still structural uncertainty in the coordination between the AU and RECs as well as between the AU and ECOWAS. Although the establishment of the Inter-regional Knowledge Exchange platform provided a forum for discussion among RECs,

it is still more of a side project connected to the mid-year coordination meeting than a specific and useful coordination mechanism (PSC Report, 2025).

2.2.3 The Successful Efforts of Ghana in implementing the ECOWAS Free Movement Protocol.

Teye et al (2019) discussed the successful efforts of Ghana in implementing the ECOWAS free movement protocol. The writers claim that Ghana has eliminated entry and visa requirements for a period of ninety days. According to Teye et al. (2019), ECOWAS nationals with proper travel documents and international health certificates can enter and stay in any ECOWAS member state for up to 90 days without requiring a visa. The authors note that Ghana has adopted the standardized ECOWAS Travel Certificate, introduced in 1985 to facilitate and reduce the cost of cross-border travel. Additionally, Ghana has implemented the standardized Immigration and Emigration Form for ECOWAS member states to simplify and harmonize cross-border procedures. The authors further state that Ghana currently issues the ECOWAS passport, which was approved by the Authority of Heads of State and Government in May 2000. Due to these regulations, a large number of ECOWAS nationals have moved to Ghana and are primarily employed in the unorganized sector (Teye et al., 2019).

Agyei & Clottey (2007) discussed the successful efforts of Ghana in implementing the ECOWAS free movement protocol. Notwithstanding the challenges associated with the protocol, the authors maintained that the protocol's implementation has been somewhat successful. The authors highlighted that in most Member States, including Ghana, migration from the sub-region constitutes a significant portion of the overall immigrant population. Data from the Ghana Immigration Service reveals that between 1999 and 2002, citizens of ECOWAS Member States represented at least one-third of all immigrants to Ghana (Agyei & Clottey, 2007). Additionally,

Agyei and Clottey (2007) noted that nearly half of the 740,191 non-Ghanaians in the country in 2000 were from other West African nations. Similarly, more than half of the 740,610 Ghanaians born abroad reported being born in an ECOWAS country (Agyei & Clottey, 2007).

2.2.4 The Emerging Challenges of the Effective Implementation of the ECOWAS Free Movement Protocol.

Adepoju (2015) examined some of the hindrances to the effective implementation of the ECOWAS Free Movement Protocol. According to the author, ECOWAS faced a number of challenges, chief among them being a lack of political backing and linguistic competition between francophones and anglophones, inadequate financial assistance from member nations, and the failure to ratify and execute protocols. Financial clearances and the synchronization of macroeconomic policies and procedures have also been hampered by the inconvertibility of currencies (Adepoju, 2015). Effective sub-regional integration has been hampered by the variety of regional economic groups. The author claims that these organizations' memberships are just as diverse as their goals, demographics, markets, and political systems. Furthermore, when the economic crisis worsens, the challenges that nations confront in fulfilling their financial responsibilities are made worse by their dual participation in economic groups with competing goals (Adepoju, 2015). The failure of the member nations to put the protocols into practice is another indication of this. The author argued that economic groupings are ineffective, likening them to a toothless lion, due to a lack of political will, political instability, interstate boundary disputes and conflicts, as well as countries' reluctance to surrender national sovereignty to a sub-regional institution (Adepoju, 2015).

Onwuka (1982) addressed several challenges that impede the successful implementation of the ECOWAS Free Movement Protocol. Although ECOWAS citizens are permitted to enter the country for 90 days without a visa under the Protocol, the author clarified that this does not cover

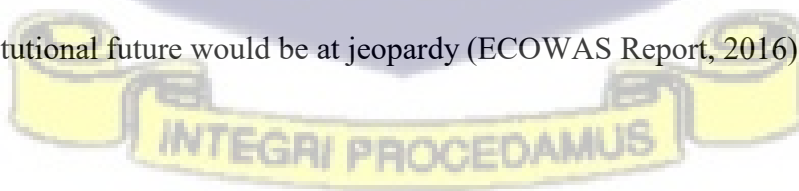
working without a permit, which is against state immigration laws. ECOWAS citizens frequently obtain employment without the required documentation. These individuals typically make up a sizable portion of the extremely cheap labor force in the service and construction sectors (Onwuka, 1982). Due to this group's inherent difficulty in being monitored, the nation's international affairs are more complicated. The author argued that the growing presence of ECOWAS expatriates in the low-cost labor market negatively affects labor union unity in the country. These workers not only accept poor working conditions but are also easily available to replace their local counterparts in the host nation. According to the author, one of the biggest social issues brought about by citizens moving from member states to receiving nations is the increased demand for housing, healthcare, education, and transportation in the receiving cities. If the nation is ill-equipped and unprepared to handle the extra strains brought on by unexpected immigration, these social facilities will deteriorate (Onwuka, 1982). Annual budgets and Capital Development Programs of the nation will undoubtedly be impacted.

Suleiman (2024) made a comparative analysis where the free movement programs put in place within ASEAN and ECOWAS are thoroughly compared with an emphasis on their successes, challenges, and future possibilities. The author highlighted the policies' historical background and objectives which include removing obstacles to labor, goods, and services within each regional bloc. The author explored the institutional constraints, security issues, and socioeconomic divides that ASEAN and ECOWAS must overcome in order to promote intraregional mobility. The author offered ways to address issues and improve the socioeconomic advantages of free movement in ASEAN and ECOWAS (Suleiman, 2024). In addition to expanding our knowledge of regional integration initiatives in various geopolitical circumstances, this comparative analysis offers policymakers insightful information to support inclusive development and regional collaboration.

In order to overcome challenges and fully realize the advantages of free movement for sustainable development and shared prosperity in ASEAN and ECOWAS, the author emphasized the necessity of communication, collaboration, and policy alignment.

Terrorism, extremism and conflict have been one of the emerging challenges of the ECOWAS protocol. According to a Report by ECOWAS (2025), ECOWAS has created a number of institutions to guarantee political stability and peace in the area. These include the deployment of peacekeepers in conflict areas, diplomatic initiatives, conflict prevention, and political crisis mediation. The sanctions put on Mali in 2021 made peacekeeping activities more well-known, while the ECOWAS intervention force received international media attention due to the coup in Niger. Accordingly, Burkina Faso, Mali, and Niger declared their intention to leave the community in January 2024 (ECOWAS Report, 2025). However, the three states were deemed suspended until the start of 2025 and only formally withdrew after that date because withdrawal cannot occur immediately. Due to a military takeover, Guinea had already been halted in September 2021.

In a report by ECOWAS (2016), the authors discussed that, the ability of ECOWAS to progress the integration process is threatened by the implementation gaps with regard to decisions made jointly by the Member States, which could result in a situation that would impede regional integration. This might start a vicious cycle where sectoral programs would suffer from a lack of funding and noncompliance with decisions, casting doubt on ECOWAS's true worth. Thus, ECOWAS's institutional future would be at jeopardy (ECOWAS Report, 2016).



2.3 Theoretical Framework

This section critically examines the theories that have been used to guide this study. To provide a deeper understanding of the key subject in the study, the study adopted the Devolution Theory and the Regionalism Theory.

2.3.1 Devolution Theory

The term devolution originates from the Latin word *devolvere*, meaning "to roll down." In English, it first appeared in the 16th century to describe the transfer of property through inheritance or legal succession (Bernier, 2012). By the 1400s, however, devolution began to denote the passing of power from one authority to another. In contemporary political and administrative contexts, it describes the formal transfer of powers or responsibilities from a central authority to regional or local governments, often accompanied by the allocation of necessary resources (Bernier, 2012). True devolution, beyond superficial administrative adjustments, takes on one of two forms: either a central government decentralizes certain jurisdictions to local entities, or a unitary government transforms into a federated structure where power is constitutionally distributed between federal and regional governments (Bernier, 2012).

Political scientist John Kincaid outlined six goals of devolution: enhanced efficiency in public service delivery, better alignment of government costs and benefits with diverse populations, optimized delivery of public goods based on local needs, increased competition and innovation in governance, greater responsiveness to citizens, and more transparent policymaking (Kincaid, 1995). Kincaid differentiates devolution from related concepts like decentralization, delegation, and deregulation, arguing that true devolution involves a constitutional or permanent shift of authority from a superior to a subordinate government level. However, he also noted that even significant devolution efforts, such as the Temporary Assistance for Needy Families (TANF)

program, often maintain federal oversight through funding conditions and specific policy mandates, such as work requirements and child support enforcement (Kincaid, 1995).

David Beam responded to Kincaid, expressing skepticism about the long-term impact of the recent devolution trend. He argued that the movement reflects a broader disillusionment with government at all levels rather than a targeted critique of federal overreach. Beam observed that efforts to reform federal-state relationships have historically emerged and declined under administrations such as those of Eisenhower, Nixon, and Reagan, achieving limited success each time (Beam, 1998). He suggested that proposals like welfare reform lack firm support from political, economic, or administrative theory, which traditionally assigns redistribution to the national level and economic development to local governments (Beam, 1998).

In further discussion, William Modahl posited that the devolution movement stems from a desire to restore a vision of locally driven, civically engaged governance. He argued that the concentration of power in federal hands has bred discontent and disengagement, despite initial centralization spurred by historical events like the Great Depression. Modahl suggested that devolution's success hinges on public understanding and commitment to grassroots governance principles, noting cautious optimism for the movement's future despite the challenges (Modahl, 1995). Moderator George Latimer raised concerns over spatial inequality, suggesting that the federal government's involvement remains essential to address systemic employment challenges, particularly in urban areas (Latimer, 1995).

Devolution theory is essential for understanding the challenges in executing the ECOWAS Free Movement Protocol, as it sheds light on the difficulties of balancing national sovereignty with regional integration. This theory emphasizes the tension between central authority and local

governance. Within the ECOWAS context, member states may face challenges in relinquishing control over borders and immigration policies to enable free movement, as they prioritize national security and sovereignty. Devolution theory helps examine how these sovereignty concerns create resistance to fully implementing the protocol. Devolution theory highlights the complexity of aligning local policies with central objectives. The ECOWAS Free Movement Protocol requires harmonized laws and procedures across borders, but member states often have different legal systems, policies, and priorities. The challenge lies in coordinating immigration laws, identification standards, and security protocols across 15 diverse countries while respecting national variations in governance. Devolution supports the idea that local governments should have some autonomy to address specific local needs. In the ECOWAS region, however, local autonomy can clash with the regional goal of seamless movement. For example, countries may enact local measures that impose restrictions due to security or economic concerns, undermining the protocol's core objectives. Devolution theory can help examine how regional policies impact economic disparities. Free movement within ECOWAS may lead to migration from economically weaker countries to stronger ones, creating potential "brain drain" issues and widening economic inequalities. Member states may resist full implementation to prevent losing skilled workers, posing a barrier to uniform application. Devolution theory acknowledges that local political and social dynamics affect policy implementation. In ECOWAS, some populations or leaders may resist the free movement protocol due to fears about increased competition for jobs, pressure on local infrastructure, or concerns about cultural integration. Understanding these dynamics helps explain localized resistance to the protocol's implementation. Devolution theory offers a lens for analyzing how national sovereignty, local capacities, accountability, legal harmonization, economic disparities, and social attitudes affect the ECOWAS Free Movement Protocol. It reveals

that these challenges are not only technical but deeply tied to governance structures, suggesting that regional integration efforts like ECOWAS must address these structural and political factors to achieve success.

Devolution theory offers both strengths and weaknesses when applied to the study of the challenges of implementing the ECOWAS free movement protocol. While devolution theory highlights the importance of local governance and responsiveness, its weaknesses show that decentralized decision-making can complicate the consistent application of the ECOWAS free movement protocol across different regions and borders.

2.3.2 Regionalism Theory

Regionalism is the act of converting a geographical area into a region and the deliberate, intentional formation of regions (Hettne, 1999). Regionalism refers to the establishment of interstate groups or coalitions based on geographical regions (Nye, 1968). Regionalism denotes the inclination to categorize the world into regional coalitions of governments and the establishment of unique regional relational systems (Hurrell, 1995). According to Buranelli & Tskhay (2019), regionalism refers to both a process of region construction and a subfield of international relations (IR) that examines regions of the world.

Regionalism can be understood from both exogenous (outside-in) and endogenous (inside-out) perspectives (Soderbaum, 2011; Neumann, 2003). The exogenous perspective posits that regionalization and globalization are interconnected aspects of global transformation, while the endogenous perspective highlights that regionalization is driven by various actors within the region. Although neorealist theories focus on systemic variables, the exogenous view has evolved alongside debates on globalization, leading scholars like Hettne to label it ‘new regionalism,’

distinguishing recent processes from earlier ones. Conversely, the endogenous view aligns more closely with functionalist and neo-functionalist ideas about regional integration, agency, and long-term changes in territorial identity (Soderbaum, 2011). Unlike the exogenous perspective, endogenous theories typically avoid distinguishing between old and new regionalism. However, scholars recognize multiple forms of regionalism, a contrast to the single perspective held by early regional integration theorists like Haas and Deutsch, which offers a new foundation for theorizing regionalism (Buranelli & Tskhay 2019).

The ontology (object of study) and epistemology (methods of studying) in regionalism have shifted over time (Soderbaum, 2011). Present-day regionalization represents an emerging political landscape, marked by diverse actors (both state and non-state) engaging across numerous interlinked dimensions like security, development, trade, environment, and identity (Soderbaum, 2011). This multidimensional and pluralistic approach to regionalism, observed in both Europe and globally, has given rise to a broad array of revitalized and ‘new’ theoretical approaches. In recent decades, regionalism theory has experienced significant growth, with key contributions from edited volumes such as Soderbaum and Shaw’s *Theories of New Regionalism* (2003), which delves into institutionalism, security complex theory, and a range of constructivist, critical, and ‘new regionalism’ approaches, including the World Order Approach (WOA), New Regionalism Approach (NRA), and Region-Building Approach. Mansfield and Milner’s *Political Economy of Regionalism* (1997) examines neorealist and neoliberal institutional theories, new trade theories, and new institutionalism. Laursen’s research on comparative regional integration (2003, 2010) emphasizes perspectives such as governmental, power, constructivist, neo-functionalist, and historical institutionalism, while Wiener and Diez (2009) provide a comprehensive overview of European Integration Theory, exploring neo-functionalist, multi-level governance, federalism,

liberal intergovernmentalism, social constructivism, policy networks, new institutionalism, discursive approaches, law-based integration, and gender perspectives. Scholars like Acharya (2001) and Katzenstein (2005) have been influential in advancing theoretical insights into Asian regionalism, which has also enriched comparative regionalism studies. Since the late 1990s, comparative analysis has become crucial in the study of regionalism (Acharya and Johnston 2007; Farrell et al. 2005; Mattli 1999; Breslin and Higgott 2000; Rosamond 2000; van Langenhove 2011; Warleigh-Lack and van Langenhove 2010).

The debate over 'old' versus 'new' regionalism has sparked significant discourse, with Hettne (2003, 2005) notably arguing that the distinction has become less relevant, suggesting it may be time to move beyond it, while still recognizing some continuities and discontinuities. A shift has occurred in how 'regions' are conceptualized. In earlier discussions, scholars attempted to scientifically define regions based on various interdependencies, such as political, economic, and social factors, or cultural, historical, and ethnic bonds (Cantori and Spiegel 1970). However, these efforts often yielded inconclusive results, and the tendency to rigorously define regions has declined. Today, most scholars agree that regions lack natural or 'scientific' boundaries and that definitions vary depending on the issues at hand. Some researchers address this by focusing on regional organizations or economic frameworks (Fawcett and Hurrell 1995; Acharya and Johnston 2007), or security complexes and communities (Adler and Barnett 1998; Buzan and Waever 2003).

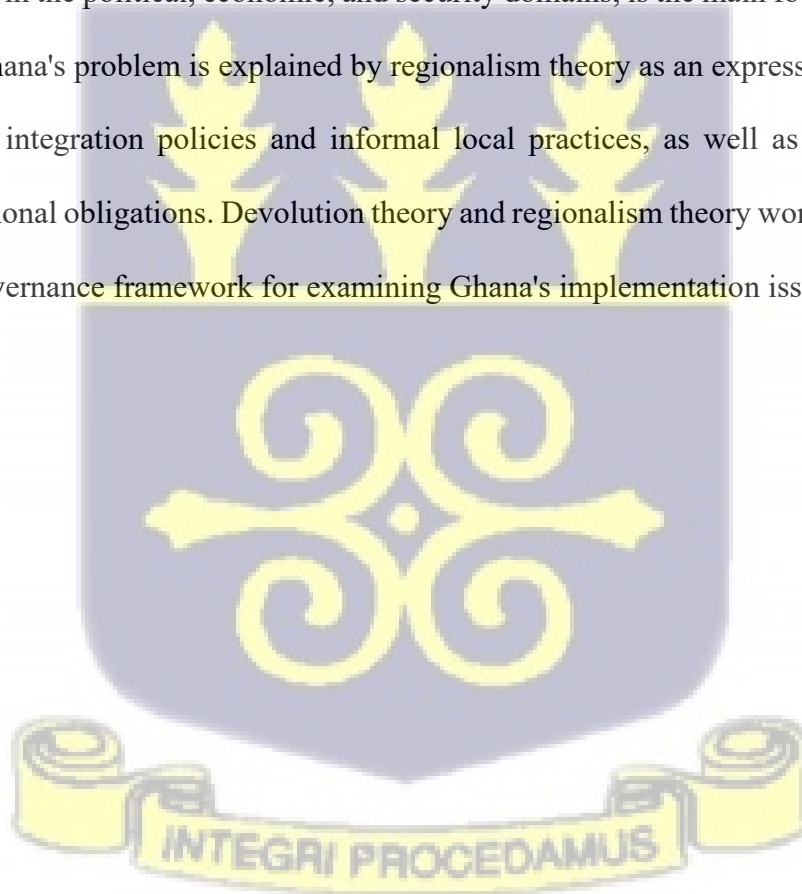
However, there is a notable variance between mainstream (rationalist, 'problem-solving') and critical or constructivist scholarship regarding regions. Mainstream theorists often view regions as pre-existing, defining them in terms of inter-state relations or policy structures. In contrast, constructivist and poststructuralist perspectives argue that regions are generally constructed and ethically contested, with emphasis on how actors perceive and interpret the idea of a region and

‘regionness’ (Hettne and Soderbaum 2000; van Langenhove 2011). From this standpoint, no ‘natural’ regions exist; regions are inherently heterogeneous, often lacking clear territorial boundaries. Since the 1990s, scholars have increasingly focused on informal or ‘soft’ regionalization, acknowledging the role of transnational actors in regional dynamics (Soderbaum, 2011). For example, multinational corporations and business interests operate regionally as well as globally, creating regionalized economic patterns, such as in East and Southeast Asia and Africa’s informal markets. Civil society’s role is also becoming more prominent in regionalism studies, as seen in the rise of transnational activist networks across various regions (Armstrong et al. 2010; Soderbaum, 2011).

Regionalism is essential in studying ECOWAS Free Movement Protocol, as it provides a framework for understanding the social, economic, and political dynamics that impact the protocol's implementation and effectiveness. By focusing on regionalism, scholars and policymakers can better grasp the shared objectives, challenges, and diverse conditions within West Africa, which shape how ECOWAS member states interact with and implement this protocol. However, the diversity in economic, social, and political structures across West African countries brings unique challenges to regional initiatives like the Free Movement Protocol. By viewing these challenges through a regional lens, policymakers and scholars can better understand and address the complexities of implementing the ECOWAS Free Movement Protocol, helping balance national interests with the regional vision of integration. Regionalism theory offers valuable insights into the challenges Ghana faces in implementing the ECOWAS Free Movement Protocol. By focusing on regional integration, the theory helps highlight potential benefits and obstacles of allowing free movement among member states. However, its weakness of the theory lie in

oversimplifying national sovereignty concerns, assuming seamless policy alignment, and underestimating social, economic, and security barriers.

Together, these theories provide a framework for examining how multi-level governance influences the successes and failures of putting regional agreements like the ECOWAS Free Movement Protocol into practice, both within the state (through devolution) and across states (through regionalism). Devolution theory emphasizes how localized decision-making and internal governance frameworks can impede the consistent implementation of regional agreements. The process by which states within a specific geographic area collaborate to accomplish common objectives, often in the political, economic, and security domains, is the main focus of regionalism theory. Thus, Ghana's problem is explained by regionalism theory as an expression of the conflict between formal integration policies and informal local practices, as well as between national interests and regional obligations. Devolution theory and regionalism theory work together to offer a multi-level governance framework for examining Ghana's implementation issues.



CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter explores the research methodology employed in the study, outlining the empirical techniques used. The methodology provided a structured framework, offering clear guidelines and procedures for conducting the research. Topics covered include the research design, data collection methods, tools and techniques, data sources, as well as the sample size and selection process.

3.2 Study Area

The Republic of Ghana served as the study area. Ghana, located along the Gulf of Guinea in West Africa, shares borders with three ECOWAS member states: Côte d'Ivoire to the west, Burkina Faso to the north, and Togo to the east. As a rapidly developing country with a stable political climate and diversified economy, Ghana has become an attractive destination for citizens from other ECOWAS states seeking better economic opportunities, social stability, and quality of life (World bank, 2023). Because Ghana serve as a destination country for most ECOWAS migrants, it was chosen for this study. The study focused on Ghana to gather information on the implementation of the ECOWAS Free Movement Protocol and identify the challenges hindering its effective execution. Accra, the country's capital, was the primary location for data collection, as most respondents resided there. The city is a major hub for tourists, business travelers, and foreign nationals, and despite being the smallest region in Ghana, it has the second-highest population density, following the Ashanti Region (Population and Housing Census, 2010). Accra is home to the head offices of political parties, ministries, embassies, international organizations, and institutions involved in political governance. The study encompassed various districts within the Greater Accra Region, including the Accra Metropolitan area, Tema Municipal Area, Ga East, Ga

West, Ga Central, and Ga South districts. These districts were selected because they host numerous ministries, organizations, and offices that play active roles in ECOWAS activities. The study area was particularly relevant as it allowed for diverse perspectives on the ECOWAS Free Movement Protocol, enriching the findings and recommendations. Open-ended interviews were used to capture detailed insights into the challenges of implementing the protocol in Ghana. This method was chosen over others for its ability to explore the respondents' opinions, behaviors, and experiences in depth. A total of 23 participants were interviewed, selected for their knowledge, involvement, and proximity to the ECOWAS Free Movement Protocol.

Since data saturation had already been reached and further responses were not adding new information, the 23 respondents were chosen. The number made it possible for important stakeholder groups involved in or impacted by the ECOWAS Free Movement Protocol to be adequately represented. Given the time, money, and access limitations of the study, it was doable. Both depth and manageability in analysis and interpretation were guaranteed by the sample size.

These participants included staff from ECOWAS, the Ministry of Trade and Industry, the Ministry of Foreign Affairs and Regional Integration, the Ghana Immigration Service, academics, traders, experts, and ECOWAS migrants. Fieldwork began at the Ghana-Burkina Faso border to observe the customs, processes, and regular interactions of ECOWAS migrants crossing the border. ECOWAS Migrant were identified and interviewed in addition to the field observations, providing valuable data for the study.

The respondents were selected from particular areas that are directly related to the ECOWAS Free Movement Protocol's implementation or experience. These places were picked because they are home to communities, transportation hubs, and institutions that regularly deal with cross-border

migration. As a result, the following categories were used to choose the respondents: Headquarters of the Ghana Immigration Service, Cantonments, Accra Officers in charge of overseeing cross-border mobility concerns, issuing resident permits, and implementing policies were interviewed. This site was essential for gathering official viewpoints on the operationalization of the protocol. Ministry of Foreign Affairs and Regional Integration, Accra Central, ECOWAS National Unit. Officers in charge of overseeing cross-border mobility concerns, issuing resident permits, and implementing policies were interviewed. This site was essential for gathering official viewpoints on the operationalization of the protocol. Ministry of Foreign Affairs and Regional Integration, Accra Central, about Ghana's responsibilities under the ECOWAS Treaty, cooperation with regional organizations, and difficulties in implementing free movement clauses was given by representatives of this institution. Central Accra's Tudu and Kaneshie Transport Terminals Buses heading to Togo, Benin, Nigeria, and Burkina Faso frequently depart from these terminals. Drivers, bus company representatives, traders, and passengers were among the regular ECOWAS travelers and cross-border traders present.

Information about Ghana's responsibilities under the ECOWAS Treaty, cooperation with regional organizations, and difficulties in implementing free movement clauses was given by representatives of this unit. Central Accra's Tudu and Kaneshie Transport Terminals Buses heading to Togo, Benin, Nigeria, and Burkina Faso frequently depart from these terminals. Drivers, bus company representatives, traders, and passengers were among the regular ECOWAS travelers and cross-border traders present. Owing to the presence of migrant traders from all across West Africa (such as Nigerians, Togolese, and Ivorians), respondents discussed their experiences with economic mobility, settlement, and difficulties they had while adhering to the protocol. Another busy center for intercity and cross-regional travel, Circle (Kwame Nkrumah Interchange)

gave migrants, commercial drivers, and unofficial traders who often travel across ECOWAS borders access.

3.3 Research design

To ensure the validity and reliability of research findings and to avoid drawing incorrect conclusions, research design plays an essential role in facilitating the efficient execution of the study (Kothari, 2004). A research design provides a framework for linking the theoretical research topic to practical, achievable, and relevant research objectives (Kothari, 2004). In this study, the research design offers a structure for data collection and analysis of the ECOWAS Free Movement Protocol. While qualitative research focuses on the subjective assessment of attitudes, views, and behaviors, the quantitative approach emphasizes the measurement of data that can be quantified (Kothari, 2004). This study employs a semi-structured interview technique, which allows the researcher to develop a set of questions, mostly open-ended, to guide the interviews. As noted by Baxter and Babbie (2004), semi-structured interviews provide flexibility for clarification and adjustment during the process. The interview questions are designed to explore the underlying causes or challenges hindering the effective implementation of the protocol. They also give respondents and stakeholders the opportunity to reflect on and gain deeper insights into the emerging obstacles to the successful implementation of the ECOWAS Free Movement Protocol in Ghana.

Lindolf and Taylor (2002) suggest that in-depth interviews are particularly effective in studies aiming to gain a deeper understanding of topics from the perspectives of social actors. Interviews are seen as conversations meant to capture data from the viewpoints of the participants, which then serve as the primary, unprocessed source for analysis in the research. In qualitative research, in-

depth interviews are a widely recognized method for gathering reliable, original, and structured data from individuals in various professional roles relevant to the study.

3.4 Data Collection Tools and Techniques

Data collection was carried out through in-depth interviews using a specially designed interview guide. This qualitative approach enabled respondents to share their personal perspectives, offering the researcher detailed and specific insights. The open-ended nature of the interviews provided participants with the freedom to express their views verbally on the topic. The interview guide was developed based on the study's objectives and research questions. Unlike quantitative methods, the interviews were audio-recorded using a digital voice recorder. Additional data was gathered from a range of sources, including government reports, policy proposals, official websites (such as those of the Government of Ghana, the Ministry of Foreign Affairs and Regional Integration, ECOWAS, the Ministry of Trade and Industry, and the Ghana Immigration Service), textbooks, journals, and other relevant documents. As this was a qualitative study, secondary sources were also utilized for analysis. The use of audio recording in interviews is recommended in qualitative research, as it allows for revisiting responses for clarification, additions, or revisions. Completed research works were also reviewed for further insights.

3.5 Research Population

The target population for this study included personnel from the Ministry of Trade and Industry, the Ministry of Foreign Affairs and Regional Integration, ECOWAS, ECOWAS migrants, officials from the Ghana Immigration Service, as well as traders, professionals, scholars, and experts in the field of regional integration. The primary research involved fieldwork and interviews with representatives from the Ghana Immigration Service, ECOWAS migrants, and other relevant organizations. The study population was selected based on their direct involvement and the

availability of crucial information pertaining to the emerging challenges in the effective implementation of the ECOWAS free movement protocol in Ghana.

3.6 Sample Size and Sample Selection Processes

The strength of the methodological approach lies in its combination of field observations, in-depth interviews, and selective sampling, which together yield rich, detailed data that highlight the unique experiences and perspectives of migrants. The sample for the study included personnel from the Ministry of Foreign Affairs and Regional Integration, ECOWAS, the Ministry of Trade and Industry, officials from the Ghana Immigration Service, ECOWAS migrants, as well as academicians and subject-matter experts. A quantitative approach would not have been suitable for this study, as it typically relies on larger sample sizes that may not capture the nuanced data needed to address the research questions.

In-depth interviews were conducted with 23 ECOWAS migrants, purposively selected to represent the diversity of the migrant population, including those residing in Ghana or traveling to the country. Of these, 15 were interviewed at the Burkina Faso border, while 8, mainly highly skilled migrants working in the formal sector, were interviewed in Accra. The participants included 11 professionals, 6 traders, 2 drivers, and 4 college students from countries such as Nigeria, Niger, Côte d'Ivoire, Senegal, Ghana, and Burkina Faso.

The interviews mapped out the respondents' experiences with the free movement process, including their socio-demographic details, awareness of the free movement protocol, knowledge of admission restrictions and stay duration, and their experiences crossing borders. Data was also gathered on their experiences with obtaining work or residency permits, establishing businesses, accessing job opportunities, and facing discrimination while living in other ECOWAS countries.

Additionally, in-depth interviews were conducted with Ghanaian immigration officers at the Ghana-Burkina Faso (Hamile) border. The study utilized purposive non-probability sampling to select all participants, as it aimed to identify specific cases that met predefined criteria. This sampling approach was suitable because it allowed for a focused exploration of the ECOWAS Free Movement Protocol, its implementation challenges, and the experiences of relevant experts, practitioners, and migrants. Key players in ECOWAS free movement were identified, access to pertinent institutions and border locations was secured, informed respondents were purposefully chosen, and data collecting continued until data saturation was attained. Because of the complexity of the data gathered, the final sample of 23 participants served a purpose and was justified.

The study comprised of 13 women and 10 men. Ages ranged from 21 to 56 years, with the majority (43%) between 26 and 35 years. This distribution facilitated a diverse representation of young adults and middle-aged individuals, mirroring prevalent migration age brackets within ECOWAS states.

3.7 Data Analysis

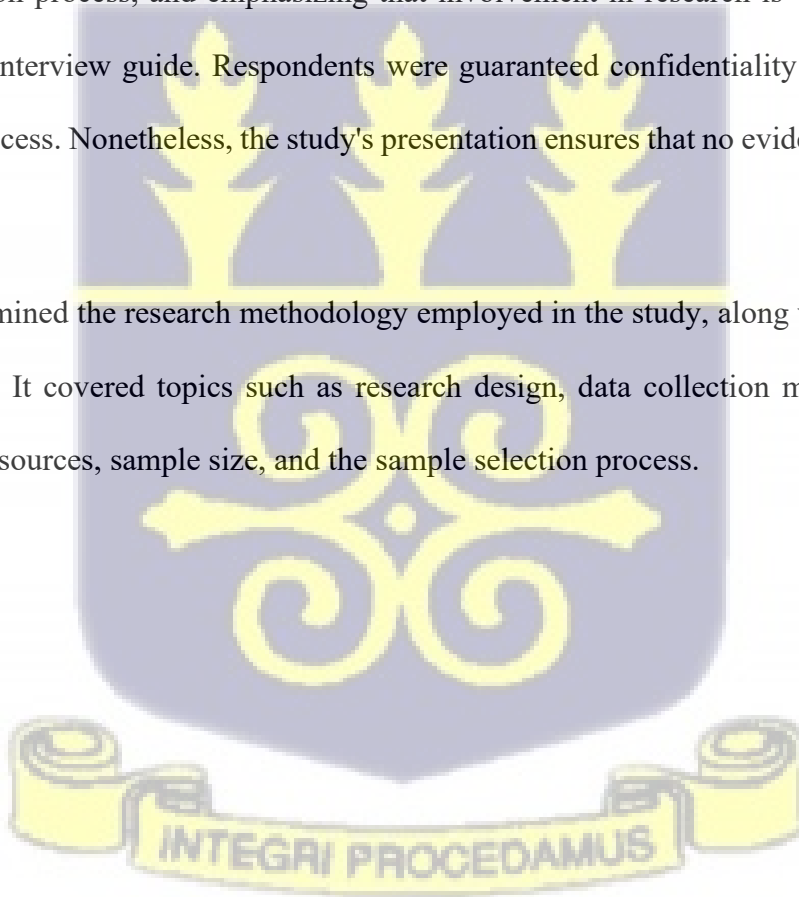
The qualitative data collected from in-depth interviews were analyzed using the research questions and objectives as a framework, which helped define the main issues of the study. The recorded interviews were transcribed, and the data were analyzed narratively by grouping them into thematic areas. Both the qualitative data and a detailed content analysis of the documentary sources were examined in this study. To ensure accuracy, consistency, and neutrality, the transcribed texts from the interviews were coded, and the themes were collated. Throughout the analysis, the perspectives of different respondents were synthesized by merging related themes and insights, identifying new key ideas that emerged from the data, and emphasizing the viewpoints shared by the participants.

3.8 Ethical Consideration

In research, interviewees have no obligation to provide information to researchers, and their involvement in any study should only come from their free will, they should never be coerced into it. For this reason, it was crucial that people who choose to participate in the research would not experience any negative consequences. Prior to beginning the audio recording, all respondents' consent was obtained in order to conduct the research. The interviewees were informed in writing of the study's goal by the researcher. Asking participants for their consent to participate, explaining the data collection process, and emphasizing that involvement in research is voluntary were all included in the interview guide. Respondents were guaranteed confidentiality protection during the interview process. Nonetheless, the study's presentation ensures that no evidence was falsified.

3.9 Conclusion

The chapter examined the research methodology employed in the study, along with the empirical techniques used. It covered topics such as research design, data collection methods, tools and techniques, data sources, sample size, and the sample selection process.



CHAPTER FOUR

ANALYSIS AND DISCUSSION

4.1 Introduction

In West Africa, there has long been a problem with attempts to promote regional integration and free movement of people. This is a product of attempts to push the West African region toward economic development following colonial domination, as well as a component of coming to grips with past. West Africa has historically been a hub of strong movement of people, goods, and ideas (Manuh, 2005). Migration was the movement of laborers from one portion of precolonial West Africa to another. From one end of the territory to the other, commodities like gold and salt were sold, and traveling scholars promoted literacy by dispersing and instructing in the Ajami script (Teye, 20022). Despite travel restrictions imposed by different rulers, this mobility persisted throughout the colonial era (Manuh, 2005). As a consequence of the actions of migrants, traders, and academics, the cultures and economy of West African republics were interwoven from the bottom up. In an effort to maximize economic development, several nationalist leaders in the area, both as individuals and as groups, urged some kind of integration to formally convey the reality of integration from below. In order to guarantee progress, ECOWAS was founded in 1975, among other goals integrating the States and people of the region. The coming into force of the 1979 Protocol on the Free Movement of Persons served as the centerpiece instrument for regional integration. The Protocol has undergone several stages, starting with the unrestricted mobility of associate state people in the region, their entitlement to settle anywhere in the region, and their ability to start businesses. Each of these is thought to be crucial to the final goal of uniting the area for development. This chapter offers a timeline of the creation of the ECOWAS Protocol by combining significant policy research, a literature valuation, and an examination of secondary data.

This is carried out in light of the ways that the Protocol's implementation promotes regional integration and human mobility. The chapter focuses in particular on the evolution of the ECOWAS free movement protocol; the successful efforts of Ghana in implementing the ECOWAS protocol on free movement; and finally the emerging challenges to the effective implementation of the ECOWAS free movement protocol in Ghana.

4.2 The Evolution of the ECOWAS Free Movement Protocol

The Economic Community of West African States was founded in 1975 following the signing of the Treaty of Lagos by 15 West African nations. ECOWAS in 1979 introduced the Protocol on Free Movement of Persons, Right of Residence, and Establishment. This protocol targets to facilitate intra-regional movement by eliminating obstacles to free movement and granting people of ECOWAS states the same rights as natives in their host countries. ECOWAS was created to eliminate obstacles to human mobility and foster regional integration. The agreement that created this sub-regional group aimed to promote smooth movement of people and products. This goal supports the Free Movement Protocol, which was created four years after ECOWAS was established with the intention of promoting regional integration by facilitating member state residents' easy mobility within the sub-region. The agreement reaffirmed the necessity of a borderless area where residents of the community would have access to resources and opportunities found in other West African nations (Awumbila et al., 2018; Yeboah et al., 2021). The freedom of natives of ECOWAS states to enter, dwell, and establish themselves within ECOWAS state's borders is outlined in this Protocol (A/P.1/5/79), which was to be executed over a period of 15 years in three phases (Adeniran, 2012). Over time, several protocols have been adopted in order to support and fulfill the 1979 Protocol. The 1985 Supplementary Protocol A/SP.1/7/85 is the first of these supplementary protocols. It outlined the program for behavior for

executing the Free Movement Protocol and requires states in the sub-region to provide their citizens with legal travel credentials. It also specifies additional protocols for handling deportees and individuals who entered a member state without authorization. States were later urged to allow people of other ECOWAS states in the region to remain in their country in order to look for and get opportunities for earning income. This was addressed in the 1986 Supplementary Protocol A/SP.1/7/86, which touched on the second phase of the Free Movement Protocol. It also made a strong impression on the host member state to simplify the regulations governing the licenses' issuance. It urged member states to state clearly that migrant workers who respect the laws and rules governing their residence, such as job security, participation in cultural and social events, and reemployment in the event of loss of employment, will be treated in the same way as citizens of the host nation (Yeboah et al., 2021). The 1979 Protocol on Free Movement's Article 7 was amended by the Supplementary Protocol of 1989 (A/SP.1/6/89) to create the duty of the parties to resolve disputes over the interpretation and implementation of the Protocol (Article 2). The Right to Establishment, the third phase of the Free Movement Protocol, was the main emphasis of the 1990 Supplementary Protocol A/SP.2/5/90. Except in cases where it is necessary for security, public order, or health reasons, the protocol lists community natives' rights to settle, engage in economic activities, and create and run businesses in other member states without facing discrimination (Articles 2-4). In addition, the protocol prohibits the expropriation or confiscation of community nationals' assets or capital on the basis of discrimination and requires fair reimbursement in cases where capital or assets are seized (Teye et al., 2019; Awumbila et al., 2018). ECOWAS Member States developed Decision C/DEC.3/12/92 in 1992 to implement a single emigration and immigration form. This was done to standardize the emigration and immigration forms that members of the community utilized, thus streamlining cross-border

procedures. As a result, this calls for the sub-region's states to develop a single "Form" (Article 1). Additionally, the ECOWAS Treaty was revised in 1993 and is in accordance with the Protocol (A/P.1/5/79), which is firmly established at article 59. This emphasizes the necessity for member states to remove any barriers that hinder the free movement of capital, people, and goods as well as the right of residence and establishment as stipulated in Article 3 (1) (Adepoju et al., 2010). Additionally, on January 18, 2008, Governments and the sub-regional Heads endorsed the ECOWAS Common Approach, which aims to address the challenges related to the implementation of the 1979 Protocol. The agreement provides guidelines and action plans that member nations can use to assist manage migration in the sub-region, despite the fact that it is not lawfully mandatory and do not need signatures (Awumbila et al., 2018). Below are some of the existing challenges of the implementation of the ECOWAS Free Movement Protocol.

4. 3 Existing Challenges of the Implementation of the ECOWAS Free Movement Protocol.

4.3.1 Contradictions between ECOWAS Free Movement Protocols and National Policies

Not all ECOWAS provisions regarding the right of establishment and residence has been successfully applied, despite the best of intentions. For example, migrant workers, even citizens of ECOWAS, are only granted work permits in the event that there is "proof that the skills possessed by the migrant do not exist locally" (Teye et al., 2019). Furthermore, people from states, including member states within ECOWAS, are in accordance with the law permitted to pursue employment in the government field only through specific, individualized agreements (Teye et al., 2015). The tension between national sovereignty and regional integration is central to the issue. For ECOWAS to achieve its goal of full free movement (covering rights to reside, work, and settle), member states would need to surrender some control over their borders and immigration policies. This trade-off between sovereignty and collective regional benefits is a major obstacle

(Author's Field Research, 16th October, 2024). While ECOWAS seeks to promote unrestricted movement within the region, political expediency, economic interests, and concerns over sovereignty are impeding full compliance with this directive. A lecturer from the University of Ghana highlighted the inconsistencies between state policies and the ECOWAS Free Movement Protocols, specifically regarding the removal of the 90-day visa-free limit. He pointed out that:

“...When it comes to our ability to move freely, there are some issues that member states are facing. The visa free movement is suppose to be three months. And since the inception they have been trying to get away of some of these restrictions so the time limit has now been taking off by the ECOWAS commission. However, member states are not complying with these new directives which says that there should not be ceiling therefore free movement and the visa free movement should not be tie to only 90 days. It is now supposed to be open ended. But the likes of Ghana and other countries are reluctant to implement that aspect because of political expediency. There are some element of revenue to be made by imposing restrictions and requiring that people renew their stay, getting their work permit, residence permit and the rest. However for the regional group to be effective in achieving the three phases, it means that member states have to be willing to see to some of their sovereignty or powers for the collective goal of ECOWAS...”(Author's Field Research, 16th October, 2024).

This change is intended to enhance regional integration and mobility among member states. However the study revealed that, the hesitancy of some countries like Ghana to implement these changes stems from political and economic reasons, including concerns over immigration control, sovereignty, and revenue generation.

Moreover, the Investment Act of 2013 in Ghana prohibits non citizens from participating in "low capital economic activities" (like hairdressing, taxi, and minor trading) and from making company investments below a threshold of high capital requirements (Kandilige et al., 2019; Teye et al., 2019). Conflicts between Ghanaian and Nigerian small-scale traders, as well as the governments

of both nations, have resulted from policy inconsistencies. These inconsistencies between the Ghana Investment Act and the ECOWAS free movement protocol were noted by the NLMP as one of the main problems that needed to be fixed. There are discrepancies between the Free Movement Protocol's establishment rights and Ghana's work permit criteria. All non-nationals in Ghana must get work licenses, even though the treaty guarantees all ECOWAS citizens the right of establishment. Furthermore, it is prohibited for all migrants, even residents of the ECOWAS, to participate in specific economic activities by Ghana's Investment Act, 2013 (Act 865) (GoG, 2020). The National Legislation Policy (NLMP) suggests reviewing national legislative instruments to reconcile any inconsistencies with correct international agreements and regional protocols on migration, mobility, and citizenship in order to tackle these issues and "ensure that the ECOWAS free Movement Protocols are followed in the procedures for issuing work permits." (GoG, 2020, p. 52).

The association of traders in Ghana have been pressuring the state to effectively enforce the Ghana Investment Act (Act 865), which would restrict ECOWAS citizens from engaging in small-scale jobs meant exclusively for the people of Ghana. While ECOWAS officials acknowledge the need for Ghana to tackle the inconsistencies between state policies and the policies of the ECOWAS protocol, the Protocol itself is intended to guarantee that people of ECOWAS nations have the entitlement to move, live, and work within the region, providing them the same economic rights as the citizens of the host country (Kandilige et al., 2019). By implementing the GIPC law, which prohibits foreigners (including ECOWAS nationals) from participating in certain informal sectors, Ghana seems to contradict both the spirit and the letter of the ECOWAS agreements. This exclusion creates friction between non-Ghanaian ECOWAS citizens and Ghanaian traders. A lecturer from the University of Ghana pointed to the contradiction between Ghana's GIPC (Ghana

Investment Promotion Centre) law and the ECOWAS Free Movement Protocol. He highlighted the need for policy reform that aligns national laws with regional commitments to avoid undermining the goals of ECOWAS and to maintain harmony between citizens of member states within Ghana. He said:

“.....To me, as a country to implement a rule that go directly against the spirit and letter of ECOWAS free movement protocol, thus the GIPC law which has excluded all foreigners from participating in informal sector for instance is creating tension between traders or citizens of other ECOWAS countries who find themselves in Ghana and their Ghanaian colleagues. Ghana is a founding member of the ECOWAS family and we signed to have confirmed that people will accorded the same rights as citizens of Ghana. But we have now gone ahead to make a law that excludes all foreigners and haven't made the distinction between ECOWAS citizen and citizens of other countries like India, China and elsewhere. We lump everyone who is not a Ghanaian together and have made it almost a crime for them to participate in some sectors of the economy. That goes against the ECOWAS free movement protocol....” (Author’s Field Research, 16th October, 2024).

The study revealed that, the major issue is that the GIPC law does not distinguish between ECOWAS citizens and foreigners from other countries. By lumping all non-Ghanaians together under one exclusionary rule, Ghana undermines the privileges that should be accorded to ECOWAS citizens, treating them the same as non-African nationals. This uniform treatment contradicts the special status that ECOWAS citizens are supposed to have within member states. The exclusion of ECOWAS nationals from informal sectors like trading, where they are often involved, can lead to economic segregation and social tensions. The law essentially criminalizes the economic participation of these traders, leading to resentment and potential conflict between Ghanaian citizens and their ECOWAS counterparts. Ghana, as an original contributor of ECOWAS, perform a significant function promoting regional integration. However, the enactment

of the GIPC law seems to undermine this commitment by creating barriers for other ECOWAS nationals. This contradiction weakens the regional unity that ECOWAS seeks to foster.

Also, a foreigner may own all (100%) of an entity in Ghana under the 1994 Act, providing that the investor satisfies the requirements outlined in Section 19 (2b) of the GIPC Act 478. In some economic activity categories, a foreign national must have a required paid-up fund of \$50,000, with the exception of import commerce, where the minimum equity capital requirement is \$300,000. Local business owners in Ghana have expressed dissatisfaction over government agents locking up their stores or establishments when they fail to comply with these regulations (Udeoji, 2013). Many Nigerians have questioned in private and public if a trader from West Africa, particularly one who is descended from Nigeria, should face the same financial and legal obstacles as an Arab, European, or Asian merchant who wants to conduct business in Ghana. The governments of Ghana and Nigeria have been attempting to resolve the matter (Udeoji, 2013). Nigerian traders, however, maintain that things are still the same because they are expected to meet the same requirements as citizens of non-ECOWAS nations in order to engage in trade in Ghana. The right of residence and establishment, as well as the additional Protocol A/SP.1/7/85 on the ethical guidance for the execution of the policies on free migration of people, are all affected by these violations (Udeoji, 2013). Specifically, the latter specifies that a citizen of an ECOWAS nation is entitled to stay or set up in a different Member country than his country, to engage in business actions, and to establish and oversee enterprises, particularly companies, subject to conditions set forth by the host Member State's legislation for its own people. For the regional bloc to achieve its broader integration goals, it will require a greater willingness from individual nations to align with collective ECOWAS directives. The hesitancy of countries like Ghana reflects broader challenges in balancing national interests with regional cooperation.

4.3.2 Discrimination and Refusal of Admission

A significant challenge to implementing the ECOWAS Protocol on Free Movement is the provision allowing member states to deny entry to community citizens who are considered inadmissible under their national laws (Article 4). This provision weakens the Protocol's objective by enabling the use of restrictive domestic laws on inadmissibility (Adepoju et al., 2007).

In addition to rejecting undesirable migrants, people from ECOWAS states often experience discrimination. In Ghana, for example, public sector jobs are reserved for nationals, and non-citizen can only be hired in government work under certain requirements (Teye et al., 2019). Furthermore, Ghana operates a quota method for giving work permits, which means some people from ECOWAS may be denied permits even if they apply. For instance, Under Section 35 of the Ghana Investment Act (Act 865), a business with a paid-up capital ranging from US\$50,000 to US\$250,000 is automatically granted a quota of one foreign worker. Enterprises with capital ranging from US\$250,000 to US\$500,000 are granted two quotas, those with US\$500,000 to US\$700,000 receive three quotas, and businesses with over US\$700,000 are entitled to four expatriate quotas. These quotas are issued by the Ghana Investment Promotion Centre (GIPC) (Teye et al., 2019). These national policies indicates the actual purposes of the government of Ghana, while the ECOWAS policies it has corrected remains largely symbolic (Smith, 1985). In such cases, distinct policy participants interpret the policy in varying ways. Ghanaians may view the investment policies as protective of their interests, while other ECOWAS nations may interpret Ghana's ratification of the Protocol as a commitment to regional integration.

4.3.3 Harassment and Absence of Travel Documents

An additional obstacle to the free movement is the absence of travel documents. Since some travelers lack legitimate travel documentation, protocol has made it harder to determine their

nationalities. The lack of standardized identification across ECOWAS states complicates the process. Many citizens do not have passports or ECOWAS ID cards, leading to difficulties in verifying identities at borders. The absence of proper travel documents is closely tied to the harassment faced at borders, as many ECOWAS citizens lack a clear understanding of the Free Movement Protocol (Teye et al., 2019). Travellers from participating states often experience harassment at the point of entry and exit, where they are coerced into making unofficial payments before being allowed entry into certain ECOWAS countries. Air travelers face less harassment due to senior migration officials presence at airports. In contrast, people with low income, who are more likely to travel by road, are subjected to greater harassment than wealthier travelers who opt for air travel (Teye et al., 2019). Among those traveling by road, individuals without valid travel documents are especially vulnerable to demands for unofficial payments. An ECOWAS migrant living in Ghana highlighted the inconsistencies between the promise of the ECOWAS protocol and the reality faced by travelers and traders at borders. He reported that:

“...They say it is free. It suppose to be free. Free trading and the rest but they charge us at the border. They charge you charge depending on the vehicle you are traveling with. They also have prices for virgin passport (new passport) and regular passport (passport that has been used to travelled before).....” (Author’s Field Research, 2nd October, 2024).

The study revealed that, there is an expectation of free movement, which suggests the promise of unrestricted movement of goods and people across borders, likely within the context of ECOWAS agreements. However, the reality is that fees are being imposed at the borders, undermining this promise. This suggests that some officials may be exploiting loopholes or engaging in corruption. These charges could create barriers of free movement, increasing the cost for travelers and small businesses. The reference to these varied charges can also hint at corrupt practices where officials

create their own fee structures. This undermines trust in the institutions managing the border and could discourage legitimate movement and the ECOWAS protocol.

4.3.4 Economic Challenges

Ghana's poor economic conditions and pressure from local citizens hinder the migration process, often making low-skilled jobs unappealing to migrants due to inadequate benefits (Teye et al., 2019). Economic hardships faced by citizens fuel anti-migrant sentiments, leading to reluctance in implementing ECOWAS Free Movement Protocols. Immigrants are frequently scapegoated for economic challenges, diverting attention from underlying issues such as mismanagement and corruption (Yaro, 2008). This has historically led to the large-scale deportation of ECOWAS migrants from certain states. Economic difficulties continue to fuel anti-migrant sentiments, particularly in Ghana's unregulated trading sector, where local businessmen often blame declining sales on the presence of migrants, especially Nigerian traders. This tension has sparked multiple protests by Ghanaian traders against Nigerians and Chinese operating in the retail sector (Adjavon, 2013). The Ghana Union of Traders Association (GUTA), supported by other local interest groups, has led efforts to shut down Nigerian-owned shops, citing the Ghana Investment Promotion Centre (GIPC) Act 478 of 1994, which reserves certain trading activities for Ghanaian citizens (Yendaw, 2019; Garba & Yeboah, 2020).

These shop closures are sometimes enforced by officials from the Ministry of Trade and Industry and the Ghana Immigration Service (Garba & Yeboah, 2020). Such actions have significantly impacted the livelihoods of affected individuals, leaving merchants without revenue and workers without employment. In a nation like Ghana, where underemployment and unemployment rates are high, the loss of employment opportunities exacerbates social suffering (World Bank, 2020).

4.4 The successful efforts of Ghana in the Implementation of the ECOWAS Free Movement Protocol.

Ghana has made significant strides in carrying out the Free Movement Protocol of ECOWAS, which seeks to permit the unrestricted flow of people, products, and services among its member states. These efforts reflect Ghana's commitment to the ECOWAS free movement protocol. Below are some key efforts and successes of Ghana in carrying out the free movement protocol of ECOWAS. It has been grouped and examined under the three phases of the ECOWAS free movement protocol:

4.4.1 First Phase: Right of Entry

Ghana has implemented the first phase significantly under the ECOWAS Free Movement Protocol. The Ghanaian government has endeavored to integrate the ECOWAS Free Movement Protocol's provisions, particularly those concerning the Right of Entry, migration governance, and policy formation, into its policy formulation processes (Teye et al. 2019). In fact, the ECOWAS free movement protocols' rules have influenced Ghana's border management conversations. The protocol offers guiding principles for the creation of Ghana's NMP and NLMP, both of which acknowledge the necessity of facilitating free mobility (Kandilige et al. 2019). In accordance with convention, people of Western African nations no longer need to hold a visa in order to enter Ghana for stays up to 90 days. In an effort to streamline cross-border procedures throughout the sub-region, Ghana also adopted the standardized "Immigration and Emigration Form of ECOWAS Member States," and it has been utilizing the ECOWAS common passport since May 2000 (Kandilige et al., 2019).

The study revealed that certain requirements are given to ECOWAS citizens who want to enter, stay, and establish themselves in Ghana by the Ghana Immigration Service Act. An ECOWAS

citizen is not required to seek a visa in order to enter Ghana as long as they possess a valid passport or other travel document (Immigration Act, 2000). An ECOWAS citizen who is a driver confirmed this by stating that:

“...All ECOWAS citizens have free entry into Ghana without visa. When you move from Burkina to Ghana, it is free entry. They don’t ask for any visa. They just stamp your passport for you after you have been screen by the immigration officers at the border...”
(Author’s Field Research, 2nd October, 2024).

This highlights the fact that citizens of ECOWAS member countries can enter Ghana without needing a visa. This reflects a broader regional integration effort aimed at facilitating movement and promoting trade and tourism among member states. The mention of a “free entry” by the ECOWAS citizen also affirms that ECOWAS citizens are not required to undergo the visa Application process, which can be time-consuming and bureaucratic. Instead, they only need to present their passports at the border. The statement noted that immigration officers screen individuals upon entry, which indicates that while the entry process is simplified, security measures remain in place to ensure the safety and legality of entries. The immigration officers likely verify identities, check for any security threats, and ensure compliance with entry requirements. The act of stamping the passport by the Ghana Immigration officers indicates an official entry record, which is important for tracking movements across borders. This practice helps maintain immigration statistics and ensure that individuals do not overstay their visit. This policy encourages mobility among ECOWAS countries, potentially boosting economic activities, cultural exchange, and social interactions. It may also contribute to regional stability by fostering stronger ties among member nations (Author’s Field Research, 2nd October, 2024). The specific mention of moving from Lagos (Nigeria) to Ghana emphasizes the practical application of this policy. It illustrates how individuals can travel for various reasons, business, education, tourism,

without facing the hurdles associated with visa applications. The statement reflects Ghana's commitment to promoting ECOWAS free movement within the region, supporting economic cooperation, and ensuring that safety protocols are maintained at the borders.

An ECOWAS citizen in an interview also conveyed his personal experience regarding border crossing and the visa process in Ghana in relation to the right of entry. He stated that:

“...They don't worry me in Ghana for visa when I get to the border. They only ask for my passport and take me through some screening...” (Author's Field Research, 2nd October, 2024).

His statement "They don't worry me for visa" indicates the ease and relief about not needing a visa for entry. This shows a streamlined entry process, which can enhance travel experiences and encourage movement across borders. The requirement to present a passport shows that while the visa process is not necessary, identification is still essential. This aligns with standard international travel practices, ensuring that authorities can verify the identity and nationality of the traveler. The mention of being taken through "some screening" by the ECOWAS citizen implies that there are security and safety measures in place, even without a visa requirement. This process includes checking for any potential threats, verifying the traveler's background, and ensuring compliance with any health or safety regulations. This reflects a sense of simplicity and efficiency in crossing the border of Ghana. The ease of not dealing with visa applications and only undergoing a straightforward screening process can encourage more frequent travel, promoting cross-border trade and tourism. This experience highlights the effectiveness of the ECOWAS regional agreements that facilitate free movement among member states. Such policies are crucial for fostering economic integration and cultural exchange, allowing citizens to travel freely for various purposes.

An official from Ghana Boundary Commission also recounted in detail some of the successful efforts of Ghana in the implementation of the ECOWAS free movement protocol where he stated that:

“... ECOWAS citizens move freely within ECOWAS states under the ECOWAS Free Movement Protocol. We have laws that regulate how people stay in the country. Anytime you enter Ghana, you are screen. That is the work of the Ghana Immigration Service to screen you to ensure that you are what you say you are. The immigration officer I encountered stated that ECOWAS citizens don’t have to stay beyond 90 days. I cannot speak for the other country but I believe is the same. The implementation of this protocol by Ghana has helped enhance trade among member states especially among border residence. In Wa-West for instance, Dorimon is a town close to the border where trading activities goes on. People from Burkina Faso crosses to trade with their counterpart in Ghana...” (Author’s Field Research, 27th September, 2024).

The study revealed that, while the protocol encourages free movement, member states like Ghana have established laws to regulate the duration of stay for ECOWAS citizens. The immigration officer mentions a 90-day limit, reflecting the balance between facilitating movement and ensuring legal compliance. The interviewee also confirmed that upon entry into Ghana, individuals are screened by the Ghana Immigration Service to verify their identity and purpose of visit which is a crucial step in maintaining security and order, ensuring that visitors comply with national laws.

However, ECOWAS nationals must get authorization from the appropriate government in the member state if they plan to stay longer than ninety days. Further supplementary procedures have been approved subsequent to this important operation. Ghana has eliminated entry and visa requirements for citizens of Member States, pertaining to the Right of Entry for a ninety-day period (Awumbila et al., 2014). This suggests that holders of valid travel documents and an international health certificate can enter and stay in any ECOWAS country without first getting a visa. Ghana

has accepted the ECOWAS Travel Certificate, which was standardized and created in 1985 to ease and reduce the cost of cross-border travel (Awumbila et al., 2014).

Ghana has also approved the common "Immigration and Emigration Form of ECOWAS Member States," which aims to simplify and expedite cross-border processes across Member States. Ghana currently travels with the ECOWAS common passport, which was authorized by the Authority of Heads of State and Government in May 2000 (Kandilige et al., 2019; Awumbila et al., 2014).

Nonetheless, some ECOWAS member states have advanced further than others in implementing these regional requirements. Ghana is positioned as a country that has made significant strides in this regard, while others may still be in earlier stages of implementation. A lecturer from the University of Ghana highlighted Ghana's achievements in regional integration through the successful rollout of the ECOWAS passport and Ghana Card, but also suggests there is potential for further improvement, either in the refinement of these systems or in addressing other areas of development. He illustrated how Ghana has integrated ECOWAS requirements into its national systems, allowing for easier travel and identification within the region. He stated that:

"...Ghana has made some positive strides but there is still room for improvement. For instance, Ghana has implemented the ECOWAS passport. So you have your Ghana passport and when you look at it closely it actually an ECOWAS passport but for Ghana. Is the same for Nigeria and that's the requirement for all member states. Some have made a lot of progress others are still stucked at the initial stage. Ghana has also rolled out the Ghana card which is actually an ECOWAS card. Again when you look at the card it is an ECOWAS card but identify you as a Ghanaian citizen. This is another area that Ghana has done well...." (Author's Field Research, 16th October, 2024).

The study revealed that, Ghana has successfully adopted the ECOWAS passport system, aligning with the regional bloc's requirements. The ECOWAS passport, which is implemented by all

member states, facilitates free movement across West African countries. This notes that Ghana has done well making the country's passport both a national and a regional document. Ghana has also issued the Ghana Card, which is integrated into the ECOWAS system. While it identifies the holder as a Ghanaian citizen, it also serves as an ECOWAS identity card. This allows for further regional integration and ease of identification within member states.

Moreover, Ghana continues to make initiatives and partnership with other institutions to enhance the ECOWAS Free Movement Protocol under this phase. Accordingly, Ghana participated in the EU-funded Migration and Development (MADE) West Africa initiative (2017–2020) as part of the Rabat Process, with the CMS serving as a crucial partner. The ECOWAS region's rights of migrants were to be safeguarded and free mobility encouraged under the MADE project. The CMS studied Ghanaian migrant rights and free mobility as part of this research (Kandilige et al, 2019). The study found that a number of issues, such as resource limitations, border harassment, lack of travel documentation, low level of understanding about protocol, and permeable borders, all have an impact on free movement.

Additionally, Ghana's cooperation with other institutions, like the EU, has improved the ECOWAS Free Movement Protocol. Collaboration between Ghana and Europe has impacted Ghana's execution of the ECOWAS Free Movement Protocol. Ghana's involvement in the MADE and MMM projects has helped to raise awareness of the Protocol and advance initiatives to lessen obstacles to free movement, such as harassment at Ghana's borders (Kandilige et al., 2019). Ghana has benefited from learning experiences regarding how to handle the difficulties associated with the free movement protocol.

Ghana has made it possible for residents to travel freely around the region by bringing its domestic laws into compliance with the ECOWAS Protocol. The Ghana Immigration Service Act is one of the laws that the nation has passed to encourage ECOWAS people to move freely inside its borders. Citizens of ECOWAS member states no longer need to get a visa in order to enter Ghana for a maximum of 90 days. The promotion of local trade and tourism has been successful thanks to this strategy. In order to promote easier mobility, the Ghanaian government has sought to enhance border infrastructure and administrative procedures. This entails modernizing border post amenities and utilizing technology to expedite border procedures.

The protocol's implementation has notably improved trade among ECOWAS states, particularly benefiting border communities. While the protocol promotes free movement, it is essential for member states to establish clear regulations to manage the influx of visitors, ensuring national security while still encouraging economic collaboration. While Ghana's regulations ensure orderly movement and compliance, the protocol significantly benefits trade, particularly in border areas. Continued efforts to refine immigration policies and foster collaboration among member states will be essential for maximizing the protocol's benefits.

Ghana can now be visited by anyone holding an African passport without a visa. People who support pan-African ideals have long desired visa-free travel inside the continent, which is thought to be essential for economic cooperation. Ghana is the fifth nation in Africa to provide this to visitors from other parts of the continent (Mensah, 2025). The African Continental Free Trade Area and the operations of the world's biggest trading bloc logically proceed in this manner. Ghana was ranked sixth last year in an annual African assessment of visa-openness since it already allowed citizens of 26 continental nations to travel without a visa (Mensah, 2025). Ghana has been marketing itself as a travel destination for individuals from the African diaspora and the continent

in recent years. Visa limitations, especially under the framework of the AfCFTA, which is based in Accra, Ghana's capital, have long been noted by experts as obstacles to trade, tourism, and cultural interaction (Mensah, 2025). Ghana is anticipated to strengthen its standing as a center for African trade, tourism, and diplomacy by loosening travel restrictions. The country came in fifth place on the Visa Openness Index in 2023, behind Benin, Rwanda, the Seychelles, and the Gambia (Mensah, 2025).

4.4. 2 Second Phase: (Right of Residence) of the Protocol

ECOWAS Migrant Workers are entitled to the same treatment as citizens of the host Member States under Article 23 of the Protocol. This includes access to social, cultural, and medical services as well as job security. The contents of this document are intended to facilitate the implementation of the right of residency as part of the Second Phase of the Free Movement Protocol. Article 2 of the Protocol stipulates that Member States must let ECOWAS citizens living abroad to seek and pursue employment opportunities that generate money. ECOWAS migrants living abroad, however, are required to obtain for the necessary work licenses from the relevant authorities (Article 5). Furthermore, under Article 23 of the Protocol, ECOWAS Migrant Workers will be entitled to the same rights as citizens of the host Member States, including job security and access to social, cultural, and medical facilities (Awumbila et al, 2014). The study found that Ghana has equitably implemented the second phase (Right of Residence), which was authorized by all Member States and went into force in July 1986, in accordance with the ECOWAS Free Movement Protocol. Like international immigrants, ECOWAS citizens who plan to stay and work in Ghana for more than ninety days must apply for and be granted a residency permit or work permit (Awumbila et al., 2014). An ECOWAS citizen stated that:

“...You have to go for residence permit after 90 or you have to keep on stamping your passport so that you don't overstay...”

This statement presents residence permits in the context of immigration laws in Ghana. According to the ECOWAS citizen, "you have to go for residence permit after 90" which indicates that there is a 90-day period after which one must apply for a residence permit to legally remain in the country. This implies that overstaying without a residence permit could lead to legal issues or penalties. An ECOWAS citizen also reflected a positive sentiment about visiting Ghana, highlighting both the enjoyment of the stay and the sense of freedom experienced in Ghana in relation to the right of residence by saying:

“...Sometimes when I get to Ghana, I spend 3 to 4 days in Ghana before I go back. My colleagues and I are always happy to stay in Ghana because there are so many freedoms when you have your permits...” (Author's Field Research, 2nd October, 2024).

The reference to "so many freedoms" when they have their permits indicates that having the right permissions or documents enhances their experience. This highlights that he values the ability to move freely, engage in activities, or access opportunities that may be limited elsewhere. He conveys a sense of contentment and appreciation for the experience of being in Ghana, enhanced by the feeling of freedom that comes with proper permits. This shows the extent Ghana has implemented the right of residence under the ECOWAS Free Movement Protocol.

However, in situations involving public health, safety, or order, refusal is acceptable. The second phase's requirements have been implemented into Ghanaian national laws, enabling ECOWAS citizens to live and conduct business in Ghana. This involves examining immigration regulations to make it easier for ECOWAS citizens to live and work in Ghana. The Ghanaian government has

expedited procedures for ECOWAS citizens to get residency permits. An immigration officer confirmed this by saying that:

“....ECOWAS citizens are allowed to be in the country for (90) ninety days. After the 90 days, you can extend your permit, thus your stay for another (90) ninety day, thus 3 month. After the (3) three months, you either have to do work permit or dependence permit. Work permit is for those who are either establishing a company here or working here in Ghana. And the dependence permit is for those who are married here or have people here they depend on either mother, father or family members. The fact is that they are not supposed to wait for their permit to expire before they start working on it. They can start at any point so that probably by the time the permit that you are on expires the new one will be ready” (Author’s Field Research, 12th October, 2024).

The text reflects a structured approach by the Ghanaian authorities to manage the presence of ECOWAS citizens while providing options for legal residence and work. This policy encourages ECOWAS citizens to maintain legal compliance while in Ghana, reducing the risk of overstaying their permits. The system allows for some flexibility in extending stays and applying for different types of permits, which can accommodate various individual circumstances. It promotes proactive planning for those who intend to remain in Ghana beyond the initial stay period, which could facilitate smoother transitions between permit statuses.

Additionally, nationals of ECOWAS are able to register enterprises in Ghana with fewer requirements. The government of Ghana has made an effort to make the regulatory landscape more welcoming to foreign nationals, particularly those from ECOWAS member nations. In accordance with the second phase of the protocol, efforts have been undertaken to enlighten relevant authorities, such as immigration officers and business registration officials, about the rights of ECOWAS citizens. The goal of training programs is to increase comprehension and adherence to the rules. Ghana takes an active part in ECOWAS activities and debates aimed at bolstering the

protocol's implementation. This involves working together with other members to resolve shared issues pertaining to residence and free movement. Accordingly, Ghana continues to make initiatives to improve the ECOWAS Free Movement Protocol (Kandilige et al., 2019).

4.4.3 Third Phase: Right to Establishment

The "Right of Establishment" is a protocol that designates the Third Phase of the Free Movement Protocol's implementation. The ECOWAS community's citizens are entitled to settle or establish themselves in another Member State, “and to have access to economic activities, to carry out these activities as well as to set up and manage enterprises, and in particular companies, under the same conditions as defined by the legislation of the host Member State for its own nationals.” The study revealed that Ghana has implemented this phase steadily under the ECOWAS Free Movement Protocol. Even though Ghana has mostly concentrated on initiatives to facilitate skilled labor migration, it also let ECOWAS people to work there in general (Kandilige et al., 2019). Ghana has incorporated aspects of the third phase into its domestic legislation, bringing labor and immigration regulations into compliance with the rights granted by the ECOWAS Protocol. This includes clauses permitting ECOWAS nationals to work for themselves and start their own businesses. The government of Ghana has worked to streamline the company registration and permit application process for ECOWAS citizens. This involves lowering bureaucratic barriers to create an atmosphere that is more favorable for business. Ghana has taken part in programs designed to encourage investment and commerce within the ECOWAS member states. As part of this, platforms for networking and accessing commercial possibilities within Ghana for entrepreneurs from the ECOWAS are being created.

In the financial sector in Ghana, for instance, some enterprises are owned and managed by ECOWAS nationals and a number of Nigerian financial institutions have been allowed to build

branches in Ghana as a result (Kandilige et al, 2019). An ECOWAS migrant who is a businessman outlined the requirements and assurances for establishing a business in Ghana as a foreign national, particularly emphasizing the role of the Ghana Immigration Service and the importance of legal compliance by stating that:

“...You need the permission from the Ghana Immigration, thus, the residence and work permit before you can establish a business here in Ghana. You are allowed to operate fully without any worry or harassment. So Ghana has done well in this aspect of the protocol...”
(Author’s Field Research, 2nd October, 2024).

This reflects a formal regulatory framework that governs foreign investment and entrepreneurship in Ghana. According to the ECOWAS national, "you are allowed to operate fully without any worry or harassment" submits that, once the necessary permits are obtained, ECOWAS entrepreneurs can conduct their business activities confidently. This indicates a supportive business environment that aims to reduce bureaucratic obstacles and foster a conducive atmosphere for business operations in Ghana. The statement of the interviewee concluded with a positive note, indicating that Ghana has made significant progress in creating a framework that facilitates business establishment for foreign nationals especially ECOWAS citizens. This implies that the procedures in place are seen as beneficial and effective, aligning with ECOWAS and international standards.

Nonetheless, a foreigner may own all (100%) of an entity in Ghana under the 1994 Act, providing that the investor satisfies the requirements outlined in Section 19 (2b) of the GIPC Act 478. Ghana is taking part in the Intra-African Talent Mobility Programme, which intends to establish "Schengen" type procedures on talents mobility to promote economic integration and socio-

economic development, in order to facilitate the transfer of skills within the sub-region. Accordingly, an ECOWAS citizen from Niger stated that:

“...I was also a student in Niger. I studied geography in the University of Abdou Moumouni of Niamey. When I completed school, there was no job so I had to come to Ghana to work in this transport service...” (Author’s Field Research, 2nd October, 2024).

This illustrates resilience and adaptability of Ghana’s ECOWAS protocol implementation, as he sought opportunities in Ghana. It also raises themes of migration and economic necessity, as many people move to Ghana in search of better job prospects. However, it should be mentioned that residents of member states are obligated to follow local laws in their host nations. Citizens of ECOWAS Member States are entitled to engage in economic activities and to work, including pursuing liberal professions in Ghana (Awumbila et al. 2014; Teye and Asima, 2017). An expert from the Ministry of Trade and Industries revealed that:

“....If ECOWAS citizens want to do business here in Ghana, they have to follow internal rules. They have to get the appropriate permits. GIPC will register you with certain incentives....” (Author’s Field Research, 11th October, 2024).

This emphasizes the necessity for ECOWAS citizens to adhere to Ghana's internal regulations when conducting business. It implies that, despite the regional integration efforts by ECOWAS, each member state maintains its own legal framework that must be respected. The mention of needing "appropriate permits" indicates that there are specific legal requirements or licenses that must be secured before engaging in business activities in Ghana. While ECOWAS promotes regional integration, individual countries like Ghana have specific requirements that foreign investors, including those from ECOWAS, must navigate to successfully establish and run their businesses.

Discrimination may only be acceptable in situations that are related to public order, safety, or health. To be eligible for a work visa in Ghana, nationals of ECOWAS countries as well as those from other countries must fulfill the same requirements and adhere to the same processes (Awumbila et al, 2014). Therefore, some limitations do not apply to ECOWAS citizens who apply for work visas. Theoretically, foreign nationals, including those of the Economic Community of West African States (ECOWAS), should only be eligible for work visas if their specific set of skills is in great demand elsewhere, as shown by supporting documents (Awumbila et al., 2014:18). Some government personnel in Ghana also don't always follow this requirement. This rule is sometimes not fully followed because it is impossible for state officials to determine whether the migrant's talents are needed locally (Awumbila et al, 2014).

Citizens of ECOWAS who want to work in some areas of Ghana cannot acquire work permits since certain sectors are restricted to citizens only. Only citizens are qualified for public service employment, with a few exceptions (Teye, 2015; Adepoju 2005; Yaro, 2008). Foreign nationals are not allowed to work in Ghana's security agencies, especially those from ECOWAS member countries. Again, the Ghana Investment Act, 2013 (Act 865) prohibits immigrants from engaging in retail sachet water delivery, petty sales, operating a taxicab, beauty salon, or barbershop, printing recharge cards for phone users, and making workout manuals. Nonetheless, Ghana continues to make initiatives to improve the ECOWAS Free Movement Protocol. Ghana benefited from financial support from the EU and ECOWAS for the Free Movement of People and Migration in West Africa (FMMM) project from 2013 to 2018. The FMMM project, which had a budget of more than 26 million euros, offered financial and technical assistance for the ECOWAS Common Approach on Migration and the ECOWAS Free Movement Protocol's implementation (Kandilige et al., 2019). The main topics discussed were labor migration, border control, migration data

management, and counter-trafficking. Ghana specifically received cash to arrange for media and governmental officials to receive training on how to apply the protocol. Under the direction of IOM and the Ministry of Employment and Labor Relations, some of the funds were also used to promote the creation of Ghana's labor migration policy (Kandilige et al., 2019).

4.5 The Emerging Challenges to the Effective Implementation of the ECOWAS Free Movement Protocol in Ghana

4.5.1 Threats to Democratic Norms

As implied by its name, the primary goal of the 1975-founded Economic Community of West African States, or ECOWAS, is to advance economic integration. However, democracy promotion has grown to be a crucial topic of concern over time, particularly in the wake of the ECOWAS Treaty's 1993 modification and the 2001 approval of its supplemental protocol on good governance and democracy (Aning & Bjarnesen, 2024). As a result of the democratic reversals that have occurred in Burkina Faso, Guinea, Mali, and Niger during the last three years, it has been extremely difficult to guarantee that member states adhere to democratic norms. The four military juntas now in control have justified their unlawful changes of administration by mobilizing the populace against escalating levels of insecurity and systemic corruption. As a result, ECOWAS has worked to both enforce adherence to its democratic standards and engage the three Sahel states led by juntas in ad hoc cooperation to maintain security initiatives meant to address the Islamist movements' increasing threat in the Sahel (Aning & Bjarnesen, 2024). Because of this careful balancing exercise, the organization's credibility has been damaged navigating the difficulties brought about by the uneven application of its democratic principles. There is a serious risk of a major reversal of nearly 50 years of integration activities.

4.5.2 Rampant Military Takeovers

Between the October 2014 toppling of President Blaise Compaore of Burkina Faso's and Mali coup d'etat in August 2020, there was not a single undemocratic change of government in West Africa over a span of almost six years (Aning & Bjarnesen, 2024). In a subregion where several countries had previously suffered from catastrophic warfare and civil strife, this was an exceptionally stable time. ECOWAS closely examined shortly after President Compaore's attempts to change the constitution and extend his 27-year rule, a proposal was made to limit presidential mandates to no more than two terms in office further sparked the Burkina Faso uprising. However, in May 2015, the project was put on hold due to opposition from Togo and Gambia (Aning & Bjarnesen, 2024). Since then, the organization's member states have faced a number of difficulties that have partly contributed to the rise in coups d'état. Specifically, the subregion saw six successful military takeovers between 2020 and 2023, and ECOWAS appeared helpless to stop them. The study revealed that this negatively affected the ECOWAS protocol. An expert from the Ministry of Trade and Industry highlighted the interconnectedness of security and economic stability between neighboring countries, particularly in the context of Burkina Faso and Niger. He revealed that:

“....When Burkina and also Niger closed their borders following the coup, it was difficult for goods to enter or leave these countries which affected those who went for goods and those who wanted to go for goods. Trucks moving from Burkina Faso to Ghana had to take security into consideration on the road. This did not only affect drivers on the road but also traders. The insecurity of one country destabilizes the security of the other....”
(Author's Field Research, 11th October, 2024).

The study revealed that, the closing of borders due to a coup significantly disrupts trade and the movement of goods. This indicates how political instability can have immediate economic

repercussions, affecting not only the countries involved but also their neighbors. Traders and drivers face challenges in transporting goods, which can lead to shortages and increased prices for consumers. The economic activities in both countries are interdependent, meaning that disruptions in one country can create ripple effects in the other. The mention of security considerations for trucks traveling from Burkina Faso indicates that safety is a paramount concern in the region. Increased violence or insecurity can deter trade, leading to a further decline in economic stability. The assertion that the insecurity of one country destabilizes the other underscores the fragile nature of security in the Sahel region. It implies that without collective security measures and cooperation, political and economic instability can spread, exacerbating the situation for nations in the region. It also highlights the vulnerability of economies in the region, where local traders often depend on access to goods from neighboring countries in the region. This reveals how political events in one country can have far-reaching effects on its neighbors, affecting trade, security, and overall stability in the region.

Moreover, all of the member states of ECOWAS share particular guidelines on good governance and democracy found in the supplementary protocol. It focuses on common good governance principles, enhancing democratic procedures and mechanisms, and developing a constitutional state-based rule of law. With its adoption in 2001, ECOWAS' political construction underwent a sea change. Its primary focus shifted from economic integration to the strengthening of fundamental democratic values, including the division of powers among the three governmental branches, the devolution of power away from the presidency, the depoliticization of the armed forces, and the reinforcement of electoral systems. ECOWAS worked to establish democratic norms throughout the subregion by adopting various protocols, laws, and conventions. Similar to a political renaissance, this paved the stage for democratic and multi-party transitions in the 1990s

and early 2000s (Aning & Bjarnesen, 2024). Since then, democracy has essentially been limited to the conduct of elections, which are frequently marred by violence and violations of human rights. Nonetheless, member nations would internalize the provisions of the additional protocol, which would serve as foundational elements for institutionalizing democratic norms. However, the bloc gradually lost its moral authority as an organization due to widespread and consistently slow economic growth and democratic regression in the absence of ECOWAS involvement. This unintentionally helped to create an environment that allowed coups d'état to reappear in the subregion.

4.5.3 Formation of the Alliance of Sahel State (AES)

With the revival of military takeovers in West Africa since 2020, a decade in which public mobilization was the primary means of confronting democratic regression has come to an end. Motivated by the 2011–12 wave of upheavals in North Africa, West Africans across the subregion turned to the streets, forcing Abdoulaye Wade in Senegal to make significant concessions and ending Blaise Compaoré's 27-year rule in Burkina Faso (Aning & Bjarnesen, 2024). A small military organization under the command of Colonel Assimi Goita overthrew President Ibrahim Boubacar Keita in August 2020 by taking advantage of the widespread mobilization of the 5 June Movement. The widespread discontent among the public was primarily brought about by the pervasive issue of nepotism and corruption in the Malian state bureaucracy. However, it was also influenced by the country's deteriorating security situation, which was brought on by the increasing violence of jihadist insurgencies in its northern region. Similar political unrest was brought about by the destabilizing impact of the spread of Islamist violence in neighboring Burkina Faso and Niger (Aning & Bjarnesen, 2024). Despite easily winning reelection in 2020, Roch Kaboré, the president in office for Burkina Faso was overthrown by a military coup in January

2022. The coup's principal justification, according to Lieutenant Colonel Paul-Henri Damiba, was the nation's worsening security circumstances as a result of attacks by Islamic extremist (Aning & Bjarnesen, 2024). Reorganizations within the military leaders are occasionally called "extra coups" in both Burkina Faso and Mali. Paul-Henri Damiba was replaced in Burkina Faso in September 2022 by Captain Ibrahim Traore, while Assimi Goita replaced interim president Bah N'Daw in Mali in May 2021 (Aning & Bjarnesen, 2024). Following suit, Niger's democratically elected government was overthrown and President Mohamed Bazoum removed by a junta led by General Abdourahmane Tchiani in July 2023 (Aning & Bjarnesen, 2024). This was purportedly in reaction to rumors that the president was going to appoint Tchiani as the commander of the presidential guard. The political environments of the three nations are very different, despite the fact that they are all experiencing grave security threats from jihadist insurgencies (Aning & Bjarnesen, 2024). For instance, the regional security issue appears to have been a clear catalyst for the coups in Mali and Burkina Faso, but the Niger coup also revealed a conflict over control among the ruling elite. An illustration of this is the difference in military ranks: in Mali and Burkina Faso, mid-ranking junta leaders eliminated most of the military leadership that was a part of the president's inner circle, while General Tchiani defended his own political survival when it was threatened by the civilian political elite (Aning & Bjarnesen, 2024). Notwithstanding these differences, public support for the unlawful changes of administration in Mali, Burkina Faso, and Niger has been similar. This is mostly due to the lack of discernible advancements in the battle against regional jihadism by the previous civilian regimes and their international partners. The overt criticism of ECOWAS by the three juntas, which claims the organization is too dependent on European sponsorship and inefficient, coupled with the coups have put a great deal of pressure on the regional organization. The coup d'état in Niger in July 2023 elicited a loud but ineffective response

from ECOWAS, which is indicative of institutional stagnation and bureaucratic-technical errors that have damaged the organization's reputation. In the beginning, it threatened to employ military force if the coup leaders did not restore the legitimately elected president, closed borders, imposed penalties, and suspended Niger's membership in the organization (Aning & Bjarnesen, 2024). But ECOWAS lacked the resolve, resources, and institutional strength to carry out its threats to use its reserve force. At a heads of state and government summit in Abuja, Nigeria, in December 2023, ECOWAS finally agreed to form a committee to engage with the military junta in Niger and other relevant parties in order to establish transition organs, facilitate the establishment of a transition monitoring and evaluation mechanism to hasten the restoration of constitutional order, and reach a consensus on a transition plan that adheres to the bloc's principles. But the events in Mali, Burkina Faso, and Niger have cast a shadow over this decision. These nations established the Alliance of Sahel State, also called the Alliance des États du Sahel (AES), in September 2023, and declared their intention to leave ECOWAS in January 2024 (Aning & Bjarnesen, 2024).

The breaking out of states from ECOWAS could have far-reaching and destabilizing effects on the region's political, economic, and security landscape. The weakening of ECOWAS would diminish its capacity to serve as a stabilizing force, while increasing external influence would exacerbate global geopolitical rivalries in West Africa.

The departure of certain states from ECOWAS could affect the successful implementation of the protocol especially for Ghana in several ways. ECOWAS promotes free trade within the region. If key trading partners leave, Ghana may face increased tariffs or barriers with those states, leading to reduced exports and imports, especially for goods commonly traded within ECOWAS (Author's Field Research, 11th October, 2024). Ghana's economy could feel the effects of investor hesitation, as investors might see instability within ECOWAS as a risk factor. This could reduce

foreign direct investment in Ghana if economic integration appears less stable (Author's Field Research, 11th October, 2024). A decrease in trade between Ghana and former ECOWAS countries might raise prices for certain goods due to limited access or increased tariffs, which could affect the cost of living. An expert from the Ministry of trade and industry pointed out the implications of state's potential withdrawal from the ECOWAS and how it would affect the successful implementation of the ECOWAS free movement, particularly in the context of movement of agricultural imports from neighboring countries like Burkina Faso to Ghana. He stated that:

“...This will hinder the free movement of people and goods. There are common external tariffs that allow free movement of goods within ECOWAS states. If Ghana for instance import goods from Burkina Faso like onions or tomatoes, and if it was zero net, thus tax free, it will be cheaper. On the other hand, since they will no longer be bonded by ECOWAS, they are not going to enjoy certain freedoms and tariffs and may therefore be asked to pay tax which may also have effect on goods making goods expensive. This may also create food insecurity...” (Author's Field Research, 11th October, 2024).

The study revealed that, withdrawal from ECOWAS would limit Ghana's access to the common market, which currently facilitates the free flow of goods among member states. This would disrupt established trade relationships and logistical networks, potentially leading to increased costs and inefficiencies in the supply chain. ECOWAS has established common external tariffs that allow member states to import goods from each other without significant tariff barriers. This tariff-free movement encourages trade and makes goods more affordable. Thus if Ghana imports onions or tomatoes from Burkina Faso at a zero net tariff, these goods would be cheaper for consumers and businesses, fostering economic stability and food security. If a state is no longer part of ECOWAS, it may face tariffs on imports that it previously received tariff-free. This could lead to higher prices for goods, making it less competitive in the region and potentially increasing the cost of living for

consumers. The introduction of tariffs could also affect local producers by creating an uneven playing field, as imported goods could become more expensive than domestically produced alternatives. Higher costs for imported goods can lead to reduced availability and increased prices for essential items, contributing to food insecurity. This is especially critical in regions heavily reliant on imports for staple foods. Food insecurity may further exacerbate socioeconomic challenges, as households may struggle to afford basic necessities, leading to increased poverty and potential social unrest. This accession highlights the intricate relationship between trade agreements like ECOWAS and local economies. State's potential withdrawal from ECOWAS could lead to significant economic repercussions, including increased costs for goods, reduced access to essential imports, and heightened food insecurity. Policymakers must consider these implications carefully when making decisions about trade relationships and regional integration.

Moreover, the study revealed that, these countries in the region express displeasure with ECOWAS' response to the coups, particularly the threat of military intervention. This dissatisfaction has also contributed to their decision to distance themselves from traditional alliances. In reaction, these countries in the region are aligning more closely with Russia, relying on Russian support for protection and security instead of their historical Western allies (such as the US and European countries). A lecturer from the University of Ghana stressed on the effects on both the region and the broader international landscape of the breaking out of states from ECOWAS. He stated that:

"....They are saying they are dissatisfied with issues of political governance and the reaction of ECOWAS when the coup d'état took place in those countries. The fact that they were threatened with an invasion or a military response was why they took an exception to progressively decide to pull out and also to bring on board or to align themselves closely to the lives of Russia by relying on the Russian missionaries for their protection, security

protection, and also to drift away from their traditional allies. That in itself poses a new challenge in terms of the standing of the sub-region in global affairs. So, predominantly, Global North specifically is to talk about the West, that's the US, the European countries, and so on, have been traditional allies of the countries in the sub-region. So, this switch to Russia is bound to cause some problems and having the presence of Russian missionaries on the continent creates some geopolitical kind of tension between the West and the East. The West being allies that I talked about and the East being represented by Russia....."
(Author's Field Research, 16th October, 2024).

The study revealed that, the region's realignment with Russia disrupts the longstanding partnerships with the Global North, complicating the geopolitical landscape in Africa. This may intensify East-West rivalry on the continent, creating instability or affecting foreign relations, development aid, and security strategies in the region. This shift signals a reconfiguration of alliances in West Africa, posing potential economic, political, and security risks as global powers vie for influence. Nonetheless, if these states leave ECOWAS, it will be hard for Ghana to implement the ECOWAS protocol and Ghana could face security challenges at its borders if cooperation and intelligence-sharing decrease, particularly with countries where militant activity might increase.

4.5.4 The Emerging Challenges of the ECOWAS Identity Card

The ECOWAS biometric identity card, introduced in 2016, represents a significant step toward regional integration in West Africa (Kandilige et al., 2019; Lilleorg, 2015). This standardised card is intended to simplify cross-border travel within ECOWAS countries and eliminates the need for a residence permit for citizens choosing to live in other member states (Lilleorg, 2015). The advanced security features such as polycarbonate material, holograms, guilloche patterns, iridescent details, and UV printing enhance its reliability and resistance to fraud (Kandilige et al., 2019). However, the success of this initiative hinges on accurate citizen data collection, which

poses challenges since some member states may lack comprehensive databases (Lilleorg, 2015). This disparity in data quality can impact the production of these secure cards and the goal of uniformity in the ECOWAS region.

Nonetheless, Ghana has made an effort to implement this ECOWAS policy by tasking the National Identification Authority for ECOWAS Identity Card (commonly called Ghana card) registration, printing, and issuing (Parliament of Ghana, 2022). Ghana's national identification initiative aligns with ECOWAS protocol, which encourages participating states to create and adopt national ID systems to foster regional integration and enhance cross-border travel (Parliament of Ghana, 2022). The ECOWAS protocol on the right of entry, right of residence, and right of establishment requires a standardized identity document across member states to ease travel and economic activities within the region. The Ghana Card, for instance, is designed to comply with ECOWAS standards, meaning it can eventually serve as a regional travel document, reducing the need for passports when traveling within ECOWAS countries. This alignment helps promote smoother movement for Ghanaians and other ECOWAS citizens, contributing to the region's goal of greater economic and social integration (Parliament of Ghana, 2022).

The National Identification Authority (NIA) in Ghana faces several significant challenges in executing its task due to financial constraints, primarily stemming from inadequate and delayed funding. In 2022, the NIA proposed a budget of 326.7 million Ghana Cedis, but the Ministry of Finance capped it at 236 million, later reducing it to 118.6 million under emergency budget cuts (Parliament of Ghana, 2022). This reduction hindered the NIA's ability to carry out critical functions, such as registering Ghanaians in the diaspora and children under 15. The NIA also struggles with limited access to blank identification cards. Though there is an adequate supply in bonded warehouses, the financial situation prevents the Authority from acquiring and distributing

these cards to its 300 offices nationwide (Parliament of Ghana, 2022). As a temporary solution, the NIA has been de-whitelisting approximately one million cards for redistribution, though this measure is likely insufficient to meet long-term needs.

The situation is compounded by delays in government payments to IMS II, the private partner responsible for supplying the NIA with blank cards and consumables. These delays jeopardize the sustainability and efficiency of the National Identification System (NIS) project, affecting its ability to provide continuous registration services for Ghanaians domestically and abroad (Parliament of Ghana, 2022). The NIA has emphasized the urgency of addressing these financial and operational risks to secure the NIS project's viability. The National Identification Authority (NIA) also faces challenges with unreliable network connectivity in certain regions, which hampers the ability to print the ECOWAS Identity Card instantly. This connectivity issue limits efficient registration processes in areas with poor network coverage, further affecting the reach and accessibility of national ID services.

4.5.5 The increase in Illicit Trade and Transnational Organised Crimes through Informal Cross Border Trade

Unofficial international trade is another factor that causes disparity (Agyei & Clottey, 2007). This entails the illicit smuggling of commodities to neighboring nations for significant profit, such as gold, diamonds and cocoa by citizens of West Africa. The practice is made easier by the region's permeable borders and the cooperation of dishonest border guards. Unofficial cross-border trading benefits more than just individuals. Meagher (2005) points out that in 1988, gold and diamonds brought in \$150 and \$40 million to a nation like Togo, which has no mines. Numerous people are also involved in informal cross-border trade. According to Plunked and Stryker's (2002) estimation, 4-5 million women in a number of West African nations earned 80% of their revenue

from gathering, processing, and selling shea nuts and butter. The majority of ECOWAS member states approach the problem of informal cross-border trade in different ways. Border restrictions with strikers are among the most widely used. In many cases, lawmakers believe that tight border controls have a greater effect on limiting immigration than really occurs (Castles, 2004; Agyei & Clottey, 2007). Nonetheless, with increasing incidents of terrorism and cross-border crimes, Ghana faces challenges in balancing open borders with national security. The free movement protocol can inadvertently facilitate the movement of criminals, which raises security issues for Ghana.

4.5.6 Political Unrest and Terrorism

Recently, there has been political unrest and a democratic recession in the West African region. Six coups have occurred in the region since 2020 in nations like Mali, Guinea, Burkina Faso, and Niger (Enoch, 2024). The region's inadequate administration is a major factor in these unsettling coups. A large number of people in the area have lost faith in the ruling class and are unhappy with the way democracy functions in their nation. These disruptions have been difficult for the ECOWAS, a regional organization founded to advance economic integration and uphold peace and stability throughout West Africa. The region's peace and stability, as well as its democracy, are in jeopardy. The area has to solve when looking at the circumstances that led to the coups in these countries.

There are a rising number of electoral fraud or anomalies and frequent constitutional coups in the region (Enoch, 2024). The coup in Guinea was justified by President Conde's decision to change the constitution in order to run for a third term in the face of strong opposition and censure. In Mali, President Keita's government was overthrown as a result of contested legislative elections and a worsening security situation (Enoch, 2024). But they weren't the only offenders. Alhassan

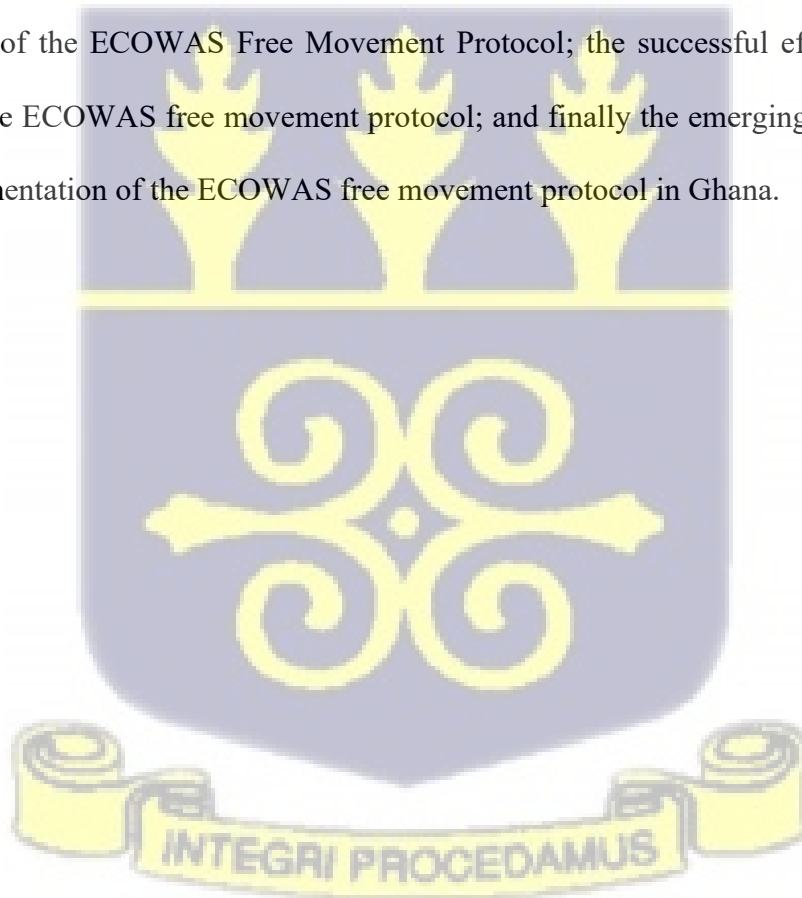
Quattara also changed the constitution in Côte d'Ivoire, enabling him to run for a third term in spite of opposition boycotts and public protests. Senegal's president also postponed the country's February 2024 election due to protests just a year ago; it was only rescheduled for March following strong opposition and a decision by the constitutional council.

Moreover, the leadership of ECOWAS is blatantly dishonest, and its deeds and inactions are undermining public confidence and deteriorating regional government (Enoch, 2024). The Commission has been under fire for failing to address colleagues who frequently violate their constitution, such as when military takeovers occur. As demonstrated in Guinea and Côte d'Ivoire, politicians who subvert their constitution through electoral fraud or constitutional revisions seldom face the same consequences from the commission, despite the fact that it is typically swift to denounce and punish leaders of military coups (Enoch, 2024). The pervasive insecurity that jeopardizes the region's peace and stability is the third reason for the governance to deteriorate. Political unrest, civil wars (Liberia, Sierra Leone, Guinea Bissau, Côte d'Ivoire), religious conflicts (Benin, Nigeria, Mali), or coups d'état (The Gambia, Niger, Togo, Guinea) have all historically caused instability in West Africa.

However, terrorism and the threat of violent extremism, especially in the Sahel (Mali, Niger, and Nigeria) and expanding to nations like Burkina Faso and Côte D'Ivoire, are currently the region's biggest security challenges. Ghana and other coastal nations are similarly terrified of terrorist attacks. The number of terror attacks in the area has increased by 400% during the last three years (Enoch, 2024). Almost 4,600 people died as a result of 1,800 terrorist assaults in the region in the first half of 2023 (Enoch, 2024). In nations like Burkina Faso and Mali, military takeovers have been justified by this declining security.

4.6. Conclusion

The ECOWAS Free Movement Protocol holds significant potential for economic and social integration within West Africa. However, these emerging challenges, particularly in Ghana, highlight the need for improved infrastructure, better coordination among member states, and a stronger push for public awareness. Addressing these issues is essential to realizing the full benefits of the protocol and fostering greater regional cooperation. Notwithstanding the flaws in the application of the ECOWAS Free Movement protocol, Ghana has made considerable progress and set up some great examples that other countries in the subregion can emulate. The chapter examined the evolution of the ECOWAS free movement protocol; the existing challenges of the implementation of the ECOWAS Free Movement Protocol; the successful efforts of Ghana in implementing the ECOWAS free movement protocol; and finally the emerging challenges to the effective implementation of the ECOWAS free movement protocol in Ghana.



CHAPTER FIVE

SUMMARY OF KEY FINDINGS CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter presents the sum up of key findings, conclusion of the study and some relevant policy recommendations that hopefully would contribute to the effective implementation of the ECOWAS free movement protocol.

5.2 Summary of Findings

5.2.1 The Evolution of the ECOWAS Free Movement Protocol

The Economic Community of West African States was founded in 1975, among other goals integrating the States and people of the region. The 1979 implementation of the Free Movement of Protocol served as the centerpiece instrument for regional integration. The Protocol has undergone several stages, starting with the unrestricted mobility of member state people within the region, their entitlement to settle anywhere in the region, and their ability to start businesses.

The ECOWAS treaty's Article 27 called for participating states to ensure that all obstacles to the free flow of people, capital, and goods are gradually removed, hence restating the need for economic cooperation (Paragraph 1 of Article 27).

In the first phase, For stays up to 90 days, community members with appropriate travel documents and an international health certificate would not require a visa to visit or exit ECOWAS countries.

The Second Phases phase aimed to grant Residents of the host ECOWAS states residency, which comprise the ability to look for and perform jobs that generate income, as long as they had secured an ECOWAS residence card or permission.

The third phase concentrated on facilitating business by granting Community residents the ability to create businesses (thus, access, conduct, and oversee economic activity) in ECOWAS nations other than their home country (ECOWAS, 2007).

5.2.2 The Existing Challenges of the Implementation of the ECOWAS Free Movement Protocol

The study revealed that the tension between national sovereignty and regional integration is a major obstacle for ECOWAS to achieve its goal of full free movement (Author's Field Research, 16th October, 2024). While ECOWAS seeks to encourage unrestricted travel within the area, political expediency, economic interests, and concerns over sovereignty are impeding full compliance with this directive.

The study identified several major challenges to the implementation of the ECOWAS Protocol on Free Movement. One key issue is that the Protocol allows member states to deny entry to community members who they prohibited by their own country's regulations from entering (Article 4).

Another obstacle is the difficulty in verifying the nationalities of travelers, as some lack valid travel documents.

Additionally, the study highlighted that Ghana's poor economic conditions and pressure from local populations hinder the effective implementation of the ECOWAS free movement protocol. These factors make low-skilled jobs unattractive for many migrants, as the benefits often fail to outweigh the effort involved (Teye et al., 2019). Economic hardships faced by citizens further fuel anti-migrant sentiments, leading to a lack of commitment from states to fully implement the ECOWAS Free Movement Protocols.

5.2.3 The Successful Efforts of Ghana in the Implementation of the ECOWAS Free Movement Protocol.

The study revealed that the Ghanaian government has endeavored to integrate the ECOWAS Free Movement Protocol's provisions, particularly those concerning the Right of Entry, migration governance, and policy formation, into its policy formulation processes (Teye et al. 2019).

The study revealed that people of Western African nations no longer need to hold a visa in order to enter Ghana for stays up to 90 days.

The study revealed that certain requirements are given to people of ECOWAS who want to enter, live, and establish themselves in Ghana by the Ghana Immigration Service Act.

The second phase's requirements have been implemented into Ghanaian national laws, enabling ECOWAS citizens to live and conduct business in Ghana. This involves examining immigration regulations to make it easier for ECOWAS citizens to live and work in Ghana. The Ghanaian government has expedited procedures for ECOWAS citizens to get residency permits.

ECOWAS citizens, like foreign immigrants, must apply for and be granted a residence permit or work permit if they intend to live and work in Ghana for a duration longer than ninety days (Awumbila et al., 2014:18).

The study revealed that Ghana has implemented the third phase steadily under the ECOWAS Free Movement Protocol. Even though Ghana has mostly concentrated on initiatives to facilitate skilled labor migration, it also let ECOWAS people to work there in general (Kandilige et al., 2019:18).

Ghana has incorporated aspects of the third phase into its domestic legislation, bringing labor and immigration regulations into compliance with the rights granted by the ECOWAS Protocol.

The study revealed that the government of Ghana has worked to streamline the company registration and permit application process for ECOWAS citizens. This involves lowering bureaucratic barriers to create an atmosphere that is more favorable for business.

Ghana has taken part in programs designed to encourage investment and commerce within the ECOWAS member states. As part of this, platforms for networking and accessing commercial possibilities within Ghana for entrepreneurs from ECOWAS are being created.

5.2.4 The Emerging Challenges to the Effective Implementation of the ECOWAS Free Movement Protocol in Ghana

As a result of the democratic reversals that have occurred in Burkina Faso, Guinea, Mali, and Niger during the last three years, it has been extremely difficult to guarantee that member states adhere to democratic norms.

The study revealed that the departure of certain states from the Economic Community of West African States (ECOWAS) could affect the successful implementation of the protocol especially for Ghana in several ways. ECOWAS promotes free trade within the region. If key trading partners leave, Ghana may face increased tariffs or barriers with those states, leading to reduced exports and imports, especially for goods commonly traded within ECOWAS

The closing of borders due to a coup significantly disrupts trade and the movement of goods. This indicates how political instability can have immediate economic repercussions, affecting not only the countries involved but also their neighbors.

The National Identification Authority (NIA) in Ghana faces several significant challenges in executing its task in respect to the registration, issuance and printing of ECOWAS Identity Card

commonly known as Ghana card due to financial constraints, primarily stemming from inadequate and delayed funding.

Informal cross-border trade is another factor that causes disparity (Agyei & Clottey, 2007:20). This entails the illicit smuggling of commodities to neighboring nations for significant profit, such as gold, diamonds and cocoa by citizens of West Africa.

5.3 Conclusions

The ECOWAS Free Movement Protocol has been a crucial part of West African regional integration. ECOWAS was founded in 1975 with the signing of the Treaty of Lagos, aiming to promote economic cooperation and integration among West African states. 1979 saw the adoption of the Protocol on the Free Movement. This was a landmark agreement as it aimed to eliminate barriers to people's movement across ECOWAS member states. It envisioned a gradual approach, broken down into three stages: Right of Entry: Right of Residence: and Right of Establishment.

Ghana has made significant strides in implementing the ECOWAS Free Movement Protocol, which targets to assist the free flow of products, services, and people within the Economic Community of West African States. Ghana has largely implemented a welcoming policy for ECOWAS citizens, allowing entry of up to 90 days without a visa. This policy aligns with the protocol's goals, encouraging ease of travel and cross-border trade within the region. Ghana's commitment to the protocol has fostered trade and business. By reducing barriers, many West African traders can easily move their goods in and out of Ghana, which has contributed significantly to Ghana's economy and increased trade within the ECOWAS region. Ghana has adopted and recognized the ECOWAS travel certificate and passport, which allow West Africans to travel across member countries with minimal documentation. This step has greatly simplified

travel for citizens, reducing administrative hurdles. However, there are several challenges impacting its effective implementation in Ghana.

The lack of standardized identification across ECOWAS states complicates the process. Many citizens do not have passports or ECOWAS ID cards, leading to difficulties in verifying identities at borders. Without consistent and accessible identification, full implementation of free movement is difficult to achieve. Economic imbalances among ECOWAS states also hinder the protocol's implementation. Citizens from lower-income countries may migrate in large numbers to more economically stable countries like Ghana, causing concern about job competition and pressure on local resources. Addressing these challenges requires stronger coordination within ECOWAS and collaborative measures to foster a safer and more integrated region.

5.4 Recommendations

The following recommendations are made for policy to help the effective implementation of the ECOWAS free movement protocol.

- ECOWAS should work on mechanisms to retain member states and encourage regional economic integration, as the departure of key states could lead to increased trade barriers.
- ECOWAS should negotiate transitional agreements to prevent trade disruptions should any state withdraw.
- ECOWAS should foster dialogue among member states to reach consensus on the balance between national sovereignty and regional integration.
- ECOWAS should work with national governments to enhance border monitoring and enforcement while promoting formal trade incentives to reduce informal cross-border trade and smuggling.

- ECOWAS should consider economic support initiatives that would bolster Ghana's ability to accommodate migrant workers and also help ease public concerns over competition for resources and reducing barriers to the protocol's implementation.



BIBLIOGRAPHY

Acharya, A. (2001), *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order*, London: Routledge.

Acharya, A. and Johnston, A. (eds.) (2007) *Crafting Cooperation. Regional International Institutions in Comparative Perspective*, London: Oxford University Press.

Adeniran, A. (2012). Regional integration in the ECOWAS region: Challenges and opportunities. African Portal Background Paper 19. <https://media.africaportal.org/documents/BackgrounderNo.19.pdf>

Adepoju A. 1998: *Linkages between Internal and International Migration: the African Experience*, UNESCO, Blackwell Publishers

Adepoju A., Boulton A. and Levin, M. (2007). *Promoting integration through mobility: Free movement under ECOWAS*. UN High Commissioner for Refugees (UNHCR)

Adepoju, A. (2005). *Creating a Borderless West Africa: Constraints and Prospects for Intra-Regional Migration*.

Adepoju, A. (2005). *Patterns of migration in West Africa*. In T. Manuh (ed.) *At Home in the World? International Migration and Development in Contemporary Ghana and West Africa* Accra: Sub-Saharan Publishers.

Adepoju, A., Boulton, A. and Levin, M. 2007. *Promoting integration through mobility: Free movement and the ECOWAS Protocol*. *New Issues in Refugee Research: Research Paper No 150*. Geneva: UNHCR.

Adepoju, A., Boulton, A., & Levin, M. (2010). *Promoting integration through mobility: Free movement under ECOWAS*. *Refugee Survey Quarterly*, 29(3), 120–144.

Adepoju, Aderanti (2015), *Operationalizing the ECOWAS Protocol on Free Movement of Persons: Prospects for Sub-Regional Trade and Development*, in: *The Palgrave Handbook of International Labour Migration*, London: Palgrave Macmillan, pp. 441-462.

Adetula, V. A. (2021). *Security and Regional Integration in West Africa: An Analysis of ECOWAS Protocols*.

Adjavon, J. 2013. *Trading activities of Chinese migrants in the central business district of Accra*. Unpublished MA (Migration Studies) Dissertation. Centre for Migration Studies, University of Ghana.

Adler, E. and Barnett, M. (eds.) (1998) *Security Communities*, Cambridge: Cambridge University Press.

Agwu , N. U ., Ogali , M. D. (2023). A Perception, Impact and Challenges of Ecowas Protocol on free Movement of Persons, Goods, Residence and Establishment. *J Huma Soci Scie*, 6(1): 25-32.

Agyei, J. & Clottey, E. (2007), Operationalizing ECOWAS Protocol on Free Movement of People among the Member States: Issues of Convergence, Divergence and Prospects for Sub-Regional Integration, in: *African Migrations Workshop: 'Understanding Migration Dynamics in the Continent'*, Accra: International Migration Institute, pp. 18-21.

Alabi, Abdullahi (2020). ECOWAS Protocol Implementation on Free Movement of Persons and Trade between Nigeria and Benin Republic: An Overview. Kwara State University, Malete, Nigeria.

Aning K. & Bjarnesen J. (2024). ECOWAS' Dilemma: Balancing Principles and Pragmatism. West Africa's regional bloc faces disintegration after failed sanctions against military regimes. NAI Policy Notes

Antwi-Boateng, O. (2022). COVID-19, Security, and the Future of ECOWAS Integration.

Armstrong, D., Bello, V., Gilson, J. and Spini, D. (eds.) (2010) *Civil Society and International Governance: The Role of Non-state Actors in Global and Regional Regulatory Frameworks*, London: Routledge.

Awumbila, M. (2014). *Facilitating Free Movement of Persons in West Africa: Achievements, Constraints, and Prospects for Intra-Regional Migration*.

Awumbila, M., Benneh, Y., Teye, J. K., & Atiim, G. (2014). *Across artificial borders: An assessment of labour migration in the ECOWAS region*. Brussels: ACP Observatory on Migration.

Awumbila, M., Teye, J., & Nikoi, E. (2018). *Assessment of the implementation of the ECOWAS free movement protocol in Ghana and Sierra Leone*. Migration and Development Civil Society Network. <https://www.madenetwork.org/sites/default/files/CMS%20research%20Guinea%20Sierra%20Leone%20WA%202018.pdf>

Awumbila, M., Y, Benneh, J.K. Teye, & G. Atiim (2014). *Across Artificial Borders: An Assessment of Labour Migration in the ECOWAS Region*. Brussels: ACP Observatory on Migration, http://publications.iom.int/system/files/pdf/ecowas_region.pdf

Baxtex, L. A. and Babbie E. R. (2004). *The basics of Communication Research*. Wadsworth /Thomson Learning.

Beam, David. 1998. "The Devolution." *New England Economic Review*, May/June: 48. Federal Reserve Bank of Boston.

- Bernier, P. (2012). "Devolution," in L. Côté and J.-F. Savard (eds.), *Encyclopedic Dictionary of Public Administration*, [online], www.dictionnaire.enap.ca
- Breslin, S., & Higgott, R. (2000). *Studying Regions: Learning from the Old, Constructing the New*. *New Political Economy*, 5(3), 333–352. <https://doi.org/10.1080/713687784>
- Buranelli, F. C., & Tskhay, A. (2019). *Regionalism*. International Studies Association and Oxford University Press.
- Buzan, B. and Waever, O. (2003) *Regions and Powers: The Structure of International Security*, Cambridge: Cambridge University Press.
- Cantori, L.J. and Spiegel, S.L. (1970) *The International Politics of Regions: a Comparative Framework*, Englewood Cliffs, NJ: Prentice Hall.
- Castles, R. (2014). *Issues and Recent Trends in International Migration in Sub-Saharan Africa*. London: Blackwell Publishers.
- ECOWAS (1993). *Revised ECOWAS Treaty*.
- ECOWAS 2006. *Status of Ratification of the ECOWAS Revised Treaty, Protocols and Conventions as at 28 March, 2007*. Abuja: ECOWAS Commission.
- ECOWAS 2007. *Meeting of the Trade, Customs and Free Movement of Persons Committee: Final Report*. 25-27 September 2007. Accra: ECOWAS Commission
- ECOWAS (2016) *ECOWAS at 40 an Assessment of Progress towards Regional Integration in West Africa*. United Nations Economic Commission For Africa.
- ECOWAS (2025). *Members of the ECOWAS: Economic Community of West African States*. World data info.
- Enoch, Randy Aikins (2024) *Can ECOWAS thrive amid poor governance? African Futures with AUDA-NEPAD*
- Farrell, M., Hettne, B. and van Langenhove, L. (eds) (2005) *The Global Politics of Regionalism. Theory and Practice*, London: Pluto Press.
- Fawcett, L. and Hurrell, A. (eds) (1995) *Regionalism in World Politics. Regional Organization and International Order*, Oxford: Oxford University Press.
- Garba F. and Yeboah T. (2022) *Free Movement and Regional Integration in the ECOWAS Sub-Region*. Teye J. K. (ed.), *Migration in West Africa*, IMISCOE Research Series.
- Ghana Immigration Act, 2000 (ACT 573)

Ghana Investment Promotion Centre (2017). Doing business in Ghana. Accra: GIPC

Ghana Statistical Service. (2010). 2010 Population and Housing Census, Summary Report of Final results. Accra: Ghana Statistical Service.

GoG (2020) National Labour Migration Policy 2020-2024. Ministry of Employment and Labour Relations. Available at <https://cms.ug.edu.gh/sites/cms.ug.edu.gh/files/National%20Labour%20Migration%20Policy%20pdd>

Hettne, B. (1999). Globalization and the New Regionalism: The Second Great Transformation. In B. Hettne, A. Inotai, & O. Sunkel (Eds.), Globalism and the New Regionalism. Macmillan.

Hettne, B. (2003) 'The New Regionalism Revisited', in F. Söderbaum and Shaw, T. M. (eds) Theories of New Regionalism: A Palgrave Reader, Basingstoke: Palgrave.

Hettne, B. (2005) 'Beyond the "New" Regionalism', New Political Economy, 10:543-72. Hettne, B. and Söderbaum, F. (2000) 'Theorising the Rise of Regionness', New Political Economy, 5:457-74

Hurrell, A. (1995). Regionalism in Theoretical Perspective. In L. Fawcett & A. Hurrell (Eds.), Regionalism in World Politics: Regional Organization and International Order. Oxford University Press.

ICMPD and IOM (2015). A Survey on Migration Policies in West Africa, http://publications.iom.int/system/files/pdf/survey_west_africa_en.pdf

Kandilige L., Teye J., Talleraas C. and Gopsill A. (2019) National and International Migration Policy in Ghana. Effext Background Paper

Katzenstein, P.J. (2005) A World of Regions: Asia and Europe in the American Imperium, Cornell University Press: Ithaca, N.Y.

Kincaid John 1995. "Values and Value Tradeoffs in Federalism." Publius: The Journal of Federalism, vol. 26, no. 2 (Spring)

Kothari, C.R. (2004). Research Methodology: Methods and Techniques. 2nd Edition, New Age International Publishers, New Delhi.

Laursen, F (ed) (2003) Comparative Regional Integration. Theoretical Perspectives, Aldershot: Ashgate.

Laursen, F. (ed) (2010) Comparative Regional Integration: Europe and Beyond, Aldershot: Ashgate.

Lilleorg Kristiina (2015) West Africa Moves Towards Biometric Identity Cards. IOM Nigeria

Lindolf, T. R. and Taylor, B. C. (2002). *Qualitative Communication Research Methods*. Thousand Oaks, CA: Sage.

Mansfield, E. D. and Milner, H. V. (eds) (1997) *The Political Economy of Regionalism*, New York: Colombia University Press.

Manuh, T. (2005). *At home in the world? International migration and development in contemporary Ghana and West Africa*. Sub-Saharan Publishers.

Mattli, W. (1999) *The Logic of Regional Integration. Europe and Beyond*, Cambridge: Cambridge University Press.

Mensah Kent (2025) *Ghana approves visa-free travel for all African passport holders*. The Africa Report.

Mitrany, D. and Haas, E. (1993) in Viotti and Kauppi (ed.) *International Relations Theory*. Second edition. Macmillan Publishers.

Ndiaye, O. (2020). *Challenges to the Implementation of ECOWAS Protocols on Free Movement in West Africa*.

Ndiaye, O. (2020). *Challenges to the Implementation of ECOWAS Protocols on Free Movement in West Africa*.

Nelly, Robin (2009). *ECOWAS, an Area of Free Movement and First Border Post for the Schengen Area*. West African Studies – Regional Challenges of West African Migration. OECD.

Neumann, I.B. (2003), ‘The Region-building Approach’, in F. Söderbaum and Shaw, T. M., (eds.) *Theories of New Regionalism*. A Palgrave Reader, Palgrave Macmillan.

Nye, J. S. (1968). *International Regionalism: Readings*. Boston: Little, Brown and Company.

Ogbonna E. Chijioke, Aluko Bayode and Awuah Kofi (2013). *The ECOWAS Platform and the Persisting Challenges of Integrating the West African Region: A Discourse*. Journal of Economics and Sustainable Development.

Ogbonna, E. C and Ogundiwin O. A. 2012. “Thirty Six Years of Economic Integration Effort in West Africa: ECOWAS in Perspective”. *International Journal of Management Science*, Vol. 5, No. 1, June 2012, Pp 218 – 228

Onwuka, R. L (1982) *The Ecowas Protocol On The Free Movement Of Persons: A Threat To Nigerian Security?* African Affairs: the Journal of the Royal Africa Society. Downloaded from <https://academic.oup.com/afraf/article/81/323/193/98909>

Parliament of Ghana (2022). Report of the Committee of the Whole on the Status of Registration, Printing, and Issuance of the ECOWAS Identity Card (Ghana Card) and its challenges. In the second section of the second meeting of the 8th Parliament of the 4th Republic of Ghana.

PSC Report (2025). Enhancing PSC-ECOWAS collaboration to counteract challenges. PSC Insights

Rosamond, B. (2000) Theories of European Integration, Basingstoke: Palgrave Macmillan.

Soderbaum Fredrik (2011) Theories of Regionalism. Chapter to The Routledge Handbook of Asian Regionalism, Second and final version, submitted 2011

Soderbaum, F. (2003) 'Introduction: Theories of New Regionalism', in F. Soderbaum and Shaw, T. M. (eds), Theories of New Regionalism. A Palgrave Reader, Basingstoke: Palgrave.

Soderbaum, F. (2004) The Political Economy of Regionalism. The Case of Southern Africa, Basingstoke: Palgrave Macmillan.

Suleiman, Muhammad Reza. (2024) Comparative Analysis of Free Movement Initiatives in ASEAN and ECOWAS: Achievements, Challenges, and Prospects . London : Adonis & Abbey Publishers ., Journal of African Union Studies, Vol. 13, No. 1, 2024, pp. 91–112 - Available at: <https://library.au.int/comparative-analysis-free-movement-initiatives-asean-and-ecowas-achievements-challenges-and>

Teye, J. K & Asima, P (2017). Assessment of the potential benefits and challenges of waiving/reducing work permit fees for skilled professionals within the countries participating in the Intra-African Talent Mobility partnership programme in West Africa. Accra: ACET

Teye, J. K. (2022) Migration in West Africa. Centre for Migration Studies University of Ghana Legon, Ghana. MISCOE Regional Reader.

Teye, J. K., Awumbila, M. and Benneh, Y. 2015. Intra-regional migration in the ECOWAS region: Trends and emerging challenges. In Akoutou, A.B., Sohn, R., Vogl, M. and Yeboah, D. (Eds). Migration and civil society as development drivers – A regional perspective. Bonn: Zei Centre for European Integration Studies.

Teye, J. K., Awumbila, M. and Nikoi E. (2019). Ambiguity and Symbolism in the Implementation of the ECOWAS Free Movement Protocol: Evidence from Ghana and Sierra Leone. African Human Mobility Review, Vol. 5, No. 2

Teye, J. K., Awumbila, M., & Benneh, Y. (2015). Intra-regional migration in the ECOWAS region: Trends and emerging challenges. In A., B. Akoutou, R. Sohn, M. Vogl & D. Yeboah (Eds), Migration and Civil Society as Development Drivers - A Regional Perspective (pp. 97-124). Bonn: Zei Centre for European Integration Studies.

Teye, J. K., Awumbila, M., & Benneh, Y. (2015). Intra-regional migration in the ECOWAS region: Trends and emerging challenges. In A., B. Akoutou, R. Sohn, M. Vogl & D. Yeboah (Eds), *Migration and Civil Society as Development Drivers - A Regional Perspective* (pp. 97-124). Bonn: Zei Centre for European Integration Studies.

Teye, J. K., Awumbila, M., & Nikoi E. (2019) *Ambiguity and Symbolism in the Implementation of the ECOWAS Free Movement Protocol: Evidence from Ghana and Sierra Leone*. Centre for Migration Studies, University of Ghana.

Teye, J. K., Boakye-Yiadom, L., Asiedu, E., Awumbila, M., & Appiah Kubi, J. W. (2019) *Changing Patterns of Migration and Remittances: A Case Study of Rural Ghana*.

Udeoji Ebele Angela (2013) *The Ecowas Protocol on the Free Movement Of Persons, Residence and the Right of Establishment: Theory and the Practice*. Department of Political Science Faculty of Social Sciences National open University of Nigeria 91 Cadastral Zone Nnamdi Azikiwe Express Way. Jabi, Abuja.

United Nations (2006). *World Economic and Social Survey 2006*. Department of Economic and Social Affairs, New York.

van Langenhove, L. (2011) *Building Regions, Regionalization of World Order*, Ashgate: Aldershot.

Wallace, A. Ruth & Wolf A. (2006). *Contemporary Sociological Theory*, New Jersey, Pearson Education.

Warleigh-Lack, A. and Rosamond, B. (2010) 'Across the EU Studies–New Regionalism Frontier: Invitation to a Dialogue', *Journal of Common Market Studies*, 48: 993-1013.

Wiener, A and Diez, T. (eds) (2009) *European Integration Theory*, 2nd edition, Oxford: Oxford University Press.

World Bank. (2020). *Addressing youth unemployment in Ghana needs urgent action*. World Bank.

Yaro, J.A. 2008. *Migration in West Africa: Patterns, issues and challenges*. Unpublished paper. University of Ghana

Yeboah, T., Kandilige, L., Bisong, A., Garba, F., & Kofi Teye, J. (2021). The ECOWAS Free Movement Protocol and Diversity of Experiences of Different Categories of Migrants: A Qualitative Study. *International Migration*, 59(3), 228-244. <https://doi.org/10.1111/imig.12766>

Yendaw, E. (2019). Understanding the implications of migrant retail trading in Ghana: A stakeholder perspective *Ghana Journal of Development Studies*, 16(2), 220240.

APPENDIX 1

INTERVIEW GUIDE FOR RESPONDENTS

Purpose of this Study: The study is undertaken to examine the emerging challenges to the effective implementation of the ECOWAS free movement protocol in Ghana. The study is in partial fulfilment of the requirements for the award of the Master of Art Degree in Migration studies. The result of the study is for research purposes and your responses will be treated with confidentiality, therefore, do not hesitate to share your sincere opinion on the questions. It is not compulsory to answer any question that you feel uncomfortable to answer. I appreciate your time and support for the completion of the study.

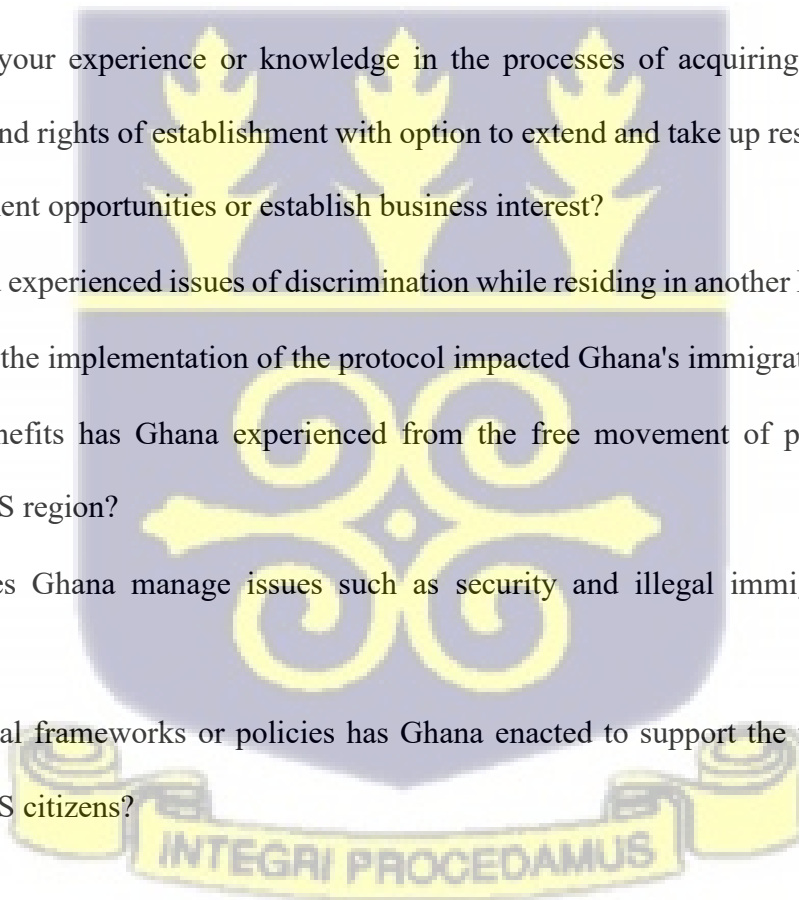
THE EVOLUTION OF THE ECOWAS FREE MOVEMENT PROTOCOL

- What is the ECOWAS Free Movement Protocol?
- What are the three phases of the ECOWAS free movement protocol?
- How does the ECOWAS Free Movement Protocol impact member states economically and socially?
- How does the ECOWAS Free Movement Protocol promote regional integration and cooperation?
- How do member states collaborate to ensure security and manage migration flows under the Protocol?

THE SUCCESSFUL EFFORTS OF GHANA IN IMPLEMENTING THE ECOWAS FREE MOVEMENT PROTOCOL.

- What steps has Ghana taken to implement each of the three phases of the ECOWAS Free Movement Protocol?

- To what extent has Ghana implemented the First Phase of the ECOWAS Free Movement Protocol?
- To what extent has Ghana implemented the Second Phase of the ECOWAS Free Movement Protocol?
- To what extent has Ghana implemented the Third Phase of the ECOWAS Free Movement Protocol?
- What is your experience in border crossing?
- What is your experience or knowledge in the entry requirements and length of stay in the ECOWAS free movement protocol?
- What is your experience or knowledge in the processes of acquiring work or resident permits and rights of establishment with option to extend and take up residence and access employment opportunities or establish business interest?
- Have you experienced issues of discrimination while residing in another ECOWAS nation?
- How has the implementation of the protocol impacted Ghana's immigration policies?
- What benefits has Ghana experienced from the free movement of persons within the ECOWAS region?
- How does Ghana manage issues such as security and illegal immigration under the protocol?
- What legal frameworks or policies has Ghana enacted to support the free movement of ECOWAS citizens?



THE CHALLENGES THAT HINDER THE EFFECTIVE IMPLEMENTATION OF THE ECOWAS FREE MOVEMENT PROTOCOL

- What are the existing challenges of the implementation of the ECOWAS free movement protocol?
- What are the emerging challenges facing the ECOWAS free movement protocol?
- What are the economic implications of the challenges facing the ECOWAS free movement protocol?
- What recommendations can be made to improve the ECOWAS Free Movement Protocol?

