

# Safety of Rwanda (Asylum and Immigration) Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**Clause 1**

LORD HOPE OF CRAIGHEAD  
LORD ANDERSON OF IPSWICH  
BARONESS D'SOUZA

*Revised version of Lord Hope of Craighead's amendment printed on amendment sheet HL 41 – R(a)*

Clause 1, page 2, line 31, at the end insert –

- “(7) The Rwanda Treaty shall be considered to have been fully implemented for the purposes of this Act when the Secretary of State has obtained and laid before Parliament a statement from the independent Monitoring Committee formed under Article 15 that the objectives referred to in Article 2 of the Treaty have been secured by the creation of the mechanisms listed in that Article.
- (8) The Secretary of State must consult the Monitoring Committee every three months during the period that the Treaty remains in force, and must make a statement to Parliament at the earliest opportunity in the event that the advice of the Monitoring Committee is that the provisions of the Treaty are not being adhered to in practice.”

***Member's explanatory statement***

*This amendment seeks to provide a means by which it can be determined for the purposes of this Act that the Rwanda Treaty has been, and continues to be, fully implemented.*

**Clause 2**

LORD ANDERSON OF IPSWICH  
LORD CARLILE OF BERRIEW  
THE LORD BISHOP OF MANCHESTER  
LORD CLARKE OF NOTTINGHAM

Clause 2, page 2, line 34, at end insert “unless presented with credible evidence to the contrary”

***Member's explanatory statement***

*The amendments to Clause 2 in the name of Lord Anderson of Ipswich would allow the presumption that Rwanda is a safe country to be rebutted by credible evidence presented to decision-makers, including courts and tribunals.*

LORD ANDERSON OF IPSWICH  
LORD CARLILE OF BERRIEW  
THE LORD BISHOP OF MANCHESTER  
LORD CLARKE OF NOTTINGHAM

Clause 2, page 2, line 41, leave out subsections (3) to (5)

***Member's explanatory statement***

*The amendments to Clause 2 in the name of Lord Anderson of Ipswich would allow the presumption that Rwanda is a safe country to be rebutted by credible evidence presented to decision-makers, including courts and tribunals.*

**Clause 4**

LORD ETHERTON  
LORD CASHMAN

Clause 4, page 4, line 12, after “question” insert “or, where the person in question is a member of a particular social group within Article 1A(2) of the Refugee Convention 1951, for that group”

***Member's explanatory statement***

*This amendment and the related amendments to Clause 4(1)(b) and Clause 4(4) provide for the situation where the person in question is a member of a particular social group, the members of which have a well founded fear of persecution, and following the decision of the Supreme Court in HJ (Iran) v SSHD [2010] UKSC 31 the focus is on the group and not the individual circumstances of each member of the group.*

LORD ETHERTON  
LORD CASHMAN

Clause 4, page 4, line 13, after “circumstances” insert “or, in the case of a particular social group, relating specifically to that group”

LORD ETHERTON  
LORD CASHMAN

Clause 4, page 4, line 19, after “question” insert “or, where the person in question is a member of a particular social group within Article 1A(2) of the Refugee Convention 1951, for that group”

LORD ETHERTON  
LORD CASHMAN

Clause 4, page 4, line 20, after “circumstances” insert “or, where the person in question is a member of a particular social group, relating specifically to that group”

LORD ETHELTON  
LORD CASHMAN

Clause 4, page 4, line 34, after “person” insert “or members of the group”

**After Clause 5**

BARONESS BUTLER-SLOSS  
THE LORD BISHOP OF BRISTOL

After Clause 5, insert the following new Clause—

**“Removal of victims of modern slavery and human trafficking**

- (1) A person with a positive reasonable grounds decision from the National Referral Mechanism stating that they may be a victim of modern slavery and human trafficking must not be removed from the United Kingdom on the basis of the Rwanda Treaty until a conclusive grounds decision has been made.
- (2) A person with a positive conclusive grounds decision from the National Referral Mechanism that they are a victim of modern slavery and human trafficking must not be removed from the United Kingdom on the basis of the Rwanda Treaty without a decision-maker considering whether such removal would negatively affect the physical health, mental health or safety of that person, including in particular the risk of re-trafficking.
- (3) If the decision-maker makes a finding that any of the factors in subsection (2) apply to that person they must not be removed from the United Kingdom under the Rwanda Treaty without their consent.”

***Member's explanatory statement***

*This amendment is intended to identify and protect victims of modern slavery and human trafficking from being removed to Rwanda without their consent.*

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*22 February 2024*

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