

Britain: Refugees face destitution under new asylum law

Richard Tyler
25 January 2003

Since January 8, refugees entering Britain face destitution if they do not immediately claim asylum at the port of entry. Those who make an asylum application “in-country” can have welfare payments withheld and are also banned from working to support themselves and any dependents.

It is the result of a little reported clause in new immigration legislation that removes the right to welfare support for those who fail to apply for asylum at their port of arrival or “as soon as possible afterwards”. Those who give incomplete or inaccurate information, or do not cooperate with inquiries about their applications, will also receive no government funds.

Prime Minister Tony Blair’s web site said the new measures were designed to tackle “abuse” of the asylum system and clampdown on so-called “benefit shopping”. Cynically the web site states “in-country applicants refused support will still be able to apply for asylum”. How those refused any means of support are supposed to survive for months while awaiting adjudication of their application is not explained.

According to the Refugee Council, the new law “will force thousands of asylum seekers into destitution”. The organisation has already reported their first case to fall foul of the new procedures last week—a 28-year old Cameroonian, described as a severely traumatised torture victim, was found sleeping rough in Leeds while awaiting a decision on welfare support.

Margaret Lally, deputy chief executive of the Refugee Council, said, “We are seeing clients who have been in country for as little as 24 hours who are being turned down for support because it took them a day to claim asylum.”

The Refugee Council, homeless charity Shelter, Amnesty International UK, the Joint Council for the

Welfare of Immigrants (JCWI), Oxfam and several other organisations issued a joint statement expressing their “deep concern with the government’s decision to deprive destitute in-country asylum applicants of the right to food and shelter.”

Several of these groups are also launching a legal challenge in the High Court, claiming the new legislation is incompatible with the European Convention on Human Rights outlawing cruel, inhuman and degrading treatment.

According to lawyer Shami Chakrabati leading the High Court bid, the government’s decision to introduce the new measure “shows an appalling disregard for the value of human life”. Tauhid Pasha, JCWI Information Director said, “Destitution will be an immediate and direct consequence” of the new rules. Such is the right-wing nature of New Labour that a protest resolution tabled in the House of Commons attracted only 17 signatories.

Since Labour came to power in 1997, legislation and regulations making it harder for refugees and asylum-seekers has been an almost constant feature of its attack on fundamental democratic rights.

The UK takes less than 2 percent of the world’s refugees, with far more seeking shelter in neighbouring countries, which are usually underdeveloped and able to offer only the barest minimum. For example, Iran and Pakistan have taken four million refugees from Afghanistan.

At present, some two-thirds of all asylum-seekers arriving in Britain make their claims “in-country”. Compared with 2001, such applications comprised over two-thirds of the total in the third quarter of 2002. The single highest number of applicants came from Iraq (4,300), followed by Zimbabwe (2,105) and Somalia (2,095), with these three countries accounting for

nearly 40 percent of all applications.

Changes already introduced under Labour have shortened the time between an application being lodged and an initial decision, with 77 percent of applications received during April-June 2002 having an initial decision made within two months. As a result, the rate of “removals” (government-speak for deportations) has increased considerably, up 17 percent over the comparable period in 2001. A total of 2,750 main applicants and 815 dependants were deported in the third quarter of 2002.

The need to provide assistance is highlighted by the growing number of applications under the government’s extremely limited National Asylum Support Service (NASS). In the third quarter of 2002, NASS saw the highest ever level of requests for help (17,485), up 11 percent over the same period the previous year. In September 2002, there were over 50,000 asylum-seekers being supported in NASS accommodation.

At the same time as the government pushed through its changes to asylum legislation, the European Union was preparing a crackdown on those seeking asylum on the continent.

Following secret discussions by EU ministers and civil servants, refugee groups have raised fears that new rules mean that from 2003 all successful refugee/asylum applicants will have their situation regularly reviewed, with a view to terminating their status as soon as possible.

Statewatch editor Tony Bunyan said an asylum-seeker’s status “is to be under constant review so that they can be repatriated at the earliest opportunity if EU governments decide it is ‘safe’ for them.” Bunyan pointed to the influence of the right-wing Danish government, which currently holds the EU presidency, and which has already enacted similar policies.

A planned EU decision would deny refugee status to those who can be linked to “violence” in their countries of origin. This provides scope for EU governments to turn down asylum claims based on the most dubious of “evidence,” or even when relatively petty offences are involved.

From January 15, another new measure introduced a centralised fingerprinting database for all asylum seekers in the EU. The prints will be digitalised and accessible by the authorities in all 15-member states on

a computerised system.

EU Justice and Home Affairs Commissioner Antonio Vitorino said the new system would “streamline our asylum policy across the European Union”. Under these new measures, anyone who crosses a border and is found to have applied for asylum in another EU state would be automatically returned to that country.

Once again, legislation introduced in Britain and throughout the EU demonstrates that increasingly for refugees and asylum-seekers, “fortress Europe” presents not a sanctuary but an impassable barrier.



To contact the WSW and the
Socialist Equality Party visit:

wsws.org/contact