

Britain: Labour government steps up persecution of asylum seekers

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On Wednesday April 25, Home Secretary Jack Straw promised a raft of draconian measures to increase the rate at which failed asylum seekers are expelled and to curtail the numbers seeking entry to Britain.

The Labour government will set up additional immigration arrest squads drawn from 1,500 extra immigration officers. The three new arrest teams are to be based in London and will track down asylum seekers whose applications have been turned down and who have failed to leave the country. The teams will have the power to make arrests without police officers being present and will be equipped with 150 new mobile fingerprint scanners. Five new X-ray scanners are also to be installed in UK ports and at the Channel Tunnel freight centre at Coquelles in France to detect people hiding in lorries and cars.

Straw said that 9,000 failed asylum seekers were deported in the past 12 months, while others left voluntarily. The government's target had been 12,000, however.

The new measures would, he hoped, help the government to meet its target of 30,000-plus removals over the next year. An additional 500 caseworkers have already been employed to speed up decisions on asylum.

The number of charter flights to deport failed asylum seekers from Britain will also be increased. Six planes returning 215 people have already left Britain.

The monthly asylum figures for March published by the Home Office showed applications at 5,815, 13 percent lower than 12 months ago, with most new claimants coming from Afghanistan, Somalia and Iraq. Straw boasted that the backlog of cases waiting for a decision had fallen to 36, 390—less than a third of the 101,000 in February last year and the lowest for a decade. The proportion of claimants recognised as

refugees or given special leave to stay in Britain last month was just 25 percent, with a further 16 percent of applicants then refused on technical "non-compliance" grounds (a net figure of just nine percent).

Straw also announced his intention to establish a common European definition of who qualifies as a refugee. His aim is to limit the granting of refugee status to those facing persecution by a state and automatically exclude victims of "non-state persecution"—such as those fleeing racism, ethnic conflict, rape or criminal gangs. He said that an EU directive laying down the "mutual recognition" by all European countries of the criteria of who qualified as a refugee would end what he called "asylum shopping"—the practice whereby migrants tried one European country after another until their claim was recognised. This EU directive would be enforced through changes in UK law.

Straw's aim is two-fold. Firstly, the UK allows asylum on the grounds of acts of persecutions that are not state-sponsored, unlike other EU countries that employ a narrower definition, based solely on government actions. This means that more refugees apply for asylum in the UK, which, out of 13 EU states, took 25 percent of all asylum-seekers between April 2000 and February 2001. "There should be a level picture so we have similar definitions which apply across Europe," Straw insisted.

Secondly, the new legislation would overturn recent rulings by British judges, which, on two occasions in the High Court, went against the government and in favour of asylum-seekers. One ruling found that the Home Office had abused the rights of asylum seekers as set out in the Geneva Convention. The decision means the government may have to pay compensation to a possible 1,000 asylum-seekers thought to have

been prosecuted each year between 1994 and 1999 for travelling without legal documentation. Another found that Straw himself had acted unlawfully in attempting to return two asylum-seekers to the third countries through which they passed en route to the UK—France and Germany—as the Home Secretary knew that both countries apply the right to asylum restrictively and they would not be treated fairly.

Straw complained that the judiciary had often taken "an over-liberal approach" to asylum cases and launched a campaign to revise the 1951 Geneva Convention. He proposed the creation of three categories in considering asylum claims. The first included applications for asylum from countries like the US, from whence no claims "should be entertained"; the second, which would work on the "presumption that the application would be unfounded" if it was made in the state where the asylum-seeker is seeking residence" and a third featuring states where asylum-seekers would be considered automatically.

His intention was to ensure that asylum claims cannot be made in the refugees' final destination country, but only in the nearest "safe" country their journey takes them to. This would effectively end all migration to Britain, except for those skilled workers considered necessary for economic success. His latest appeal for a uniform approach within Europe is a continuation of this campaign to strengthen Britain's anti-asylum measures.

As immigration lawyer Nicholas Blake commented, "He is seeking to change the nature of the UK's obligations by political action at the level of the EU to overturn judicial decisions. That is incompatible with the rule of law."

For weeks now, the Labour Party has been seeking to make electoral capital out of the overt racism expressed by leading figures in the Conservative Party around the issue of so-called "bogus" asylum seekers. Straw himself told the BBC's *Today* radio programme, "I am very unhappy with the position which the Conservative Party or part of it has on race."

But Labour's consistent response to the anti-asylum rhetoric of the Tories and the tabloid media has been to adapt to it. While with one breath Labour denounces Tory racism, with the next they always insist that they are clamping down ever harder on fake asylum claims and illegal immigration—and all in the name of

preserving racial harmony. In the end both parties arrive at virtually identical policies. As Shadow Home Secretary Ann Widdecombe, who has made a profession out of railing against asylum seekers, pointed out, Labour opposed fingerprinting at ports when introduced by the Tories in 1993. Now, however, "It appears they have finally woken up to reality and seen the sense in Conservative policy."



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