

Rwanda Treaty – statement by UK government

The UK government made the following statement yesterday

” Home Secretary James Cleverly has signed a joint Treaty with his counterpart, Foreign Minister, Dr Vincent Biruta, strengthening the UK and Rwanda’s Migration and Economic Development Partnership and directly addressing the concerns of the Supreme Court.

The agreement is part of the government’s plan to ensure that illegal migrants can be lawfully relocated to Rwanda under the Government’s ambition to stop the boats – ensuring that people know that if they come to the UK illegally, they cannot stay here.

Following further positive discussions between the two countries after the Supreme Court judgment, and building on months of work between the two countries, the Treaty responds directly to the conclusions of the Supreme Court and presents a new long-term solution.

The landmark Treaty is binding in international law and ensures that people relocated to Rwanda under the Partnership are not at risk of being returned to a country where their life or freedom would be threatened – an act known as refoulement.

It also enhances the functions of the independent Monitoring Committee to ensure compliance with the obligations in the Treaty, such as reception conditions, processing of asylum claims, and treatment and support for individuals including up to 5 years after they have received final determination of their status. The Committee is made up of 8 independent members.

The Monitoring Committee will also develop a system which will enable relocated individuals and legal representatives to lodge confidential complaints directly to them. It will have the power to set its own priority areas for monitoring, and have unfettered access for the purposes of completing assessments and reports. It may publish reports as it sees fit on its findings.

To further bolster assurances that relocated individuals will not be returned, under the Treaty, Rwanda’s asylum system will be strengthened through a new Appeal Body. The Appeal Body will consist of a Rwandan and other Commonwealth national Co-President, and be composed of judges from a mixture of nationalities with asylum and humanitarian protection expertise (appointed by the Co-Presidents) to hear individual appeals.”

I and my friends will be looking carefully at the text of the Treaty and at the draft legislation which will be needed to ensure the Rwanda policy can proceed without further interruption by UK Courts. The government believes

that if it can send some migrants to Rwanda the numbers wishing to come to the UK illegally will drop substantially. To achieve this the government will need to assert the supremacy of the law established by Parliament over other legal interventions.