

An Appraisal Of ECOWAS As A Vehicle For Regional Integration

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Abstract: *The paper appraises the Economic Community of West African States (ECOWAS) as a vehicle for regional integration. The Economic Community of West African States (ECOWAS) needs a vehicle for regional integration and ECOWAS Treaty comes readily at hand to perfect this onerous task. The paper revealed that the ECOWAS Treaty is a very important legal instrument that represents the first successful economic arrangement of West African States in which free trade and free mobility of labour and skill would enhance the harmonization of economic development embracing agriculture, industries, transport and communications and training and skills. The paper exposed the fact that the predicament confronting almost all the member states lies in their inability to stabilize their political and economic environment that is crucial not only for sustainable national economic and political development but also for a successful regional economic integration programme. Conclusively, its obvious from the paper that the present state of affairs in member States domestic socio-political and economic environment, does not and cannot provide the much needed favourable condition for ECOWAS to successfully implement its regional economic integration programmes. There is need to develop conflict prevention mechanisms through a sub-regional programme of education in order to mediate actively in conflict situations. ECOWAS should create mechanisms of preventing conflicts and promoting a culture of tolerance and compromise. One reason for this is that integration is best developed in an atmosphere of trust and confidence among nations and their population. Above all, there is need to establish a formidable research institute to help in assessing the programmes of current integration as well as the level of accomplishment of continental efforts.*

Keywords: *ECOWAS, Vehicle, Regional Integration, ECOWAS Treaty, Conflicts*

I. INTRODUCTION

West African State have a much longer tradition in institutional cooperation. This region's main organization is the Economic Community of West African States (ECOWAS). It was formally established in 1975, but the organization's constituent Treaty was extensively revised in 1993. Its principal objective in the creation of an economic and monetary union of the 15 member states. Its action is supplement by the ECOWAS Bank for Investment and Development, which finance, development projects in member states. Several specialized agencies, such as the West African Health Organization or the West African Monetary Institute have been established in the framework of ECOWAS. The organization has played an increasing political role since the beginning of the 1990's in a reaction to the civil war that had erupted in Liberia, the organization established a military force, the ECOMOG (ECOWAS Cease-Fire Monitoring

Group) that was sent to this country in August 1990 to help restore peace. The force engaged in military activities, going far beyond traditional peacekeeping operations; hence the organization's intervention in Liberia raised serious questions of legality, since it had not been authorized by the UN Security Council although this organ nevertheless gave it a posteriori approval some time later. This interest for regional security was consecrated in the 1993 Treaty (see Art. 58) and a more institutional Mechanism for conflict prevention, management, resolution, peacekeeping and security was established within the organization in 1998. A mediation and security council is thereby created, which is empowered to take decision on issues of regional peace and security on behalf of the ECOWAS supreme organ, and to authorize all forms of interventions including the decision to deploy political and military missions.

At the time, ECOWAS thus emerged as the first African Organization endowing itself with a sophisticated and

operational security mechanism. The ECOMOG has since then been involved in conflicts in two other member states: Sierra Leone and Guinea Bissau, and the organization sent a military force (ECOMIL) in Liberia again in 2003. More generally, the expansion of the ECOWAS field of activities beyond mere economic co-operation was further confirmed by the adoption under the auspices of the organization in 2001, of a protocol on Democracy and Good Governance, which expresses *inter alia* the commitment of member states to comply with fundamental principle: such as the separation of powers, the independence of the judiciary, the organization of free, fair and transparent election or the neutrality of the state in all matters relating to religion. Even though the member States of ECOWAS have decided that it would ultimately be the sole economic community in the region (Art. 2, para. 1 of the 1993 Treaty), a number of them also participated in efforts to create the West African Economic and Monetary Union UEMOA, as it is known under its French acronym) in 1994. UEMOA's objectives are essentially the same as those of ECOWAS, and its development should be facilitated by the fact that its members are already using a common currency, the CFA France, its institutional architecture draw heavily on that of the European Community UEMOA's creation nevertheless inevitably raises issues of duplicate between organizations pursuing essentially identical aims within the same region, especially when one considers that intergovernmental organizations other than ECOWAS and UEMOA are still relatively active in the economic field in West Africa.

II. THE CONCEPT OF REGIONAL INTEGRATION

The concept of regional integration takes on a predominantly economic slant in the literature, to the point of confusion with that of economic integration. However, economic integration concept can be used generically in reference to growing economic ties among countries which may or may not be geographically contiguous. Regional integration can cover the full range of public sector activity, including not only the coordination of economic policies, but also regional security, human right, education, health, research and technology and natural resources management. Regional in this sense is here understood as macro-regional that is at the supranational level as opposed to macro-regional, that is at sub-national level. This, regional integration refers to the emergence of a governance level between the national and global level within the system of world governance based on cooperative behaviour and the designs of common policies and institutions by actors that traditionally belonged to the national governance level.

III. DIMENSIONS OF ECONOMIC INTEGRATION

A. PREFERENTIAL TRADE ARRANGEMENT

- ✓ Provision of merely lower barriers among participating nations.
- ✓ Non members faces higher levels of barriers to trade - It is the loosest form of economic integration.

- ✓ Example British Common Preference Scheme established in 1932.

B. FREE TRADE AREA

- ✓ All barriers to Trade are removed among members.
- ✓ Each member retains its own barriers to trade with non members.
- ✓ There is need for rule of origin to protect deflection possibilities from non-members.
- ✓ European Free Trade Area (EFTA) is example; NAFTA another example.

C. CUSTOM UNION

- ✓ No tariff or other barriers on contracting members.
- ✓ Common external tariff (CEF) on the rest of the world by custom members.
- ✓ CET accepted is usually the current pre-union rate
- ✓ Harmonizing non-tariff barriers under custom union is a difficult task.

D. COMMON MARKET

- ✓ Have all characteristic custom union.
- ✓ Has no invisible trade restriction/harmonization of trading standards and practices.
- ✓ Harmonizes monetary and fiscal policies of member states.
- ✓ Free factor mobility and competition policy.
- ✓ EU achieved this states in 1993

E. ECONOMIC UNION

- ✓ Most advance type of economic integrate.
- ✓ Has all attributes of a common market
- ✓ Coordination of macro economic and budgetary policies.
- ✓ Common currency.

IV. THE ECOWAS TREATY

This very important legal instrument represents the first successful economic arrangement of West African States in which free trade and free mobility of labour and skill would enhance the harmonization of economic development embracing agriculture, industries, transport and communications and training and skills.

The treaty's preamble is very impressive followed by a set of important and far-reaching aims and objectives. It is generally accepted that the provisions of either the preamble or the aims of an international convention do not create legal obligations for the parties. One would go further to stress that at best, such-provisions constitute an embodiment of the aspirations of the makers of the documents underlining their mood.

The treaty creates form institutions for the Community, namely:

- ✓ The Authority of Heads of State and Government which shall be responsible for the general direction and control

of the performance of the community's executive function and shall meet at least once a year.

- ✓ The Council of Ministers which shall consist of two representatives from each state and shall meet twice a year.
- ✓ The executive secretariat with an executive secretary, two deputy secretaries, a financial controller and other officers of the secretariat shall be responsible only to the Community itself;
- ✓ The Tribunal of the Community which shall settle disputes regarding the interpretation or application of the treaty where direct agreement fails.

Member States are enjoined to co-ordinate and harmonize their policies, particularly in the fields of political, diplomatic, economic, educational and cultural co-operation as well as health, sanitation, nutritional, scientific and technical cooperation.

In accordance with the above purposes, member States commit themselves to the further promotion of the following basic principles:

- ✓ The sovereign equality of all member States;
- ✓ Non-interference in the internal affairs of States;
- ✓ Respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence;
- ✓ Peaceful settlement of disputes by negotiation; mediation, conciliation or arbitration;
- ✓ Unreserved condemnation, in all its forms of political assassination as well as of subversive activities on the part of neighbouring States or any other State;
- ✓ Absolute dedication to the total emancipation of the African territories which are still dependent; and
- ✓ Affirmation of a policy of non-alignment with regard to blocs.

The treaty makes specific reference to the Charter of the United Nations Organization as well as to the Universal Declaration of Human Rights. The principal aim of the Community is to promote co-operation and development in all the fields of economic activity, particularly in the fields of industry, transport, telecommunications; energy, agriculture, natural resources, commerce, monetary and financial questions and in social and cultural matters for the purpose of raising the standard of living of its people, of increasing and maintaining economic stability, of fostering closer relations among its members and of contributing to the progress and development of the African continent.

To enable the Community to achieve the above, agreement was reached to bring about by stages:

- ✓ the elimination as between the member States of customs duties and other changes of equivalent effect in respect of the importation and exportation of goods.
- ✓ the abolition of quantitative and administrative restrictions on trade among the member States.
- ✓ the establishment of a common customs tariff and a common commercial policy towards third countries.
- ✓ the abolition as between the member States of the obstacles of the free movement of persons, services and capital.
- ✓ the harmonization of the agricultural policies and the promotion of economic projects in the member States

notably in the fields of marketing research and agro-industrial enterprises.

- ✓ the implementation of schemes for the joint development of transport, communication, energy and other infrastructural facilities as well as the evolution of a common policy in these fields.
- ✓ the harmonization of the economic and industrial policies of the member States and the elimination of disparities in the area of development of member States.
- ✓ the harmonization required for the proper functioning of the community of the monetary policies of the member States.
- ✓ the establishment of a Fund for Co-operation, Compensation and development.
- ✓ such other activities calculated to further the aims of the community as the member States may from time to time undertake in common.

An important highlight of the treaty is the provision of the most favoured nation clause. Under this article, member States shall accord to one another in relation to trade between them the Most favoured Nation Treatment, and in no case shall tariff concessions granted to a third country under an agreement with a member State be more favourable than those applicable under the Treaty. Copies of such agreements referred to in paragraph 1 of this Article, shall be transmitted by the member States which are parties to them, to the Executive Secretariat of the Community. Any agreement between a member State and a third country, under which tariff concessions are granted must not derogate from the obligations of that member state under the Treaty.

Under the Treaty, all citizens of member States are to be regarded as "community citizens" and all obstacles to their freedom of movement and residence within the community, abolished. Member States can continue to impose restriction in the interest of security, the control of weapons, the protection of health or morality, the transfer of gold, silver or precious stones, or the protection of "national treasures". "Dumping" is prohibited. No legislation will directly or indirectly discriminate against products of member States.

The Treaty provides for what it describes as "Safeguard Clause". This clause is intended to be invoked by a member state in case of an economic crisis in the territory of such a member. In the event of serious disturbance occurring in the economy of a member state, the member state concerned shall, after informing the executive Secretary and the other member States, take the necessary safeguard measures pending the approval of the Council of Ministers.

They may not be extended beyond that period except with the approval of the Council of Ministers. The Council of Ministers shall examine the method of application of these measures while they remain in force.

The Treaty provides for settlement of disputes between member states. Any dispute that may arise among the member states regarding the interpretation or application of this Treaty shall be amicably settled by direct agreement. 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 dispute and the decision of the Tribunal shall be final.

V. ECOWAS AND THE CHALLENGES OF REGIONAL INTEGRATION

The predicament confronting almost all the member states lies in their inability to stabilize their political and economic environment that is crucial not only for sustainable national economic and political development but also for a successful regional economic integration programme. A cursory look at the internal socio-economic structure of member states shows a common trend the common problem of nation building and economic development. It appears, that most member states and enmeshed in political and economic turmoil from Benin Republic to Nigeria. Even the once stable states of West Africa -- Cote d'Ivoire and Senegal that had enjoyed decades of political and economic stability, are gradually but steadily matching toward anarchy. The present state of affair in members states domestic socio political and economic environment does not and cannot provide the much required favourable condition for ECOWAS to successfully implement its regional economic integration programmes.

ECOWAS till date has no effective lacks needed political muscle to take both economic and social decisions essential for effective coordination of investment to ensure possible reductions in costs of production and equitable distribution of the gains of development. At present, the community's industrial policy has not gone beyond consultations and exchange of information as the actual harmonization of investment legislatives and incentives and region wide joint development of projects have not really taken off particularly in the areas of small and medium scale agro based industries with direct linkage with the local economics of member States.

Furthermore, the absence of regional integrated investment policy only results in widening the disparities in economic development between the member States as availability of natural resource and market size continue to determine decision involving foreign direct investments within the community. ECOWAS internal market programme remains largely incomplete due to the low commitment and lack of effective compliance on the part of member States in the implementation of regional decisions. Though the regional policy of trade liberalization offers a catalogue of rational conjoint utilities and benefits to be derived when completed, which otherwise member States cannot achieve alone, it is obvious that those utilities and benefits lack nationality in the minds of member States actor preferences as shown in their poor implementation.

The ECOWAS protocol on freedom of movement, rights of residence and establishment of commercial enterprise was meant to ensure unhindered circulation of people and goods within the community, it sought to abolish entry visas and permits for community citizens, entronement of an ECOWAS travel certificate, harmonization of immigration and emigration forms and the ECOWAS brown card scheme for vehicular insurance. It is noteworthy here that the protocol or decision that do not requires financial adjustment and losses are quickly implemented by member States. However, the protocol in freedom of movement like others soon began to face similar problems in its implementation. Apart from the revenues to be lost by member States through the abolition of national passports, immigration charges, social and cultural

frictions soon emerged following the movement of labour and other entrepreneurs. The member States' attitude towards gain/loss as well as the time frame in which regionally distributed benefits are to accrue in relation to the protocol is reflected in the numerous check points still existing along the community's highways contrary to the provisions of the protocol.

ECOWAS economic integration programmes are usually long-term in nature, the gain of which are regionally distributed and constitutes since measure of high risk adventures contrary to the overwhelming immediate national aspirations of member States which seek to pursue low risk policies with short-term pay offs that could result to immediate national welfare. In reality, their present economic and social condition that demand immediate solutions do not give much room for high risk economic adventures with long-term benefits propagated by regional economic integration programmes.

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VI. SUMMARY AND CONCLUSIONS

Regional integration has manifested itself historically in Africa. Today regional integration is expected to strengthened peace and security in the continent. ECOWAS has identified economic cooperation and integration as the engine to propel African development. It was formed to coordinate region-wide development in all fields of human endeavour as a practical reaction to their underdevelopment and poverty.

Regional integration in West Africa literally would have ensured some measures of economic and social stability throughout the region in the long-run. The purpose had been and still to promote economic and social stability and sustainable development within the region through the framework of ECOWAS. However, it is quite probable that member States of ECOWAS either did not understand the full implications of economic integration or that they underestimated the enormous sacrifices in terms of painful adjustments required to achieve meaningful regional economic integration. These necessary adjustment comprises elimination of tariff barrier to trade in terms of import and export duties upon which economic of most member States basically depend. It also demands adjustments in industrial policy in term of harmonization of investment legislations, agricultural policy involving near total restructuring of the agricultural system and regional controlled harmonization of economic and financial policies.

ECOWAS in the past have not been successful in preventing conflicts in the West African sub-region but have played very important and remarkable roles in cooperation with the UN and other external actors in conflict resolution and peacekeeping. For example, the ECOWAS' Mediation and Security and Defence and Security Commission have been effective in reacting to conflicts in the sub-region, particularly

in Liberia, Sierra Leone and Cote d'Ivoire with the assistance of the UN, US, Britain and France. ECOWAS is making progress with regard to the establishment of both regional and sub-regional standby forces to enhance the capacity to undertake peace support operations at short notice. ECOWAS standby force is anticipated to be 6,500 man strong comprising highly trained and well equipped soldiers, which could be deployed immediately in response to any crisis or threat to peace.

There has also been a positive trend on the continent with regard to conflict prevention and management. ECOWAS is increasingly taking the lead in conflict prevention and management and in some cases taking the lead in actual peacekeeping operations. ECOWAS has however not been very successful in dealing with issues of underdevelopment, the main cause of intrastate conflicts in the sub-region. Many of the states in West Africa are economically not viable because of their size and GDP. Apart from Nigeria, Ghana and Cote d'Ivoire that have over 15 million people as population the rest of West African States are tiny in terms of population and need to be part of an integrated market to be viable. The objective was to create a common market in which goods, services and people would move freely across West Africa and which members will derive benefits from increased trade and common external tariff. But lack of political will in the sub-region has rendered ECOWAS still far from its goals. Inter-state trade among countries in the sub-region is currently less than 5% of the total West African trade in the formal sector. Countries in the sub-region are therefore individually vulnerable to a hostile global environment.

Contrary to the conditions obtainable in other regions, the conditions of economic contradiction, economic decline and in some cases decay because the order of the day in West Africa, has resulted to social changes that were characterized by underdevelopment, poverty and violent conflicts. This is quite contrary to the conditions obtainable in the industrialized countries which had attained meaningful levels of economic and political stability before engaging in regional economic integration and has significantly eliminated possibility of recourse to physical force.

West African governments need to overcome their rivalries and competitions to ensure that ECOWAS works. An effective ECOWAS will enhance inter-state trade and also strengthen the bargaining power of its members in international negotiations and debt relief efforts. ECOWAS countries therefore need to adopt policies that will replace this unfair trade arrangement with a more equitable economic order that will be beneficial to both West Africa and developed world. The initiative for these changes rests with ECOWAS and not the developed world. West African governments therefore need to overcome the rivalries of the past for influence in the sub-region and to pursue policies that will facilitate the achievement of the goals that led to the establishment of ECOWAS in 1975. An economically integrated West Africa will improve the economic fortune of its member States in terms of commerce and bargaining power, both regionally and globally.

The present state of affairs in member States domestic socio-political and economic environment does not and cannot provide the much required favourable condition for ECOWAS

to successfully implement its regional economic integration programmes.

There is need to develop conflict prevention mechanisms through a sub-regional programme of education in order to mediate actively in conflict situations. ECOWAS should create mechanisms of preventing conflicts and promoting a culture of tolerance and compromise. One reason for this is that integration is best developed in an atmosphere of trust and confidence among nations and their population. Above all, there is need to establish a formidable research institute to help in assessing the programmes of current integration as well as the level of accomplishment of continental efforts. This is necessary to improve the economic and political environment for technological innovation and development. The integration of Africa may be a complex process, but the States are high, and will ultimately determine the continent's political and economic future.

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