

Call for evidence by Human Rights (Joint Committee): Legislative Scrutiny: Illegal Migration Bill

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Introduction

René Cassin¹, the Jewish voice for human rights, is a UK-based charity that works to promote and protect universal rights, drawing on Jewish history and values. In particular, we advocate for the protection and extension of the rights enshrined in the Universal Declaration of Human Rights, and for protecting modern human rights laws such as UN international treaties, the European Convention on Human Rights and the UK Human Rights Act that are direct descendants of the Declaration.

We are submitting evidence to the JCHR because of the belief that this new Bill directly undermines the human rights in the Universal Declaration, part of the legacy of the Holocaust. With that in mind, we believe that this legislation represents a worrying trend of disregarding the lessons of Jewish history. This particularly applies in this case to the principle of human rights as universal and to the universal right to seek asylum as established by the 1952 Convention on the Status of Refugees.

This submission therefore focuses on the point that the **Illegal Migration Bill will dismantle the universal human rights protections created in the aftermath of the Holocaust and the legacy it created.**

¹ www.renecassin.org

Q - Are there any other human rights considerations arising from this Bill that you want to bring to the attention of the Committee?

w of the Holocaust.

This is because, if passed, the Bill amounts to a ban on seeking asylum in the UK for those who arrive irregularly. René Cassin directs the Committee to the expertise of our colleagues at the Immigration Law Practitioners' Association (ILPA), who clearly show that the Bill 'is an abrogation of the UK's responsibilities under the Refugee Convention².' ILPA also states that 'the Home Secretary...is unable to say that its provisions are compatible with the rights to be found in the European Convention on Human Rights³.'

By undermining the Refugee Convention and the European Convention on Human Rights, this Bill discards cornerstones of British democracy drafted in response to the Holocaust, which set out a new, fair, and peaceful world order. By stripping people of their right to seek safety, and instead punishing them for how they arrived, this Bill disregards the lessons of Jewish experience.

Our families fled Nazi Germany to save their lives. They did not have time to find the perfect route. They took the path that was offered to them to survive. To turn our backs on these human beings today is not simply cruel and unlawful, it shows disrespect to all those who were persecuted or murdered because of the Holocaust. That is because the modern human rights framework, which this Bill undermines at every turn, is a legacy of these atrocities.

The modern human rights framework and its built-in belief that human rights are universal, is a direct response to the Holocaust. Within living memory is the targeting of Jews, Romanis, Poles, communists, homosexuals, Jehovah's Witnesses and mentally and physically disabled people. Such sinister attacks on minorities require those in power to disregard a fundamental belief that all human beings deserve the same rights and freedoms. This is why the 1948 Universal Declaration of Human Rights was drafted, to establish the *universality* of human rights, including the right to asylum.

This Bill breaches its international obligations in the European Convention by disapplying section 3 of the Human Rights Act. The effect is to deprive certain human beings, depending on how they reach the UK, of the *universal* right to seek asylum.

Bearing the weight of history, René Cassin urges the government to reconsider the passage of this Bill and heed our call. We understand from experience that people seeking safety in the UK deserve dignity and compassion, not suspicion, punishment, and cruelty. Instead, the UK must prioritise a compassionate, fair, and workable system which includes safe routes, orderly asylum processing, and a comprehensive UK strategy of welcome.

² Immigration Law Practitioners' Association, Second Reading Briefing, Illegal Migration Bill, 2023, p18

³ Ibid, p2