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## Migration Crisis in West Africa: Limits and Prospects of Political Regulation

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**Abstract.** The study examines the limits and prospects of political regulation of the migration crisis in West Africa. The authors characterize the migration situation in the countries of the region, analyze the available political instruments of the Economic Community of West African States (ECOWAS) that facilitate the migration processes in the region. Furthermore, the efficacy of these instruments in addressing the growing number of refugees and internally displaced persons (IDPs), which could potentially precipitate a humanitarian crisis, is evaluated. The analysis of the migration situation in West Africa is based on an extensive statistical database that provides the information on the number and structure of migrants, including refugees and IDPs, as well as on the direction of migration flows. Special attention is paid to the instruments of political regulation of migration processes available to ECOWAS, and the analysis is based on international legal documents (protocols, declarations, agreements, etc.), which constitute the core of the regional migration policy. The intensification of forced migrations in West Africa, provoked by interrelated and aggravating threats, including armed conflicts and natural disasters, has resulted in a significant migration crisis in the region. The analysis of the legal framework of migration policy at the ECOWAS level reveals that this international organization is responding quite quickly to the massive increase in the number of refugees and IDPs. The ECOWAS migration policy is distinguished by a high level of elaboration, taking into account all the main provisions of regional and global agreements regulating migration issues. Despite its progressive nature, the migration policy of the organization is not flawless since it pursues conflicting sets of tasks, namely integration and securitization. The first set of tasks is aimed at ensuring the economic integration of West African countries, which implies an increase in population mobility. The second set of tasks is aimed at strengthening the control over migration flows and encapsulating them within the region. At the same time, the ECOWAS migration policy does not contain a sufficient number of specific mechanisms for overcoming migration crises. The lack of financial and human resources in the countries of West Africa determines the high level of involvement of international organizations in the development of the migration policy of ECOWAS. The example of the Rabat Process, whose development is strongly influenced by the European Union (EU), illustrates that a number of external political actors are more interested in encapsulating the migration crisis in West Africa than in solving it. In other words, the potential of ECOWAS is being used by external political actors to achieve the goals of their own migration policies. In the future, this could lead to an escalation of conflicts in West Africa, provoking an even larger migration crisis and promoting inter-regional disagreements.

**Key words:** ECOWAS, internally displaced persons, migration policy, political regulation of migration, Rabat process, refugees

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## Миграционный кризис в Западной Африке: ограничения и перспективы политического регулирования

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**Аннотация.** Рассматриваются ограничения и перспективы политического регулирования миграционного кризиса в Западной Африке. Охарактеризована миграционная ситуация в странах региона, проанализированы имеющиеся политические инструменты Экономического сообщества стран Западной Африки (ЭКОВАС) для регулирования миграционных процессов и дана оценка их эффективности в решении проблемы беженцев и внутренне перемещенных лиц (ВПЛ), угрожающей гуманитарной катастрофой для государств региона. Анализ миграционной ситуации в Западной Африке опирается на статистическую базу данных о численности и структуре мигрантов, а также о направленности миграционных потоков. Особое внимание уделено инструментам политического регулирования миграционных процессов со стороны ЭКОВАС, изучение которых опирается на международные правовые документы (декларации, соглашения и т. д.), составляющие основу миграционной политики на региональном уровне. Интенсификация вынужденных миграций в Западной Африке, спровоцированная взаимосвязанными и усугубляющими угрозами, к которым относятся вооруженные конфликты и природные бедствия, привела к миграционному кризису в регионе. Анализ правовой базы на уровне ЭКОВАС свидетельствует о том, что эта международная организация достаточно оперативно реагирует на масштабный рост числа беженцев и ВПЛ. Миграционная политика ЭКОВАС отличается высоким уровнем проработки, учитывает все основные положения региональных и глобальных соглашений, регламентирующих вопросы миграции. Несмотря на прогрессивный характер, миграционная политика организации не лишена недостатков, поскольку она преследует противоречащие друг другу группы задачи — интеграцию и секьюритизацию. Первая группа задач призвана обеспечить экономическую интеграцию стран Западной Африки за счет обеспечения роста мобильности населения, вторая — направлена на усиление контроля за миграционными потоками и их капсулизацию внутри региона. Вместе с тем в миграционной политике ЭКОВАС отсутствует достаточное количество конкретных механизмов преодоления миграционных кризисов. Нехватка финансовых и кадровых ресурсов государств Западной Африки определяет высокий уровень вовлеченности в миграционную политику ЭКОВАС иных международных организаций. На примере Рабатского процесса, развитие которого во многом диктуется Европейским союзом (ЕС), показано, что ряд внешних политических акторов заинтересован не столько в разрешении миграционного кризиса в Западной Африке, сколько в его капсулизации, а потенциал ЭКОВАС используется ими для достижения целей собственной миграционной политики. В перспективе это может привести к эскалации конфликтов в Западной Африке и спровоцировать еще более масштабный миграционный кризис.

**Ключевые слова:** беженцы, внутренне перемещенные лица, миграционная политика, политическое регулирование миграций, Рабатский процесс, ЭКОВАС

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### Introduction

In the second half of the 20th century, because of the anti-colonial struggles, numerous

independent African countries emerged on the political map of the world. The populations of most of these countries were characterized by an

extremely high level of ethno-religious diversity, which complicated the processes of establishing their post-colonial state institutions. Moreover, power struggles among ethnic and religious communities have given rise to deep-seated societal contradictions that remain unresolved to the present day. These contradictions have contributed significantly to the development of separatist and secessionist movements in Africa and have also helped to proliferate terrorist organizations seeking to gain control over large areas of the continent. This issue is particularly acute in West Africa, a region where two distinct conflict zones have emerged: the Sahel-Saharan corridor and the Lake Chad Basin area. Numerous radical groups operate within these zones (Zakharov & Dmitriev, 2021).

The intensification of conflicts in West African countries, which began in the late 20th and early 21st centuries, has led to an increase in the flow of forced migrants and refugees both within the region and from West African states to other countries in Africa and the rest of the world (Abramova, 2009). The magnitude of these migration flows, along with the significant socio-economic, humanitarian, and political consequences of large-scale population displacement, has given rise to a migration crisis in West Africa.

Cooperation between the countries of the region through the Economic Community of West African States (ECOWAS) plays an important role in mitigating the negative effects of the crisis. Since its establishment in 1975, ECOWAS has sought to strengthen integration processes in the region with the aim of developing the economic potential of West African countries. ECOWAS has always devoted considerable attention to the political regulation of migration processes, the harmonization of migration policies, and the formation of a unified position on the issue of illegal migration and human trafficking among its member states. Currently, ECOWAS consists of 15 out of the 16 West African countries<sup>1</sup>: Benin, Burkina Faso,

<sup>1</sup> Membership of 3 States suspended due to the internal political situation: from 30 May 2021 — Mali; from 28 January 2022 — Burkina Faso, from 8 September 2022 — Niger.

Cape Verde, Gambia, Ghana, Guinea, Guinea-Bissau, Côte d'Ivoire, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

To assess the scale of the migration crisis faced by West African countries and to identify the limits and prospects for its political regulation, this study relies on three sources:

1) statistical data on the number and structure of migrants,<sup>2</sup> including refugees and internally displaced persons (IDPs),<sup>3</sup> as well as the scale, structure, and direction of migration flows in ECOWAS countries,<sup>4</sup> and information on the localization and features of conflicts in West African countries;<sup>5</sup>

2) international legal documents (protocols, declarations, agreements, etc.) that form the basis of migration policy at the ECOWAS level;

3) theoretical works on migration (Abramova, 2009; Gorokhov, Agafoshin & Dmitriev, 2020; Ryazantsev, 2021; Flahaux & de Haas, 2016; Idemudia & Boehnke, 2020, pp. 15–31; Teye, 2022), particularly focusing on issues of legal regulation of migration processes in the context of migration crises (Lebedeva, 2010; Kulkova, 2016; Pagani, 2021; Adamson & Tsourapas, 2019; Aniche, Iwuoha & Isike, 2022; Bisong, 2019; Garba & Yeboah, 2022; Reslow & Vink, 2015).

Based on the aforementioned sources, this study provides an overview of the migration situation in West African countries, analyzes the existing political instruments of ECOWAS for regulating migration processes, and assesses their effectiveness in addressing the refugee and IDPs issue, which poses a humanitarian catastrophe for the region's states.

<sup>2</sup> International Migrant Stock // United Nations Department of Economic and Social Affairs, Population Division. 2020. URL: <https://www.un.org/development/desa/pd/content/international-migrant-stock> (accessed: 11.06.2023).

<sup>3</sup> UNHCR's Refugee Population Statistics Database // UNHCR. URL: <https://www.unhcr.org/refugee-statistics> (accessed: 11.06.2023).

<sup>4</sup> Displacement Tracking Matrix // International Organization for Migration. URL: <https://dtm.iom.int> (accessed: 11.06.2023).

<sup>5</sup> Africa 1997 — Present (Data Through December 2022) // ACLED. URL: <https://www.acledata.com/download/2909/> (accessed: 11.06.2023).

## The Causes of the Migration Crisis in West Africa

The causes of the migration crisis in West Africa can be attributed to a combination of complex factors of a social, economic, political, and cultural-civilizational nature. Since gaining independence, the countries of West Africa have demonstrated extremely low levels of socio-economic development. According to the United Nations (UN) experts, seven out of the 15 ECOWAS countries are classified as the least developed countries in the world: Benin, Burkina Faso, Gambia, Guinea-Bissau, Liberia, Mali, Niger, Senegal, Sierra Leone, and Togo.<sup>6</sup> Since the 1990s, the region has faced a series of conflicts, civil wars, state coups, natural disasters, and other upheavals, which have significantly increased the number of IDPs and refugees both within and outside the region (Kommegni Fongang, 2019).

One of the key reasons for the migration crisis in West Africa is climate change, which has led to processes of extensive desertification. The southward advancement of the Sahara exacerbates problems related to agriculture, food security, and water supply in the region, particularly affecting the Sahel countries.<sup>7</sup> However, the consequences of drought are also felt by countries located farther away from its epicenter, forcing a significant portion of the region's predominantly agricultural population to leave their homes in search of food and water (Ksenofontova & Grishina, 2019; Teye & Nikoi, 2022). For instance, in 2018, the mass migration of Fulani pastoral nomads to southern Nigeria resulted in land conflicts, further escalating the confrontation between the Christian South and the Muslim North in the country (Zakharov & Dmitriev, 2021). In the face of deteriorating living conditions, social tension increases, often leading to conflicts, which in turn contribute to the growing number of refugees and IDPs,

<sup>6</sup> UN List of Least Developed Countries // UNCTAD. URL: <https://unctad.org/topic/least-developed-countries/list> (accessed: 11.06.2023).

<sup>7</sup> Among ECOWAS countries Senegal, Burkina Faso, Mali, Niger, and Nigeria are in the Sahel region.

intensifying migration flows in West Africa and neighboring regions (Abel et al., 2019).

As indicated by the Armed Conflict Location and Event Data (ACLED), between 1997 and 2022, the region experienced about 22,000 conflicts of a clearly violent nature (such as armed clashes or terrorist acts), resulting in more than 100,000 deaths. The most conflict-prone situation in the region has emerged in Nigeria, accounting for almost half of the total number of conflicts and over 70% of the casualties in West Africa. In recent years, the activities of extremist organizations have spread more actively to neighboring countries, such as Mali, Niger, Burkina Faso, among others (Zakharov & Dmitriev, 2021; Issaev, Korotayev & Bobarykina, 2022). The main actors in these conflicts are Boko Haram, Al-Qaeda in the Islamic Maghreb,<sup>8</sup> Islamic Front for Liberation, and other terrorist groups, which have demonstrated the ability to control extensive territories, partially assuming state functions within them (Fituni, 2015).

The increased activity of Islamist extremist organizations has largely been made possible due to the weakness of state institutions in West African countries, where civil conflicts and military coups have become a norm of political life.<sup>9</sup> For example, within just 18 months — from August 2020 to January 2022 — military coups occurred in three countries of the West African region (Mali, Guinea, and Burkina Faso), with Mali experiencing two coups during this period. Frequent violent changes in power further

<sup>8</sup> Hereinafter, an organization included in the Unified Federal List of Organizations, containing foreign and international organizations, recognized as terrorist in accordance with the legislation of the Russian Federation is mentioned.

<sup>9</sup> See: Giroux J., Lanz D., Sguaitamatti D. The Tormented Triangle: The Regionalisation of Conflict in Sudan, Chad and the Central African Republic // Crisis States Research Centre Working Papers Series. No 2. 2009. P. 2–24. URL: <https://eprints.lse.ac.uk/28497/1/WP47.2.pdf> (accessed: 11.06.2023); Walther O., Retaillé D. Sahara or Sahel? The Fuzzy Geography of Terrorism in West Africa // CEPS/INSTEAD Working Papers. 2010. No. 2010–35. P. 1–17. URL: <http://dx.doi.org/10.2139/ssrn.1803996> (accessed: 11.06.2023). See also: (Sidorova, 2022).

destabilize the political and economic situation in West Africa, exacerbating the escalation of Islamist extremism, humanitarian and economic crises, ultimately leading to large-scale displacement of population.

### **The Scale of the Migration Crisis in West Africa**

West Africa is distinguished by relatively high levels of population mobility. By 2020, the region was home to over 7.5 million international migrants, the majority of whom (92.1%) were from the same region. The largest numbers of migrants resided in Côte d'Ivoire (2.6 million), Nigeria (1.3 million), Burkina Faso (0.7 million), Mali and Ghana (0.5 million) and Niger (0.3 million).<sup>10</sup>

The complexity of the migration situation lies in the fact that over 30% of international migrants in the region belong to the most vulnerable groups, such as refugees, asylum seekers, and stateless individuals. The distribution of these categories of displaced persons across the countries of the region is linked to the specific patterns of their movements, which take place along three main international routes:

1) *The West African route*, through which refugees and other categories of migrants travel by sea to the Canary Islands, starting from Mauritania, Senegal, Gambia, Guinea-Bissau, Guinea, and other countries;

2) *The West Mediterranean route*, which facilitates the migration of people from countries in West Africa (primarily Mauritania, Mali, Niger, Burkina Faso, and Côte d'Ivoire) through the Strait of Gibraltar to Spain and further to other European countries;

3) *The Central Mediterranean route* is used by refugees travelling through Mali, Niger, then to Libya and across the Mediterranean Sea to Italy and other European countries. This route is

particularly popular for refugees from Nigeria, Niger, and neighboring states.<sup>11</sup>

In addition to international routes, there is a network of migration corridors in West Africa, which contribute to the unity of the region's migration system.<sup>12</sup> The most significant are two migration corridors that run latitudinally: the first links Abidjan (Côte d'Ivoire), Accra (Ghana), Lomé (Togo), Porto-Novo (Benin), Lagos and Abuja (Nigeria); the second links Dakar (Senegal), Bamako (Mali), Bobo-Dioulasso and Ouagadougou (Burkina Faso), Niamey and Agadez (Niger). The substantial flow of refugees through these corridors means that the majority of migrants are concentrated within the Sahel countries, primarily Niger, Mali, Mauritania and Nigeria, the demographic giant of West Africa.

In 2022, more than 90% of the 653,900 refugees and asylum seekers were accounted for by four West African countries: Niger, Mauritania, Mali, and Nigeria, which indicates an exacerbation of the migration crisis in the region (Table 1). Niger hosted 306,800 forced migrants, accounting for 47% of their total number in West Africa, primarily from Nigeria (66.3% of the refugees in the country) and Mali (20.5%), etc. In Mauritania, their number reached 118,700, constituting 18.2% of their total in the region, the overwhelming majority of whom came from Mali (75%) and Western Sahara (22%). The number of forced migrants in Mali reached 53,500, accounting for 8.2% of their total, primarily from Burkina Faso (41.2%), Mauritania (27.9%) and Niger (25.4%). Nigeria hosted 84,400 refugees and asylum seekers, representing 12.9% of their total in the region, mainly from Cameroon (92.8%).

The migration crisis in West Africa is largely driven by the high number of IDPs, who, in the event of worsening socio-economic conditions and escalating violence in the region, may become refugees.

<sup>10</sup> International Migrant Stock // United Nations Department of Economic and Social Affairs, Population Division. 2020. URL: <https://www.un.org/development/desa/pd/content/international-migrant-stock> (accessed: 11.06.2023).

<sup>11</sup> Migratory Map // Frontex. URL: <https://frontex.europa.eu/we-know/migratory-map/> (accessed: 11.06.2023).

<sup>12</sup> Regional Mobility Mapping. West and Central Africa // International Organization for Migration. January 2022. URL: <https://dtm.iom.int/reports> (accessed: 11.06.2023).

Table 1

**Number of refugees, asylum seekers, and internally displaced persons (IDPs)  
by country in West Africa, 2022, in thousands of people**

Country	Refugees received	Asylum seekers received	Refugees sent	Asylum seekers sent	IDPs
Nigeria	82.8	1.6	400.6	88.1	3098.4
Burkina Faso	27.0	7.5	23.3	5.6	1902.2
Niger	290.3	16.5	56.3	3.8	264.3
Mali	52.7	0.8	183.4	24.3	350.1
Mauritania	114.1	4.6	36.8	8.4	0.0
Senegal	11.8	0.3	13.8	18.9	0.0
Togo	10.5	0.7	7.4	2.8	0.0
Ghana	7.0	1.6	14.9	9.5	0.0
Côte d'Ivoire	5.6	0.2	29.6	22.0	0.0
Liberia	3.3	1.4	5.4	3.1	0.1
Gambia	4.4	0.2	11.3	5.1	0.0
Guinea	4.4	0.1	36.0	25.2	0.1
Benin	1.8	0.6	0.7	1.4	0.0
Guinea-Bissau	1.8	0.0	2.0	2.5	0.0
Sierra Leone	0.3	0.0	7.0	5.8	0.0
Cape Verde	0.0	0.0	0.0	0.3	0.0
<b>Total</b>	<b>617.8</b>	<b>36.1</b>	<b>828.5</b>	<b>226.5</b>	<b>5615.1</b>

Source: compiled by I.A. Zakharov, M.M. Agafoshin and S.A. Gorokhov on the basis of: UNHCR Refugee Data Finder. URL: <https://www.unhcr.org/refugee-statistics> (accessed: 11.06.2023); Displacement Tracking Matrix. URL: <https://dtm.iom.int> (accessed: 11.06.2023).

The total number of IDPs in 2022 amounted to over 5.6 million people, which is 8.5 times larger than the number of refugees hosted in West Africa. Almost all IDPs are concentrated within four countries: Nigeria, Burkina Faso, Mali, and Mauritania. The most challenging situation is observed in Nigeria, where nearly 3.1 million people have been forced to leave their places of permanent residence, and in Burkina Faso, where the number exceeds 1.9 million people. It is worth noting the situation in Côte d'Ivoire, where over 1.6 million stateless individuals reside, primarily agricultural workers and their descendants from Burkina Faso, as well as other countries in the region, engaged in cocoa plantations. The high number of stateless people in the country is linked to the restrictive nature of Ivorian legislation on the acquisition of nationality. Although the government of this country is taking steps to address this situation, the Ivorian government still favors citizenship by inheritance. For instance, the naturalization of foreigners, regulated by Articles 25–33 of the Civil Code of Côte d'Ivoire, requires the applicant to demonstrate

permanent residence in the country and undergo an examination to assess the applicant's morality and 'uprightness' of their life (*être reconnu après enquête de bonnes vie et moeurs* in French). Additionally, the applicant must not be deemed a burden or a threat to the security of Ivorian society. Furthermore, elements of discrimination based on gender persist in this sphere (Articles 45.1, 56).<sup>13</sup>

All these factors enable the government to hinder 'undesirable' foreigners from acquiring Ivorian citizenship. Thus, the massive influx of refugees and asylum seekers, as well as the increasing number of IDPs, place a significant burden on social infrastructure and governmental

<sup>13</sup> See: Diaha-Yao P.A. Rapport sur le Droit de la Nationalité: Côte d'Ivoire. Country Report. 2021. URL: [https://cadmus.eui.eu/bitstream/handle/1814/70656/RSCA\\_S\\_GLOBALCIT\\_CR\\_2021\\_9.pdf?sequence=18.09.2023](https://cadmus.eui.eu/bitstream/handle/1814/70656/RSCA_S_GLOBALCIT_CR_2021_9.pdf?sequence=18.09.2023); McGovern M. Côte d'Ivoire Overview for Engaging Marginalized Groups in the Design of Identification Systems in Africa // World Bank. 2019. URL: <https://documents1.worldbank.org/curated/en/253751561957171413/pdf/Cote-d-Ivoire-overview-for-RRS12-Engaging-Marginalized-Groups-in-the-Design-of-Identification-Systems-in-Africa.pdf> (accessed: 11.06.2023).

institutions, which were already strained during non-crisis periods.

### **Migration Policy of ECOWAS: Integration vs. Securitization**

Since its establishment, ECOWAS has paid significant attention to regulating migration processes, becoming one of the first regional organizations in Africa to coordinate the simplification of border controls among its members. In 1979, in order to enhance population mobility ECOWAS member states adopted the Protocol on the Free Movement of Persons, Residence, and Establishment. This document guarantees the right of visa-free entry for ECOWAS citizens, provided that migrants possess an identity document and an international medical certificate, valid for up to 90 days, with the subsequent possibility of applying for permanent residency (which must be renewed every three years), granting the right to employment, business operations, and investment.

Subsequently, additional amendments were made to this Protocol in 1985, 1986, 1989, and 1990, facilitating the regional integration of migrants, including refugees, from ECOWAS countries through naturalization procedures or granting them the status of lawful residents. The document also included proposals for the establishment of ECOWAS citizenship, the creation of a common ECOWAS passport, and other measures. Additionally, the Protocol progressively incorporated provisions the rights of migrants adopted globally by organizations such as the United Nations, the International Labour Organization, the African Union, and others.

Despite the innovative nature of the Protocol, the implementation of its provisions has been somewhat protracted. It was not until 2008 that ECOWAS developed a Comprehensive Approach to Migration,<sup>14</sup> which currently represents one of the most successful examples

of regional migration legislation development in Africa. The following principles are declared within this approach:

1) the integration of ECOWAS migration policy should be achieved through the full implementation of the provisions of the ECOWAS Protocol on the Enhancement of Population Mobility within the organization's borders;

2) legal migration in ECOWAS countries should stimulate their socio-economic development through remittances and the enhancement of migrants' skills;

3) the need to continue the fight against human trafficking and provide assistance to its victims;

4) the harmonization of ECOWAS member states' policies in various areas, including migration policy convergence;

5) the support and protection of the rights of migrants, refugees, and asylum seekers;

6) the obligatory inclusion of a gender dimension in migration considerations.

To implement these principles, a plan of action is proposed to be implemented in the migration policies of ECOWAS countries. The following aspects of this plan are of particular interest:

a) *to enhance population mobility*, it is suggested to issue an identity document certifying the holder's citizenship, which should be used by migrants moving between ECOWAS states;

b) *to establish a regional fund to finance intergovernmental cross-border interaction* aimed at creating common border infrastructure, including trade centers, healthcare and educational facilities, etc., to support the population residing in border areas;

c) *in order to harmonize migration policies*, the development of a migration monitoring system is proposed;

d) *to strengthen control over illegal migration and combat human trafficking*, particularly of women and children, it is recommended to expand intergovernmental and multilateral agreements among ECOWAS members and ensure their implementation;

<sup>14</sup> ECOWAS Common Approach on Migration // UNHCR. 2008. URL: <https://www.unhcr.org/49e47c8f11.pdf> (accessed: 11.06.2023).

e) *to increase migration management capacity* by means of increasing migration services staff and improving of personnel qualifications, as well as enhancement of document control systems, including the establishment of electronic regional systems in the migration services of the regional states, and the development of border alert systems.

The results of the analysis of legal documents at the level of the ECOWAS countries indicate the significant importance that this organization attaches to the development of a unified migration policy (Table 2). The majority of its members have signed and rapidly ratified key international and regional agreements that form the basis for the political regulation of migration processes.<sup>15</sup> In turn, the

<sup>15</sup> See: United Nations Convention Relating to the Status of Refugees // UN Treaty Collection. 1951. (In Russian). URL: [https://www.un.org/ru/documents/decl\\_conv/conventions/refugees.shtml](https://www.un.org/ru/documents/decl_conv/conventions/refugees.shtml) (accessed: 11.06.2023); United Nations Protocol Relating to the Status of Refugees // UN Treaty Collection. 1967. (In Russian). URL: [https://www.un.org/ru/documents/decl\\_conv/conventions/pdf/refugees\\_prot.pdf](https://www.un.org/ru/documents/decl_conv/conventions/pdf/refugees_prot.pdf) (accessed: 11.06.2023); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families // UN Treaty Collection. 1990. URL: [https://treaties.un.org/doc/Treaties/1990/12/19901218%2008-12%20AM/Ch\\_IV\\_13p.pdf](https://treaties.un.org/doc/Treaties/1990/12/19901218%2008-12%20AM/Ch_IV_13p.pdf) (accessed: 11.06.2023); Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organized Crime // UN Treaty Collection. 2000. URL: [https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-21%20AM/Ch\\_XVIII\\_12\\_bp.pdf](https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-21%20AM/Ch_XVIII_12_bp.pdf) (accessed: 11.06.2023); Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children // UN Treaty Collection. 2000. URL: [https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-38%20AM/Ch\\_XVIII\\_12\\_ap.pdf](https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-38%20AM/Ch_XVIII_12_ap.pdf) (accessed: 11.06.2023); Organization of African Unity Convention Governing Specific Aspects of Refugee Problems in Africa (10 September 1969) // UNHCR. 1969. (In Russian). URL: [https://www.unhcr.org/ru/wp-content/uploads/sites/73/2019/08/КОНВЕНЦИЯ\\_1969\\_ГОДА\\_ПО\\_КОНКРЕТНЫМ\\_АСПЕКТАМ\\_ПРОБЛЕМ\\_БЕЖЕНЦЕВ\\_В\\_АФРИКЕ.pdf](https://www.unhcr.org/ru/wp-content/uploads/sites/73/2019/08/КОНВЕНЦИЯ_1969_ГОДА_ПО_КОНКРЕТНЫМ_АСПЕКТАМ_ПРОБЛЕМ_БЕЖЕНЦЕВ_В_АФРИКЕ.pdf) (accessed: 11.06.2023); African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) // African Union. 2009. URL: <https://au.int/en/treaties/african-union-convention-protection-and-assistance-internally-displaced-persons-africa> (accessed: 11.06.2023); Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children // African Union. 2006.

number of countries refusing to sign or delaying the ratification of these agreements is relatively small (Andreev, 2022), which positively influences the alignment of national legislations of ECOWAS countries with international norms in the field of migration (Kostelyanets, 2022). This significantly facilitates the formation of a collective response by the member states of the organization to the challenges related to the intensification of migration processes, which greatly contributes to mitigating the negative consequences of the migration crisis in the region.

The high degree of elaboration of ECOWAS migration policy is largely due to the successful implementation of the Euro-African Dialogue on Migration and Development (Rabat Process)<sup>16</sup> which brings together 29 European and 28 African states. The goal of the Rabat Process, launched in 2006, is to control and regulate migration flows from Western, Central, and Northern Africa to Europe. Through six concluded declarations of the Rabat Process,<sup>17</sup> the European Union (EU) has consistently sought to strengthen the fight against illegal migration and uncontrolled influx of refugees, including from Western African countries.

URL: [https://au.int/sites/default/files/pages/32899-file-3\\_ouagadougou\\_action\\_plan\\_to\\_combat\\_trafficking\\_en\\_1.pdf](https://au.int/sites/default/files/pages/32899-file-3_ouagadougou_action_plan_to_combat_trafficking_en_1.pdf) (accessed: 11.06.2023); Declarations of the Rabat Process (2006, 2008, 2011, 2014) // Rabat Process. 2023. URL: <https://www.rabat-process.org/en/document-repository> (accessed: 11.06.2023); ECOWAS Protocol A/P.1/5/79 Relating to Free Movement of Persons, Residence and Establishment // ECOWAS. 1979. URL: <https://investmentpolicy.unctad.org/international-investment-agreements/treaty-files/3269/download> (accessed: 11.06.2023); ECOWAS Declaration on the Fight Against Trafficking in Persons // ACHPR. 2001. URL: <https://achpr.au.int/index.php/en/node/856> (accessed: 11.06.2023); Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment // African Union. 2018. URL: <https://au.int/en/treaties/protocol-treaty-establishing-african-economic-community-relating-free-movement-persons> (accessed: 11.06.2023).

<sup>16</sup> The Euro-African Dialogue on Migration and Development (Rabat Process). URL: <https://www.rabat-process.org> (accessed: 11.06.2023).

<sup>17</sup> The EU and ECOWAS participate in Rabat Process as partner organizations.



Table 2

## The main agreements on migration policy with the participation of ECOWAS countries

Documents	Benin	Burkina-Faso	Gambia	Ghana	Guinea	Guinea-Bissau	Cape Verde	Côte d'Ivoire	Liberia	Mali	Niher	Nigeria	Senegal	Sierra Leone	Togo
United Nations Convention relating to the Status of Refugees (1951)	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+
United Nations Protocol relating to the Status of Refugees (1967)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)	+	+	+	+	+	+	+	-	±	+	+	+	+	±	+
Protocol Against the Smuggling of Migrants by Land, Sea and Air (2000)	+	+	+	+	+	±	+	+	+	+	+	+	+	+	+
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
The Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (2009)	+	+	+	±	±	+	-	+	+	+	+	+	±	+	+
Ouagadougou Declaration and Action Plan to Combat Trafficking in Human Beings, Especially Women and Children (2006)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Declarations of the Rabat Process (2006, 2008, 2011, 2014)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
ECOWAS Protocol on the Free Movement of Persons, Right of Residence and Establishment (1979)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
ECOWAS Declaration to Combat Trafficking in Persons, Especially Women and Children (2001)	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment (2018)	-	±	±	±	±	-	-	±	±	+	+	-	±	±	±

## Notes.

(+) indicates that the document has been ratified; (±) indicates that the document has been signed, but not ratified; (-) indicates that the document has not been signed.

\* — Sierra Leone does to accept Articles 17.2 and 29.

\*\* — Guinea Bissau does to accept Article 92.1.

Source: compiled by I.A. Zakharov, M.M. Agafoshin and S.A. Gorokhov.

To achieve these goals, agreements on readmission and reintegration of illegal migrants between countries of origin, transit, and destination of migration flows were adopted, and funding was provided to improve the system of control and statistical accounting of migrants,

which has been reflected in a gradual strengthening of the securitization of migration policy in ECOWAS countries. This trend is particularly evident recently, as the countries in the region have begun to adopt their own migration strategies.

Nigeria became one of the first countries in Africa to adopt such a document in 2015. The main focus of this document is on developing a national security strategy in response to the intensification of illegal migration into the country. This strategy involves a significant strengthening of border control and an expansion of the powers of the National Agency for the Prohibition of Trafficking in Persons, which has been granted the authority to conduct investigations and arrests. In 2019, the powers of this organization were further expanded, and it became responsible for the control and issuance of customs certificates for trade agents, recruitment agencies, tour operators, as well as the accreditation of centers for the reception of refugees and victims of trafficking, and the monitoring of the rehabilitation of victims of human trafficking, among other tasks.<sup>18</sup>

At the same time, the development and implementation of migration strategies in ECOWAS countries are primarily supported by financial assistance from the EU or international organizations. For example, the Emergency Trust Fund for African Countries was established to combat illegal migration, providing financial compensation to countries in the form of investments for the repatriation of migrants and the containment of illegal migrants on their territories (Zherlitsina, 2022; Gorokhov, Agafoshin & Dmitriev, 2023). This may explain the high number of IDPs and the relatively low number of refugees from West Africa outside the region, compared to other regions of the world facing similar-scale conflicts. For example, almost 60% of the more than 1 million refugees and asylum seekers from West African countries are hosted within this region. At the same time, only a small proportion of West African refugees make it to European countries. Thus, even before the European migration crisis, the EU was well aware of the risks associated with the influx of illegal migrants from developing countries and

erected barriers to their entry into Europe, including through the externalization of asylum provision policies.<sup>19</sup>

## Conclusion

The current migration situation in West Africa can be characterized as a crisis. Many countries in the region, particularly within the Sahel-Sudan corridor, are suffering from interconnected and exacerbating threats, including armed conflicts, coups, and natural disasters, leading to a significant increase in the number of refugees and IDPs in the region. In order to address the migration challenge, regional states have recognized the need to adopt a coordinated migration policy within a relatively short timeframe.

ECOWAS is an example of a successful regional organization in terms of migration policy which demonstrates a high level of elaboration, taking into account the main provisions of regional and global agreements governing migration issues. Although it includes conflicting sets of tasks. The first task is to ensure the economic integration of West African countries by providing the political and legal conditions for population mobility. The second task is the need to comply with the agreements within the Rabat Process with the EU, which aim to strengthen the control over migration flows and containment of the region. A further shortcoming of the ECOWAS migration policy is the current lack of sufficient mechanisms for addressing migration crises.

There is a shortage of internal financial resources and migration services staff in West African countries that impede overcoming the consequences of the migration crisis. This is due to the fact that ECOWAS migration policy has so far been largely coordinated by international organizations, notably the UN High Commissioner for Refugees, the International

<sup>18</sup> National Migration Policy 2015 // International Organization for Migration. URL: [https://publications.iom.int/system/files/pdf/national\\_migration\\_policy\\_2015.pdf](https://publications.iom.int/system/files/pdf/national_migration_policy_2015.pdf) (accessed: 11.06.2023).

<sup>19</sup> Betts A., Milner J. The Externalisation of EU Asylum Policy: The Position of African States // COMPAS Working Papers. 2006. No. 36. URL: [https://www.compas.ox.ac.uk/wp-content/uploads/WP-2006-036-Betts-Milner\\_EU\\_Asylum\\_Policy\\_Africa.pdf](https://www.compas.ox.ac.uk/wp-content/uploads/WP-2006-036-Betts-Milner_EU_Asylum_Policy_Africa.pdf) (accessed: 11.06.2023).

Organization for Migration, etc. In the context of the African population demographic growth and increased migration flows, the key target of this interaction is to implement the international agreements on migration, particularly regarding the temporary placement of refugees from African countries within the borders of ECOWAS and the African Union.

The significant contribution of external political actors to the development of ECOWAS'

migration policy entails risks of decision making that may have a negative impact on the development of West Africa. Moreover, developed countries, primarily the EU, are using the potential of ECOWAS to achieve their own migration policy goals. Ultimately, this could result in an exacerbation of conflicts in West Africa, leading to a further intensification of the migration crisis and a reinforcement of existing intra-regional political contradictions.

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