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

Written statement* submitted by The Next Century Foundation, 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.

[23 August 2023]

* Issued as received, in the language of submission only.



Time for Change in the United Kingdom of Great Britain and Northern Ireland's Approach to Migration

Economic migration happens when people move to a new country to escape crippling poverty and lack of employment opportunities.

Climate change is also causing migration. Forty percent of the world's population — 3.5 billion people — live in places vulnerable to the effects of drought, extreme heat, floods or cyclones.

And numbers leaving their home countries due to war and persecution remain high. The number of refugees forced to leave their homes has more than doubled in the past ten years.

When migrants' skills closely align with those the destination country needs, it benefits both the new economy and the migrants themselves. However, migrants also use public services, which can be costly in the short term.

Countries have the right to decide who can enter and how. However, people who leave their homeland due to a genuine fear of persecution, or violence, and for whom going back could mean harm, have the right to protection under the 1951 Refugee Convention. Those claiming such status are Asylum Seekers. They are regarded as refugees once their claim is validated. They cannot be sent back. Some migrants need extra support because they face significant challenges. This may include some women and children, LGBTQ+ individuals, and those who experience racism, xenophobia, religious persecution and discrimination. Some move for a mix of reasons, sometimes making it hard to separate refugees from economic migrants.

ILLEGAL MIGRATION

Asylum seekers who arrive via boats face potential detention for up to four years.

Many of those crossing the Channel would be likely to qualify as refugees if their claims were evaluated by the Home Office but lack legal means to reach the United Kingdom of Great Britain and Northern Ireland and seek asylum. Currently, only Ukrainian refugees and a limited number of Afghan refugees with established government-designated pathways (including 2,000 annually through United Nations High Commissioner for Refugees (UNHCR) resettlement) have safe routes to the United Kingdom of Great Britain and Northern Ireland. These pathways are meant to supplement, not replace, the asylum process.

Currently, the United Kingdom of Great Britain and Northern Ireland lacks effective arrangements for transferring asylum seekers to secure third countries. The arrangement with Rwanda falls short of the required standards and has faced legal challenges. Without such arrangements and proper safeguards, individuals in need of asylum and protection could remain in uncertain situations, possibly in detention.

RECOMMENDATIONS:

1. **FACILITATE FAMILY REUNIFICATION:** There is a pressing need to address the situation of minors and others stranded in precarious conditions such as those who claim torture, or who may be in poor health. Central to this is the proactive identification of any of those who have immediate family members in the United Kingdom of Great Britain and Northern Ireland. All seeking asylum in the United Kingdom of Great Britain and Northern Ireland who find their way to one of France's cross-channel ports and can present a verifiable passport or identification card plus verifiable sponsorship from an immediate family member in the United Kingdom of Great Britain and Northern Ireland (parent/child/sibling/aunt/uncle) who is willing to offer accommodation to the migrant without burdening the state, should be granted right to remain without further assessment. The current system only grants such rights where there are insurmountable obstacles to continuing family life without family reunification.

2. **RIGHT TO WORK:** Registered asylum seekers awaiting their claim determinations should be granted the right to work. This would alleviate the burden on taxpayers. Currently refugees may be allowed to work (study) for 20 hours but not asylum seekers.
3. **IMPROVE INTERNATIONAL COOPERATION:** Working in tandem with other European nations, the United Kingdom of Great Britain and Northern Ireland and France should pave the way for a cooperative approach to tackle the challenges of irregular migration. Building on the principle of shared responsibility, the United Kingdom of Great Britain and Northern Ireland, France, and other European Union member states could establish a pan-European agreement that outlines an optimum number of asylum seekers to be received by each country. An equitable distribution of migrants would alleviate the disproportionate burden faced by countries like Greece. Currently, according to the Swiss Forum for Migration and Population Studies, an equitable distribution of responsibility for asylum seekers would take into account a country's size, wealth and rates of unemployment. On which basis, Austria, Greece, Cyprus and Germany accept the greatest proportion of asylum seekers. Whereas the European nations failing to welcome an adequate proportion of asylum seekers are Romania with 12,355 asylum applications accepted in 2022, Poland with 9,810, Finland 5,780, Norway 4,840, Denmark 4,565, Portugal 2,115, Czechia 1,685, Malta 1,320, Lithuania 1,025, Latvia 620, Slovakia 545, and Hungary 45. Other European countries including the United Kingdom of Great Britain and Northern Ireland, France, Ireland, Italy, Switzerland, Spain, France, Belgium, the Kingdom of the Netherlands, Estonia, Bulgaria, Croatia, Luxembourg, and Sweden, all carry their weight.
4. **FOCUS ON STOPPING SMUGGLERS:** Addressing migration challenges requires robust global collaboration. The United Kingdom of Great Britain and Northern Ireland and France, close neighbours united by shared concerns, are uniquely positioned to lead joint initiatives. By combining resources and enhancing law enforcement efforts, these nations can significantly deter irregular migration. Cross-channel migrants usually come by small boats or in the backs of lorries or campervans. To effectively combat smuggling and trafficking, the United Kingdom of Great Britain and Northern Ireland and France should continue to prioritise the reduction of small boat crossings, which are both dangerous and generate resentment.

Migrants who cross by boat should be detained and taken to the front of the queue in regard to the processing of asylum applications so that they can be seen to be removed swiftly if their claims are invalid. Meanwhile cooperation in catching people smugglers must continue. This builds upon a history of the United Kingdom of Great Britain and Northern Ireland-French cooperation at their shared borders. A multi-year funding arrangement was established during the United Kingdom of Great Britain and Northern Ireland-France leaders' summit in March 2023, involving a substantial French contribution and the United Kingdom of Great Britain and Northern Ireland funding commitments totaling around £476 million over three years: £124 million for 2023/24, £168 million for 2024/25, and £184 million for 2025/26.

5. **ADDRESS BACKLOG ISSUES:** The issue of addressing backlog in asylum applications is crucial. Individuals should be able to seek protection from persecution or danger, regardless of how they arrive in the United Kingdom of Great Britain and Northern Ireland. Strategies that focus on the efficient and timely resolution of pending asylum applications involve reevaluating and optimizing the existing processes to ensure that they are capable of delivering quicker outcomes. Streamlining the process could alleviate the burden on the immigration system. Furthermore, a more efficient process would discourage the use of unauthorized means of entry. Addressing backlog issues in the asylum process is not only a matter of administrative efficiency but a demonstration of our commitment to protecting the rights of those seeking asylum. This means recruiting sufficient numbers of civil servants to deal with the backlog, an exercise which would itself result in a saving of money.

6. **CHILDREN:** A clear and compassionate approach is needed when dealing with children under the age of 16 who arrive in the United Kingdom of Great Britain and Northern Ireland, regardless of their means of arrival. Such an approach must prioritize the welfare of children, recognizing the unique challenges they face. A cornerstone of this advocacy is the granting of an automatic right to asylum for children carrying documentation proving they are under 16 years old, or who can be verified by a Home-Office-recognised medical practitioner as being under 16, thus addressing the immediate needs of these children by offering them legal protection upon arrival. Granting an automatic right to asylum acknowledges that children are more vulnerable, and their well-being should be at the forefront of any immigration policy.
7. **MECHANISMS TO SPEED UP:** We recommend establishing a dedicated fast-track processing system for migrants coming from countries to which the Foreign Office advises against all travel, i.e. nations experiencing turmoil. This would prioritize their applications, allowing for quicker assessments and decisions. This means introducing an automatic right to remain for migrants from countries in crisis. Upon migration to the United Kingdom of Great Britain and Northern Ireland or at the time their applications were being processed, such migrants (if they had clear identification documents) could be granted a right to stay. Allocating a predetermined right to remain for migrants from crisis-stricken nations enables faster integration into the United Kingdom of Great Britain and Northern Ireland. This mechanism would involve medical assessments, and documentation verification upon arrival. Establishing processing centres, where migrants from countries in turmoil can submit their applications, would allow for swift document submission, initial assessments, and coordination with local authorities.
8. **STUDENTS:** In order to reduce problems with overseas students choosing to remain in the United Kingdom of Great Britain and Northern Ireland rather than return to their countries of origin, the right of university graduate and postgraduate students to be accompanied by family members should be rescinded.

These recommendations aim to promote a more compassionate, effective, and sustainable approach to migration.
