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Migration policies in the Economic Community of West African States, ECOWAS, a regional space in crisis. Through the lens of sovereignty

Delphine Perrin

Instituto Francés de Investigación para el Desarrollo Sostenible - LPED

Francia

Abstract: A regional organization cited as a model in Africa, ECOWAS (Economic Community Of West African States) has made the free movement of people the heart of integration between its 15 member States. This model is now in crisis. Not only because three of its members have decided to leave. It is in crisis because the law and policies it has developed to guarantee free movement and free residence has been little known and little respected, under the influence of sovereignties. While it has been appropriated by citizens, the right to mobility (and migration) is weakly protected and proves to be precarious.

ECOWAS is also an area subject to the cross-influences of external actors who have led for 10 to 20 years to orienting migration policies towards greater control of people and prevention of migration. It has resulted in weakening mobility rights. In addition, nationalism has been rising within the West African space, which finds its source in a desire for emancipation from the West but impacts intra-African relations, potentially including migration policies. The article explores the articulation of these three dynamics: 1/ a failing regional construction 2/ the impact of external influences 3/ the rise of nationalisms, in their relationship with intra-African migrations.

Keywords: Mobility; Migration; West Africa; Sovereignty; ECOWAS.

Políticas migratorias en la Comunidad Económica de Estados de África Occidental, CEDEAO, un espacio regional en crisis. Desde la perspectiva de la soberanía

Resumen: La CEDEAO, organización regional citada como modelo en África, ha hecho de la libre circulación de personas el centro de su integración entre sus 15 Estados miembros. Este modelo está ahora en crisis. No solo porque tres de sus miem-

bros (Malí, Níger y Burkina Faso) han decidido abandonarlo. Está en crisis porque el derecho a la movilidad que desarrolló para garantizar la libre circulación y la libre residencia es un derecho poco conocido y poco respetado, bajo la influencia de las soberanías. El derecho a la movilidad (y a la migración), apropiado por los ciudadanos, está débilmente protegido y, en última instancia, resulta precario.

La CEDEAO es también un territorio sometido a la influencia cruzada de actores que, desde hace 10 a 20 años, han orientado las políticas migratorias hacia un mayor control de las personas y la prevención de la migración. Además del debilitamiento resultante de los derechos de movilidad, ahora se observa, dentro de la región de África occidental, un aumento del nacionalismo, que encuentra su origen en un deseo de emancipación de Occidente, pero que impacta en las relaciones intra africanas. El artículo explorará la articulación de estas tres dinámicas (1/ una construcción regional fallida 2/ el impacto de las influencias externas 3/ el surgimiento de los nacionalismos) en su relación con las migraciones intra africanas.

Palabras clave: Movilidad; Migración; África Occidental; Soberanía; CEDEAO.

Introduction

A regional organization cited as a model in Africa, Economic Community Of West African States (ECOWAS) has made the free movement of people the heart of integration between its 15 member States¹. This model is now in crisis. Not only because three of its members (Burkina Faso, Mali, Niger) have decided to leave. It is in crisis because the law and policies it has developed to guarantee free movement and free residence has been little known and little respected, under the influence of sovereignties. While it has been appropriated by citizens, the right to mobility (and migration) is weakly protected and proves to be precarious.

ECOWAS is also an area subject to the cross-influences of external actors who have led for ten to twenty years to orienting migration policies towards greater control of people and prevention of migration. It has resulted in weakening mobility rights. In addition, nationalism has been rising within the West African space, which finds its source in a desire for emancipation from the West but impacts intra-African relations, potentially including migration policies.

Sovereignty is the key word in the new political rhetoric and social aspirations in West Africa. This article plays along and questions migration policies through the lens of sovereignty.

1 The main objective of ECOWAS being economic cooperation and development.

It may seem paradoxical to highlight sovereignty when tackling migration policies in West Africa. It is regularly argued that African borders are the result of artificial European dividing (Bouquet, 2003) which has separated existing communities². Consequently, the State in Africa has often been described as artificial, «failed» with «incomplete or artificial sovereignty»³.

In reality, probably because of this initial fragility, African states have constantly sought to protect their stability and strengthen their sovereignty. This led them to endorse the borders at independence⁴, along the principle of *uti possidetis juris* used in South and Central America in the XIXth century – the principle of the intangibility of borders inherited from colonization - as well as that of respect for sovereignty and territorial integrity.

Despite the failure of the unifying utopia in the African continent, initially carried by Kwame Nkrumah (Ghana), Julius Nyerere (Tanzania) and Cheikh Anta Diop (Senegal), Pan-Africanism has remained a mobilizing political objective, and projects of union have been relaunched since the 1990s. In the abundance of political projects⁵, ECOWAS appears as a model of integration, notably through the genuine creation of an area of free movement between its member States. West Africa is also the most mobile region in Africa and the one that receives the most immigrants.

70% to 80% of West African migration takes place within the region (Héran 2018)⁶, with great variations: More than 90% of Burkinabe and Nigerien nationals travel in the region, up to 83% for Togolese (Djolar, 2024), but 50 to 70% for Senegalese (who are the West African nationality traveling the most to OECD countries). National immigration situations are also very diverse: Ivory Coast and Gambia have a share of foreigners of around 9% in their population (a share which has decreased if we compare it with the 2010 data and before), Benin, Togo, Burkina around 3%, while the others are at less than 2%⁷. Within countries, some regions are very sedentary while others are traditional departure areas.

2 Something which is contested by Boilley P. and Lefebvre C. (2012).

3 Idir, M. (2022). Pour un renouveau du panafricanisme. Entrevue avec Amzat Boukari-Yabara, *Relations*, [online]. URL: <https://cjf.qc.ca/revue-relations/publication/article/pour-un-renouveau-du-panafricanisme-entrevue-avec-amzat-boukari-yabara>

4 By an OAU (Organization of African Unity) decision in 1964.

5 African Economic Community, 1991; OAU's Reform to become the African Union (UA), 2002; UA Protocol on the Free Movement of Persons, 2018; 8 economic regional communities; etc.

6 See also the IOM Displacement Tracking Matrix (DTM) report for West and Central Africa, December 2023. <https://dtm.iom.int/regions/west-and-central-africa>

At mid-2020, 90% of the 7.4 million migrants living in West Africa were from other countries in the region. Yet, the share of West Africans residing in North America and in Europe has risen (UN DESA 2020).

7 Official data are nevertheless subject to caution because most migrations are not recorded.

The entire region is thus not uniformly mobile, but when there is mobility, it is primarily regional. Mobility combines formal and informal channels (Arhin-Sam & al., 2022), while informality has been increasingly considered as irregularity (Perrin, 2020a). For the past fifteen years, ECOWAS countries have been under pressure from the European Union (EU) to tighten controls to prevent West Africans from traveling to Europe and even to North Africa. This objective has had an impact on intra-regional mobility.

Not all member States are under the same external pressure, particularly the countries considered as migrants' origin (Senegal, Mali) or transit area (Niger), but ECOWAS itself has also been subject to influence, notably from organizations such as UNODC (United Nations Office on Drugs and Crime) and IOM (International Organization for Migration). As a result, a gap has emerged between migratory realities, mainly intra-West African, and political and media discourses focused on extra-regional migrations.

In the global context of significant asymmetry in mobility rights, West Africans have the lowest capacity for mobility worldwide⁸, as well as in Africa. It is therefore on «irregular migration» and the protection of this asymmetry that resources and policy attention are focused.

The strong asymmetry in international power relations and the blatant inequality in mobility rights have undoubtedly favored the revival of Pan-Africanism. Pan-Africanism is closely linked to transnational mobility and diversity. Firstly, because of its history⁹, and its roots on several continents, linking diasporas and Afro-descendants to Africans on the continent; also because it aspires to unity and challenges colonial legacy in terms of borders and States. By advocating unity and solidarity among Africans, it carries an ambition of (free) mobility within Africa and outside. Yet, for 47% of intra-Africa travel, Africans need a visa before travelling¹⁰. In this context, West Africa is the most open¹¹ but the most subject to visa requirements. This reality illustrates the ambiguities of pan-African rhetoric and fuels nationalism sometimes dressed

8 In the Global Passport Power Rank 2025 (<https://www.passportindex.org/byRank.php>), the first West-African countries come up at the 72th (Cape Verde) and 73th (Ghana) ranks, out of 100. The last one is Nigeria (92th rank). The ranking is based on passports requiring visas. The visa refusal rate would also show this asymmetrical reality.

9 On the history of Pan-Africanism: Boukari-Yabara, A. (2014), *Africa Unite! Une histoire du panafricanisme*. La Découverte.

10 <https://www.visaopenness.org/visa-openness-in-africa-2024-findings-2/>

11 Of the five African countries that do not require visas for any Africans, three are from the region: Gambia, Benin, and Ghana. Seven of the continent's most open countries are located in the region.

in the lexis of sovereignty. Within ECOWAS itself, calls for sovereignty and controls on mobility have been rising.

This article will show a contrasting reality of mobility rights, weakened by States that are both failing and jealous of their sovereignty. It will question the growing polarization between a pan-African vision that challenges the notion of «foreigner» within the West African space, or even beyond, and a nationalist tendency that calls for increased protection of the national space and its population. Taking into account the recent creation of the AES (Alliance of Sahel States) around the three countries that left the organization, ECOWAS and West Africa as a whole appear triply weakened : by State sovereignty, by external pressures to contain and control migrations – which paradoxically lead to strengthening the attributes of sovereignty and control over people and territories – and, today, by nationalism that undermines pan-African ambitions.

The article explores the articulation of these three dynamics, with sovereignty as a pivot: 1/ a failing regional construction 2/ the impact of external influences 3/ the rise of nationalisms, in their relationship with intra-African migrations.

I am a legal scientist with a multidisciplinary methodological and analytical approach. This article draws on several sources. It relies on desk research through research and analysis of legal and policy texts from ECOWAS and member countries. It is also based on a series of interviews conducted partly with institutional actors (ministries, inter-ministerial committees, international and national staff), civil societies involved in issues of mobility and migrant rights, experts and academics; and partly with West African nationals in Senegal, in connection with my assignment in the country since August 2023. Furthermore, I have been working for 20 years on legal and political developments relating to migration in several Mediterranean and Sahelian African countries, particularly on the tension between the projects and realities of free movement and the pressure to control mobility. Political and legal contextualization is thus made possible by this step back in time and space.

1. The ECOWAS mobility framework – a regional construction under the weight of sovereignties

The heart of the ECOWAS model is undeniably the area of free movement created between its 15 member States. The Community Treaty, adopted in 1975, already set the ambitious objective of also abolishing obstacles to residence (abolition of the residence permit, art. 27) and of allowing access to em-

ployment and commercial and industrial activities¹². This path was to follow several stages and was paved with numerous texts and decisions, including:

The Protocol on the Free Movement of Persons, the Right of Residence and Establishment A/P1/5/79 which set the objective («Citizens of the Community have the right to enter, reside and establish themselves in the territory of the Member States») and the method, in three steps, over 15 years; Additional Protocol A/SP/1/7/86 of 1 July 1986 relating to the implementation of the 2nd stage (right of residence); Additional Protocol A/SP2/7/90 of 29 May 1990 relating to the implementation of the 3rd stage (right of establishment), as well as decisions such as Decision 2/5/90 establishing an ECOWAS resident card, and supplementary acts amending the above-mentioned treaties. However, the enacted law has been diversely and ultimately quite poorly respected by its member States. There are several reasons explaining this gap.

Since 1979, a recurring weakness has paved ECOWAS law: the place given to sovereignties, which provides each commitment with an escape route. For example, the Protocol of 29 May 1979 guarantees free entry (without a visa) within the ECOWAS zone, but it authorizes member States to refuse entry to foreigners «falling into the category of immigrants inadmissible under their laws and regulations in force» (art.4). Similarly, the decision of 30 May 1990 establishing a resident card for ECOWAS nationals' leaves States the discretionary power to refuse it (art.15). In addition to this latitude included in the texts, there is the freedom that member States have granted themselves to implement their commitments or not. In 2014, the Heads of State and Government decided to establish an ECOWAS national biometric identity card (ENBIC) from 2016, to be used as a travel document within the region¹³. To date, only six States issue this card to their citizens, and it is not recognized at the borders of all countries. Some States also consider this card as a residence permit, while others require a resident card. Actually, a series of complementary acts were adopted in 2014, removing the 90-day limitation on the stay authorized without a visa¹⁴ and removing the requirement for a permit or re-

12 For a historical approach to ECOWAS, see Ogbonna, M. (2024), A discourse on the history, achievements and problems of ECOWAS. *Kenneth Dike Journal of African Studies*, Vol.3(1). URL: <https://www.nigerianjournalsonline.com/index.php/KDJAS/article/view/5363>

13 Decision A/DEC.1/12/14 amending Decision A/DEC 2/7/85 establishing a travel certificate for ECOWAS Member States.

14 Supplementary Act A/SA. 1/07/14 amending paragraph 8 of article 1, paragraph 1 and 2 of article 3 and paragraph 1 and 2 of article 5 of Protocol A/P1/5/79 on free movement of persons, right of residence and establishment relating to travel documents.

sident card¹⁵. *Yet*, these legal texts with obscure titles are not easily accessible, and are little known within the ECOWAS region. The regional organization recognizes this failure. Ten years after these decisions, it has deployed advocacy missions in several countries since June 2024, in order to accelerate the adoption of the ENBIC and remove the 90-day limit¹⁶.

Even in Senegal, one of the best students of ECOWAS, which was the first member State to issue the ENBIC to its nationals, ECOWAS law remains relatively unknown, including by institutions supposed to implement it such as the ministry of the Interior or judges. When the leader of the newly created Nationalist Party called in 2024 for the expulsion of West African nationals without residence permits (targeting Guineans), no official response was brought to clarify that this would be contrary to ECOWAS law. And for good reason: few people know the legal basis of this exemption. In 2023, the Tribunal of Dakar convicted a Guinean national for «irregular stay». It is noteworthy that Senegalese law on the entry and residence of foreign nationals predates ECOWAS law. Adopted in 1971, it has not been updated since then. Domestic law therefore does not clarify the little-known community law. As for the Community text removing the resident card, its title is obscure (see footnote 13), its content is complex, it is not easily identifiable on the ECOWAS website and the latter has still not consolidated the various legal texts that it issues. Unlike the European Union, which provides for simple and educational access to Community law with online access to primary sources as well as summaries¹⁷, ECOWAS still does not prioritize educational communication about its actions or accessibility to information¹⁸. Lack of leadership and vision from the commission, lack of political prioritization, lack of resources are the main reasons mentioned¹⁹ to explain this puzzling situation, which reflects the criticism made of ECOWAS for being an organization of States rather than of peoples.

To be back to the weight of sovereignties as an obstacle to the achievement of ECOWAS objectives, we can also mention the recurrence of collective ex-

15 Supplementary Act A/SA. 3/07/14 repealing Chapter III, 5, 6, 7, 8 and 9 on resident card valid as visiting and resident permit of Protocol A/SP/1/7/86 on the implementation of the 2nd stage (right of residence) of the Protocol on Free movement of persons, right of residence and establishment on residence cards and residence permit.

16 <https://ecowas.int/the-ecowas-commission-challenges-member-states-to-accelerate-the-implementation-as-well-as-the-abolition-of-the-90-day-stay-limitation-for-community-citizens/>

17 See for example here <https://eur-lex.europa.eu/EN/legal-content/glossary/eu-law.html> or, concerning migration there: https://home-affairs.ec.europa.eu/index_en

18 Its website is here: <https://ecowas.int/>

UEMOA, which guarantees free movement between its 8 members, is a little more active in terms of communication but remains well below the needs. <https://www.uemoa.int/en>

19 Interviews with professors and experts specialists of ECOWAS, in Dakar, 2025.

pulsions, without condemnation by the institution (Arhin-Sam & al. 2022), whereas these are prohibited by ECOWAS law²⁰ and the African Charter on Human and Peoples' Rights²¹. Border harassment, fueled with racketeering and mistreatment, has been documented for years, without change or condemnation. Finally, reciprocity in access to jobs is applied very differently from one country to another and the Senegalese, for example, often complain about the large access to their professions granted to ECOWAS nationals, without reciprocity.

ECOWAS is based on an intergovernmental foundation, with weak institutions, national governments being reluctant to surrender national sovereignty. Some member States have been lacking political will to fully implement at the national level decisions taken in the regional arena. National interests – if not individual interests - take precedence over the collective project.

It is noteworthy that despite the ambitious plans for free movement and residence, border posts have been maintained within ECOWAS. As said above, crossing borders is accompanied by numerous more or less official levies, and multiple corruption and racket practices (Adepoju, 2005). Rather than considering their elimination, border posts have been strengthened and modernized (Djolar, 2024). Mobility is actually affected by an increase in controls on movement, in particular by means of technology and biometrics presented as facilitators of movement. West Africa is a laboratory for the development of human mobility control with biometric technologies (Dauchy, Lambert, 2022), which respond to States' concern in a context of insecurity, but also correspond to the liberal imperatives of globalization. The rhetoric associated with ENBIC relies on «enhancing safe, secure, and well-organized intra-regional mobility within the ECOWAS region», which implies that mobility should be more formalized and registered.

The predominance of States over the regional organization may have been encouraged by the EU which, in its efforts to encourage West African governments to control migration, has favored bilateral agreements rather than the region (Arhin-Sam & al., 2022)²². State primacy has become all the more firmly established as each of the member States has seen its own interest in seizing the opportunities offered by such collaboration, in a field that is very competitive in both geopolitical and material terms (Cassarino 2018; Perrin 2020a).

20 A/SP1/7/86 art.13.

21 Art.12-5.

22 Although ECOWAS has also been approached as such by the IOM, which led to the Common Approach on Migration in 2008, or the UNODC to promote the adoption of regional plans and national laws against migrant smuggling and human trafficking.

2. The impact of external influences on laws and policies – Interplays with sovereignty

Although the most part of West African migration takes place within Africa, and especially in West Africa, the legal and political approach to migration emerging over the last twenty years, as well as media coverage, has focused primarily on migration outside the regional space, towards the West.

This is evidenced by the most recent national legal frameworks geared towards combatting extra-continental irregular migration. Between 2005 and 2018, all ECOWAS member States adopted regulations against human trafficking and almost all (around ten) have so far approved regulations against the illicit smuggling of migrants, in connection with the massive ratification of the Palermo Protocols, additional to the Convention against Transnational Organized Crime, adopted in 2000 against these two crimes. This legislative wave, which illustrates a criminalization of migration, is global and Africa is part of it (Perrin, 2020b). Yet, in West Africa, the action of the UNODC, combined with pressure from EU, has been determinant. As the depository of the Convention against Crime, UNODC has developed a regional strategy in West and Central Africa, with its office in Dakar, and presents model of laws to be adopted as well as national strategies. ECOWAS had been approached to adopt its 2002-2003 action plan against human trafficking – West African States were more reluctant to combat smuggling and several adopted a law without implementing it.

The EU and its member States have been striving to influence the migration approaches of countries of «origin and transit of migrants» since the end of the 1990s, first on the southern borders of the Mediterranean and then south of the Sahara. The pressure increased in the early 2010s, with the whole Euro-African cooperation then being conditional on African countries' efforts to control borders. The incentives of the Valletta program (based on the «EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa») from 2015 have had significant effects, such as the implementation, from 2016 onwards, of the 2015-036 Law related to «illicit migrant smuggling» in Niger (Boyer, Chappart, 2018; Perrin, 2020b and 2020c).

The UNHCR, for its part, is working with governments to develop or improve asylum policies, as is currently the case in Niger or in Senegal with the reform of the law in 2022.

UN and EU institutions therefore play a central role in framing migration in West Africa, along shared global standards. While most West African states had previously legislated very little on the issue of migration, political and

legal developments in the 2010s have taken a predominantly repressive and restrictive orientation. The particular effect in Africa has been that informal migration has remained predominant but increasingly considered irregular and repressed (Perrin, 2020a). Above all, this has led to put emphasis on mobility between the West African space and the outside world, which is quantitatively less relevant but politically and emotionally significant.

This was already visible in the ECOWAS Common Approach to Migration adopted by member States in January 2008. It bore the mark of a newly open collaboration with external actors, notably the EU, the OECD and the IOM, which resulted in reorienting objectives. The aim was to tackle migration of West Africans outside ECOWAS, towards the West, and to combat irregular migration, in particular by strengthening operational and institutional capacities, by developing technical cooperation with countries outside ECOWAS, by facilitating migrants' returns, and by ratifying the Palermo Protocols (Kabbaji, 2011).

The IOM is identified as an organization playing a leading role in a converging approach to migration, particularly migration management, in Africa (Pécoud, 2010). It works primarily to develop policy frameworks, such as the «African Union's Migration Policy Framework for Africa», or the «National Migration Policies» emerging in West Africa in recent years. These are presented as a result of inclusive negotiations, yet constitute replicas of a unique model developed in diverse countries (Gambia, Niger, Mali, Senegal, etc), paving the way for the management of migrations, whether intra-African or external to the region and the continent, with identical formulas. These replicable models are also visible through the adoption in different countries of a «National Strategy to Combat Irregular Migration», accompanied by inter-ministerial committees and authorities dedicated to this part of migration, focusing political and media attention, as well as financial, material and institutional means.

This has resulted in the emergence of a repressive approach against West Africans and nationals by their own governments for attempted irregular emigration and other incongruous crimes. (Robin, 2006; Perrin, 2020a). In Niger, the implementation of law 2015-036, which aimed to cut off the route to Algeria and Libya, mainly affected West Africans' mobility within Nigerien territory. They were arrested, expelled and imprisoned without ECOWAS officially reacting (Perrin, 2020c). The «transit economy» in Agadez has also been dismantled, in favor of an «anti-transit economy» led by international organizations and NGOs. In Senegal, departures with pirogues from the shores are less repressed than in 2006, following the adoption of 2005-06 Law

«related to combatting trafficking in persons and assimilated practices», but political speeches and means are still aligned with the globalized discourse against migrant smuggling and around repression, despite the transition to a «pan-African left» leadership in 2024.

Although European pressures are still regularly denounced as responsible for such repression, the imposition-based interpretation has been largely nuanced. First, the trend towards legal framing combined with securitization is global and African countries are part of this dynamic, which also illustrates the fact that repressive norms circulate better than protective norms (Perrin 2020a). Indeed, States' interests, whether European or African, may often consist in strengthening control over their territories and their population. Thus, several African governments have seen in the external expectations for migrant containment an opportunity to legitimize a rights-reducing approach, and used external influences to strengthen their sovereignty and the state apparatus (Perrin 2020a; Djolar 2024).

While, in the Maghreb, governments have been able to negotiate asymmetry (Nora El Qadim, 2015; Cassarino, 2018), extroverted countries like Niger or Senegal have seen many opportunities in responding to external expectations relating to migration management, both in terms of political and diplomatic gains, as well as material and financial advantages (Perrin 2020b; Boyer & al., 2020; Cassarini & al, 2024). Joining a global priority such as combatting irregular migration can be fruitful, in terms of geopolitical elevation, fundraising, technical support (with surveillance equipment) or other less visible gains.

Yet, migration control remains criticized, all the more when it appears as a result of EU pressure. The new regime in Niger immediately, in 2023, repealed Law 2015-036 against migrant smuggling, which was disapproved for violating freedom of movement within ECOWAS. It thus restored a kind of dignity damaged by a law seen as serving European interests and reflecting both Western interference and the asymmetry in mobility rights around the world. Doing so, the country has also lost most of international funding and instruments related to migrants, while many of them are still in distress as the system of unequal mobility rights still impact them. In Senegal, where pirogues are regularly intercepted and «smugglers» arrested, changes in the migration approach were expected as a consequence of the 2024 political changes. However, how could Dakar decide and proclaim, in the face of Spain and the EU, but also to its citizens, that it is no longer contributing to preventing Senegalese people from leaving its shores and crossing the ocean? An alternative, «sovereign» solution seems to be emerging: imposing visa reciprocity on Westerners. A symbolic measure which risks having economic consequences

for Senegal, without however remedying the low mobility capacity of its nationals.

Outsourcing, which appears to weaken the State or play on the asymmetry of power relations, may have contributed to strengthening some African regimes, their attachment to sovereignty, the attributes and mechanisms of control over territories and individuals. In any case, even the new «sovereignist» regimes are opting for more controls at borders and over people.

The binary distinction too often exploited²³ between a necessarily managerial and repressive European approach and a naturally open and generous African attitude is largely contradicted by facts. The legal and political approaches of West African States are not always hospitable, far from it, and collective expulsion practices are regular. Recently, on the occasion of a resurgence of Pan-Africanism in political projects, the sovereignty put forward has been accompanied by nationalist discourses and practices which echo global dynamics and do not spare West Africans.

3. Emancipatory or nationalist sovereignties? Pan-Africanism and Border control

Four member States recently experienced coups d'état (Guinea, Mali, Burkina Faso and Niger), and the last three announced in 2023 their intention to leave ECOWAS, depicted as an organization under external influence. The military in power in these countries share with the newly elected government in Senegal (2024) a pan-Africanist and sovereignist aspiration, which may impact the way of approaching regional mobility.

Actually, Pan-Africanism and sovereignty go hand in hand in their anti-colonialist and anti-imperialist ambition. While free movement projects have recently been relaunched on a West African and continental scale - with the support of the EU, which sees intra-African mobility as a means of reducing migration to Europe - the revival of Pan-Africanism is less associated to African unity than with a seek for emancipation from the West. In many countries, defying and rejecting the West, particularly France²⁴, is politically rewarding. Several factors have combined on the continent over the last ten years: the «Arab Spring» in 2011, with «dignity» as the key word, the shock of the inter-

23 By some militants but also by several African States.

24 France is the image of imperialism and concentrates grievances: former colonizer, islamophobia at home (laws against the Islamic veil), police violence centered on Afro-descendants, «Françafrique», end of a traditionally «Arab» foreign policy, important role in the intervention in Libya in 2011, in the Sahel in 2014-2015, support for autocratic leaders, maintenance of the CFA Franc, support for Israel, recent arrogant diplomacy, restrictive migration policy.

national intervention against Gaddafi in Libya and the French intervention in the Sahel, national movements of «dégagisme» (from the French word «dégager»-«clear off»!)²⁵, implying rejection of France and corrupt leaders. As with the emergence of Pan-Africanism in the 20th century, these events on the African continent have emerged together with movements of Afro-descendants (Black Lives Matter in the US after the death of George Floyd in 2020 and the reactions to police violence in France for example).

It is in this context that the coups d'état in ECOWAS took place. Along with Burkina Faso and Mali, Niger announced its departure from the regional organization, which had threatened it with military intervention and placed it under sanctions. The trio created in September 2023 its own «Alliance of Sahel States» (AES), which launched in 2024 the creation of a common biometric passport, and announced the project of complementarity economies and a joint army of 5,000 men. Nevertheless, they were aware of their citizens' attachment to mobility in the area covering till then 15 countries²⁶.

The AES in December 2024²⁷ and ECOWAS in January 2025²⁸ mutually guaranteed to maintain free movement and residence for their respective nationals. However, this freedom is no longer secured by a multilateral legal framework, it may be challenged along diplomatic variations. Some changes are already being felt at the borders: AES nationals are no longer allowed in the fast lanes reserved for ECOWAS nationals at airports; national identity cards, which were once tolerated for crossing the land border between Mali and Senegal, no longer seem to be sufficient – it is reported that a passport is now required, which many citizens do not have. In any case, West African migrants have been made more vulnerable by this split, as uncertainty has entered the governance of mobility in the region.

The return to an emancipatory discourse in West Africa, even if it proclaims itself pan-Africanist, is more a matter of «dégagisme» («clear-off-ism») than of unity. Proof of this is that it is accompanied by a rise in nationalisms with also affect West African fellows.

25 The «Y'en a marre» («fed up») movement, born in 2011 in Senegal, has inspired similar initiatives in other countries. The «Balai citoyen» (the «citizen broom») movement in Burkina Faso contributed to the departure of President Blaise Compaoré in 2014. «France, go away» (or «clear off») was launched in 2023 by a sovereignist Senegalese MP and taken up by demonstrators in several countries.

26 Moreover, they are not leaving the UEMOA (West African Economic and Monetary Union), which is also an area of freedom of movement, with 8 states, – and which had also sanctioned the perpetrators of the coup d'état in Niger.

27 <https://lesechosduniger.com/2024/12/15/aes-visa-free-et-libre-circulation-pour-les-ressortissants-de-la-cedeao/>

28 <https://www.ecowas.int/press-statement-2/>

The confrontation between pan-African discourses and open-door practices is always full of contradictions²⁹. Niger does not impose any visa to West Africans³⁰ but would like to limit the freedom of some of its citizens who beg in the region. In 2012, 93 women and children were found dead in the desert, on their road to Algeria. This tragedy brought to light the issue of the «Kantché women»³¹ and since then, much has been done to prevent them from going to Algeria or, failing that, to repatriate them³². While ten years ago, they were forced in the name of protection, today they are stigmatized on the basis of sovereignist consideration. Indeed, the Kantché women also move to beg within West Africa, and Niger strives to hinder this mobility. Concerned about its image, which it considers to be damaged by its citizens begging, Niamey intends to repatriate them willingly or by force. It also would like to obtain from neighboring States that they prevent the entry of these Nigerien women and children into their territories. Thus, this mobility for begging (shameful mobility³³) is the source of restrictive aspirations of citizens' freedom. Actually, female migration as a whole is also discouraged by various actors and for several reasons (Mahamane, 2025) – an opportunity to stress a convergence between the conservative arguments of local authorities and the sedentary aspirations of international actors.

Senegal is one of the countries approached by Niger to help impeding the migration of Kantché women³⁴. In parallel, Dakar has recently experienced the emergence of a nationalist xenophobic rhetoric particularly focused on the control of people and documentation. During the presidential and then legislative elections, an opportunistic politician created the Senegalese Nationalist Party. Targeting the Guinean community, he called for national preference in labour and consumption, denounced the impact of Guineans on salaries and theft of civil status. These remarks, which prompted a reaction from the Na-

29 While Gaddafi advocated for the end of borders and union in the continent, Libya has been the African country most closed to Africans.

30 Nevertheless, the border with Benin has been closed since July 2023 (despite the reopening of the border by Benin in May 2024).

31 Kantché is a rural commune in the Zinder region, where these women come from, in the south of Niger (near Nigeria). They and their children spend several months begging in various countries in the region.

32 An agreement was reportedly reached between Niger and Algeria in 2014 to organize the expulsion of these nationals to Niger. Since then, Niger nationals and West Africans have been regularly expelled from Algeria to Niger (Perrin, 2023). For details on deportations, see Alarm Phone Sahara's website: <https://alarmphonesahara.info/en/>

33 This widely shared feeling in Niger interestingly shows that each citizen abroad is considered to bear the image of the entire country, engaging its reputation and putting a part of sovereignty at stake.

34 A repatriation operation was jointly organized in October 2024.

tional Audiovisual Regulatory Council (CNRA)³⁵, found a certain echo. In the context of the African Cup of Nations, they were followed by a petition calling for the expulsion of people without residence permits³⁶, then the conviction, by a tribunal in Dakar, of a young Guinean blogger for illegal residence³⁷. A few months earlier, in June 2023, a mass expulsion of Guineans had caused strong debate in Guinea³⁸. The stigmatization of this national group in Senegal has been both preexisting and expanding. It reflects a national context in which citizens hope for greater control and social order, an aspiration already present under Macky Sall's presidency, which can be detected in more recent expectations for the eviction of street sellers, or for the expulsion of West Africans, such as Niger nationals.

Nationalism and stigmatization are not new in West Africa. Twenty years ago, Adepoju already noted: «Sentiment against non-nationals is on the increase in many parts of this sub-region. Migrants are targets of hostility from the native population, are blamed for whatever economic, social and political problems that arise in the country, and are accused of taking jobs from nationals when youth unemployment rises» (2005, p.4). Episodes of mass expulsions, tensions and even xenophobia against the most represented communities in a given country have been recurrent: Ghanaians in Nigeria, Burkinabe in Ivory Coast...

Here as elsewhere, the relationship with foreign nationals, including West Africans, can be exploited by public authorities. This was the case in Ivory Coast. After a «policy» of welcoming nationals from neighboring countries, without organizing their access to rights and their integration, the country embarked on an increasingly deep policy of Ivorianization, gradually excluding foreigners from a range of jobs, using the fight against insecurity as a pretext (Bredeloup, 2017). As Gary-Toukara also noted, «the issues raised by Ivorian-ness are old: while the concept emerged in 1994, its historical roots go back to the 1930s» (2010, p.169). The dates mentioned are eloquent from a transnational perspective: 1994, the date of the Rwandan genocide, and of identity withdrawal in Europe and Africa. The 1930s also prefigure the Second

35 https://cnra.sn/wp-content/uploads/2024/04/Communiqu_eacute_du_02_avril_2024.pdf

36 Launched in January 2024, the petition has collected nearly 7,000 signatures.

<https://www.change.org/p/le-s%C3%A9n%C3%A9gal-aux-s%C3%A9n%C3%A9galais>

37 <https://www.rfi.fr/fr/afrique/20240424-s%C3%A9n%C3%A9gal-le-blogueur-guin%C3%A9n-djibril-agi-sylla-condamn%C3%A9-pour-s%C3%A9jour-irr%C3%A9gulier>
He is also an opponent to the Guinean regime.

38 Participation in demonstrations was first mentioned as the basis for expulsion, before the lack of identity documents was alleged. <https://guineenews.org/expulsion-de-guineens-au-senegal-ce-que-nous-devons-retenir/>

World War. This supports the idea that current West African nationalisms are, again, part of a global identity moment, resonating with similar political dynamics in Tunisia, France, or the United States.

In January 2025, Niger adopted an ordinance strengthening controls on the entry and stay of foreign nationals and increasing sanctions against irregularities to combat insecurity; A few days earlier, Guinea had carried out mass expulsions of Sierra Leoneans as part of eviction operations to combat crime.

Against this background, it is noteworthy that the fast development of biometrics in West Africa (identity cards, passports, multi-function biometric cards, systematic taking of fingerprints at airports) does not raise any significant form of resistance, linked to a possible concern for the protection of personal data. It might be because it is above all presented as a key element of good governance, of access to civil status, still very lacking in the region, and to rights (Awenengo Dalberto & al., 2018). When Senegal was about to launch the national biometric identity card in 2016, the geolocation of those cards had been considered to track internal and external migration, as an element of security and knowledge³⁹. Biometrics responds to a certain extent to a rising desire to track individuals, which the new leaders may appreciate, global private companies alike. It can be considered an asset of sovereignty, insofar as it allows governments to «mark» citizens and to follow wherever they are. As said above, West Africa is a laboratory for biometrics deployment.

Implications are diverse and may appear as contradictory. The Migration Information and Data Analysis System (MIDAS), developed by IOM and deployed in Burkina and Niger for example, which automatically captures biographic and biometric data through the use of document readers, webcams and fingerprint readers, «signifies sovereign territorial power that enables membership in the international community of technically biometrically capable states» (Doevenspeck, Donko, 2023, p.313). In parallel with the strengthening of the State's control capacity, the African States concerned do not always manage the resulting databases, such as the PISCES (Personal Identification Secure Comparison and Evaluation System), initiated by the US Department of State, that operates at numerous capital airports in West Africa. In any case, they share the data with the external partners which initiated the systems, like the EU and the United States (Zandonini, 2019; Doevenspeck, Donko, 2023). According to IOM, «running a Border Management Information System (BMIS) is necessary to ensure regulated and safe mobility» (Doevenspeck,

39 See the report of the inter-committee of the Law Commission on draft law 05/2016 establishing an ECOWAS biometric identity card. <https://www.dri.gouv.sn/sites/default/files/LOI/2016/2016%2009.pdf>

Donko, 2023, p.313). Indeed, biometrics is presented as a precondition for the extension of free mobility - an imperative of the capitalist economic system which aspires for removing obstacles to the movement of economic and financial actors.

Actually, more than facilitating or preventing migrant mobility, biometrics tends to fluidify the division between those who are allowed to move and those who are not. This strengthens the asymmetry in mobility rights and widens the gap between formal and informal mobility, the latter persisting in that context, with more risks.

Conclusion

The ECOWAS free movement area was institutionally constructed on the basis of a pre-existing mobility regime in West Africa, which it has fostered with a set of rules more or less respected (Cassarini & al., 2024). Despite ECOWAS's imperfections, West African citizens are very attached to the rights they have acquired in terms of freedom of movement and residence – which also broaden possibilities of working, trading and earning a living. States are aware of this, as confirmed by the reciprocal statements of the AES and ECOWAS.

However, this right has been constantly weakened. It is further weakened by the exit of the three AES States, despite the aforementioned declaration, because it loses the guarantee of its multilateral framework. Obviously, as shown by the situation at the border between Niger and Benin, which people are crossing despite its closure, «the social infrastructures of migration» (Doevenspeck, Donko, 2023) still allow movement despite the obstacles placed by States, but in less secure conditions. More broadly, throughout the region, despite the announcements for safer and more regulated migration, the multiplication of constraints and controls increases the proportion of those who cannot move in a safe, ordered and regulated manner.

Border and migration control appears as the criteria of the «modern» receiving State, which is attractive to many African leaders. Yet, citizens' capacity for mobility also puts light on the sovereignty of the origin State: on the way this sovereignty can impact third countries to guarantee citizens' capacity and freedom. The power of the passport reflects diplomatic and geopolitical power. By contributing to hindering the international mobility of their nationals, some West African States reveal a failing sovereignty - that of a country whose nationals have a limited capacity -, which they attempt to compensate for with increased control over borders, over foreign nationals, and ultimately over their own nationals.

The intensity and «normality» of mobility in the West African space, linked to a deep feeling of co-belonging, are accompanied by nationalisms revealing the success of the nation-State concept, which tends to freeze identities, while being capable of integrating diversity. The rise of nationalism and sovereignty is based on the desire for emancipation, the need for dignity in relations with the West, compared to which the asymmetry in mobility rights is displayed daily. Indeed, West Africa is open to the whole world, while it remains excluded from travel in most part of this world.

The emphasis put on national sovereignty is an easy instrument for different regimes to establish their political legitimacy on the rejection of the imperialist West or to divert attention by designating undesirable neighbours. It is noteworthy that recent political changes have not improved the mobility capacity of West Africans, but have limited that of Westerners, for example to Mali, Niger and perhaps soon to Senegal. Can this kind of bilateral power struggle in a very unequal context be effective? It would be so surely by pooling their strengths and fostering greater South-South trust that African nations could hope to weigh together in negotiations that would benefit their territories and their citizens.

In this context, it is interesting to highlight the speech of the Senegalese Prime Minister during his visit to Guinea in June 2025: «There are many Senegalese nationals living in the Republic of Guinea and Guineans living in Senegal. On both sides, these nationals are treated very well and well-integrated. They work and earn a living. They settle there, get married, and buy houses (...) In an era of exclusionary discourse and xenophobia, we must continue to speak to our populations and raise their awareness that beyond the borders resulting from colonial division, we form one and the same people and our destinies are linked»⁴⁰. This public statement was quite unexpected and exemplary at a time of identity-based nationalisms.

40 <https://www.youtube.com/watch?v=0W50XeQ8sko>

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