

## Channel Crossings in the Year of Covid-19

The sight of people wearing bright orange lifejackets crossing the Channel in dinghies during August created strong feelings for different reasons. Some were appalled at the risk the migrants were forced to take, interpreted by many as a sign of the desperation driving them to complete a journey of hundreds or maybe thousands of miles away from persecution; for others the sight reactivated the feelings of Britain remaining in thrall to Europe, and France in particular, generating headlines of the UK's vulnerability to 'invasion'. The whole episode was undoubtedly useful grist to the argument supporting a hard border between Britain and the rest of Europe.

**Fact:** the commonly reported number of over 4,000 reaching UK shores should be set against the larger number of 6,200 who set out from France; the difference indicates the number prevented by the French authorities from leaving their waters<sup>1</sup>.

This highly visual aspect of migration aroused responses from the Government which betrayed deeper attitudes of resistance to immigration and to refugees in particular. As the Home Secretary set off in the second week of August to meet her counterpart in Calais, the Prime Minister expressed the mind of UK policy: *'We want to stop that (route across the Channel), working with the French, make sure they understand this isn't a good idea, this is a very bad and stupid and dangerous and criminal thing to do'*<sup>2</sup>. This was to state incorrectly again that there is something illegal in seeking asylum.

**Fact:** Since part of the definition of being a refugee in international law is to make your claim for protection *outside* your own country of nationality, this means showing that you have crossed a national border. What could be termed as UK 'doctrine' on the difference between refugees (legal) and asylum seekers making their claim here by irregular routes (illegal) has its recent beginnings in Theresa May's speech to the Conservative Party Conference in 2015<sup>3</sup>.

Is the UK generous and hospitable to refugees? In fact, is it the most generous country in western Europe as expressed by some public opinion, *'We take in more refugees than any other European country'*? There is a 'yes' and a 'no' answer to this question, maybe surprisingly, but it is worth assessing what that means.

At the 2015 Conservative Party Conference, Theresa May set out in very strong terms the difference between deserving and undeserving refugees or, in her language, 'genuine' refugees and 'asylum seekers who abuse the system'. *'The system is geared to those most able to access it, and sometimes manipulate it for their own ends – those who are young enough, fit enough and have the resources to get to Britain .... (Second) instead of helping those in greatest need, it rewards the luckiest, the wealthiest and the strongest'*. This was the distinction, coupled with references earlier in her speech to 'bogus asylum seekers', that paved the way for a reduction in legal routes to asylum and refugee status. That distinction

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<sup>1</sup> infomigrants.net/en/post/27398/france-to-uk-why-do-migrants-risk-the-channel-crossing

<sup>2</sup> 'Johnson accused of scapegoating 'desperate people' crossing Channel, The Guardian 11 August 2020

<sup>3</sup> independent.co.uk/news/uk/politics/theresa-may-s-speech-conservative-party-conference-full

also led, positively, to the gradual increase of the Vulnerable Persons Resettlement Scheme, initiated in 2014 for refugees from Syria. In 2019, the then Home Secretary announced a new 'global resettlement scheme' to start in 2020 and to include other countries.

**Fact:** it is true that the UK has taken in more refugees through the resettlement route than any other European country. To date, the number is about 23,000. But the numbers of people 'resettled' are tiny compared to those arriving independently in Europe through Greece, Italy and Spain and seeking asylum in those and other European countries. (The fires in the Moria camp in Lesbos displaced a number over 12,000). Figures for 2019 show that Germany accepted 165,615 asylum seekers, France 151,070, Spain 117,800, Greece 77,275 and the UK 35,566, of which 1,892 arrived by boat<sup>4</sup>. Many of these claimants came not from Syria only but from Iran, Iraq, Afghanistan and Sudan.

From 1 January 2021, when the UK finally leaves the EU, it will no longer be able to return asylum seekers or any migrants to France, nor to any other European country to which it can now by the terms of the Dublin (Regulation) III. This agreement, signed in 1990 by the UK and the rest of the EU, and first implemented in 1997, has been renewed twice, in 2008 and 2013. The current Dublin III is also being considered for renewal. Its purpose is to decide which Member (EU) State should manage a claim, and in practice often it is the first EU country entered which is given the responsibility. This criterion – that people should seek asylum in the first country they reach – is often quoted as *the* only deciding factor.

**Fact:** there is a 'hierarchy of criteria': Family unity; Possession of a residence document or a visa; Irregular entry; Visa-waived entry<sup>5</sup>.

Because 'fairness' is a principle of the agreement, Dublin IV is expected to include regulations for a better distribution of asylum seekers away from frontline countries like Greece and Italy. In the UK, the Home Secretary has signalled the intention post-Brexit to replace the mandatory 'obligation' to allow unaccompanied child refugees to join relatives in the UK with a lesser, discretionary commitment. This makes it likely that the passage through Parliament of the new Immigration Bill will be seriously contested. It is reported that the Bill will also remove refugees' right to have recourse to the courts in order to appeal a decision.<sup>6</sup> Let's hope the outcome isn't all too predictable.

What can be done? As we now know from the Conservative Party Conference, the policy and legal processes for assessing asylum seekers' claims, and those of all migrants, are going to come under major review. In the light of responses to the Channel crossings, it looks as though action will be needed to maintain even the current level of 'welcome' for refugees

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<sup>4</sup> [Infomigrants.net/en/post/21810/seeking-asylum-in-europe-in-2019-facts-and-figures](https://infomigrants.net/en/post/21810/seeking-asylum-in-europe-in-2019-facts-and-figures)

<sup>5</sup> [Evaluation of the Implementation of the Dublin III Regulation – Final Report](#) recommends changes to current practice to achieve the primary aim of the Regulation to establish which one Member State should take responsibility in a fair and just way as well as preventing people claiming in more than one country.

<sup>6</sup> 'Anger at Home Office's U-turn on pledge to reunite child refugees with families', *The Observer*, 24 May 2020

and asylum seekers in the UK. This calls for concerted action across all agencies, and their supporters, active in this cause. Here are three whose campaigns you can support:

1. Refugee Action

- Stand Up for Asylum: add your name to their campaign at [www.refugee-action.org.uk/campaigns/stand-up-for-asylum](http://www.refugee-action.org.uk/campaigns/stand-up-for-asylum)
- More help with the facts – a useful resource if writing to an MP or in a local newsletter. See [www.refugee-action.org.uk/about/facts-about-refugees](http://www.refugee-action.org.uk/about/facts-about-refugees)

2. Safe Passage UK

- Support the specific cause of unaccompanied refugee children. Go to [www.safe Passage.org.uk](http://www.safe Passage.org.uk) and sign the petition under ‘Take Action’
- The site also contains a short video featuring, among others, Dr Rowan Williams and Juliet Stephenson. Look up ‘Our Work in the UK’ on the same website

3. Refugee Council

- Campaign for refugee children who are already here in the UK to be allowed to bring their parents to be reunited with them. Adults here can apply to have their children reunited with them, but not the other way round. You can sign up at <https://act.refugeecouncil.org.uk/campaign/sign-our-letter-prime-minister-and-help-reunite-refugee-families>
- Their site also has information and links for the Lift the Ban campaign – for that, and much more, see under the “Get involved” tab on their website.

These and many other sites also contain stories from refugees’ personal experience along with more facts – see the UNHCR website or our own site [www.lcrf.org.uk](http://www.lcrf.org.uk). Could you inform and encourage others locally, for example by writing in a Church newsletter or on its website or contacting your local paper? You can draw on any of the resources mentioned, or feel free to use the content of this article, to ensure that the urgent needs of refugees and asylum seekers are not forgotten in the challenging times that lie ahead.

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