



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Edmund Rice International Limited, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 May 2021]

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\* Issued as received, in the language(s) of submission only.



## **Effect of UK's Proposed legal reforms to asylum and immigration laws on migrants, asylum seekers and refugees**

The UK's proposed change to existing asylum and immigration laws will have a devastating effect on women fleeing gender-based violence and trafficking of women and girls. The new laws would make it even more difficult for women to navigate a system which already forces them to endure "disbelief, detention and destitution."<sup>1</sup>

The introduction of a two-tier system that would distinguish between those refugees who arrive in the UK formally and those who arrive informally would be unprecedented and would deny the latter group the chance to be granted permanent leave to remain. Women escaping domestic violence or slavery, with no access to formal asylum routes to the UK, would therefore be forcibly removed from the country.

Formal routes into the UK are impossible for many refugees to take and those who are fleeing repressive authoritarian governments where women are routinely subjected to gender-based violence are extremely unlikely to establish official mechanisms for their citizens to escape.<sup>2</sup> Many women are forced to travel by irregular routes to reach safety, including on lorries and with false papers. This includes many survivors of trafficking who have been brought to the UK against their will.

Furthermore, the proposed use of so-called 'reception centres' will "force traumatised women to raise all the reasons for why they need protection at the outset, with 'minimal weight' given to evidence raised later in the process 'unless there is good reason'.<sup>3</sup> This 'one-stop' application process ignores the fact that women who have survived gender-based violence often cannot disclose all reasons for their application at the outset; guilt, shame and fear can all result in evidence only coming to light much later in the process. This is a regressive policy compared to the current opportunity to present substantial further evidence at the point of appeal.

Any system which places these barriers in the way of a fair application and puts women at risk of indefinite detainment will undoubtedly increase the risk of further trauma and harm. The proposals are inhumane and contravenes the 1951 Refugee Convention and its 1967 Protocol to which the UK is a party. We strongly urge the UK government to abandon these proposed legal reforms and instead consider the well-being of women and all refugees seeking safety within its borders.

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<sup>1</sup> Women for Refugee Women 2021.

<sup>2</sup> Maya Oppenheim, The Independent 2021.

<sup>3</sup> Women for Refugee Women 2021.