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Dear Dr Debra Long and co-signatories,

Thank you for your email of 01 September about the Migration and Economic Development Partnership between the UK and Rwanda. As I am sure you will appreciate, the Home Secretary receives a large number of e-mails and is unable to respond to each one individually. Therefore, please note you are receiving a reply from an official. I am sorry for the delay in our response.

The long-term strategic bilateral partnership that the government intend to deliver through the Migration and Economic Development Partnership between the UK and Rwanda is built on the shared sense that current and legacy conventions regarding refugees and migration no longer work, and that we need new approaches, at scale, that give people seeking a better life an alternative to paying people smugglers and risking their lives. The UK are not abdicating our responsibilities to Rwanda. Instead, working together the UK and Rwanda will help make the immigration system fairer, and ensure that people are safe and enjoy new opportunities to flourish. It is by reforming the asylum system and taking bold, international action to address the global migration crisis that we can keep providing protection for those who need it, especially those most vulnerable, through proper safe and legal routes.

Being relocated to Rwanda is not a punishment. Those who seek safety will still be provided with it. Rwanda will provide a safe haven where they can rebuild their lives with safety and appropriate support. However, the partnership with Rwanda means that individuals will no longer be able to pay people smugglers to go to a destination of their choice, while passing through safe countries. This arrangement breaks the people smugglers business model; they cannot 'sell' a route to the UK if individuals may be relocated to Rwanda. This prevents the financial exploitation of vulnerable people and protects them from real risks to life and wellbeing. Access to the UK's asylum system should be based on need, not on the ability to pay criminal gangs.

This arrangement between the UK and Rwanda complies with national and international law, including the UN Refugee Convention and the European Convention on Human

Rights. Rwanda itself is a State Party to the 1951 UN Refugee Convention and the seven core UN Human Rights Conventions. The UK's inadmissibility provisions, formerly in the Immigration Rules and for newer claims in the Nationality and Borders Act 2022, give us the legal powers to declare an asylum claim as inadmissible where a person has a connection to, or has passed through, a safe third country. Following such a decision, the person may be removed to the safe third country in which they were previously present or have a connection, or (if that cannot be promptly achieved) to any other safe third country agreeing to their entry.

It is an established principle in admissibility procedures that individuals should claim asylum in the first safe country they reach, and there is nothing in the UN Refugee Convention which prevents relocation to a safe country. Individuals should not put their lives at risk by leaving manifestly safe countries with well-functioning asylum systems and make unnecessary, illegal and dangerous onward journeys to the UK. If they do, they may be suitable for relocation to Rwanda, with a view to individuals receiving the protection they need there if their claim is granted.

With the exception of unaccompanied asylum-seeking children, any individual who has arrived in the UK through dangerous, illegal and unnecessary methods since 1 January 2022 may be considered for relocation to Rwanda. Published Inadmissibility guidance is clear on this and is available here:

<https://www.gov.uk/government/publications/inadmissibility-third-country-cases/inadmissibility-safe-third-country-cases-accessible>. Decisions will be taken on a case-by-case basis, and nobody will be relocated if it is unsafe or inappropriate for them. Everyone considered for relocation will be screened and have access to legal advice.

Upon arrival, Rwanda will accept physical and legal responsibility for all those relocated. Asylum claims will then be considered and processed in Rwanda, with a view to individuals receiving the protection they need there if their claim is granted – they will not return to the UK. All relocated individuals will have their needs looked after while their asylum claims are being considered in Rwanda. They will be provided with the healthcare and other support needed to ensure their health, security and wellbeing. This includes safe and clean accommodation, food and other amenities. People are free to leave if they wish, but those in genuine need of international protection will be provided with it in Rwanda. Those whose claims are accepted will then be supported to build a new and prosperous life in one of the fastest-growing economies, recognised globally for its record on welcoming and integrating migrants.

I would like to assure you that we would only ever work with countries that we assess are safe and will treat asylum seekers in accordance with relevant international human rights laws. Our own safety assessment of Rwanda and their asylum process has found it is a fundamentally safe and secure country with a track record of supporting asylum seekers. Our Country Policy Information Note provides further information on the basis by which we have determined that Rwanda is a safe place for refugees, more of which can be read here; [Country policy and information note: Rwanda, assessment, May 2022 \(accessible\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/country-policy-information-note-rwanda-assessment-may-2022). This is a robust report which considered many sources and demonstrates the government's commitment to fully evaluating whether Rwanda's suitability for each individual set to be relocated. The CPIN will inform individual decisions on potential relocation to Rwanda under our inadmissibility policy, but these decisions will be taken based on an individual consideration of each person based on their specific circumstances. As mentioned previously, no one will be relocated if it is unsafe or unsuitable for them.

The constitution of Rwanda includes a broad prohibition on discrimination, guaranteeing the rights of individuals there. They are a regional and international leader, seeking to find solutions to global challenges such as the migration crisis. It is also internationally recognised for its safety, strong governance, low corruption, and gender equality. Indeed, the European Union and the United Nations High Commissioner for Refugees work in partnership to place individuals from Libya to Rwanda for the purposes of providing sanctuary through the Emergency Transit Mechanism.

Everyone suitable for relocation under the Migration Economic Development Partnership is asked if they have representation and will have access to legal advice and the ability to make representation before a decision is made. Anyone under consideration for relocation to Rwanda will have this confirmed to them specifically in a Notice of Intent issued to them. Individuals in detention have seven calendar days from the date of that notice to submit reasons about why their protection claim should not be treated as inadmissible, or why they should not be required to leave the UK and be relocated to Rwanda. Those being removed by charter flights, like those who were scheduled to be relocated on the 14 June, are served Removal Directions which give individuals a minimum of five working days' notice of removal to seek legal advice.

Detained individuals are advised of their right to legal representation, and how they can obtain such representation, soon after their arrival at an immigration removal centre (IRC). This signposting occurs on a minimum of two occasions; during the induction provided by the supplier, and again during the Home Office Detention Engagement Team induction thereafter.

The Legal Aid Agency (LAA) operates free legal advice surgeries (Detained Duty Advice Scheme) in IRCs in England. Individuals who are detained are entitled to receive up to 30 minutes of advice regardless of financial eligibility or the merits of their case. There is no restriction on the number of surgeries an individual may attend.

Detained individuals can also utilise private legal representation (outside of the legal aid Detained Duty Advice Scheme). Everyone detained in IRCs is provided with a mobile phone and has access to landline telephones on request as well as fax machines, email and video calling facilities which can all be used to contact legal representatives.

Finally, as set out in the Memorandum of Understanding, an independent Monitoring Committee was appointed on 2 September. This is made up of members with a diverse range of expertise, including within the human rights, migration, asylum, international law and business sectors. They are responsible for reviewing and reporting on the delivery of the Partnership, including monitoring the end-to-end operations from the UK to Rwanda. The Monitoring Committee will produce a summary report for publication once a year. Details of the Committee Members and the Terms of Reference can be found here: <https://www.gov.uk/government/publications/monitoring-committee-migration-and-economic-development-partnership>

Thank you for taking the time to write and I hope this clarifies the governments position.

The Migration and Economic Development Partnership Team

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