



Written by [Dina van Heemst](#) on July 10, 2023

Rwanda Plan Deemed Unlawful by British Court of Appeal

After many challenges, the Court of Appeal in England has ruled the [Rwanda Plan unlawful](#). Two of the three judges on the Court of Appeal found that Rwanda is not a safe country for asylum seekers. The judges claim that there are “deficiencies” in the country’s asylum system, meaning that refugees could be at risk of refoulement, the forced removal of refugees. The ruling overturns the decision of the High Court which found that Rwanda was a safe place for refugees and deemed the plan lawful.

[The Rwanda asylum plan](#), officially known as the UK and Rwanda Migration and Economic Development Partnership, is an agreement between the United Kingdom and Rwanda to send illegal immigrants to Rwanda to process them for asylum claims. The deal was introduced by Prime Minister Boris Johnson on April 14, 2022. The agreement stated that the United Kingdom would send “asylum applications deemed inadmissible by the UK” to the African nation to be processed. If an applicant has passed through a safe country before arriving in the U.K., that applicant’s claim is considered inadmissible. Asylum seekers sent to Rwanda would then be processed and their claims reviewed. Those who are granted asylum in Rwanda would not be able to return to the U.K. [An economic assessment](#) estimated that removing each individual to a country such as Rwanda would cost £169,000 per individual. This is in addition to the £140 million that the U.K. has already paid the Rwandan government.

The [aim of the agreement](#) is to help deter migrants from attempting to cross the English Channel and to disincentivize human smuggling. The plan also aims to help Rwanda with its national development plan for 2050.

While the plan was introduced in April of 2022, there is yet to be a single migrant sent to the central-African country. Lawsuits from individuals being sent to Rwanda, refugee groups, and the European Court of Human Rights have halted any flights from departing. [The first official legal challenge](#) to the



AP Images

U.K. Home Secretary Suella Braverman in Kigali, Rwanda



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Rwanda plan came just before the first departure sending asylum seekers to Rwanda on a one-way ticket on June 14, 2022. The challenge was brought by the founder of the charity Care4Calais, the Public and Commercial Services Union, Detention Action, and four asylum seekers. Hours before the flight was expected to depart, an injunction from the European Court of Human Rights stopped the flight from taking off. In December of 2022, [the High Court ruled](#) that the Rwanda Plan is in fact legal. However, this decision was appealed to the Court of Appeal, which found that Rwanda is not a safe country to send illegal immigrants to. The Tory government is expected to appeal to the Supreme Court; however, it could be several months until a decision is reached.

The Rwanda Plan and its controversy comes at a time where illegal immigration in to the U.K. is at an all-time high. The year 2022 saw the highest number of illegal immigrants crossing the English Channel, with 45,756 recorded crossings, more than 17,000 higher than in 2021. The Tory Government, the conservative political party in power for the last 13 years, has overseen the exponential rise in illegal migrants, despite recent promises to control the influx of boat crossings. In addition to illegal immigrants, the number of [long-term immigrants](#) hit around 1.2 million people in 2022.

“Asylum seekers” are costing taxpayers nearly £7 million a day to house them in hotels. [The current cost](#) of the asylum system, according to the Home Office, has reached £3 billion a year. On [the U.K. Government website](#), there is information regarding what asylum seekers can expect to receive on their arrival to the UK. It states that they will be given “somewhere to live if you need it. This could be in a flat, house, hostel or bed and breakfast.” Both those who have been approved for asylum and those who have been refused will receive somewhere to live and £45 per person, per week on a payment card. Asylum seekers also receive free prescriptions for medicine, free dental care, free eyesight tests, and help paying for glasses.

While the Rwanda Plan has the potential to deport unlawful immigrants to Rwanda, it is not an effective plan. With legal challenges arising constantly, it is unlikely that the Rwanda Plan will move forward anytime soon. In addition to the legal difficulties, there are far too many crossing the English Channel for the Rwanda Plan to be a viable solution. In fact, [Rwanda can only house](#) around 100 people at once and process up to 500 claims a year. The futility of this scheme becomes apparent when considering that [686 migrants crossed the channel](#) in one day on July 7, the highest recorded number in 2023.

Additionally, the Rwanda Plan does nothing to address the staggering rates of legal immigration, which have reached an all-time high under the Tories. With more than a million people having entered the U.K. in 2022 for long-term immigration, the U.K. is overwhelmed by not just illegal immigrants but also those who are granted long-term status.

Instead of the Rwanda Plan, the U.K. should focus on deterring illegal migrants from arriving to begin with. Rather than incentivizing illegal entry into the U.K. by providing migrants with a place to live, money, and free healthcare, those entering into the country illegally should be treated as criminals.



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