

Nationality and Borders Bill

The Nationality and Borders Bill is the cornerstone of the government's New Plan for Immigration, delivering the most comprehensive reform in decades to fix the broken asylum system.

The bill – and the wider plan – has 3 key objectives:

1. To make the system fairer and more effective so that we can better protect and support those in genuine need of asylum.
2. To deter illegal entry into the UK breaking the business model of criminal trafficking networks and saving lives.
3. To remove from the UK those with no right to be here.

The introduction of the bill was preceded by a consultation, which the government has carefully considered. The government will publish its response in due course.

Issues for our service users:

<https://www.unhcr.org/6149d3484/unhcr-summary-observations-on-the-nationality-and-borders-bill-bill-141>

- Tiered refugee status

The Bill envisions that Group 2 status (recognised refugees who have arrived irregularly) will be imposed on recognised refugees – that is, on people who are at risk of persecution, who have been forcibly separated from their homes, their families, and their livelihoods, and who in many cases have suffered trauma. The mental health challenges they face are well documented,²³ yet the Bill will stigmatise them as unworthy and unwelcome and if the intentions expressed in the Explanatory Notes were carried out, maintain them in precarious status for ten years, deny them access to public funds unless they were destitute, and restrict their access to family reunion.

Children born to Group 2 refugees in the UK, moreover, will normally have no right to British nationality for ten years, or until their parents are granted settlement.³² Given that refugees may put their status and perhaps security at risk were they to approach the embassy of their country of origin to register their children, many will have no effective nationality at all.

- Deprivation of citizenship without notice for dual nationals

- Lack of access to family unity in some cases

- Increased criminalisation of asylum seekers

- Indefinite periods of limbo with the removal of deadlines in the asylum process - they will have had no opportunity for work or training while awaiting a decision on their asylum claims

The adverse consequences of a “No Recourse to Public Funds” condition will fall not only the refugees themselves, but also on their families, including on any children who travel with them, are able to join them later, or are born in the UK. These consequences have been documented in numerous studies as well as in the context of litigation. They include difficulty accessing shelters for victims of domestic violence,²⁷ denial of free school meals where these are linked to the parents' benefit entitlement,²⁸ and de facto exclusion from the job market for single parents (largely women) who have limited access to government-

subsidised childcare, as well as significant risks of food poverty, severe debt, sub-standard accommodation, and homelessness

- You'll need a certificate declaring settled status

- Intention to remove even recognised refugees if and when transfer to a third country or country of origin becomes possible which, if enforced, would break the refugee convention.

Mainly group 2 refugees would be under consideration for this mode of deportation. No legal mechanism has been outlined.

- It force pressures, without due discussion, on countries other than the UK as the bill includes the precondition of attesting to the fact they couldn't rightly claim asylum in an other country they passed through to get here. Otherwise the asylum seeker can be rendered "inadmissible"

Campaigning angles:

A statement/ signed letter by local women's groups and orgs who work with BME communities, especially with refugees and asylum seekers.

Statement:

The United Nations High Commission for Refugees (UNHCR) in [recent publication](#) has stated that, "UNHCR believes the UK's Nationality and Borders Bill would penalise most refugees seeking asylum in the country, creating an asylum model that undermines established international refugee protection rules and practices."

We, the undersigned, stand by the rights outlined in the [Refugee Convention](#) to enshrine the legality of asylum, the core principle of non-refoulement and to a single human rights standard for all applicants to the UK. We recognise the insecurity racialised and minoritized groups may feel in the creation of such a bill and that it strengthens racist narratives of who is "deserving" of inalienable rights.

We reject the hostile language and overarching terminology to describing "unwanted" migrants to the UK.

We acknowledge the gendered differences in the application of the bill which could have devastating effects on the safety and security of all applicants.

We demand more information on the location and running of the "asylum accommodation centres" which, if kept out of the public eye, could lead to human rights violations of persons where there is no democratic oversight.

We demand transparency to the inclusion and application of Clause 9, it's concerning lack of due process and increase in powers to remove citizenship, regardless of the right to appeal.