

One of the main messages emerged during the recently concluded Africa Prosperity Dialogues held in Ghana from 26 to 28 January under the theme “AfCFTA: From Ambition to Action – Delivering Prosperity Through Continental Trade”, is that African countries must accelerate the ratification of the Protocol on the Free Movement of persons because in order to have a borderless trade, it is necessary to open African borders. Trade and borders is a strange association. “Trade” is an immaterial thing, an abstract concept. It is something that people cannot touch. Abstract things are by definition borderless. The problem is that behind trade there are persons, because are persons to move goods. So lifting barriers to the movement of persons means to create the conditions for trade to flow across borders.

At the same event, it was also [proposed](#) to select a champion to accelerate the entry into force of the Protocol, a role that was offered to the Ghana's Head of State.

Why a Protocol needs a champion? Because after the initial rush to sign it, started in 2018 (currently more than 30 African Union members have signed it), this Treaty stumbled into its ratification phase. As a matter of fact, today only 4 countries (Rwanda, Niger, São Tomé and Príncipe, and Mali) have ratified it, while at least 15 ratifications are needed for this Protocol to enter into force. But the ratification is not even the last step. After comes the magic word: “implementation”, a phase where African nations always fail.

This is not the first time that African countries met to discuss how to accelerate the ratification and entry into force of the Protocol on the Free Movement of people. Already in 2018, the African Union Commission convened a meeting in Dakar, Senegal, with high representatives of two of the main customs unions in Africa (EAC and ECOWAS) and of their member States, to popularize and promote the ratification of the Protocol. The reason why the participation to the meeting was opened to ECOWAS and the EAC is that these RECs are those that have made – at least “on paper” - the most advanced steps towards the free movement of persons in their territories. The ECOWAS, with the adoption of the [Protocol on free movement of persons](#), the EAC with [Protocol on the Establishment of the East African Community Common Market Protocol](#), that at art. 7 guarantees the free circulation in the region of persons who are citizens of a Partner State, with some limited exceptions motivated by public policy, public security or public health reasons.

The first recommendation in the [report](#) issued at the end of the Dakar meeting of 2018, was that *“The AU, the RECs and Member States (should) synergize activities and programmes relating to the African Continental Free Trade Agreement (AfCFTA) in tandem with the implementation of the AU Free Movement Protocol”*. Already at that time it was clear that the link between free trade and free circulation of persons in the continent is indissoluble.

But what is the reality on the ground?

The EAC is probably the only Regional Economic Community (REC) in Africa that has made significant progress in the field. In November 2009, the [East African Community Common Market \(Free Movement of Persons\) Regulations](#) were adopted and since then many barriers to free movement have been removed (such as the elimination of work permit fees for citizens of EAC Partner States moving to other EAC States for work purposes and the adoption of an EAC Passport). These benefits however are unevenly distributed in Partner States, as some of them are still lagging behind in the implementation of the Regulations. Here, the magic word appears again: "implementation".

On the other hand, more modest progress has been done in the ECOWAS. Despite the adoption of an ECOWAS passport, barriers to the movement of citizens still persist, as documented by many studies (ex. see this recent [one](#) ) and [articles](#) . What is even more surprising is that the ECOWAS Protocol on free movement of persons dates back to 1979. Also in this case: quick adoption, but strong delays in the incorporation of the provisions of the Protocol into the national legislations of ECOWAS member States. And also after this step - not completely achieved - the hassle and harassment that travellers and road users face, especially at borders and at checkpoints along roads are still (to use an euphemism) “common”. The reasons? Apart from the little or no awareness of the existence of the Protocol by border officers (sometime due to a lack of dissemination of clear information on it), there is the human factor. Corruption and bribing practices are what limits the free circulation of Africans in their own continent. When a traveler has to [wait hours](#) at a border for having his passport stamped, under the threat of being denied the entry into a country if a phantomatic "stamp duty" is not paid, it means that something, again, does not work in the implementation of the free circulation of persons rules.

Obviously, things can change, and in order to change, political will-strengthening initiatives like the Africa Prosperity Dialogues are more than welcome. The problem is that they are not enough. Moralization initiatives are also needed at peripheral level. Corruption practices must

be eradicated before they become endemic. And this is true not only for the implementation of the AU Protocol on free movement. AfCFTA optimists (and we are among them) are warned!