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Prime Minister
10 Downing Street
London
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20 March 2024

Re: Safety of Rwanda (Asylum and Immigration) Bill

Dear Prime Minister,

As a group of civil society organisations from Northern Ireland, we are writing to express our grave concerns about the Safety of Rwanda (Asylum and Immigration) Bill (the Bill) and its incompatibility with the Belfast/Good Friday Agreement (B/GFA) and Article 2 of the Windsor Framework (WF). We further note the significant opposition to the Bill and call on you to withdraw it.

This Bill, if enacted, would violate the United Kingdom's commitments under the B/GFA. The Bill disapplies provisions of the Human Rights Act, which would have the effect of preventing individuals from challenging breaches of their rights under the Convention and accessing domestic courts to remedy those breaches. This stands in stark contrast to the UK government's commitment under the B/GFA, to "complete incorporation into Northern Ireland law of the ECHR with direct access to the courts, and remedies for breach of the Convention...". These provisions further undermine the rule of law and universality of human rights, which are foundational to the B/GFA.

We also believe that it represents a violation of Article 2 of the Windsor Framework by undermining the commitment to the non-diminution (as a result of Brexit) of rights protected under the 'Rights, Safeguards and Equality of Opportunity' (RSEO) section of the B/GFA.

This commitment extends to "everyone in the community" in Northern Ireland, which includes asylum seekers. This has been affirmed by the High Court of Justice in Northern Ireland (High Court) which concluded that the RSEO section of the B/GFA was intended to protect the human rights of everyone in the community, and that its protections are not frozen in time or limited to the political context of 1998.¹

The WF further prevents this Bill from being an effective means to enforce the legal fiction that Rwanda is a Safe Country for asylum seekers in Northern Ireland. Under the

¹ *Angesom's application for judicial review* [2023] NIKB 102 at para 108.

WF, domestic legislation which is found to be incompatible or inconsistent with Article 2 safeguards will be disapplied. The High Court's decision on the Legacy Act demonstrates in this regard the significant protection that the WF provides to human rights safeguards in Northern Ireland.

We therefore call on you to withdraw this Bill. Instead of unlawfully diminishing human rights protections in Northern Ireland, we encourage you and your government to enhance human rights by delivering on the outstanding B/GFA commitment to a Bill of Rights for Northern Ireland.

Yours sincerely,

Human Rights Consortium
The Public Interest Litigation Support (PILS) Project
Northern Ireland Rural Women's Network
Women's Resource & Development Agency
Women's Policy Group NI
Horn of Africa People's Aid Northern Ireland
Children's Law Centre
Irish Congress of Trade Unions
Friends of the Earth Northern Ireland
South Tyrone Empowerment Programme
Dr Sarah Craig, School of Law, Ulster University
Socialist Lawyers Association of Ireland
North West Migrants Forum
Dr Gillian Kane, School of Law, Ulster University
United Against Racism
Amnesty International UK
Participation and the Practice of Rights

CC: Secretary of State for Northern Ireland, Chris Heaton-Harris MP
Home Secretary, James Cleverly MP
Sir Jeffrey Donaldson MP
John Finucane, MP
Colum Eastwood MP
Stephen Farry MP