

Last update: April 2024

The UK is seeking to deport certain asylum seekers to Rwanda to have their claims processed there. This policy is modelled on Australia's 'offshore processing' arrangements. This factsheet unpacks the background and details of the proposed UK policy, as well as legal challenges to its implementation.

Why is the UK trying to send asylum seekers to Rwanda?

Since at least 2020, the issue of asylum seekers crossing the English Channel in small boats from France, and the impact of these arrivals on the UK asylum system, has attracted increasing attention in the UK. There are mixed views on whether this focus on what the UK government calls '[illegal routes to asylum](#)' is warranted, or whether [delays and inefficiencies within the Home Office](#) are the greater concern.

The vast majority of people who cross the Channel to the UK [make an asylum application](#), and most [would be recognised as refugees](#) if the UK processed their claim. However, in an attempt to deter Channel crossings, the UK has taken various steps to render 'inadmissible' in the UK the asylum claims of people who enter from France without authorisation, and to remove them, either to their own country or to a third country – Rwanda.

What are the details of the proposed UK-Rwanda asylum deal?

In April 2022, then UK Prime Minister Boris Johnson [announced](#) that anyone entering the UK 'illegally' might be forcibly removed to Rwanda under a plan [broadly comparable](#) to Australia's 'offshore processing' policies.

As part of a new [Migration and Economic Development Partnership](#) (MEDP), the UK and Rwanda entered into a [memorandum of understanding](#) (MOU) under which Rwanda agreed to receive asylum applicants and to 'process their claims and settle or remove (as appropriate) individuals after their claim is decided', in accordance with its national laws and international obligations. In return, the UK agreed to provide development funding and to cover the processing and operational costs of each relocated person. In early 2023, new Prime Minister Rishi Sunak reaffirmed his commitment to this plan as one of his [five immediate priorities for 2023](#).

The UK-Rwanda MOU was supported by the [Nationality and Borders Act 2022](#) and the [Illegal Migration Act 2023](#), which together allow the UK Home Secretary to deem certain asylum seekers' claims 'inadmissible' and then remove them to a 'safe third country'. Under this legislation, asylum seekers whose claims may be deemed inadmissible include those who passed through another safe country – such as France – before reaching the UK.

When announcing the deal, Prime Minister Johnson claimed it would be '[uncapped](#)'. [Subsequent reports](#) on the number of asylum seekers who might be transferred to Rwanda have ranged from a few hundred to a few thousand people.

In March 2024, the National Audit Office [reported](#) that the Home Office had paid Rwanda £220m in development funding since April 2022. In total, it estimated the UK government would pay £370 million under the MEDP, a further £20,000 per individual and £120 million once the first 300 people had been transferred to Rwanda, plus £150,874 per individual for processing and operational costs. Based on these figures, it would cost the UK [£1.8m for each of the first 300 people](#) deported to Rwanda.

Is the UK-Rwanda asylum deal legal?

In June 2022, asylum seekers [filed a series of challenges](#) to their deportation in the UK courts. The first planned deportation flight to Rwanda was then grounded after the European Court of Human Rights (ECtHR) [granted urgent interim measures](#) preventing the removal of asylum seekers to Rwanda until after the final conclusion of the UK proceedings. Finally, in November 2023, [the Supreme Court ruled the asylum deal unlawful](#) on the basis that deficiencies in the Rwandan asylum system created substantial grounds for believing that asylum seekers removed from the UK would face a real risk of *refoulement* from Rwanda, and therefore that it could not be considered a 'safe' third country.

How did the UK government respond?

In response to the Supreme Court's ruling, the UK government [concluded a new treaty with Rwanda](#) which seeks to address the Court's concerns by establishing additional safeguards and guarantees to protect asylum seekers transferred to Rwanda. It also introduced the [Safety of Rwanda \(Asylum and Immigration\) Bill](#) which, if passed, would require every decision-maker in the UK to treat Rwanda as a 'safe country', save for in very limited circumstances. That bill is scheduled for further consideration by the UK Parliament in the first half of 2024. If it does pass, it will likely face [a further round of legal challenges](#).

Does the UK-Rwanda asylum deal breach international law?

The United Nations High Commissioner for Refugees (UNHCR) has issued a [series of statements](#) opposing the UK-Rwanda asylum deal, arguing that it fails to meet the required standards relating to the legality and appropriateness of transfer of asylum seekers and is incompatible with well-established and binding norms of international refugee law. Notably, while accepting that the legally binding commitments in the new treaty would address some of the key deficiencies in the Rwandan asylum system identified by the Supreme Court, [it emphasised in 2024](#) that change would 'require sustained, long term efforts, the results of which may only be assessed over time'.

The UK Joint Committee on Human Rights [also concluded](#) in 2024 that the Safety of Rwanda Bill does not comply with the UK's human rights obligations and would place the UK in breach of international law. Similar concerns have been raised by Human Rights Watch's [UK and Central Africa](#) offices, [Amnesty International](#), and Rwandan opposition leader [Victoire Ingabire Umuhuza](#).

More information is available on the Kaldor Centre's ['Offshore Processing' project page](#).