



March 2022

*Dear Constituent,*

Thank you for contacting me about Clause 11 of the Nationality and Borders Bill.

The United Kingdom has a proud record of helping those fleeing persecution, oppression or tyranny from around the world. Alongside providing £10 billion a year to support people through our overseas aid, the UK is a global leader in refugee resettlement. Between 2016 and 2019 our country resettled more refugees from outside Europe than any member state of the EU.

The purpose of the power to differentiate being introduced through the Nationality and Borders Bill is to influence the choices that migrants may make when leaving their country of origin, seeking to encourage them to claim asylum in the first safe country they reach and discourage them from travelling to the UK by means of dangerous journeys and instead use safe and legal routes.

The proposals in the New Plan for Immigration and the Nationality and Borders Bill fully comply with the UK's global obligations including commitments to the European Convention on Human Rights and the UN Refugee Convention.

As you will be aware, through the Bill, whether people enter the UK legally or illegally may also have an impact on how their asylum claim progresses, and on their status in the UK if that claim is successful. After looking into this, the UN Refugee Convention does allow for different treatment where, for example, refugees have not come directly from a country of persecution. For example, if someone enters the UK via a safe country, where they could have claimed asylum, they are not seeking refuge from imminent peril. Therefore, returning them to a safe third country is not inconsistent with the UN Refugee Convention.

Under Clause 11, therefore, those who meet the terms of the refugee convention will be granted refugee status. There is no question of this clause making it harder to be a refugee or otherwise enabling the Government to refuse refugee protection to those who need it. That is simply not true.

What the clause does is enable the Secretary of State to distinguish between refugees based on whether they came directly and claimed without delay, but anyone considered under this policy will be a refugee.

Thank you again for taking the time to contact me.

Yours faithfully,

**CHRIS HEATON-HARRIS MP**  
**MEMBER OF PARLIAMENT FOR DAVENTRY**