



Fact Pack

Asylum and the provision of sanctuary

Produce by Welsh Refugee Council - 2014



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History on Asylum

What is the 1951 Refugee Convention?

The 1951 Refugee Convention is considered one of the outstanding achievements of the 20th century. It was established that refugee problems is a matter of concern internationally and should be addressed in the context of international cooperation and burden sharing.

The first notion came after the First World War due to an increase in refugees. It was developed after the Second World War by the United Nations to address the numbers of refugee situations in all parts of the world.

The Convention developed signed on July 28th, 1951 is the most legally binding international instrument defining standards for the addressing refugees.

What is the 1967 Refugee Protocol?

On January 31st, 1967, the UN protocol on the status of refugees was adopted to make provisions for the fact that the 1951 Convention only dealt with events which happened before 1 January 1951.

Has the UK signed the Convention and the Protocol?

Yes, the United Kingdom and Northern Ireland signed the 1951 Refugee Convention on March 11th, 1954 and the 1967 Protocol on the September 4th, 1968.

What are the key provisions of the Convention and Protocol?

Refugees deserve as a minimum, the same standards of treatment enjoyed by other foreign nationals in a given country and in many cases the same treatment as nationals. The right to seek asylum is a fundamental human right of anyone to :

- **Not be expelled except under certain conditions**
- **Not be punished for illegal entry into the territory of a contracting state**
- **To work**
- **To housing**
- **To public relief and assistance**
- **To freedom of religion**
- **Access the courts**
- **Freedom of movement within the territory**
- **Issued identity and travel document.**

Under international law, anyone has the right to apply for asylum in the UK and to remain here until the authorities have assessed their asylum application. Therefore, there is no such thing as an 'illegal' or bogus asylum seeker. The [1951 UN Refugee Convention](#) and 1967 Protocol guarantees the right to apply for asylum. It has saved millions of lives and no country has ever withdrawn from it.

Who's who

Asylum seeker

Someone who is fleeing persecution in their homeland, has arrived in another country, made themselves known to the authorities and exercised the legal right to apply for asylum.

Refugee

Someone whose asylum application has been successful and who is allowed to stay in another country having proved they would face persecution back home.

Refused asylum seeker

Someone whose asylum application and all appeal rights have been exhausted and is awaiting return to their country. If it is not safe for refused asylum seekers to return, they may have to stay for the time being.

Economic migrant

Someone who has moved to another country to work.

What is Destitution?

Destitution refers to the absolute and severe poverty that is experienced by asylum seekers when they do not have access to statutory support or the right to work to support themselves. In 2002 the UK government introduced legislation that withdrew entitlement to basic support for refused asylum seekers. A small number of those people are able to receive Section 4 support but the criteria are very restrictive. For many, the prospect of being homeless, unable to work legally or access benefits is preferable to returning to the country they have fled from. There are many agencies in Wales working together to tackle destitution and campaign for the rights of asylum seekers



About the Asylum Process?

Asylum seekers either claim asylum at their port of entry into the UK, or at the Asylum Screening Unit (ASU) of the UK Visas and Immigration UKVI (formerly UKBA) in Croydon, if they are already in the UK.

This applies to all individuals and families arriving in Wales with the exception of separated children who can be screened regionally by the UKVI.

Once a person has claimed asylum, they have temporary admission to the United Kingdom until a decision is made about their case. They will be allocated a named UKVI case-owner who will decide their claim. Migrant Helpline provides asylum seekers with advice on the asylum process and the progress on their claim.

Asylum seekers must tell UKVI where they are living and may be required to report regularly to a local police station or a UKVI immigration office. At the asylum interview, individual will be expected to explain in detail, why they believe they should be granted asylum. If they are deemed to be in need of protection they will be granted refugee status, or in exceptional cases humanitarian protection. The asylum decision is given in writing. Asylum seekers have the right to appeal against refusal

Those who have lost their appeal may, in certain cases, pursue further appeals, but due to the complex nature of further appeals, they will need legal advice at this point.

If no further appeals are submitted the applicant becomes 'Appeals Rights Exhausted' (ARE) and the person is liable to be removed from the UK at any time. Many asylum seekers remain in the UK and some may submit further evidence or make further representations about their case as the situation in their country of origin change or new evidence becomes available.

In some cases their application is accepted in light of this new information and the person is granted refugee status.

If the person is still not viewed as needing protection the ARE process is put in place again.

The Realities of Asylum

Fact : According to the United Nations **over two thirds of all refugees live in developing countries**. Germany receives 64,500 requests for asylum a year, and the UK receives 29,200 requests.

Fact : **There is no such thing as an “illegal” asylum seekers**. Under International law (1951 Convention and 1967 Protocol on Refugees) everyone has the right to apply for asylum in the UK.

Fact:

Asylum Seeker **do not** come to the UK for economic reasons. Asylum seekers seek protection from differing types of persecution and look for a place of safety as a priority. Many want to return to their country but cannot because their country do not want to or is unable to accept them.

Fact:

Many refugees go back to their country once the reasons that forced them to flee no longer exist.

Fact: Most asylum seekers came from unsafe countries with poor human rights and/or have ongoing conflict. In 2013, the top five countries from which people claim asylum was Pakistan, Iran, Syria, Sri Lanka, Bangladesh.

Fact:

At the beginning of 2013 there were **1,571 asylum seekers living in Wales**. That is less than 0.1% of the population. There are estimated to be 6000-10000 refugees living in Wales. If all the refugees and asylum seekers in Wales sat in the Millennium stadium they would only fill 16 rows.

Fact:

In Wales, **Asylum seekers have to share rooms with other people** that they have never met before and in the worse cases it can be a single mother with a child sharing a room with another person. They are given rooms in Cardiff, Newport, Swansea and Wrexham.

Fact:

Refugees bring huge benefits to Wales. *“Immigration has enriched Welsh society and widened the horizons of the whole British people to the rest of the world. Wales has gained from economic and cultural benefits”* Nick Bourne - Former AM

Fact: Refugees contribute to Wales. *“There is no doubt that refugees have contributed hugely to our society, not only in economic terms but in cultural and social ones as well.”* Ieuan Wyn Jones AM

Fact: In Wales, immigration is a non-devolved issue; the Welsh Government does not have the necessary power to make decisions on immigration laws and policies. Asylum seekers are sent to Wales through the UK asylum process.

Fact: The UK does not have more asylum cases than most other countries, **over two thirds of all refugees live in developing countries**. In 2013, Germany was the highest countries to received requests for asylum a year, and the UK ranked 6th in the number of applications received from 44 developing countries.

Fact: Asylum seekers and refugees are in a **different immigration category to economic migrants**. Economic migrant are people who come to the UK for work from European Union Countries (EU) or people from other countries with approved visas to work in the UK.

Fact: It is **very difficult to get refugee status in the UK**. The system is very strict and has many complexities. Those who fear persecution usually face a refusal letter and threats of deportation. In 2013, out of 23,499 applicants only 7,106 were accepted.

Fact: The UK immigration authorities have the **right to detain asylum seekers indefinitely** even if they have not committed a crime.

Fact: Almost all asylum seekers are banned from working in the UK. They receive a cash assistance that is less than 60% of basis income support and survive on less than £5 a day.

Fact: Many asylum seekers are **not entitle to any forms of financial support** from the state and end up homeless and destitute, relying on handouts from friends and refugee organisations, sofa surfing whenever possible. This includes children and pregnant women.

Fact: Britain's culture and economy and benefitted from refugees and other immigrants. They include 17 Noble laureates, 30,000 job created by Ugandan Asian Refugees, winner of 2005 young businessperson was Balkan refugees and Iranian refugee Shappi Khorsandi a successful comedian and television personality.

General Information – Worldwide

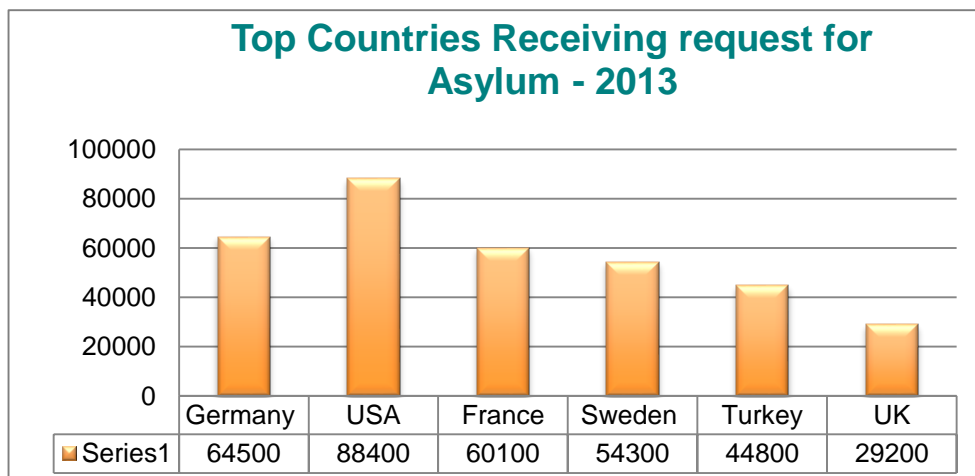
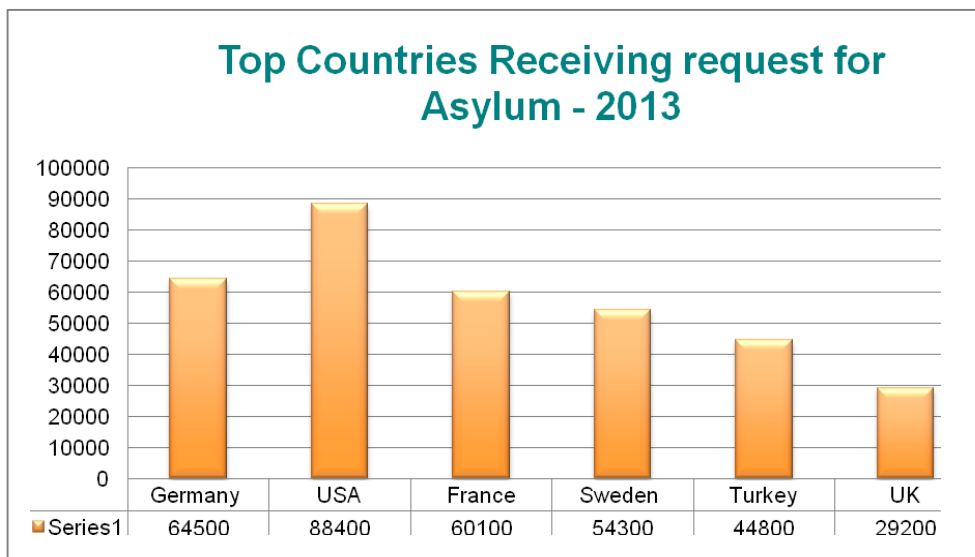
Where do most asylum seekers and refugees come from?

At the beginning of 2013, the UNHCR identified 45.2 million people who were forcibly displaced across the world; they include **Asylum Seekers, Refugees, Internally Displaced People and Stateless People**. Developing countries hosts 80% of displaced people worldwide.

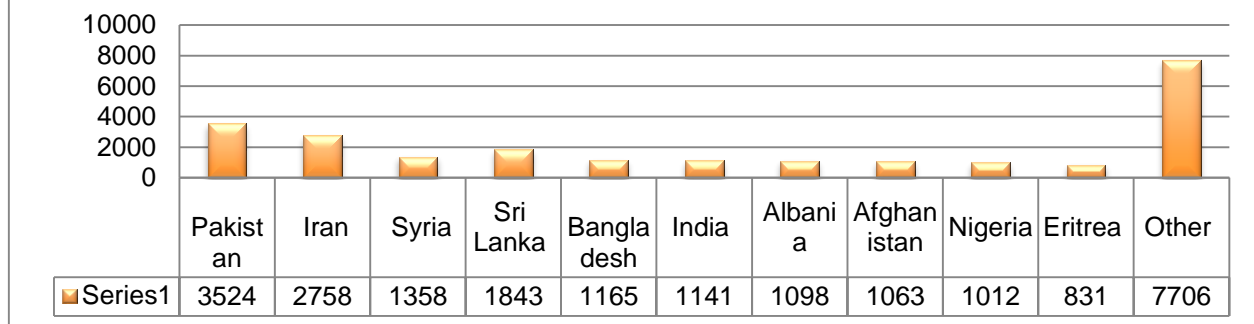
About two-thirds of the world's forcibly displaced people are displaced within their own country and are known as internally displaced people (IDPs).

In 2012, the country hosting the largest number of refugees was Pakistan, with 1.64 million refugees. Afghanistan remained the biggest source county for asylum seekers with 2,585,600 refugees.

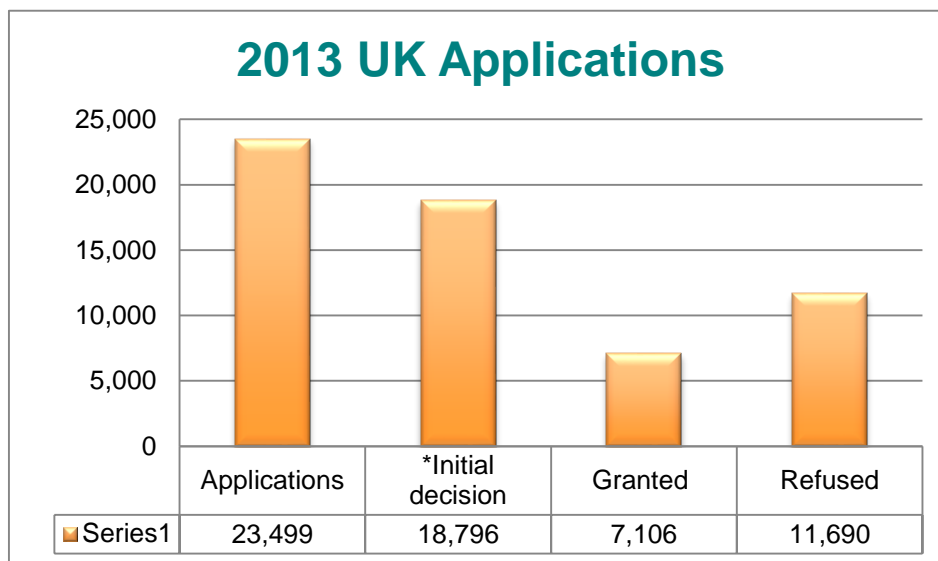
Stateless people are considered people who are not considered a national by any country. They make up an estimated 10 million people in 72 countries.



10 Top nationalities claiming in the UK 2013



2013 UK Applications



* Decisions which were appealed

What is the Welsh Refugee Council?

The Welsh Refugee Council is an independent charity supporting asylum seekers, refugees, and displaced people in Wales. For 23 years, we continue to provide essential support to those who are forced to flee their homeland in search of their basic human rights.

We:

- provide information, advice and practical support to refugees within Wales
- listen to the experiences of asylum seekers and refugees and increase our understanding of the needs of vulnerable refugees to influence policy and practices that meets the needs of asylum seekers and refugees
- challenge discrimination and change the perceptions of refugees in Wales.

We are guided by the core principle that anyone has the right to protection as stated in the 1951 UN Convention and 1967 Protocol relating to the status of refugees, an international standard that has provided the essential protection to save hundreds of thousands of lives since it was established