

**THE ROLE OF REGIONAL PARLIAMENTS IN ECONOMIC
INTEGRATION: A STUDY OF THE ECOWAS PARLIAMENT.**

By

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**BEING A DISSERTATION SUBMITTED TO THE
NATIONAL INSTITUTE FOR LEGISLATIVE AND DEMOCRATIC
STUDIES/UNIVERSITY OF BENIN (NILDS/UNIBEN) POST GRADUATE
PROGRAMMES IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE AWARD OF MASTER DEGREE IN
LEGISLATIVE STUDIES**

MARCH, 2020

DECLARATION

I hereby declare that this research dissertation on “The Role of Regional Parliaments in Economic Integration: A Study of the ECOWAS Parliament” is submitted by me, Ileola Folasade Nelson as my original work and no part of it has ever been presented for the award of degree anywhere.

All sources of information used have been duly acknowledged through reference.

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CERTIFICATION

This Dissertation titled “**The Role of Regional Parliaments in Economic Integration: A Study of the ECOWAS Parliament**” presented by **Ileola Folasade Nelson**, has met the partial requirement for the award of Master Degree in Legislative Studies (MLS), of the National Institute of Legislative and Democratic Studied/University of Benin, Edo State.

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DEDICATION

This dissertation is dedicated to God Almighty, my stay and sustenance.

ACKNOWLEDGEMENT

My profound gratitude goes to God Almighty, my anchor and strength without whom there would be no me, the One who daily loads me with benefits. This dissertation will not have been an academic success, without the immense inputs and supports of my Supervisor, Dr. Adeyemi A. Fajingbesi, I appreciate you sir.

To my millennium gift; Kenneth Chukwuemeka Nelson, no one can hold a torch to you, you are the greatest of all time. My arrows into the future; Kamsiyochukwu and Pipelayomi, you epitomise God's faithfulness unto me.

To my ever dependable siblings; Abiola and Eniola, it is a privilege to be your sister. My forever young mum, tag team partner and prayer warrior, I can not trade you for any other. I am eternally grateful to my friends and colleagues, especially to you; Maris Imouokhome, thanks for being my cheer leader and sounding board. God bless you all.

ABSTRACT

Countries of the world including the industrialised economies, such as United State of America, Germany etc. have sought to come under one form of regional integration or the other, the goal is to achieve regional economic integration. In Africa, such attempts also include that of ECOWAS, which is a bold attempt by West African countries to engender economic integration within the region. This work examines how ECOWAS Parliament has fared in bringing about economic integration within the West African sub-region, and the efforts being made to make it a truly representative body with full legislative powers.

Secondary data were collected from Nigerian Institute for Legislative and Democratic Studies library, National Assembly Library, ECOWAS Library, journals, resolutions and declaration of international organisations, speeches of political dignitaries and the internet. These were analysed using content analysis and subjected to David Mitrany's Integration Theory.

From the findings, the ECOWAS Parliament has made giant strides in engendering economic integration in the sub region, through advocacy for prevention and early management of conflicts, ratification of treaties and resolutions, strengthening democracy and good governance and encouraging sustained human development. All these are geared towards encouraging free movement of persons, labour and goods, capital flows, common currency, etc. This is despite the fact that the Parliament lacks actual legislative power of law making, oversight and representation, and being seriously challenged by a plethora of issues such as language barrier, the quest to protect the sovereignty of member states, lack of adequate infrastructure, external debts, xenophobia, external interference, non-involvement of CSOs, private sector and mass movements in the economic integration efforts, etc.

The study recommends that the Parliament should be strengthened by assuming full legislative powers, integration of the Parliament into main stream decision making for peace and improved economy, strengthened interactions between the Parliament and National Parliaments, severing attachments to the colonialists, amongst others. Real integration can only be achieved when the sub region is united in words and actions and full legislative autonomy is given to the Parliament.

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CHAPTER ONE

INTRODUCTION

1.0 Background to the Study

Integration among countries be it economic or trade, is essential to every country seeking to accelerate its economic development (working with other countries) by fostering the rise and growth of the industrial base, escalating intra-regional and inter-regional trade, boosting the benefits from trade and providing benefits of the extension of competitive markets (Jhingan, 2010). According to Ehigiamusoe & Udefuna (2012), most third-world countries depend on the export of primary products or raw materials, which are freely traded in the world markets at give-away prices. This is to say that the bargaining strength of most third-world countries, resides largely on volume of raw materials (natural resources) they export, instead of the finished industrial products, goods and services being exported by developed countries to both developed and developing countries (United Nations, 2019).

In other words, these countries remain consumer countries, dependent on industrialized economies to survive. Conversely, imports of these developing countries consist largely of intermediate goods and industrial products, which are mainly produced by developed economies (Crook, 1989). Economic integration is key in changing the existing array of trade, which in turn demands innovations in the existing pattern of production and industrial activities. Integrating countries (regional bodies) seek to industrialize their economic base in tune with evolving technologies and to harness and utilize their dormant resources through industrialization (Ehigiamusoe & Udefuna, 2012). Regional economic integration is also a channel for attracting

foreign investments (FDIs,) that would aid and accelerate economic development of the customs union or free trade zone within the region.

Regional integration as a strategy of collective economic survival of nations around the world has gained prominence in recent times (Bala, 2017). It has given nations the options of cooperation and competition, it has provided for participating states the options of promoting the best areas of specialization, whilst at the same time ceding to other participating nations products considered to be within the purview of the strength of those other states. The most attractive factor of integration is chronicled on the general principle of the creation of a common market, where goods, services and capital are guaranteed unhindered freedom of movement within the integrated area, this guarantee includes the right of residence and establishment. There has been the revitalization or the expansion of existing regional economic arrangements, and the formation of new groupings in the Sub-Saharan African region. The foregoing initiatives have interestingly coincided with the current developments in the Western and industrialized world, who have since taken up the instrument of economic integration as a vehicle to political and socio-economic prosperity. Regional economic integration is increasingly recognized as the viable space, within which small and developing economies can better organize themselves to survive economically, and politically in a highly competitive world.

Drawing from Ehigiamusoe and Udefuna (2012), international economic integration entails a process whereby two (bi-lateral) or more (multi-lateral) countries, unite into a larger and greater economic region, by removing discontinuities and discriminations existing along national frontiers or borders, and by creating certain components of co-operation and co-ordinations between them. This means that it is a conscious effort of countries, who most time are brought together by geographical location, and have some individual limitations to forge a union that

removes restrictions on the movement of labour, goods and services in order to complement each other. There are both negative and positive integration; Tinbergen (1965) succinctly captured the differences between negative and positive integrations. Negative integration entails those aspects of economic integration, which embraces the elimination of discrimination and restriction on the interchange and free movement of goods among the member countries (Tinbergen, 1965; Ehigiamusoe & Udefuna, 2012). On the contrary, positive integration presupposes the modification of existing institutions and policy instruments, and the adoption of new ones in order to remove market distortions within the economic region (e.g. European Union). Perhaps, whether economic integration is negative or positive, its fundamental objective or goal is to engender free movement of goods and factors of production and removal of discrimination among nations in a regional group (Tinbergen, 1965). While some regional economic integrative efforts such as EU, G8 and Asian Tigers seem to be very successful, there are numerous challenges obstructing the realization of economic integration in Africa. These challenges include political, administrative, geographical, cultural, economic, trade diversion and uneven distribution of benefits among member states.

Several analysts have argued that ECOWAS has not been able to achieve its objectives due to several constraints, and the community's effort of promoting economic integration in the West African sub-region has not been successful. Similarly, the institutions of the Community such as the ECOWAS Commission, the ECOWAS Parliament, and the Community Court of Justice, are trying to make efforts to promote economic integration in West Africa.

It is against this background that this study seeks to investigate the role of ECOWAS parliament on economic integration in Africa. This is germane as it seeks to bring to the fore how

well ECOWAS Parliament has fared in bringing about economic integration in West Africa sub-region.

1.1 Statement of the Problem

The Economic Community of West African States established the ECOWAS Parliament in 2000, to provide legislative and advisory services to the regional bodies. ECOWAS-Parliament is composed of 115 seats occupied by members of parliament elected from national parliaments of member states. At inception, it was mandated to serve only as a consultative and advisory body, nineteen years later despite the desire expressed by the Authority of Heads of State and Government in 2006, to have an ECOWAS Parliament with directly elected members and exercising full legislative powers, the original mandate has remained unchanged. This is unlike what obtains in similar bodies across the world such as the European Parliament, etc.

The Parliament does not legislate on domestic issues of nations but concerned with integration matters, community budget – ECOWAS institutions, trans-border issues among others. It is important to note that whatever laws the Parliament will propose for implementation will of necessity, pass through the vetting process of the highest decision making body- the Authority of Heads of State and Government. Parliaments of each member state will be required to make inputs to strengthen the laws, which will largely be model laws based on internationally accepted rules, conventions and protocols on trade, investments and in the movement of persons, goods and services. Real integration within the ECOWAS sub-region will remain a mirage, until the needed framework is put in place to make it truly competitive. Trade between member states is still far from what is ought to be, while the movement of persons within the sub-region is yet

to be fully realized, other issues such as single currency and a common position in trade, with other regional blocks such as the EU are still huge challenges. (Alechenu, 2012).

Therefore, this work seeks to investigate how ECOWAS Parliament has fared in bringing about economic integration within the West African sub-region and efforts being made to make the Parliament a truly representative body with full legislative powers to perform the tripartite functions of law-making, oversight and representation.

1.2 Research Objectives

The broad objective of this study is to examine the role of the ECOWAS Parliament in regional economic integration. Specifically, the study seeks to:

- i. Examine how regional parliamentary institution engender economic integration;
- ii. Ascertain how ECOWAS Parliament have contributed to regional economic integration.
- iii. Scrutinize challenges facing the ECOWAS Parliament in the discharge of its legislative functions.
- iv. Examine factors militating against ECOWAS Parliament in economic integration.

1.3 Research Questions

This study will be guided by the following questions:

- i. How have Regional Parliamentary Institutions contributed in engendering economic integration among member States?
- ii. In what ways has the ECOWAS Parliament contributed to regional economic integration in West Africa?

- iii. What are the challenges facing the ECOWAS Parliament in the discharge of its legislative functions? and
- iv. What are the factors inhibiting the attainment of economic integration in West Africa?

1.4 Scope of the Study

This study focuses on the role of Regional Parliaments in economic integration: a study of the ECOWAS Parliament. This restriction to ECOWAS Parliament is because, it is the main and dominant regional body with a Parliament in West Africa, while also considering the limited time and resource available to the researcher to carry out this study, the scope cannot go beyond ECOWAS Parliament to study other regional parliaments. This scope will also foster clarity and a better understanding of the objectives and findings of this study.

1.5 Significance of the Study

There are arguably little studies on the role of the ECOWAS Parliament in bringing about economic integration in the region, as compared to regional parliaments in other regions of Africa and other continents. In particular, a significant percentage of all studies on the role of regional parliaments in bringing about economic integration are domiciled more in Europe and Southern Africa. Although there has been significant increase in literature on the subject-matter, especially since the beginning of the third wave of democratization in Africa in the 1990s, however, only few of these studies have focused on regional parliamentary integration and economic integration. Therefore, this study is intended to fill the existing gap in literature and to further enrich the sophistication of this sub-field.

Similarly, this study would make additional contributions to the existing stock of knowledge on regional parliamentary integration and economic integration, in West Africa and by extension Africa. It would also be invaluable in extending the theoretical and empirical frontiers, of knowledge in the specific area of study. In the same vein, the study will offer a good lead in the series of attempts to resolve theoretical and conceptual issues associated with the subject-matter.

This study was conducted with the hope that the outcome and findings would challenge other scholars and researchers, to replicate the findings and explore other aspects of the subject, with the ultimate goal of increasing the richness and broaden the intellectual horizon in this area of research interest.

Finally, the conclusion and recommendations derived from this study would be useful to members of the ECOWAS Parliament, National Parliaments of ECOWAS member States, and members of the general public, the academia, scholars and students.

1.6 Research Methodology

This study like every other research work was undertaken to solve a particular research problem. To achieve this, content analysis is considered suitable to the objectives of this study. This choice was of immense help in terms of data sources, data collection and analysis.

1.6.1 Research Design

The research design that was adopted for the purpose of satisfying the objective of the research work was content analysis. This relied solely on secondary data that was sourced from articles, textbooks, archival documents, news magazines, ECOWAS Library, etc.

1.6.2 Data and Instruments of Data Collection

Secondary source was used for the purpose of collecting the data necessary to accomplish the objective of this research work, and this was collected through consultation of textbooks, journals, periodicals, newsletters, conference and seminar papers, monographs and other unpublished materials relevant to the subject under review. Others included government official documents, speeches of political dignitaries, resolutions and declarations of international organizations.

To access these secondary sources, libraries such as the National Institute for Legislative and Democratic Studies library, National Assembly library, the National Library, ECOWAS library all situated in Abuja, Federal Capital Territory (FCT) were used. Similarly, information was sourced from the internet to augment sourced data from other sources.

1.6.3 Data Analysis

The method of data analysis employed in this study involved content analysis method, as it analyzed newspapers, magazines, journals and reports concerning the subject matter. This helped in bringing to the fore, the role of regional parliamentary bodies in engendering economic integration with a special look at ECOWAS Parliament.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter reviews relevant literature on the subject under study, which is “The role of Parliament in regional economic integration” with a special focus on the ECOWAS Parliament. This review seeks to highlight the important history, theories, concepts and principles related to the subject of study in order to provide a clear understanding of why the research questions were generated. The Chapter also contains a section of theoretical framework to contextualize the study.

2.0 Parliament

Saliu and Muhammed (1987) argues that the parliament is not an invention of democracy as its existence predates modern democratic practice. However, it later acquired a significance status as the main symbol of democratic governance. In a related study, Hamalai (2014) espoused that parliament of any democratic nation occupies a central position in the machinery of government and that of all the functions of parliament, it is law making that is arguably its most important function. Equally, Hamalai (2013) notes that the law making powers give parliament the capacity to shape, or at least influence public policy. Parliament, as an institution of democratic representation, performs a vital function of representing the interest of their people. As a result, parliaments are a symbol of popular representation because they join society to the legal structure of authority in the state, and reflect the sentiments and opinions of the citizens. They act as national, regional or international debating chambers and public forums in which government policies and the major issues of the day can be openly discussed and

analyzed. Lastly, parliaments also play an important task of overseeing government policies and programmes and through this, hold government accountable to citizens.

2.1 Regional Integration

In his article titled, the Study of Regional Integration: Reflections on the Joy and Anguish of Pre-theorizing, Haas (1970), delimits the concept of regional integration from competing terms such as regionalism, regional co-operation, regional organization, regional movements, regional systems, or regional subsystems of a global system, because the study of regional integration is often confounded with overlapping and cognate activities, which however usually address somewhat different problems. This research agrees with (Haas 1970) and begins by providing a brief discussion of regional integration and regionalism with a view to pointing out their differences.

The concept of integration was developed intellectually within the field of political science, developed initially in the work of theorists like Haas, Mitrany and Moracsik. The concept of integration became a theoretical field of study (Fagbayibo, 2013). The concept of integration has been defined variously by several authors; Haas defined regional integration as “a process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations, and political activities towards a new center, whose institution poses or demand jurisdiction over the pre-existing national states (Mubarik, n.d.). Deutsch also understands integration as “a process leading to a condition in which a group of people attain within a territory a sense of community and of institutions and practices strong enough to assure for a long time, dependable expectations of peaceful change among its population (Mubarik, n.d.). Haas also presented a slightly different understanding of Integration when he says that it is

“as the tendency towards the voluntary creation of larger political units, each of which self-consciously eschews the use of force in the relations between the participating units and groups integration. (Ogbeidi, 2010). Likewise, Deutsch has also presented a slightly different definition of integration from the one presented above: “integration can be seen as the attainment within a territory of a sense of community and of institutions and practices strong enough and widespread enough to assure for a long time change among its population” (Ogbeidi, 2010).

The foregoing definitions of integration implies three things. Firstly, regional integration is a non-coercive efforts of states (Haas, 1970). Integration can be regarded as a state in which distinct units or entities are united for the purpose of mutual cooperation and interdependence for their common benefit. Secondly, importantly, definitions of integration implies that integration normally trespasses and impacts on the sovereignty of the states in the integration relationship. Thirdly, integration scholars agree that there is a unification of separate institutions and communities usually within a specific geographical region (Ogbeidi, 2010).

Relatedly to the concept of integration is the concept of regionalism; Regionalism is understood as “the process of regionalism or increasing level of ‘regionness’ (Fagbayibo, 2013). According to Hettne and Soderbaum, Regionalism is the process whereby a geographical region is transformed from a passive object. to a subject with capacity to articulate the interest of an emerging region (Fagbayibo, 2013). Furthermore, regionalism is a concept that is used to explain the relationship among members of a section or unit of the global system; it is also regarded as a foreign policy tool that defines the international interests of a country in terms of particular geographic areas.

Theories of integration aim to provide explanation for the behaviour in decentralized setting whereby distinct states within a geographical location face similar problems that require

solutions beyond the state. Integration theorists (according to Ogbeidi, 2010) have put forward several reasons to explain the concepts or situations that make nations integrate. These include: first, the desire to maintain peace and peaceful coexistence; second, the need for multipurpose capabilities; and third is the need for capacity building, (Mubarik, 2009) notes that states that face the similar problems and wish to find common solution within their geographical region usually begin with having a free trade area followed by a customs union, a common market, and then the integration of monetary and fiscal matters to establish an economic union. He goes on to add that integration is multidimensional, and may cover political, social, cultural or even economic issues (Mubarik 2009).

2.2 ECOWAS Parliament and its Move for Legislative Powers

For clarity purpose, the work of Ehigiamusoe and Udefuna (2012) on *The Roles of Parliament on Economic Integration in Africa: Evidence of ECOWAS Parliament* shall be reviewed in this section, this is because of the vast and extensive coverage and in-depth analysis on the roles of parliament clearly articulated in their work, which will be very significant to this study. They concluded that Africa cannot continue to build an institution that would continue to resist change and hold on to her national borders if the continent is to achieve the economic integration of her people. They recommended that there is the need for the ECOWAS Parliament to be transformed from a forum for dialogue, consultation and consensus among representatives of the people to a co-decision making and subsequently to a law making parliament. They also noted that there is the need to integrate the parliament into the Community Mechanism on conflict prevention, management, resolution, peacekeeping, and security. To achieve this, the Supplementary Act making proposal in Article 47 should be considered, and this portion of the

proposal reads: The integration of Parliament into the Community Mechanism on Conflict Prevention, Management, Resolution, Peacekeeping, and Security. They emphasized that parliaments of each member state should be required to make inputs to strengthen the laws which would largely be model laws based on internationally accepted rules, conventions and protocols on trade, investments and in the area of the movement of persons, goods and services. Real integration within the ECOWAS Sub-region would remain a mirage until the needed framework is put in place to make it truly competitive.

One of the beauties of democracy is predicated on the independence and interdependence of the Executive, the Legislature and the Judiciary. Parliaments at the federal and state levels in functional democracies enjoy their constitutionally guaranteed powers to make laws for the good governance of their people, amidst their other principal functions of oversight and representation. Dynamics of modern democracy have extended the scope and functions of parliaments to regional bodies seeking to improve inter/intra-border trade among member states. The 15-member Economic Community of West African States established the ECOWAS Parliament in 2000. It has a total of 115 seats occupied by members of parliament elected from National Assemblies of member States. At inception, it was mandated to serve only as a consultative and advisory body. Twelve years later; despite a desire expressed by the Authority of Heads of State and Governments in 2006, to have an ECOWAS Parliament with directly elected members and exercising full legislative powers, the original mandate has remained unchanged. This is unlike what obtains in similar bodies across the world.

This corroborates the work of Philip (2013) on *Promoting Good Governance: The Role of the ECOWAS Parliament* who revealed that the European Union (EU) identifies five principles at the core of good governance. These are legitimacy and voice, direction,

performance, accountability and fairness. But according to the United Nations Development Project (UNDP), good governance include the following principles namely, participation, rule of law, transparency, responsiveness, consensus building, equity, effectiveness and efficiency, decentralization, accountability and strategic vision. Though the European Union's principles are slightly different from the UN's in terms of nomenclature, both are basically pointing at the same direction. It is however important to state that the UNDP based principles have a claim to universal recognition, because it reflects the values that need to be implemented in order to justify the governance framework. Among such values are the elimination of corruption, respect for fundamental human rights, transparent, free and fair elections, and the rule of law. Good governance as a concept needs to be protected and nurtured, since its principles are the cornerstone for sustainable development. The ECOWAS Parliament seeks to ensure that all these principles of good governance are brought to light, in member states of the ECOWAS through provision of consultative and advisory services, to the governments of the sub-regional community Philip (2013).

Ehigiamusoe and Udefuna (2012) revealed that for some years now, the East African Legislative Assembly has been operating as a legislative body. The Southern African Development Commission Parliamentary Forum has embarked on a study to transform into a legislature. There are also studies aimed at transforming the Pan African Parliament into a legislature. Perhaps drawing from this practice which is fast becoming a major trend for Sub-regional and Supranational Parliaments even in Africa, the former Speaker of the ECOWAS Parliament, Senator Ike Ekweremadu, has sought to enhance the powers of the ECOWAS Parliament to conform to global best practices. The lawmaker said, "The ECOWAS Parliament is one of the community institutions established by the ECOWAS revised Treaty". It aims at

accelerating and deepening the integration and development process among the people of the Sub-region.

Consequently, the Parliament was conceived as a forum for dialogue, consultation and consensus among representatives of the people. The Parliament is currently on transition and therefore does not make laws according to the provisions of Article 4 (2) of the Supplementary Protocol establishing the Parliament. It provides that the Parliament “shall be progressively enhanced from advisory to co-decision making and subsequently to a law making roles in areas to be defined by the Authority. To achieve this objective, the ECOWAS Parliament instituted a study aimed at looking at areas, in which its powers can be enhanced to enable it function better. The study resulted in the adoption of a Preliminary Draft Supplementary Act (Ehigiamusoe and Udefuna, 2012).

The former Speaker Ekweremadu argues that this is the best way to go, if ECOWAS is to improve trade and investment and compete favourably in the global economy. The document entitled, “A Case for the Enhancement of Power of the ECOWAS Parliament,” was presented to the then President of the ECOWAS Commission, Kadre Desire Ouedraogo. In it, the Speaker gave a summary of salient aspects of the Act which if adopted, will go a long way in enhancing the legislative powers of the parliament. ECOWAS Parliamentarians are proposing in Articles 14 and 15 to deal with the issue of elections to parliament by Electoral College. Under this proposal, National Parliaments are proposed to be the Electoral Colleges to elect ordinary citizens as representatives of ECOWAS Parliament. It also proposes in Article 7 to make either Parliamentarians or council to initiate Legislative Acts, which will be adopted by both institutions to become applicable. This process is also to be used to adopt the Community Budget (Article 7.1, 13). It is also being proposed that the Parliament be empowered to confirm the

appointment of statutory appointees. This, the Parliament argues, will provide members the opportunity to assess the capacity of those to be entrusted to administer the community before they assume office.

The parliamentarians equally recommend that they be integrated into the Community mechanism on conflict prevention, management, resolution, peacekeeping, and security. To achieve this, the Supplementary Act is making proposal in Article 47, this portion of the proposal reads: “The integration of Parliament into the Community mechanism on conflict prevention, management, resolution, peacekeeping, and security. Parliament should also be involved in election monitoring. Parliamentarians are projected to augment the early warning channels, and participate in conflict resolution. However, provision is made for emergency situations where consultation may not be practicable. The parliamentarians are also proposing for the establishment of an office of a Parliamentary OMBUDSMAN (Article 48). Under this proposal the Parliament said, the establishment of the office of the OMBUDSMAN is an innovative concept to forge closer ties with ordinary citizens by formalizing a channel through which their grievances may be addressed without resorting to judicial processes. Other areas include strengthening interactions between ECOWAS Parliaments and National Parliaments (Article 20, 35 and 46) and transition and coming into force (Article 54). It proposes that the Supplementary Act come into force immediately it is signed but that the present representatives will remain till the end of the 3rd legislature. New elections would hold at the end of the legislature in accordance with the new Act.

The Parliament is not going to legislate on domestic issues of nations but concerned with integration matters, community budget ECOWAS institutions, trans-border issues among others. It is important to note that whatever laws the Parliament will propose for implementation will of

necessity pass through the vetting process of the highest decision making body- the Authority of Heads of State and Government. Parliaments of each member state will be required to make inputs to strengthen the laws which will largely be model laws based on internationally accepted rules, conventions and protocols on trade, investments and in the area of the movement of persons, goods and services. Real integration within the ECOWAS Sub-region will remain a mirage until the needed framework is put in place to make it truly competitive. Trade between member states is still far from what it ought to be, while the movement of persons within the Sub-region is yet to be fully realized. Other issues such as single currency and a common position in trade with other regional blocks such as the EU are still huge challenges (Alechenu 2012).

2.3 Theoretical Framework

This study uses the integration theory as propounded by David Mitrany: Integration theory is a sub-theory of functionalism, which emphasizes on the functional significance of international integration based on collective governance and material interdependence between states (Mitrany, 1933). The main assumptions of the theory is that the process of integration takes place within a framework of human freedom, that knowledge and expertise are currently available to meet the needs for which the functional agencies are built.

Integration theory is one of the major approaches to the study of international relations. Within the realm of this theory, there are models that lay the basis for cooperation and collaborations among states.

Integration theory is one of the major approaches of studying international relations, and a lot of scholars have shared their views on the meaning of integration theory giving plethora of

analyses, but what seems to be generally accepted by all scholars is that integration is the process of merging hitherto isolated parts into a formidable whole, in order to make the newly found co-operations meet the lapses and fill the lacuna brought about by being isolated (Rosamond, 2000; Essien, 2014; Bolaños 2016). This thereby brings about a cooperative understanding among the component units which enables each to unite to make available to others in the group, its strength, for instance, technology, market, labour, natural resources etc. and be able to tap from other groups to fill its weaknesses, for instance lack of market, manpower, technology etc. thereby creating opportunities for itself that may not have been possible if it stands alone, and such integration goes a long way in helping it to combat what would have originally threatened its existence.

Nations can no longer pretend to enjoy the luxury of isolation, most especially newly formed states. It is a natural phenomenon to want to belong, because the advantages of integration are too numerous to mention, compared to what a nation stands to lose, if it chooses to be in isolation. Integration is an essential aspect of an interdependent world.

Integration tends to favour neighboring states, that is, nations that share the same geographical location, because of the relative advantage of proximity. Having the same border gives a feeling of neighborliness; goods and services are easily transferred and the union is more formidable as a result of the nearness to one another. Some of the advantages that nations enjoy as a result of co-operation with other nations is that, it gives their leaders enormous opportunity to focus on their national government, since their co-operation with other states create understanding which ultimately prevents such nation from going into conflict with one another. In essence, when nations are not having friction with one another, their leaders have enough time to focus on their primary aims within their nation since they are at peace with foreign nation.

This theory is suitable for this study, as the integration of West African states into the Economic Community of West African States and the subsequent establishment of the ECOWAS-Parliament is predicated on the quest to forge a common front that addresses common challenges. However, this integration process has spillover to other form of cooperation that was not envisaged at the time of initial integration. In the case of the ECOWAS Parliament, the integration of the West African countries for mainly economic reasons has over the years spun-off into political exigencies of entrenching democratic values, which members believe would create the environment conducive for economic prosperity.

CHAPTER THREE

PARLIAMENTS IN REGIONAL INTEGRATION EFFORTS

Regional integration refers to the various forms and contexts of economic integration arrangements – including common market, free trade area, and harmonization of policies – prevailing or proposed at both continental (for instance, African Economic Community - AEC), and regional levels (for instance, ECOWAS, South Africa Development Community - SADC) (Onwuka and Sesay cited in Draman, 2015). This chapter talks about the role that parliamentary institutions can play generally in regional integration in Europe, South America and particularly in Africa.

3.0 African Regional Parliamentary Assemblies (RPAs) and Integration Efforts

Karuuombe, (2008) revealed that the wave of regional integration embarked upon in the 1990s ushered in the establishment and consolidation of regional integration institutions including Regional Parliamentary Assemblies (RPAs) as institutions to uphold good governance, accountability and transparency. On the African continent, some of the RPAs established, notwithstanding their varying status of operation were the East African Legislative Assembly (EALA), Economic Community of West African States Parliament (ECOWAS-P), Inter-Parliamentary Union of Intergovernmental Authority on Development (IPU-IGAD), Network of Parliamentarians of the Economic Community of Central African States (REPAC), Pan-African Parliament (PAP), Parliament de l' Union Economique et Monetaire Quest Africaine (P-UEMOA) and also the Southern African Development Community Parliamentary Forum (SADC-PF). Other more ad hoc or theme-based parliamentary bodies such as the African,

Caribbean and Pacific States, European Union Joint Parliamentary Assembly (ACP-EU JPA), African Parliamentarians' Forum for NEPAD and others were also established.

In addition to this, Ogochukwu (2008) probes the role of the Pan African Parliament (PAP) in the African Union (AU), given the documented struggle of African regional integration institutions for relevance in the highly intergovernmental milieu of African regionalism. The research found that despite its legal importance in terms of the AU Constitutive Act, the PAP in practice plays no effective role in AU decision-making; as a consultative body, the PAP has made no impact whatsoever in the decisions of the AU. Drawing from the institutional discourse, the research argues that although these institutional antecedents may not augur well for PAP's future in the AU, the PAP's growth strategy should take advantage of increasing tasks and unintended consequences in the expanding AU, to find its relevance in the continental polity Ogochukwu (2008).

After the collapse of the first RPA and the then East African Community (EAC) in 1977 the community in its 1999 new EAC treaty proposed the EALA which was inaugurated in November 2001. In its revised treaty of 1993, the Economic Community of West African States (ECOWAS) introduced a Parliament and signed the protocol for its establishment but it was not until March 2000 that it entered into force. The ECOWAS-P held its first session in January 2001, the SADC Parliamentary Forum was initiated through the 1993 'Windhoek Initiative' and ultimately endorsed by the SADC Heads of State and Government Summit in 1997 as a parliamentary deliberative body without legislative powers. The continental parliamentary body, the Pan-African Parliament, was inaugurated on 18 March 2004, however as a deliberative body with consultative and advisory powers only. Far less established is the IPU-IGAD whose founding protocol was signed by Speakers in 2004 but it is yet to start operations in earnest.

The legitimacy and authority of any representative body, and in particular a parliament, depends on the process through which its membership is composed, namely the electoral or appointment process. All the RPAs named above (with the exception of EALA) are indirectly elected and or appointed through the national parliaments, as was the case for the European parliament between 1952 and 1979. In the case of EALA, Members of the Regional Parliamentary Assembly (MRPA) are nominated by parties represented in Parliament, but serving MPs are themselves not eligible. Whilst this procedure may well broaden the political space and actors and allow EALA to consider its regional mandate, it potentially led to a division between the regional body and the national assemblies at the expense of EALA's means to push the regional agenda at the national level Terlinden (2005) The RPAs do require parliaments to ensure fair political and gender representation in their nominations of Members of Regional Parliamentary Assemblies (MRPAs).

Some of the RPAs in their constitutive legislation have indicated their willingness to adopt the universal adult suffrage, in the recruitment of their members in future. Desirable as it may be, its implementation will not only be costly but will face challenges of defining the constituencies and the management of the electoral process itself. Proportional representation versus representation of member states is another issue of concern in the membership of RPAs. Only the ECOWAS Parliament applies a degree of proportional representation in which Nigeria because of its population size of more than 180 million is allocated 35 seats on the 120-member parliament with the rest distributed to the other members almost in equal proportion. Nigeria also substantially pays more than the other member states into the budget of the regional parliament.

Except EALA, all other African RPAs only perform an advisory role without the traditional law-making function and oversight role of budget control. Even when this role may be

exercised, the executive is not obliged to take the advice and recommendations given. EALA may request the Council to submit proposals on matters which according to the parliament require their attention – and they have done so in the past (Terlinden 2004). The ECOWAS-P, IPU-IGAD and SADC PF have virtually no oversight powers or law making function. EALA and PAP may request people to appear before them, but in the case of refusal they are powerless and cannot subpoena as in the case of national parliaments. Also, EALA has the right to ask questions of the executive, which can be answered or not. The limitation of this right to question the executive is that the questions automatically lapse if not answered within six weeks.

An important power to be exercised by parliament is the passing and oversight of the budget. Both EALA and PAP have limited budgetary oversight as they do not have the power to change the budget but only to review it. This reduces RPAs to merely ‘rubber stamp’ the budgets. EALA, ECOWAS-P and PAP all receive their budgets from their respective regional executive and this implies a high degree of dependence on regional executives and national governments which is not ideal for the independence and autonomy of a parliament. The SADC Parliamentary Forum, on the other hand, receives its money directly from parliaments in the form of membership contributions and contribution to the capacity-building initiatives through its Parliamentary Leadership Centre (PLC). This arrangement and contributions from cooperating partners, allow a degree of self-reliance and autonomy both from donors and the regional executive. The challenge with the contributions to the Forum is that all parliaments make the same contribution irrespective of the size of their respective national economies or size of population.

As a parliament, EALA is entitled to make laws but this is also seriously constrained as it ‘can only put forward and vote on motions and bills if they have no cost implications to any fund

of the community' (Terlinden 2004). Even bills by EALA or the Council do not become law until the three heads of state, namely of Kenya, Uganda and Tanzania assent. If no assent is received for a second time, such bills lapse and the East African Executive can therefore be said to have a veto right over EALA's decisions.

3.1 Other Regional Parliaments and Economic Integration Efforts

i. The European Parliament

Due to the level of integration the European Union has attained, the European Parliament enjoys an appreciable level of actual legislative powers and wields enormous political influence over the region. Sequel to the level of integration among members and scope and intensity of its policy compliance, it has become the largest organizational structure in Europe. The European Parliament which was known as the assembly until 1962 was essentially a forum composed of delegations appointed from the national parliament. It has a limited consultative function regarding a small number of issues, and legislative proposals prior to their adoption by the council. The founding fathers did not provide the European Parliament with a central role in the European integration process from the outset, instead its competence evolved over time mostly due to institutional mimesis (Mlamud and Luis, 2007).

The European Parliament has played a vital role in the political and economic development of the union. It has tried to meet the challenges of democracy through the inclusion of the principle of democratic legitimacy within the institutional system by reinforcing the power of the Parliament with regards to the appointment and control of the Commission and successively extending the scope of the co-decision procedures.

ii. The Central American Parliament (PARLACEN)

The Central American Parliament as a deliberate body of the Central America Integration System (SICA) was established upon the Central American Common Market founded in 1960. The SICA was established in 1991 as a complex organization linking the Central American countries on a variable geometry basis. The PARLACEN acts as the regional and permanent organ of political and democratic representation of the SICA, with the aim of realizing the Central American integration. It wants to achieve a peaceful coexistence within the framework of security and social welfare, not only based on a representative and participative democracy, but also in pluralism, in respect for national legislation and International Law. The PARLACEN conducts the following tasks:

- a) It is the regional and permanent organ of political and democratic representation with the fundamental aim to realize the integration.
- b) Proposing legislation in matters of integration and initiatives aimed at consolidating integration e.g. to practice parliamentary control of the integration and to further and steer the process of integration and the possibly broadest cooperation between the Central American states.
- c) Proposing drafts of treaties and agreements, which are to be negotiated between the Central American states and which shall contribute to the satisfaction of needs in the region, as well as forming an opinion of what the SICA proposes.
- d) Participating in conventions of the presidents and the ministerial counsellors of the SICA.
- e) It takes notice of the election of the executive authorities of SICA and inaugurates the elected. It is informed about the budgets of the integration entities and creates special

committees to analyse the disagreements between the states which could affect further integration.

iii. The Latin American Parliament (PARLATINO)

The Latin American Parliament as a regional unicameral assembly which is made up of 22 national parliaments of Latin America and the Caribbean was founded in Lima, Peru, in December 1964. It was later institutionalized by an international treaty signed in Lima in November 1987, and since 1992 it has been permanently located in Sao Paulo, Brazil. Its main purpose as stated in the charter are; the defence of democracy, the promotion of regional integration and strengthening of cooperation among member states, promoting economic and social development of the Latin American community, the full economic, political, social and cultural development of their people and ensuring strict respect for human rights. The development and adoption of framework legislation, represents one of the instruments for regional integration in different fields. As part of the close collaboration with the project that supports the Hunger-Free Latin America and the Caribbean Initiative (IALCSH) and FAO Legal Office, the project has provided technical support for the preparation of the Framework Law on the Right to Food, Food Security and Sovereignty.

CHAPTER FOUR
THE ROLE AND CHALLENGES FACED BY ECOWAS PARLIAMENT IN
ECONOMIC INTEGRATION.

The Community Parliament is crucial to regional integration representing the best hopes and yearnings of the West African people. This chapter discusses the role and numerous challenges encumbering it.

4.0 ECOWAS Mandates

The Economic Community of West African States (ECOWAS) was founded in 1975 to promote trading activities and regional economic integration within the West African sub-region. ECOWAS fundamental mandate is to encourage the formation of economic integration among the countries in the sub-region, through the adoption of relevant measures. Unambiguously, ECOWAS strives to foster economic/trade integration, national cooperation, and monetary union, for growth and development throughout the Sub-region. The following are its broad functions:

- a. Trading, immigration, monetary interaction
- b. Industry, natural resources, and agriculture
- c. Transportation and communications and
- d. Social and cultural issues.

ECOWAS was initially a 15-member body Community comprising Benin, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, (Mauritania left in 2002), Niger, Nigeria, Senegal, Sierra Leone, Togo, and Burkina Faso (joined as Upper Volta) while Cape Verde joined

in 1977. In the last two decades, ECOWAS has made frantic and spirited efforts to accelerate integration of economic policy, and improve political cooperation through its revised treaty which was signed on 24 July, 1993. This Treaty outlined the goals of a common economic market, a single currency, the creation of a West African parliament, economic and social councils, and a court of justice (Ehigiamusoe & Udefuna, 2012). The treaty also lays the burden of settling regional conflicts on the treaty members, such that each signatory to the treaty is obligated to respect the spirit of that agreement to avoid disputes. Sequel to the forgoing, there is also a Mutual Defence Protocol: a non-standing army deployed in the region as ECOMOG (Alistair Boddy-Evans 2011).

The institutions of ECOWAS include; the ECOWAS Commission, the ECOWAS Parliament, the Community Court of Justice, among others. The ECOWAS Parliament as one of the institutions of ECOWAS is a forum for dialogue, consultation and consensus for representatives of the people of West Africa to promote integration. The Parliament was established in accordance with Article 6 and 13 of the ECOWAS Treaty, while the Protocol establishing the Parliament was signed in Abuja on August 6, 1994 and it came into force in March 14, 2002.

The mandates of the ECOWAS ultimately aim at the establishment of an economic and monetary union, through the total integration of the national economies of member states. It also aims to raise the living standards of its peoples, maintain and enhance economic stability, foster relations among member states and contribute to the progress and development of the African Continent. ECOWAS integration policies and programmes are influenced by the prevailing economic conditions in its member countries, the need to take the principal provisions of the African Economic Community (AEC) Treaty into account, and relevant developments on the

international scene. The revised treaty of 1993, which was to extend economic and political co-operation among member states, designates the achievement of a common market and a single currency as economic objectives, the treaty also formally assigned the Community, with the responsibility of preventing and settling regional conflicts.

4.1 ECOWAS Legislative Powers

Article 13 of the revisited ECOWAS Treaty of 1993, provided for the establishment of the ECOWAS Parliament as one of the institutions of the community. The Treaty which provides for the composition, structure, organ and competence of the parliament was signed in Abuja on the 6th August, 1994 and was inaugurated in 2000. The ECOWAS Parliament does not make laws but rather, it is a forum for consultation, dialogue and it also gives advisory opinion to the Authority of Heads of States. The ECOWAS Parliament which has its permanent seat in Abuja, Nigeria has a total of 115 seats. Each member state has a minimum of 5 seats based on the equality of states, while 40 seats are shared among the member of states based on their population size. As a result of this Nigeria has the highest number of seat at the parliament which is 35. This is captured in table 1 below:

S/No.	Country	No. of Seat
1.	Benin	Five (5) Seats
2.	Burkina Faso	Six (6) Seats
3.	Cape Verde	Five (5) Seats
4.	Cote d'Ivoire	Seven (7) Seats
5.	The Gambia	Five (5) Seats
6.	Ghana	Eight (8) Seats
7.	Guinea	Six (6) Seats

8.	Guinea-Bissau	Five (5) Seats
9.	Liberia	Five (5) Seats
10.	Mali	Six (6) Seats
11.	Niger	Six (6) Seats
12.	Nigeria	Thirty Five (35) Seats
13.	Senegal	Six (6) Seats
14.	Sierra Leone	Five (5) Seats
15.	Togo	Five (5) Seats

Source: ECOWAS-Parliament's Official Website: <https://parl.ecowas.int/en/home/>

The ECOWAS Parliament as the Assembly of the people of the community is still struggling to become a law-making parliament with all requisite mandates and powers. The idea behind the establishment of a regional parliament for members of West Africa, to be represented was to foster economic and political integration through dialogue, consultation and consensus. The dynamics of modern day democracy has engendered the need for regional parliamentary bodies, seeking to improve economic and political relations among member states. This is as a result of the globalization process which has caused nation states to become interrelated, interconnected and interdependent such that the world has been described as a “global village”. This enables countries to benefit from other state’s areas of comparative advantages.

Over the years Authorities of Heads of States has expressed the desire to have an ECOWAS Parliament with directly elected members with full legislative powers, but the original mandate has not changed. Thus the ECOWAS Parliament does not have the power like that of the Federal and State government levels in a democratic setting to make laws but rather acts as

consultative forum for dialogue and to give advisory opinion to the Authority of Heads of States. Senator Ike Ekweremadu who was the Speaker of ECOWAS Parliament sought to enhance the powers of the ECOWAS Parliament to conform to global best practices to no avail. The lawmaker said, the ECOWAS Parliament is one of the community institutions established by the ECOWAS revised Treaty. It aims at accelerating and deepening the integration and development process among the people of the Sub-region.

The effort to make ECOWAS Parliament a legislative and co-decision making body have yielded significant results with the adoption of the 46 Ordinary Session of the Authority of Heads of States and Government held in Abuja on the 5th of December, 2014. The Ordinary session deliberated on the supplementary Act on the enhancement of the power of parliament, yet not much success was recorded as the Parliament remained a consultative and advisory body.

Article (6) 1 of the protocol of ECOWAS parliament states that: ‘‘The Community Parliament shall be concerned with the issues of Community which are relevant to fundamental human right, freedom of speech and recommend to the institutions and organs of the community’’ (Article 6). The Parliament is entitled to advise on issues concerning the ECOWAS Community, whenever consulted and specifically shall be concerned with these areas:

- i. The Parliament takes into consideration of any matter concerning the community, in particular such as issues relating to human rights and fundamental freedoms and recommend to institutions and organs of the Community.
- ii. The parliament may be consulted for its opinion of issues relating to the community in the following areas:-
 - a. Interconnection of telecommunication system to form an excellent community network with maximum number of extension and more accessible to rural areas.

- b. Interconnection of communication links between member states for free movement of person, goods, services and capitals.
- c. To form an interconnection of energy networks among member states.
- d. To increase cooperation and efficiency in the area of radio, television, satellite, media links and communication system among the member states and to the rest of the world.
- e. Public health policies for the community to be formulated rationally and implemented effectively for the benefit of the community

4.2 Structure of the Parliament

The ECOWAS-Parliament is divided into 2 wings for administrative convenience. These include:

- a. Political wing
- b. Administrative wing

For administrative expediency, the structure of the Political wing consists;

- i. The Plenary
- ii. Bureau of Parliament
- iii. The Conference of Bureaux

The Plenary -: This is the highest body of the Parliament and its decisions are binding on other structures. As an advisory Parliament, the Plenary adopts all resolutions of Parliament which are to be forwarded to the decision-making bodies of the Community.

The Bureau -: This is the governing organ of the Parliament. In other words, it embodies all principal officers of the Parliament. The Bureau consists of the Speaker and all the Deputy

Speakers of the Parliament. This body determines the draft agenda and all programmes or businesses of Sessions among various other functions.

The Conference of Bureaux -: This consists of The Speaker, Chairmen or Deputy Chairmen and the Rapporteur of each of the Standing Committees. They work with the Bureau of the Parliament to prepare the draft annual work-plan taking into account the priority Community programmes among other functions. It also works in close collaboration with National and other Regional Parliaments in Africa.

Administrative Wing

The administrative wing of the regional Parliament comprises the following:

- i. The Secretariat
- ii. Department of Parliamentary Affairs and Research
- iii. Department of Admin and Finance

The Secretariat

The Secretariat of the Parliament is run by the Secretary-General, and the current Secretary General of the Parliament is Dr. Nelson Magbagbeola from Nigeria, and a former staff of the ECOWAS Commission in Abuja. The Secretary General is the chief administrative and accounting officer of the Parliament.

Department of Parliamentary Affairs and Research

It is the responsibility of this department to provide Chamber support services in terms of research and capacity as well as Chamber management. It ensures that all appliances and other logistics are in place and in good shape. It maintains files and other documentary needs of the Parliament.

Department of Admin and Finance

This department services the other two (2) operational departments of the Parliament as well as the political wing of the Parliament. The Department sees to the general welfare of staff of the Parliament, it undertakes the processes of appointment, promotion and discipline. It also takes care of the account unit.

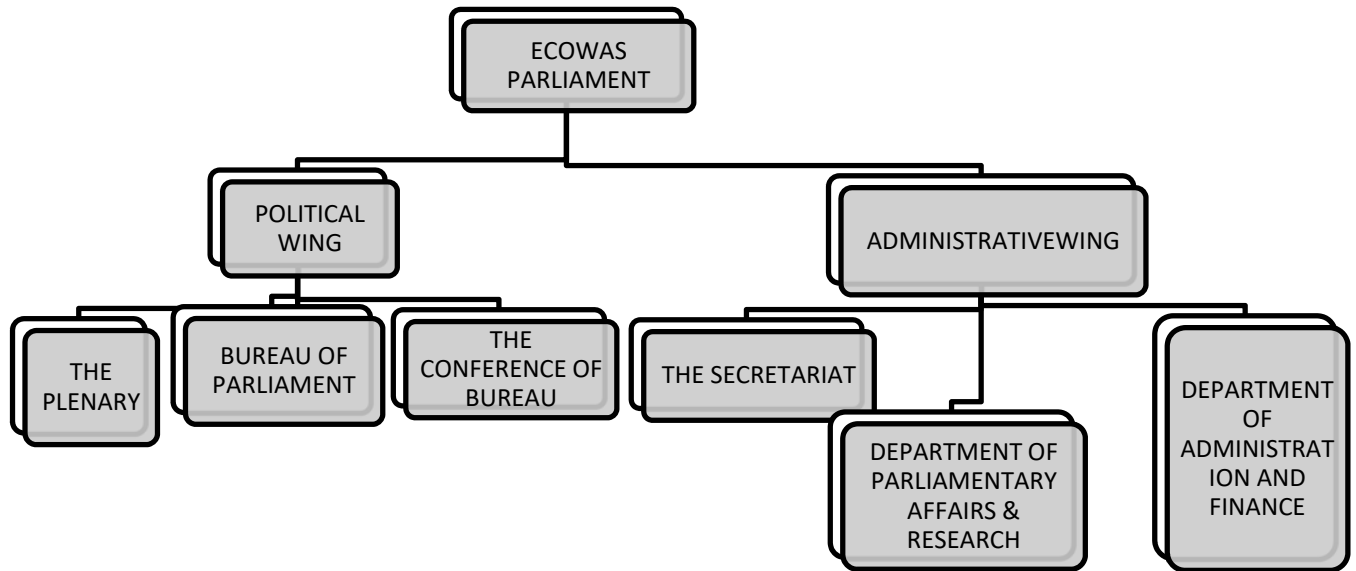


Figure 1 STRUCTURE OF ECOWAS PARLIAMENT

4.3 The Seat and Composition of the Parliament

At its 25th session held in Dakar, Senegal on the 21st and 22nd December, 2001 the Authority of Heads of State and Government unanimously agreed that Abuja should be the headquarters of the ECOWAS-Parliament.

As stated earlier, the Parliament is composed of 115 seats and each of the 15 member states has a guaranteed minimum of five seats. The remaining seats are shared on the basis of population. Consequently, Nigeria has 35 seats, Ghana 8 seats, Cote d’Ivoire 7 seats, while Burkina Faso, Guinea, Mali, Niger and Senegal have 6 seats each. The others – Benin, Cape

Verde, The Gambia, Guinea Bissau, Liberia, Sierra Leone and Togo have 5 seats each as a result of their sizes.

Nigerian delegation to the ECOWAS Parliament consists of 17 serving senators and 18 House of Representatives members selected or nominated by the selection committee of both Chambers.

4.4 Competence

ECOWAS-Parliament is empowered to consider issues concerning human rights and fundamental freedoms of citizens; interconnection of energy networks; interconnection of communication links between member states; interconnection of telecommunications systems; increased cooperation in the area of radio, television and other intra and inter-Community media links; as well as development of national communication systems. The Parliament may also be consulted on matters relating to public health policies for the Community; common educational policy through harmonisation of existing systems and specialisation of existing universities; adjustment of education within the Community to international standards; youth and sports; scientific and technological research; and Community policy on environment.

Other areas for consideration include any issues affecting the Community, especially as they relate to the review of the ECOWAS Treaty, citizenship and social integration. On these issues, the Parliament only makes recommendations to the appropriate institutions and/or organs of the Community as it lacks actual legislative power/mandate. Sequel to these areas of jurisdiction, the ECOWAS-Parliament has the following 13 existing committees:

- a. Committee on Administration, Finance, Budget control & Audits
- b. Committee on Agriculture, Environment, Water resources and Sustainable development
- c. Committee on Communications and Information technology

- d. Committee on Economic policies, Private sector & NEPAD
- e. Committee on Education, Science and Technologies
- f. Committee on Gender, Women empowerment & Social protection
- g. Committee on Health and Social services
- h. Committee on Human rights, Child protection & Other vulnerable groups
- i. Committee on Infrastructure, Energy, Mine & Industry
- j. Committee on Labour, Employment, Youth, sport & Culture
- k. Committee on Legal and Judicial affairs
- l. Committee on Political affairs, Peace, Security & Affairs peer review mechanism
- m. Committee on Trade, Customs & Free movement

4.5 Mode of Election and Terms of Office

Members of the ECOWAS-Parliament and their alternates are elected by direct universal suffrage by citizens of Member States in their various countries. Pending when Members of ECOWAS-Parliament are thus elected, the National Assemblies of the Member States or their equivalent institutions or organs are empowered to elect members from among themselves. This therefore, means that ECOWAS-Parliamentarians are first elected through competitive election to their national legislature from where they are either elected or nominated by colleagues to serve in the ECOWAS-Parliament (Ehigiamusoe & Udefuna, 2012). The duration of the transitional period is subject to the approval of the Authority of Heads of States and Government. Members of the ECOWAS-Parliament are elected for five years from the day they are sworn in during the transition period, while representatives who are not re-elected at the national level will remain in office until the new representatives from their respective Member States take their positions.

ECOWAS-Parliament, functions in an advisory capacity, this means that it does not, as of now, have specific decision-making powers, and its members are not directly elected. Therefore, it can be classified as a consultative, deliberative, and advisory institution of the regional body with no actual legislative powers.

In the case of vacant seats in the Parliament, the vacancy is usually filled by the first non-elected candidate registered on the same list containing the name of the out-going Member of Parliament. Once elected or nominated into the Parliament, members of ECOWAS-Parliament (MP's) enjoy Parliamentary immunity in all Member States. Thus, they may not be prosecuted, summoned, arrested, detained or sentenced, except in case of flagrante delicto (blazing offence), whether the Parliament is in session or on recess. Before any Member of Parliament is apprehended in a case of flagrante delicto, duly established, clearance must be sought from the Bureau of the Parliament. The Parliament can, through a two-thirds majority, request from the competent authority the suspension of a detention order on or a suit against a Member of Parliament.

The Protocol forbids any Member of Parliament, while in office from being a member of Government, the Constitutional Council, the Supreme Court of a Member State; or a member of Courts and Tribunals of a Member State; a judge, lawyer or registrar in the Community Court of Justice and the Court of Arbitration.

4.6 Sessions of the Parliament

ECOWAS-Parliament has two ordinary sessions every year, each of which may not exceed three months. Currently, the sessions are limited to two weeks each. The first sessions are usually held in May and the second, in the first week of September. The Parliament adopts its budget during the second session. Extra-ordinary sessions can be held at the initiative of the

Chairman of the Authority of Heads of State and Government or at the request of an absolute majority of its members decide to hold it somewhere else, within the sub-region.

4.7 The Supplementary Act on Enhancement of Powers of the ECOWAS-Parliament

Sequel to the various efforts being made by the ECOWAS-Parliament and other institutions of the regional body, the Supplementary Act on the enhancement of the powers of the Parliament was introduced. The Ministers of Justice of ECOWAS on the 7th of December, 2016 endorsed it after examining the draft Supplementary Act on the Enhancement of Powers of the ECOWAS Community Parliament.

The Enhancement of Powers Act is meant among others, to permit the ECOWAS Parliament to be involved in the process of budget as well as the oversight of activities of ECOWAS institutions a responsibility akin to what obtains in national parliaments and in the EU-Parliament. This endorsement was granted after a thorough consideration of the legal, political and financial implications of the proposals in the Draft, pursuant to coming up with realistic and pragmatic recommendations that would ultimately re-position the ECOWAS Parliament in the traditionally accepted form of a regional parliamentary body. After the election of bureau and adoption of agenda and work plan, there were presentation of reports of the technical committee on legal and judicial affairs, a consideration and adoption of the report of the technical committee on legal and judicial affairs, among others.

Thereafter an inter-institutional Committee was constituted comprising of representatives of the ECOWAS Commission, Parliament and Court of Justice to review and fine-tune the Draft Supplementary Act on the Enhancement of Powers of the ECOWAS Community Parliament. At the conclusion of their work, the Committee agreed to adopt a gradual approach on enhancing

the powers of the parliament from advisory to co-decision and subsequently legislative capacity in fulfilment of the provisions of Article 4.2 of the supplementary Act A/SP.1/06/06.

Chapter II, Article 7 of the Supplementary Act A/SA.1/12/16/Relating to the Enhancement of the Powers of the ECOWAS-Parliament captures the powers of the Community Parliament. It states as follows;

Without prejudice to Article 6 (2) of the Treaty which preserves the mandate of respective Community Institutions within the limits of the powers conferred on them by Treaty or by Protocols relating thereto, the Parliament:

- a. Shall be involved in the enactment of all Community Acts relating to ECOWAS Economic and Monetary integration policies or the Treaty;
- b. Shall be involved in the adoption of the Community Budget in the manner provided in Article 17 of this Supplementary Act;
- c. Shall exercise Parliamentary oversight functions over the activities of the programme implementing bodies of the Community and adopt the appropriation Resolution;
- d. May consider any matter concerning the Community, in particular issues relating to Human Rights and Fundamental Freedoms and make recommendations to the Institutions and Organs of the Community, in this regard, it may constitute committees of enquiry and may mediate on the matter;
- e. Shall be consulted on any issue concerning the Community except those referred to in Article 10 of this Supplementary Act; the nature of the Parliament's response to the matters considered shall be in accordance with Articles 11 and 12 of this Supplementary Act;

- f. May in collaboration with the Council and the Commission, propose model and uniform laws to the Community.

Article 8 of Chapter II while outlining the modalities of participation in the process of enacting Community Acts, stated that “the Parliament shall reflect its view on the enactment of Community Acts by;

- a. Opinion
- b. Mandatory Assent

While Article 9 Section 1 states that referral to Parliament is mandatory in issues relating to Community Budget, revision of the Treaty and its annexes, annual audit reports of Community organs and institutions. Referral to Parliament is also mandatory in the adoption or review of all Community Acts relating to ECOWAS Economic and Monetary integration including trade, customs, free movement of persons, goods and services, infrastructure, monetary cooperation, industry and mining, private sector and investment promotion. Others are that “*without prejudice to Article 10(d) of the Supplementary Act, other integration matters covered by the Technical Committees established under New Article 22, new paragraph (1.b) of the Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty and any other sectorial policy decided upon by the Authority*”. While Article 9, section 2 further added that all referrals shall be transmitted to the Parliament in the three (3) working languages of the Community.

The above captured provisions have succeeded in gradually transforming the Community Parliament from a mere consultative and advisory forum to a quasi, if not full-fledged Parliament with requisite powers. See appendix 1 for clarity and detailed provisions of the Act.

4.8 The Role of ECOWAS Parliament in Economic Integration of West Africa

The Community Parliament is crucial to regional integration representing the best hopes and yearnings of the West African people. It performs the following role:

i. Prevention and Management of Conflict

In any angle of the world or region, the success of regional integration largely depends on the ability and performance of the authorities to provide peace and security, as well as good governance which are the backbone of any regional integration, and cooperation in any community (Shehu, 2015).

ECOWAS has an important responsibility in providing a strong framework and capacity, for parliamentarians to play an effective role in conflict prevention and management in the region. The essence for the establishment of the ECOWAS Parliament, was the need for it to serve as the community non-military mechanism in preventing and managing conflict among member states. The ECOWAS Parliament aims to prevent, manage and resolve intra and inter-state conflicts strengthen cooperation in the areas of conflict, early warning where conflicts may arise and peace-keeping operations. Others are control of cross-border crime, international terrorism, proliferation of small arms, maintain and encourage peace and security within the community, establish institutions and formulate policies that will organize and coordinate humanitarian relief before and after war. They promote preventive diplomacy and peacekeeping among the member states, constitute and deploy civilian and military force to maintain peace and restore order within the sub-region whenever necessary (Shehu, 2015). Sadly, the challenges that besets the ECOWAS-Parliament in the prevention and management of conflicts in the sub-region are numerous and daunting. Recommendations and pieces of advice emanating from the Parliament are not binding on any member nation, for instance; former speaker ECOWAS-Parliament (Sen.

Ike Ekweremadu) led a mediation delegation to Niger in 2010 following the coup d'état that took place in the country on the 18th February 2010, when Soldiers attacked the Presidential palace in Niamey, struck and captured President Mamadou Tandja, who was chairing a government meeting at the time (Pitman, 2010). The rebels later announced the formation of the Supreme Council for the Restoration of Democracy (CSR), headed by chef d'escadron Salou Djibo, but the mediation ended in a stalemate (Garba, 2015).

The Community Parliament has through parliamentary diplomacy, especially in conflict areas of the sub-region prevented or resolved conflicts. According to Garba (2015) the Parliament in 2002, despatched a fact finding mission that led to creating an understanding between the countries of the Mano River Union (MRU) during the period of the fragile peace among member countries (i.e. Guinea, Sierra Leone and Liberia). The various Sessions of the Parliament also played a role in bring about peace talk between the Liberian United Reconciliation and Democracy (LURD) rebels and the Liberian Government in 2002. Garba (2015) further that during its extra-ordinary session held in 2002 principally to address the Ivorian crisis, sent a delegation on a working visit to the epicentre of the crisis – Cote d'voire and Ghana as well as Burkina Faso. After meeting key members of the national parliaments and presidents of these countries made far-reaching recommendations. These recommendations resulted in the quick resolution of the conflict. In the case of Guinea Bissau, when President Kumba Yala dissolved the country's National Assembly but refused to conduct fresh election, the intervention of the ECOWAS-Parliament led to the amicable resolution of the crisis.

The Parliament also played a lead role in addressing the situation in both Mali and Guinea-Bissau. Through series of resolution, delegations and recommendation, the Parliament supported the efforts of the Authority of Heads of States and Governments of ECOWAS in finding solution

to the impasse in both countries. The challenge posed by the activities of militant Islamic groups in Northern Mali and Northern Nigeria attracted the attention of the various institutions of the ECOWAS including the Community Parliament. The most recent is the intervention of the ECOWAS-Parliament in The Gambia's political *impasse* when then president Yahya Jammeh refused to relinquish power to the actual winner 2016 Presidential Election (Adama Barrow, the current president of the Gambia). With the support of the ECOWAS-Parliament, the ECOWAS Authority of Heads of States and Governments successfully resolved that crisis leading to Jammeh going on exile in order to give peace a chance in the country.

ii. Treaties and Legislation

ECOWAS established her own Parliament in recognition of the importance of the legislature to the Community in her quest for integration. The ECOWAS Parliament as stated above, plays advisory role in the community by making recommendations to the various community institutions, and to the Authorities of Heads of States. Thus the Parliament has no Law making powers; this means that the resolution passed by the parliament has to be adopted by the relevant community organs and the Authority of Heads of States and Governments before implementation or before it has binding force. This state of affairs poses a serious challenge to the Parliament. However, prior to the adoption of the Supplementary Act A/SA.1/12/16/Relating to the Enhancement of the Powers of the ECOWAS-Parliament, the following are some of the treaties and legislations that received the attention of the Parliament:

- Draft Supplementary Act Adopting the Community Regulations on competition and modalities for their implementation in the ECOWAS zone;
- Draft Supplementary Act establishing Local Jurisdiction on competition with its functions and procedure;

- Draft Supplementary Act adopting the Community Regulations on investment and modalities for their implementation within ECOWAS zone;
- Draft Convention on trans-border cooperation in the countries of the sub-region;
- Draft Supplementary Act relating to the creation of a regional organ for regulating the electricity sector in ECOWAS zone;
- Draft Supplementary Act relating to the amendment of articles 19(3) and 89 of the ECOWAS Revised Treaty
- Draft ECOWAS Common Approach on migration;
- ECOWAS Draft Youth Policy;
- ECOWAS Draft Child Policy;
- Proposal to fight cyber-crimes within ECOWAS, etc.

All these are efforts made by the ECOWAS-Parliament to engender regional economic integration within the sub-region.

iii. Strengthening Democracy and Good Governance

According to Robertson (2012), *“to achieve good governance and democracy, there must be a creation of active collaboration to ensure political, social and economic priorities are settled and the voices of the poor and most vulnerable are heard in the decision-making process”*.

Democracy has been recognized as the best form of government all over the world today due to the fact that it guarantees fundamental human right and freedom. It has been recognized that the major cause of conflict in the region is due to the absence of free and fair elections, which is the core feature of democracy and good governance. This has rather brought about poor governance and unjust leaders. Since the establishment of ECOWAS Parliament, it has shown its concern for

the democratization process in the community through its participation in election observation in many member states e.g. the Gambia, Burkina Faso, Guinea, Sierra Leone, Guinea Bissau, Nigeria etc.

By observing the elections being conducted by governments of member states, ECOWAS Parliament ensure that democratic norms are adhered to and that actors play by the rules. The case of Cote d'voire where Koudou Laurent Gbagbo refused to transmit power to Alassane Ouattara the winner of 2010 election. In the 2010 presidential election, Alassane Ouattara defeated Gbagbo, and was recognized as the winner by election observers, the international community, the African Union (AU), and the Economic Community of West African States. However, Gbagbo refused to step down, despite mounting international pressure. The Ivorian Independent Electoral Commission (IEC) announced that Ouattara had won the election with 54% of the vote, a tally that the international community agreed was credible. However, the Constitutional Council, a body dominated by pro-Gbagbo members, annulled the results in Ouattara's electoral strongholds in the north, claiming fraud, and declared Gbagbo the winner with 51% of the vote (Freedom in the World 2013). In December 2010, both Gbagbo and Ouattara assumed the presidency, triggering a short period of civil conflict in which about 3,000 people were killed (Wamfley, 2019). Sequel to the unsuccessful effort of not only the ECOWAS-Parliament but the entire international community the war raged for over a year. However, Gbagbo was consumed as he was arrested with the aid of French troops and extradited to the International Criminal Court and was charged with human right abuses and war crimes. Conversely, the case of the Gambia presented a different scenario as Jammeh agreed to the option of embarking on exile in the face of the post-election crisis that engulfed the country under his watch.

iv. Sustainable Human & Economic Development

According to Salman (2011) cited in Shehu (2015), “the Parliament tries to contribute towards the attainment of the MDGs, because the MDGs were essential for sustainable human development, and it was also the means of achieving meaningful life and economic growth, it reduces hunger, ensures gender equality, improves health and education, accesses potable water and sanitation which all these really improve the quality of life of people as well as standard of living in the sub-region”. The parliament introduced human development program, in other to enhance the welfare of the community members through economic growth and development, education, women & youth empowerment, poverty reduction etc.

The United Nations had recently adopted the Sustainable Development Goals (SDGs) as a successor programme to the Millennium Development Goals (MDGs). Consequently, during the plan period 2016 to 2020, the Parliament attempts to contribute towards the attainment of the SDGs as a strategy in fulfilling its mandate and provide adequate representation to the people of West Africa. Among the Sustainable Development Goals (SDGs) that the Parliament supports and has been providing enabling support to member states with a view to attaining them include goals number 2, 3, 5, 8, 13 & 16:

- Zero hunger
- Good health and well-being
- Gender equality
- Decent work and economic growth
- Climate action
- Peace, justice and strong institutions.

The Community Parliament has supported ECOWAS in her onerous efforts to bring about greater entrenchment of democratic culture, enhanced efficiency in dealing with conflicts, crisis prevention and resolution as witnessed in the restoration of stability to Member States caught in

conflict over the years. This is one way the regional body has been promoting sustained economic development of the West African region through the implementation of the Community work programme (Agbebaku, Uwa & Fayeye, 2018). Through the accelerated implementation of sectoral programmes for wealth creation, ECOWAS has been in the business of boosting regional economic and human development. According to Agbebaku, Uwa & Fayeye, (2018), the Community has made spirited efforts in

...the harmonization of macroeconomic policies, the implementation of the Common External Tariff (CET), multilateral surveillance, research and youth empowerment, trade liberalisation, Customs union, favourable industrial policy, mines development, agriculture and environment, infrastructure-transport, telecommunications and energy.

They further stated that when completed, the Abidjan-Lagos Highway Project under the regional infrastructure development programme will fast-track the ECOWAS Regional Integration Agenda, stimulate investments, reduce poverty, improve security and improve accessibility among nationals of member states.

The quest for the creation of a single currency (the ECO) in order to boost trade, as well as the proposed adoption of a single biometric identity card to regulate migration within the region: Are some of the mechanisms currently in place to boost the regional body's capacity for organising an efficient regional response against challenges such as Diseases, natural disasters and terrorism (Agbebaku, Uwa & Fayeye, 2018). All these have been receiving enormous support of the Community Parliament, as it works hand in hand with the Authority of Heads of State and Government and the Commission.

Aside obvious institutional reforms aimed at strengthening the ECOWAS, the West African region has benefitted immensely from the outcomes of the Supplementary Protocol on Democracy and Good Governance, which compels member states to comply with best practices in respect of presidential terms of office and places premium on the ascension to presidential power through popular vote (election) with zero tolerance for unconstitutional seizure of power. ECOWAS has continued to help in ensuring free, fair and credible elections in the member states through its electoral assistance mechanism (Agbebaku, Uwa & Fayeye, 2018). Economic and human development suffers enormously in a crisis-ridden environment, hence the regional bodies insistence on political best practices among member states. The regional integrative body has made modest achievements and these achievements cut across all sectors. These achievements according to Agbebaku, Uwa & Fayeye (2018), include:

- i. The adoption of the Macroeconomic Convergence Report by the ECOWAS Convergence Council
- ii. Establishment of the ECOWAS Monetary Institute (EMI).
- iii. Adoption of methodological guides for the harmonization of Public Finance Statistics, Government Financial Operations Tables (TOFE), External Trade Statistics, Balance of Payment (BOP) and International Investment Position (IIP).
- iv. Conclusion of the review of the Sahel Strategy document and its action plan to boost regional security.
- v. Formulation of an ECOWAS Common Trade Policy (CTP) and ECOWAS Trade Development Strategy.
- vi. Completion of the Economic Partnership Agreement (EPA) with the signing by 13 Member States.

- vii. Custom Union in the offing with the implementation of the CET by Eight Member-States
Free Movement of goods and persons boosted with the adoption of the ECOWAS
Biometric Identity Card to facilitate mobility and promote security in the region.
- viii. Drafting of a Regional Border Management Manual for use in immigration/security
training institutions.
- ix. Launching of the Ecolink project, which aims to transform and improve key
operations within the ECOWAS Community.
- x. The Systems, Applications & Products (SAP) component of Ecolink aims at improving
the financial management systems and ensuring real-time information for effective
decision-making in the Community Institutions.
- xi. Promotion of strategic products for food security and sovereignty including
combating cross-border livestock disease.
- xii. Renewed efforts to enhance the environmental governance, general
environmental protection, capacity building as well as Sustainable resource management
for development in the Member States.
- xiii. Re-award of the contract for the construction of the Sèmè-Kraké Joint Border Post
(Benin-Nigeria)
- xiv. Evaluation of tenders completed for the works, contract for final engineering
designs for the rehabilitation of sections of the Enugu-Bemenda road between
Nigeria and Cameroon and the construction of a Joint Border Post (JBP) and a Border
Bridge at Mfum border.
- xv. Feasibility study for the extension of the West African Gas Pipeline Network concluded.

- xvi. Development of Regional Power Market with the setting up of regulatory and economic environment.
- xvii. Promotion of renewable energy and energy efficiency technologies and services.
- xviii. An ECOWAS Directive on Energy Efficiency Buildings (EEB) aimed at promoting energy efficiency in buildings in ECOWAS Member States has been developed by ECREEE.
- xix. Establishment of a Regional Centre for Disease Control Maintain and strengthen the actions undertaken to consolidate peace and security in the region.
- xx. Consolidating the implementation of the, Common Market, Trade Liberalization Scheme (TLS) and the Protocol on Free Movement of persons, goods and services
- xxi. Signing of the Supplementary Act on Dakar-Abidjan Corridor, and laying of the first stone for the regional electricity project. The project covers Cote d'Ivoire, Guinea, Liberia and Sierra Leone.
- xxii. The regional peace and security architecture provides for conflict prevention, management and resolution, as well as early warning System. The latter allows ECOWAS to analyse human security issues and anticipate political crises, food shortages, health problems and disasters.

The main objectives of the ECOWAS at inception hinges on the attainment of regional economic and political cooperation and integration. So far, this objective cannot be said to be a mirage as the region been among the world's most mobile populations with much of the migration being intra-regional. Agbebaku, Uwa & Fayeye (2018) stated that calculations based on population censuses indicate that countries of the region currently host about 7.5 million migrants from

another West African country, representing 3% of the regional population. The 1.2 million other migrants are dispersed mainly in North America and Europe.

4.9 Dimensions of Economic Integration

According to Onwuka and Sesy cited in Draman (2015), “Regional integration refers to the various forms and context of economic integration arrangements- including common market, free trade areas and harmonization policies- prevailing or proposed at both the continent i.e. African Economic Community (AEC), and regional such as ECOWAS, Southern Africa Development Community (SADC), levels among many others. The dimensions of economic integration in the region include:

i. Free Movement of Labour and Goods

The free movement and free trade area policies are primarily aimed at encouraging entrepreneurship, and economic integration of countries of the region. When people can travel with ease for business, tourism or education, everyone benefits from the country opening up their borders as well as the country whose nationals are on the move, as seen in the rising migration and movement of finance across member states brought about by increasing integrative moves in recent years. Cross-border movement supports talent mobility and competitiveness, skills gaps can be plugged and ideas are exchanged leading to entrepreneurship and innovation spreading out beyond borders. The free movement of people is a quick win on development for countries, regions and the continent as a whole; it supports more competitive businesses and economies.

In accordance with the Protocol on Free Movement of Persons within the sub-region, the primary purpose of ECOWAS is to integrate the fifteen West African markets for goods, capital

and labour so that the Community can advance harmoniously as one region in its search for sustained economic growth and development. For instance, Nigeria's Visa on Arrival policy recently launch which gives great opportunity to foreigners to access the country. Article 2 (1) of the Treaty provides thus: It shall be the aim of the Community to promote cooperation and development in all the fields of economic activity, for the purpose of fostering closer relations among its members and contributing to the progress and development of the region.

In order to achieve the above purposes, Article 2(2) of the Treaty requires Member States to, by stages, ensure, inter alia, the abolition as between Member States of the obstacles to free movement of persons, goods, services and capital. The removal of obstacles to free movement was meant to provide the foundation upon which a borderless region was to be achieved. Hence, the need for a uniform application of an integrated vision of free movement between ECOWAS States.

The free movement and free trade area policies are primarily aimed at encouraging entrepreneurship, and economic integration of countries of the Sub-region. Research has shown that Mali, Burkina Faso, Ghana and Nigeria were among the top emigration countries in Sub-Saharan Africa in 2005. Burkina Faso – Cote d'Ivoire, Mali – Cote d'Ivoire and Ghana – Cote d'Ivoire as well as migration from Mali to Burkina Faso figured among the 10 most numerous migration corridors of Sub-Saharan Africa. Pertaining to the migration within the Sub-region, close to 4.4 million migrants in 2005 migrated to another ECOWAS country (ACP, 2010). Juxtaposed with the overall 7.7 million international migrants in the Western African sub-region (UNPD, 2009), South-South migration accounted for more than half of it in 2005. There are huge differences existing between countries, with 88.3 per cent of Nigerians who left the country settled within West African Sub-region, 80 per cent of emigrants from Mali went to another

country in the Sub-region, more than two out of three Mauritanian emigrants in 2006 and Ghanaian emigrants in 2005 moved within the Sub-region. Countries that invested extensively in their education are particularly concerned about the emigration of highly skilled workers and rely heavily on them for public service delivery. According to data the rate of emigration from one ECOWAS country to another was only one per cent in 2000 while this rate is almost 15 times higher among skilled workers (14.8%). While a large share of emigrants from Western African States moves to other countries in the Sub-region and developing countries more generally, highly skilled migration from these countries seems to be a predominantly South-North phenomenon. Whereas merely 2.4 per cent of the labour force in Western Africa is skilled workers, more than two in five migrant workers from LDCs residing in OECD countries belonged to the tertiary educated. Nonetheless, more data and research are needed to explore whether brain drain might also represent a possible South-South phenomenon. Intra-regional cooperation in the field of labour migration could enhance mobility of workers, while promoting the transfer of skills, knowledge and assets and tackling possible negative socio-economic effects.

In pursuance to the free movement policy, the federal government of Nigeria on 11th December, 2019 announced its Visa on Arrival policy despite the existing border closure order. Speaking on the new visa policy at the Aswan Forum in Egypt, President Buhari stated that:

“We in Nigeria have already taken the strategic decision to bring down barriers that have hindered the free movement of our people within the continent by introducing the issuance of visa at the point of entry into Nigeria to all persons holding passports of African countries with effect from January 2020, we should furthermore promote free trade within and amongst Africa and Africans especially

now that we have launched the African Free Trade Area Agreement” (Olusoji, 2019).

According to the Nigerian Immigration Service (NIS), Nigeria had a visa-on-arrival policy for “frequently high net worth investors and intending visitors who may not be able to obtain visa at the Nigerian Missions/Embassies in their countries of residence due to the absence of a Nigerian mission in those countries or exigencies of urgent business travels,” prior to president Buhari’s recent announcement in Egypt concerning the new policy. However, the new visa-on-arrival policy, which kicked off in January 2020, appears to further expand the class of people who can come into the country with less restrictions. The Visa on Arrival facility is available for the following category of visitors:

- i. Frequently travelled Business Persons of International Repute
- ii. Executives of Multi-national Companies
- iii. Members of Government Delegations
- iv. Holders of United Nations Laissez-Passer
- v. Holders of African Union Laissez-Passer,
- vi. Holders of any other Official travel documents of other recognized International Organizations who intend to visit Nigeria.

Visa on Arrival is available to citizens of all countries except ECOWAS Nationals who do not require visa to visit Nigeria and other countries which Nigeria has entered into visa abolition agreements such as Kenya, Brazil, China, Namibia, South Africa, Turkey and Vietnam. The change in visa policy by Nigeria came on back of the signing of the African Continental Free Trade Area (AfCFTA), a treaty seeking to establish a continent-wide marketplace with increased trade and freer movement among its major pillars. Nigeria haven commenced the

implementation of the new Visa policy has join Kenya, Tanzania, Ethiopia, etc. as countries which have recently established visa on arrival policies for all African nationals.

With the African Union strongly pushing for more integration on the continent, it will likely be banking on the effect of reciprocity to see even more African countries adopt visa-free or visa on arrival policies for African passport holders. Should that happen, current realities which see Americans and Europeans travel more easily across the continent than Africans may yet be reversed.

However, the above prescription of the ECOWAS Protocol is being greatly undermined, as shown in a recent documentary tagged 'ECOWAS Taxi', which revealed certain deplorable conducts of some officials at some Community borders, conducts that endanger the actualization of the provisions of Community instruments cited above. The documentary revealed what is an open secret, where immigration officers at these various border-posts extorted money from West African travellers and traders alike, demanding bribes ranging from 1000 CFA or 5 Ghana cedes to 3000 CFA, at times, with total disregard for status or nationality of the individual(s) in question.

Nigeria that is a major player in the ECOWAS sub-region closed its borders in 2019, and is yet to open it. This border closure has persisted despite calls and appeals from neighbouring ECOWAS countries such as Ghana, Benin, etc. for the country to reconsider her decision. This makes a mockery of the regional economic integration effort of the regional border, and this obviously is an obstacle to free movement which also hinders intra-community trade, and directly defies the guiding principles of free movement to which ECOWAS Member States are signatories, and a key element of the integration process. Since this Protocol is very germane in the realization of the integration agenda of the region, this reality also calls to question the level

of implementation of the Protocol on Free Movement of Persons, Goods and Services and its accompanying Rights of Residence and Establishment within Member States, including other instruments drafted to deepen the attainment of West Africa's economic integration. It possibly explains the current gaps that exist and mitigate the attainment of true integration of the people of the region.

Sequel to the forgoing, the Speaker ECOWAS-Parliament Moustapha Cisse Lo in a call to action, strongly advocated that Members of Parliament conduct independent findings in their various capacities, to ascertain what is obtainable within their state borders, and to sensitize the citizens of the Community on their rights to free passage within the borders of ECOWAS Member States.

ii. Financial and Macroeconomic Dimension

When capital flows more freely across West Africa, investment increases and finance is allocated where it can generate the most productivity. In addition, the regions investors get higher returns. In turn, as transaction costs of doing business fall and financial institutions work more effectively, companies, micro-small and medium-sized enterprises and start-ups will benefit. Financial integration has been promoting knowledge and technology transfer and greater innovation.

In 1990, ECOWAS launched a Trade Liberalization Scheme (ETLS), aimed at achieving a Customs Union with a possible Common External Tariff (CET) in 2008. Though some teething challenges were encountered in this regards, ECOWAS has achieved a Free Trade Area (FTA), with the abolition of tariffs on products from member states of the community. However, according to African Development Bank (2011), bureaucratic procedures pertaining to rules-of-

origin, discordant customs systems and procedures, difficulties with insurance and bond guarantees for transit cargo, and other non-tariff barriers (NTB), involving roadblocks and demands for informal payments, have impeded/ obstructed the objectives of the FTA.

However, West Africa Economic and Monetary Union (WAEMU) countries have formed their own Customs Union which is almost a parallel body to ECOWAS, with the adoption of a common external tariff (CET) in January 2000. An Inter-State Road Transit Convention, which made possible the creation of a cross-border insurance system, was also adopted. WAEMU also recorded a tremendous progress in the rationalisation of domestic taxation with the VAT ranging from 18%-20% and excise duty (ADB, 2011). In other words, there exists an appreciable level of free movement of goods and services within the ECOWAS Sub-region, though without common currency (like the Euro), custom union, etc. The situation painted above does not mean that ECOWAS has failed in meeting its targets or core objectives but that, though it has succeeded in certain areas of her integration, much is expected in her pursuit for economic integration. Economic integrations in the world can be distinguished essentially from four viewpoints based on the degree such as Free Trade Area (FTA), Customs Union (CU), Common Market (CM), and Economic Union (EU). More specifically:

- i. Free Trade Area (FTA) abolishes intra-regional tariffs and quotas;
- ii. A Customs Union (CU) not only abolishes intra-regional tariffs and quotas, but also creates common external tariffs (CET);
- iii. However, a Common Market (CM) is, a Common Union that also abolishes restrictions on factor movements (free movement of factors of production including persons and services). As a definition, a common market is an economic area in

which free movement of goods, services, capital and persons (the “four freedoms”) is guaranteed; and

- iv. An Economic Union however, is a Common Market with a higher level of harmonization of national economic policies, in order to remove discrimination due to disparities in these policies.

Total Economic Integration in Economic Union means, unification of monetary, fiscal, social and counter cyclical policies and setting up of a supranational authority, where decisions are binding for the member states. However, the objective of achieving monetary cooperation remains elusive despite practical and intellectual efforts. Unlike the European Union, common currency – Euro which is a legal tender in all the European Union member states, the ECOWAS Sub-region has not reached that maturity of economic integration as the flow of capital is a sine qua non for a successful economic integration. Getting goods to move more freely across the region matters for regional integration, when trade flows are faster and more cost-effective; business and consumers in the regions benefit. Trade impacts on people’s livelihoods and incomes to accelerate development, trade links from different regions of the world can be more direct and efficient, than trade between neighbouring regions due to infrastructure gaps or capital costs and non-tariff barriers. The ECOWAS Parliament has tried to remove all kinds of trade barriers among member states to ensure free trade integration in the region.

iii. Common Currency

The ECOWAS Parliament seeks to become more involved in the region’s single currency creation programme, as seen in recent decisions on the matter issued during meetings at Ministerial and Heads of State levels. The Eco is the proposed name for the common currency

that the West African Monetary Zone (WAMZ), plans to introduce in the framework of Economic Community of West African States (ECOWAS). After its introduction, the goal is to merge the new currency with the West African CFA franc (used by most French-speaking members of ECOWAS since 1945) at a later date. This will create a common currency for much of West Africa.

ECOWAS parliament as a legislative body plays vital roles in the region, right from the time it was created under the ECOWAS article that indicated the provision of the institutions. It succeeded in bringing peace and security in Sierra Leone, Liberia, Guinea, Cote d'Ivoire, and other West African countries, and participated in regional integration of agricultural sector, environment, water resources, human development, and infrastructural facilities etc., it succeeded in observing election in so many West African countries e.g. the Gambia. Burkina Faso, Guinea, Sierra Leone, Guinea Bissau etc., and solved some problems of money laundering, child trafficking and abuse, child soldiers, poverty eradication, control of health issues, control of consumption and trafficking of drugs etc.

4.10 Challenges faced by ECOWAS-Parliament in Engendering Economic Integration in West Africa.

There are variegated stages and levels of development among the fifteen ECOWAS member countries, according to Bala (2017), there are three dissimilar groups in ECOWAS with regards to the domestication, implementation and time-scale for lifting custom barriers among member states. Bala (2017) posited that the first group is made up of the richest and most industrialized countries by West African standards, e.g., Nigeria, Ivory Coast, Ghana and Senegal. Whereas the second group comprises the other eleven countries, an intermediate or

transitional group has been evolved encompassing Guinea–Conakry, Sierra Leone, Liberia, Togo and Benin. These countries due to their relapse to democratic rule after years of dictatorship or war, are on their way to attaining relative industrial market that attracts other nationals. According to Article 2 of the Revised ECOWAS Treaty, *“the aim of the community is to promote co-operation and development in all fields of economic activity, the purpose of which is to increase the standard of living of its people, to enhance and maintain economic stability, to strengthen relations between its members and to contribute to progress and development on the African continent.”*

However, the treaty failed to impose monetary union on the member states, but rather it provides for harmonization of monetary policy, which is needed to ensure that the community functions efficiently. A West African Clearing House (WACH) was set up in 1975 which was transformed into a broad based autonomous specialized agency of the ECOWAS called the West African Monetary Agency (WAMA) in 1996, by the central banks of the ECOWAS States to achieve this purpose (Bala, 2017). Equally, a cooperation, compensation and development fund was provided for, with the sole intention of ensuring an even distribution of the costs and advantages of integration between the various member states of ECOWAS.

On the other hand, several scholarly reports and studies on ECOWAS indicate the inefficiency and ineffectiveness of the regional body (Abbas, 2005; Ehigiamusoe & Udefuna, 2012; Bala 2017). Consequently, with no political resources and only limited financial resources, the wish to tackle everything only means that nothing is done (Bala, 2017). The African Development Bank (AFDB), stated in its report on the problems of economic integration in Africa that; the implementation of a system of cooperation and the achievements of ECOWAS

has been relatively insubstantial. This according to the report, is due to the fact that trade within the community has not been stimulated and has even shown a tendency to decrease (Bala, 2012). There are a plethora of obstacles to greater progress in regional integration within ECOWAS sub-region; these challenges are both economic and political in nature. Problems of an economic nature, such as obstacles to escalating trade and monetary problems; and those of a political nature, bringing to the fore the weaknesses as well as the lack of political will of member states (Bala, 2012). Despite the existence are over twenty multilateral cooperation schemes and sub-groupings in West Africa (various bilateral arrangements between West African States not inclusive), and the evident benefits derivable from economic cooperation and integration among member States, the problems, challenges and impediments to the realization of the ECOWAS objectives continue to come to rear their ugly head. Chief among these challenges include:

- i. **Language Barrier:** The absence of a common language among the states of the West African sub-region constitutes a linguistic complexity, and engenders a multiplicity of institutions, some of which are exclusive to the language group. It would have been desirable to have a common language platform within the region to ease the communication and advocacy barrier. Language in West Africa also has had the unfortunate potential to divide the people who see each other as diverse (Bala, 2017).

The economic integration efforts prospects to bring diverse people of West Africa together as one with a view to taking comparative advantage of each other's relative strength appears to be losing steam (Bala, 2017). The inability of ECOWAS to ensure an adequately well organised market for most of the commodities produced within the sub-region constitutes a major challenge. Especially as member countries do not support or patronize one another to boost trade in goods and services, as most of the goods that are produced by member countries

are still imported from outside the sub-region by nations under the ECOWAS umbrella. This ugly trend has retarded economic growth, of and limited member countries as consumer countries dependent of imports from outside the sub-region.

- ii. Quest to Protect the Sovereignty of Member States:** The ideological and psychological or attitude makeup of the leaders of the Member States of ECOWAS towards national sovereignty is a major threat to economic integration in ECOWAS sub-region. Most African leaders hold a strong determination to demonstrate and maintain their national sovereignty and integrity, this premium placed on national sovereignty is the major factor delaying the adoption of common currency within ECOWAS sub-region, as national currencies, national central banks, national airways, national shipping lines, national stock exchanges, etc. hold sway. These are currently not only manifestations of nationhood and sovereignty, they have become symbols of attachment, eliciting loyalties that cannot transcend the national borders or toyed with in any form (Bala, 2017; Eleazu, 1978).
- iii. Lack of adequate infrastructure:** the dearth of adequate infrastructure such roads, power, rail transport, telecommunications, etc. that facilitate the free movement of goods, capital, services and persons, including the right of residence remains a major challenge to the actualisation of the integration vision in the West African sub region. This situation according to Eleazu (1978), is largely due to the incidences of weak productive and industrial base in almost all the member states, engendered by the poor and decaying infrastructural conditions. West Africa is a region in dire need of infrastructure, as a prerequisite for the establishment of a relationship between countries.

iv. **External Debt:** the situation of external debt accumulated by successive regions in Africa is a great concern to Africans. The impact of the debt crisis and the externally imposed Breton Wood institutions, through the Structural Adjustment Programme (SAP) on Africa undermines the capacity for economic integration. As a result of the debt problem, underdevelopment seems to have assumed a frightening proportion on the region (Fawole, 1992). Therefore, African countries are spending their scarce resources on servicing debts instead of allocating them to growth and the social sectors.

The reality now is that even if domestic macro-economic mismanagement and political instabilities alone do not obstruct the realization of economic integration, it is expected that the daunting problems of external debt and the attendant IMF-imposed SAP packages will be enough to wreak incalculable havoc on the already prostrate economies of West Africa, thereby preventing the achievement of both regional and economic development in Africa. With the exception of Ghana and Côte d'Ivoire, virtually all other ECOWAS member states are under the pang of debt servicing. China is gradually overrunning African economy as part of the conditions for loans being issued to African countries.

v. **The lack of a defined role for financial institutions in the legal framework in the West African integration scheme has remained at the heart of the reasons why the so much and so long awaited integration of the states of west Africa still remains a mirage.**

An evaluation of the treaty reveals a clear dearth of the provisions necessary to define and accord the respective financial institutions specific roles and parameters enough to accord them the formal intervention edge needed to facilitate the indispensable provision of funds and policy to finance and control the ambits of the integration scheme to its desired destination. This

development has been largely responsible for the complacency that has been exhibited by the financial institutions in dealing with the issues of integration. As it stands today, the financial institutions take indiscriminate and harmonized approaches in dealing with the issues of integration.

Coextensive to the foregoing is the challenge faced by the financial institutions in the non-implementation of a system of cooperation among ECOWAS member countries. One of such system of cooperation is in the area of a common customs and monetary union, which will enable the sub-region to widen its market area and also help in boosting a strong common currency. This has not been achieved and up to date, each member country of the sub-region still uses its own customs tariff as it is evident at the borders. Thus, trade within the community has not been stimulated, and the way it goes, it has even shown a tendency to decrease. As trade decreases, so does the potential of the financial institutions to find fertile cooperative grounds of engagement. It is further observed that in the realization of their mandate in the economic integration of West Africa, financial institutions are constrained by the non-realization of a common Central Bank for ECOWAS. It is a known fact that the countries of Europe were able to achieve a common currency with ease because of the crucial and pivotal role played by the European Central Bank (ECB) in the areas of monetary and economic policy coordination. The WAEMU countries were also able to achieve their current tempo of macroeconomic stability because of the sustained intermediation role played by the common Central Bank of West Africa States (BCEAO), which was established by the francophone countries of the sub-region. But under ECOWAS experiment, the establishment of the ECOWAS Central Bank still exists in form not in reality; the mechanisms needed to achieve this are weak and the governments are not pro-active in this regard.

vi. Non-Involvement of CSOs, Private Sector and Mass Movements in the Economic Integration Efforts:

Another factor that poses challenge to economic integration in West Africa is that, member countries fail to involve the civil society, the private sector and mass movements in the process of integration and this propels the defective nature of the integration machinery. No proper enlightenment is given to the citizens of the community as regards the goals of the community, and no form of encouragement is offered from the governments of states to the civil society and private sector of the community for a proper understanding and better collaboration between them in order to ensure that the objectives of the community are met.

vii. Xenophobia:

In 1983, Nigeria expelled two million undocumented West African migrants, half of whom were from Ghanaians. This was referred to as Ghana Must Go a coinage used to depict the low quality of bags that fellow West Africans were forced by the prevailing circumstances to pack their luggage with in order to leave Nigeria within a very short notice. This trend is repeating itself as Ghanaians are now either forcing Nigerians to leave their country or frustrating their businesses with the flimsy excuse that Nigerians are fomenting trouble and crime in Ghana. This trend has attracted the attention of the authorities of both countries on the most amicable diplomatic means of resolving this impasse.

viii. External Interference:

ECOWAS region is divided into two main blocs viz – Francophone and Anglophone. While Anglophone countries can be said to be detached from their colonial master, same cannot be said of the Francophone countries. Francophone countries are still tied to the apron-string of their colonial master in so many ways after decades of independence. According to Jibril Ibrahim

(December 27, 2019) stated that on Saturday, December 27, 2019 France, through the instrumentality of its most faithful poodle in West Africa, Alasane Ouattara, kidnapped the West African currency that was to be launched next year for the 15 countries in the region.

In a press conference in Abidjan, Presidents Macron and Ouattara announced that the eight West African countries using the CFA Franc currency would adopt the Eco as their new currency in 2020. The announcement was done the day the Economic Community of West African States (ECOWAS) was meeting for a final adoption of Eco, also decided for 2020.

The French move breaks up the 30-year struggle by ECOWAS to establish a regional currency to promote trade and development. What France has done is that it takes over the responsibility of establishing and even printing the new currency and presents the other countries in the region with a *fait accompli*. France is also keeping the new currency attached to the Euro and therefore aligning it with its colonial interest, as it has always done with the CFA. This means that the other seven West African countries can only join on conditions established by France. The implication is that Nigeria is essentially kept out of the currency because the country may not accept the conditionalities established by France. This state of affairs poses a huge challenge to the Community's question for common currency and overall economic integration.

The long delay in establishing the Eco has been caused by the inability of the 15 ECOWAS countries to meet the convergence criteria they set by the Community. These criteria include that the inflation rate of less than 5 per cent is maintained by member countries, budget deficit is not more than 3 per cent of GDP and that each country has enough foreign reserves to cover at least three months of imports. The problem now is that after failing to meet these conditions over the past two decades, the eight countries have now adopted the currency without meeting them; this means economics has been set aside for political reasons.

CHAPTER FIVE

SUMMARY OF MAJOR FINDINGS, CONCLUSION AND RECOMMENDATIONS.

This section summarises the research findings, and concluded by recommending ways to strengthen the Parliament.

5.0 Summary of Major Findings

This study adopted David Mitrany's Integration theory to examine how regional parliamentary institution engender economic integration; assessed the role of the ECOWAS Parliament in regional economic integration; scrutinize challenges facing the ECOWAS Parliament in the discharge of its legislative functions and examine factors inhibiting the attainment of economic integration in West Africa.

The study found that the ECOWAS-Parliament have been making spirited efforts to engender economic integration in West Africa through advocacy for prevention and early management of conflicts, ratification of treaties and resolutions, strengthening democracy and good governance and encouraging sustained human development within the sub-region. This is despite the fact that the regional parliamentary body lacked actual legislative powers of law-making, oversight and representation. As a mere consultative and advisory parliamentary body, its recommendations and resolutions were subject to ratification by Authority of Heads of State and Government of ECOWAS. However, with the Supplementary Act A/SA.1/12/16 Relating to the enhancement of the powers of the ECOWAS Parliament in full enforcement, the Community Parliament is properly equipped and poised to deliver effectively on its mandates.

Thus as examined above, the limitations to economic integration within the ECOWAS sub-region are basically due to cultural, economic and social-political problems, and this has been the major difficulty faced in the realization of regional cooperation and integration. For clarity, language barrier, the quest to protect the sovereignty of member states, effect of external debts, lack of defined role for financial institution in the integration scheme, xenophobia and the non-involvement of CSOs, private sector and mass movements in the economic integration efforts of the region were identified as challenges impeding economic integration in West Africa.

This study found that chief among these challenges impeding economic integration within ECOWAS sub-region, is the inordinate quest of member states and their national leaders to protect their sovereignty as an independent country. This is evident in the fragrant disregard of ECOWAS resolutions on common currency, common market, movement of labour, goods and services by the various member states. At the peak of the African Continental Free Trade Agreement (AfCFTA) discussions, Nigeria closed her borders against foreign goods in her purported effort to encourage local content. As a reprisal, Ghanaians have dubbed Nigerian business interests in their country illegal businesses and Nigerians as fraudsters and criminals that needed to be chased out of Ghana for sanity to return.

It also identified external influence as a huge factor inhibiting the actualisation of full economic integration in West Africa. For instance, France has continually controlled what happens within the community through the majority Francophone countries. Just in December 2019, France was accused by Jibril Ibrahim (Premium Times, 27 December 2019) of being the brain behind the delay in introducing the ECO (ECOWAS common currency) through the Ivorian President, Alasane Ouattara in order to whittle down Nigeria's influence within the sub-

region. There is even a move by these 8 Francophone countries to adopt the Eco as their common currency any time this year (2020), this appears to be a divisive or divide and rule mechanism adopted by France to maintain her relevance in West Africa.

5.2 Conclusion

The study examined the role of ECOWAS-Parliament in engendering economic integration in West Africa, adopting the David Mitrany's Integration theory as a guide and using data from secondary sources, the study among other things examined the factors that impede economic integration in the region and found that external influence, quest to protect national sovereignty, etc. are some of the major factors that inhibit economic integration in West Africa.

The choice of this topic is very important considering the fact that the debate for economic integration in the sub-region has been raging for decades with no substantial progress recorded. Therefore, this is a modest attempt at bring to the fore, some of these challenges that make the quest for integration difficult, if not impossible within the sub-region.

5.3 Recommendations

Drawing from the objective and the findings of this study, the following recommendations have been made:

i. **Strengthening the ECOWAS-Parliament to Assume Full Legislative Powers:**

There is the need for the ECOWAS Parliament to be transformed from a forum for dialogue, consultation and consensus among representatives of the 15 member states to a co-decision making and subsequently to a law making regional parliament. This will give the Parliament leverage to make pro-integration laws and policies that are binding on not the ECOWAS as a regional body but also individual member states. A

Case for the Enhancement of the Power of the ECOWAS Parliament presented to the President of the ECOWAS Commission by the Sen. Ike Ekweremadu-led ECOWAS-Parliament deserves to be reintroduced by the current leadership of the Parliament and expedited action accorded it. If adopted, this would go a long way in enhancing the legislative powers of the parliament. This would make either Parliamentarians or Council to initiate Legislative Acts, which would be adopted by both institutions to become applicable. This process will also be used to adopt the Community Budget and empower the Parliament to confirm the appointments of statutory appointees as submitted by the Commission.

- ii. **Integration of the ECOWAS Parliament into the Mainstream Decision-Making for Peace and improved Economy:** There is an urgent need the Parliament to be integrated into the Community Mechanism on conflict prevention, management, resolution, peacekeeping, and security. To actualize this recommendation, the Supplementary Act making proposal in Article 47 of the Enhancement of the Power proposal should be considered. This portion of the proposal reads: The integration of Parliament into the Community Mechanism on Conflict Prevention, Management, Resolution, Peacekeeping, and Security. This is because a democratic government is incomplete without the legislature which is the first arm of government.
- iii. **Strengthening interactions between ECOWAS-Parliaments and National Parliaments of member states is inevitable if economic integration is to be achieved in the Sub-region.** This is because, the concurrence of national governments is required at every stage of decision or policy making especially when

- it borders on economic integration schemes such as common currency, free trade zone, unifying bank, etc.
- iv. **Concurrence of National Parliaments:** There should be avenue for the national legislature of each member state to make inputs to strengthen the laws which would largely be model laws based on internationally accepted rules, conventions and protocols on trade, investments and in the area of the movement of persons, goods and services as well as in the adoption of a common currency.
 - v. **Severance of the Apron-String Cord:** There is the external interferences delaying or inhibiting the economic integration to be severed by the affected countries. Unlike the Anglophone countries, the Francophone countries are still tied to their former colonial master – France. This substantially undermines the sovereignty of these affected states and further demeans the image of Africa as a continent under not only imperialism but also re-colonisation.
 - vi. **Involvement of the Civil Society Organisations, Private Sector and Mass Movements:** There is every need for the ECOWAS community and national governments to carry along the CSOs, private sector and the masses in the integration process. In otherwords, there should be mass education and sensitisation of citizens of member states concerning every stage or phase of the integration effort/ scheme. This will help each member state gauge public opinion regarding each phase of the regional economic integration effort. Inputs from these set of West Africans may turn out to be the best option for effective economic integration to thrive.
 - vii. **Unity as against Xenophobia:** Nationals of member states should see themselves as brothers and sisters united by geography and fate. Therefore, attacking fellow West

Africans who are nationals of other countries by host countries should attract stiffer penalties and sanctions in order to serve as deterrent to other countries that may be harbouring the intention of toying the same line of action. First, Ghana and Nigeria should be penalized for being culpable at different time as example of the preparedness of the Community to unify the sub-region.

- viii. **Language should not be a barrier:** The two dominant languages of English and French should not be manipulated, for some self-serving intention of some regional leaders. Using language as a parameter to determine countries alignment pattern should be altered by relevant institutions of the Community.
- ix. **National Sovereignty Not Threatened:** Regional economic integration in West Africa does not in any way threaten the sovereignty of member states. Drawing from the case of the European Union, member states still retained their independence and carried on as such while adopting the Euro as their common currency (they still transact with their various national currencies). Each member state of the European Union (EU) still maintained its national government, separate security, defence and intelligence policies, etc. while accommodating EU's binding treaties, etc.
- x. **Reduction of Debt Profile:** ECOWAS Member States should look inwards in solving its economic crises in order to reduce their debt burden and ease governance. Each country has her comparative advantage over the others and should therefore, optimally harness such potentials for export purposes. This will boost economic growth and boost savings while reducing debts.

Real integration within the ECOWAS Sub-region would remain a mirage until the needed framework is put in place to make it truly competitive.

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Appendix 1: The Supplementary Act A/SA.1/12/16/Relating to the Enhancement of the Powers of the ECOWAS-Parliament