



1. Name and outline of policy proposal, guidance, or operational activity

Title: Migration and Economic Development Partnership with Rwanda.

The Migration and Economic Development Partnership (MEDP) with Rwanda is part of the New Plan for Immigration (NPI) Programme.

The NPI programme vision is:

- to improve the fairness and efficacy of the UK immigration system so that those in genuine need of asylum can be better protected and supported;
- to deter illegal entry into the UK, thereby breaking the business model of people smuggling networks and protecting the lives of those they endanger;
- and to remove more easily from the UK those with no right to be here.

Our Partnership with Rwanda is part of a co-ordinated strategy with key actions across policy and operational workstreams and is designed to disincentivise dangerous and unnecessary journeys such as small boat crossings, save lives and prevent injuries, and increase public confidence in the Government's handling of both border security and fixing the UK's immigration system.

It is intended to support the NPI by disrupting the business model of organised crime gangs promoting trips to the UK by dangerous and unlawful routes. People take appalling risks to enter the UK illegally, and will often undertake dangerous journeys to do so, when there are other opportunities to seek international protection in other countries that they have transited through. This can include hiding in containers, hiding under or in trucks, or crossing the English Channel in a small boat.

The Migration and Economic Development Partnership with Rwanda means those who have their asylum claim deemed as inadmissible under our Inadmissibility Rules¹ and have made a dangerous and illegal journey to the UK may be relocated to Rwanda for processing under their asylum system. Those whose claims are successful would remain in Rwanda, while those who are unsuccessful would either depart voluntarily, gain another kind of status in Rwanda or be returned to their country of origin or another country where they will be lawfully admitted.

Before entering into the Partnership with Rwanda, the Home Office Country Policy and Information team (CPIT) carried out an assessment of the

¹ Inadmissibility Safe Third Country Cases ([Inadmissibility casework guidance \(publishing.service.gov.uk\)](https://www.gov.uk/government/publications/inadmissibility-casework-guidance))

conditions in Rwanda for potential asylum processing under Rwandan laws and procedures, considering the European Convention on Human Rights (ECHR) and equality issues. The Home Office has looked at the country conditions and assessed that Rwanda is generally a safe country for asylum seekers and refugees. Where the CPIT report raises equalities concerns, mitigations have been put in place, in particular –

- there will be a case-by-case risk assessment when determining eligibility for relocation and individual vulnerabilities will be taken into consideration and assessed against our knowledge of the conditions in Rwanda;
- ongoing monitoring of the end-to-end operation under the Memorandum of Understanding (MoU) between the UK and Rwanda on the relocation of asylum seekers which provides assurance that each individual and their claim will be treated in accordance international standards.

As part of the MEDP the UK and Rwanda have also agreed an MoU which sets out how people being relocated to Rwanda under the partnership will be treated and supported throughout the process of relocating people to Rwanda and after they have arrived. Under the partnership the UK is providing funding so that Rwanda can ensure that each relocated individual is provided with accommodation and can ensure the health, security and wellbeing of the person.

2. Summary of the evidence considered in demonstrating due regard to the Public-Sector Equality Duty.

Memorandum of Understanding (MoU) between the UK and Rwanda - [Memorandum of Understanding between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Republic of Rwanda for the provision of an asylum partnership arrangement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/MoU-between-the-UK-and-Rwanda-for-the-provision-of-an-asylum-partnership-arrangement-2020.pdf)

Home Office asylum data - <https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets>

Inadmissibility Safe Third Country Cases
(<https://www.gov.uk/government/publications/inadmissibility-third-country-cases>)

Country Policy and Information Team Review of Asylum Processing in Rwanda (<https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes>)

New Plan for Immigration Consultation
[Project • Consultation on the New Plan for Immigration](https://www.gov.uk/government/consultations/new-plan-for-immigration)

[NEW PLAN FOR IMMIGRATION - Consultation on the New Plan for Immigration: Government Response \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912222/new-plan-for-immigration-government-response.pdf)

[Reactions to the New Plan for Immigration: updated reading list \(parliament.uk\)](#)

UNHCR - <https://www.unhcr.org/asylum-in-the-uk.html>

WHO - https://www.who.int/mental_health/resources/mh_refugees_1996/en/

Equalities Act 2010 - <https://www.legislation.gov.uk/ukpga/2010/15/contents>

Article 3 of the ECHR -

https://www.echr.coe.int/Documents/Convention_ENG.pdf

Ilias and Ahmed v Hungary, (Application no. 47287/15; judgment 21 November 2019), paras 139 – 14.

[https://hudoc.echr.coe.int/eng#{"itemid":\["001-198760"\]}](https://hudoc.echr.coe.int/eng#{)

Section 55 the Borders, Citizenship and Immigration Act 2009 -

<https://www.legislation.gov.uk/ukpga/2009/11/section/55>

Debate, House of Lords Nationality and Borders Bill. February 8, 2022

[Nationality and Borders Bill - Hansard - UK Parliament](#)

[Debate, House of Lords Nationality and Borders Bill, Amendment 35. March 02 2022](#)

[Amendment 35: 2 Mar 2022: House of Lords debates - TheyWorkForYou](#)

UNHCR “Legal Considerations regarding access to protection and a connection between the refugee and the third country in the context of return or transfer to safe third countries” 2018.

<https://www.refworld.org/docid/5acb33ad4.html>

UNHCR, Summary Conclusions on the Concept of "Effective Protection" in the Context of Secondary Movements of Refugees and Asylum-Seekers (Lisbon Expert Roundtable, 9-10 December 2002), February 2003, para. 15(e), <http://www.refworld.org/docid/3fe9981e4.html>

AM (Zimbabwe) [2020] UKSC 17.

<https://www.supremecourt.uk/cases/docs/uksc-2018-0048-judgment.pdf>.

Constitution of Rwanda: [Constitution of the Republic of Rwanda \(wipo.int\)](#)

3a. Consideration of limb 1 of the duty: Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act.

Before entering an agreement with Rwanda, the Country Policy and Information team (CPIT) carried out a safety assessment. Overall, this assessed conditions in Rwanda for potential asylum processing under Rwandan laws and procedures, considering the European Convention on Human Rights (ECHR) and equality issues. The assessment involved consideration of a wider range of evidence and information on Rwanda as well as country visits with face-to-

face interviews with representatives from the Government of Rwanda and NGOs. The findings of that assessment are reflected throughout this Equality Impact Assessment.

The CPIT report notes that while Rwanda is a peaceful country with respect for the rule of law, it identifies some concerns with its human rights record around political opposition to the current regime, dissent and free speech. We have looked at the country conditions and assessed that Rwanda is generally a safe country for asylum seekers and refugees.

Rwanda has domestic laws in place safeguarding treatment of persons (e.g., non-discrimination provisions in the Constitution) and has established a National Commission for Human Rights meeting the Paris Principles ('Principles Relating to the Status of National Human Rights Institutions'). There are also a number of international and national NGOs registered in Rwanda supporting refugees.

The Home Office does not transfer an asylum seeker to a third country prior to refugee status determination unless it has determined the receiving state is "safe". There are two facets to this: first, the positive obligation on the sending State to carry out an up-to-date assessment of the relative conditions of the receiving State to ensure it is safe (objective test); and second, the individual must be given the opportunity to demonstrate the receiving State will not be safe for them personally (subjective test).

The Home Office would therefore undertake a case-by-case risk assessment when determining eligibility for relocation. We would only ever work with countries which we assess to be safe and will treat those transferred in accordance with our international obligations. Even where we determine it is generally safe to transfer people from the UK to our international partners, every individual in scope for asylum processing overseas would be able to rely on the UK's obligations under Article 3 of the European Convention on Human Rights so as not to be transferred to a place where they would genuinely be at risk of inhumane and degrading treatment. This means individual vulnerabilities will be taken into consideration and assessed against our knowledge of the conditions in Rwanda.

As we partner with Rwanda, we will monitor the end-to-end operation through the MoU on the transfer of asylum seekers which provides assurance that their claims will be dealt with in accordance with international standards by both participants and covers the end-to-end process from reception in the United Kingdom to relocation and resettlement in Rwanda. Once established, an independent Monitoring Committee will monitor the entire relocation process to ensure it is consistent with the assurances and approach set out in the MoU.

The UK is funding the processing costs for each individual relocated, this includes caseworkers, access to legal advice, translators, accommodation, food, healthcare and, for those who are resettled, a comprehensive integration package including up to five years of training to help with integration.

This EIA will be a living document, updated with any further information which is relevant. We will keep equalities impacts under review during future development. A case-by-case risk assessment will take place for every individual considered for relocation. However, we are unable to divulge the exact criteria as this could incentivise perverse behaviours and encourage smuggling gangs to target the most vulnerable people.

There are two overarching issues which are worth bearing in mind when reading the analysis that follows:

- i) We do not consider relocation to Rwanda to be a penalty. Those who will be relocated are, by their own admission by applying for asylum, fleeing persecution and/or danger. They have made a dangerous journey to get here. Rwanda has been assessed to be a safe third country in terms of its commitment to non-refoulement and its treatment of asylum seekers and refugees.
- ii) Everyone who arrives in the UK via dangerous and unnecessary routes and are inadmissible to the UK asylum process are potentially eligible for relocation. This excludes Unaccompanied Asylum-Seeking Children (UASC) who cannot be deemed inadmissible. There is therefore, apart from the narrow exception of UASC, no direct discrimination in how the policy will operate.

If the relocation of people to Rwanda, and other related policies on hazardous journeys, successfully deter people from making dangerous journeys to arrive in the UK without permission, then we can expect fewer and fewer people to be eligible for relocation. People instead will claim asylum in other safe countries that they otherwise would have passed through to get to the UK or come through our safe and legal routes to the UK and the number of people transferred under it will decrease over time. As with all policies, its efficacy will be kept under review.

Age

Direct Discrimination – Under the Home Office’s current Inadmissibility guidance, Unaccompanied Asylum-Seeking Children are not eligible for transfer to a third safe country, this would include relocation to Rwanda. Their claim will be processed in the UK. In the UK, 11% of asylum claims are made by unaccompanied asylum-seeking children (UASC).

There is a direct impact on people according to their age. This differential treatment is considered justified given the particular care and support needs of UASC. Differential treatments on the grounds of age can be justified on this basis. We do not therefore consider there to be unlawful direct discrimination on the basis of age in the operation of this policy. It may be harder for children to understand the necessary procedures, contact authorities in safe third countries/offshore, and understand the consequences of entering the UK indirectly or not making an asylum claim without delay.

Excluding UASC, people of all ages are potentially eligible for relocation. At least initially, families with children will only be relocated voluntarily as part of

family groups and in any event will not be in the first cohorts of relocated individuals. A further assessment of Rwanda's capacity to accommodate children will be undertaken before this occurs.

Indirect Discrimination – 1

Individuals making a clandestine journey to the UK are more likely to be young adults compared to other routes. In 2020, there were around 15,600 recorded attempted crossing in small boats resulting in around 8,500 arrivals to the UK, all of whom had travelled through other EU countries. 74% of those arriving in 2020 were aged between 18-39.

Therefore, the policy may indirectly have a greater impact on those aged between 18-39. However, as one of the policy's key aims would be to deter individuals from undertaking dangerous small boat journeys, and younger adult individuals are more likely to have used this method of entry, we consider any disadvantage to the 18-39 cohort to be justified as a proportionate means of achieving the policy's aim, which is to discourage dangerous journeys to reach the UK.

Disability

Direct Discrimination –

We have not identified any direct discrimination on the basis of disability as a result of this policy.

Indirect Discrimination –

If an individual is eligible under the policy, then they may be relocated to Rwanda. Rwandan law prohibits discrimination against any person with a physical, sensory, intellectual or mental disability and the government generally enforces these provisions. The duty of care of the state to persons with disabilities and the prohibition of discrimination are set out in the Constitution of Rwanda in Articles 10, 16 and 51.

In Rwanda, asylum seekers and refugees have the right to access medical treatment which will be provided to relocated persons free of charge under the terms of the Memorandum of Understanding which entitles them to the same level of access as Rwanda nationals.

During the CPIT safety assessment, in a meeting between Home Office and the National Commission for Human Rights (NCHR) on 22 March 2022, NCHR commented: 'General treatment [of people with disabilities is] good, no discrimination, still some issues but there is political will (shown in laws, establishment of institutions like NCHR & National Council for Peoples with Disability) to ensure issues are revealed and addressed.

In a review of centres for persons with disabilities, the NCHR found that social rights (food, treatment, living conditions) and the right to an education were respected.

Considering physical or other disabilities, we may decide, on a case-by-case basis, that individuals are not eligible for relocation if they are seriously ill or have complex disabilities and we were we not satisfied that Rwanda is able to

provide adequate care. This mitigation ensures that no-one will be transferred to Rwanda where it would result in them being unsafe. To the extent that this results in indirect differential impacts in favour of people with certain disabilities, this is considered justifiable given their particular needs and the important aim of the policy in deterring dangerous journeys to the UK.

Gender Reassignment

Direct Discrimination -

We have not identified any direct discrimination on the basis of gender reassignment as a result of this policy.

Indirect Discrimination –

If an individual is eligible under the policy, then they may be relocated to Rwanda. There is evidence of ill treatment of those who have undergone gender reassignment, as well as a general lack of societal acceptance of it in comparison with the UK where some report that they have faced discrimination and harassment. The CPIN on Rwanda provides examples of transgender women, who are likely to be more visible than others in this group, facing treatment such as arbitrary arrests and detention as well as degrading treatment which would be in contrary of Article 3 rights. The visibility of gender as opposed to sexuality issues places transgender women at greater risk of ill-treatment. These factors and any medical needs for people who are or who wish to undergo gender reassignment will be carefully considered as part of the case-by-case assessment when determining eligibility for relocation to Rwanda.

Marriage and Civil Partnership

Direct Discrimination –

This policy would apply to all regardless of marital status, therefore we have not identified any direct discrimination due to marital status.

Indirect Discrimination –

We are not aware of any evidence which indicates this provision will result in indirect impacts or differential treatment for those with the protected characteristic of marriage and civil partnership.

Article 8 of the Human Rights Act will be considered as part of any decision to relocate a person on a case-by-case basis.

Race

Direct Discrimination –

This policy would apply to all regardless of race, therefore we have not identified any direct discrimination on the basis of race as a result of this policy. Those with the right of abode in the UK would not be eligible for relocation, but as they are not eligible to claim asylum in the UK we do not consider them to be in a comparable situation to those who do claim asylum.

Indirect Discrimination –

Individuals making clandestine journeys to the UK are more likely to be of certain nationalities compared to other routes. As this policy has been developed as a response to these journeys, it more likely to impact on certain nationalities than others. For example, between January 2018 and April 2021, five nationalities accounted for around three quarters of arrivals by small boats: Iran (34.1%), Iraq (19.5%), Sudan (8.6%), Syria (8.3%) and Afghanistan (5.2%).

Therefore, the policy may indirectly have a greater impact on individuals based on the protected characteristic of race, including nationality, ethnicity or national origin or colour. However, anyone arriving in the UK via dangerous and illegal routes may be eligible under the policy. We would also consider any disadvantage to be justified on the basis of it being a proportionate means of achieving the policy's legitimate aim to deter individuals from making perilous journeys.

If an individual is eligible under the policy, they may be relocated to Rwanda. Although Rwanda has a good record of accepting refugees, the CPIT report suggests that the overwhelming majority of refugees living there come from neighbouring countries. The integration into society of asylum seekers / refugees of certain nationalities, national or ethnic origins or colour thus presents a potential new challenge to Rwanda. However, discrimination on the grounds of race is prohibited by the Rwandan Constitution (as set out in Article 16 of the Constitution) and the Memorandum of Understanding between the UK and Rwanda does not exclude the transfer of asylum seekers / refugees based on race. Variable treatment or experiences of relocated persons based on their nationality, ethnic or national origins or colour will be kept under close review.

Further, during the CPIT safety assessment, the NCHR was asked about the treatment of non-Rwandans during a meeting with Home Office on 22 March 2022 and a NCHR representative commented: 'No one has complained about treatment because they look different. Rwandan society receives everyone, Chinese people work smoothly with Rwandans in construction, people from the West, Europe, America, we cross each other in the workplace, everywhere, do sport/socialise every day.'

Religion or Belief

Direct Discrimination –

This policy would apply to all regardless of religion or belief, therefore we have not identified any direct discrimination on the basis of religion or belief as a result of this policy.

Indirect Discrimination –

Individuals making a clandestine journey to the UK are more likely to be of Muslim faith compared to other routes. Therefore, the policy may indirectly have a greater impact on those of Muslim faith. However, we consider that any disadvantage is justified on the basis that it is a proportionate means of

achieving the policy's legitimate aim to deter individuals from making such perilous journeys.

If an individual is eligible under the policy, then they may be relocated to Rwanda. The majority of the population in Rwanda are Christian, as are the majority of refugees who come from neighbouring countries. However, Article 31 of the Constitution of Rwanda prohibits discrimination on the grounds of religion and guarantees freedom of worship. There are mosques in Rwanda, mainly situated in the capital city of Kigali. We are engaging with Rwanda to ensure that places of worship are available near to the intended accommodation centres for relocated persons.

Sex

Direct Discrimination –

This policy would apply to all regardless of sex, therefore we have not identified any direct discrimination on the basis of sex as a result of this policy. Further, we have not identified any direct discrimination on the basis of the protected characteristics of pregnancy and maternity.

Indirect Discrimination –

As an example, 87% of those arriving via small boat in 2020 were male. Therefore, this policy, which aims to deter people from undertaking such dangerous journeys, may indirectly have a greater impact on men. However, we consider that any disadvantage is justified on the basis that it is a proportionate means of achieving the policy's legitimate aim to deter people from making perilous journeys.

If an individual is eligible under the policy, they may be relocated to Rwanda. The Constitution of Rwanda prohibits discrimination on the grounds of sex and states the principle of equality between men and women. The CPIT report suggest the general experience of women in Rwanda is generally good, however they also identified that there are risks of Sexual and gender-based violence (SGBV) against women and children. The CPIT report suggests this points more strongly to domestic (spousal, and inter-family) abuse. To manage this risk, monitoring arrangements will be in place and may obtain information of any reported incidents in the transferee cohort.

Rwanda is committed to tackling the problem through different means, including educational, protective and support measures. Those measures are equally available and accessible to asylum seekers and refugees as they are to Rwanda nationals.

USSD Human Rights report 2020 stated: 'The government continued its whole-of-government, multistakeholder campaign against gender-based violence, child abuse, and other types of domestic violence'. Individual vulnerabilities will be taken into consideration as part of a case-by-case assessment of eligibility for relocation. This mitigation ensures that no one will be transferred to Rwanda where it would result in them being unsafe. To the extent that this results in indirect differential, this is considered to be justified on the basis of particular

needs and that it is a proportionate means of achieving the policy's legitimate aim of deterring people from making perilous journeys.

Further, we will continue to consider variable impacts on the treatment of men and women in Rwanda as the programme develops further. Moreover, UK funding will support Rwanda's 'National Strategy for Transformation' which sets to strengthen and promote gender equality.

While we have not identified that the policy results in any indirect discrimination on the basis of pregnancy or maternity, as with other medical requirements, we would need to ensure adequate care and safeguards could be put in place with the receiving state to provide for pregnant people. Were proper mitigations found to be lacking, we would need to consider whether pregnant people were suitable for relocation on a case-by-case basis.

Sexual Orientation

Direct Discrimination –

As this policy would apply to all regardless of sexual orientation, we have not identified any direct discrimination on the basis of sexual orientation.

Indirect Discrimination –

No indirect impact flowing from an individual's sexual orientation status has been identified in the process of selecting and relocating individuals, but this will be kept under review.

If an individual is eligible under the policy, then they may be relocated to Rwanda. The Home Office CPIT report found that no Rwandan laws criminalise sexual orientation or consensual same-sex acts between adults. Although sexual orientation is not specifically a prohibited ground for differential treatment under the country's constitution various other constitutional and legal safeguards exist to ensure that every citizen's fundamental rights are respected.

Homosexuality was de-criminalised in 2010. At this stage, investigations point to ill treatment being more than one off, but it does not appear to be systemic. To manage this risk, monitoring arrangements will be in place and will take into account further inquiries.

The Rwandan Government is committed to eradicating such victimisation, but the wider societal acceptance is likely to take some time to arrive at. That is even more the case for those who have undergone or are undergoing gender reassignment, who are also more liable to sexual and gender-based violence.

A person's sexual orientation and gender reassignment status will be closely taken into account on a case-by-case basis to decide if that an individual is eligible under the policy and may therefore be relocated to Rwanda. Ongoing monitoring arrangements under the Memorandum of Understanding between

the UK and Rwanda will be utilised to ensure individuals are being treated no less favourably than other individuals during the asylum process. The Memorandum of Understanding makes provisions for an independent Monitoring Committee who will report on the treatment and support of relocated individuals at all times whilst they remain in Rwanda.

3b. Consideration of limb 2: Advance equality of opportunity between people who share a protected characteristic and people who do not share it.

As with limb 1, the overarching aim of the policy is to stop people from making dangerous journeys to the UK in order to claim asylum, but to claim asylum in a safe third country prior to reaching the UK or to apply for relocation from the affected region. The policy applies to everyone except UASC.

An individualised assessment of suitability for relocation will be undertaken for each individual, taking into account any representations made as to why they should or should not be transferred. The extent of the diminishment in opportunities resulting from a person sharing a protected characteristic or characteristics will be carefully considered in each relocation decision.

Age – Children under 18 who arrive in the UK unaccompanied (UASC) will not be considered for relocation.

Disability – Mental and physical disabilities will be taken into account in any relocation decision, and will depend on both the severity of the disability and the facilities in Rwanda. Depending on the severity, it may be that those with such disabilities are less likely to be relocated if facilities and conditions in Rwanda mean that they cannot be adequately supported.

Gender Reassignment – Gender reassignment will be taken into account in any relocation decision. In relation to Rwanda, we will continue to consider the impact on this group and take into account any future CPIT assessment.

Maternity and Pregnancy – Maternity and pregnancy conditions will be taken into account in any relocation decision. In relation to Rwanda, we will continue to consider the impact on this group.

Race – As analysed above, the pool of people using clandestine routes may mean that relocations could disproportionately impact those of certain races and nationalities. However, we would consider this to be justified on the basis that it is a proportionate means of achieving the policy's aim to deter individuals from making such perilous journeys.

Religion or Belief – As analysed above, the pool of people using clandestine routes may mean that relocations could disproportionately impact those of Muslim faith. However, we would consider this to be justified on the basis that it is a proportionate means of achieving the policy's aim to deter individuals from making such perilous journeys.

Sex – The proposals are neutral on equality of opportunity between people of a particular sex and those of a different sex.

Sexual Orientation – Sexual orientation of individuals will be taken into account in any relocation decision. We would undertake a case-by-case risk assessment when determining eligibility for relocation and no one will be relocated if it is unsafe or inappropriate. In relation to Rwanda, as analysed above there are concerns over the treatment of some LGBTQI+ people but we will continue to consider the impact on this group and take into account further evidence over the course of the partnership. To manage this risk, monitoring arrangements will be in place.

3c. Consideration of limb 3: Foster good relations between people who share a protected characteristic and persons who do not share it.

We have considered the impact of fostering good relations between people who share a protected characteristics and persons who do not share it. There may be some perception of unfairness between those who are assessed to be suitable for relocation and those who are not. However, these decisions would be based on an individual assessment of each case, based on detailed knowledge of conditions in Rwanda and information known and provided by each person being considered for inclusion under the Migration and Economic Development Partnership. Suitability for relocation will be kept under constant review however we are keen not to divulge the exact criteria.

The purpose of the policy is to stop the dangerous journeys by which those seeking asylum come to the UK without permission. Instead, they should claim asylum in the first safe country they reach rather than traveling onwards to the UK and potentially funding criminal enterprise. If the policy is effective in achieving this, it will benefit those who share any of the protected characteristics, in that it saves them risking their lives on perilous journeys and ensures they seek protection in other safe countries.

As set out above, we do not consider that relocation to Rwanda, for those who do arrive here via perilous journeys and claim asylum, makes them worse off than if they had stayed in the country from where they travelled to the UK and their protection needs will still be considered as they would in any other safe third country. The agreement requires Rwanda to process claims in accordance with the UN Refugee Convention, ensuring protection from inhuman and degrading treatment, and for those recognised as having a protection need, from being returned to the place they originally fled or other refoulement.

Following the announcement of the Migration and Economic Development Partnership, we note that stakeholders have expressed their views and concerns. We will continue to work closely with stakeholders in this space through our existing communication and engagement channels.

Age – Children under 18 who arrive in the UK unaccompanied (UASC) will not be considered for relocation. As relocation to a third safe country would be those who arrived through a clandestine route, it is likely that these will be younger people between the ages of 18 – 39. In 2020, 74% of those arriving this way were in this age bracket. We would consider this to be justified on the basis that it is a proportionate means of achieving the policy’s aim to deter individuals from making such perilous journeys.

Disability – The proposal is neutral on fostering good relations between people who share the protected characteristic of disability and people who do not share it.

Gender Reassignment – The proposal is neutral on fostering good relations between people who share the protected characteristic of gender reassignment status and people who do not share it.

Maternity and Pregnancy – The proposal is generally neutral on fostering good relations between people who share the protected characteristic of pregnancy and maternity status and people who do not share it.

Race – This policy is likely to have a greater impact on certain nationalities, particularly people of colour. However, it is important to deter migrants from putting their lives at risk and intervention and action are required to promote public confidence in the security of the UK borders. Where possible, care will be taken to fostering good relations between people who share the protected characteristic of race and people who do not share it.

Religion or Belief – The proposal is generally neutral on fostering good relations between people of different religions (and none).

Sex – The proposals are neutral on equality of opportunity between men and women.

Sexual Orientation – The proposals are neutral on equality of opportunity between people of any particular sexual orientation and people who do not share that sexual orientation.

4. Summary of foreseeable impacts of policy proposal, guidance or operational activity on people who share protected characteristics

Protected Characteristic Group	Potential for Positive or Negative Impact?	Explanation	Action to address negative impact
Age	Neutral	Relocated persons are likely to be younger. Unaccompanied Asylum-Seeking Children will be exempt.	It is important that anyone arriving illegally in the UK may be eligible in order to deter migrants from putting their lives at risk. As a result, there may be some unintended residual impacts to younger people. We will keep these residual impacts under review.
Disability	Neutral	No impact identified. The CPIT report states that Rwandan law prohibits discrimination against any person with a physical, sensory, intellectual, or mental disability. The Memorandum of Understanding makes provisions for sharing any health issues it is necessary for Rwanda to know before receiving an individual and we would liaise directly to ensure we are satisfied that Rwanda is able to provide suitable care.	We would exempt individuals on a case-by-case basis who are seriously ill or have complex disabilities from transfer under such a policy were we not satisfied that Rwanda is able to provide suitable care.
Gender Reassignment	Negative	The CPIT report showed evidence that transgender persons who are likely to be more visible than others in this group may face greater risk of ill-treatment such as arbitrary arrests and detention as well as degrading treatment.	We would undertake a case-by-case risk assessment when determining eligibility for relocation. No one will be relocated if it is unsafe or inappropriate.
Pregnancy and Maternity	Neutral	No impact identified	We would undertake a case-by-case risk assessment when determining a pregnant person's relocation. We would need to ensure adequate care and safeguards could be put in place with the receiving state to provide for pregnant people.
Race	Neutral	The impacted cohort will be comprised more commonly of certain nationalities than others.	It is important that anyone arriving illegally in the UK may be eligible in order to deter migrants from putting their lives at risk. As a result, there may be

			some unintended residual impacts to certain nationalities. We will keep these residual impacts under review.
Religion or Belief	Neutral	The impacted cohort will be comprised more commonly of certain religions than others.	As part of arrangement, we have taken adequate care to ensure people relocated will have ability to worship in their desired faith both in principle and practically.
Sex	Neutral	This policy would apply to all regardless of sex, however the impacted cohort is comprised more commonly of men.	It is important that anyone arriving illegally in the UK may be eligible in order to deter migrants from putting their lives at risk. We will keep these residual impacts under review.
Sexual Orientation	Neutral	Individuals will be relocated on a case-by-case basis. A person's sexual orientation and gender reassignment status will be closely taken into account in any decision to select a person for relocation to Rwanda.	We would undertake a case-by-case risk assessment when determining eligibility for relocation. Monitoring arrangements will be utilised to ensure we can monitor individuals are being treated no less favourably due to the sexual orientation than other individuals during the asylum process. We will monitor carefully to ensure negative impact do not emerge.

5. In light of the overall policy objective, are there any ways to avoid or mitigate any of the negative impacts that you have identified above?

As we work through the cohorts eligible for relocation further, we will continue to consider the implications under the three limbs of the Public Sector Equality Duty.

6. Review date:

7. Declaration

I have read the available evidence and I am satisfied that this demonstrates compliance, where relevant, with Section 149 of the Equality Act and that due regard has been made to the need to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations.

Policy Unit: Migration & Borders Group

Date: 9 May 2022

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