

# The back way to Europe: Gambia's forgotten refugees

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The distinction between a refugee and other irregular migrants coming from the Gambia is hard to maintain in a country where a lack of democracy is accompanied by failures of economic and political governance.



Rome, Italy. Photo: Mohamed Keita

The Gambia, a tiny coastal nation in West Africa trimmed by white sand beaches and surrounded by Senegal on its land borders, is full of contradictions. A flourishing tourism sector stands in contrast to widespread poverty, unequal access to services, and Yahya Jammeh, Gambia's erratic leader who has been creating [headlines](#) in the run up to the December Presidential elections. Human rights abuses are widespread, real and deadly in the Gambia. The situation for [activists](#), [politicians](#), and [journalists](#), is getting increasingly precarious, aggravated by an abortive coup attempt in December 2014, where three soldiers were [sentenced to death](#) in a secret trial.

Yet in the tumultuous landscape of European refugee politics today, irregular migrants from West Africa are at the bottom of the food chain, most likely to be dismissed as 'economically' driven migrants searching for a better life. In fact, the distinction between a refugee and other irregular migrants coming from the Gambia is [hard to maintain](#) in a country where a lack of democracy is accompanied by governance failures impacting the entire country on a political as well as economic level.

"I was beaten real bad. I was electrically shocked. My arm broke. They hit me with a gun on my forehead. I was nearly dead," says journalist and refugee Baboucar. "You are free if you support the President. But if you are a human rights activist, or you are a journalist, or you are a politician, you are oppressed."

Forced to flee the Gambia, Baboucar remains in Senegal, considered under EU law as a 'safe third country'. By staying in Senegal, Baboucar is the exception, not the rule. From 2013 to 2014, Gambian asylum applications in Europe rose by 198%. With a population of only 1.9 million, Gambian nationals made up 5% of the total 153, 850 people who arrived by sea to Italy, and 10% of Italy's asylum applications [in 2015](#). Comparatively, UNHCR figures show that there are only 41 recognised Gambian refugees in Senegal, with 177 asylum applications pending in

2014. In 2015, the number of Gambians lodging asylum claims in Senegal was even less, with only 102 applications. The huge disparity of figures suggests that the majority of Gambian refugees and other irregular migrants continue their journeys Northwards.

### **Secondary movement to safety**

The phenomenon of onwards movement from certified safe third countries poses a significant challenge for the EU protection system. Receiving countries tend to view asylum seekers who have travelled long and convoluted routes as more opportunistic and thus [less worthy](#) of protection. To get to Europe, Gambians must take the long and clandestine ‘back way’, beginning with the Western Saharan route in Senegal, and ending with the Central Mediterranean route from Libya to Italy, where [80% of deaths](#) in the Mediterranean occur. Countless others disappear into [Libyan immigration detention centers](#), or into the sands of the Sahara. Still, the rationale goes: the more countries the individual has passed through, the more opportunities to rebuild a life in safety have been cast aside.

This argument disregards the very strong push factors motivating individuals to continue their journey onwards. For Baboucar, life in Senegal is fraught. “If I’m certain that I would feel safe in Senegal and I would have a good career, I would stay. But right now, I feel hopeless here.”

Although Senegal is party to the [1951 Refugee Convention and the accompanying 1967 Protocol](#), refugees in Senegal face continual hardship. The Senegalese asylum system is paralysed by a lack of personnel and a highly inefficient process. At the start of [2014](#), 182 Gambians requested asylum, but only 40 cases had been processed, and 27 granted refugee status. Hardly surprising, given that one member of the [National Commission for Eligibility \(NCE\)](#) is responsible for the preliminary screening of applicants. Although Gambians are granted refugee status at a higher rate than other nationalities, many chose secondary movement over a chaotic asylum process that can take years.

Senegalese asylum law does not specify how long an application should take, and it is common for asylum seekers to wait up to three years for their application to be processed. In the mean time, asylum seekers are left to fend for themselves. “I don’t get anything, I don’t have any support,” says Djibril, a refugee. Without the ability to legally work during their application, and no support to speak of, some see taking the ‘back way’ as their only option. “A former Gambian soldier [persecuted by the regime] was living on the streets for one month,” says Ebrima, who works in an NGO providing assistance to Gambian refugees. “He asked for my help, so I gave my own money to help him pay rent. He was suffering from post-traumatic stress...He said he’s going to take the back way.” Even after asylum status has been granted, problems arise. Senegalese banks and employers rarely recognise the legitimacy of refugee identity cards, depriving access to the labour market, which pushes individuals into illegal work and makes them vulnerable to abuse and exploitation.

Beyond the structural problems Gambian refugees face within Senegal, many of them simply feel unsafe in the country. Reports of abduction and intimidation are widespread. “I receive calls to my mobile phone, telling me they are coming to find me,” says Awa, “I had to change house many times in Dakar.” Several Gambians say they managed to escape abduction attempts by men they believed were part of the [Gambian National Intelligence Agency \(NIA\)](#). Reported sightings of potential NIA agents outside the National Commission for Eligibility acts as a strong deterrence to submit asylum applications for Gambian refugees already living in fear, where President Jammeh’s iron grip extends across the porous Senegambian borders. Indeed, Jammeh has accused Senegal on several occasions of “[harbouring dissidents](#)”. Moreover, the culture of fear in Senegal has traumatised Gambian refugee populations to the extent that they are weary of attending gatherings with other Gambians. “I don’t trust anyone,” says Djibril, “there are a lot of spies working for the Gambian government in Dakar.”

### **So what is being done?**

Southern Europe is feeling the pressure of increasing irregular migration flows from North Africa. As deportations

from Greece come into full effect under the [EU-Turkey](#) deal and smuggling networks from Turkey begin to falter, Italy is seeing a surge of arrivals by sea. Italian Prime Minister Renzi's recent '[Migration Compact](#)' proposes to adopt similar mechanisms to control undocumented African migration to their shores by signing deals with third countries on the African continent. Renzi's proposal ignores initiatives that have already attempted this method – the Valetta Summit's 1.8 billion Emergency Trust Fund for Africa, for example. Rather than creating new and expensive ways to tackle irregular migration, creating incoherence in terms of policy goals as well as being highly inefficient, efforts should be put in place to improve those already existing.

Secondly, bilateral and multilateral agreements with countries of origin or transit tend to focus on border management rather than on a policy of protection for vulnerable migrants. In turn, migration patterns shift towards more treacherous routes. Until 2010, Gambians on the way to Europe travelled via Senegalese coastal towns, such as Kayar and Joal-Fadiouth, hoping to board pirogues (wooden boats) to the Canary Islands. However, after a bilateral agreement was signed between Spain and Senegal, Frontex increased its border patrol on the Western Mediterranean, acting as a strong deterrent for Gambians. Since then, the 'back way' has become the primary route for migration, at [huge costs](#).

In the case of the Gambia, many do not fit the narrow definition of a refugee under the 1951 Convention. The complexity of mixed migration flows in the Gambia is aggravated by a culture of the 'back way', where many young men see the perilous route as a viable alternative due to its prevalence in society. "It came to the point where half of my football team had gone [the back way]" says Djibril. Importantly, the interlinking of a dire economic situation and a culture of fear within the country are key push factors for migration regardless of whether individuals have personally experienced persecution.

Rejecting asylum applications on the basis of [nationality](#) or rapid filtering of 'refugee'/ 'irregular migrant' in the pre-identification process in EU '[hotspot](#)' systems, is tantamount to denying desperate people their constitutional right to asylum. Although the hotspot system was framed as essential to speed up the relocation scheme, efforts at their usual dismal lows with only 190 asylum seekers relocated from Italy in 2015.

Rather than acting out a politics of exclusion at huge costs, a protection-based system needs to be put in place. In this sense, Europe, safe third countries such as Senegal, and countries of origin such as the Gambia all have their parts to play. Attempting to block migrants through beefed-up border controls or [development hand-outs](#) to corrupt countries with dodgy human rights records, will not prevent desperate people from fleeing. Secondary migration of Gambian refugees would be reduced if Senegal had an asylum system that was fit for purpose, in order for it to be truly considered a 'safe third country'. Investing in capacity building of the Senegalese asylum system, as well as supporting NGO's work providing basic goods and services for refugees and asylum seekers is a good place to start.

Yet the root cause of the flight also needs to be acknowledged. Withholding aid packages from Yahya Jammeh's regime (as the [EU](#) did on the grounds of human rights violations) could put pressure on the regime to enact positive change. However, recent [developments](#) suggest that neither financial pressure nor directives demanded by the Office of the High Commission of Human Rights (OHCHR) during the latest Universal Periodic Review, is enough to induce change in the Gambia.

"If have the opportunity to start my life over, I would." Baboucar says, "wherever I feel safe, I don't chose, even if in Asia, or South America. That is the number one priority for me. Number two: get a good education, because if you don't learn, oh you're going to suffer."