



By: **Harvey Morris**

UK government faces down pressure to quit rights pact



The UK parliament reconvened this week after a hot summer of anti-immigration protests, with the government so far resisting mounting pressure to quit the European Convention on Human Rights.

It chose instead to announce further measures to curb irregular migration, an issue that has come to dominate the domestic political debate, contributing to a further fall in support for the ruling Labour party.

The latest steps are part of a package of promised initiatives to cut the number of would-be asylum seekers crossing the Channel in small boats and to speed the processing of those already in the UK.

If they fail to have an impact in the relatively short term, the government is likely to face further calls to suspend its participation in the ECHR, including from members of the Labour Party.

But would withdrawal offer a quick fix for the UK's current immigration turmoil, or would it mark a further retreat from the post-war international order by one of its key founders?

Reforming and honing the seven-decades-old pact

For the time being, the government is relying on reforming and honing the interpretation of the seven-decades-old pact that the UK played a leading role in formulating.

In reaction to atrocities committed during World War II, the pioneers among an eventual 47 signatory nations moved to enshrine human rights in a convention to protect individuals from the actions of the state, with ultimate recourse to the European Court of Human Rights in Strasbourg.

A scheme by the previous Conservative government to deport asylum seekers to Rwanda was blocked by the Strasbourg court

The role of the ECHR erupted into the UK's immigration debate in 2022 when the launch of a scheme by the previous Conservative government to **deport** asylum seekers to Rwanda was blocked by the Strasbourg court. Its interim measure on behalf of an Iraqi national forced the suspension of the first planned flight.

Although the then government ruled out abandoning the ECHR, some Conservative MPs called for withdrawal and the introduction of a UK bill of rights.

Temporary suspension of elements of the ECHR

Today's critics include those who say an outdated system has been played by irregular migrants and their over-zealous lawyers in a way that hamstring national governments in their efforts to control immigrant numbers.

A counter-argument is that, by abandoning the pact, the UK would be willingly joining outsiders Belarus and Russia, the latter having ceased to be a party to the convention in 2022 after its exclusion from the Council of Europe.

The UK's critics of the ECHR are not confined to the familiar anti-immigration voices of the right.

Former Labour home secretary called for temporary suspension of elements of the ECHR to allow the deportation of asylum seekers

Labour elder statesman Jack Straw, a former home secretary, has said the convention was now being used in ways which were never intended when it was first drafted in the late 1940s and early 1950s.

Straw, who did not propose leaving the convention, nevertheless **told** the Financial Times that the UK's own human rights act might be amended to state that British courts

would not have to take account of the ECHR.

He said that would be preferable to triggering a complete withdrawal from the convention, which would take many years to accomplish.

His intervention followed that of another former Labour home secretary, Lord David Blunkett, who **called** for temporary suspension of elements of the ECHR to allow the deportation of asylum seekers and a reduction in the backlog of applications yet to be resolved.

Overhauling the asylum appeals system

For the time being at least, the government is talking increasingly tough on immigration while cleaving to membership of the European Convention.

“International law needs to keep up with modern challenges,” home secretary Yvette Cooper conceded in comments to the BBC, adding, “We don’t need to suspend [ECHR membership] in order to take action.”

She was speaking after announcing in parliament that, pending the introduction of tougher rules, the government was temporarily **suspending** a family reunion scheme that enables successful asylum claimants to have their relatives join them in the UK.



International law needs to keep up with modern challenges
– Yvette Cooper

The government is meanwhile **targeting** tens of thousands of foreign students with emails and texts reminding them that they face removal from the UK if they overstay their visas.

The Home Office said the campaign was in response to what it called an alarming spike in the numbers of those claiming asylum once their visas expired.

The challenge for the government will be the impact of these and other measures on the most visible element of the current debate: the continued use of hotels to house asylum seekers at considerable public expense.

Even the former Archbishop of Canterbury, Rowan Williams, putting the liberal argument for more sympathetic treatment of irregular migrants, **wrote** in The Guardian that: “Nobody in their right mind thinks that accommodating asylum seekers in hotels is a good idea.”

The government has pledged to end the practice by the end of its current term and even to beat that deadline by overhauling the asylum appeals system, transferring it from the courts to an independent body of professional adjudicators.

Not just about migrants and asylum seekers

The UK’s Reform party, which currently heads opinion polls with around 30 per cent of popular support, is offering a much quicker solution.

Its leader, Nigel Farage, wants to quit the ECHR; disregard other relevant international treaties; repeal the UK’s own human rights act; and **detain** and deport any migrants arriving illegally, including women and children, who would henceforth “never, ever be allowed to stay”.

The ECHR is not just about migrants and asylum seekers

Potential voters will have to consider how such an agenda might impact Britain's international reputation and influence, substantially built on its central position in reinforcing the rules-based international order.

The ECHR is not just about migrants and asylum seekers. Since its first adoption, it has offered protections against crimes such as torture and slavery, while protecting freedom of speech and the privacy of the individual.

Abandoning its protections now, at a time when autocracy and inward-looking nationalism is on the rise, might not be the best moment to abandon a project born out of a continent that had just escaped the inhumanity of the Nazi threat.