

Ecowas Protocol on Free Movement of Persons and the Proliferation of Small Arms and Light Weapons in Northeast Nigeria

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Abstract

A destabilizing factor that is gradually and steadily compromising the security of states including Nigeria is the proliferation of arms. Paradoxically, with prolong insecurity in the northeast; more people have been killed with small arms than any other weapon of mass destruction. Fundamental to this is the movement of persons across national borders. This paper examines the ECOWAS free movement protocol and the proliferation of small arms in northeast. Using descriptive design, secondary data, theory of transnationalism and descriptive analysis, it argues that the spongy nature of Nigeria's borders due to the implementation of the protocol is a conduit pipe in the proliferation of small arms. Again, the availability of arms is a development that has affected virtually all parts of northeast and concludes that the challenges posed by the protocol outweigh any intended benefits. It recommends among others that Nigeria should put in place mechanisms to enhance border security.

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Background to the Study

The establishment of the Economic Community of West African States (ECOWAS) in a treaty (the treaty of Lagos) in 1975 that underwent revisions in 1993 with the aim of achieving greater economic, political and social goals. ECOWAS, as a sub-regional organization currently consists of 15-member states after Mauritania left in 1999, was originally intended to foster cooperation and development in economic, social, and cultural affairs among West African States. To achieve the integration agenda, a long-term goal of creating 'Community Citizenship' for which citizens of all member states could automatically obtain was affirmed in Article 27 of the Treaty. Achieving this goal was to ensure the elimination of all forms of barriers to the free movement of capital, people, and goods across national boundaries of member states (Nwokah, 2022; Dokubo, 2009). On this premise, the 1975 founding treaty declared that:

Citizens of member states shall be regarded as community citizens and accordingly member states undertake to abolish all obstacles to their freedom of movement and residence within the community. Member states shall by agreement with each other, exempt community citizens from holding visitors' visas and residence permits and allow them to work and undertake commercial and industrial activities within their territories (ECOWAS Treaty, 1975, cited in Nwokah, 2022, 1).

As one of the main pillars supporting the integration agenda, the 1979 ECOWAS Protocol on Free Movement of Persons, Goods, and Services advanced these goals by outlining a fifteen-year program to be implemented in three phases of five years each. The sub-regional body recognized migration as the link between trade, integration, and development, and deployed various instruments to encourage mobility of persons and goods within the region. As a result, it has promoted frequent migration among local residents (community citizens) both inside and outside the sub-region (Elumelu, 2015).

Additionally, this has helped illicit movement of Small Arms and Light Weapons (SALWs) into member states. The irony is that the sub-region's already high level of insecurity has been made worse by SALW movement as brigands have taken advantage of protocol to smuggle arms for several forms of criminality (Nwokah, 2022; Francis, 2009). Even though ECOWAS adopted a convention to regulate the production, circulation, and civilian possession of SALWs as a collective measure against the phenomenon that drives much of the insecurity in West Africa, Nwokah (2022) estimated that between 2011 and 2019 over 64 million SALWs were smuggled into the northeast region of Nigeria. This can be credited to several hostage taking, bombings and other forms of terrors committed since 2011. The movement of small arms and light weapons (SALW) throughout the sub-region is one of the contributing factors to this unprecedented uprising (Oxfam, 2016). Preventive measures against the illegal circulation of small arms are the focus of article 51 of the ECOWAS Mechanism for conflict prevention, management, resolution, peacekeeping, and security. Recognizing the danger of illegal circulation and proliferation of small arms and light weapons, the article declared that; 'ECOWAS shall take all necessary measures to combat illicit trafficking and circulation of small arms' (Nwokah, 2022).

Small Arms are durable, highly portable, easily concealed, simple to use, extremely lethal and possess legitimate military, police and civilian uses. In West Africa, these weapons are cheap and widely available; they are also lightweight, and so can be used by child soldiers. The uncontrolled movement of SALW has exacerbated conflicts and caused immense hardship, poverty, and underdevelopment, despite the fight against the proliferation of small arms and light weapons being a top priority on West Africa's peace and security agenda (Francis, 2009, cited in Nwokah, 2022). Ironically, despite northeast Nigeria alone having taken the brunt of the danger posed by proliferation of SALWs, Nwokah (2002), Adagba Ugwu and Eme, (2017) claim that the damage is estimated to be in the billions of dollars. Similarly, Lemoalle and Magrin (2014) claim that the negative posture of the northeast has drawn attention from around the world to an area which was previously only discussed at conferences that addressed the effects of Lake Chad's alleged drying up due to climate change. The northeast has been ravaged by spates of violence and insecurity in the last two decades due to cross border movement of person and goods. This is because the conflict combines a local agenda with a globalized vision of jihadist fundamentalism.

Researchers like Adepoju (2009; 2015); Alieu (2013), Gilbert (2014), Aknyemi (2013), Osimehin et al (2017), Ortuno and Apiwan (2009); Abegunde and Fabiyi (2019); Agyei and Clottey (2013); Chilaka (2010); Nwokah (2022), among others, studied the implementation of the ECOWAS protocol on free movement of people and benefits to member states. Little or no attention was given on how the ECOWAS protocol on free movement of persons, goods and services has evolved into a route for the smuggling of weapons into Nigeria. It is against this backdrop that this paper examines the ECOWAS protocol on free movement of persons and the proliferation of small arms in northeastern Nigeria.

Conceptual Framework

ECOWAS Protocol on Free Movement of Persons

Though the definition of free movement differs universally, particularly in relations to unearthing unanimity on the indispensable principles for which it exists, international legitimate instruments offer a suitable yardstick grounded on human rights and norms. The freedom of movement is associated with the 1948 Universal Declaration of Human Rights; the 1981 African Charter on Human and Peoples' Rights; the 1966 International Covenant on Civil and Political Rights; the right to travel freely within one's own nation as well as the freedom to leave and return (UNESCO, as cited in Udoh, 2015). The legal definition of free movement of persons in an international context is ill-defined, particularly in legal instruments that speak of integration. In its more expansive versions, free movement may encompass the ability to settle down for extended periods of time, work or establish a business, and bring family members along (i.e. the rights of residence and establishment), provided that this is permitted by agreements amongst member states (Touzenis, 2012; Wachira. 2018).

Nevertheless, none of the aforesaid mechanisms describes the term 'person', making it problematic to determine the place of legal persons (corporations) in the debate around

free movement. The term has a wider connotation and implies formal political agreement and practical measures to relax some procedures and requirements to better facilitate cross-border movement among agreeing states, and to assign certain extended rights or privileges to those covered under free movement agreements. Although these rights vary depending on the agreement, in general, this kind of free movement is carried out by reducing or eliminating the need for a visa in order to enter an agreeing nation for predetermined, limited times and purposes. In certain cases, the affected States might also act to streamline border procedures and permit 'wallet size' travel documents (IOM, 2018).

Interestingly, there is a long history behind the freedom of movement. The inherent right to mobility is aptly captured by Article 13 of the Universal Declaration of Human Rights (UDHR) in the UN charter. Article 12 of the International Convention on Civil and Political Rights also guarantees the freedom of movement. Ayamga (2014, p.16) posits that the right to movement is guaranteed by the International Convention on Civil and Political Rights (ICCPR) of the United Nations Charter (UNC) and the Universal Declaration of Human Rights. These provisions state, among other things that:

- a) Everyone lawfully within the territory of a state shall, within the territory, have the right to liberty of movement and freedom to choose his residence.
- b) Everyone shall be free to leave any country including his own.
- c) The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morality or the right and freedoms of others and are consistent with the other rights recognized in the present charter.
- d) No one shall be arbitrarily deprived of the right to enter his own country of origin.

The significance of the unrestricted flow of people, products, and services across international borders is emphasized by the above clause. The West African sub-region was beset by a number of issues, such as inadequate economies and infrastructure. Four years after the ECOWAS was established in 1979, member states agreed to under the terms of the protocol on the free movement of persons. The protocol lays out the conditions for ECOWAS citizens to travel freely throughout the area. Additionally, it outlines community citizens' rights to enter, dwell in, and open a business in member states. These rights are granted for a transitional period of 15 years, divided into three phases (Adepoju, 2009; Dokubo, 2009).

According to Udoh (2015), the commission's protocol on free movement was designed as a tool to allow ECOWAS citizens to travel freely within the sub-region without encountering travel restrictions like goods quotas and visa requirements. The protocol was divided into three stages. First, from 1980 to 1985, the protocol pertaining to the implementation of entry and cancellation of visas was put into place. The second stage involved the 1986 signing of the Right of Residence, which gave the host state the authority to set the standards for ensuring migrant workers' and their families' employment. The Right of Establishment adopted in 1990 constituted the third phase.

The intention was to give community members the chance to establish themselves in any of the member states, engage in economic activities, and create and oversee businesses in compliance with the laws of the host nation that apply to its citizens.

In 2000, a fourth supplemental protocol was added to the original one to initiate the three phases. However, under their own domestic laws, member states have the authority to refuse entry to anyone they believe to be of dubious character. In order to achieve these goals, ECOWAS decided on May 12, 2000, to introduce a new passport that falls into three categories (red for diplomatic community, for the general public (ECOWAS), a blue passport, and a green passport (Adepoju, 2002, as cited in Nwokah, 2022). Among the essential areas ECOWAS has focused more on as part of its integration agenda is the free movement of people, products, and services. Based on the idea that migration promotes development, the ECOWAS protocol grants its citizens the freedom to migrate freely throughout the sub-region as well as the ability to settle and conduct business anywhere in the area. For the purpose of this article, the 1975 ECOWAS treaty guarantees the freedom of movement of people, right of residence, and right of establishment in Articles 2(2) and 27. Article 2(2) of the ECOWAS treaty, subparagraph (d), requires member states to guarantee the removal of any barriers to the free flow of capital, people, and services (ECOWAS treaty, as cited in Nwokah, 2022).

Proliferation of Small Arms and Light Weapons

Academics such as Ogaba (2005), Obasi (2001), Ochoche (2002), Ebo (2003), and Medinat (2016) have made significant contributions on the above subject matter. There is no generally established explanation for the term 'Small Arms and Light Weapons (SALW)'. This is because the understanding of what constitutes these categories of weapons has undergone some changes due to the diminuendos of technological development, however, good working definitions abound. Small arms and light weapons have attracted a lot of scholarly contributions. These typically characterize these types of arms and weapons based on their design, features, dimensions, and user's point of view, or by combining some of these. For instance, the Royal Military College of Science Handbook on Weapons and Vehicles (cited Ebo, 2003, 34) defines SALW as:

Potable, largely shoulder controlled weapons of up to 12.7mm (0.5") calibre; such weapons generally have a flat trajectory and an effective operational range of 0-800m, although this varies considerably with the calibre and weapon type, certain weapons can also provide neutralizing fire out to 1800m.

The United Nations Panel of Governmental Experts on Small Arms (1997, cited in Medinat, 2016, p.16) considers SALW as:

Those weapons ranging from knives, clubs and machetes to weapons particularly below the calibre of 100mm-small- small arms are those weapons manufactured to military specification and designed for use by one person, whereas light weapons are those used by several persons working as a crew.

The US Department of State's Bureau of Political-Military Affairs (2012) SALW refers to man-portable firearms and ammunition that are primarily intended for individual use as lethal weapons by military forces. It goes on to say that assault rifles, light machine guns, submachine guns, self-loading pistols, rifles, and carbines are examples of typical small arms. Weapons that a single person can carry are known as small arms. This covers a wide range of weapons, such as shoulder-fired surface-to-air missiles, machine guns, light anti-tank weaponry, and revolvers and pistols. From a utilitarian standpoint, they simply refer to weapons that are small enough to be carried by a pack animal or infantry soldier (Ogaba, 2005; Ochoche, 2002).

The original definition of small arms from World War II was expanded by the North Atlantic Treaty Organization (NATO) in 1983 to include all crew-portable direct fire weapons with a caliber of less than 50mm, as well as the secondary capability to take out light armor and helicopters. According to NATO's definition, small arms include shoulder-fired surface-to-air missiles (SAMs), machine/sub-machine guns, rocket-propelled grenade launchers (RPGs), and the majority of automatic assault rifles, including the Israeli Uzi rifle, the USM16, and the Ak-47 series (NATO, in Obasi, 2001; Nwokah, 2013). Knives, axes, and clubs are among the weapons that local blacksmiths typically make, and it has been argued that the ECOWAS Small Arms Moratorium ignored them when classifying small arms. Nevertheless, these weapons are frequently the first to be used in violent conflicts and other crimes that escalate at the community level. These types of weapons should be included in a comprehensive definition of SALW (Ochoche, 2002). The aforementioned makes it abundantly evident that these definitions of SALW are not in agreement. Honwana (as cited in Medinat, 2016, 23) remarked that:

SALW are technologically sophisticated category. However, despite the emergence of the concept of the light weapon, defining small arms still lacks clarity and even the distinction between 'small arms' and 'light weapons' is a matter of debate. There seems to be a certain amount of uncertainty as to where small arms end and light weapons begin, or whether there is an overlap between the two.

There is a commonality of characteristics that unites the various definitions despite the varying opinions of scholars. Ochoche (2002) claims that, a better understanding of SALW can be gained from these features. For instance, Lodgard Sverre and Richard Ivor Fung (cited in Ochoche, 2002) identifies these elements as common to all definitions. First, the focus is on lethal equipment, i.e. weapons and their ammunition, generally used by military and paramilitary forces, excluding items such as knives and hunting rifles. Second, the emphasis is on weapons that are man-portable or transportable by light vehicles, i.e. on the weight and size of the equipment. Third, this equipment is easy to maintain, can function without much logistical backup and requires light training for use. Fourth, to be militarily and politically relevant, the definition comprises weapons that are in frequent use as 'weapons that kill' (Sverre & Fung, cited in Ochoche, 2002, 34).

The conceptualization of SALW above clarifies the attributes that result in the classification of these weapons as light and compact in addition to their lethality. For Okeke and Oji (2014) SALW has been defined in a number of national statutes as well as in various international and regional instruments. One thing that all of the definitions have in common is that the term 'SALW' refers to a broad range of armaments, ammo, and replacement parts. On the other hand, Chuma-Okoro (2011) averred that small arms are defined as weapons intended for personal use, which includes firearms and other destructive weapons or devices like an exploding bomb, an incendiary bomb or a gas bomb, a grenade, a rocket launcher, a missile, a missile system, or a mine.

This definition is based on the 2006 ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials, which serves as the sub-regional benchmark for regulating SALW in West Africa. SALW also includes automatic-loading revolvers and pistols, rifles, carbines, assault rifles, machine guns, and light machine guns. Chuma-Okoro (2011) further posited that light weapons are any of the following: heavy machine guns, mobile or mounted, portable grenade launchers, portable anti-aircraft cannons, portable anti-tank cannons, non-recoil guns, rocket launchers, portable anti-aircraft missile launchers, mortars with a caliber of less than 100 millimeters. Light weapons are also designed to be used by multiple people working together in a team.

In the other hand, the abrupt increase in an entity's quantity or number is known as proliferation. When used in different contexts, it denotes quick growth, plenty, or multiplication. When applied to SALW, it refers to the general spread of weapons from one nation to another, as well as from one person or group to another. Small arms are defined as infantry weaponry that is smaller and lighter than what a single soldier can carry. It is typically narrowly limited to revolvers, pistols, assault rifles, carbines, submachine guns, shotguns, rifle squad automatic weapons, light machine guns, general-purpose machine guns, medium machine guns, and hand grenades. However, depending on the situation, it can also refer to heavy machine guns, small mortars, recoilless rifles, and some types of rocket launchers. Interestingly, Vehicles, bigger pieces of equipment, howitzers, mortars, and cannons are not regarded as small arms (Nte, 2011).

The spread of weapons from one group of users or owners to another is known as proliferation. This can be vertical, referring to increases in the arsenals of these states already in possession of specific weapons, or horizontal, referring to states acquiring weapons systems that they did not previously possess (Obasi, 2001). There are certain elements that aid the spread or multiplication of proliferation as a means of armaments in response to both legitimate and illicit demands. For instance, the Graduate Institute of International Studies noted that:

SALW do not proliferate by itself but, they are sold, resold, perhaps stolen, diverted, and maybe legally or illegally transferred several more times. At each junction in this complex chain of legal and illicit transfer,

people-brokers, insurgents, criminals, government officials and/or organized groups are active participants in the process (cited in Obasi, 2001, 24).

The UN recognizes that a state's large-scale acquisition and stockpiling of weapons could facilitate proliferation. However, it qualifies the accumulation under specific circumstances using words like 'excessive' and 'destabilizing'. The mere accumulation of weapons is not a sufficient criterion by which to define an accumulation of weapons as excessive or destabilizing. In a report by the Panel of Government Experts on Small Arms (1997) large numbers of weapons under the strict and effective control of a responsible state do not always result in violence. The Panel of Government Experts on Small Arms (1997, cited in Alkali, 2017, p.12) posits that:

The mere accumulation of weapons is not a sufficient criterion by which to define an accumulation of weapons as excessive or destabilizing, since large numbers of weapons that are under the strict and effective control of a responsible state do not necessarily lead to violence.

Arms proliferation for Ogaba (2005) is the term used to describe the unlawful transfer and excessive accumulation of weaponry that may have the potential to destabilize states. Although, Ogaba posits that legal holdings are those in government armories intended for use by security forces in the defense of the state and maintain national security, he identified three accepted, traditional ways to transfer weapons. In the first, weapons are legally transferred in accordance with all legal requirements, typically between state actors or their authorized representatives. The term, 'grey channels' refers to the second type of transfer. According to Frederic Pearson cited in Gambrell (2019, p.18), gray channels are configurations by which "government officials look the other way as their agencies arrange for arms to be sent to foreign groups and countries for profit, strategic calculations or both. This third mode is that of black-market transfers, involving unlawful transfers by private arms dealers and smugglers (Ogaba, 2005; Gambrell, 2019). For the purpose of this paper, arms proliferation presupposes the illegal and increase in circulation of arms especially SALWs in Nigeria. Though, various efforts have been made by law enforcement agencies to curb the trafficking and proliferation of SALWs in north Nigeria, illicit proliferation and arms trafficking are increasing with its effect requiring urgent attention for state survival.

Theoretical Framework

The paper is anchored on the theory of transnationalism, popularized by Randolph Bourne, which posits that increased interaction among people and the declining economic and social importance of state borders lead to the formation and maintenance of multi-stranded social relations between immigrants and their host countries (Transnationalism, 2016, cited in Gana, Adamu, & Zakariya'u, 2023). This theory suggests that increased functional integration and interactions between people, states, and institutions across national borders can affect the capability of states. Transnational interaction can occur in one country while its effects are seen in another, highlighting that

states are no longer capable of controlling or containing these interactions (Soehi & Waldinger, 2012). The basic assumptions include:

- i. Persons are not bound to place, as much, as they are to space and technologies of place.
- ii. There is cultural connectivity and reproduction and human mobility.
- iii. Some immigrants stay abreast of and influence the political-related occurrences of both their home and host country.
- iv. The increased cross-border activities and interactions affect the capability of states.

Transnationalism as a theory of international relations is useful because it recognizes the threats posed by transnational interactions and the intricate nature of cross-border crimes. The theory of transnationalism helps in understanding that cross-border crimes such as arms smuggling, drug trafficking, and human trafficking, etc., involve networks of criminal syndicates that operate across borders. Transnational security threats encompass the activities of non-state actors and how these non-state actors exploit weak structures and porous borders to carry out their activities. It must be noted that Nigeria has reasonably implemented the ECOWAS protocol on free movement of persons to enhance integration and cooperation among member states. However, the transnational interactions amongst non-state actors beyond national borders due to this implementation has reduced state capabilities to properly manage unwanted movement of persons across Nigeria's border especially in northeast. This also facilitates easy interaction amongst criminal elements who engage in black markets of various illicit goods including SALWs. It is against this strand that this paper considers transnational theory appropriate.

The Causes of Arms Proliferation in Nigeria

There are numerous reasons behind the increase in SALWs proliferation in Nigeria. These involve, among other things, the trafficking of weapons, their local manufacture, and the theft of weapons that belong to people or the government.

Trafficking in Small-arms

Nigeria shares a land border with the Republic of Benin spanning 770 kilometers, the Republic of Niger by approximately 1,500 kilometers, Cameroon by 1,700 kilometers, and Chad by 90 kilometers. Nigeria's maritime border with the Atlantic Ocean spans 850 kilometers and it would be difficult to locate a state anywhere in the world that could effectively maintain such vast borders. Naturally, traffickers use these open borders to smuggle weapons and other dangerous goods, like drugs, into Nigeria (Onuoha, 2013).

As always, security agencies blame a lack of modern surveillance equipment, a shortage of vehicles; and staffing shortage for the rise in arms proliferation. The quantity of weapons and ammunition smuggled into Nigeria is alarming. These weapons are occasionally brought in by way of disguised apparel, cars, or kitchenware. For instance, in the first week of August 1999, six citizens of a West African nation were apprehended

by Nigerian customs officials in Lagos while traveling in a canoe carrying 75,000 rounds of ammunition and bags containing rifles. 10,000 magazines were recently hauled by the customs service in Ikeja (December 31, 2001), and nearly equally large hauls were made in Tabido/Budo in Kwara state (March 2002) and Seme Border Station (February 2002). In Alabata, close to Abeokuta, the Nigerian police also busted traffickers and found 26,500 cartridges concealed in 106 boxes. In 2019, security intercepted categories of arms in SALWs at various borders within the northeast (Nwokah, 2022). Additionally, the port of Warri in the Niger Delta is thought to be a hub for illicit trade and the smuggling of weapons. The traffickers use swifter small boats for transfers while operating from ships anchored in open waters. These numbers only make up a small portion of the total quantity of weapons and ammunition that are brought into Nigeria and sold there illegally.

Dimensions of Arms Proliferation in Northeast Nigeria

Nigeria's national security and corporate survival are at risk from transnational crime due to the widespread use of SALWs. Nigerian border towns are centers for criminal activity, including the trafficking of weapons, people, and drugs, as well as kidnappings carried out by criminals who cross the borders after committing crimes. Because these arms are small and collapsible, it is very easy for nomadic herdsmen to move through donkeys, camels, and cows unsuspected and undetected. Nigeria's borders are home to a number of footpaths that connect directly to Cameroon, Chad, Niger, and Benin. The majority of these paths are not manned, protected, or fenced (Onuoha, 2013).

Nigeria water ways and the Lake Chad region have continued to serve as havens for the trafficking of arms, with guns being used in creeks and ships and speedboats operating on the high seas. Inadequate manpower and other security devices to monitor the waterways exacerbate the porosity, which in turn has led to a rise in the proliferation of small arms, particularly in Northern Nigeria. Like all developing nations, Nigeria lacks the human intelligence necessary to ensure the safety of its citizens' lives and property. There are roughly 250 ethnic groups in Nigeria, and because they all feel underprivileged and marginalized, many turns to violence and give false signals to other groups, which in turn encourages the trafficking of weapons. In order to maintain natural security, effective border management is essential. Nigeria's porous border with her neighbor has made all of these transnational crimes worse (Osimen et al., 2017).

Nigeria's porous borders have contributed to transnational crime and instability because there is insufficient manpower and equipment at the border post to monitor movement and conduct other tasks. According to Akinyemi (2013), Nigeria lacks border protection and our national borders have not received enough attention, as seen by the threat of trans-border activities and terrorist attacks that could occur, which could lead to unreported migrant influence through the routes. In order to maintain natural security, effective border management is essential. Nigeria's porous border with her neighbor has made all of these transnational crimes worse.

The regular interception of illegal arms trafficking within and across the borders by security agencies also reveals the worrisome dimension that arms proliferation has recently assumed in the country (Osimen, et al., 2017). The annual number of illicit weapons seized by the NCS in Nigeria from 2010 to 2019 has varied between 16,343 and 3,367 SALWs per year. This number represents only a small fraction of the illicit weapons in circulation in Nigeria. Aggregated statistics availed in NCS about weapons seized due to violations of applicable regulations only provide a total for broad weapons types.

Table 1: Summary of Arms seized in northeast by Nigeria Customs Service 2009 – 2019

S/N	Year	No of seizures	Quantity	
			SALW	Ammunition
1	2010	4	2,671	1,223
2	2011	1	33	300
3	2012	1	21	3,000
4	2013	9	28	58,744
5	2014	7	16,343	930,944
6	2015	6	174	61
7	2016	6	7,510	514
8	2017	8	17	31,162
9	2018	7	3,697	1,689
10	2019	4	3,873	1,177
Total			34,367	1,028,814

Source: Nwokah, 2022

These seizures exposed the happenings along Nigeria borders especially in northeast between 2009 and 2019. While their total numbers are relatively small compared to the light weapons, seized grenade launchers and multiple-launch rocket systems appeared only in 2014, at the height of political violence, terror attacks in northeast and other parts of north (Sadiq, n.d.). Sources of illicit and illegal SALW in Nigeria include cross border smuggling, security sector black-marketing and rentals, local manufacturing, organized crime and gun-running, air transportation agents, land transportation agents, arms broker as well as blacksmiths (Viner, 2005; Chuma-Okoro, 2011, Nwokah, 2022).

ECOWAS Protocol Arms Proliferation in Northeast Nigeria

According to Opanike, Aduloju and Adenipekun (2015), the sub-region's security situation has not improved as a result of the difficulties in implementing the ECOWAS protocol. Although ECOWAS takes pride in being the first region in Africa to implement the free movement initiative, the protocol's poor implementation raises more security concerns than it does opportunities for trade and economic growth within the region. Opanike et al. (2015) argues that Nigerian security agents have made the country's work into their own venture by facilitating the smuggling of a wide range of goods from one nation to another for a small fee.

They also claimed that because ECOWAS lacks a sufficient system in place to monitor the entry of undocumented immigrants, those engaged in criminal activity have taken

advantage of the situation to launder money, traffic in people, traffic in drugs, traffic in illegal arms, and other illegal goods. As a result, the rights and privileges provided in free movement protocol have been misused. In other words, the protocol is adding to the sub-region's general sense of insecurity rather than advancing integration as envisaged. Unrestricted free movement within the sub-region has quickly led to a tense situation between the receiving country's citizens and the migrants, particularly in areas where the migrants dominate labor and trade. Theoretically sound, but with a plausible percentage cause, the study was not able to delve deeply into national efforts made by individual members to reduce the level of insecurity that pervaded the sub-region.

Conversely, Blum (2014) contended that transnational criminal activity in West Africa is not the root cause of insecurity but rather one of the symptoms of more significant underlying structural issues. Adopting the relationship between peace, development, and (human) security as the cornerstone of their security strategy is still a crucial task for policymakers. Terrorist and criminal networks thrive in impoverished border regions where residents have no other option but to engage in illegal cross-border activity. The establishment of the Sémé Joint Border Post and the anticipated closer infrastructure cooperation between Nigeria and Benin, as reaffirmed by then President Goodluck Jonathan and Yayi Boni, were seen as positive developments. It is still necessary to evaluate the practical effects and implementation for the large number of individuals who cross the border each day.

One of the main obstacles to implementing Phases I and II of the protocol, according to Gondyi (2015) is that neither state actors nor citizens of the ECOWAS have a high level of awareness regarding the measures and their implications. One major obstacle to the protocol's full implementation is the sub-region's unstable nature and this makes it relatively simple to cross national borders. Like the rest of Africa, borders in West Africa are not only ill-defined but also easily crossed. Therefore, for the effects to spread to other states, especially neighboring states, there only needs to be unrest in one state, especially in light of the refugee influx. People moving around freely encourage the proliferation of weapons, cross-border crime, and the flow of weapons. Nwokah (2022) further asserted that illicit syndicates and criminal networks engage in activities such as cross-border smuggling of goods, trafficking in persons, and the trafficking of drugs. He went on to say that the protocol is weakening Nigeria's security agencies' ability to maintain control over the nation and guard it against cross-border criminal activity.

Conclusion

This paper was set out to examine the ECOWAS protocol on the free movement of persons and proliferation of SALWs in northeast Nigeria. The ECOWAS protocol on the free movement of persons, goods and services was a noble intention to eradicate the problems faced by people when they move from one state to another within the sub-region. The protocol was intended to remove all visa requirements thereby making movement very easy and convenient. The protocol was expected to benefit citizens of

ECOWAS and member states. However, this paper posits that despite the intended benefits, the security challenges posed by the ECOWAS protocol on the free movement of persons, goods and services on northeast and by extension, Nigeria is on the increase. There are empirical verifications that there is a link between ECOWAS protocol on the free movement of persons increase in the proliferation of SALWs in northeast Nigeria. The paper makes the claim that the adoption of the ECOWAS protocol on free movement of persons has led to the porosity of several border within the sub-region, which in turn encourages the proliferation of arms.

Recommendations

1. Total intra/inter agency cooperation must be established. This is to ensure swift intelligence and information gathering and sharing amongst security agencies in Nigeria.
2. The national borders should be strengthened by enhancing the capacity and capability of the immigration personnel to detect illegal arm flow to the country.
3. To effectively implement a regional integration premised on free movement of persons, ECOWAS should create and adopt a regional identity management strategy that will neutralize clandestine motives across national borders.
4. Nigeria as country should put in place mechanisms to enhance weapons control at border posts.
5. ECOWAS should establish a database and regional arms register.
6. Nigeria as regional leader collaborate with other ECOWAS members states to ensure the retrieval and destruction of surplus and illegal weapons.
7. ECOWAS should facilitate dialogue with producers and suppliers of SALWs;

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