THE ALLIANCE OF SAHEL STATES (ALLIANCE DES ÉTATS DU SAHEL, AES) AND ITS IMPLICATIONS FOR ECOWAS PROTOCOL ON FREE MOVEMENT OF PERSONS

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ABSTRACT
The Economic Community of West African States (ECOWAS) Free Movement Protocol, established to enhance regional integration by facilitating the unrestricted movement of people across member states, is one of the organisation's hallmark achievements. However, the recent political realignments within the Sahel, particularly the withdrawal of Mali, Niger, and Burkina Faso from ECOWAS and their subsequent formation of the Alliance of Sahel States (AES), presents a significant challenge to the protocol's effectiveness. The AES, emerging as a breakaway political entity in response to ECOWAS sanctions following military coups in these countries, poses critical questions regarding the future of regional mobility and integration in West Africa. This paper aims to explore the implications of the AES on the ECOWAS Free Movement Protocol, focusing on the legal, political, and institutional contradictions arising from the divergence of these states from ECOWAS norms. The paper is anchored on the proposition of Structural Realism as a theoretical framework of analysis. Through a qualitative, document-based discourse analysis, the paper identifies how the formation of AES threatens the operational continuity of the protocol, suggesting potential reversals in decades of regional integration gains. The findings indicate that the AES alliance, with its divergent policies and legal stances, undermines the core principles of free movement and presents significant challenges to the broader ECOWAS agenda of regional unity. Given these, the study echoes the need for ECOWAS to strengthen regional dialogue and adaptive security cooperation with AES members, and as well develop transitional frameworks and joint infrastructure for mobility and

security to enable AES countries to participate in critical aspects of regional mobility and trade, even outside formal ECOWAS structures.

Introduction

The Protocol on Free Movement of Persons, adopted by the Economic Community of West African States (ECOWAS) in 1979, was designed to promote economic cooperation, foster social cohesion, and encourage the seamless movement of people across national borders. The protocol has become a cornerstone of ECOWAS's integration agenda over the years, and significantly contributed to facilitating intra-regional trade, enhancing tourism, and reinforcing the bonds of cultural and economic interdependence among member states (Yeboah, Kandilige, Bisong, Garba, & Kofi Teye, 2021). By guaranteeing the right of entry, residence, and establishment to citizens of member states, the protocol embodies ECOWAS's broader vision of a unified regional space (Julius, 2023).

Nevertheless, recent political developments in the Sahel region have begun to threaten the sustainability of this vision. The emergence of the Alliance of Sahel States (Alliance des États du Sahel, AES)—comprising Mali, Burkina Faso, and Niger—represents a fundamental realignment within the regional political landscape. These countries, following military takeovers and in defiance of ECOWAS sanctions, have withdrawn from the regional bloc and established a new alliance with distinct political and security priorities (Usman, 2025). This shift poses a direct challenge to the legal and institutional frameworks of ECOWAS, particularly its protocol on free movement, which depends heavily on collective commitment and compliance among member states.

As the AES distances itself from the principles of democratic governance and regional cooperation espoused by ECOWAS, the potential for fragmentation within the region becomes more pronounced. The divergence introduced by the AES could erode the gains made under the Free Movement Protocol, leading to increased border restrictions, diminished regional solidarity, and a weakening of the shared identity ECOWAS has long sought to cultivate (Shkvarya & Abdoulaye, 2024). This paper therefore explores the implications of this emerging alliance on the future and effectiveness of the ECOWAS Free Movement Protocol, and is guided by the following research questions:

i. What are the implications of the formation of the Alliance of Sahel States (AES) for the ECOWAS Free Movement Protocol?

ii. How does the AES challenge the operational implementation of the ECOWAS Free Movement Protocol in practice?

Statement of the Problem

The ECOWAS Free Movement Protocol has been regarded as a cornerstone of regional integration in West Africa, aimed at enhancing mobility, fostering economic cooperation, and promoting the free movement of persons across borders. However, recent political developments in the Sahel, specifically the withdrawal of Mali, Niger, and Burkina Faso from ECOWAS following military coups and the creation of the Alliance of Sahel States (AES), present a serious challenge to the continued implementation of the protocol. While these countries remain parties to the ECOWAS protocol, their formation of the AES — a breakaway political and security alliance — creates significant contradictions with the norms and values of ECOWAS, especially regarding the free movement of persons.

The research problem arises from the tension between these countries' commitments under the ECOWAS protocol and their new alignment within the AES framework, which prioritises national security, sovereignty, and regional self-preservation over supranational commitments. This shift not only jeopardizes the effective implementation of the Free Movement Protocol but also risks reversing the gains made in regional integration over the past decades. Therefore, it is crucial to examine how the AES impacts the protocol, exploring the legal, political, and operational challenges it creates for both ECOWAS and its citizens, especially in terms of border controls, visa requirements, and the movement of people.

Literature Review and Theoretical Framework

Conceptual Clarification

ECOWAS Free Movement Protocol

The ECOWAS Free Movement Protocol represents a cornerstone of regional integration efforts within West Africa. Formally known as the Protocol on Free Movement of Persons, Residence, and Establishment, it was first adopted in 1979 by the Economic Community of West African States (ECOWAS) as part of a broader initiative to foster regional cooperation and economic integration. The protocol was designed to facilitate the unrestricted movement of persons, goods, and services across the borders of ECOWAS member states, thereby encouraging the creation of a unified and dynamic regional market (Apwenum, Onor & Duruji, 2020).

The protocol is implemented in three main phases namely; the right of entry, the right of residence, and the right of establishment. The first phase, which guarantees the right of entry and abolition of visa requirements for citizens of member states for up to 90 days, has been widely implemented. The subsequent phases—residence and establishment—allow ECOWAS citizens to live and set up businesses in other member countries, although their implementation has faced varying degrees of success due to national-level constraints and security concerns (Yeboah, Kandilige, Bisong, Garba, & Kofi, 2021). Fundamentally, the Free Movement Protocol embodies the principle that economic integration is unattainable without the mobility of people, as labour migration contributes to both the sending and receiving countries through remittances, skill transfers, and labour availability. The protocol was thus envisioned as a mechanism not only for economic advancement but also for strengthening regional solidarity, peace, and collective security.

However, the protocol's effectiveness has often been hindered by political instability, inconsistent national policies, security challenges, and infrastructural deficits. Philip and Uwa (2022) reveal that some member states have periodically imposed restrictions in the face of terrorism, pandemics, or political tensions, thereby contradicting the spirit of the agreement. Despite these challenges, Apwenum, Onor and Duruji (2020) observe that the ECOWAS Free Movement Protocol remains one of the most ambitious regional mobility frameworks in Africa and has significantly shaped intra-regional migration patterns. In light of current political developments, particularly the withdrawal of Mali, Burkina Faso, and Niger from ECOWAS, the protocol faces renewed uncertainty. These shifts call into question the durability of regional integration and the continued viability of ECOWAS as a unifying body committed to free movement and shared development goals.

The Alliance of Sahel States (AES)

The Alliance of Sahel States (AES) is a newly formed political and security coalition established by Mali, Niger, and Burkina Faso in the wake of ongoing political instability and widespread insecurity in the Sahel region. The formation of the AES is deeply rooted in the broader dynamics of governance crises, military interventions, and the persistent threat posed by violent extremist groups such as al-Qaeda and the Islamic State-affiliated insurgents. In recent years, these three countries have experienced military coups, leading to the suspension of democratic governance and the rise of military-led administrations (Kohnert, 2024). Following these coups, the Economic Community of West African States (ECOWAS) imposed economic and political sanctions in an effort to pressure the military juntas to restore constitutional order. In response, Mali, Burkina Faso, and Niger withdrew from ECOWAS in early 2024, denouncing what they described as interference and an unsympathetic posture towards their domestic security realities (Shkvarya & Abdoulaye, 2024). The Alliance of Sahel States was thus formed as an alternative framework for mutual support, cooperation, and the defence of sovereignty in the face of both internal threats and external pressures.

Following an assessment of the emergence of the AES, Usman (2025) maintain that the AES is primarily geared towards enhancing military cooperation and intelligence sharing among its members. The alliance underscores the principle of non-interference by foreign powers, prioritising regional solutions to regional problems. It presents itself as a mechanism to consolidate sovereignty, respond more effectively to the complex security environment, and assert political legitimacy beyond traditional Western-backed multilateral arrangements

(Emmanuel, 2025). However, the emergence of the AES represents more than just a security pact—it also challenges the prevailing regional order led by ECOWAS. The withdrawal of these three countries, each with significant geographical and strategic weight, undermines the unity and cohesion of West African regionalism. Furthermore, the AES departs from the governance norms promoted by ECOWAS, including the emphasis on democratic transitions, civilian rule, and respect for constitutional processes (Kurt, 2024).

In addition, the alliance also introduces a new dynamic of regional fragmentation, potentially creating parallel blocs within West Africa, with differing ideologies, governance models, and security strategies. This could further complicate cooperation on transnational issues such as migration, border management, and economic integration. By formalising their alliance, Angalapu (2025) note that Mali, Niger, and Burkina Faso have signalled a deep mistrust in ECOWAS structures and a shift towards a self-determined political path, raising critical questions about the future of regionalism and collective security in West Africa.

Regional Integration

Regional integration refers to the structured process through which countries within a defined geographical region coordinate their political, economic, and social policies to promote shared development objectives and address common challenges. The central aim is to reduce or eliminate barriers to the flow of goods, services, capital, and people across national borders, thereby creating a more cohesive and interdependent regional bloc. This process often involves the harmonisation of regulatory frameworks, adoption of common policies, and the establishment of supranational institutions or governance mechanisms that facilitate coordination and enforcement (Shkvarya & Abdoulaye, 2024).

In the African context, regional integration has been widely promoted as a strategic response to the historical fragmentation of the continent's markets and political systems. For West Africa, the Economic Community of West African States (ECOWAS), established in 1975, serves as the principal vehicle for advancing regional integration (Adepoju, Boulton & Levin, 2010). ECOWAS was conceived with the purpose of fostering economic cooperation, ensuring political stability, and promoting sustainable development across its fifteen member states. Through a range of protocols, treaties, and community institutions, ECOWAS has sought to build a regional identity rooted in solidarity, mutual assistance, and collective progress.

A central pillar of ECOWAS's integration agenda is the Free Movement of Persons, Residence, and Establishment Protocol, which facilitates intra-regional migration by removing visa requirements and granting citizens the right to reside and establish businesses in member states. This protocol is vital not only for enhancing labour mobility but also for deepening regional economic integration, encouraging cross-border investment, and strengthening social and cultural ties among member states (Alozie, 2024). Other integration initiatives under ECOWAS include common tariffs, infrastructure connectivity projects, conflict prevention frameworks, and regional peacekeeping operations. However, the process of regional integration in West Africa is not without its challenges. Persistent political instability, weak institutional capacity, nationalistic policies, and divergent economic interests among member states have often hindered effective implementation of regional agreements. Security threats, particularly in the Sahel region, have further complicated integration efforts, with national governments sometimes prioritising sovereignty and security over regional commitments (Besenyo, 2024).

Recent developments, such as the withdrawal of Mali, Niger, and Burkina Faso from ECOWAS and their formation of the Alliance of Sahel States (AES), have exposed critical fault lines within the integration process. These events highlight the fragility of regional unity and raise questions about the future of collective governance and cooperation in West Africa. Nonetheless, regional integration remains an essential strategy for overcoming the structural weaknesses of individual states and positioning the region for global competitiveness. It provides a platform for policy synchronisation, resource sharing, and conflict resolution, and is seen as a foundational pillar for achieving the African Union's Agenda 2063, which envisions a united and prosperous Africa.

Sovereignty and National Security

The concepts of sovereignty and national security are crucial in understanding the dynamics, tensions, and sometimes outright contradictions that characterise regional

cooperation in West Africa, particularly in relation to the ECOWAS Free Movement Protocol and the formation of the Alliance of Sahel States (AES). Sovereignty, in its classical sense, refers to the absolute authority of a state to govern its affairs without external interference. It encompasses the right to exercise control over a defined territory, formulate domestic policies, and determine the direction of foreign relations (Omoyeni, 2023). National security, on the other hand, deals with the safeguarding of a state's sovereignty, its territorial integrity, and the welfare of its citizens from both internal and external threats. These concepts are not merely theoretical; they are deeply embedded in the daily governance strategies of states, especially those grappling with insecurity and political instability.

In the Sahelian context—where Mali, Niger, and Burkina Faso have experienced multiple military coups and face persistent threats from terrorist insurgencies—sovereignty and national security have assumed a heightened significance. The governments of these countries have framed their withdrawal from ECOWAS and the formation of the AES as a defence of national sovereignty and a strategic recalibration of their security priorities. From their perspective, regional protocols such as the ECOWAS Free Movement Protocol, while well-intentioned, may undermine the state's ability to control borders effectively and monitor transnational threats. As argued by Fofana and Sarr (2023), the unrestricted movement of people in the absence of robust internal security mechanisms creates vulnerabilities that non-state actors, particularly extremist groups, can exploit.

Indeed, ECOWAS has long championed regional integration and collective governance. However, the reality on the ground reveals a complex interplay between the ideals of regionalism and the imperatives of state survival. For countries like Mali and Burkina Faso, where state institutions are fragile and large swathes of territory are outside government control, the notion of allowing free movement across porous borders becomes less a symbol of integration and more a perceived threat to national stability. This explains why these states, under military regimes, have increasingly prioritised national sovereignty and security autonomy over supranational cooperation (Kohnert, 2024). This tension is not new. Regional organisations like ECOWAS often rely on the voluntary pooling of sovereignty to function effectively, especially in areas such as trade, movement, and security. However, as Nyangoro (2022) points out, the willingness of member states to surrender aspects of their sovereignty often diminishes when national interests—particularly those tied to regime survival or internal legitimacy—are at stake. This is especially true in post-coup environments, where military rulers seek to consolidate power by portraying external pressures (such as sanctions or diplomatic isolation) as neocolonial intrusions.

Within the AES framework, sovereignty is redefined not as isolationism, but as a right to pursue alternative political and security arrangements that reflect the realities and interests of Sahelian states. The alliance promotes a form of regionalism that is inward-looking and state-centric, prioritising mutual defence and the non-interference principle. This has profound implications for protocols like the ECOWAS Free Movement agreement, which relies on shared responsibility and legal uniformity across borders. As argued by Kurt (2024), the AES disrupts this uniformity by rejecting regional norms and advancing a security-first logic that sees cross-border mobility as a liability rather than an asset. Moreover, the tension between sovereignty and regional commitments is intensified by the fact that national security threats in the Sahel are increasingly transnational. Terrorist groups do not recognise borders, and instability in one state often spills into another. In this regard, unilateral approaches to security—no matter how sovereign—are likely to fall short. Yet, from the perspective of AES leaders, regional bodies like ECOWAS have failed to provide adequate security support, and have instead imposed punitive measures that aggravate national vulnerabilities. As Traoré (2023) contends, the emphasis on procedural democracy within ECOWAS has, in certain cases, come at the expense of genuine security collaboration.

Ultimately, the friction between sovereignty and regionalism exposes a critical dilemma facing West Africa: how can states cooperate meaningfully in regional frameworks when their foundational priorities—such as regime security or territorial control—conflict with collective commitments? The AES–ECOWAS split illustrates how unresolved national security concerns can fracture regional unity, turning cooperative frameworks into contested terrains of legitimacy, control, and geopolitical alignment. It is therefore imperative that ECOWAS rethinks its engagement with member

states, balancing the defence of democratic principles with the need for inclusive security cooperation that acknowledges the complex sovereignty concerns of fragile states. Without such recalibration, the vision of a truly integrated West Africa, premised on shared mobility, mutual protection, and collective growth, will remain vulnerable to both political ruptures and existential threats.

Theoretical Framework

This study employs Neorealism (also known as Structural Realism) as the theoretical framework to analyse the emergence of the Alliance of Sahel States (AES) and its impact on the ECOWAS Free Movement Protocol. Neorealism, a strand of the classical realist tradition, was primarily developed by Kenneth Waltz in his influential work, Theory of International Politics (1979). Waltz argues that the international system is inherently anarchic, meaning there is no higher authority to regulate interactions between states. This anarchy compels states to prioritize their security and survival above all other considerations, often leading them to form alliances to counter perceived threats (Waltz, 1979). The major assumptions of the Neorealism theory are as follows;

i. Anarchy in the International System: The international system operates in a state of anarchy, where there is no central authority to impose order or regulate state behavior.

ii. Security and Survival: States act primarily in their own self-interest, seeking to enhance their security and ensure their survival. This often involves balancing power to mitigate threats.

iii. Self-Help System: States cannot rely on others for their security and must therefore take matters into their own hands by building alliances, strengthening their military, or pursuing other strategies to enhance their power.

iv. Power as the Central Focus: States are motivated by the need to increase their power relative to other states, particularly in response to potential security threats.

The Neorealism theory is particularly well-suited to this study as it provides a lens to understand the actions of the AES member states—Mali, Niger, and Burkina Faso—in the context of their withdrawal from ECOWAS and the creation of a new political and security alliance. The AES states' decision to form a breakaway coalition, despite their previous commitments under ECOWAS, reflects a balance-of-power strategy. This strategic move can be understood as an attempt to consolidate their sovereignty and protect their national security, particularly in the face of external pressure from ECOWAS and the West, which imposed sanctions after the military coups.

From a neorealist perspective, the AES's formation reflects the prioritization of national security over regional integration. While the ECOWAS Free Movement Protocol promotes regional cooperation and the free flow of people, AES states may view unregulated movement as a potential security risk that could expose them to internal and external threats, such as terrorism and political instability. This security-first approach may inform the decision of AES member states to potentially restrict movement across their borders, undermining the objectives of the ECOWAS protocol.

While neorealism has been criticized for focusing predominantly on power dynamics and military security, and for downplaying the significance of economic interdependence and institutional factors (Keohane, 1984), its emphasis on security and survival makes it an ideal framework to explain the actions of AES states. The theory's core assumptions of an anarchic international system and the prioritization of sovereignty and security align well with the political dynamics at play in the ECOWAS-AES relationship, offering valuable insights into how the AES's formation threatens the integrity of the ECOWAS Free Movement Protocol.

Methodology

This study adopts a qualitative research approach based exclusively on secondary sources. Data were obtained from relevant academic texts, peer-reviewed journal articles, official reports, and credible online publications. A purposive sampling technique was employed to ensure that only the most recent and thematically relevant materials were included, considering the evolving nature of the subject matter. Given the contemporary and relatively

underexplored nature of the AES phenomenon, a projective analysis approach was utilised to anticipate its potential implications on the ECOWAS Free Movement Protocol. The data were analysed using a descriptive-qualitative method, guided by thematic analysis to uncover patterns and contradictions related to regional mobility and integration within West Africa.

The ECOWAS Protocol on Free Movement of Persons

The ECOWAS Protocol on Free Movement of Persons, Residence and Establishment, adopted in 1979, constitutes a landmark legal and political framework aimed at fostering regional integration in West Africa. By facilitating the mobility of citizens across the fifteen ECOWAS member states, the protocol aspires to promote economic cooperation, cultural exchange, and political unity. The protocol is structured into three progressive phases: the Right of Entry, the Right of Residence, and the Right of Establishment. While the provisions encapsulate a commendable vision of regional solidarity, their practical implementation has encountered significant challenges, ranging from administrative and legal bottlenecks to sociopolitical resistance. Here we shall have an overview of these provisions with the accompanying implications and challenges.

The Right of Entry and the Abolition of Visa Requirements

The first phase of the ECOWAS Protocol establishes the Right of Entry, which allows citizens of member states to enter other ECOWAS countries without a visa for up to 90 days, provided they possess valid travel documents and international health certificates. This provision is designed to dismantle artificial barriers to movement, enabling individuals to traverse national borders freely and thereby strengthen regional trade, social ties, and political cohesion.

Scholars have acknowledged the transformative intent of this provision. For instance, Opanike, Aduloju, and Adenipekun (2015) argue that eliminating visa restrictions is foundational for labour mobility and informal trade, which are central to economic livelihoods in the region. In line with this, Garba and Yeboah (2022) contends that such mobility serves as a catalyst for regional integration by increasing interpersonal contacts and nurturing a shared West African identity. This sentiment aligns with the ECOWAS Vision 2020, which envisages a borderless, people-centred community. These commendable intents of the provision of the protocol regardless, the implementation of the Right of Entry has faced numerous setbacks. In practice, border crossings are often marked by corruption, harassment, and extortion by immigration officials. Despite the formal abolition of visa requirements, travellers are frequently subjected to bribes and prolonged scrutiny, undermining the legitimacy and effectiveness of the protocol. The International Organization for Migration (IOM, 2018) notes that irregular practices at border posts not only violate the spirit of the protocol but also erode public confidence in ECOWAS institutions (Cited in Philip & Uwa, 2022).

Another significant challenge relates to the inconsistent recognition of travel documents. The ECOWAS Travel Certificate, while intended to standardise identity verification, is not universally accepted or efficiently processed by all member states. Yeboah, et al. (2021) observe that differences in technological infrastructure, administrative capacity, and political will have resulted in varied enforcement levels, creating uncertainty for travellers and thereby weakening the uniformity of application. Moreover, the rise in transnational security threats—such as terrorism, trafficking, and organised crime—has led some governments to reintroduce stricter border controls. Although security concerns are legitimate, their implementation often circumvents ECOWAS agreements. Okon and Ojakorotu (2022) admit that balancing open borders with national security remains a difficult policy dilemma, especially in fragile states where governance structures are weak.

Consequently, the Right of Entry provision, while normatively sound, continues to grapple with practical contradictions. Harmonising border management practices, enhancing the capacity of immigration officers, and improving intergovernmental trust are necessary prerequisites for translating this ideal into reality.

The Right of Residence

The second phase of the ECOWAS Protocol builds upon the foundational Right of Entry by granting citizens the Right of Residence. This provision allows ECOWAS nationals to reside in another member state for the purpose of seeking and engaging in lawful employment, subject to compliance with the host country's legal and administrative requirements. The underlying rationale is to address asymmetrical

labour distributions within the region and to support economic integration through workforce mobility.

Scholars generally regard this provision as crucial for regional economic resilience. Adepoju, Boulton and Levin (2010) highlight that facilitating residence can alleviate unemployment in labour-exporting countries while filling shortages in labour-deficient economies. Such a dynamic could potentially lead to a more equitable redistribution of skills and human capital across the subregion. Julius (2023) also maintains that increased mobility under this phase contributes to economic diversification and skill transfers, both of which are integral to regional development.

Yet, as with the first phase, the practical implementation of the Right of Residence has not matched its theoretical promise. Administrative bottlenecks remain a major constraint. The process of acquiring residence permits is often mired in opaque procedures, excessive documentation, and bureaucratic inefficiencies. Yeboah, et al. (2021) argue that these obstacles not only discourage formalisation of migrant status but also incentivise recourse to the informal economy, where workers face heightened precarity and exploitation.

Economic protectionism further compounds these challenges. Several member states have introduced restrictive labour laws aimed at shielding local employment markets from foreign competition. While these policies may serve domestic political interests, they contradict the regional commitment to economic integration. Philip and Uwa (2022) criticise such protectionist tendencies as short-sighted, noting that they obstruct rather than enable long-term growth and regional solidarity.

Social integration presents yet another layer of complexity as migrants often faces xenophobia, stigmatisation, and cultural exclusion in host communities, limiting their ability to fully exercise their rights. Attoh and Ishola (2021) point out that such societal resistance undermines not only the effectiveness of residence rights but also the broader goal of regional identity formation. Discrimination in housing, employment, and public services reflects deeper issues of national parochialism that ECOWAS has yet to effectively address.

From the foregoing, it is deducible that the Right of Residence is emblematic of both the potential and the limitations of regional governance in West Africa. Realising the promise of this provision requires coordinated policy reforms aimed at simplifying administrative procedures, aligning labour policies with ECOWAS norms, and investing in social cohesion strategies to foster acceptance of intra-regional migrants.

The Right of Establishment

The final phase of the protocol enshrines the Right of Establishment, which permits ECOWAS citizens to set up and manage businesses in any member state under conditions equivalent to those enjoyed by nationals. This provision is arguably the most ambitious, as it extends the principles of free movement into the economic realm, aiming to stimulate entrepreneurship, boost investment flows, and deepen market integration. From a scholarly standpoint, the Right of Establishment is praised for its economic dynamism. Adepoju (2015) asserts that enabling cross-border enterprise fosters competition, innovation, and efficiency, all of which are essential for regional economic growth. Bassey, Etefia and Ebong (2024) further argue that the mobility of entrepreneurs can lead to the transfer of best practices, technological advancements, and the strengthening of regional value chains.

Nonetheless, the challenges confronting this provision are both structural and political. Regulatory disparities among member states create considerable hurdles for entrepreneurs. Differences in legal systems, taxation procedures, and business registration protocols make it difficult to navigate multiple jurisdictions. Olayode (2015) observe that the absence of harmonised business laws not only increases transaction costs but also deters small-scale investors from venturing beyond their national borders.

Access to finance also remains a critical barrier as studies have identified that many potential entrepreneurs often face difficulties in securing credit due to a lack of collateral, unfamiliarity with local banking systems, or perceived risks associated with being a foreign national (Ortsin, 2020). These financial obstacles to Alozie (2024) disproportionately affect women and youth, thereby exacerbating existing inequalities within the region. In addition, political resistance and nationalist sentiments continue to influence policy directions as some

governments within the sub-region, motivated by the desire to protect domestic businesses, are reluctant to fully liberalise their markets to ECOWAS citizens. Adepoju (2015) notes that this reluctance reflects deeper anxieties about sovereignty and economic dependency, which clash with the integrative ethos of the protocol thus pointing to the need for some strategic, multisectoral approach where member states must move towards harmonising commercial laws, facilitating regional credit systems, and promoting a regional identity that values inclusion over parochialism.

To this end, the ECOWAS Protocol on Free Movement of Persons, Residence, and Establishment offers an ambitious blueprint for regional integration in West Africa. While each of its three phases embodies a transformative vision, the persistent gap between normative commitments and empirical implementation remains a central concern. Where the Right of Entry, though symbolically powerful, is undermined by border corruption and security tensions, the Right of Residence is stifled by administrative red tape and socio-political resistance, while the Right of Establishment is hindered by legal fragmentation and financial exclusion. Bridging these gaps requires robust political will, institutional reform, and regional solidarity. Only then can the full potential of the ECOWAS free movement regime be realised, advancing not just economic growth, but a more united and prosperous West African community.

The Emergence of the Alliance of Sahel States (AES)

The formation of the Alliance of Sahel States (AES) represents a significant geopolitical shift in West Africa, driven by a confluence of security, political, and regional factors. The formation of the AES can be attributed to three primary factors which are escalating security concerns, growing anti-Western sentiment, and persistent regional instability. The Sahel region has faced a severe security crisis, with jihadist insurgencies and transnational terrorism posing significant threats to state sovereignty and civilian safety. According to Okoli (2024), the Sahel has emerged as a hotspot for terrorism-related violence, with insurgencies undermining state authority and destabilizing the region. This insecurity has been exacerbated by the inability of regional and international interventions, such as France's Operation Barkhane, to effectively curb the violence. Consequently, Sahelian states have sought alternative alliances to address these challenges collectively (Besenyo, 2024).



Image 2: Leaders of the AES member-states, Col. Assimi Goita of Mali (L), General Abdourahamane Tchiani of Niger (M), Captain Ibrahim Traore of Burkina Faso (R).
Source: https://dataphyte.com/latest-reports/security/the-formation-of-aes-and-what-it-means-for-ecowas/ Accessed February 28, 2025.

Anti-Western sentiment has also played a pivotal role in the formation of the AES. The perceived failure of Western-led interventions and accusations of neo-colonialism have fueled resentment among Sahelian populations and governments. For instance, the withdrawal of French troops from Mali in 2022 and the subsequent expulsion of French diplomats from Burkina Faso in 2023 underscored the growing disillusionment with Western powers (Samkharadze, 2024). This sentiment has driven Sahelian states to pursue partnerships with non-Western actors, such as Russia, and to establish regional alliances like the AES to assert their autonomy and reduce dependency on Western military and economic support (Kurt, 2024).

Regional instability, characterized by political fragility and weak governance, has further necessitated the formation of the AES. Coups d'état in Mali (2020 and 2021), Burkina Faso (2022), and Niger (2023) have disrupted

traditional alliances and created a shared sense of political and economic vulnerability among these states. The AES thus emerged as a platform for mutual support and collective action, enabling member states to address common challenges and consolidate their political authority (Usman, 2025).

The AES was established with several key objectives, including enhancing regional security, promoting economic cooperation, and fostering political solidarity among member states. Security remains the foremost priority, as the AES seeks to combat jihadist insurgencies and transnational crime through joint military operations and intelligence sharing. For example, the AES has initiated coordinated border patrols and established a joint task force to counter terrorist groups operating in the Liptako-Gourma region, which spans Mali, Burkina Faso, and Niger (Ndiaye, 2024). This collaborative approach aims to address the limitations of individual state capacities and improve the effectiveness of counterterrorism efforts (Aboagye, 2025).

Economic cooperation is another critical objective of the AES. The member states, which are among the poorest in the world, face significant developmental challenges, including high poverty rates and limited infrastructure. By fostering economic integration, the AES aims to promote trade, investment, and resource sharing among member states. For instance, the AES has prioritized the development of cross-border infrastructure projects, such as roads and energy networks, to stimulate economic growth and reduce dependency on external aid (Nenovsky & Bondi, 2024). Additionally, the alliance seeks to leverage its collective bargaining power to negotiate favorable trade agreements with external partners (Grütjen, 2024).

Political solidarity is a cornerstone of the AES's agenda, as member states aim to present a unified front in regional and international forums. This solidarity is particularly evident in their shared opposition to external interference and their commitment to preserving state sovereignty (Emmanuel, 2025). The AES has also sought to strengthen governance and political stability by promoting dialogue and cooperation among member states. However, critics argue that the alliance's emphasis on sovereignty and non-interference may undermine efforts to address human rights abuses and democratic deficits within member states (International Crisis Group, 2024).

Discussion of Findings

The Emergence of the AES and the Implications for the ECOWAS Protocol on Free Movement of Persons

The formation of the Alliance of Sahel States (AES), composed of Mali, Niger, and Burkina Faso, represents a significant political shift in West Africa, one that directly challenges the framework of regional integration established by the Economic Community of West African States (ECOWAS). This section critically examines how the emergence of AES could potentially affect the implementation of the ECOWAS Free Movement Protocol, a cornerstone of the community's integration efforts.

The Emergence of the AES as a Shift in Political Dynamics

The creation of AES came in response to a series of military coups that took place in Mali, Niger, and Burkina Faso. In the wake of these events, the three countries not only withdrew from ECOWAS but also formed a separate alliance that sought to consolidate their political and security interests. AES positions itself as a political and security bloc aimed at resisting external interference, particularly from ECOWAS and Western powers, while asserting sovereignty and national autonomy over regional commitments. This political realignment projects a significant implication for the future of ECOWAS's integration aspiration, particularly the Free Movement Protocol which aims to facilitate the movement of persons, goods, and services across West Africa. The Protocol is premised on the assumption of collective regional cooperation and the absence of major political fissures among member states. The withdrawal of AES member states from ECOWAS challenges this premise, as it signals a rejection of the broader regional integration framework in favour of more nationally focused governance models.

Impact on the Right to Free Movement of Persons

One of the most immediate implications of AES's emergence concerns the right to free movement of persons, a core provision of the ECOWAS Free Movement Protocol. The protocol guarantees citizens of ECOWAS member states the right to reside, work, and establish

themselves in any member state without the need for visas or residence permits. The withdrawal of Mali, Niger, and Burkina Faso from ECOWAS and the formation of AES presents a direct threat to this right. AES member states may introduce policies that restrict or control the movement of ECOWAS nationals, particularly from countries that are part of ECOWAS but outside the AES bloc. Such restrictions could manifest in increased border controls, visa requirements, and other bureaucratic hurdles that directly contravene the objectives of the ECOWAS protocol.

More importantly, the AES members' divergent security concerns—stemming from the Sahel's volatile political and security environment—may prompt these countries to adopt more stringent measures to control the movement of individuals across their borders. As AES member states align themselves around regional security issues and a shared anti-ECOWAS stance, the free movement of people could be severely compromised, resulting in a fragmented approach to mobility in West Africa. Even in Nigeria where the commitment to the ECOWAS protocol has been reinforced, scholars like Ochoga, Osimen, and Pokubo (2025) have argued that the ECOWAS Protocol on Free Movement has negatively impacted Nigeria's national security by facilitating the spread of terrorism, armed banditry, and violent herders' activities. While these challenges are linked to the ECOWAS Protocol, it is worthy of note that the scholars equally identified poor implementation, porous borders, and lack of enforcement mechanisms as factors that have undermined the effectiveness of the Protocol in Nigeria.

Non-Discrimination and Economic Integration

The principle of non-discrimination, another key provision of the ECOWAS Free Movement Protocol, prohibits member states from treating citizens of other ECOWAS countries less favourably than their own (Opanike, Aduloju & Adenipekun, 2015). This principle is essential for promoting a sense of regional unity and economic cooperation, particularly with regard to trade, employment, and access to public services. However, the emergence of AES could undermine this principle as AES member-states may argue that they must prioritise their own citizens for employment opportunities and public services, particularly in the context of a perceived economic competition from citizens of other ECOWAS countries – considering that other ECOWAS member-states will not also allow AES states' citizens to enjoy similar due to the stance of their country to ECOWAS' policies. In fact, AES's more insular stance, prioritising national interests over regional commitments as echoed by Angalapu (2025), could foster discrimination against ECOWAS nationals who seek employment or services in these countries. If AES countries impose restrictions on access to public services or employment rights for ECOWAS citizens, it would not only violate the spirit of the Free Movement Protocol but also deepen economic and social divides between ECOWAS and AES member states as highlighted by Usman (2025).

Moreover, the right to the free movement of goods and services—which aims to create a seamless regional market—could be similarly affected. AES's decision to withdraw from ECOWAS and pursue separate economic policies is very likely to lead to the creation of trade barriers and tariffs, effectively fragmenting the West African market. The protectionist economic policies adopted by AES states would undermine the decades of work towards establishing a unified economic space, thereby hindering economic integration in the sub-region.

Regional Security Concerns and Mobility

Another imminent challenge of the AES emergence on the ECOWAS Protocol on Free Movement of Persons is rooted in their collective desire to reinforce sovereignty and secure national borders, particularly in light of growing security challenges in the Sahel region (Andreeva & Novikov, 2024). As highlighted in various studies and analysis of experts at the wake of the AES, the member states are committed to maintaining internal stability and safeguarding their borders from external threats, including terrorism, organised crime, and instability emanating from neighbouring countries (Aboagye, 2025). In light of this, the AES's position on border control and national security directly contrasts with the free movement principles of ECOWAS, setting the platform for the ECOWAS's commitment to regional security and unhindered mobility to now contend with AES member states that are more focused on national security over regional integration. AES member states may, therefore, take a more restrictive approach to border management, heightening the security risk that free movement of persons could pose.

Additionally, cross-border terrorism and insurgency are realities in the Sahel, which may

prompt AES member states to implement militarised border controls that limit the free movement of individuals. This perspective is rightly drawn from the submissions of Ochoga, et al. (2025) whose study identified strong linkage between the ECOWAS Protocol on Free Movement and spread of terrorism and other forms of insecurity. AES member-states' decision to embark on militarised borders security measures, in view of such peculiar reality of security threat in their territories, the move could exacerbate tensions between ECOWAS and AES member states, potentially leading to separate security arrangements that disrupt the broader security architecture of the region.

Institutional and Legal Challenges

Another area of serious concern with regards to the impact and implication of the emergence of the AES on ECOWAS' Protocol on Free Movement of Persons is that the institutional frameworks established by ECOWAS to oversee the implementation of the Free Movement Protocol could face substantial challenges due to the formation of AES. The ECOWAS Commission and its various organs, which are responsible for monitoring and enforcing the protocol, may struggle to assert their authority over AES states – which of course would hardly be successful as the AES community is no longer under the obligation of the ECOWAS. The legal implications of AES's refusal to comply with ECOWAS decisions and sanctions could create a legal vacuum in which AES member states operate outside the regional legal system, further undermining the implementation of the Free Movement Protocol, and blurring the chances of having a regionally integrated West African region which to Emmanuel (2025) has remained the vision the ECOWAS.

In the long term, the fracturing of ECOWAS could lead to competing regional blocs within West Africa, with AES seeking to carve out its own political, security, and economic agreements, while ECOWAS continues its integration agenda. This would likely result in a divided West Africa, where the movement of people, goods, and services is governed by competing protocols that are increasingly incompatible with one another.

Recommendation

In view of the dimensions and implications of the withdrawal of the trio of Burkina Faso, Mali and Niger, and the emergence of the AES on the corporate aspirations of the ECOWAS, the following recommendations are advanced;

i. Strengthen Regional Dialogue and Adaptive Security Cooperation: ECOWAS should prioritise diplomatic re-engagement with AES member states through structured dialogue that acknowledges their security concerns while reaffirming the importance of regional unity. Simultaneously, ECOWAS must reform the Free Movement Protocol to incorporate flexible, security-sensitive provisions that allow for context-specific implementation, including coordinated border management, intelligence sharing, and temporary derogations in times of crisis. This would ensure that national sovereignty and regional cooperation are not mutually exclusive.

ii. Develop Transitional Frameworks and Joint Infrastructure for Mobility and Security: ECOWAS should establish transitional cooperation frameworks that enable AES countries to participate in critical aspects of regional mobility and trade, even outside formal ECOWAS structures. This includes investing in shared border infrastructure, surveillance technologies, and interoperable systems that facilitate legal movement while addressing security risks. Such pragmatic steps would help maintain regional connectivity, reduce fragmentation, and preserve the gains of integration amid political divergence.

Conclusion

The formation of the AES represents a fundamental challenge to the ECOWAS Free Movement Protocol. The political realignment brought about by AES, through the withdrawal of Mali, Niger, and Burkina Faso, poses a direct threat to the implementation and effectiveness of the protocol in the region. As AES states adopt more restrictive policies in response to their security concerns and national sovereignty, the principles of free movement, non-discrimination, and economic integration become increasingly difficult to uphold. In light of these developments, it is crucial for ECOWAS to reconsider its approach to regional integration and explore alternative strategies to maintain mobility and unity in the sub-region. The future of the Free Movement Protocol, as

well as the broader integration agenda of ECOWAS, may depend on the ability of the community to address the political and security challenges posed by the emergence of AES and to find ways to reconcile the interests of all member states.

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