



Home Office

Travel bans

Version 10.0

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About this guidance

This guidance tells you how to deal with individuals who are, or are suspected of being, subject to a UN (United Nations) travel ban or UK immigration sanction, referred to throughout as a travel ban.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Criminology Policy Guidance queries.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **10.0**
- published for Home Office staff on **16 October 2023**

Changes from last version of this guidance

Updated to reflect the introduction of The Immigration (Persons Designated under Sanctions Regulations) (EU Exit) (Amendment) Regulations 2022.

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Introduction

This section tells you about travel bans.

Background

Sanctions are a key foreign policy tool. Immigration sanctions, commonly known as travel bans, restrict the movement of identified individuals associated with regimes or groups whose behaviour is considered unacceptable by the international community. The United Nations (UN) imposes a travel ban by a Resolution of the [United Nations Security Council](#) (UNSCR). Where a travel ban is imposed, UN member states must deny the individual concerned entry into, or transit through, their territory, except in the limited circumstances specified in the relevant UNSCR. Criteria for designating a person varies according to the sanctions regime that a person is designated under.

[The Sanctions and Anti-Money Laundering Act 2018](#) (the Sanctions Act) provides the legal basis for the UK to impose, update and lift its own sanctions regimes. Regulations made under the Sanctions Act specify if an individual or business entity is subject to financial, trade, transport or immigration sanctions. The Foreign, Commonwealth and Development Office publish a UK sanctions list on GOV.UK.

The European Union imposes travel bans by means of a Council Decision or Common Position. Following the UK's departure from the EU, the UK is no longer bound by travel bans imposed by the EU.

Sanctions are imposed unilaterally by the UN, the EU and the UK and individuals may therefore be subject to a travel ban imposed by more than one of the above.

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Details of UN and UK travel bans

Details of the travel bans imposed by the UN and the UK are published on the following websites:

- [UN security council sanctions committees](#)
- [UK sanctions](#)

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Legislation

This section tells you about the legislation governing travel bans.

Section 8B of the Immigration Act 1971

Section 8B of the [Immigration Act 1971](#) (1971 Act) (as amended by the [Sanctions and Anti-Money Laundering Act 2018](#)) sets out the provisions which apply to foreign nationals who are excluded from the UK on the basis of a UN or UK travel ban.

Unless an [exemption](#) applies, once the UN or the UK impose a travel ban, the provisions in section 8B of the 1971 Act take effect. This means the individual becomes an 'excluded person' within the meaning of section 8B(4) and:

- under section 8B(1) they must be refused leave to enter or remain in the UK and any leave subsequently given is invalid
- under section 8B(2) any leave the person holds is automatically cancelled
- under section 8B(3) any exemption from immigration control, provided by the 1971 Act, no longer applies, so long as they are an excluded person

An 'excluded person' as meant by section 8B(4) is not to be confused with a person who is excluded personally by the Secretary of State.

The Grace Period Regulations 2020 and the Frontier Workers Regulations 2020

The 1971 Act does not apply to people protected by the savings provisions in the [Citizens' Rights \(Application Deadline and Temporary Protection\) \(EU Exit\) Regulations 2020](#) (Grace Period Regulations 2020) or frontier workers, as defined by regulation 3 of the [Citizens' Rights \(Frontier Workers\) \(EU Exit\) Regulations 2020](#) (Frontier Worker Regulations 2020).

For the purposes of this guidance, people protected by the savings provisions in the Grace Period Regulations 2020 are referred to as 'the Grace Period cohort' and people who are frontier workers, as defined by regulation 3 of the Frontier Worker Regulations 2020, are referred to as 'frontier workers'.

The Sanctions and Anti-Money Laundering Act 2018

The Sanctions Act enables the UK government to impose its own travel bans on certain individuals. EU travel bans still exist, but following the UK's exit from the EU, the UK is no longer bound by them.

The Sanctions Act allows for a variety of sanctions to be imposed on a person or entity, including immigration sanctions, at section 1(5)(b). Under section 4 of the same Act, the effect is to apply Section 8B of the 1971 Act. This is the basis in law for the imposition of UK travel bans.

Sanctions regulations

Each [UK sanctions regime](#) is created via regulations laid under section 1 of the Sanctions Act and is either thematic, such as sanctions relating to chemical weapons or global human rights, or geographic, where sanctions relate to a particular country. Each set of regulations specify who is sanctioned and why, details are published in the [UK sanctions list](#).

The Immigration (Persons Designated under Sanctions Regulations) (EU Exit) Regulations 2020

[The Immigration \(Persons Designated under Sanctions Regulations\) \(EU Exit\) Regulations 2020](#) (Designated Persons Regulations 2020) ensure that the process for considering a human rights or protection claim is retained for people subject to new travel bans under the Sanctions Act and is not conflated with the review and challenge mechanisms for the sanctions themselves.

The [Immigration \(Persons Designated under Sanctions Regulations\) \(EU Exit\) \(Amendment\) Regulations 2022](#) amended the Designated Persons Regulations 2020 so that if a person who is lawfully in the UK when designated subsequently leaves the UK, they are no longer automatically exempt from the effect of the travel ban on their immigration status.

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Authority to Carry Scheme 2023

This section tells you about the Authority to Carry Scheme.

Sections 22 and 23 of the [Counter-Terrorism and Security Act 2015](#) introduced provision for Authority to Carry Schemes (ATC Schemes) requiring a carrier to seek authority to carry persons on aircraft, ships or trains which are arriving (or expected to arrive) or leaving (or expected to leave) the UK.

The Authority to Carry (ATC) Scheme 2023 requires carriers, such as airlines, to seek authority from the Secretary of State to carry persons on aircraft, ships or trains which are arriving (or expected to arrive) or leaving (or expected to leave) the UK. The [ATC Scheme 2023](#) came into force on 3 April 2023 replacing the ATC Scheme 2021.

The purpose of the ATC Scheme is to prevent certain persons from travelling to or from the UK when it is necessary in the public interest.

Authority to carry a person to the UK may be refused where the person is subject of UK or UN travel restrictions and is an excluded person for the purposes of section 8B of the Immigration Act 1971 (unless, by virtue of either an exemption (in respect of a section 8B(5) instrument), or an exception granted or direction given under Regulations made under section 15(4) of the [Sanctions and Anti-Money Laundering Act 2018](#), the person is permitted to make the journey in respect of which authority is sought).

If a carrier breaches a requirement of the ATC Scheme, they may be liable to a financial penalty.

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Refusing entry clearance, permission to enter or stay

This section tells you about refusing entry clearance or permission to enter or stay to a person who is subject to a travel ban.

For information on the effect of travel bans on people protected by the EU Withdrawal Agreement, the EEA EFTA Separation Agreement or the Swiss Citizens' Rights Agreement (the Agreements, or by the UK's domestic implementation of the Agreements), see [protected cohorts](#) in this guidance.

A person who is subject to a UN or UK travel ban, must be refused permission to enter or stay under section 8B(1) of the [Immigration Act 1971](#), unless an [exemption](#) applies. The Immigration Rules provide for the mandatory refusal of entry clearance when the person is an excluded person, as defined by section 8B(4) of the 1971 Act, unless an [exemption](#) applies.

If the subject of a UN or UK travel ban applies for an entry clearance or permission to enter or stay, you must consider whether any [exemptions to the travel ban](#) apply. If no exemptions apply, you must refuse the application. You can use the paragraphs below in your decision notice.

Remember to undo the bold effect in the entry text in your final document.

Refusal wording – entry clearance

'On **[date]** you applied for **entry clearance/to enter the UK** as **[insert basis of application, for example, 'a Tier 4 migrant']**. However, as of **[date]** you are subject to a travel ban imposed by the **UN Security Council/UK Government**. This is in compliance with **[insert relevant UN Security Council resolution or UK sanctions regulations]**. Having considered your application, I am satisfied that no relevant exemptions to the travel ban apply. I am therefore satisfied that you are an excluded person, as defined by section 8B(4) of the Immigration Act 1971 and I am refusing your application under **paragraph 9.2.3. / FP7(2)(b) of Appendix EU (FP)** of the Immigration Rules.'

Refusal wording – permission to enter or stay

'On **[date]** you applied for **permission to enter/stay in the UK** as **[insert basis of application, for example, 'a Tier 4 migrant']**. However, you are subject to a travel ban imposed by the **UN Security Council/UK Government**. This is in compliance with **[insert relevant UN Security Council resolution or UK sanctions regulations]**. Having considered your application, I am satisfied that no relevant exemptions to the travel ban apply. I am therefore satisfied that you are an excluded person, as defined by section 8B(4) of the Immigration Act 1971 and I am refusing your application in accordance with section 8B(1) of the Immigration Act 1971.'

Direct Airside Transit Visa

If a person who is subject to a UN or UK travel ban applies for a direct airside transit visa (DATV), you must consider whether any exemptions or specified exceptions to the travel ban apply. If no exemptions apply, you must refuse the application. Although an application for a DATV is not considered under the Immigration Rules, the applicant can still be refused if any of the grounds for refusal in part 9 apply. Paragraph 9.2.3. will therefore be relevant.

For more information on refusing a DATV see transit guidance.

There is no right of appeal against a refusal.

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Cancelling entry clearance, permission to enter or stay

This section tells you about cancelling entry clearance or permission held by a person who is subject to a travel ban. For information on the effect of travel bans on people protected by the Agreements, or by the UK's domestic implementation of the Agreements, see [protected cohorts](#) in this guidance.

When a person becomes subject to a UN or UK travel ban, unless an [exemption](#) applies, any existing permission to enter or stay that they hold is cancelled by virtue of section 8B(2) of the [Immigration Act 1971](#). Although permission conferred by an entry clearance will be cancelled or invalidated under the provisions in section 8B of the 1971 Act, the entry clearance itself remains extant unless an Entry Clearance Officer (ECO) revokes it. The Immigration Rules provide for the mandatory cancellation of entry clearance where the holder is subject to a UN or UK travel ban, unless an exemption applies.

When someone who has a valid entry clearance or permission to enter or stay becomes subject to a UN or UK travel ban, you must consider whether any [exemptions to the travel ban](#) apply. If no exemptions apply, you must cancel the entry clearance or permission to enter or stay. You can use the relevant paragraphs below in your decision notice. Remember to undo the bold effect in your entry text in the final document.

For further information on exemptions see exemptions on [Refugee Convention or human rights grounds in this guidance](#).

People lawfully in the UK

A person who is lawfully in the UK when they become subject to a travel ban under the [Sanctions and Anti-Money Laundering Act 2018](#) is exempt from the effect of the travel ban on their immigration status while our obligations under the ECHR or the Refugee Convention are considered.

For more information, see the [exemptions](#) section below.

Cancellation wordings

'On [date] you were granted **entry clearance/indefinite permission to enter/stay** as **[insert basis of application, for example a Tier 4 student]**. However as of **[date]** you are subject to a travel ban imposed by the **UN Security Council/UK Government**. This is in compliance with **[insert relevant UN Security Council resolution or UK sanctions regulations]**. You are now therefore an excluded person within the meaning of section 8B(4) of the Immigration Act 1971 and I am satisfied that no exemptions apply. Your **indefinite** permission to **enter/stay** is therefore cancelled in accordance with section 8B(2) of the Immigration Act 1971

and paragraph A3.1A / A3.1B of Annex 3 to Appendix EU of the Immigration Rules.'

'On [date] you were granted [insert type of entry clearance, for example a visit visa]. However as of [date] you are subject to a travel ban imposed by the **UN Security Council/UK Government**. This is in compliance with [insert relevant **UN Security Council resolution or UK sanctions regulations**]. You are therefore an excluded person within the meaning of section 8B(4) of the Immigration Act 1971 and I hereby cancel your [insert type of entry clearance] under **paragraph 9.2.4. / A3.1A/ A3.1B of Annex 3 to Appendix EU (FP)** of the Immigration Rules.'

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Enforcement action

If the person is in the UK, having been refused and/or had their permission cancelled, they are here without permission. You will need to consider whether the person can leave the UK voluntarily, or whether it is necessary to enforce removal, either by way of administrative removal or by deportation.

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Protected cohorts

This section tells you about the effect of travel bans on people protected by the EU Withdrawal Agreement, the EEA EFTA Separation Agreement or the Swiss Citizens' Rights Agreement (the Agreements), or by the UK's domestic implementation of the Agreements.

For more information on protected cohorts, see guidance on public policy public security or public health decisions.

Conduct before 23:00 on 31 December 2020

In relation to conduct before 23:00 GMT on 31 December 2020, any decision to refuse admission, refuse or cancel leave to enter or remain or refuse or revoke entry clearance or a frontier worker permit must be in accordance with the EU [public policy, public security or public health](#) test.

You must consider whether any exemptions or relevant exceptions to the travel ban apply. If none apply, you must consider whether the person's conduct merits refusal, cancellation or revocation on the grounds of public policy, public security or public health. Where a public policy, public security or public health consideration formed part of the decision to impose a travel ban, it will not be necessary to carry out that consideration again.

For more information see guidance on public policy public security or public health decisions.

Conduct from 23:00 on 31 December 2020

If a person protected by the Agreements is subject to a travel ban owing to conduct from 23:00 on 31 December 2020, the person is, subject to the relevant exemptions, an excluded person as defined by section 8B(4) of the [Immigration Act 1971](#). There is no need to carry out any public policy, public security or public health assessment.

For more information on refusing or cancelling entry clearance or permission see [refusing entry clearance, permission to enter or stay](#) and [cancelling entry clearance or permission to enter or stay](#) in this guidance.

The Grace Period cohort and frontier workers

Section 8B has no effect on the Grace Period cohort and frontier workers as they do not have or require permission to enter or stay.

In relation to conduct from 23:00 GMT on 31 December 2020, any decision to refuse admission or refuse or revoke a frontier worker permit must be taken on the grounds that it is conducive to the public good.

If the person is subject to a travel ban owing to conduct which spans both before and after the end of the transition period (both before and after 23:00 GMT on 31 December 2020) you must refer to the [conductive deportation guidance](#) for information on how to consider conduct spanning the end of the transition period. That guidance also contains information on applying the conducive test.

Where a conducive, public policy, public security or public health consideration formed part of the decision to impose a travel ban, it will not be necessary to carry out that consideration again.

A person is protected by the savings provisions in the Grace Period Regulations 2020 if they do not have permission under the EU Settlement Scheme (EUSS) but applied to that scheme before 30 June 2021 (and that application, or an administrative review or an appeal against the refusal of that application, remains outstanding) and they were either:

- lawfully resident in the UK in accordance with the EEA Regulations 2016 immediately before 23:00 GMT on 31 December 2020
- had acquired a right of permanent residence by that date (unless they have been absent from the UK for a continuous period of more than 5 years)

A decision to refuse admission to a person protected by the Grace Period Regulations 2020 must be taken under the EEA Regulations 2016.

A decision to refuse or revoke a frontier worker permit must be taken under the [Frontier Worker Regulations 2020](#).

For further information on frontier workers, see the frontier worker permit scheme guidance.

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Exemptions to travel bans

An exemption from the effect of a travel ban means that the following sections of the [Immigration Act 1971](#) do not apply:

- section 8B(1) (refusal and invalidation of leave)
- section 8B(2) (cancellation of leave)
- section 8B(3) (removal of exemption from immigration control)

The subsections below set out the circumstances in which a person may be exempt from the effect of a travel ban.

A UN member state is not expected to refuse entry to its own nationals and, in any event, British citizens and Commonwealth citizens with a right of abode are not subject to the requirements of the 1971 Act.

Exemptions provided by the UN

In certain circumstances, the UN allows exemptions to a travel ban. The particular exemptions are set out in the individual pieces of legislation and can include allowing travel for humanitarian or religious reasons, to take part in peace talks, or to give evidence at a trial. Exemptions may also be granted where there is an obligation in international law, for example if the UK is hosting an international inter-governmental organisation or an international conference convened by, or under the auspices of, the UN.

The UK will consider any request for an exemption to a UN travel ban on a case-by-case basis. If the UK agrees that a person should be allowed to travel here it will apply to the UN for an exemption.

If the UN grants an exemption to a travel ban, this allows a person to enter or transit the UK for a specific period, sufficient to allow the person to undertake the approved activity.

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Directions by the Secretary of State

In respect of immigration sanctions made under the [Sanctions and Anti-Money Laundering Act 2018](#), the Secretary of State may make a [direction](#) that the effect of the travel ban does not apply in certain cases, such as for travel for a UN sponsored meeting or because of exceptional compelling and compassionate circumstances.

People lawfully in the UK

A person who is lawfully in the UK when they become subject to a travel ban under the Sanctions Act is exempt from the effect of the travel ban until one of the following applies:

- a decision is made by an appropriate Minister on their immigration claim
- a direction is given by an appropriate Minister that the effect of that travel ban is enforced
- the person leaves the UK

These provisions do not apply to people who are not lawfully in the UK when designated, including those who are in the UK in breach of immigration laws.

For more information on immigration claims see [immigration claims](#) in this guidance.

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Refugee Convention and Human Rights obligations

Under section 8B(5A) of the 1971 Act, even where a travel ban is in force it will not be appropriate to refuse permission to enter or stay, cancel an individual's existing permission or remove an individual's exemption from immigration control, where to do so would be contrary to the UK's obligations under the European Convention on Human Rights (ECHR) or the 1951 UN Convention Relating to the Status of Refugees (Refugee Convention).

You must take into account any ECHR or Refugee Convention obligations when considering what action to take in respect of someone who is subject to a UN or UK travel ban, including refusing admission or refusing or cancelling entry clearance, permission to enter or stay or removing them from the UK. If the person is already

recognised as a refugee in the UK, you must consider whether, given the reasons for the travel ban, it is appropriate for that status to be retained.

The best interests of a child

The duty in [section 55 of the Borders, Citizenship and Immigration Act 2009](#) to have regard to the need to safeguard and promote the welfare of a child under the age of 18 in the UK, together with [Article 3 of the UN Convention on the Rights of the Child](#), means that consideration of the child's best interests must be a primary consideration in immigration decisions affecting them.

Where a child or children in the UK will be affected by the decision, you must have regard to their best interests in making the decision. You must carefully consider all the information and evidence provided concerning the best interests of a child in the UK and the impact the decision may have on the child. You must carefully assess the quality of any evidence provided.

All decisions must demonstrate that the child's best interests have been considered as a primary, but not necessarily the only, consideration. Decisions must demonstrate that consideration has taken place of all the information and evidence provided concerning the best interests of a child in the UK. Documentary evidence from official or independent sources will be given more weight in the decision-making process than unsubstantiated assertions about a child's best interests.

Although the duty in section 55 only applies to children in the UK, the statutory guidance – [Every Child Matters – Change for Children](#) – provides guidance on the extent to which the spirit of the duty should be applied to children overseas. You must adhere to the spirit of the duty and make enquiries when you have reason to suspect that a child may be in need of protection or safeguarding, or presents welfare needs that require attention. In some instances, international or local agreements are in place that permit or require children to be referred to the authorities of other countries and you are to abide by these and work with local agencies in order to develop arrangements that protect children, promote their welfare and reduce the risk of trafficking and exploitation. Further information can be found in paragraphs 2.34 to 2.36 of the [statutory guidance](#).

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Immigration claims

An immigration claim is a representation from a person that removing them from the UK, requiring them to leave the UK or refusing them entry to the UK would breach the UK's obligations under the ECHR or the Refugee Convention.

A person who is lawfully in the UK when they become subject to a travel ban under the [Sanctions and Anti-Money Laundering Act 2018](#) is exempt from cancellation of their permission to enter or stay for 20 working days from the date they are notified of the travel ban. If the person submits an immigration claim during that time, they remain exempt until a decision is made on that claim by the Home Secretary and the conclusion of any appeal thereafter.

In considering an immigration claim, you must take into account all available evidence, giving appropriate weight to the strong public interest in enforcing the effect of the travel ban. You must assess whether removing the person from the UK, requiring them to leave the UK or refusing them entry to the UK would breach the UK's obligations under the ECHR or the Refugee Convention. Consideration must not be given to the merits of the decision to designate the person, there are separate mechanisms available for the person to challenge their designation.

You must submit to the Home Secretary with a recommendation on whether to approve the immigration claim. You must make sure that your submission clearly sets out the options, with the evidence to support your conclusions and recommendation.

If the immigration claim is approved, the person must be notified whether their exemption from the effect of the travel ban is because of the UK's obligations under the ECHR, the Refugee Convention or both.

If the immigration claim is refused, giving the person notice of the Home Secretary's decision will mean they are no longer exempt from the effect of the travel ban. Any entry clearance or permission must be cancelled and any outstanding applications for entry clearance or permission must be refused.

The person must not be removed or required to leave the UK before the deadline for submitting an appeal has passed.

Where a person's representations include a claim that enforcing the travel ban would breach their rights under the Agreements you must consider those representations.

For more information on the effect of travel bans on people protected by the Agreements, see [protected cohorts](#) in this guidance.

Directions to enforce the effect of the travel ban

If a person who is lawfully in the UK when they become subject to a travel ban under the Sanctions Act does not submit an immigration claim within 20 working days, the Home Secretary may give a direction for the effect of the travel ban to be enforced.

You must take into account all available evidence, giving appropriate weight to the strong public interest in enforcing the effect of the travel ban. You must assess whether enforcing the effect of the travel ban will breach the UK's obligations under the ECHR or the Refugee Convention. Consideration must not be given to the merits of the decision to designate the person, there are separate mechanisms available for the person to challenge their designation.

You must submit to the Home Secretary with a recommendation on whether to give the direction. You must make sure that your submission clearly sets out the options, with the evidence to support your conclusions and recommendation.

A decision to give a direction for enforcement of the effect of the travel ban removes a person's exemption from the effect of the travel ban. However, it does attract a right of appeal and any removal action must wait until the outcome of that appeal.

Leaving the UK

If a person leaves the UK before making an immigration claim or before a decision is made on their immigration claim, they are no longer exempt from the effect of the travel ban. However, this does not have any impact on an outstanding immigration claim.

You must assess whether enforcing the travel ban would breach the UK's obligations under the ECHR or the Refugee Convention. Consideration must not be given to the merits of the decision to designate the person, there are separate mechanisms available for the person to challenge their designation.

Where an immigration claim has been made, you must submit to the Home Secretary with a recommendation on whether to approve the immigration claim. Your submission must clearly set out the options, with the evidence to support your conclusions and recommendation.

If the immigration claim is approved, the person must be notified whether their exemption from the effect of the travel ban is because of the UK's obligations under the ECHR, the Refugee Convention or both.

For more information on refusing or cancelling entry clearance or permission see ['refusing entry clearance, permission to enter or stay'](#) and ['cancelling entry clearance or permission to enter or stay'](#) in this guidance.

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Appeal rights

This page tells you about the rights of appeal in travel ban cases.

If you decide that no [exemptions](#) apply to prevent the refusal, cancellation or invalidation of entry clearance or permission and, if the person is in the UK, you are minded to pursue removal action, you must check whether your decision attracts a right of appeal.

Rights of appeal exist against the refusal of a human rights or protection claim and the revocation of protection status. Certain Immigration Rules based applications made in the UK are human rights applications and will attract a right of appeal against refusal. Additionally, rights of appeal exist against the refusal or cancellation of EUSS leave, the refusal of admission under the EEA Regulations 2016, as saved and the Frontier Workers Regulations 2020.

For further information see: Rights of appeal guidance.

Immigration claims

The decision to refuse an immigration claim or give a direction for enforcement of the effect of the travel ban attracts an in-country right of appeal.

The person must not be required to leave or removed from the UK until the appeal has concluded.

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EU travel bans

This page tells you about considering travel bans imposed by the EU.

Following the UK's exit from the EU, the UK is no longer bound by travel bans imposed by the EU. People subject to an EU travel ban are therefore not within scope of section 8B of the [Immigration Act 1971](#).

Where a person is subject to an EU travel ban but not a UN or UK travel ban, you must consider whether their conduct merits refusal or cancellation on non-conductive grounds or, if appropriate, on public policy, public security or public health grounds. You must consider any human rights or asylum issues arising, as well as whether any [exemptions to the travel ban](#) apply.

For more information on considering non-conductive grounds and public policy, public security and public health decisions, see guidance on non-conductive grounds and public policy public security or public health decisions.

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Details of EU travel bans

Details of the travel sanctions imposed by the EU are published on the following website, [EU Sanctions](#).

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