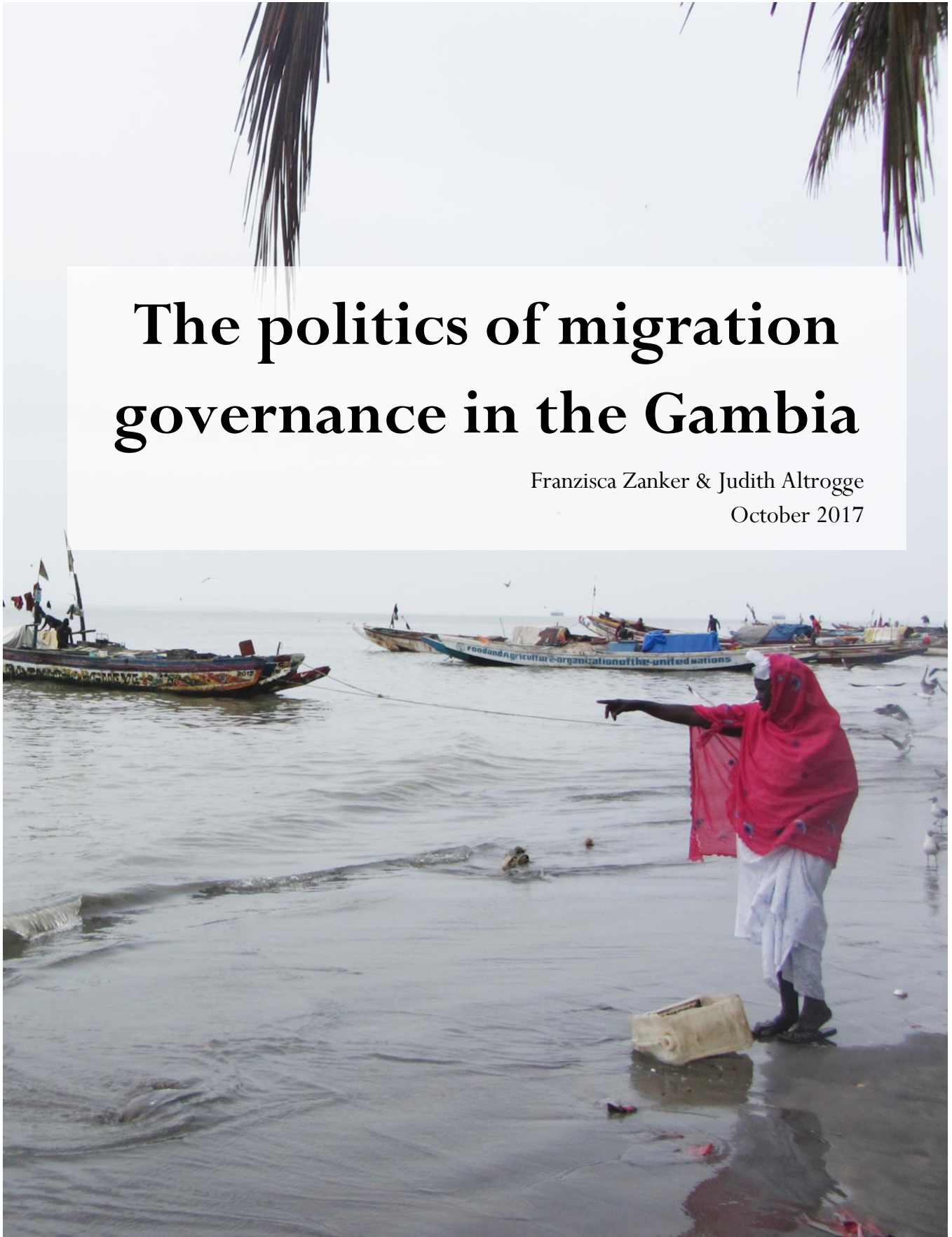




The politics of migration governance in the Gambia

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Project Background

This project explores the politics of migration governance in the Gambia, where an unexpected regime change in January 2017 gave an impetus for political change. It is the pilot of a larger study currently under development on the politics of migration governance in eight sub-Saharan countries. The project acknowledges the political nature of migration as well as the agency involved in the governance of migration. The study analyses three levels, namely *the 'making' of migration governance* (actual and planned migration governance institutions and political will to implement), *the political stakes of migration governance* (how is migration understood, what is prioritised and which issues are at stake) and the *societal discourse regarding migration governance* (societal perceptions on migration and the effects this has). Following a holistic understanding of migration, it analyses emigration (of skilled, low-skilled migrants and refugees), immigration (primarily from neighbouring ECOWAS countries) as well as displaced people residing in the Gambia (primarily Casamance refugees from neighbouring Senegal).

The study is based on 31 semi-structured interviews with members of the new Gambian government, policy makers and civil society activists and Diaspora leaders, as well as Gambian refugees, policy and academic experts back in Germany. In addition, we conducted one focus group with Gambian returnees from Libya. Fieldwork took place between May and June 2017 in the Greater Banjul area.

About the authors

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List of acronyms

ACP	African, Caribbean and Pacific region
CCPAU	Centre for Citizens' Participation in the African Union
ECOMIG	ECOWAS Mission in The Gambia
ECOWAS	Economic Community of West African States
EUTF	Emergency Trust Fund for Africa
FES	Friedrich-Ebert-Stiftung
GAFNA	The Gambia Food and Nutrition Association
GDP	Gross Domestic Product
GNTT	Gambia National Think Tank
IOM	International Organization for Migration
ITC	International Trade Centre
NAP	The National Action Plan
NGO	Non-governmental organisation
OAU	The Organisation of African Union (now African Union)
UNDP	United Nations Development Programme
UNHCR	The Office of the United Nations High Commissioner for Refugees

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Executive summary

This report analyses migration politics in the Gambia, where an unexpected regime change in January 2017 gave an impetus for political change. The research follows a holistic understanding of migration, encompassing emigration (of skilled, low-skilled migrants and refugees), immigration (primarily from neighbouring ECOWAS countries) as well as displaced people residing in the Gambia (primarily Casamance refugees from neighbouring Senegal). It analyses these forms of migration on three levels – governance, political stakes and societal discourse.

Migration plays major political and societal roles in the new Gambia. Firstly, **low-skilled emigration** is the most politically volatile form of migration. High numbers of Gambians leave the country in search for employment and learning opportunities elsewhere. Not least since the change of government, the return of large numbers of low-skilled emigrants has become inevitable. Nonetheless, the return of too many Gambians too quickly could have a detrimental effect not only on the development of the country but also on its stability. Secondly, managing **highly-skilled emigration** is not (yet) high on the list of priorities of the new government. Policy in this area is complicated by the circular nature of the migration-development nexus. The resources of the diaspora to invest in the country – both in the private sector and helping to rebuild and reform the public sector – needs to be properly channelled and utilised.

Thirdly, regarding **Gambian refugees abroad**, the primary reason for claiming asylum may have become obsolete for many refugees with the regime change. This is also evident in a government rhetoric of welcoming refugees back home. Nonetheless, a case-by-case basis of reviewing refugee applications should still be applied in order to ensure conformity with international norms on refugee protection. In addition, as above, the return of too many people too quickly can put an unnecessary burden on the country, which is already struggling as it is. Fourthly, despite a considerable number of **immigrants** in the country, it is a politically relatively neutral topic, in all likelihood due to the ECOWAS freedom of movement protocols. Nevertheless, the bureaucratic governance for immigrants is also complicated and the government could do more to actively support the mobility norms enshrined in the ECOWAS protocols.

Finally, concerning **displaced people in the Gambia**, progressive refugee protection laws and practices exist, including the right to work and opportunities for self-settlement. The protection of refugees is, however, not prioritised by the new government, probably due to the fact that the refugee population has greatly reduced in the last years.

We find that:

1. **Migration governance** is challenging not least due to the weak infrastructure the new government has inherited and the tricky balancing act between the promises and pitfalls of (voluntary) migration. The responsibility of migration governance should be shared by applying different approaches – including through decentralised governance structures, projects led by the civil society sector and regional mechanisms for supporting mobility and protecting migrants and refugees. What happens beyond the continent also matters: only legal migration pathways ultimately have a chance to reduce irregular emigration, which comes at grave humanitarian costs.
2. The **political stakes of migration** in the Gambia are high, especially when it comes to the return of skilled and low-skilled emigrants as well as refugees. Linking return to long-term reintegration and development is a right step. This should not, however, undermine the political nature of return, including allowing returnees to be politically represented in order to ease their transition. Moreover, political interests of return – especially from the Global North – should not prevail over achieving sustainable development. Delaying large-scale returns will avoid risking the development and stability of the Gambia.
3. The political stakes and governance of migration are intricately embedded in the broader **societal discourse**. The pull of Europe tied to the strong tourism sector in the Gambia cannot be overestimated. This ultimately makes conceptual categories like refugees or migrant socially fluid, despite the differences in their political and legal definitions. Transparent communication from the new government should build on the transnational networks which played a decisive role during the regime change. Lastly, it is vital to address not only why people should *not* leave the country but also to create more reasons to stay.

1 Introducing the socio-political context

This report analyses migration politics in the Gambia, where an unexpected regime change in January 2017 gave an impetus for political change. Looking at different forms of migration – including emigration and immigration – the report considers their governance as well as the political stakes and societal discourse tied to it.

1.1 The context

After independence from Britain in 1965, the Gambia was ruled by President Dawda Jawara. The country initially developed into one of the most peaceful and democratic African post-colonial nations, albeit remaining relatively poor. However, a military coup in 1994 set an end to Gambia's 'first Republic,' with the lieutenant Yaya Jammeh seizing power. Political stability and an economic upswing during his first years secured his popularity, and he was confirmed in office in regular elections every five years.

State institutions, infiltrated with regime supporters, continued to lose their administrative capacity. After an attempted coup in 2014, repression worsened (Amnesty International 2015). Finally on 1st December 2016, an opposition coalition led by Adama Barrow won presidential elections. The coalition included most opposition parties, and their campaign was heavily supported, both financially and strategically, by the Gambian Diaspora. Jammeh refused to accept this result. It took the threat of regional troops from the Economic Community of West African States (ECOWAS) to enforce the elections militarily – a striking move in the name of democracy (Hartmann 2017) which made Jammeh finally step down in January 2017, after 40 days of political impasse.

According to our interviews (see below), the new government has inherited a bankrupt state, high unemployment rates – especially among the youth – and a dysfunctional labour market and educational sector. Moreover, the security sector is overblown and highly politicised.



Figure 1: Map of the Gambia (Source: CIA Factbook)

Nevertheless, Jammeh became increasingly repressive and despotic. An extensive body of security forces protected his power, brutally silencing critical voices. The network of informants to national intelligence reached far into the private lives of the population (Amnesty International 2016a). He also co-opted major businesses, with the economic sector suffering significantly.

The new Gambian government aims are to completely restructure Gambian politics in accordance with human rights, democracy and good governance practices. There is great potential for change, but how the new government intends to face these far-reaching, interdependent challenges is yet to be seen. Reconciliation work has started with a political rhetoric of national unity and anti-tribalism. But most structural reform processes still lie ahead, not least security sector

reforms and reshaping the labour market, education and skills training.

With a population with a medium age of 16.8 (UNDP 2016), many Gambians have not yet experienced life in a democratic system. They have high expectations of the new government to deliver what it has promised, and despite the enthusiasm about the newly established freedom of speech, impatience for more structural changes is high.

1.2 Migration in the Gambia

Migration and mobility is long embedded in the Gambia, not least due to its geographical position, its small size, the heterogeneous communities that live there¹ and the ensuing economic and political implications this holds.

Historically, the whole West African region was regarded as one economic space within which trade in goods and services flowed, and people moved freely for many reasons such as trade, fleeing from conflict and to search for new land (Adepoju 2003; Adepoju 2009). Colonialization, the slave trade and cash crops brought new political and economic structures that drew on this culture of regional migration (Colvin 1981). Up until today, borders continue to be porous and Gambians have extended lineages over large parts of West Africa (Saine et al., 2013). Moreover, since the 1970s, the Gambia has developed an expansive tourism sector mainly targeted at Europeans. This increased day-to-day interactions with Europeans and encouraged Euro-African businesses, friendships, families and the inter-continental movements this brings with it. Since independence and especially since the 1980s, inter-continental migration has increased significantly in both numbers and social relevance – though mobility within the region still accounts for most cross-border movements.

Starting as a privilege for the very few, intercontinental emigration quickly became the most success-promising strategy in coping with not only the political, but also economic restrictions of the dictatorship (Kebbeh 2013, 3). With enduring repression and economic

deprivation, irregular migration as a mass phenomenon has become the most discussed and controversial migration dimension.

Defining people on the move

The difference between ‘refugees’ and ‘irregular migrants’ is often blurred. In order to acknowledge this conceptual complexity, we focus on the *type of migration journey* (immigration, emigration or displacement). Moreover, we will refer to migrants and migration when speaking about people on the move – both forcibly and voluntarily – which includes refugees and asylum seekers. When discussing those who fall in the remit of international protection the term refugee is used.

Gambian emigrants opt for Europe as a destination more often than migrants from other West African countries. For example, it is one of a few countries with a top migrant stock country in Europe (being Spain) rather than in Africa (Devillard et al. 2015, according to figures from 2010). While the number of Gambians in Spain has stagnated since 2009 (Kebbeh 2013), Italy and Germany have become the top destination countries for asylum seekers from the country since 2012 (Eurostat 2017d).²

1.3 Methods

The report is a qualitative study based on expert interviews and one focus group conducted with Gambian returnees from Libya. Fieldwork took place between May and June 2017 in the Greater Banjul area. Therefore, the information and opinions in this report are based on 31 interviews with policy makers, politicians, civil society activists, diaspora leaders and academic experts in the Gambia and in Germany (see Appendix 1), unless otherwise stated. The focus group

¹ Gambia’s population is made up of around nine ethnic groups, the largest being Mandinka which accounts for around 40% of the population, followed by Fula (18, 8%), Wolof (16,5%), Jola (10,6%) and Soninke (9%) (Kebbeh 2013).

² Though we will refer to statistics in an illustrative manner it should be noted that these are frequently problematic (see also Nature 2017). For one, there are no reliable statistics available that draw a comprehensive picture of those leaving, transiting, arriving and staying in the respective countries. This is expressed in data gaps and varying statistical records. For example, the World Bank Migration and Remittances Factbook from 2016, states that there are 71,000 Gambian emigrants in 2013 and does not present any newer numbers (2016), while the World Development Indicators records 82,000 in 2010 and 89,000 in 2015 (United Nations Population Division 2015). Moreover, different ways to measure migration or to count migrants make a detailed interpretation necessary (e.g. flows vs. stocks, asylum seekers vs. Gambians with a working visa, no official numbers on voluntary returns etc.). Thirdly, especially in the ECOWAS region, the capacities to record emigrants or transit migrants are low. For example, the Gambian Bureau of Statistics is severely underfunded - a census that was carried out in 2013 was only published in full length in 2017.

was conducted with a group of 15 young men who had all returned from Libya in the last 3 months assisted by the International Organisation for Migration (IOM). We analysed the interview and focus group transcripts using Max QDA Software. Due to the political nature of the questions, most of the direct references have been removed and some of the interview partners and all of the focus group participants chose to remain anonymous. We asked interviewees to state their opinions in their private capacity and thus they will not necessarily be representative of their organisation. The report was reviewed by an external country expert.

1.4 Structure of the Report

The research follows a holistic understanding of migration encompassing emigration (of skilled, low-skilled migrants and refugees), immigration (primarily from neighbouring ECOWAS countries) as well as displaced people residing in the Gambia (primarily Casamance refugees from neighbouring Senegal). It analyses these forms of migration on three levels – governance, political stakes and societal discourse.

Each of the following five sections deals with one central dimension of Gambian migration on the three levels, namely (2) low-skilled emigration, (3) highly-skilled emigration, (4) forced emigration, (5) Gambian immigration, and (6) displaced persons in the Gambia. Although the patterns of these categories partly overlap, this allows for an analysis of the specific situations of the different migrant groups and the respective political stakes involved. The report concludes with some central findings (7).

2 Low-skilled emigration

Low-skilled emigration has become a major challenge in the Gambia, with a general perception being that ‘those who travel are low-skilled’ (B6). The large number of mostly young people leaving the country stands in stark contrast to its small size. The latest census, conducted in 2013, estimates net migration at -0.9%, and attributes this to the ‘massive exodus of Gambian youths’ (Gambia Bureau of Statistics 2017b, viii). It is widely presumed that most of these emigrants try to make the journey to Europe. Despite its population of just over two million, Gambians made up the fifth-highest number of arrivals in Italy in 2016 and in 2017 so far, according to figures from the IOM (IOM 2017b). Problematically, no figures show how many migrants emigrate from the Gambia to its neighbouring countries (both temporarily and permanently) or those who get

stuck or die on the dangerous journey. Many migrants find temporary work on their way to Europe – sometimes for a number of years – and increasingly migrants are captured, tortured and even killed or enslaved in post-Gadhafi Libya (Amnesty International 2016b; Human Rights Watch 2017).

In the 1990s and early 2000s, emigrants from the Gambia mostly chose to make their way to Spain via the Canary Islands. The popularity of this route peaked in 2006, with more than 30,000 African migrants arriving in the Canaries, an estimated 12% of which were Gambian nationals (Godenau 2014). The route has become negligible with an over 99% decrease in migrant arrivals in the Canaries between 2006 and 2012. This is due to a concerted effort to crack down on the route through Operation Seahorse, which combined forces from a number of West African and European countries as well as FRONTEX (see also Casas-Cortes et. al 2016 and Welz 2015).

Instead, the most common route has moved to the so-called ‘backway’, from the Gambia through Senegal, Mali and Niger into Algeria or mostly Libya, (see Figure 2 below). From Libya, the journey continues on to Italy and the rest of Europe.



Besides fleeing from political persecution (see below), there are a number of factors that shape the decisions for Gambians to leave. For a start, the lack of employment opportunities provides a primary reason. As one returnee from Libya put it, ‘Almost all of us are not working, there is no work for us, that’s why we Gambians are taking the backway’ (B11). The deteriorating economic situation under Jammeh heightened the severity of the situation. Youth unemployment currently stands at 38% (Altai Consulting 2016). Beyond unemployment and the lack of skills training available, people with low-skilled vocational jobs or in apprenticeship schemes are also leaving. Even with a job, the remuneration can be so low that many feel that they have no other choice.

This is also the crux of the current political problem: despite the change in government, there is no radical change in the economic situation in the Gambia. For example, the Minister of Youth and Sports recalls meeting Gambian asylum seekers in Germany telling him that they do not want to return, stating, ‘we may have free speech, but what about jobs?’ (B15). Though in the immediate aftermath of the 2016 elections there may have been a slowdown of low-skilled emigration, it is likely to continue as before.

Moreover, due to historical migration to Europe, frequently by skilled migrants, there is a positive image of what remittances can provide. The pull of the Global North holds the promise, according to a youth representative, of ‘building a house for your parents, owning a car ... and going to Mecca’ (B9). One civil society member compared the motivation of today’s emigrants as ‘material’ compared to earlier emigrant movements, who wanted to study in the West and then implement their knowledge back home (B6). Recent research shows that the pull of Europe is probably overestimated (Squire 2017), in the Gambian case, however, there is a strong culture of mobility northwards that cannot be overestimated, influenced not least by a strong tourism sector.

More generally, many people cited family pressures to leave as an additional factor shaping their decision to leave. But the picture is more complex. We were told by numerous sources of young people leaving on their own accord, often against their parents’ will and sometimes stealing from their family or employers to fund their travels. Despite their families’ reservations regarding the dangers of the journey, individuals still believe their chances to be able to provide for their families to be higher if they emigrate. This is also because in addition to alleviating the economic desperation, there is a cultural impetus for men to provide for families.³ As the scholar Gaibazzi argues,



Figure 2: Map of common routes along the backway (Source: Based on UIN Map No. 4350 Rev. 2 the map aims to demonstrate general trends of Gambian migrants reaching Europe via the backway based on a report by the FRONTEX Risk Analysis Unit (2017) and our own interviews).

‘men shoulder the financial obligations for their parents and households, and since households are in a chronic need of cash for basic consumption items, men are expected to go and find it’ (2015, 94).

This also leads to rural-urban migration within the Gambia and seasonal migration with neighbouring states.⁴ Consequently, not all low-skilled emigration is irregular. In fact, under the ECOWAS protocol (see below for more on this), Gambians are free to move in the ECOWAS region up to and including Niger (see Figure 2). The rest of this section will, however, focus on irregular low-skilled emigration beyond the borders of ECOWAS. This is what receives by far the most attention in the Gambia, as it brings with it most of the unsolved social and political challenges related to migration.

2.1 Governance

Though the previous government was open to some discussion on migration, the approach was superficial at best, marred like everything else by the despotic nature of Jammeh’s regime. A National Platform on Migration Issues was established by the Jammeh government in the

³ Female emigration from the Gambia of course also exists, but few of those we spoke to mentioned this specifically. Whether this is because the numbers are so low or a narrative of male emigration which dominates popular discourse is unclear, but experiences and impact are likely to be different.

⁴ Rural-to-urban migration is also highly significant in the Gambia. Between 1993 and 2010, urban population grew from around 37 to 58%, largely due to young Gambians in search of work (Kebbeh 2013). However, this study does not consider such internal rural-urban migration. Moreover, this study does not look at human trafficking, though especially child trafficking plays a significant role in the Gambia (Devillard et al. 2015). This is because all other forms of migration involve some type of agency, which is denied in the act of trafficking.

later years to work on a national migration policy (Devillard et al. 2015). The Platform was, however, never properly constituted almost none of those we interviewed had even ever heard of it.

There are several policy areas in which the new government is planning to address the main causes of low-skilled emigration. The interviewees widely noted that trying to close down routes like the backway will only lead to other ways – potentially even more dangerous – opening up.

CLOSING DOWN ROUTES LIKE THE BACKWAY WILL ONLY LEAD TO OTHER ONES – POTENTIALLY EVEN MORE DANGEROUS – OPENING UP.

Though a government can choose to try to stop people from leaving which is physically and legally difficult, a sounder option is to focus on reasons to stay. For the Gambian government, this strategy primarily includes youth empowerment as the umbrella term for employment creation as well as education and skills training. President Barrow and his government have prioritized employment creation as a major way to tackle low-skilled emigration. In an interview prior to his inauguration, Barrow stated ‘Gambians are desperate. There is no work for them ... so that’s why they are making the very dangerous journey to Europe... When we come to power, we will overhaul everything and try to see whether we can create jobs’ (Newsweek 2016). The objective for job creation is both to stop people from leaving and to help their reintegration after they return.

The main arena addressing this is an EU Emergency Trust Fund (EUTF) of €11 million over the course of four years. This economic development project explicitly aims at tackling root causes of irregular migration by creating training and employment opportunities for Gambian youth. Both potential and returning migrants can take part in the program. Special focus will be put on employment-oriented vocational training and entrepreneurship as well as the support of small and medium-sized enterprises.

The EUTF project was launched in February under the new government. With aid assistance previously frozen altogether, a ‘migration dialogue’ between the EU and Barrow is now planned and first consultations have

taken place (Anders 2017; European Commission 2017). In fact, the Gambia is not one of the EU’s priority countries under the new EU Partnership Framework launched in 2016. In all likelihood, such cooperation would not have been feasible under Jammeh anyway. This highlights how important the political environment is for international cooperation on migration governance.

The EUTF project brings a number of challenges. Firstly, according to our interviews, the funding is relatively small compared to what may actually be needed to make a significant difference. Secondly, though this is due to the set-up of the EUTF as a reactive fast-paced development instrument, the project has been criticised for a lack of local ownership (see also Castillejo 2016). The regional EU migration officer sits in Dakar. The implementing partner of the Trust Fund project, International Trade Centre (ITC), was not immediately visible, though they now have an active project office in Bakau, the Gambia. A joint agency by the World Trade Organization and the United Nations, the ITC holds expertise in trade and the support of small and medium enterprises. In the Gambia, they are working together with Ministries, trade support institutions and the National Youth Council.

The problem with the EUTF projects more generally is that the well-designed programmes may be difficult to implement because of a lack of consultation. Though in the Gambia national authorities were consulted in the creation of the new programme, when it comes to the implementation, critics argued that this consultation has been foregone. In contrast to development projects launched under the Cotonou Agreement Framework guiding the African, Caribbean and Pacific Group of States (ACP)-EU relations,⁵ there are no *formal* mechanisms of cooperation with local partners. Instead of the Gambia-EU Liaison office, which used to be the local partner in the Cotonou framework, it is now up to ITC to take on this task, and by October 2017, the project has entered into partnership with 20 different national implementing partners that provide different services to youth.⁶ Nevertheless, numerous empowerment projects have been carried out in the Gambia with limited success, which also means that more attention must be paid to *how* such programmes can have a sustainable impact (World Bank 2017).⁷

⁵ Development cooperation between EU and the countries of the ACP has a long history of over 50 years and is based on principles including ownership, participation and dialogue and mutual obligations.

⁶ Thanks to personal communication with Raimund Moser, Project Manager, Youth Empowerment Project who further clarified this issue.

⁷ The education sector along with vocational training also need to be overhauled but much depends on the plans that will be revealed under the National Action Plan.

In terms of governing returns, the only repatriation programme so far relies on external donors working together in conjunction with the International Organization for Migration (IOM), an UN organization that provides services and advice concerning migration to governments and migrants worldwide. Nevertheless, six of our interview partners representing non-governmental organisations (NGOs) and government organisations also voiced clear interests to seek funding for repatriation projects – including for example United Purpose or the National Youth Council. The planned projects are set to focus on the psychosocial dimension of reintegration, (re)orientation into the new Gambia, sensitisation work, job creation and skills-training.

Beyond this, consular affairs and issuing identity documents is an area where destination and transit countries are likely to seek out Gambian cooperation in particular. Cooperation under Jammeh on the question of identity documents was mixed. Agreements regarding Gambian migrants were made bilaterally with Spain (2006) and Italy (2010), Senegal, Taiwan (2012) and Qatar (2010) (Devillard et al. 2015). These bilateral agreements were, however, implemented to varying degrees, and need to be renegotiated with the new government. More recently, in October 2016, the USA invoked a travel ban for Gambian government officials in retaliation for the lack of cooperation on issuing identity documents for deportations (U.S. Embassy in the Gambia 2016). No reports indicate that this diplomatic row has been resolved.⁸ Such cooperation is particularly difficult in a context like Libya, where there is currently no Gambian representation. There the identification process is currently supported by the Senegalese representation.

In terms of how to support these governance initiatives, some (non-governmental) interlocutors raised possibilities of involving local structures in governing low-skilled emigration. Several regions are particularly affected by low-skilled emigration, namely North Bank, Central River and the urban areas in the greater Banjul neighbourhood, presenting an especially important outlet for community outreach programmes. The five regional governors have all been replaced by the Barrow government, with the urgent request to the new ones to remain apolitical (The Daily Observer 2017). Addressing low-skilled emigration could be further decentralised to district chiefs and so-called Alkalos (Gambian village leaders), which could even be ‘the missing link’ to transform societal discourse on migration, according to a Gambian historian (B20).

Nevertheless, with the central government struggling with their current workload, it is unlikely that they will have the capacity to work on such decentralisation reforms anytime soon. As such, for the time being, the status quo of broadly inactive local government representatives remains.

One final note should be made regarding the link between development and migration. The IOM reintegration funds, for example, are increasingly financed through development money rather than from interior ministries in destination countries as before. Whilst this change in approach holds many promises for a more sustainable return for low-skilled migrants, such moves are also frequently tied to a monolithic understanding of the development-migration nexus (see also de Haas 2007). The presumption is that more development will lead to less migration – and that out-migration hinders development. The relationship is in fact circular and highly complex, with positive and negative impacts in both directions, depending on context (de Haas 2014). In many instances, emigration rises as countries develop. Furthermore, migration is an important process in a globalized world with a high poverty reduction potential for developing countries (see Clemens 2014; Hagen-Zanker et al. 2017). In fact, the presumption that development will reduce migration also discounts the importance of remittances for development, particularly pertinent in the Gambian case (Kebbeh 2013). The complex migration-development nexus is also evident when considering the political stakes of low-skilled emigration, discussed next.

2.2 Political stakes

Low-skilled emigration as the most prominent form of migration in the Gambia accordingly holds high political stakes. The topic is addressed by numerous ministerial portfolios, not just the interior ministry or the ministry of foreign affairs, but also, for example, the Ministry of Youth and Sports.

LOW-SKILLED EMIGRATION AS THE
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⁸ Some Gambians also seem to have been caught up in the US travel ban against Muslim majority countries under President Donald Trump, see BBC News (2017)

Moreover, the IOM is currently expanding their office in the country.⁹ There is the hope that the large number of low-skilled emigrants may finally reduce with the new government. In fact, scholars and many Gambians consider that the surprising election win can be accredited in large parts to Barrow's promise to deal with the issue (e.g. Hultin et al. 2017). This stands in contrast to Jammeh, whose government was, according to one civil society activist, 'only paying lip service to addressing irregular migration' (B17).

Hence, most of those interviewed considered the emigration of low-skilled Gambians one of the top priorities for the new government. However, due to the promising new government as a radical change from the previous regime, a high number of returnees are expected in the near future. The question of return is especially politically precarious. Ultimately, there are two major political implications for return, namely regarding development and potential conflict.

2.2.1 The quandary of return and development

Since remittances make up such a considerable part of the Gross Domestic Product (GDP) in the country (see highly-skilled emigration below), return could mean the loss of a significant income source for many Gambian families. The pay-off from remittances is considerable, even from low-skilled emigrants. At a political level it is, however, clear that the government needs people to help them rebuild the country, and it is often thought that only the fittest and brightest have left, even amongst the low-skilled emigrants.

More controversially, in the Gambia, there is the understanding that return might be the price to pay for the international development funds sorely needed. As such, there is a presumption that the new government will have to sign repatriation agreements in order to receive development money, effectively 'selling the backway people' as one Gambian refugee in Germany put it (A5). Rumours of government ministers, including the interior minister, signing away repatriation agreements in return for development funds are rife. Such forms of conditionality are heartedly discredited including by for example the EU Ambassador (B10) and the interior minister himself (Daily Globe Watch 2017) and all repatriation agreements are negotiated on a bilateral basis. Nonetheless, this was still a common presumption (see also Hunt 2017).

Based on this presumption, amongst those interviewed the verdict was out whether it would be in the interest of the Barrow government to continue to rely on remittances or better to actively pursue a return policy in the hope that this would increase development aid given to the country. For some, the latter was inevitable due to the weak position Barrow holds in the international arena representing a heavily indebted country. For others, paying heed to such external interests holds the danger of losing legitimacy in the country, putting the young democracy in danger.

The stakes in terms of the new development projects now starting to be implemented are certainly already high enough, without being tied to return migration. With the positive example of a peaceful regime change through the ballot box, ECOWAS neighbours and European countries are determined for the Gambia to be a success story for reform. The quandary is that mass returns without a better functioning labour market or economy in place could worsen the chances for sustainable development. This is why interviewees frequently advocated for participation in skills-training programmes prior to return in order for returnees to become tools for development (and give the new government some time to rebuild their country).¹⁰ This acknowledgement of the importance of sustainable development, however, contradicts the political interests of several European countries who face domestic pressures of dealing with rejected asylum seekers. Accordingly, a recent foreign office delegation visit to the Gambia was primarily in the interest of discussing migration, as one European country spokesperson explained (B5). Returns including deportations are ongoing both from European countries and the US, albeit at a rather slow pace.¹¹

2.2.2 The conflict potential of return

The second major political implication is the conflict potential of those returned. If large numbers of young men are returned without prospects of employment, this could have security implications. Rather ironically, this would mean that emigrants are returned to what is now perceived to be a safe country, only to make the country more insecure. Though ideally the policy of the involved countries is a 'return with dignity' approach (see d'Orsi 2015), it is likely to be involuntary in a considerable number of cases.

⁹ Though this was already planned to take place before the elections of the new government. There are, nevertheless, more possibilities for IOM engagement now due to the regime change.

¹⁰ Though skills need to match the labour market requirements of the country of origin (OECD 2017)

¹¹ In 2016, there were 465 deportations to the Gambia from the EU (Eurostat 2017c). 2650 Gambians were ordered to leave (Eurostat 2017b).

Moreover, the perceptions of the returnees about their degree of voluntariness may change over time. This perception and place in society is compounded by the lack of employment opportunities available after return and the fact that many emigrants heavily in-debt themselves and their families to take on the journey in the first place, and thus return to a worse situation than they started with. These potentially explosive levels of frustration already hold true for returnees from Libya.

Since March 2017, the IOM has sought to voluntarily return Gambians home from Libya and at the time of writing, 788 people have returned through these channels (see Appendix 2). They motivated their return with a mixture of the gravity of their situation in Libya (the IOM effectively rescuing them from detention centres) and (to a degree) the hope that things may now be different for them in the new Gambia.

These returnees are increasingly frustrated for two reasons. Firstly, they were under the impressions that they would receive reintegration funds from the IOM. The IOM started voluntary returns from Niger already under Jammeh, with 391 returning in 2016 already (IOM 2017a), but has expanded since. They are currently in the final stages of putting together an EU-funded social and economic reintegration project for returning migrants worth € 4 million. To date, only the most vulnerable returnees were able to receive funds – 63 out of 788 according to the publicly available information (see Appendix 2). This means that the majority of the current returnees have no access to reintegration funds. The frustration levels and anger at returning empty-handed – in contrast to what they believe has been promised to them – is unsurprisingly high.

Secondly, the returnees voiced their bitterness that no member of the new government had met with them.¹² As one returnee put it, ‘It’s the old one [government] that made us run away, but [it is] the new one that isn’t delivering to youths’ (B11). One government representative, the Minister of Youth and Sports, exclaimed that the returnees would be free to come to talk to him whenever they wanted to (B15). This was, however, not the perception amongst the returnees.

The frustration at return led one returnee to conclude that ‘if this happens to continue, then we can do something crazy’ (B11). According to a Gambian blogger, these Libyan returnees, ‘complained that they were forced to return and the Government promised to help them integrate into society, but instead have

forgotten them’ (Sanneh 2017). That time, Halifah Sallah, a prominent public intellectual, who declined a seat in the new government with his People’s Democratic Organization for Independence and Socialism (PDOIS), intervened and called for dialogue instead. But the question remains, ‘what to do with the people retiring from the backway’ as Sallah pointed out in an interview with us (B13).

‘IT’S THE OLD GOVERNMENT THAT
MADE US RUN AWAY, BUT IT IS THE
NEW ONE THAT ISN’T DELIVERING TO
YOUTHS.’

MALE RETURNEE FROM LIBYA (B11)

Those Gambians currently in Europe by and large do not (yet) want to return home. Deporting them would only add to the aggrieved population. One Gambian refugee in Germany speaks of Gambians he knows, who are claiming that if they are returned involuntarily then ‘once they arrive, they will burn down the airport’ (A5). Many agreed with such argumentation, including the Minister of Youth and Sports stating that mass deportation would destabilise the new government or a development specialist who proposed that ‘bringing them back now is a recipe for violence and unrest’ (B15 and B1 respectively).

Added to this sense of unjust return are the potential psychological effects of the journey towards Europe. As one civil society actor put it, ‘by the time they reach Europe, they become different creatures altogether’ (B8).

2.3 Societal relevance

Due to the large scale of low-skilled emigration, the topic also holds a high societal interest amongst Gambians. Low-skilled emigration is, for example, a topic which is frequently picked up in social media discussions amongst youth activists. The backway embodies the very sense of hopelessness and desperation that young Gambians often feel. Discussion on social media includes the low-skilled emigrants themselves, as they are linked to the Gambia as well as to other migrants in various digital networks. These global digital networks also played a major role in voting Jammeh out of office, which directly ties the societal discourse on low-skilled emigration to political results.

Though most of the Europe-bound emigration tends to be younger, with 96% of Gambians asylum-seekers in

¹² They also complained that they had not received any health screening, which they also claim to have been promised (B11). Others we interviewed also pointed to the necessity of medical check-ups for all returnees as diseases were wide-spread among migrants in Libya (B9).

the EU in 2016 being under 34 years old (Eurostat 2017d), focusing too narrowly on low-skilled emigration as a youth problem risks forgetting the social embedding of the phenomenon. It also disengages from the reality that a functioning economy with employment opportunities is essential for all Gambians, including those who do not want to or cannot emigrate. The broad societal impact of low-skilled emigration should not be underestimated. A frequently evoked image is that of ‘empty villages’ in rural Gambia, where all young men have left for the backway.

The increasing emigration of low-skilled Gambians has changed the perception of migration of something positive to a problem. A legal officer from the African Commission of Human and People’s Rights, based in the Gambia surmises that ‘before people used to prefer to be called a migrant and not a refugee, now they prefer refugee to migrant’ (B7), suggesting the increasingly negative conceptualisation of migrants.

The current Minister of Youth and Sports even equated the backway with character assassination of the country. At a societal level, there is some awareness of the illegal business interests – including drug dealing – many Gambians take on in Europe for the lack of better alternatives. As increasing information is available on the horrors of the backway and also on the limited chances of success in Europe, there is a slowly establishing tendency for family pressure to call out against low-skilled emigration.



Figure 3: Gambian Newspaper reporting on returnees from Libya; March 14, 2017

This is also part of why some potential emigrants have faced opposition from their families who advise them not to take the backway. In some cases, therefore, migrants leave the country without the support of their families, sometimes even stealing from them in order to finance their journey.

Overall, however, the trickle down of negative connotations to the societal level is slow. Emigration in the Gambia has long been embedded in family

structures, with the expectation that especially young men provide for their wider community. If there are no opportunities to earn a living, the only option is to leave the country. Families often sell off their land, cattle or any other property or valuables in order to send the younger generation off to Europe.

Donors and the new government are scrambling to utilise the returnees from Libya to send a message about the dangers of the backway to the general public. Some interviewees argued that this approach already has results, positively associating returns with the Barrow government. Returnees themselves even argued that ‘we are the great weapon to fight the backway’ (B11).

One interlocutor, a development specialist, concluded, however, that return (from Libya) was good for changing the overall societal discourse, but bad for the individual because of social stigmas (B1). Returnees face a significant social stigma on their return. As one returnee described it, they are transformed ‘from heroes to zeros’ (B11).

RETURNEES FACE A SIGNIFICANT SOCIAL STIGMA ON THEIR RETURN.

Thus, the problem of return for many potential returnees is not (only) about fear of political repercussions, but rather the prospect of losing face in front of their families and the serious financial consequences of returning empty-handed without being able to pay off their family’s debts, let alone alleviate them from poverty (see also Altai Consulting 2016, 44).

Returns can also have another negative impact on societal discourse with regard to the potential repatriation funds, which can create mistrust and jealousy in society. This in turn could also lead to mistrust towards the new government, who may be accused of corruption and misappropriation. Beyond this, if the rumours of signing secret repatriation agreements or ‘selling the backway people’ persist, this risks destabilising the Barrow government.

2.4 Conclusion

Due to the high numbers of low-skilled Gambians leaving the country in search for employment and learning opportunities, low-skilled emigration holds high political stakes and a pivotal role for the wider societal discourse. Because of the embedding of this phenomenon in the wider current problems of the Gambia, several areas of governance also apply to it, most importantly employment creation and the

question of return. A number of preliminary conclusions can be drawn.

Firstly, it is the returnees who hold the most politicised stakes in the coming years. They are set to increase with pending returns of thousands of Gambians from the EU and the USA. A rushed return of too many too quickly could have a detrimental effect on the development of the country and also potentially lead to violent conflict.

Secondly, those who have already returned need to be given a voice so that their grievances have a constructive and ultimately peaceful outlet. One group of returnees from Libya, for example, did not have the funds to register themselves as an official youth group with the National Youth Council.¹³ Returnees risk falling into a continuum of migrant precarity – caught within a protracted precarity that spans life at abroad *and* home (as has been shown for Asian labour migrants, see Piper et al. 2017). Giving returnees political representation and a stake in the future development of their country is likely to make their shame in returning empty-handed easier to deal with.

GIVING RETURNEES A STAKE IN THE
FUTURE DEVELOPMENT OF THEIR
COUNTRY IS LIKELY TO MAKE THEIR
SHAME IN RETURNING EMPTY-HANDED
EASIER TO DEAL WITH.

Moreover, there is a strong policy focus on returnees compared to stopping people from leaving. Whilst donors may find it easier (and quicker) to fund reintegration programmes, future emigrants should not be forgotten.

Thirdly, this highlights the necessity for governance reforms that aim to address the reasons for the high levels of emigration of low-skilled Gambians more indirectly. The National Action Plan (NAP) will be launched any time soon, and should spell out the details of labour market reforms and how to build up specific economic sectors like tourism or agriculture. The NAP is a test of the commitment of the new government to address low-skilled emigration.

Fourthly, one potential policy actor that is thus-far underutilised is the local government structure, which had been politicised in the Jammeh years (see also Sanyang and Camara 2017, 8). The local government

level can also contribute to the wider public debate, the impact of which should not be underestimate.

Lastly, young people are all affected by the high rates of (low-skilled) emigration and have a strong collective voice (albeit different opinions on those who take the backway) and should therefore need to be taken very seriously by the new government. A lot needs to be done in terms of communication and transparency and (re)building trust with a generation which has never known anything else but life under Jammeh. This is why several people called for (more) opportunities for inter-generational dialogue and using all forms of media – including radios, TVs, newspapers and digital social media – to discuss the pitfalls of low-skilled emigration and the backway. Transparent communication includes a continuing focus on sensitising families and foremost, attention to why the Gambia deserves a chance to stay.

3 Highly-skilled emigration

There is a long tradition of Gambians going abroad to study or work, with big diaspora communities in places like Bristol (UK) or Chicago (USA). This has had mixed effects on the development of the country. On the one hand, the Gambia is a common example for the so-called ‘brain drain’ phenomenon. For example, for every Gambian professional nurse working in the Gambia, about two live in a developed country overseas (Clemens and Petterson 2008). A widely cited study from the early 2000s shows that the Gambia had the second largest rate (63%) of tertiary-educated population emigrants in sub-Saharan Africa (Devillard et al. 2015). Though brain-drain arguments on development are disputed amongst migration economists (e.g. Rapoport 2016), the argument is that when technically and academically skilled people leave the country, this has a detrimental effect on public goods provision. On the other hand however, these effects can be outweighed by the impact of remittances on education and poverty reduction (Bollard et al. 2011). In the Gambia, remittances make up a significant proportion of the GDP. With 22% of the GDP, it was the third highest on the continent in 2014 (World Bank 2016). For a comparison, in 2015, remittances amounted to \$181 million compared to \$10.6 million from Foreign Direct Investments (Altai Consulting 2016). The importance of remittances for the country and for a majority of families was widely acknowledged in our interviews.

¹³ In order to register their group ‘Youths against Irregular Migration’, they would need a bank account with at least 5,000 Dalasi (approx. €93), in addition to an initial registration cost of 500D (approx. €9) plus a yearly renewal of 250D (approx. €5) (B11).



In contrast to low-skilled emigration outlined above, there are some possibilities of legally emigrating beyond ECOWAS. This includes the Blue Card Scheme into the EU or the Erasmus+ programme. The only university in the country was founded in 1998, which means that historically many Gambians have studied in Senegal, Nigeria, USA or Europe. In 2016, only 126 Gambians were given resident permits in the EU for education reasons (Eurostat 2017e). Opportunities for legal migration are limited and even skilled Gambians choose to take the backway if they see no alternatives. Moreover, according to our interviews, more than just an education abroad, skilled Gambians have left the country or stay abroad because of the lack of job opportunities in the country. Even those who have jobs may leave due to the low pay and lack of benefits. The factors shaping migrants' decisions to leave are therefore similar to those of low-skilled emigrants and include an undeveloped private sector, low education standards, few jobs, as well as the cultural impetus to provide for the family.

3.1 Governance

Migration laws beyond the ECOWAS protocols are underdeveloped in the Gambia. No overarching skilled emigration policy exists, despite the large number of skilled professionals leaving the country. The National Migration Platform was never fully functional and a comprehensive migration policy is not in sight. Nevertheless, plans exist to (re-)establish an inter-ministerial committee to work on migration.

Jammeh was a strong supporter of government scholarship schemes for studies abroad, tied to a return to the country and usually a government job. Many Gambians took up the opportunity to study elsewhere, either through such scholarships or privately funded. Some ended up staying abroad after their period of study or apprenticeship, partly driven away by the

prospect of returning to and having to work for an autocratic regime. When Jammeh left the Commonwealth in 2013, he rescinded a whole range of scholarship opportunities along with this. During the two decades of his rule, much like everything else, scholarship programmes were increasingly marred in corruption and politically instrumentalised. The state of scholarship programmes under the new regime is not yet clear (see Perfect 2014 and 2017).

Legal forms of migration are, of course, a major interest for the Gambian government just as much as for Gambians themselves. After independence, it was initially a lot easier to travel abroad and only in the last two decades has access become increasingly restrictive for Gambians like for other sub-Saharan Africans (see also Flahaux and De Haas 2016). Though the Gambia is not an EU Migration Partnership Framework priority country, the stage is set for new forms of cooperation with the new government (e.g. European Commission 2017). According to our interviews, European countries and institutions have a high interest to cooperate on migration governance in the Gambia, due to the high number of low-skilled emigrants from the Gambia arriving in Europe. Nonetheless, very few African countries have signed Mobility Partnership Agreements with the EU,¹⁴ which open the possibility of easing up on legal migration for defined groups (see Zanker forthcoming). In addition, the new EU approach under the Migration Partnership Framework is explicitly tied to conditionalities relating to, for example, return (FES and CCPAU 2016), which is highly politically contentious as shown previously.

In terms of consular affairs, it is not just a question of issuing travel documents for Gambians abroad who have to return, but also regulating those who wish to (and can) travel abroad using one of the limited forms of legal access available. Many countries do not have consulates in the Gambia, and Gambians have to travel to Dakar in order to apply for visas and for some destination countries as far as Egypt, raising cost and time burdens.

Another governance approach on highly-skilled emigration is to include the diaspora beyond their impact through contributing remittances (see also Newland and Patrick 2004). Though there was a consultative meeting conducted with the diaspora in 2012 (Kebbeh 2013), the previous government had little interaction with them. The new government, in contrast, launched the 'Gambia National Think Tank' (GNTT) in June 2017, which includes members of the diaspora (Gomez 2017). The GNTT will address

¹⁴ So far this only includes Cape Verde (2008), Morocco (2013) and Tunisia (2014).

development issues, primarily through supporting and reviewing the National Development Plan 2017-2019 and thematic groups on topics like Foreign Affairs, International Relation and The Diaspora. The GNTT is also tasked with establishing a worldwide Gambian expert consultation network.

3.2 Political stakes

Gambians in the diaspora – both the highly-skilled and low-skilled – played an important role for Jammeh's electoral defeat. They were not allowed to vote but influenced the elections by other means. For one, the diaspora financed significant parts of the opposition campaign and the registration of their presidential candidate.¹⁵ But even more interestingly, they used social media tools, such as Twitter, Facebook, Instagram, Viber and WhatsApp to inform their families and friends in the Gambia about Jammeh's policies and to try to influence to vote against him. Trending twitter hashtags included #JammehMustGo, #VoteForCoalition and #GambiaDecides and helped to build up a momentum (and later #GambiaHasDecided).



Facebook groups were used to discuss the political situation, including for example the *Youth and Women's Forum*, which has more than 130,000 members. National diaspora WhatsApp Groups existed in most major destination countries to share information and come up with joint plans of how to influence the elections.

According to our interviews, for some this meant threatening to hold back their remittances from their families unless they voted for the opposition. In response to these activities, Jammeh even suspended WhatsApp a few days before the elections and when too many users used VPN access, took the entire country offline (see also Kora and Darboe 2017; Sanyang and Camara 2017).

The new government is made up of Gambians that largely remained in the country during the Jammeh era, with some exceptions including President Barrow and, for example, the Minister of Youth and Sports John Gomez who both spent time abroad. The skilled emigrants who are long established outside the country do, however, have a potential role to play due to the skills and experience they gained, and the human and financial resources they can offer. The acting Vice-President summed it up as follows, 'we have to rebuild a nation after 22 years. This brings collective responsibilities. We cannot afford to have so many of us abroad' (B21).

‘WE HAVE TO REBUILD A NATION
AFTER 22 YEARS. THIS BRINGS
COLLECTIVE RESPONSIBILITIES.
WE CANNOT AFFORD TO HAVE SO
MANY OF US ABROAD.’

FATOUmata TAMBAJANG, ACTING VICE-PRESIDENT (B21)

The diaspora community is now waiting with high expectations as to what and how the new government will deliver. Due to their role during the elections, they want to hold the new rulers to account and expect to be listened to. One way in which this could happen is through the GNTT. Diaspora members have critically remarked on the development of the GNTT and the selection of its members (e.g. Ceesay 2017). Members were handpicked without an open call for membership, evoking critique that the GNTT is shrouded by nepotism. Details of the framework, including the duration, funding, membership selection and how a government-run think tank will function, have also been questioned (see also Sharp 2017). Considering the GNTT is charged with the national development agenda, its legitimacy is of utmost importance.

Lastly, our interviewees found a key area of political interest would be getting the diaspora to invest in projects back at home in order to revitalize the private sector. One goal for the new government would be transforming remittances from paying for basic expenditures in migrant households to investments in the private sector. No concrete policy has yet been set up for this yet, but according to some interviewees, there is a great will amongst the diaspora to help rebuild the country. Though the diaspora can invest from abroad, some have already returned with others still awaiting a more stable environment for any potential investments.

¹⁵ For example, a fundraising campaign by the Gambia Democracy Fund raised more than \$70,000 for the opposition campaign: <https://www.gofundme.com/2016-gambia-coalition>.

3.3 Societal relevance

Highly-skilled emigrants hold an important role in societal discourse even from abroad. This was shown clearly through the diaspora activism during the election and transition period, outlined above. Importantly, the broad transnational communication networks were able to cross social barriers for a number of reasons. First of all, the diaspora groups calling for a regime change included both low-skilled and highly-skilled emigrants. Second, the groups had a direct link back to the Gambia, providing information to people in the country who were encouraged to use the information to act. Working together, Gambians abroad were able to be freely critical of the Jammeh regime and those on the ground were able to turn this into action.

More generally, highly-skilled emigration plays an important role in societal discourse on migration, with a positive picture largely due to the significance of remittances for migrant households. The success of many Gambian emigrants in fact explains where much of the family pressure to migrate comes from. Even for low-skilled emigrants (or skilled emigrants who get low-skills jobs), the difference in earning quickly translates into success back in the Gambia, despite low incomes by European standards.

Linked to the culture of emigration – both highly-skilled and low-skilled – is the experience of tourism in the Gambia. Tourism is one of the most important sectors in the country and has the highest share of GDP of all African countries in 2016 (World Travel and Tourism Council 2017). The tourism sector strengthens individual ties abroad, the exchange with tourists adding to the pull of western countries. Sometimes, personal relationships open up opportunities to go abroad. This link between tourism and aspirations to emigrate is found in particular in the infamous Gambian sex-industry. In one of the only studies on the topic, Nyanza et al. find,

‘For bumsters [a term to describe young Gambian men who seek out relationships with Westerners], ‘Babylon’—the emic name for ‘the West’, is a dream destination flowing with milk, honey, prosperity and wealth. This highly fantasized wealth forms the core of young men’s aspirations to travel abroad. Bumsing and sexual activity with a *toubab* [a Westerner] is believed to be the ticket out of Africa and its inherent scarcity’ (2005, 567).

This highlights the social embedding of emigration in all its shapes and forms.

3.4 Conclusion

From our interviews it was evident that managing highly-skilled emigration is lower on the list of priorities for the new government than that of low-skilled emigrants. Nonetheless, a number of preliminary conclusions can be drawn. First, though the Gambia is frequently cited as a country experiencing the pitfalls of brain-drain – and skilled people are badly needed in the barely functioning public sector – the importance of remittances should not be denied. If too many of the diaspora came back too quickly, a significant proportion of the GDP could be lost. One way to ensure that emigrants can positively contribute to the development of the country is through offering opportunities for circular migration. Like elsewhere on the continent, legal migration to Europe (and other world regions) is for the time being increasingly off the table, but regulating migration will help to steer positive effects on development.

REGULATING MIGRATION BY OFFERING OPPORTUNITIES FOR CIRCULAR MIGRATION WILL HELP TO STEER POSITIVE EFFECTS ON DEVELOPMENT.

Second, the energy and interest of the diaspora to invest in the country – both in the private sector and helping to rebuild and reform the public sector – needs to be properly channelled and utilised. The launching of a Gambia National Think Tank is a step in the right direction in order to harness expertise on development issues, but the legitimacy of a body with so much potential impact must be ensured. This also means transparency and communication for the selection of those already part of the GNTT and the future consultants so that no diaspora members feel excluded.

Lastly, the diaspora community – including both skilled and low-skilled emigrants – have close networks back to the Gambia, and this holds many promises for future interaction. The achievement of ousting Jammeh is widely perceived with pride and this momentum can be further used in the coming years to garner support for the multitude of planned governance reforms.

4 Forced emigration

Jammeh became increasingly repressive and despotic especially in the last years of his rule. By 2015, he had arrested his strongest opponent, Ousainou Darboe (now Minister of Foreign Affairs), imprisoned and tortured several members of the opposition, which even led to the death of Solo Sandeng in custody (Amnesty International 2015). The arrests, tortures and disappearances effectively undermined all freedom of expression. Under the 1951 Geneva Convention on Refugees, people persecuted by their own government due to their religion, ethnicity, politics or sexual orientation have the right to be protected elsewhere outside of their country. Many of the Gambians who left the country during this time claimed asylum. In 2016, there were 16,015 Gambian asylum applications in the EU, mostly in Italy (8,930) and Germany (5,785) (Eurostat 2017d). The rate of successful asylum applications is fairly low, however. For example, in 2016, the EU-wide recognition rate was at roughly 30% and in Germany at 11% (Eurostat 2017a).

Aside from this, when Jammeh refused to leave office in December 2016, a further 40-50,000 Gambians fled the country, mainly to neighbouring Senegal (UNHCR 2017a). Some also left urban areas for rural ones, and were therefore internally displaced (see Displaced persons below). These short-term displaced persons had already largely returned by the time the Office of the United Nations High Commissioner for Refugees (UNHCR) wanted to assist them (UNHCR 2017b).

4.1 Governance

Due to refugee protection by international law there is not much that the Gambian government can do to regulate or govern forced emigration.¹⁶ When Jammeh finally left at the end of January 2017, the general situation changed for political refugees. Consequently, some stakeholders we talked to concluded that calls for asylum are now redundant. In Germany, for example, anecdotal evidence indicates that the regime change is cited as a primary reason in rejections of some recent asylum decisions.

More practically, those Gambians who have not had their claim to asylum accepted need to wait for the issuance of identity documents from Gambian authorities. Similarly to low-skilled migrants, some of the interviewees suggested that these rejected asylum seekers should be able to participate in skills training before they return.

4.2 Political stakes

The former government – being the reason Gambians had to seek refuge abroad in the first place – did not do much to address the question of refugees. In contrast, the new government has a clear interest in distancing themselves from the former government. Reconciliation is high on the agenda in order to come to terms with the human rights violations committed by the old regime. A Truth and Reconciliation Commission is due to be launched in September 2017.

This also means the government has spent energy on trying to welcome all Gambians outside the country back – especially refugees who, they argue, can now safely return. For example, President Barrow has already made a number of symbolic acts encouraging the return of displaced Gambians, such as sending buses to Senegal to return those displaced Gambians who had fled after the post-electoral standstill (Camara and Nallu 2017). Such returns act as a way to legitimise his government as different to his predecessor.

The question now is whether refugees already feel safe to return. Notably, the ECOWAS Mission in the Gambia (ECOMIG) is still in the country and has just renewed its mandate for another twelve months. Asylum seekers are unsure about the stability of the new government, especially in relation to the potentially volatile security sector (see also Moody 2017).

ASYLUM SEEKERS ARE UNSURE ABOUT
THE STABILITY OF THE NEW
GOVERNMENT, ESPECIALLY IN
RELATION TO THE POTENTIALLY
VOLATILE SECURITY SECTOR.

As one refugee in Germany put it, ‘I need to know that the very individuals of the security unit that tortured me have been incapacitated before I can go home without fear’ (A5).

Jammeh had informants in all sectors of society. How they will use their knowledge and what this means for individuals who fled is still unclear. Moreover, though the country has no history of political tribalism, Jammeh privileged his own ethnic group, the Jola, especially in the security sector and used strong anti-Mandinka rhetoric. After his defeat, many Gambians fear that tribalism will rise, with repressions of Jolas and forms of clientelism that favour the Mandinka (Barrow’s

¹⁶ Due to this limited impact the Gambian government can have on managing refugees from the country this section is also shorter.

ethnic group). A lot will depend on the individual circumstances of the asylum seeker in question – a general answer cannot be given. The government is in a position where it wants to give the impression that it is politically safe to return, but they cannot vouch for the safety of each returning refugee.

4.3 Societal relevance

There is a high public consent that there were obvious reasons to flee during Jammeh's regime, with people regularly 'disappearing overnight' when expressing their views publicly or defying the regime in other ways. After the regime change, our interlocutors reflected that things have vastly improved, especially regarding the freedom of expression. Only time will tell what the Gambian society needs in order to overcome the traumatic experience of two decades of repressive dictatorship.

A few interviewees noted that those Gambians claiming asylum were in fact low-skilled migrants rather than genuine refugees. This assumption was, however, predominantly claimed by non-Gambians. Most of the Gambians we interviewed instead gave an impression that highlighted the blurring between economic migrants and refugees more generally. This shows that in the Gambian case, the different conceptualisations of migrants and refugees are particularly socially fluid.

4.4 Conclusion

The primary reason for many Gambians to claim asylum abroad may have become obsolete with the stepping down of Jammeh. This is also evident in a government policy of welcoming refugees back home, a strategy which uses the return of former refugees as a tool for political legitimisation. Nonetheless, a case-by case basis of reviewing refugee applications should still be applied, in order to ensure conformity with well-established international norms on refugee protection. In addition, as above, returning too many people too quickly can put an unnecessary burden on the social structures of the country, which are already struggling as it is.

5 Gambian immigration

The Gambia is now a country of emigration with a negative net migration rate. This is a change from historically being a net receiver of migration. In total, just over 110,000 people, or 6% of the Gambian population, were born outside in 2013 (Gambia Bureau of Statistics 2017b; see also Hultin et al. 2017).¹⁷ This has vastly decreased from the 12.9% foreign-born population in 1993. The higher rate at the time is explained by the 'instability in the sub-region and buoyancy of the Gambian economy' (Gambia Bureau of Statistics 2017b, 11).

Yet, the Gambia remains one of the countries in the ECOWAS region with the highest number of immigrants per capita.¹⁸ Top origin countries of immigrants in the Gambia are Senegal, Guinea, Guinea-Bissau, Mali, Mauritania, Sierra Leone. This shows that most of the immigrants in the country come from neighbouring countries, which matches the general fact that most mobility actually occurs within Africa (Flahaux and De Haas 2016). According to a series of protocols from ECOWAS starting in 1979,¹⁹ citizens have a freedom of movement within the fifteen countries, granting rights to entry, establishment and residency. Circular migration tied to seasonal labour is common in the Gambia like throughout the rest of West Africa. This stands in contrast to much of the European focus on migration, which lies on its South-North dimension.

MOST MOBILITY ACTUALLY
OCCURS WITHIN THE REGION,
WHICH STANDS IN CONTRAST
TO THE EUROPEAN FOCUS ON THE
NORTH-SOUTH DIMENSION.

Beyond regional neighbours, other immigrant communities include in particular a long-standing Lebanese Diaspora (many of whom are Gambian citizens) and increasingly Chinese and Indian nationals.

5.1 Governance

The bureaucratic governance of immigration is controlled by the Gambia Immigration Department under the Ministry of Interior. All ECOWAS citizens

¹⁷ According to the World Bank, the immigrant stock in 2013 was 8.7% (2016)

¹⁸ The Gambia is also a transit country for other West African citizens on their way to Europe (Kebbeh 2013, 11). Although no accurate figures exist on this, transit migrants are unlikely to stay for a long time in the country.

¹⁹ The 1979 Protocol A/P.1/5/79 relating to Free Movement of Persons, Residence and Establishment together with the 1985 Supplementary Protocol A/SP.1/7/85; the 1986 Supplementary Protocol A/SP.1/7/86; the 1989 Supplementary Protocol A/SP 1/6/89 and the 1990 Supplementary Protocol A/SP 2/5/90 are known as the 'free movement protocols.'

are legally allowed to enter the country, and stay visa-free for up to 90 days. Non-ECOWAS citizens need a visa in order to enter the country.²⁰ To remain in the country a residency permit is required, with a difference in costs for the type of permit (student/retired person/working) and for ECOWAS/non-ECOWAS citizens. In addition to the residency permit, non-ECOWAS citizens need to apply for a so-called ‘alien permit’ sometimes referred to as the ‘alien levy’. All permits need to be renewed each year and evidenced with corresponding ID cards.

A Biometric Identity System was launched by the government in 2009 to capture biometric details for all citizens and immigrants in the country. Though by 2012 over 300,000 ID cards had been issued, the project was stopped in January 2016 due to funding problems (Jobe 2016).

Additionally, employers need to pay an annual fee if they employ non-Gambians including ECOWAS citizens, known as the expatriate work quota. This, of course, discourages the employment of non-Gambians, especially in low-skilled sectors. Overall, the differentiation between the various types of residency and alien permits are not well known, with many conflicting interpretations. Even ECOWAS residency permits were reportedly not issued for a number of years, due to the lack of correct paper to print ID documentation (on bureaucratic capacity limitations and the creation of political subjects see Hultin 2008).

Immigrants in the country have a right to become naturalised Gambian citizens after they have legally resided in the country for a period of 15 years (or have been married to a Gambian for 7 years). Jammeh complicated these laws and especially dual nationality is difficult to gain. Consequently, the citizenship regulations are legally unclear – with a contradiction between the constitution and later legislation on it (Manby 2016).

In terms of policy creation, several interviewees mentioned that skills training for Gambian nationals is also necessary because currently many vocational jobs are carried out by West African neighbours (especially Senegalese). According to the 2013 Census, most immigrants are tied to the tourism industry. Accordingly, 40.9% of the non-Gambian population work in the ‘Wholesale, Retail, Restaurant and Hotel’ sector (compared to 16.1% of Gambians) followed by 18.2% of non-Gambians working in the ‘Agriculture,

Hunting, Fishing and Forestry’ (though here 43.1% of Gambians are employed) (Gambia Bureau of Statistics 2017a). This means that if training in vocational skills and the tourism sector is effectively carried out by the government (and development partners), this might have an effect on the position of immigrant workers in the country.



Currently, there are few reported problems of xenophobia (see below), though on an ECOWAS level protecting migrants is a priority. This includes the call to formulate an active integration policy for migrants from ECOWAS Member States and to combat exclusion and xenophobia (Action Point 2.5 ECOWAS 2008).

Integrating immigrants is part of a common approach to migration, established by ECOWAS in 2008. The approach seeks to initiate a ‘strategic thinking process’ for defining a regional approach to migration. The document highlights the link to development, with special attention to the gender dimension, human trafficking and managing legal migration. It is unknown if the new government has taken up communication with other ECOWAS states regarding this initiative.

5.2 Political stakes

The ECOWAS as a governing body holds high symbolic stakes for the new Gambian government because of the role in helping to secure former President Jammeh’s leave. Nonetheless, this stake does not translate into high political prioritisation of dealing with immigration, and in particular ECOWAS immigration. Few of those interviewed even mentioned immigration as a type of migration to consider. Partly this may be because the non-controversial nature of this type of migration –

²⁰ With the exception of Commonwealth citizens or countries with reciprocal visa abolition agreements with the Gambia. The new government has already announced that it will re-join the Commonwealth which means that Commonwealth citizens can once again travel visa free into the country.

culturally embedded and theoretically well regulated under ECOWAS and generally positively received.

Overall, however, ECOWAS agreements are not well implemented (see also Boulton 2009; Parkes 2017). None of the people we explicitly asked about the ECOWAS Common Approach on Migration, for example, had ever heard of it. Corruption at border controls further impedes the implementation of free movement (see also Lar 2008). Like other governments in the region, not much is done in the Gambia to better implement ECOWAS migration policies.

The common agenda on migration from ECOWAS states that the free movement ‘has contributed to the reduction in the migratory pressures beyond ECOWAS’ (Section 1.2 ECOWAS 2008), showing the relevance ECOWAS regulations potentially have. In order to deal with the high levels of low-skilled emigration towards Europe – a phenomenon which is found across the entire ECOWAS region – a joint policy on how to deal with the external border to Algeria and Libya (see Figure 2) could become more important in the future.

5.3 Societal relevance

Some former immigrant communities are long well established in the country, including, for example, the Creole Aku people from Sierra Leone who have been living in the country for decades, going back to joint colonial ties (see also Carpenter 2011). Generally, our respondents stressed that immigrants are welcomed in Gambian society and are well integrated. According to the British ambassador, in that respect, ‘The Gambia is a role model of tolerance’ (B12).

‘THE GAMBIA IS A ROLE MODEL
OF TOLERANCE.’

BRITISH AMBASSADOR TO THE GAMBIA (B12)

Though like elsewhere blaming crimes on immigrant population does exist (Hultin 2008), hospitality is still an important cultural ideal in Gambia. There is little evidence to the contrary, with few incidents reported of xenophobic attacks.

Interestingly, the ECOWAS mobility also means that low-skilled emigrants come from other West African countries in the hope of finding employment, or as one Gambian expressed it, ‘we have poverty migrants from Guinea’ (A6). For the first time in the last census, immigrants were asked why they had come to the country in the last population census: 29.6% came to look for employment (with 23% following families and 21 % immigrating

because of marriage) (Gambia Bureau of Statistics 2017b). It is only with the dire economic situation in many West African countries, that increasingly such low-skilled emigrants tend to go further north.

On a governmental level, matters were more extreme during the Jammeh era, with strong rhetoric against immigrants. In 2012, for example, Jammeh launched the ‘Operation Bulldozer’ with the aim of ‘weeding the nation of criminals’ in response to the killing of a British national by a group of Nigerian men (Fadera 2012). It is unlikely that such type of response will occur under the new government.

5.4 Conclusion

When the low population is considered, the Gambia is one of most significant countries of immigration in the region along with Cote d’Ivoire (e.g. Devillard et al. 2015). However, when only considering raw numbers, migration to the Gambia pales in comparison to countries like Nigeria, Ghana, or even Senegal. This makes it on the whole a politically relatively neutral topic. A number of initial conclusions can be drawn.

Firstly, for the time being, the vocational skills of labour migrants from neighbouring countries are needed, though this could change with increased skills-training as a major area of investment for the future. Secondly, the bureaucratic governance of immigration is quite complicated, and could do with some streamlining.

Thirdly, the Gambia, like the rest of the ECOWAS region, could do more to actively support the mobility norms enshrined in its protocols, including aiming to get more accurate data on the topic. Whilst the freedom of movement also makes migration figures difficult to trace, more understanding is needed on the way such – often circular – mobility works. A positive step is asking about the motivations to migrate in the last census which gives a better understanding of the types of immigration to the country.

A functioning ECOWAS mobility also has further implications. Due to the precarious nature of the backway, migrants are unduly put into increasingly dangerous situations. Therefore, like the common approach on migration states, a functioning ECOWAS could also alleviate the pressure to try to move to Europe.

Lastly, the positive societal reception of immigrants is exemplary and should be highlighted as such. It also applies to refugees residing in the Gambia.

6 Displaced persons in the Gambia

The Gambia has hosted a relatively large number of refugees in the past. During the 1990s, many refugees fleeing from civil war in Liberia (around 2,000) and Sierra Leone (around 7,000) sought protection in the Gambia. A 1969 Convention from the Organisation of African Union (OAU) expands the definition of refugees of the 1951 Geneva Convention (and the additional 1967 Protocol), also covering entire groups of people who have to flee their country (Article 2, Convention Governing the Specific Aspects of Refugee Problems in Africa). This Convention offers a legal framework for a *prima facie* acceptance of refugee status on the basis of conflict in their country, rather than dealing with asylum cases individually.

The influx of refugees has reversed over time. According to the migration report of the census, the negative net migration rate (see above) can in part be accredited to the returns of many refugees after regional civil wars ended in the early 2000s (Gambia Bureau of Statistics 2017b). Today, both rural and urban refugees remain in the country – each with their own sets of challenges. By the end of 2016, there were a total of 7,940 registered refugees in the Gambia, including 7,470 from Senegal, 192 from Cote d'Ivoire and 278 from other places including Liberia, Sierra Leone and the Democratic Republic of Congo (personal communication Head of UNHCR Field Office).

Most refugees in the Gambia today are from the Casamance region in Senegal, where a low-intensity independence conflict has been ongoing since the 1980s, making it the longest running conflict in Africa (see Evans 2007). For many years, those refugees moved back and forth between Senegal and the Gambia depending on conflict waves. In 2006, nonetheless, a large number came to the Gambia permanently and were issued refugee identity cards for the first time (Hopkins 2015).

UNHCR has a small field office in the Gambia with the Gambia Immigration Department legally responsible for refugees. In 2008, the Gambia Commission for Refugees was established. The Commission coordinates and manages refugee affairs in the Gambia.

The Gambia has no internally displaced populations. During the transition period after Barrow had been elected, there was a large number of internally displaced Gambians who left their homes in fear of

violence (Kora and Darboe 2017). They quickly returned home after Jammeh left the country.

6.1 Governance

Legislation on displaced people, the 2008 Refugee Act, is a success with unanimous acceptance from the Parliament, not least due to the pressure from the local UNHCR staff. The Refugee Act follows the OAU Convention in its definition of a refugee and includes both *prima facie* recognition of persons belonging to a particular class or nationality as well as the possibility of deriving a refugee status from a family member whose refugee status has already been recognised.

Refugees in the Gambia have a number of rights. For example, they do not need to pay the annual residence fees (see Immigration above). The Refugee Act also gives refugees the right to 'engage in wage-earning employment or self-employment', freedom of movement and 'access to social amenities'. These rights are rather vague, however, and therefore open to competing or inconsistent interpretations (Hopkins 2015). For example, employment rules for refugees remain complicated. Though we were told that refugees can work – with many self-employed as tailors, petty traders or tilers or even as teachers – there are technocratic and communication hurdles on both the refugees and the employers' side. Refugees allegedly need to apply for the additional alien permit to work in the formal sector (Hopkins 2015), though employers don't need to pay the expatriate quota for hiring refugees, which is very expensive especially for non-ECOWAS citizens.²¹ Much like for immigration discussed previously, the information on employment is unclear and contradictory.

In terms of accessing healthcare and education, policies on these were continuously re-negotiated under Jammeh because officials changed frequently. For example, the UNHCR eventually signed an agreement with the Ministry of Health whereby refugees would pay local rates for healthcare. According to the Gambian Commissioner for Refugees, negotiations have now been taken up again with the new Ministry in order to ensure that this policy is not reversed (B16). Local tariffs for healthcare became increasingly important when refugees changed from camps to self-settlement.

²¹ But employers reportedly avoid employing refugees because of the expatriate tax. It remains unclear if employers actually were unaware of not having to pay/pay less or use this as an excuse not to employ refugees (see Hopkins 2015).

6.1.1 From camps to self-settlement

In the early 2000s, there were five refugee camps in the Gambia, in Kwinella, Bambali, Sifoe, Kitti and Basse. The *prima facie* refugee status for Liberians (in 2012) and Sierra Leoneans (in 2008) ended with the tripartite cessation agreements (between UNHCR, the Gambia and the country of origin) and along with it the entitlement to protection and assistance. This made the camps obsolete and by 2005, all camps were closed. Even prior to this, many refugees voluntarily repatriated or chose to live in urban areas instead of the camps.

The new wave of refugees from the Casamance region in 2006 were not placed in refugee camps. The former camps in Sifoe and Kitti were too close to the border, encouraging incursions from rebels and would not have adequately protected refugees under international norms (Hopkins 2015). Other camps on the North Bank of the Gambia River were located far away from the border, however, with refugees refusing to go there since this hindered their mobility and cultural integration. For the Casamançais, settlement in the southern areas makes sense in light of ethnic and cultural homogeneity in the region. The ensuing self-settlement was therefore partly a result of the behaviour of the refugees themselves but is considered to be one of the most viable options to house refugees (Bakewell 2014).

Most Casamançais refugees live in a cluster of 86 border villages up to today. Though food and material assistance has been downscaled since 2010, other opportunities such as skills training are still available through the Gambia Food and Nutrition Association (GAFNA), an NGO which provides much of the support to the refugee population. Due to the cultural similarities and common livelihood strategies of both the host and the refugee population, the refugees are on the whole well integrated.

DUE TO THE CULTURAL SIMILARITIES
AND COMMON LIVELIHOOD
STRATEGIES OF BOTH THE HOST AND
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In addition, the local governance structure is highly involved in dealing with these refugees – predominantly through village chiefs or Alkalos. The Alkalos register the refugees and act as a go between the refugees themselves and the support institutions. In return for

their work, they are given compensation including, for example, donkey carts. The refugees also receive a plot of land to live on and to farm, and GAFNA is now working on the transfer of ownership. Refugees can become involved in the political structures of their village (as elders), though they cannot become an Alkalo (in any case a predominantly male prerogative) (see also Ray 2017).

The urban refugees are self-settled and much harder to govern. They have the same basic rights as all refugees (access to healthcare and education) but do not receive systematic aid like the rural refugees. They have to find their own accommodation and pay their own rent, but also have more opportunities to gain employment (Hopkins 2015). On the whole, according to the Head of GAFNA, they are potentially a very vulnerable population, who ‘have to fend for themselves’ (B8).

6.1.2 Integration as a durable ‘solution’

Durable ‘solutions’ for refugees in the Gambia, like elsewhere, focuses on the triad of voluntary repatriation, integration or resettlement (see also Long 2014). Very few refugees have the opportunity to resettle in a third country, though this is a preferred option of many. Some Liberian and Sierra Leoneans chose to return to their own country and received formal assistance for this.

A large number of Sierra Leonean and Liberian refugees, however, decided to locally integrate in the Gambia after the cessation agreements. The Sierra Leonean community, in fact, has quite a long history of settlement in the Gambia, dating back to colonial times. An ECOWAS memorandum on refugees from 2007 eased the local integration process, giving refugees from other member countries the right of residence, establishment and work in the whole region.²² Additionally, UNHCR carried out a local integration initiative all over West Africa for Sierra Leonean and Liberian refugees (Boulton 2009).

Since the Casamançais refugee population cannot yet return home, policy efforts now focus on their long-term residency permits and even naturalisation. As many of the refugees still plan to return home one day, most do not want to change their citizenship, especially considering the rights tied to their refugee status. According to an UNHCR field office representative therefore, refugees in the Gambia are socially, culturally and economically well integrated, just not legally (B4). The long-term aim is for local integration to replace the need for refugee statuses and for the eventual closure of the UNHCR field office.

²² The Memorandum states if ECOWAS provisions overlap with international law, the most generous one will apply.

6.2 Political stakes

Due to the relatively low number of refugees (2.1% of the immigrant population according to the Gambia Bureau of Statistics 2017b, 25) or rather the very high numbers of low-skilled emigrants, the attention is largely elsewhere. So far, refugee protection is not politically contested. Even under Jammeh, a new Refugee Act was enacted in 2008 and the government-led Gambia Commission for Refugees set up as a result. A new Commissioner, Ms Jallow, was appointed to the Gambia Commission for Refugees in May 2017. This was due to the retirement of the previous one, rather than a politically motivated decision by the Barrow government. By her own admission, the interaction with the government has been minimal for Commissioner Jallow so far, since the new government priorities lie elsewhere (B16). No board meeting of the Commission has yet taken place.

There are several areas in the protection regime of the remaining nearly 8,000 refugees in the country, which may prove as tricky in the longer term. First, there are indications of shadow numbers of many more refugees than those formally registered (e.g. Hopkins 2015; Carpenter 2011). If there is a much higher number of refugees than assumed, this could send political shock waves. Second, and most significantly, Jammeh is widely accused of having (indirectly) supported Casamançais independence fighters. Consequently, his support of refugees is interpreted as instrumentalising them to beef up his own political support. If the conflict heats up again, Casamançais refugees residing in the Gambia may become political pawns with the new government expected to act much more in line with the Senegalese government.²³ For the time being, the Casamance conflict shows no sign of resolution (Corey-Boulet 2017).

PROTECTING THE REMAINING
8,000 REFUGEES IN THE GAMBIA MAY
PROVE TRICKY IN THE LONG TERM.

The current emphasis lies on integrating refugees – especially those from Senegal – with refugee-rights negotiations continuing to focus on loosening the hard citizenship criteria for naturalisation, for which 15 years of residency permit is needed. UNHCR has negotiated with the government that refugee identity cards can also be used as a proof of residency. The problem is, however, that the Casamançais refugees have little

interest in giving up their Senegalese nationality. This is similar for Liberians and Sierra Leoneans – who, despite the offer for naturalisation in the Gambia just as in other West African countries, declined this, preferring to keep their own nationality (Boulton 2009; see also Rudolf 2016 on the national identity of Casamançais refugees in the Gambia).

6.3 Societal relevance

The refugee population is on the whole well integrated, raising little societal tension. In urban areas, any conflict are standard ones like arguments with landlords over the payment of rent. The immigration police has received training on the status of refugee identity cards so as to treat the population respectfully. Due to the societal acceptance and the rights for refugees, the Head of the UNHCR field office noted that ‘the Gambia is heaven for refugees’ (B4).

The Casamance population, largely based in the rural areas, are well integrated due to a shared cultural and ethnic heritage, as previously noted. Nonetheless, the host societies in the rural areas in fact struggle to provide for them (see also Hopkins 2011). Being poor and dependent on subsistence farming themselves, is why NGOs in conjunction with the UNHCR decided to split up who would focus on providing aid for the refugees (UN Organisations including the World Food Programme) and the host communities. Moreover, some provisions are meant for the entire communities such as wells and communal gardens. This effort has helped to largely avoid conflict in the host community.

Some Casamançais refugees have been accused of frequently going back over the border to collect firewood or harvest their farms. Such circular migration contravenes the protection they are seeking as a refugee. The Commission for Refugees is now advising the Casamance refugee population that if they cross the border they will lose their refugee status. Observers note, however, that most of such cross-border movement have ceased since 2006, due also to the increased presence of Senegalese military in the Casamance area (Hopkins 2015).

The former President Jammeh is widely purported to have supported both the Casamançais rebels and the refugees in his own country, who are of the same ethnic group as him, the Jola. His home village Kanilai is close to the border (Ray 2017). There are also accusations that he freely gave out naturalisation certificates and voter cards to increase his own popularity. Whilst such claims

²³ The foreign policy on the Casamance under Jammeh was officially one of trying to maintain the status quo so as not to further jeopardise tense relations with Senegal (Ray 2017).

are difficult to prove, they are embedded in popular discourse. So far, no widespread backlash against the Jola/Casamançais refugees can be observed, but it is possible that this will develop in time.

6.4 Conclusion

The Gambia has very progressive refugee protection laws and practice, including opportunities for self-settlement in urban and rural areas and the right to work as well as – albeit increasingly restrictively – access to education and healthcare. The country has a Refugee Act, which sets up a Commission for Refugees. Despite some technical shortcomings, the act is a success for refugee protection. The strong protection is also tied to the ECOWAS protocols on the freedom of movement.

Though Jammeh was accused of having political motivations to support refugees (due to the Casamançais being from his own ethnic group), it also legitimised his image as a protector of vulnerable populations. To what degree the new government will continue to go down this vein remains to be seen. A number of conclusions can be drawn.

Firstly, the local integration of Casamançais refugees at the southern border of the Gambia to Senegal is working well with the involvement of the local governance structure and especially the Alkalo system. Though Alkalos are traditionally based on family lineages, post-independence they started being elected in an effort to democratise this traditional form of authority. Under Jammeh, some of the elected Alkalos were replaced by political appointees. The new government has yet been able to carry out elections of Alkalos (with the exception of reinstating some Alkalos that Jammeh had replaced, see The Point Newspaper, 2017). More could be learnt from this governance structure, with implications also for other forms of migration. In a completely different setting – in a German asylum seeker centre - an elected Alkalo system was put into place with great success of hugely reducing conflict and allowing for forms of self-organisation and empowerment.

Secondly, the concentration on local integration and the cessation agreements with Liberia and Sierra Leone led to the sense that on the whole refugees are no longer an issue in the Gambia. Organisations like GAFNA are thus looking to redefine themselves focusing on vulnerable populations like returnees or those who are stateless.

7 Major findings

Migration plays a major political and societal role in the new Gambia. First, most politically volatile is low-skilled emigration especially to Europe in search for employment and learning opportunities. With European countries dealing with record numbers of migrants and right-wing backlash, European policy makers are increasingly fixated on return. Uncoordinated returns, however, can have detrimental consequences for a country like the Gambia. Managing the inevitable returns holds the most politicised stakes in the coming years. The return of too many too quickly could have a harmful effect on both the development and stability of the country.

Second, managing highly-skilled migration is not (yet) high on the list of priorities of the new government. Cooperation with Gambian experts worldwide is nonetheless pursued on the highest political levels. The strong transnational, pro-democratization networks of Gambians abroad hold many promises for future interaction.

Third, there are also many Gambian refugees and asylum seekers abroad. The primary reason for claiming asylum may have become obsolete with the regime change, though much will depend on the individual cases. The new government pursues a policy of welcoming back former refugees, which legitimises them as a change from the Jammeh era.

Fourth, despite a considerable number of immigrants in the country, it is a politically relatively neutral topic, in all likelihood due to the ECOWAS freedom of movement protocols. Nevertheless, these regional migration frameworks are only partially implemented like most ECOWAS countries.

Finally, whilst the Gambia has very progressive refugee protection laws and practice, the new government does not prioritise their management. Refugee inflows have nearly stopped and the number of refugees have greatly reduced in the last years. The exception are refugees from Casamance in Southern Senegal, which could be affected by the loss of their patron Jammeh who is said to have instrumentalised this group for his own political benefit. In terms of the governance, stakes and societal discourse on migration, several conclusions can be drawn, discussed below.

7.1 Migration governance

Many of the interlocutors found that whilst governing migration was important for the new government, it was by no means the top priority. There are manifold challenging reforms that the Gambian government has to tackle, crippled by the weak administrative and government institutions it has inherited. This makes the implementation of any reforms and governing instruments immensely challenging.

Moreover, whilst a comprehensive migration policy is important, it is difficult to design, not least because of the complex nature of the migration-development nexus. Emigration significantly adds to the development of the country through remittances, but at the same time, human resources are needed to rebuild the country. One step forward is to try out different approaches. Decentralising elements of migration governance to, for example, the local level could be an effective way forward. The case of integrating refugees overseen by local Alkalos already gives a positive example of how this can be done.

Furthermore, with development money and investments flowing to the country, not only government projects (on skills training, return and reintegration) should be financed, but opportunities should be made available to the slowly re-emerging civil society sector. Spreading the responsibility of migration governance not only gives credence to the deep knowledge on the complex issues of migration in civil society, but is also necessary in order to allow for the local ownership of migration governance.

All eyes are on the National Action Plan, which should address many of the governance issues that affect migration and especially low-skilled emigration. The biggest task is revitalising the economy and building up a viable labour market as well as better access to education and skills training. This with no doubt will take time and patience, which must be practised not only by Gambians but also from international stakeholders.

In the global interconnected world, Gambian migration cannot be solely governed from within the country, and needs to be addressed regionally and internationally. Regionally, ECOWAS and the AU offer some potentially sophisticated instruments for governing migration – through the freedom of movement protocols and additional mechanisms and frameworks to protect displaced people and migrants. Nevertheless, these are little known and hardly implemented. The Gambia, like the rest of the ECOWAS region, should more actively support the

mobility norms enshrined in its protocols, including a stronger focus on data collection. This also includes the bureaucratic governance of immigration, which is complicated and should be streamlined so that at a minimum the rules and regulations are transparent and well-known.

GAMBIAN MIGRATION CANNOT BE
SOLELY GOVERNED FROM WITHIN
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Internationally, first of all, Gambians with a pending asylum status must be guaranteed an individual review process as ensured by international refugee protection laws. Moreover, painstakingly obvious but politically immensely controversial is the creation of legal forms of migration. Without legal opportunities to access education and labour markets abroad, irregular travel routes will continue at grave humanitarian costs. In addition, uncoordinated large number of returns of Gambians can carry detrimental consequences for the country. Ideas for slowing down returns with short-to-medium skills training programmes in host countries should therefore be seriously considered.

7.2 The political stakes of migration

Without a doubt the major political stake in the Gambia is the question of returns. This includes not only low-skilled Gambians but also skilled ones and former refugees. Different complexities need to be kept in mind for each. For Gambian refugees abroad, whilst the new government is keen to open their arms to them – not least in order to distance itself from the Jammeh regime – a blanket guarantee for their safety is not possible.

Regarding the highly-skilled emigrants, the new government must meet a careful balance between reaching out for their contributions and accepting the reality of how important remittances are. Inviting skilled emigrants to invest financially and intellectually in the new country must be done in a transparent and inclusive manner.

As for the low-skilled emigrants, returning them too quickly in large numbers can have huge consequences for tiny Gambia. Such mass returns could negatively affect not only the development of the country but also potentially risk conflict from a frustrated group who face a significant social stigma on return. This is especially pertinent for involuntary returns. Importantly, returns

without a change in daily reality will do little to disincentivise Gambians from re-migrating to Europe.

RETURNS WITHOUT A CHANGE IN
DAILY REALITY WILL DO LITTLE TO
DISINCENTIVISE GAMBIANS FROM RE-
MIGRATING TO EUROPE.

At the moment, returning Gambians risk falling into a migrant precarity continuum. Increasingly, organisations like the IOM receive development funds, reflecting the recognition that returns need to be supported with a long-term perspective. This has two implications. For one, it is a reminder that best practices in development should not be undermined or co-opted by vested political interests. In other words, political interests of return – especially from the Global North – should not prevail over achieving sustainable development. Second, the political nature of return should not be overlooked. This means that returnees should be given avenues for their own political representation.

7.3 Societal discourse on migration

The overall positive societal reception of immigrants is exemplary and also applies to refugees residing in the Gambia. Beyond this, the stakes and governance of migration are intricately embedded into the broader societal discourses on migration. The pull of Europe as “Babylon” embedded to the strong tourism sector in the country cannot be overestimated. For many Gambians, therefore, conceptual categories like refugees or migrant are socially fluid – despite their political and legal differences.

CONCEPTUAL CATEGORIES LIKE
REFUGEES OR MIGRANT ARE SOCIALLY
FLUID – DESPITE THEIR POLITICAL AND
LEGAL DIFFERENCES.

Many of the interviewees reiterated that an entire mind-set regarding emigration needs to be changed, which also includes migrant families. Aside from highlighting the limited chances of success in Europe and the dangers of the journey there – which is already being carried out to a degree – a discourse on the reasons to stay in the Gambia also needs to develop.

In line with this, the government needs to continue improving their communication strategies. During the momentous ousting of Jammeh, a transnational network with Gambian emigrants and activists in the

country was used very successfully. The communication facilities such a network provides can and should be utilized to add to the societal discourse on migration. Though digital social media is of increasing importance in the country, other forms of media should not be disregarded. This is especially the case for radio, vital in a country with high rates of illiteracy.

Uncertainties like, for example, rumours on repatriation agreements lead to distrust and jeopardise the fragile new democracy. Regular press conferences are a good start. Moreover, in addition to tapping into the transnational communication networks, utilising the sub-national level of governance would also be a step towards a transparent, rich and balanced societal discussion on migration issues in the Gambia.



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9 Appendix

Appendix 1: Overview of Interviews and Focus Group

Date	Interviewee	Organisation / Profession	Code
27.04.2017	Louise Hunt	Journalist	A1
04.05.2017	Julian Staiger	NGO advocate	A2
05.05.2017	Ahmed Bugri	Diaspora Leader	A3
09.05.2017	Charlotte Ray	Academic	A4
14.05.2017	Gambian refugee	Journalist	A5
17.05.2017	Kawsu Drammeh	Diaspora	A6
23.05.2017	Kalilu Banja	Diaspora	A7
24.05.2017	Gambian refugee	Youth and women's rights activist	A8
29.05.2017	Andrew Sylva	Gambia-EC Cooperation	B1
29.05.2017	Ismaila Jarjou	United Purpose	B2
30.05.2017	Bashirou Garba-Jaump	United Nations Development Programme	B3
30.05.2017	Sekou Saho	The Office of the United Nations High Commissioner for Refugees (UNHCR)	B4
30.05.2017	European Member State Representative	Head of a European Embassy	B5
31.05.2017	Usain Yabo	The Association of Non-Governmental Organizations in the Gambia (TANGO)	B6
31.05.2017	Legal Officer	African Commission on Human and Peoples' Rights	B7
31.05.2017	Yusufa Gomez	The Gambia Food and Nutrition Association (GAFNA)	B8
31.05.2017	Lamin Darboe	National Youth Council	B9
01.06.2017	Attila Lajos	EU Ambassador to the Gambia	B10
01.06.2017	Focus Group	Returnees from Libya	B11
01.06.2017	Colin Crockin	British Ambassador	B12
01.06.2017	Halifah Sallah	Public Intellectual	B13
02.06.2017	Edrissa Sanyang	Diaspora Opposition leader	B14
05.06.2017	John Gomez	Minister of Youth and Sports	B15
05.06.2017	Hulay Jallow	Gambia Commission on Refugees	B16
05.06.2017	Civil society member	Human Rights NGO	B17
06.06.2017	Abdou Touray	United Nations Development Programme	B18
06.06.2017	Sanna Camara	Journalist	B19
07.06.2017	Hassoum Ceesay	National Museum of Gambia	B20
07.06.2017	Fatoumata Jallow-Tambajang	Acting Vice-President	B21
05.07.2017	Richard Danziger	Regional Director International Organization for Migration (IOM)	C1
14.07.2017	Mbemba Jabbi	Diaspora leader	C2
18.07.2017	Haddy Sarr	Academic	C3

Appendix 2: Overview of returned Gambians from Libya between March and June 2017

Date	Number of returned Gambians	Reintegration Assistance	Source
9 th March	141	12	IOM
4 th April	170	25	IOM
27 th April	168	26	IOM
23 rd May	171	No information	IOM
8 th June	138	No information	IOM
Total	788	63	

