

Joint civil society statement on the Rwanda Bill for Second Reading in the House of Lords January 2024

The Safety of Rwanda (Asylum and Immigration) Bill is a constitutionally extraordinary and deeply harmful piece of legislation.

It threatens the universality of human rights and is likely in breach of international law, striking a serious blow to the UK's commitment to the rule of law.

It was not a Government manifesto commitment – on the contrary, it will hinder the UK's ability to “continue to grant asylum and support to refugees fleeing persecution”.

As a coalition of more than 260 organisations working in and across the UK, we call on Peers to reject the Bill at Second Reading.

The Rwanda Bill undermines the principle that human rights are universal – that they apply to all of us, regardless of where we are from.

Going even further than recent Government legislation such as the Illegal Migration Act (IMA), the Rwanda Bill disapplies key aspects of our Human Rights Act (HRA) which include basic, minimum standards that exist to protect us all.

This will create a two-tiered system of human rights protection, where adults and children seeking safety who are threatened with removal to Rwanda will not have the full protections of the HRA to enforce their rights in domestic courts.

The Rwanda Bill is an attack on the constitutional role of the judiciary and the rule of law.

The Bill legislates something that has been authoritatively found to be false by the Supreme Court and requires it to be treated as true in perpetuity.

Even if a court heard overwhelming evidence that Rwanda was unsafe, it would be required to ignore the facts in front of them to “conclusively” treat Rwanda as a safe country.

If the Government is so confident about the legality of the new Rwanda treaty, it should not fear independent oversight by domestic courts.

If Parliament validates legislating legal fictions in this way, it would set a dangerous precedent for future governments – a threat to rights protections for all.

Moreover, the Bill severely restricts grounds for resisting government decisions and domestic court remedies. Limiting access to justice in this way is an erosion of the principle that we are all equal before the law.

The Bill puts the UK on a direct collision course with the European Court of Human Rights (ECtHR).

Its cover contains an extraordinary statement – that the Government cannot say that it complies with the UK's obligations under the European Convention on Human Rights (ECHR).

In particular, the Bill expands powers given to Ministers in the IMA to ignore interim measures of the ECtHR and that Act's prohibition on UK courts having regard to an interim measure when considering any application/appeal relating to removal to Rwanda.

Interim measures are a life-saving tool that allow the ECtHR in exceptional circumstances to place a temporary stop on an action where there is an imminent risk of irreparable harm, to allow time for a full judgment to take place.

They are binding on the Government under international law. Giving a Minister legislative validation in ignoring them is a deeply concerning green light to the breaking of international law and erodes the UK's commitment to the Convention. The Government itself admits in its ECHR memorandum that using the power would likely breach the ECHR.

The Bill also reneges on other international commitments. In particular, it risks violating the principle of non-refoulement, which the Supreme Court found has been given effect by multiple international treaties to which the UK is a party (including the Refugee Convention and UN Convention Against Torture).

The Rwanda scheme is an attempt by the UK Government to shirk its obligations to consider asylum claims and support those granted protection as part of the international refugee protection system.

Even more alarmingly, the Bill states that the Government and courts should treat Rwanda as a safe country, regardless of "any interpretation of international law by the court or tribunal".

This extreme provision will damage the UK's international reputation and ability to hold other states to account for human rights abuses.

The Rwanda Bill will breach the Belfast/Good Friday Peace Agreement (B/GFA) and Article 2 of the Windsor Framework.

The B/GFA commits the UK Government to "complete incorporation into Northern Ireland law of the ECHR, with direct access to the courts, and remedies for breach of the Convention, including power for the courts to overrule Assembly legislation on grounds of inconsistency."

These safeguards, as well as the Government's Windsor Framework commitment to 'no diminution of rights in Northern Ireland', will be violated by proposals in the Bill which directly restrict domestic access to the courts, remove remedies for breaches of the Convention, and reduce the rights of refugees below the standards set by the ECHR and other relevant international law.

Either we all have human rights, or none of us do. The Government must not be allowed to pick and choose when our fundamental rights apply, nor to undermine the ways that we can hold it to account.

Signatories:

1. ACES
2. Action Foundation
3. African Rainbow Family
4. Agenda Alliance
5. All Out
6. Alzheimer Scotland
7. Amina MWRC
8. Amnesty Bourneville
9. Amnesty International UK
10. Anti Trafficking and Labour Exploitation Unit (ATLEU)
11. Anti-Slavery International
12. Anti-Trafficking Monitoring Group
13. Art27 CIC
14. Art27 Scotland
15. Article 39
16. Association of Visitors to Immigration Detainees
17. Asylum Link Merseyside
18. Asylum Matters
19. Asylum Support Appeals Project
20. Bail for Immigration Detainees
21. Baobab Centre for Young Survivors in Exile
22. Baptist Union of Wales
23. Baptists Together
24. BARAC UK
25. Basis Yorkshire
26. Become
27. Best for Britain
28. BIASAN
29. Birmingham City of Sanctuary
30. Birmingham Community Hosting Network (BIRCH)
31. Birthrights
32. Blaksox
33. Bloody Good Period
34. Boaz Trust
35. Bradford and Shipley TUC
36. Bradford City of Sanctuary
37. Bridges Programmes
38. British Association of Social Workers
39. Bromsgrove and Redditch Welcome Refugees
40. C-Change Scotland
41. Cambridge Refugee Resettlement Campaign
42. CARAS (Community Action for Refugees and Asylum Seekers)
43. Cardiff University
44. Care4Calais
45. Carers Trust Scotland

46. Caritas Cardiff
47. Caritas Shrewsbury
48. Carlisle One World Centre
49. Carlisle Refugee Action Group
50. Central England Law Centre
51. Cheshire, Halton & Warrington Race & Equality Centre
52. Children in Scotland
53. Children's Parliament
54. Children's Rights Alliance for England, part of Just for Kids Law
55. Circles Network
56. Citizens Advice Newcastle
57. City of Sanctuary Sheffield
58. City of Sanctuary UK
59. Civil Society Alliance
60. Close the Gap
61. Common space Common humanity
62. Community Integration and Advocacy Centre (CIAC)
63. Community Policy Forum
64. Compassion in Politics
65. Conversation Group Newcastle
66. Coram Children's Legal Centre
67. Coventry Refugee and Migrant Centre
68. Derby Stand up to Racism
69. Derbyshire LGBT+
70. Distribute Aid
71. Doctors of the World UK
72. Ecojustice Ireland
73. ECPAT UK (Every Child Protected Against Trafficking)
74. Edinburgh City Mission
75. Edmund Rice England
76. Elmbridge CAN
77. End Violence Against Women Coalition
78. ENTRAIDE
79. ESAScotland
80. Equality Network
81. Equally Ours
82. Fair Vote UK
83. Faith & the Environment Lincolnshire Group
84. Faith in Older People
85. Focus on Labour Exploitation (FLEX)
86. FODI
87. forRefugees
88. Forth Valley Migrant Support Network
89. Freedom from Torture
90. Friends of the Earth (England Wales and Northern Ireland)
91. furness multicultural community forum
92. Furness Refugee Support
93. GARAS
94. Gatwick Detainees Welfare Group
95. Glasgow Disability Alliance

96. Glitter Cymru
97. Global Justice Now
98. Global Link
99. Greater Manchester Immigration Aid Unit
100. Growing Together Levenshulme
101. Hackney Stand Up to Racism
102. Haringey Welcome
103. Hastings Community of Sanctuary
104. Health and Social Care Alliance Scotland (the ALLIANCE)
105. Heanor Baptist Church
106. Helen Bamber Foundation
107. Herts for Refugees
108. HIAS+JCORE
109. Hope for Justice
110. Human Rights Consortium Scotland
111. Human Rights Watch
112. Humanist Society Scotland
113. Humanists UK
114. Humans for rights network
115. Ice and Fire Theatre
116. Idaraya life CIC
117. Immigration Law Practitioners' Association
118. Inclusion North CIC
119. INQUEST
120. International Bar Association's Human Rights Institute
121. Iraqi Association
122. Islington Law Centre
123. JCT – Joining Communities Together
124. Jesuit Refugee Service UK
125. Joanna Project
126. Juno Women's Aid
127. Just Fair
128. Just Futures Centre for Child, Youth, Family and Community Research, University of Huddersfield
129. JustRight Scotland
130. Kids in Need of Defense UK
131. Latin American Women's Rights Service
132. Law Centres Network
133. Learn for Life Enterprise
134. Leeds Destitute Asylum-Seekers Support
135. LeedsTransVoice
136. Legal Aid Practitioners Group
137. LGBT Health and Wellbeing
138. LGBT Youth Scotland
139. Liberty
140. Lichfield Quaker Meeting, Staffordshire
141. London Friend
142. Louth Churches for Refugees
143. Macc
144. Magic for Smiles

145. Making Rights Real
146. Manchester BME Network CIC
147. Manchester City of Sanctuary
148. Manchester Migrant Solidarity
149. Manchester Refugee Support Network
150. MAP MIDDLESBROUGH
151. Maryhill Integration Network
152. Medical Justice
153. Mermaids
154. Merseyside Solidarity Knows No Borders
155. Metropolitan Community Church of North London
156. METRO Charity
157. Micro Rainbow CIC
158. Migrant and Refugee Children's Legal Unit (MiCLU)
159. Migrants Organise
160. Migrants' Rights Network
161. Muslim Council of Britain
162. NACCOM
163. National AIDS Trust
164. National Autistic Taskforce
165. National Board of Catholic Women (NBCW)
166. New Europeans UK
167. New to the UK (Churches Together in North Shields)
168. Newcastle City Council
169. Nottingham & Nottinghamshire Refugee Forum (NNRF)
170. Oldham Unity
171. One Life To Live
172. One Roof Leicester
173. Open Door North East
174. Our Second Home
175. Outside the Box
176. Parenting Across Scotland
177. Participation and the Practice of Rights
178. Partners in Advocacy
179. Pendle New Neighbours
180. PERN Penrith and Eden Refugee Network
181. Phoenix Care Group
182. Plan International UK
183. Planning Democracy
184. Positive Action For Refugees and Asylum Seekers (PAFRAS)
185. Praxis
186. Public Law Project
187. Quaker Asylum and Refugee Network
188. Quakers in Britain
189. Rainbow Haven
190. Rainbow Migration
191. Rape Crisis Scotland
192. RealisingRights
193. Reclaim the Agenda
194. REDRESS Trust

195. Refugee Action
196. Refugee Council
197. Refugee Education UK
198. Refugee Welcome Homes
199. René Cassin
200. ReportOUT
201. Restore, a project of Birmingham Churches Together
202. Rethink Rebuild Society
203. Right to Remain
204. Rights & Choices (Women's Support Project)
205. Rights of Women
206. Safe Passage International
207. SAYiT
208. Scottish Independent Advocacy Alliance
209. Scottish Refugee Council
210. Scottish Women's Aid
211. Scottish Youth Parliament
212. Simon Community Scotland
213. Six Ways Erdington Baptist Church
214. SMK Law Solicitors
215. Snowdrop Project
216. Somali Adult Social Care Agency
217. South London Refugee Association
218. South Yorkshire Migration and Asylum Action Group
219. Southeast and East Asian Centre (SEEAC)
220. Space Youth Project
221. St. Vincents Justice & Peace group
222. Stand & Be Counted
223. Statewatch
224. Stories of Hope and Home
225. Student Action for Refugees (STAR)
226. Support After Rape & Sexual Violence Leeds (SARSVL)
227. Tai Pawb
228. Tees Valley of Sanctuary
229. The Baobab
230. The Children's Society
231. The Comfrey Project
232. The Hong Kong Scots
233. The Hummingbird Refugee Project- Brighton
234. The Joint Council for the Welfare of Immigrants (JCWI)
235. The Kite Trust
236. The Methodist Church
237. The Paristamen Charity
238. The Public Interest Litigation Support (PILS) Project
239. The Separated Child Foundation
240. The United Reformed Church
241. The William Gomes Podcast
242. Time to be Out
243. Together Now
244. Together with Migrant Children

245. Together with Refugees Stroud District
246. Tulia Group
247. Tynemouth Together with Refugees
248. Tyneside Welcomes
249. UK Black Pride
250. Unison
251. Unlock Democracy
252. Upbeat Communities
253. Vauxhall Community Law and Information Centre
254. Voices in Exile
255. Welfare Scotland
256. Welsh Centre for International Affairs
257. Welsh Refugee Council
258. Wers campaigning group
259. West London Welcome
260. WISH
261. Women for Independence
262. Women for Refugee Women
263. Women's Health Matters
264. Women's International League for Peace and Freedom UK
265. Young Roots