



REPUBLIC OF THE GAMBIA

National Assembly, New Assembly Building, Reginald Pye Lane
Banjul, The Gambia



STANDING COMMITTEE ON PUBLIC PETITIONS

REPORT ON THE CLOSURE OF THE PETITION FROM GAMBIANS STRANDED IN THE UAE

NOVEMBER, 2023

CHAIRPERSON’S FORWARD

This report contains the Committee’s procedures on the consideration of the Public Petition regarding the urge to support the repatriation of stranded Gambian nationals in the United Arab Emirates and alleged lack of support from the Gambia’s mission in Dubai at the peak of the Covid-19 pandemic. This petition filed by a group of eight Gambians on behalf of the Gambian community in the United Arab Emirates was presented to the National Assembly on 10th June, 2020. Having fulfilled the admissibility criteria set in the Standing Orders, the Office of the Clerk of the National Assembly referred it to the Committee for review.

During the period, the Standing Committee on Public Petitions was not composed. After the composition of the Committee, Members took it upon themselves to immediately contact the petitioners and relevant authorities to further discuss the matter and swiftly map out strategies to ensure the safe return of these citizens. While considering the petition, the Office of the Clerk made all efforts to contact the petitioners for a virtual public hearing, which proved unsuccessful. The Committee, however, heard from the Ministry of Foreign Affairs and the Gambia’s Ambassador to the UAE at the time on the matter.

Understanding that this petition raises a matter of huge national concern, knowing that the rights and interests of Gambians living everywhere should be protected and believing that the Ministry of Foreign Affairs, International Relations, and Gambians abroad must be prepared and equipped to shoulder the burden of responding to these citizens every time, particularly during emergencies, the Committee takes this matter seriously. I thank the petitioners, on behalf of the Committee, for filing this petition. I also thank the Ministry of Foreign Affairs, International Relations and Gambians Abroad for appearing before the Committee and responding to issues raised by the public.

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly in providing logistical and technical support, especially in trying to establish contacts with the petitioners during the consideration of the Petition. Finally, I wish to express my appreciation to the Honourable members of the Committee, the Committee Secretariat, the Press, and all the stakeholders who contributed in one way or the other towards the preparation and production of this report.

On behalf of the Standing Committee on Public Petitions and pursuant to Standing Order 128 (2,B), it is my pleasant privilege and honour to present to this Assembly the report of the Committee on its consideration of the Public Petition No. 2 of 2020 regarding the emergency plight of Gambians stranded in the United Arab Emirates.

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HON. SUWAIBOU TOURAY
CHAIRPERSON OF THE COMMITTEE

INTRODUCTION

It is a common knowledge that Petitions bring the Assembly to the people, and vice versa. It allows the public to scrutinize public policies and institutions, which helps to enact sound laws and formulate policies to address the needs and aspirations of the citizens. The right to petition the Executive is an entrenched law in the 1997 Constitution of the Gambia as enshrined in Section 25 (1, f). It has also been declared one of the fundamental rights of citizens across the globe. It is a way by which individuals can directly place grievances before the Assembly, on matters of public importance or policy matters.

It is in line with this, that the National Assembly received this petition from Gambians stranded in the United Arab Emirates in 2020.

At the time of filing this petition, the Standing Committee on Public Petitions was not established. Upon the composition of the Committee, efforts were immediately made to invite the petitioners to discuss on the matters raised, that would guide Members on the immediate next step. However, all efforts proved futile, leaving the Committee with no option but to discontinue the consideration of this petition.

However, considering the gravity of this matter, the Committee summoned the Ministry of Foreign Affairs, International Relations, and Gambians abroad (represented by the Mr. Lang Yabou, Permanent Secretary) and Mr. Nfansu Bojang, the Gambian Ambassador to the UAE at the time to understand what happened, and steps taken by the Ministry and the Mission to address the matter, and to further discuss on possible steps and comprehensive measures to swiftly respond to plight of Gambians in the diaspora, especially during emergency times.

METHODOLOGY

Like other petitions received by the Committee, various methods were adopted to gather evidence in dealing with this petition. These include public hearings with two officials from the Ministry of Foreign Affairs, who were invited to make submissions on the issues raised in the petition. However, efforts to have the petitioners in a public hearing proved futile.

OVERVIEW OF THE COMMITTEE

I. COMPOSITION

Members:

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|----|---------------|--------|---|------------------|
| 1. | Hon. Suwaibou | Touray | - | Chairperson |
| 2. | Hon. Fatou K | Jawara | - | Vice-Chairperson |
| 3. | Hon. Amadou | Camara | - | Member |

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|----|------------------------|---|--------|
| 4. | Hon. Sulayman Saho | - | Member |
| 5. | Hon. Kebba Lang Fofana | - | Member |
| 6. | Hon. Kemo Gassama | - | Member |
| 7. | Hon. Gibbi Mballow | - | Member |
| 8. | Hon. Lamin J. Sanneh | - | Member |
| 9. | Hon. Haruna Barry | - | Member |

Support staff

- | | | | |
|----|--------------------------|---|----------------------------------|
| 1. | Mrs. Haddy Dandeh Jabbie | - | Subject Matter Specialist |
| 2. | Mr. Karu Sallah | - | Subject Matter Specialist |
| 3. | Mr. Mamadou A.M Bah | - | Assistant Senior Committee Clerk |
| 4. | Mr. Ebrima Jawo | - | Assistant Senior Committee Clerk |
| 5. | Mrs. Halimatou Tamba | - | Assistant Senior Committee Clerk |
| 6. | Ms. Mary Mendy | - | Research Officer |

II. MANDATE

The Committee derives its mandate from section 109 of the 1997 Constitution of the Republic of the Gambia and Order 125 of the National Assembly Standing Orders:

(1) There shall be a Standing Committee of the Assembly known as the Public Petitions Committee to-

a. Consider public petitions addressed to the Assembly.

b. Decide in cases of dispute on admissibility; and

c. Keep under review the public petitions system.

(3) The Public Petitions Committee shall consider, in accordance with the provisions of this Standing Order, any petition addressed to it

PETITIONERS' CLAIM

The Petitioners informed the Committee that they have been struggling to communicate and access urgently needed emergency support from the Gambia Embassy in Dubai. They claimed that they have been sitting for almost four months, unemployed during that period and insufficient income for survival. They further claimed that all they want is to come back to the Gambia, although the Airports are closed. Some of them with cancelled resident visas due to job loss either exit the country or change the status of the visa at a cost of more than 35,000 Dirham or to pay a fine of 350 Dirham a day.

Furthermore, they claimed to have serious hitches in accessing the Embassy in the UAE via any of the designated channels as the Embassy lacks a website. However, after establishing communication with the Office months later, they (the petitioners) were asked to submit a list of Gambians willing to return home. This was done accordingly, with a list of over sixty Gambians, including (16 students) willing to return home. Having submitted this list, they claimed that the Embassy went cold on them, even though a follow-up was made on 10th June 2020.

Moreover, even though the petitioners acknowledges that it is obvious and unarguable that it is difficult to airlift all Gambians in the world, they alleged that the United Arab Emirates Government under the leadership of His Highness Sheikh Mohammed Bin Rashid Al-Makhtoum has announced that they are ready to lend a helping hand to work with any government or embassy that wants to repatriate their people stranded in the country. Thus, they demanded the following:

- I. The Government of the Gambia to take the opportunity that is on offer from the UAE government to repatriate these stranded Gambians.
- II. The UAE government and Ghanaian Embassy have successfully arranged to repatriate its citizens on scheduled dates 12th and 16th June 2020. Thus, the Government of the Gambia can negotiate with either neighbour (Senegalese or Ghanaian governments) to ensure that stranded Gambians can board the same flights to the Gambia for the benefit of those who can afford to buy their own tickets.
- III. To give them confirmation on flights advocating flying to the Gambia starting from the 1st of July 2020 onwards so the Gambians abroad can return at their own expense.

HEARINGS ON THE PETITION

Amb. Lang Yabou, Permanent Secretary

The Permanent Secretary, who at the time of filing this petition was the Gambia's Ambassador to the mission in New York, informed the Committee that the issue of this petition died naturally as it was overtaken by events.

He stated that this was a difficult period to all countries, as there was a lockdown in almost all countries, leading to the closure of embassies and grounding of flights.

He, however, noted that the Gambia's Embassy in the UAE was very proactive in supporting the stranded Gambians, to the extent of providing feeding to seriously affected ones.

Mr. Nfansu Bojang, Gambia's Ambassador to the UAE at the time of filing the petition.

Confirming to the Committee that he was aware of the petition; the former Ambassador informed the Committee that his embassy has been in consultation with the petitioners and other

Gambians residing in the United Arab Emirates. He said that his office has been in contact with a group claiming to represent Gambians stranded in the UAE. He outlined the steps taken by his Office and Ministry of Foreign Affairs taken to address the matter:

-On the 10th of June 2020, a letter was received from a group of Gambians in the Emirates seeking for support to be repatriated. It was realized that countries with national airlines deployed their airlines to airlift their nationals. With the Gambia not in this position, and all commercial flights grounded, The Government wrote to the UAE Government to allow the two major airlines; Emirates and Etihad to repatriate the Gambian nationals. This was approved by the UAE Government, which was followed by the Embassy requesting from the Gambian community to submit list of people wanting to return home.

Subsequently, 58 names were collected. From that list, 40 nationals have legal status, 18 with expired work permit. This list was submitted to the UAE Government. Initially, the plan was to repatriate all of them if they could fill a commercial flight. This list was thus considered hugely insufficient to fill a commercial flight.

Subsequent discussions were made, and the Embassy secured grant of free air tickets for anyone willing to return home. This time, a list of 17 people showed interest to return home. But by the time of processing, only 9 showed the willingness to come home. Thus, these 9 were provided the tickets to return home. The Ambassador further confirmed that it took about five to six months to provide tickets for these 9.

Responding to the question that the UAE was providing free air tickets for returnees, the Ambassador stated that contrary to the petition, the UAE Government did not provide countries with free air tickets, instead they provided a window of opportunity to countries with a national carrier. Thus, Gambia could not benefit from this opportunity as there was no national carrier, and that the country lacked sufficient funds to support the repatriation.

REASONS FOR THE CLOSURE OF THE PETITION

This petition was also one of the petitions received during the height of the pandemic, when the Assembly was not sitting, and the Petitions Committee not established. Upon formation and the composition of the Committee, Members set up to hear from the petitioners. All efforts, as indicated in the introduction, proved futile. This loss of contact with the petitioners means the Committee can no longer continue the consideration of the petition.

CONCLUSION

Protection of lives, rights, and interests of citizens is a fundamental responsibility of every world state. This extends to nationals living outside the borders of the state. It is obvious that the Covid-19 has left a tremendous mark on almost every facet of the society. This includes the grounding of airlines and the closure of both land, air, and sea borders of states. This culminated to a massive

breakdown in the pattern of global movement of individuals. That said, countries with small economies faced an almighty task in supporting the repatriation of its citizens. It is certain that the Gambia simply was not prepared to handle this daunting mission due to limited resources at the disposal of its Foreign Missions, lack of proper coordination at the national level to respond to such emergencies and the absence of a comprehensive communication strategy with the citizens in the diaspora.

It is hoped that despite the closure of this petition, this report shall open the dialogue for a multi-stakeholder consultation and a comprehensive policy formulation and review, as well as the mobilization of adequate funds and budget support to respond to such crises whenever they arise.

RECOMMENDATION

1. That the Government of the Gambia, through the Ministry of Foreign Affairs, should create a Comprehensive National Plan in respond to emergency situations affecting Gambians in the diaspora.
2. The National Assembly ensures that adequate contingency fund is allocated to MOFA in repatriation missions during emergencies.
3. That all Gambian Embassies and Missions should establish a Comprehensive Communication Strategy to enable citizens access services.
4. All missions should review and update the data of all Gambians residing within their respective jurisdictions.