

Safety of Rwanda (Asylum and Immigration) Bill

AMENDMENTS
TO BE MOVED
ON REPORT

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 1, line 12, leave out “is a safe country” and insert “will be a safe country when, and so long as, the arrangements provided for in the Rwanda Treaty have been fully implemented and are being adhered to in practice.”

Member's explanatory statement

This amendment, read with new sections 1(7) and 1(8), seeks to give effect to the proposition that Parliament cannot judge Rwanda to be a safe country until the Rwanda Treaty has been, and continues to be, fully implemented.

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(c)

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

- “(7) The Rwanda Treaty will 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 COAKER

Clause 2, page 2, line 34, at end insert “unless considering whether the Republic of Rwanda will or may remove or send a person to another State in contravention of any of its international obligations, including in particular its obligations under the Refugee Convention.”

Member's explanatory statement

This amendment, along with others tabled to Clause 2 and 4 by Lord Coaker, would ensure that decision-making takes into account the systematic or individual risk to refoulement.

LORD COAKER

Clause 2, page 3, line 2, at end insert “excluding claims or complaints that the Republic of Rwanda will or may remove or send a person to another State in contravention of any of its international obligations, including in particular its obligations under the Refugee Convention.”

Member's explanatory statement

This amendment, along with others tabled to Clause 2 and 4 by Lord Coaker, would ensure that decision-making takes into account the systematic or individual risk to refoulement.

Clause 4

LORD DUBS

Clause 4, page 4, line 13, after “circumstances” insert “such as a claim based on the grounds outlined in Article 1A(2) of the Refugee Convention 1951 including on religion or belief grounds”

Member's explanatory statement

This amendment would provide for the grounds outlined in Article 1A(2) of the 1951 Refugee Convention including on religion or belief grounds to be taken into consideration on whether Rwanda is a safe country.

Clause 5

LORD HOPE OF CRAIGHEAD

Clause 5, page 5, line 15, leave out “Accordingly, a court or tribunal must not” and insert “Notwithstanding subsection (2), a court or tribunal may”

LORD COAKER
LORD HOPE OF CRAIGHEAD
LORD ANDERSON OF IPSWICH

Clause 5, page 5, line 23, at end insert “following consultation with the Attorney General.”

Member's explanatory statement

This amendment ensures a Minister of the Crown making a decision on compliance with an interim injunction consults with the Attorney General.

After Clause 5

LORD BROWNE OF LADYTON

After Clause 5, insert the following new Clause –

“Exemption for agents, allies and employees of the UK Overseas

- (1) Notwithstanding the Nationality and Borders Act 2022, the Illegal Migration Act 2023, any earlier Immigration Acts and the other provisions of this Act, the following categories of person may not be removed to the Republic of Rwanda –
 - (a) agents or allies who have supported His Majesty’s armed forces overseas in an exposed or meaningful manner that now affects their claim for protection;
 - (b) persons who have been employed by or indirectly contracted to provide services to the UK Government in an exposed or meaningful manner that now affects their claim for protection;
 - (c) the partners and dependent family members of persons referred to in (a) or (b) above;
 - (d) persons who were the partners or family members of persons referred to in (a) or (b) above in a manner that now affects their claim for protection.
- (2) The exemption in (1) above includes but is not limited to persons eligible for entry to the UK under the Afghan Relocations and Assistance Policy (“ARAP”) and Afghan Citizens Resettlement Scheme (“ACRS”).”

Member's explanatory statement

This new clause would exempt people who have put themselves in harm’s way in support of His Majesty’s Armed Forces or otherwise via working with or for the UK Government overseas. It further exempts their partners and dependent family from removal to Rwanda.

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