



ECOWAS COMMISSION



Promoting Labour Mobility through Regional Cooperation. The case of ECOWAS

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MANDATE OF ECOWAS ON FREE MOVEMENT

Free movement of persons and goods is the key cardinal points of ECOWAS Integration Programme.

Derived from:

- The ECOWAS Treaty: Article 2, Paragraph 2, and Article 27 on Free Movement of Persons, Right of Residence and Establishment
- Mini Summit of Heads of State and Government on the creation of a Borderless ECOWAS, Abuja, 27 March 2000
- ECOWAS Common Approach on Migration adopted at the 33rd Ordinary Session of the Head of State and Government , Ouagadougou, January 2008



THE ECOWAS TREATY

- Article 3 para. 2 of the ECOWAS Treaty (Aim and Objectives)

In order to achieve the aims set out in paragraph 1... the community shall... ensure the establishment of a common market through the removal of barriers between Member States of obstacles to the Free Movement of persons, goods, services and capital and the rights of Residence and Establishment



REVISED TREATY OF 1993

Article 59 of the Revised Treaty of 1993 makes provisions for Immigration as follows:

- 1 . Citizens of the community shall have the right of entry, residence and establishment and Member States undertake to recognize these rights of Community citizens in their territories in accordance with the provisions of the Protocols relating thereto.
2. Member States undertake to adopt all appropriate measures to ensure that Community citizens enjoy fully the rights referred to in paragraph 1 of this Article.
3. Member ' States undertake to adopt, at national level, all measures necessary for the effective implementation of this article



Free Movement of Persons cont...

Second Phase: Right of Residence (A/SP.1/7/86)

- Income earning employment
- Apply for jobs effectively offered
- Taking up a job according to national provisions
- Remain in the country according to national provisions after ending the job
- Residence Permit
- Expulsion

Third Phase: Right of Establishment (A/SP2/5/90)

- Access to non-salaried activities
- Creation and Management of enterprises and companies
- Principle of non-discrimination



FREE MOVEMENT OF PERSONS, RIGHT OF RESIDENCE AND ESTABLISHMENT

- Protocol relating to the Free Movement of Persons, Residence and Establishment
 - Core Principles
 - Entry
 - Residence
 - Establishment

First phase: Right of Entry (A/P 1/5/79)

- Removal of Visa Requirement
- Community citizens to travel with National Passport and Health Certificate (Yellow Card)
- 90 days limit of stay
- Entry restrictions for « inadmissible migrants »
- Guarantees in case of expulsion



CREATION OF A BORDERLESS ECOWAS

The creation of ECOWAS borderless agenda is hinged on vision 2020: ECOWAS of states to ECOWAS of people

- Adoption and Introduction of a Schengen-type visa
- Abolition of Residence Permit requirement by Community Citizens in Member State
- Removal of Road Blocks and Security Checkpoints on International Highways
- Exchange of information by security operatives at the borders
- Adoption and Introduction of single ECOWAS Passport



ECOWAS COMMON APPROACH ON MIGRATION

- The road to the ECOWAS Common Approach
 - Change of paradigm – Migration has raised in the global political agenda (Global Commission on International Migration, UN High Level Dialogue on Migration, Rabat-Process etc.)
 - Migration Management is key to the regional integration and development process

Need for a coherent and comprehensive view of Migration within the ECOWAS Region

« ECOWAS Member States, relying on the orientations of the Tripoli Declaration, establish a direct link between migration and development. Consequently, the link between migration and development should be conveyed in a parallel approach to these two components and by striving continuously to harmonies policies related to one another. »



ECOWAS Common Approach Cont...

Migration and Development Action Plan

- Free Movement
- Regular Migration
- Irregular Migration
- Policy Harmonization / Migration and Development
- Gender
- Asylum Seekers and Refugees / Rights of Migrants



Points to note

- Data collection is basically done at the level of Member states-immigration departments.
- Migration Data domiciled at Member states (with relevant institutions that are charged with economic and planning policies) such as National Planing Commission; Bureau of Statistics; ministry of labour, Ministry of Economic Planning etc



ECOWAS APPROACH

- Deployment of harmonized travel documents in ECOWAS Space. To enable ease identification and collection of relevant data.
- Use of biometric National ID cards for intra regional mobility
- Develop training manual for operatives and relevant institutions to better manage data.
- Need to interconnect borders to facilitate and create synergy amongst border officials for ease of migration data collation and management
- Ongoing process for the development of regional Migration Policy



Current Collaboration

- ECOWAS-EU Support to ECOWAS on Free Movement of Persons and Migration (26 Million Euros) being implemented by ICMPD, ILO and IOM. ---capacity building on Migration data collection, collation and management a component of the project
- ECOWAS –Spain Fund on Migration and Development.



THANK YOU