



Office of the
Advocate General
for Scotland

The Right Honourable
Lord Stewart of Dirleton KC

Advocate General for
Scotland

Lord Kerr of Kinlochard

House of Lords
London
SW1A 0PW

11 March 2024

Dear Lord Kerr,

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

I am writing to follow up on the debate in the Lords on day two of Report (Official Report, 06 March 2024, column 1571) regarding the procedures that have been established in line with Article 10.3 of the UK/ Rwanda Treaty: Provision of an Asylum Partnership ('the treaty') to ensure refoulement does not take place.

The treaty contains, amongst other provisions, an undertaking from Rwanda that they will not remove any person relocated under the MEDP except to the UK, in very limited circumstances, and that individuals relocated to Rwanda who are not granted asylum or humanitarian protection status will get equivalent treatment to those who are, including permanent residence. This directly addresses the findings of the Supreme Court and means that no individual relocated under the scheme is at risk of refoulement.

Following the latest meeting of the Joint Committee last month, I am pleased to say that implementation of the measures within the treaty continues at pace, demonstrating both the UK and Rwanda's unwavering determination to delivering this partnership.

The Joint Committee and the independent Monitoring Committee, both of which are already established, will oversee the partnership and ensure that the obligations under the treaty are adhered to in practice. This will prevent the risk of any harm to relocated individuals, including potential refoulement, before it has a chance to occur.

In the unlikely event that an individual needs to be returned to the UK in line with Article 11.1 of the treaty, both parties would work together to ensure this was done in compliance with their obligations under the treaty. We continue to work with Rwanda to support the implementation of all necessary treaty measures and this includes the enhanced Monitoring Committee functions,

which will enable risks to be identified and addressed as and when they arise, preventing errors at an early stage. The Monitoring Committee will:

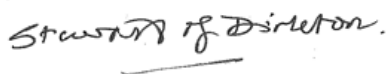
- Have the power to set its own priority areas for monitoring and have unfettered access for the purposes of completing assessments and reports.
- Monitor the entire relocation process from beginning, including initial screening, to relocation and settlement in Rwanda.
- Be responsible for developing a system to enable relocated individuals and legal representatives to lodge confidential complaints directly to the Committee.

I have been clear in my assurances that the Government will ratify the treaty only once we agree with Rwanda that all necessary implementation is in place for both countries to comply with the obligations under the treaty.

I am copying this letter to Baroness Chakrabarti, Viscount Hailsham, Lord Inglewood, Baroness Jones of Moulsecoomb, Lord Cashman, Lord German, Lord Lilley, Lord Murray of Blidworth, Baroness Kennedy of The Shaws, Baroness Lawrence of Clarendon, Baroness Meyer, Lord Anderson of Ipswich, Lord Coaker, and 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