



Shortcomings in proposals for refugee and asylum schemes by both parties

Asylum: MW 519

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Summary

1. To secure the passage of the Illegal Immigration Act 2023 through Parliament, the government committed to allowing an unspecified number of people to come to the UK via humanitarian routes each year, over and above the hundreds of thousands who have already made their way to the UK from Hong Kong and Ukraine in the past few years. This paper examines some of the likely practical difficulties. It finds that nearly half a million people have come via direct refugee immigration routes in just two and a half years. Meanwhile, Labour's scheme to make provision for the resettlement in the UK of some asylum claimants in Europe – and even to open up the asylum system to claims at UK Embassies – risks plunging the immigration and asylum systems into further costly chaos from which it would be very hard to recover.

Introduction

2. The ongoing campaign for "Safe and Legal Routes" ignores the severe practical difficulties that would arise. For example:

- a. Where would claims be lodged?
- b. What would happen to those rejected?
- c. What is the risk that those rejected will simply turn to existing illegal routes such as those across the channel?
- d. What would be the costs involved?
- e. Would public money be better spent easing conditions in countries of origin?

The present position

3. The net level of legal immigration stands at a record net inflow of 672,000 in the year to June 2023, but reached an all-time record high of 745,000 in 2022.^[1] The asylum lobby have been calling for what they describe as more “safe and legal routes” for those fleeing persecution, while often ignoring the substantial routes that already exist. They claim that opening such routes would lead to a reduction in the pressure of illegal entrants across the Channel. However, it is quite possible that the effect would be the opposite as those rejected turned to illegal alternative routes.

4. Meanwhile, the government have enacted legislation which provides for an annual number of arrivals by safe and legal routes will be set by Parliament in consultation with local authorities.^[2]

5. One point that often fails to be mentioned in media commentary about this policy is that the proposed cap does not include the Ukraine visa schemes, the Afghan Relocation and Assistance Policy (ARAP), the Hong Kong British National (overseas) route or the Mandate Scheme.^[3]

6. Annex A shows that 94% (about 468,000 out of 496,000 people) of those who were granted permission to stay during the period from January 2021 to September 2023 have come via the routes mentioned in paragraph 5 (above), which would not be included under the cap (58% from Ukraine). Therefore, it seems likely that any number brought in under a cap would be in addition to those coming via these routes – a number of which (those relating to Hong Kong and Ukraine) are uncapped, with the scale of those taking it up largely dependent on circumstances outside of the UK’s control.

7. The government says it aims to launch this extra system, following parliamentary approval, in January 2025. ^[4] and probably, therefore, after the next election.

8. The cap would be amended each year, taking account of the ability of local areas to accommodate more refugees.

9. Meanwhile, at least one Labour politician has claimed that there are no safe routes for people to come to the UK. For example, Khalid Mahmood MP said in March 2023: “There are no safe routes for anybody to come through. Afghanistan has been closed. Hong Kong has been closed.”^[5] This is manifestly false.

10. Between 2015 and 2022, the government offered direct refuge in the UK to well over half a million people – the vast majority of whom came from Ukraine and Hong Kong. In addition, the UK provided a safe haven and permanent home for more than 20,000 people from Afghanistan in the run-up to and aftermath of the Taliban’s seizure of power in August 2021.^[6] See Annex A.

1 ONS, Long-term international migration, provisional: year ending June 2023, November 2023, URL: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/longterminternationalmigrationprovisional/yearendingjune2023>

2 Government policy paper on safe and legal routes, 20 July 2023, URL: <https://www.gov.uk/government/publications/illegal-migration-bill-factsheets/safe-and-legal-routes>

3 Government press release, October 2023, URL: <https://www.gov.uk/government/news/government-consults-on-safe-and-legal-routes-for-refugees>

4 Government press release, October 2023, URL: <https://www.gov.uk/government/news/government-consults-on-safe-and-legal-routes-for-refugees>

5 Full Fact, ‘Labour MP wrong to say “there are no safe routes” to enter UK’, March 2023, URL: <https://fullfact.org/immigration/khalid-mahmood-safe-routes-refugees/>

6 Ibid.

11. Currently there are no visa routes to enable people to claim asylum in the UK from overseas. The same applies to many other countries, such as Sweden or Germany. However, Labour have suggested that the UK's asylum system effectively be opened up to overseas applications including to those who have illegally entered Europe.

12. Party sources have told the media that any scheme to take migrants from Europe would be capped and tightly managed, potentially through applications at UK embassies or consulates overseas. Those with family already in the UK would, it is suggested, be prioritised.^[7]

The EU is on course to receive more than a million asylum claims in 2023

13. There is a clear risk that such a scheme would lead to the UK taking a proportion of however many illegal migrants entered Europe each year. Illegal entries into the EU in the first nine months of 2023 stood at 220,000 (70% more than the equivalent period in 2022) and the highest since 2016, according to Frontex^[8]. And, in 2022, more than 880,000 people applied for asylum in the EU for the first time, a rise of 64% compared with 2021.

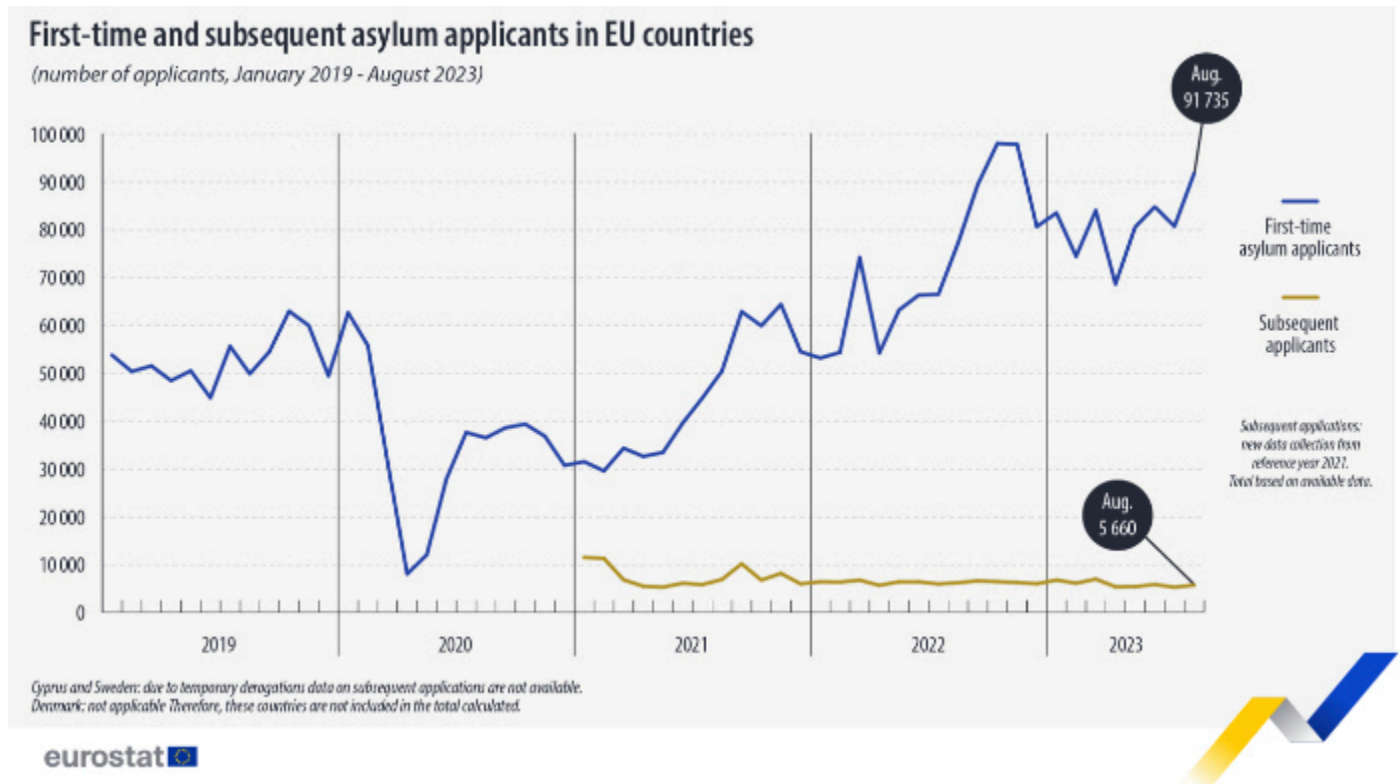
14. The number of asylum applications in 2023 appears to be rising further still – with an average of over 80,000 applications per month during the first eight months of this year.^[9] This marks a significant rise that has not been witnessed for a number of years. As the European Union Agency for Asylum has said: “In September 2023, this figure further increased to 108,000 applications, a level reminiscent of the refugee crisis of 2015–16. If the current trends continue, it is projected that the EU+ will receive more than a million asylum applications by the end of 2023.”

7 Daily Telegraph, 13 September 2023, URL: <https://www.telegraph.co.uk/politics/2023/09/13/labour-keir-starmer-accept-migrants-eu-deal-small-boats/>

8 Frontex press statement, 13 October 2023, URL: <https://www.frontex.europa.eu/media-centre/news/news-release/eu-external-borders-in-september-vlgp1C>

9 Eurostat, Asylum applications (annual and monthly statistics), URL: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Annual_asylum_statistics and https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Asylum_applications_-_monthly_statistics

Figure 1: First-time and subsequent (repeat) asylum applicants in EU countries – (Source of graph: Eurostat).^[10]



Previous refugee routes

15. Under a variety of special schemes over the past half century, the UK has relocated and settled over half a million refugees and their family members. These included:

- 42,000 Ugandan Asians expelled from Uganda between 1972 and 1974.
- 22,500 Vietnamese displaced persons from 1979 to 1992.
- Over 2,500 Bosnians in the early 1990s.
- More than 4,000 Kosovars in 1994.
- 22,200 Syrians who came to the UK via two routes between 2014 and 2021.

16. The two schemes for Syrians involved a selection process under the United Nations Human Rights Commission. However, the two major schemes set up to provide humanitarian routes in recent years – and under which nearly 470,000 people have come since 2021 – have not involved the UNHCR. The first was the Hong Kong Pathway to Citizenship (2021 and still open) which has brought a total of 185,000 people, including dependants. Meanwhile, the Ukraine Family Scheme which has operated from 2022 has, so far, granted entry clearance or extensions to 270,000 Ukrainians. Further details of these schemes are set out in Annex A below.

¹⁰ Eurostat, 21 November 2023, URL: <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20231121-3>

Potential challenges of adding yet more 'safe and legal' routes

17. As detailed above and in the Annex below, approaching 600,000 people have now come to the UK under 13 different 'safe and legal' routes since 2005.

18. Additional direct refugee immigration numbers, under a new parliamentary-endorsed cap that would likely increase in size year-on-year, will raise a number of practical problems.

- a. More direct refugee immigration could encourage yet more illegal journeys to the UK by sending out a clear message across the globe that the UK is a soft touch which does not prioritise the capacity of its own people and communities to absorb ever-increasing numbers from abroad. The UN estimate that there are approximately one hundred million refugees in the world. These numbers could be increased by climate change and high birth rates in some countries. More direct refugee immigration could even lead to more coming illegally if they are refused or, having applied, decide not to wait for the outcome and make their way to the dinghies.
- b. The overall scale of refugee arrivals seems likely to continue to increase substantially. We have already noted that those from Hong Kong and Ukraine and some from Afghanistan would not be included in the cap. However, it is worth stating that there is no limit on the Hong Kong pathway which has already received 180,000 Hong Kong citizens. A further 3,000,000 could qualify if circumstances in Hong Kong were to become very difficult.

Meanwhile, the Ukraine visa schemes have enabled entry of more than a quarter of a million Ukrainians to the UK, where they were either granted entry clearance or an extension of stay. There could be an increase in those numbers if the situation in Ukraine were to deteriorate further.

- c. Some £4 billion in taxpayer money is already being spent every year on the overwhelmed and abused asylum system. That could increase substantially if thousands more refugees were to be accepted under the new scheme envisaged for an annual additional quota set by Parliament.
- d. New arrivals would add to the existing pressure on communities, housing, services and infrastructure. The government say that they will work first with local Councils to understand their capacity.
- e. Some refugees would bring an economic benefit to the UK but, overall, there is very unlikely to be any significant net boost to the UK economy. Indeed, that would not be the main purpose of the initiative proposed.

We can be sure that modern communications and the presence of relatives already in Europe will add further to the draw, as will the growing inability (or unwillingness) of the government to remove anyone once here.

19. Meanwhile, Labour’s absurd scheme to open up UK embassies abroad to asylum claims poses an even greater threat to the integrity of the system and would undermine border control even more gravely. This is because any UK office overseas that was charged with considering applications would likely be flooded with them. Indeed, it is likely that foreign governments would refuse to agree to their establishment lest those who failed should remain on their territory. Furthermore, those declined at an overseas British office might well move on to France and try their luck crossing the Channel. The cost of opening and manning offices overseas would be much better spent helping far more people in greater difficulty.

Annex A: The Numerical Context

Over the years, 13 different resettlement or humanitarian pathways have been introduced for refugees or those fleeing persecution, or their family members. Table 1 below shows that over half a million people have been granted entry clearance under such routes since 2005, including just under 10,000 under the Gateway Protection route (Route 1).

Annex A below clearly illustrates the vast increase in direct refugee immigration in recent years from Hong Kong and Ukraine (Routes 11, 12 and 13 below). The addition and use of these routes has meant more than three-quarters of the total have come from just those two countries (more than 450,000 out of 585,000), while a 44,000 or so have come from two other countries – Syria and Afghanistan.

Meanwhile, more than 70,000 family members of refugees were granted entry via the ‘refugee family reunion’ visa (Route 3) since 2010 (the pre-2010 figures for this route – which opened in the mid-2000s – are not available). This entry scheme allows immediate family members to join a refugee. From 1 January 2019 to 31 March 2023, more than 90% of the people who came via this route were adult women and children. 57% of those granted entry between 2010 and 2021 were under 18.

Table 1: Total entry clearance grants for refugees and family, 2005 to September 2023.

Direct immigration by refugees and family members (2005- Sept 2023)	Entry grant totals
1. Gateway protection scheme (2005-2020)	9,789
2. Mandate Scheme (2008-19)	454
3. Refugee Family Immigration (Figures for 2010-2022)	70,517
4. Afghan Ex-Gratia Scheme (2013 to now)	1,400
5. Vulnerable Persons Resettlement Scheme (2014-20)	20,319
6. Vulnerable Children Resettlement Scheme (2016-20)	1,838
7. Community Sponsorship Scheme (2021 to now)	508
8. UK Resettlement Scheme (2021 to now).	2,407
9. & 10. Afghan Relocation and Assistance Policy – ARAP and Afghan Citizens Resettlement Scheme (ACRS) – 2021 to now.	21,630
11. Hong Kong Pathway to Citizenship (2021 to now: Entry clearance + extensions)	185,110
12. & 13. The Ukraine family scheme and the Ukraine sponsorship scheme (2022 to present: Entry clearance + extensions)	271,391
Total entry grants or extensions	585,363

Table 2: Total entry clearance grants via direct routes for refugees or their family members to come to the UK (Home Office).

Year	Total (incl. refugee family reunion)	Total (not incl. refugee family reunion)	Of which: 1. Gateway Protection	Of which: 2. Mandate Scheme	Of which: 3. Refugee family reunion	Of which: 4. Afghan Ex-Gratia scheme (2013 onwards) – stats not available by year	Of which: 5. Vulnerable Persons Resettlement Scheme	Of which: 6. Vulnerable Children Resettlement Scheme	Of which: 7. Community Sponsorship Scheme	Of which: 8. UK Resettlement Scheme	Of which: 9. Afghan Relocation and Assistance Policy	Of which: 10. Afghan Citizens Resettlement Scheme (and other Afghan schemes)	Of which: 11. Hong Kong BN(O) route – Entry clearance / extensions	Of which: 12. Ukraine family scheme / 13. Ukraine sponsorship scheme – Entry clearance / extensions
2005	71	71	71											
2006	353	353	353											
2007	463	463	463											
2008	717	717	642	75										
2009	947	947	857	90										
2010	5603	717	666	51	4886									
2011	4765	461	432	29	4304									
2012	4721	1053	995	58	3668									
2013	5088	967	937	30	4121									
2014	5236	786	630	13	4450		143							
Total (2005-14)	27964	6535	6,046	346	21429		143							
2015	6714	1865	652	19	4849		1194							
2016	11251	5212	804	8	6039		4369	31						
2017	11411	6212	813	28	5199		4832	539						
2018	11518	5806	693	18	5712		4407	688						
2019	13068	5612	704	11	7456		4408	489						
2020	5620	823	77	5	4797		662	79						
2021	120647	115002	0	2	5645		304	12	133	1136	7109	9631	96675	
2022	299314	295201	0	4	4113		0	0	272	887	4085	526	57290	232137
2023 (Q1 - Q3)	76456	71178	0	13	5278		0	0	103	384	135	144	31145	39254
Total (2015 - 30 Sept 2023)	555999	506911	3743	108	49088		20176	1838	508	2407	11329	10301	185110	271391
Grand Totals	585363	514846	9789	454	70517	1400	20319	1838	508	2407	11329	10301	185110	271391