

Borders that continue to bother us: Rethinking Cross-border Security and Cooperation in East and West Africa

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Abstract

Poorly delineated and porous borders testify to the reality that Africa and Africans can never say 'good bye to Berlin'. The Organisation of African Unity (OAU) legitimised the impunity and 'ignorance' at Berlin in 1884/85 when it endorsed the inherited colonial borders at the Cairo summit in 1964. Borders have therefore continued to bother African States and their citizens in diverse ways that have posed a variety of important security challenges, ranging from border skirmishes to trans-border criminality, health pandemics and more recently, local and global terrorism, all of which have impacted negatively on governance, economic development and human security. In East Africa, for example, the need to promote economic development witnessed the creation of the East African Community (EAC) in 1967, which was disbanded in 1977 ostensibly due to political disagreements between Uganda and Tanzania. Indeed the invasion of Uganda by Tanzanian troops in 1979 led to the downfall of the Idi Amin regime. More than a quarter of century later, the EAC was resuscitated in 2000 and expanded to five countries with the ascension of Rwanda and Burundi in 2007. In February 2013, a Protocol on Peace and Security was ratified by the five Partner States, Article 6(1) of which states: "The Partner States agree to cooperate in counter terrorism measures within the community." However, the fight against al-Shabaab appears to have been left to Kenya alone rather than the explicit concern of the Community. In West Africa, the Economic Community of West African States (ECOWAS) adopted in 1979 the Protocol on Free Movement of People, Goods and Services to accelerate political, economic and social cooperation among the Member States, and abolished visa requirements for community citizens. However, present security issues and challenges resulting from migration, organised crime and terrorism, defy 'hard' borders and policies. The paper adopts a content analysis methodology focusing on the Treaties and relevant Protocols in both regions to appraise their relevance against the backdrop of regional integration and political challenges. The paper argues strongly, that it is not the porous borders that really bother Africans or frustrate regional integration projects in East and West Africa. Rather, it is the way the elite in power manipulate them to advance their parochial political and even selfish goals and policies. By comparing the two regional organisations, the study concluded that the 'new' EAC has a lot to learn from the much older and advanced ECOWAS in the promotion of a borderless community in Africa.

Keywords: borders, terrorism, regional integration, peace and security

Introduction

This study takes a comparative look at cross-border cooperation in East and West Africa and attempts to address the important question as to why inherited national borders continue to border peoples and States in Africa even within the context of regional integration schemes. It argues that poorly delineated and porous borders testify to the reality that Africa and Africans can never say 'good bye to Berlin'. The Berlin Conferences of 1884-85 left an indelible imprint on the African continent and peoples because of the arbitrary balkanization of colonial territories and communities by the erstwhile European colonisers. The consequences of the Berlin Conference have continued to defy a permanent solution more than fifty years after independence, because majority of the African people simply do not recognise the artificial boundaries as they move in and out of their countries. Again, the postcolonial states in Africa have not been able to consolidate national boundaries because they lack the human and material resources that are required to effectively man their porous and extensive borders. Nigeria provides a very good example in that regard. It shares borders with Benin (773 km), Cameroon (1700km), Chad (87 km) and Niger (1500km). The country faces daunting challenges in delimiting, demarcating and securing its borders effectively to prevent their infiltration by trans-

border criminal gangs and terrorists including Boko Haram insurgents. Other African countries are faced with the challenges of ethnic irredentism from groups such as the Tuaregs in Mali, Mauritania and Niger who have clamoured for integration with their kith and kin across inherited international frontiers for several decades. In the Horn of Africa, the pan-Somali Movement, which wants to incorporate Somali peoples living in Ethiopia and Kenya into a Greater Somalia, is another case in point. Finally, there are emerging security threats such as cross-border drug and human trafficking, Ebola and other pandemics as well as terrorism, which do not respect national borders, have compelled another critical look at the protocols and other relevant agreements entered into by member states of the two regional organisations in the light of contemporary developments in East and West Africa.

The paper adopted a content analysis methodology focusing on the Treaties and relevant Protocols in both the EAC and ECOWAS in appraising their relevance or otherwise, against the backdrop of the regional integration projects. The paper argued that it is not the porosity of borders that really bothers Africans or frustrates regional integration projects in East and West Africa, but the way the elite in power have and continue to manipulate them to advance their selfish political

agendas. Therefore, instead of blaming the savannah and barren lands that separate them for the cross-border criminalities and pandemics as important as they may be, the study puts the blame more on the lack of political will and institutions that are capable of translating words into effective action especially in East Africa. The argument is articulated around four broad sections as follows. First, is a clarification of some key concepts used in the paper; followed by a short background that is intended to address the key question as to why borders remain serious obstacles to regional integration not only in East and West Africa, but indeed other parts of Africa. Second, the gains and challenges of Regional Integration are discussed in detail against the background of the EU's model, to assess the experiments in East and West Africa. Third, a close look at the corresponding protocols reveals significant progress towards a borderless community in West Africa compared to what is still largely 'symbolism' in East Africa in so far as the creation of a Security Community is concerned. Finally, the paper makes some policy recommendations aimed at improving integration processes of integration in East Africa on the one hand, and for consolidating the pillars of a borderless 'ECOWAS of People' in West Africa, on the other hand.

Why Borders are Obstacles to Regional Integration

The concepts of border, boundary and frontier are sometimes used interchangeably in the literature. There is however a need to begin this section of the essay with some clarifications. A boundary refers to a line of demarcation between two legal jurisdictions. Whether natural (a mountain chain/range, a river system or waterway), or contractual (based on legal norms), a boundary is in consonant with the sovereign state system, which deems states anywhere in the world, to be independent and sovereign and are expected, all things being equal, to secure their respective territories against external aggression. The concept of boundary denotes relative discontinuity in human relations and it can be a potential source of conflict between nations and peoples. Whereas a boundary imposes territorial restrictions (*within bounds*), a frontier (*in front*) implies a zone of contact and exchange between two entities or social systems. A border, on the other hand, is a land that is adjacent to a boundary with another jurisdiction. Unlike a boundary that defines the sovereignty of the state, a border is a determining factor of national identity and political affiliation. Perceived as an entry point, it can be opened and closed, depending on the level of cooperation, exchanges or tension between neighbouring states and their citizens. As such, a border means different things to a state and

its citizens; whereas the state has vested interests in demarcating and securing its borders against criminality and other illegal activities, border communities often long for soft border management that facilitates freedom of movement on both sides of the 'fence'.

Africa's contemporary border challenges date back to the 1884 and 1885 Berlin International Conference which legitimated the balkanization of Africa as a peace settlement strategy among the feuding European powers. For over 80 years, untrammelled expropriation of wealth from Africa to Europe through hard labour and oppressive means confined the local African populations to bounded settlements called colonies. When, eventually, colonial rule began to roll back in the 1950s, potential African successor leaders staged political rallies and mobilized the masses for self-determination. The shared aspiration for freedom from the colonial yoke therefore provides an important key to appraise the vision of a united Africa. It is worth recalling that the ratification of the OAU Charter on May 25, 1963, was dominated by influential figures like Nkrumah of Ghana, Sekou Toure of Guinea, Julius Nyerere of Tanzania, Jomo Kenyatta of Kenya and Kenneth Kaunda of Zambia, among others. Some of them had been freedom fighters who were brought out of prison cells into presidential villas amidst popular ovation, following elections campaigns and

sweeping victories (Meredith, 2005). Even though they decried the balkanisation of Africa, they were not ready to redraw the inherited political map of Africa. Neither were they prepared to share political power and turn the dream of African unity into reality as once advocated by Nkrumah. Instead, they jointly decided "to build new African nations within the prefabricated structures of the already existing colonial state" (Thomson, 2004: 36). Not surprisingly, the 1964 Cairo summit of the Organisation of African Unity, OAU, endorsed the inherited colonial borders and exhorted African leaders to respect their sanctity and status quo.

Not only did post-independent leaders openly endorse the double principles of sovereign equality and respect for the territorial integrity of member states (Art. 2 of the UN Charter, 1945), they also turned the new regional organisation (OAU) into "a mutual preservation club" (Makinda, 2007: 13). Former Tanzanian President Nyerere once described the OAU as a Trade Union of African Heads of State: "We protected one another, whatever we did to our own peoples in our respective countries. To condemn a Mobutu, or Idi Amin or a Bokassa was taboo! It would be regarded as interference in the internal affairs of a fellow African State" (Ayittey, 2005: 425). The 'club' of continental leaders merely re-enacted the 1884 Berlin Conference in Addis Ababa in May 1963 and routinely endorsed the

inherited territorial boundaries at the Cairo Summit of 1964. They were too eager to use the newly created Organisation as a political platform to legitimise their roles as gatekeepers of their respective states. In other words, respect for the inherited territorial boundaries became sacrosanct and it enabled the post-colonial African leaders to specialise in the collection and distribution of resources deriving from the gate: customs revenue and foreign aid; permits to do business in their territories; entry visas and permission to move currency in and out (Cooper, 2002). Arguably, strict adherence to the OAU guiding principles of respect for the sovereignty of member states and non-interference in their respective internal affairs have no doubt directly and indirectly, also delayed the development of a community of states in Africa (De Melo et. al., 2014).

Since the end of Cold War, inter-state wars have not only become uncommon but they have been replaced by the challenges of organised crime, terrorist attacks, pandemics, climate change, and other serious threats to the integrity of states that do not respect physical international boundaries. The creation of the African Union (AU) in July 2002 however marked a paradigm shift in African politics because the new continental body was expected to reflect "a qualitative improvement in the evolution of

intra-African cooperation and integration" (Matthews, 2008: 33). The new organisation reflected the determination of African leaders and other political actors "to take up the *multifaceted* challenges that confront our continent and people in the light of the social, economic and political changes taking place in the world" (AU Constitutive Act). Article 4 of the Act, in particular, underscores the new spirit in the AU especially in respect of the right to:

- Intervene in a Member State in case of grave circumstances and genocide;
- Respect for democratic principles, human rights, the rule of law and good governance; and
- Condemnation and rejection of unconstitutional changes of governments.

Against the backdrop of contemporary security challenges, African Ministers in charge of Border issues met in Addis Ababa on June 7, 2007 and acknowledged that borders were important instruments in the integration of Africa. At the end of the conference the Ministers launched the African Union Border Programme (AUBP) whose strategic objectives include:

- Facilitating and supporting the delimitation and demarcation of African boundaries where such exercise has not yet taken place;
- Reinforcing the integration process, within the framework

of the RECs (Regional Economic Communities) and other large-scale cooperation initiatives;

- Developing within the framework of the RECs and other regional integration initiatives local cross-border cooperation;
- Building the capacities of member states in border management as well as in border studies and research; and
- Advising the Commission and other organs of the African Union on border-related matters.

Three years later, the AUBP Ministers agreed to an annual celebration of Africa Border Day on June 7. Significantly, the Malabo AU Summit (July 2011) decided to extend the delineation/demarcation exercise to 2017. However, while it is important to properly delimit international borders in an age of terrorism and pandemics, the demarcation along the inherited borders, complete with supporting documents from the erstwhile colonial Metropoles, raises a lot of issues and questions. For instance, border delimitation and demarcation could pose serious obstacles to regional and continental integration when boundaries are drawn to satisfy the interests of government officials and external actors (former colonial masters), while trampling on the land rights and citizenships of border

communities. The next section takes a close look at the EAC and ECOWAS in order to underscore the usefulness as well as the challenges of creating borderless regions.

Gains and Challenges of Borderless Integration in East and West Africa

The mere fact that leaders of sovereign states meet and create an organisation that will enable them to advance their respective national interests through the pooling of resources or cooperation in areas of common concern is, in itself, an indirect way of 'saying goodbye to Berlin'. This is especially so in West Africa, which is reputed to have the most advanced regional grouping of independent states, the Economic Community of West African States, ECOWAS. Most scholars contend that the European Coal and Steel Community (ECSC) in 1952 marked the beginning of the European integration, a model of integration that has inspired regional economic communities in Africa. It is worth noting however that ECSC was above all a political project with economic interests: it took away the management of coal and steel, a key war-making mineral, away from two rival countries, France and Germany, and placed it under the control of a single supranational authority. Dinan (2005:25) makes this point clearly when he noted that the ECSC was a form of political reconciliation between two traditional enemies in the post-world war Europe which

"apparently offered the only opportunity to avoid a repetition of the disastrous conflict that had characterised the first five decades of the twentieth century." The ECSC has been the engine of economic integration in Europe, which culminated in the creation of the European Economic Community, EEC, in 1957 and the advent of a single currency in 1999. However, we should also not overlook the fact that sovereignty sharing remains central to the success story of the EU as it continues to evolve in time and space.

As far as African integration is concerned, the OAU member states adopted as already noted, in Cairo, in July 1964, "to respect the borders existing on the achievement of national independence." Little wonder then that existing forms of federal groupings bequeathed from the colonial rule such as the French West African Federation, Central African Federation, Congo-Rwanda-Burundi Community, the Federation of Rhodesia and Nyasaland, the East African High Commission, to name but a few, were soon to be abandoned. Bach (2015) contends that "the traumatic dissolution of nearly all the regional entities established during the colonial period left bitter legacies and hampered moves to revive regional cooperation and integration" in post-colonial Africa. Instead of building political institutions charged with the power to make binding decisions that would have propelled the emergence

of security communities like post-war Europe, post-independence African leaders simply ratified intergovernmental treaties that guaranteed the sovereignty of their respective states for fear of losing political power and/or its attendant contagion effects.

The creation of the East Africa Community (EAC) in Kampala on 6 June 1967 brought the leaders of Kenya, Uganda and Tanzania together in a bid to develop a common market for their respective economies, but the initiative collapsed ten years later for a number of reasons. They include among others, the coup d'état by (and dictatorship of) Idi Amin that culminated in the expulsion of foreign nationals from Uganda; the invasion of Uganda in 1979 by Tanzania and the overthrow of Idi Amin; the disparity in economic policies and development between pro-capitalist Kenya and Socialist Tanzania. On 30th November 1993, nearly two decades after it was disbanded, the EAC was resurrected with the ratification of its Treaty by the three founding partner states. On July 1, 2007, the regional community extended its membership to Rwanda and Burundi, bringing its total population close to 150 million people. Some notable progress has been made with regard to the free movement of labour, capital, goods and services within the EAC since the launch of the Common Market Protocol on July 1, 2010.

However, the main challenge facing

the Community from inception seems to revolve around the political dissimilarities among the partner states rather than territorial contestations. According to the Expert Report on the East African Political Federation:

...One of the most manifest challenges is the issue of sovereignty and the attendant notions of loss of national identity, political power, decision-making and loss of flexibility in exercising power. The collapse of the former EAC and the resultant bitter experience still influences some peoples' attitude and raises apprehension about political integration. The divergent governance and democratic practices have generated concern on how the federation will bridge the gap in governance and democratic deficits, rule of law, transparency, accountability, human rights and access to justice, constitutionalism, prevention of conflicts, equitable distribution of resources, political reform and social justice between the member states. The urgency to expedite finalisation and adoption of the protocol on good governance including other instruments that operationalise its pillars cannot be overemphasized... (EAC, 2010).

The above excerpt clearly indicates that President Yoweri Museveni of Uganda has successfully manipulated the constitution and crafted a presidential monarchy in Uganda (Mwenda, 2010; Barkan, 2012). The Ugandan experiment of gerontocracy has inspired post-genocide Rwanda to also disregard political pluralism with the tacit approval of donor countries. As Zurcher (2011:77) contends, "the ruling elite's main concern is to avoid new ethnic division(s) within the society and a frequently repeated argument is that Western-style competitive democracy would widen these divides." The same scenario is replicated in neighbouring Burundi in President Nkurunziza's now successful bid to run for a third term against the Arusha peace accords and concerns by the African Union and the international community. Also, while ethnic-politics seems to characterise Kenya (Chege, 2010), Tanzania practises an opposition-free democracy (Hoffman et.al, 2010).

Another serious challenge is the overlapping membership of competing regional institutions that may directly or indirectly conflict with the agendas and mandates of such organisations although this is not peculiar to the EAC. For instance, all five member countries belong to the Common Market for East and Southern Africa (COMESA), the Economic Community of Great Lakes States

(ECGLS) and the International Conference of Great Lakes States. As shown in the Figure 1 below, multiple memberships have the potential of strengthening artificial barriers to cooperation and integration in the region, since it carries the seeds of division and discrimination against non-Member States, and constitutes a form of conflict in its own right. Akokpari (2008: 100) strongly argues that "multiple memberships in groupings prevent states from fully committing to the objectives of regional integration, and undermine the efficiency and effectiveness of regional formations" and groupings. It is worth noting that the position of Tanzania as SADC member qualified it to lead a Multinational Joint Task Force into the DRC but it sets Dodoma against Kigali whose troops were accused of perpetuating the mineral conflict in the Kivu Region. Meanwhile the ensuing war of words between Presidents Kagame and Kiwete has exposed the internal fragility of EAC (Genet, 2013). Borders will continue to bother political leaders in East Africa because most of them are inward looking. It seems obvious that the

EAC model of integration has settled for a rather shambolic cooperation among Partner States whose systems of government are yet to pass the test of good governance.

Unlike the EAC experiment which is yet to make a determined move to de-emphasise the legacies of Berlin, the history of the Economic Community of West African States, ECOWAS, testifies to a corporate move to dismantle the inherited psychological and physical boundaries from the onset. Efforts aimed at bridging the gap between the Anglophone and Francophone countries to enhance the creation of a common market across the inherited borders, brought 16 disparate States to form a geopolitical community with ratification of the Lagos Treaty on 28 May 1975. This is in spite of their multiple memberships in other groupings within the region such as the West Africa Monetary Union (WAMU), to which half of the ECOWAS members belong.

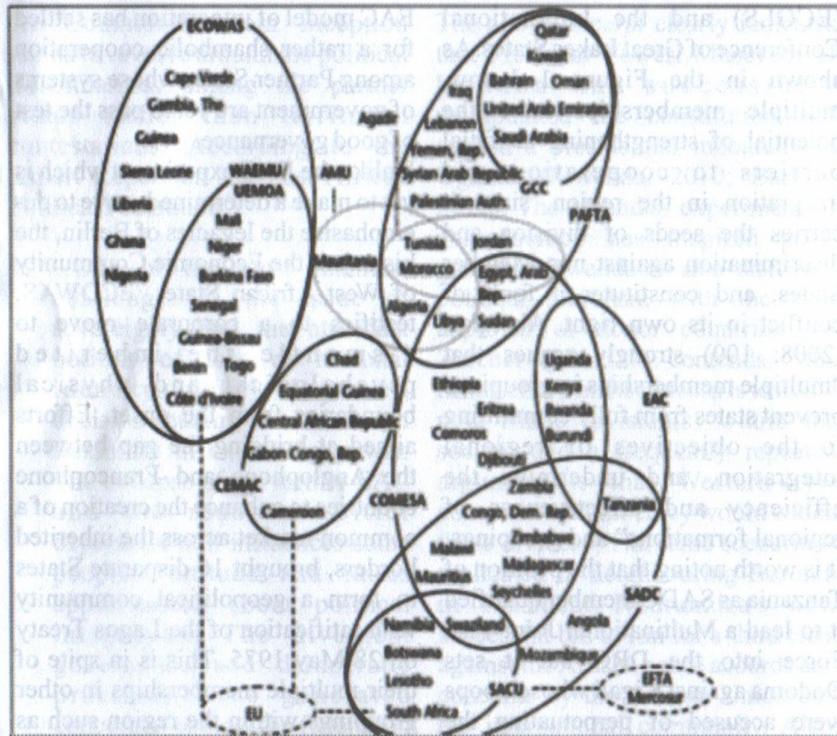


Figure 1: Regional Economic Communities in Africa

Source: Acharya et al, 2011 and World Trade Organisation, cited in Melo et al., 2014

ECOWAS was also home to authoritarian civilian governments and military dictatorships for many years, which resulted in rampant political instability, civil wars and economic underdevelopment and sheer human suffering. However, and starting with the cruel civil wars in Liberia, Sierra Leone and Guinea Bissau, ECOWAS has consistently tried to de-emphasise the inherited borders by interfering militarily in the internal affairs of its members through the deployment of the ECOWAS Monitoring Group

(ECOMOG), now ECOWAS Standby Force (ESF), with or without their explicit approval. The 1993 revision Treaty addressed the initially questionable intervention in member states by making room for a more direct role by ECOWAS in regional security matters (Art. 4). Earlier in 1979,

¹ Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo. Mauritania left in 2004 to concentrate on the Maghreb region.

ECOWAS adopted the rather unique and potentially border neutralising Protocol on Free Movement of Persons, Residence and Establishment. Significantly, Ekelebor (2013: 189) has advocated the model of a 'fortress' ECOWAS in the image of EU. As he put it, 'external and not internal borders of ECOWAS should be defined and fortified to function effectively as it is in the European Union.' Such a model would also suggest that threats to peace and security only come from outside of the community while cross-border issues are taken care of by the collective action of Member States. The 2015 Abuja Summit on Burkina Faso, which denied the military strong man the right to govern the country following a coup, indicates clearly that the regional body has the power to influence its individual member states, in line with the 2001 Protocol on Democracy and Good Governance whose sanctions regime was reinforced in the Revised Protocol in 2015.

Nevertheless, there are still tensions between the vision of ECOWAS construed as a borderless community of states and the tendency for member states to want to hold on to the past. A study carried out by Butu (2013: 52) unveils the internal contradictions that bedevil this laudable regional project. According to him,

Many member-states still retain roadblocks along trans-national

highways. There is therefore undue harassment of ECOWAS citizens across national borders and the right of residence has encouraged trans-border crime within the region. The negative impact of the protocol is becoming much worrisome in the sub-region in recent time.

The vision of a borderless community was first put to the test by Nigeria during the civilian administration of Alhaji Shehu Shagari just before the 1983 elections, when his government ignored the provisions of Article 27 (2) of the ECOWAS Treaty and the Protocol on Free Movement, and over one million community citizens most of them Ghanaians, or so the called "aliens" were asked to leave the country. Similarly, many ECOWAS citizens were forced to leave Cote d'Ivoire in 1999 during the 'Ivoirite' policy of former president Laurent Gbagbo. The anti-immigrant sentiment crossed over into the neighbouring Ghana in the same year when the government threatened to expel 'aliens' found without proper registration papers. The paper takes a close look at other important protocols in order to appreciate the efforts made by ECOWAS to create a borderless community of people, which has been captured in its Vision 2020 document.

Skinning the Protocols

The efforts at entrenching a borderless community in West Africa

are anchored on three pillars, namely; (i) the Protocol on Free Movement of Persons, Goods and Services, Residence and Establishment; (ii) the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security; and (iii) the Protocol on Democracy and Good Governance. The three documents have formed the bedrock of what can be described as "ECOWAS' borderless vision in the region". The 1999 Mechanism and the 2001 Protocol on Democracy and Good Governance have been revised to make them much more effective in promoting peace and democratic consolidation in West Africa.

a. Protocol on Free Movement of Persons, Residence and Establishment

Article 27 (2) of the 1975 ECOWAS Treaty confers the status of community citizenship on the citizens of member states. It also enjoins member states to abolish all obstacles to freedom of movement and residence within the community. It is little wonder that the initiative was greeted in London as "one of the most ambitious projects of its kind" (Okomet. al, 2012: 120). ECOWAS adopted on May 1979, a Protocol on Free Movement of Persons, Residence and Establishment in order to give practical expression to

the provisions of the article 27 (2). The implementation of the Protocol was carried out in three major phases. Under Phase I, Visa requirements and Entry Permits were abolished for Community citizens who needed to possess only a valid travel document and an international health certificate; Phase II provided for the Right of Residence, while Phase III granted them Right of Establishment. All this is however subject to the fulfilment of conditions that are also spelt out in detail in the Protocol. Much progress has been made since then with regard to the abolition of Visas and Entry Permits, introduction of the ECOWAS Travel Certificate and H a r m o n i s e d Immigration/Emigration Forms as well as the ECOWAS Passport. Article 7 of the Protocol makes provision for the settlement of disputes arising from the interpretation or application of the Protocol. However "in the event of failure to settle such disputes, the matter may be referred to the Tribunal of the Community by a party to such disputes and the decision of the Tribunal shall be final" (ECOWAS, 1979).

h. Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security and Good Governance

Charged with the maintenance of collective security and peace and through it diverse organs - the Defence and Security Commission, the Council of the Wise, ECOWAS Standby Force...the Mechanism shall be activated in any of the following cases (Article 26):

- ✓ External aggression or threat against any Member State
- ✓ Conflict between two or several Member States,
- ✓ Internal conflict, natural or man-made disaster
- ✓ Terrorism against a Member State,
- ✓ In the event of serious and massive violation of human rights and the rule of law,
- ✓ In the event of serious socio-economic, health, and political crisis following the overthrow or attempted overthrow of a democratically elected government,
- ✓ Any other situation as may be decided by the Mediation and Security Council.

Section 1, Article 1 of the revised Protocol on Democracy and Good Governance deals with the constitutional convergence principles, which are to be shared by all ECOWAS Member States. They include the following:

1. No president of any Member State who has served for a maximum of two terms in office shall be eligible to contest in any subsequent Presidential election.
2. Separation of powers among the Executive, Legislative and Judiciary,
3. Empowerment and strengthening of parliaments in order to ensure their independence and efficiency as well as guarantee parliamentary immunity,
4. Independence of the Judiciary: Judges shall be independent in the discharge of their duties;
5. The freedom of members of the Bar shall be guaranteed, without prejudice to their penal or disciplinary responsibility in the event of contempt of court or breaches of the common law;
6. Every accession to power must be made through free, fair, peaceful and

i. The Protocol on Democracy

transparent elections or any other means consistent with the constitution;

7. Zero tolerance for power obtained or maintained by unconstitutional means;
8. Popular participation in decision-making, strict adherence to democratic principles and decentralisation of power at all levels of governance;
9. Secularism and neutrality of the State in all matters relating to religion.

The Protocol also makes provision for ECOWAS to assist Member States in conducting national elections. In 2012 alone, ECOWAS' Electoral Assistance Division provided logistical support during the Presidential elections in Senegal (February), in Guinea Bissau (March), in Sierra Leone (November), and in Ghana (December). It played a vital role in the 2015 Presidential election in Nigeria that witnessed for the first time since the return to civil rule in 1999, peaceful transfer of power from one political party to another. Despite claims of some irregularities in some instances, it is noteworthy that majority of the 15 ECOWAS Member States now have democratically elected governments. As a supranational organisation, ECOWAS has acquired powers to impose a series of sanctions in the

event that democracy is abruptly derailed in a Member State. These include:

- Refusal to support the candidate presented by the Member State concerned for elective posts in international organisations;
- Refusal to hold ECOWAS meetings in the Member State concerned and suspension from all ECOWAS decision-making bodies;
- Arms embargo;
- Travel bans on the leaders of the new regime and their close collaborators;
- A freeze on their financial assets;
- Sporting boycott and
- Suspension of diplomatic ties (Art. 46).

Finally, the 46th Summit of Heads of State and Government at its meeting in Abuja, the Nigerian capital, on December 15, 2014 emphasised the need to revise the 2001 Protocol on Democracy and Good Governance "to adapt to the changes in the governance architecture of Member States to reflect best practices in respect of presidential terms of office and to derive greater benefits from those changes" (ECOWAS, 2015). Compared to ECOWAS, the EAC

Partner States ostensibly belong to a single community that aspires to be a Federation of independent states. Ministers and Representatives of Member States affixed their signatures to the Protocol on Peace and Security on 15 February 2013 in Dar es Salaam, Tanzania. Cooperation is the catchword that runs through the document: Partner States are expected to collaborate in various ways including disaster management, fight against cross-border and transnational crimes, terrorism and many more (Art. 2). According to Article 9 of the EAC Treaty, the Council of Ministers is empowered to make the rules, and "shall determine the institutional arrangements for the implementation of this Protocol." Article 3 of the Protocol also provides for cooperation whenever a Partner State is a victim of external attack. However, such cooperation conflicts with the principle of respect for the sovereignty and non-interference in the internal affairs of Partner States. More importantly, the question as to what must be done in case of non-cooperation by Member States is not clearly spelt out in the Protocol. It is on record however that only Rwanda and Uganda have so far ratified the Protocol, which raises the issue of the credibility and operationalization of the document in the event of external aggression against a Member State. It is worth mentioning also that even before Kenyan army's incursion into Somalia in October 2011, al-Shabaab

Jihadists have been attacking security personnel and ordinary peoples inside Kenya. The group also claimed responsibility for similar attacks in Kampala, Uganda. Addressing the East African Legislative Assembly (EALA) in his capacity as then EAC Chairman, President Uhuru Kenyatta called for collective action against terrorism in the region. He echoed the position of the EAC lawmakers who believed that such action depended on the readiness of all the Partner States to ratify and implement all regional peace and security-related protocols (Ubwani, 2014). Because the Protocol is premised on weak foundations as earlier mentioned, the East African Community has been short changed by its own makers in such a way that it is unable to craft a collective solution that would involve all members in the war on terror, and in particular, against al-Shabaab attacks. This suggests that the gatekeepers prefer hardwired national barriers to bridges of cooperation in order to carry on business as usual. The next section of the paper proffers some recommendations that would enhance cooperation within the EAC and ECOWAS.

Conclusion and the Way Forward

It will be naive to argue that borders will disappear in Africa soon. In some regions and countries, borders have for years been a source of tension and will continue to be so in the foreseeable future. For instance,

there have been border tensions and even conflicts between Sudan and South Sudan, and between Eritrea and Ethiopia in the town of Badme. Uganda has a land boundary dispute with South Sudan and the Democratic Republic of Congo as well. It should be stressed on the other hand that West Africa does not have any active border conflict. In fact, the last border skirmishes were between Mali and Burkina Faso in 1984 and were quickly brought under control through the timely intervention of the then Nigerian Foreign Minister, Bolaji Akinyemi. It is significant to note that since the early 1990s, ECOWAS has progressively evolved into a veritable regional security community, which has made violent border conflicts between Members States and undemocratic transfer of power almost unthinkable now in the region. The determined ECOWAS stand in the crisis in the Gambia following the decision by defeated President Yahya Jammeh to relinquish power after his defeat in the December 1st Presidential Elections in that country, was a clear demonstration of the organisation's willingness to nip in the bud developments in Member States that threaten peace and security. Undeniably ECOWAS' Vision 2020 is expected to divest it of its elitist trappings, which would ultimately lead to the creation of:

...a borderless, peaceful, prosperous and cohesive

region, built on good governance and where people have the capacity to access and harness its enormous resources through the creation of opportunities for sustainable development and environmental preservation (ECOWAS, 2015).

In moving away from a community of states to a community of people, ECOWAS can actually claim a leadership position and role model as far as regional political integration is concerned.

We have argued in this paper that borders will continue to bother us as African people and for African States in the foreseeable future, as long as the elite in power continue to manipulate them to their political and economic advantage. A comparative study and analysis of ECOWAS and the East African Community has revealed that ECOWAS has in its 41 years' history come a long way in its evolution as a supranational organisation, and that it can certainly lay claim to a leadership role in regional integration efforts in Africa. The 1979 Protocol, which waived visa requirements for ECOWAS citizens de-emphasised the potency of the inherited colonial borders as obstacles to inter-state movement by its citizens and a vehicle for effective regional cooperation in West Africa. Thus, from such a standpoint, it is plausible to say that West Africa is slowly but steadily saying "farewell

to Berlin". This is because the 1979 Protocol has built formidable bridges across hitherto divided nationalities in the region by allowing Community Citizens to establish anywhere within ECOWAS. Also, the 1999 Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, has taken up regional and individual country security challenges through the establishment of the Defence and Security Commission, the Council of the Wise, the ECOWAS Standby Force, ESF, and the ECOWAS Early Warning and Early Action system.

Concerned about the increasing incidence of internal conflicts as a result of political and economic marginalisation, religious intolerance and election malpractices, the 2001 Protocol on Democracy and Good Governance, is designed to bridge the current governance and security gaps between and within Member States. The three Protocols capture the evolution of ECOWAS from a purely economic intergovernmental organisation into the supranational authority that it is today. However, given the prevailing fears, concerns and challenges surrounding the integration project in East Africa, the paper concluded that the East African Community has a lot to learn from its regional counterpart in West Africa, especially with regard to the mandate of the AU Border Programme of transforming inherited colonial

territorial barriers into bridges of peace and cooperation across the continent.

The foregoing analysis and conclusions have underscored the policy gaps between East and West Africa while taking into account the uniqueness of each region. Arising from that there is urgent need to promote what can be described as "domestic integration" not only as a vital component of nation building, but also as a precondition for effective regional integration in Africa. That however requires the presence, especially in Member States, of integration projects and inclusive political institutions that are based on democratic controls on the exercise of political power and on inclusive development and the rule of law (Acemoglu et al., 2013). This is important, because there is hardly an African country that has fully overcome ethnic cleavages and the xenophobic attitudes have been more politically and economically damaging within national boundaries in recent times (Boneza, 2009: 341). Poor political commitment and symbolism remain major stumbling blocks to effective regional integration not only in the two regions in focus, but also elsewhere in Africa. Whereas the condemnation and rejection of undemocratic transfer of political power have made military coups less attractive on the continent, some incumbents are still bent on prolonging their stay in power by

manipulating their national Constitutions.

Recommendations

In order to consolidate the pillars of a borderless community in Africa, the following recommendations are inevitable.

1. There is a pressing need for the AU and Regional Economic Communities, RECs organisations to delegitimize the manipulation of constitutions with impunity, especially in the run up to elections, which tends to revive the 'president-for-life' and "sit tight" syndrome, to enhance the democratic cultures of inclusion, transparency and participation, which remain important vehicles for regional integration according to the EU model.
2. More and more cross-border dynamics are developing in borderlands where facilities such health, education and market are shared on either side of international boundaries in an informal manner. Improving security at borders requires their communities become the primary stakeholders of regional integration projects rather than proxy militias at the service of the central governments.
3. In keeping with its objective of turning borders into bridges of peace and cooperation, the AU BP should assist contiguous states in bringing border communities closer by adopting soft boundary policies. In this regard, one way of promoting cross-border integration is to celebrate an 'Africa Union Day' in every region during which border communities are sensitized and made more aware of their responsibility as 'security populations' owing to their local knowledge and ability to detect trans-border criminalities.
4. A central data bank must be put in place nationally and regionally so that strategic information about movements in and out of Communities is shared by all Member States. This should be backed by the installation of data capturing and fingerprinting equipment at all major border frontiers especially at air and sea ports, to screen everyone that enters and leaves each region at such points.
5. Refugees can pose diverse but serious threats to the peace and security of both the host and state of origin. Border agencies should therefore be

equipped with modern facilities to effectively control epidemics, which may pose more potent threats than even terrorism. Thus, all Member States' Ministries of Health must as a matter of urgency, establish epidemiology departments and units at major border crossings to screen migrants/refugees for communicable diseases such as Ebola, Lassa Fever and HIV/AIDS; and to identify those that have the potential to pose other forms of security threats in the two regions.

6. Issuance of residence permits to Community citizens in Member States should be made more transparent to facilitate speedy documentation of applicants who may want to regularize their stay in a Member State. This is particularly pertinent in West Africa, which has the most developed borderless regime.
7. Environmental degradation knows no borders, whether hard or soft. Special attention should therefore be given to climate change in the two regions

especially at border regions to prevent conflicts arising from such natural phenomenon between and among states. More proactive use of the Early Warning Centres in West Africa, in particular, is needed in order to monitor possible threats to national and regional security challenges. Happily, under the revised 1999 Mechanism, the ECOWAS Early Warning System has been upgraded to Early Warning and Action.

8. Exploitation of common resources especially those in riverine areas and borderlands must be explored, negotiated and administered jointly so that zones of potential conflict are turned into zones of peace and multilateral cooperation. To that effect, political leaders are enjoined to transfer some of their state functions to supranational institutions at the regional and continental levels.

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