



## UK Passes Bill to Deport Asylum Seekers to Rwanda

**For Prelims:** United Kingdom, Rwanda, [Asylum Seeker](#), [United Nations High Commissioner for Refugees \(UNHCR\)](#), [Refugee](#), [1951 Refugee Convention](#), Illegal Migrant

**For Mains:** Implications of UK Policy on Asylum Seeker, [Issue of Migration](#)

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### Why in News?

Recently, the **United Kingdom** government has passed a **controversial bill** to send **asylum seekers** to Rwanda in an effort to **curb** the **number of asylum seekers** crossing the **English Channel**.

### What is the Rwanda Bill?

- **About:** The **Safety of Rwanda (Asylum and Immigration) Bill** in the United Kingdom originated from a policy initiated by a former UK Prime Minister in 2022.
  - Its main aim is to enable the deportation of undocumented immigrants to Rwanda by designating it as a **safe third country**.
    - Safe third country implies that asylum seekers can be sent to a country other than where they seek asylum or where they belong, if it is deemed safe.
  - However, global consensus on this concept is lacking, leading to apprehensions about its implementation.
- **U.K.-Rwanda Deal on Refugees:** In April 2022, the former UK Prime Minister introduced the **Migration and Economic Development Partnership (MEDP)**, aimed at relocating asylum seekers unrecognised by the UK to Rwanda.
  - Under the **Memorandum of Understanding (MoU)** between the two countries, the UK assesses asylum applications and arranges transportation to Rwanda.
    - Rwanda then takes over, **providing shelter and protection**, with the sole power to grant refugee status, those denied are returned to their home countries.
- **Criticism:**
  - **Wider Ramifications:** The bill **circumvents existing human rights** statutes and limits individuals' appeal options.
    - It is **not an isolated incident**, with other European countries exploring similar agreements with third countries for processing asylum seekers.
  - **Human Rights Concerns:** Critics argue that Rwanda does not provide adequate protection for refugees and asylum seekers.
    - The country has been **criticised for its human rights record like Rwandan genocide 1994**, including allegations of political repression and lack of freedom of expression.
    - Criticism from the United Nations, Council of Europe's human rights watchdog and various NGOs reflects widespread concern over its impact on human rights and asylum seekers, extending beyond the UK's borders.
  - **Lack of Safeguards:** Critics argue that the bill **lacks sufficient safeguards** to protect

the rights of asylum seekers.

- There are concerns that individuals deported to Rwanda may not have access to **fair and effective asylum procedures**, leaving them vulnerable to arbitrary detention and deportation.
- **Refugee Crisis in UK:** Despite the dangers, a notable number of refugees and asylum-seekers have perished in 2023 attempting to reach the UK.
  - Their decision to undertake these risky journeys is often driven by a mix of economic hardship, political persecution, and worsening impacts of climate change, such as environmental degradation and natural disasters.
  - Crossing the **English Channel** in overcrowded and unsafe boats symbolises their desperation and aspiration for a brighter tomorrow.



## What is the Difference Between Asylum Seeker, Refugee, Illegal Migrant?

- **Asylum Seeker:** According to the [United Nations High Commissioner for Refugees \(UNHCR\)](#), an asylum-seeker is someone who has fled their home country and is seeking protection

in another country. Their claim for refugee status has **not yet** been **decided**.

- **Refugee:** The [1951 Refugee Convention](#) defines a refugee as someone who has been forced to flee their country because of a well-founded fear of persecution based on race, religion, nationality, political opinion, or membership in a particular social group.
  - The **core principle** of the 1951 Convention is **non-refoulement**, which asserts that a refugee should not be returned to a country where they face serious threats to their life or freedom.
- **Illegal Migrant:** The term "illegal migrant" is **not an official legal term**, but it generally refers to someone who is present in a country **without authorization**. This could include someone who entered the country without proper documentation or someone who has overstayed a visa.

## What are the Regulations Related to Refugees in India?

- India treats all foreigners whether illegal immigrants, refugees/asylum seekers or those overstaying visa permits under
  - **Foreigners Act of 1946:** Under Section 3, the central government is empowered to **detect, detain and deport** illegal foreign nationals.
  - **Passport (Entry into India) Act, 1920:** Under Section 5, authorities can remove an illegal foreigner by force under **Article 258(1)** of the Constitution of India.
  - **Registration of Foreigners Act of 1939:** Under this, there is a mandatory requirement under which all foreign nationals (excluding overseas citizens of India) visiting India on a **long-term visa** (more than 180 days) are required to register themselves with a Registration Officer within 14 days of arriving in India.
  - **Citizenship Act, 1955:** It provided provisions for renunciation, termination, and deprivation of citizenship.
    - Further, **Citizenship Amendment Act, 2019 (CAA)** seeks to provide citizenship to Hindu, Christian, Jain, Parsi, Sikh, and Buddhist immigrants persecuted in Bangladesh, Pakistan, and Afghanistan.
- Also, a **Standard Operating Procedure (SoP)** was issued in **2011** by the Central Government and amended in 2019 which has to be followed by law enforcement agencies while dealing with foreign nationals who claim to be refugees.

## What are the Reasons for India's Not Signing the 1951 Refugee Convention?

- The 1951 convention defines refugees as those **deprived of civil and political rights**, excluding economic rights.
  - India asserts that Including economic rights in the definition could burden developing nations.
- Adhering to the convention could heighten responsibilities and resource demands for hosting refugees, a concern amplified by **India's history of refugee inflows** due to regional conflicts and porous borders.
- India's decision not to sign the convention allows it to control its refugee policies, that could otherwise impact its sovereignty and domestic plans.
- Nonetheless, **India abides by other international human rights treaties** and customary law, showcasing a commendable track record in upholding international legal norms.

## Way Forward:

- **Comprehensive Immigration Policy Framework:** There is a need for a comprehensive global immigration policy framework that addresses various aspects of immigration, including asylum, legal migration, and integration.
  - It should balance **national security** with humanitarian concerns.
  - The policy making should be based on **empirical evidence** and research, rather than on

stereotypes or fear mongering.

- Further policy should prioritise the **protection of vulnerable groups**, including refugees and asylum seekers, and provide them with fair and efficient processes for seeking protection.
- **Global Refugee Education Fund:** [UNESCO](#) can create a dedicated fund to support education initiatives in refugee camps and host countries.
  - Education empowers refugees, fosters skills development, and prepares them for future opportunities.
- **International Cooperation:** Focus should be on **international cooperation** in managing migration flows, including **collaboration with countries** of origin and transit to address root causes of migration.
- **Integration and Inclusion:** The focus should be on the **integration and inclusion** of migrants into host societies, including access to education, healthcare, and employment opportunities.
  - **Practices for Inclusion:**
    - **Language Support:** Offering **language courses** helps migrants integrate into the workforce and broader society.
    - **Recognition of Qualifications:** **Streamlining the process** for recognizing foreign professional qualifications allows migrants to contribute their skills readily.
    - **Anti-discrimination Initiatives:** **Strong anti-discrimination laws** and educational programs foster a welcoming and inclusive environment.
- **Refugee as "Resource":** Recognizing refugees as a resource underscores the transformative power of inclusion and collaboration in building stronger, more vibrant communities.
  - **Related Case Studies:**
    - **Canada:** A global leader in immigration, Canada actively seeks skilled workers and refugees. This approach has **fueled economic growth** and made Canada a **global hub for innovation**, particularly in technology.
    - **Singapore:** This nation-state thrives on its **multicultural population**. Migrants contribute significantly to its success in **finance, engineering, and medicine**. Singapore's embrace of diversity has fostered a dynamic and prosperous society.
    - **Germany:** Germany's **"guest worker" program** in the 1960s brought in millions of workers, who filled vital labour gaps and contributed significantly to the country's post-war economic boom.
- **Long-Term Sustainable Solutions:** Shifting focus towards long-term sustainable solutions, including **conflict prevention and resolution**, addressing root causes of displacement such as **political instability, economic inequality, and environmental degradation**.
  - Invest in **peacebuilding efforts, development assistance, and humanitarian diplomacy** to create lasting stability and security for communities affected by displacement

### **Drishti Mains Question:**

Q. Discuss the challenges faced by asylum seekers, including legal, humanitarian, and societal aspects, and analyze the impact of national policies on their rights and well-being. Critically evaluate the effectiveness of international cooperation in addressing the global refugee crisis.

## **UPSC Civil Services Examination, Previous Year Questions (PYQs)**

### **Prelims:**

#### **Q. Amnesty International is (2015)**

- (a) an agency of the United Nations to help refugees of civil wars
- (b) a global Human Rights Movement
- (c) a non-governmental voluntary organization to help very poor people

**(d)** an inter-governmental agency to cater to medical emergencies in war-ravaged regions

**Ans: (b)**

**Q. A very big refugee camp called Dadaab, recently in the news, is located in (2009)**

**(a)** Ethiopia

**(b)** Kenya

**(c)** Somalia

**(d)** Sudan

**Ans: (b)**

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**Mains:**

**Q.** How does illegal transborder migration pose a threat to India's security? Discuss the strategies to curb this, bringing out the factors which give impetus to such migration. **(2014)**

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