



Office of the
Advocate General
for Scotland

The Right Honourable
Lord Stewart of Dirleton KC

Advocate General for
Scotland

Lord Falconer of Thoroton

House of Lords
London
SW1A 0PW

04 March 2024

Dear Charles

**SAFETY OF RWANDA (ASYLUM AND IMMIGRATION) BILL: HOUSE OF LORDS
COMMITTEE STAGE**

I am writing to follow up the debate in the Lords on day three of Committee (Official Report, 19 February 2024, volume 836) regarding the implementation in practice of the provisions set out in the UK: Rwanda Treaty: Provision of an asylum partnership ('the treaty')

You asked how many independent experts have been appointed to support the implementation and delivery of the new case working model that Rwanda will establish to determine asylum and humanitarian claims. As I explained during the debate, for at least the first 6 months under this new model, the 'First Instance Body' will, before making a decision to refuse a claim, seek and consider advice from a seconded independent expert (see Part 2 of Annex B, paragraph 3.3.3 of the treaty).

In order to implement the changes necessary to introduce the new First Instance Body, as well as other reform to the Rwandan asylum system in line with the provisions agreed under the treaty, the Government of Rwanda will pass a new asylum law.

Rwanda is a sovereign nation, and it would not be appropriate for the UK to dictate timeframes for the introduction of their domestic legislation. Nevertheless, we have assurances from the Government of Rwanda that the implementation of all measures within the treaty will be expedited. The UK and Rwandan governments continue to work closely to deliver the necessary changes, including appointing independent experts, so the partnership can be operationalised as soon as possible, and removals can commence.

Independent experts will play a critical role in responding to the findings of the Supreme Court by building capacity within the Rwandan asylum system, particularly focussing on structural changes made to the system by the new asylum law.

The experts will provide day-to-day assistance within the decision-making body. They will be consulted if the first instance body is minded to refuse a claim (paragraph 3.3.3. Annex B); they will assist in providing reasons in decisions (paragraph 3.11.2 Annex B); they will provide training and a suitable expert will provide an opinion in any appeal which the judges will take into account (paragraph 4.2.4 Annex B).

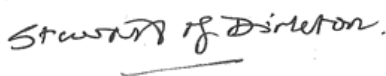
The Monitoring Committee also contains specific expertise. They will review compliance of the treaty and immediately escalate issues.

I can assure you that the provisions in the treaty will be operational prior to relocations beginning. This includes having independent experts in place. Further details will be available in due course.

I am copying this letter to Baroness Chakrabarti, Baroness Hale of Richmond, The Lord Bishop of Chichester, Baroness Lister of Burtersett, Lord Purvis of Tweed, Lord Deben, Baroness Whitaker, Lord Coaker, Baroness Wheatcroft, Lord Hannay of Chiswick, Lord Kerr of Kinlochard, Lord Ponsonby of Shulbrede

I will also place a copy of this letter in the library of the House.

Yours sincerely,

A handwritten signature in cursive script that reads "Stewart of Dirleton". The signature is written in dark ink and is positioned above a short horizontal line.

RT HON LORD STEWART OF DIRLETON KC