

The Lord German OBE
The Baroness Brinton

House of Lords
London
SW1A 0PW

10 September 2025

Dear Baroness Brinton and Lord German,

**BORDER SECURITY, ASYLUM AND IMMIGRATION BILL: HOUSE OF LORDS
COMMITTEE**

I am writing further to the debate in the Lords Committee on 3 September, where I committed to write (Official Report 3 September Column 828) with details about the status of Georgia and its inclusion on the list of generally safe countries at section 80AA(1) of the Nationality, Immigration and Asylum Act 2002 (as amended by the Illegal Migration Act 2023).

The safety of countries of origin in the context of this list is something that we have considered very carefully. I acknowledge that you have significant concerns in respect of Georgia's inclusion thereto, particularly in view of country information documenting problems in that country.

During the debate, weight was put on the US State Department Report of 2022, which points to some human rights problems in Georgia. The report is a helpful resource in some instances, but it has limitations, and in this case, it does not qualify the scale and extent of the human rights matters that it highlights. Discussion also touched on references to individual cases or hypothetical circumstances. Regrettably, there may be instances of occasional or isolated human rights abuses, but that is not the same as evidence of systemic problems or reflective of the situation in general.

It is important to remember that no asylum system, whether in the UK or anywhere else, operates on the basis that asylum claims are unfounded only where the country of origin is safe at all times for all of its citizens. That cannot be reasonably expected of any state. Similarly, no state is free of human rights challenges of some description. This is why the test for inclusion on the section 80AA(1) list is one of generality - a general absence of a real risk of persecution - not the complete absence of any risk of harm or of human rights challenges.

That certain individuals may have well-founded claims is why an exceptional circumstances provision is a central part of the legal framework that will be applicable to the section 80AA(1) list if and when it is commenced: it allows us to use inadmissibility flexibly, and where individual claims require substantive examination on their merits, to ensure that happens. As has been shown with the EU inadmissibility process to date, it is important to have a process which is sensitive to individual claims having merit, whilst still protecting the broader asylum system from being overburdened by claims that have no prospect of success.

The Home Office conducted an in-depth assessment of the situation in the countries on the section 80AA(1) at the time. Relevant evidence of this is included in the published country policy and information notes (CPINs). These are based on a wide range of reliable sources such as reputable media outlets; local, national, and international organisations, including human rights organisations; and information from the Foreign, Commonwealth and Development Office. The material drawn from those sources is quoted and referenced in the respective CPINs. A number of these have subsequently been updated since Parliament approved the addition of Georgia and India to the list of designated states.

A country's inclusion on the list inserted as section 80AA of the 2002 Act may be reviewed by the Home Secretary. Subject to regulations, section 59 specifically provides for the Home Secretary to add a country to the list (through the affirmative procedure) or remove a country to the list (through the negative procedure).

I look forward to further debate of the Bill as it continues Committee stage.

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

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'J. Hanson', written in a cursive style.

Lord Hanson of Flint