



REFUGEES & ASYLUM SEEKERS

(See also MG)

Background

RA100 There are millions of recognised refugees in the world today, the overwhelming majority in Third World countries.

Principles

RA200 As well as supporting the right to asylum, it is essential to address the underlying causes which result in asylum seeking. These include war, the arms trade, environmental devastation, the consequences of past colonial actions and human rights abuses.

RA201 Asylum and refugee policy should honour fully the right to asylum enshrined in the UN Declaration of Human Rights and the 1951 UN Convention Relating to the Status of Refugees (as amended by the 1967 Protocol). Refugee status should therefore be offered to applicants who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, are outside their country of nationality and are unable or, owing to this fear, are unwilling to return to it.

RA202 Refugee and asylum policy should be extended to use the 1969 Organisation of African Unity definition of a refugee. The Organisation of African Unity extends the definition of a refugee by adding "every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nation-

ality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality".

RA203 Where residence is granted for humanitarian reasons to those who do not meet the definition of a refugee, they should normally be given equal rights to those with refugee status. Residence for humanitarian reasons (known as "exceptional leave to remain") should not be used to avoid granting refugee status.

Objectives

RA300 To build a world in which no one needs to seek asylum. Many Green Party policies aim to address the underlying causes of asylum seeking.

Long-term Policies

RA301 In association with other European countries, to adopt the Organisation of African Unity definition of a refugee (see RA202) as the basis for our refugee and asylum policy. The Green Party calls for the 1951 Convention Relating to the Status of Refugees to be amended to use this definition.

Short-term Policies

RA400 To revise asylum laws, policies and practices and associated laws, policies and practices, in consultation with refugee community groups and agencies working with refugees, in order to honour fully the right to asylum. This will include effecting the following principles:

- a) Asylum policy should not discriminate on grounds of race, colour, religion, nationality, political belief, disability, sex or sexual orientation.
- b) People seeking asylum should not be prevented from reaching the UK by restrictions such as visas and fines on airlines.
- c) Immigration officers should be specially trained to deal with asylum seekers, as well as in international human rights issues. Asylum-seekers should be given clear information about their rights and entitlements in English and their mother-tongue.
- d) No asylum-seeker should be held in detention other than in the most exceptional circumstances.
- e) Every asylum-seeker should have the right to legal advice and representation, supported by legal aid, for asylum applications and appeals.
- f) Every asylum-seeker should have a right of appeal to an independent tribunal against detention and before deportation or removal.
- g) Applications for refugee status should be dealt with quickly and fairly, normally within three months. After three months, an applicant should receive equal rights with residents in access to public services until a decision is made.
- h) Asylum seekers and refugees should have the right to be joined by their partner and their partner's immediate family.

- i) People seeking asylum should be entitled to full welfare benefits and to Citizens' Income when introduced.
- j) There should be no restriction on an asylum seeker taking work.

RA401 To provide integrated support for newly-arrived asylum seekers to include reception facilities, temporary housing, language training and assistance with asylum applications and in access to health and welfare services. This will be provided by voluntary agencies or local government but funded and coordinated at a national level.

RA402 To help long-term settlement by funding refugee community groups and agencies working with refugees and encouraging such funding by the European Community.

RA403 Asylum seekers in the UK whose application for refugee status is rejected will not be deported to a country where they face ill-treatment or inhumane punishment. Normally, in this circumstance, they will be allowed to remain for humanitarian reasons. In exceptional circumstances, an alternative country will be sought. If no alternative country can be found and free residence in the UK is not appropriate (e.g. for reasons of public safety), they will be offered the option of detention.

RA404 The Green Party opposes any common asylum policy for the European Community which results in more restrictions on asylum seeking or in reduced rights for refugees. We support common asylum policies that result in better treatment of asylum seekers across the European Community. Any common asylum policies for EC member

states should be formulated under the scrutiny of democratically accountable bodies.

RA405 The Green Party will oppose any person being left destitute after a failed asylum claim or if deemed to have not applied "appropriately". Any person in the United Kingdom should be entitled to the basic necessities of life, including but not limited to food, shelter and medical care, by legal means, whether this be achieved through employment rights or public funds.

RA406 The Green Party supports the recognition of lesbians and gay men as social groups within the meaning of the Convention. We will adopt this approach in our treatment of such asylum seekers.

The following additional policy statements can be found in the Green Party Record of Policy Statements (RoPS):

- Refugees (Autumn 2001)
- Green Party Conference Deplores Enforced Imprisonment (Autumn 2001)
- Asylum and Immigration Bill 2003 (Spring 2004)