**Human Rights and Equality Strategy Group**

In one way our strategy group meeting was very well timed, coming the day after the Government published their cruel and unworkable Bill. But the timing did mean that many organisations who would have been there were dealing with the fallout from the previous day’s announcement.

The meeting fell into three parts:

* a summary briefing on the Illegal Migration Bill by Peter Wieltschnig, from Focus on Labour Exploitation
* the structural significance of the UK’s membership of the European Convention on Human Rights to the Belfast/Good Friday Agreement
* and finally, how to make the case effectively for the European Convention on Human Rights – strategic communications advice from our Director of Strategic Communications.

**ILLEGAL MIGRATION BILL (AKA THE INHUMANE MIGRATION BILL):**

The following statement is on the front page of the Bill:

*Secretary Suella Braverman has made the following statement under section 19(1)(b) of the Human Rights Act 1998:*

*I am unable to make a statement that, in my view, the provisions of the Illegal Migration Bill are compatible with the Convention rights, but the Government nevertheless wishes the House to proceed with the Bill.*

She also said in a letter to MPs that there is a *‘more than 50 per cent’* chance that the legislation breaches ECHR obligations.

To publish a piece of UK legislation with this as its opening would have been unthinkable in the span of the previous 7 decades since the ECHR’s establishment. That has only changed in very, very recent times. For a Secretary of State to openly admit that they are likely to breach our international obligations shows how far the country’s standards of governance have fallen.

Suella Braverman now states that she knows better than decades of previous politicians. She is actively legislating to rip up the rights that many previous Tories have championed at home and abroad, including Churchill.

In this context one of the deeply concerning aspects of the Bill is that the phrase ‘in the opinion of the Secretary of State’ is littered all the way through the clauses on deportation. They are legislating to take out legal processes and protections but adding in the Secretary of State’s ‘opinion’ is all conquering. And the current Secretary of State seems to be proud of saying she wants the country to break our legal obligations.

Given the Bill was only published the previous day Peter did an excellent job of explaining its contents. The headlines are:

* **ALL** asylum claims from people arriving via ‘irregular’ routes will be deemed inadmissible, and this prohibition will be backdated to people arriving before the Bill becomes an Act
* The Home Secretary will have a **DUTY to remove people** and to **refuse to process an asylum claim**
* The Bill **PREVENTS access to** **MODERN SLAVERY** **support and protection** or use of modern slavery rules to challenge removal, with one difficult to meet exception when you are currently cooperating with public authorities
* Other challenges or human rights claims can only be heard remotely **after removal**
* **People will be detained for 28 days**, with no recourse for bail or Judicial Review. Detention will then continue if there is a reasonable prospect of removal **in the Home Secretary’s opinion**.
* **Permanent bar** for ever re-entering the UKfor those who arrive irregularly and **for their children**

Peter also explained that the Bill smuggles in parts of the stalled Bill of Rights Bill (or, more accurately, the Rights Removal Bill). It includes ‘Ouster’ clauses (which seek to prevent courts applying the law on specific issues) and limits the ability of the European Court of Human Rights (ECtHR) to block removals. It also explicitly states that the Human Rights Act does not apply to this legislation.

The reality of this Bill is that it will make refugees more vulnerable to exploitation not less. It further undermines the UK’s reputation on the international stage and, once again, British ministers and the Prime Minister are openly discussing the option of joining Russia and Belarus as the only European countries not in the ECHR.

The evidence is that this Bill won’t stop people risking their lives crossing the Channel. It’s widely expected that it won’t even be implemented before the next election, despite trying to rush it through and minimising scrutiny in the House of Commons.

The causes of people using the dangerous Channel crossing route are multiple and there’s no single solution. But one basic thing needs to be done – creating safe and legal routes to the UK for refugees. The Bill includes reference to these routes but only to specify the maximum number of people that can come and that they may be brought in at some point in the future.

This underlines the idea that the Bill is not about delivering a workable, humane answer to a deadly problem – that it is a 58 page excuse for a political fight. It is certainly not a grown up, responsible Government’s response to a current and traumatic issue.

**BELFAST/GOOD FRIDAY AGREEMENT AND THE ECHR**

The Illegal Migration Bill is the latest but certainly not the only threat to our membership of the ECHR that this government has used. Many who stand up to defend our continued membership cite the fact that it is an essential ingredient of the Belfast/Good Friday Agreement (B/GFA) as a vital reason for continuing as a signatory. But what exactly is the connection between the ECHR the B/GFA? Kevin Hanratty, Director of Northern Ireland’s Human Rights Consortium, took the time to explain the detail to the Strategy Group.

He started with a quote from the Agreement:

*“The British government will complete incorporation into Northern Ireland law of the European Convention on Human Rights, with direct access to the courts, and remedies for breach of the Convention, including power for the courts to overrule Assembly legislation on the grounds of inconsistency.”*

The Agreement explicitly states that all sections of the community are protected by the ECHR and that key decisions and legislation are proofed to ensure they do not infringe on the ECHR.

Kevin also explained that beyond the explicit wording, membership of the ECHR is fundamental to confidence building across communities. The B/GFA peace treaty was signed after decades of violence and murders. It has made a huge difference and it’s done its job of maintain peace, but there are still seen to be different communities.

Having explicit human rights protections, that are not subject to the sole political process of either the UK or Ireland, is essential for people to trust the Agreement and all that flows from it. This won’t ‘just’ be breaking international law, it will be a fundamental breach of this crucial peace treaty.

**SO WHAT CAN WE DO?**

One really important action is to tell people why leaving the ECHR matters, in a way that brings people to our cause. That’s why we’re proud of Equally Ours’ **STRATEGIC COMMUNICATIONS** expertise and why Kathryn Quinton gave guidance on building our messaging.

There was a lot of information on the recipe for getting this right but in summary:

When talking about refugees and opposing the Bill:

* Use the **VALUES** of social justice, freedom and community (invoking us and what we would want) and use the **MORAL ARGUMENT** of treating everyone with compassion and respect.
* Talk about **PEOPLE** and **REFUGEES**. The Government constantly talks about boats. In reality this isn’t about boats, it’s about the **people** in those boats and we shouldn’t repeat their language. Don’t use labels like migrants either, they are designed to depersonalise.
* People have the **right to seek asylum**. Make this a positive case, don’t say migrants can’t be illegal because it reinforces the idea there’s a link with legality.
* Convey **HOPE**. **There are solutions** – such as safe and legal routes.
* Be clear that there is a **duty** on **all governments** to help refugees

When talking about the ECHR:

* **BE POSITIVE**. Tell a story about **human rights in our everyday lives** – delivering things like dignity, fairness, equality, tolerance and respect. As always, don’t refute the harmful message or myth, it just reinforces it.
* Spell out the **European Convention on Human Rights** – it ‘humanises’ it and gives it an existence beyond its list of letters or as a legal term
* Talk about the **UK’s role** in creating it and our international reputation for protecting and promoting human rights
* When **talking to Conservatives**, talk about Churchill’s role in its creation

There was too much information to share all of it in this post but we know the Government intend to keep pursuing this agenda – and we will keep standing up against it. We have written and shared a messaging guide, which is on our website (equallyours.org.uk).

We now have a powerful community, with a willingness to share our expertise and knowledge and a determination to stand up for these rights. We have already seen some successes. Using all our strength and voice we will continue to protect our freedoms and safety.