

BRIEFING

11 August 2025

REFUGEE AND MIGRANT RIGHTS

UK-France returns deal

The [UK-France Agreement on the Prevention of Dangerous Journeys](#) is a returns deal. This briefing explains this deal and why Amnesty UK is opposed to it.

The UK-France returns deal in summary

The deal is to enable the UK and France to conduct a trial with the aim of deterring dangerous journeys across the Channel by small boat. It is hoped that returning people to France, who cross the Channel by small boat from that country, will deter others from attempting the journey.ⁱ In exchange for France accepting people back, the UK is to receive an equal number of people from France.ⁱⁱ

On 6 August the Home Office announced it was starting to put the deal into effect.ⁱⁱⁱ

People who may be returned to France under the deal

The deal sets out circumstances in which the UK may return someone to France, which include that:

- the person has, without permission, come to the UK from France either by making a journey by small boat or after being intercepted on such a journey;^{iv}
- the person is an adult or, if a child, is being returned with an adult;^v
- the person arrived in the UK from France no more than 14 days before the UK makes a request to France for that country to accept the person back;^{vi}
- the person is not considered a risk to national security or public order, health or policy, or to France's relations with any other Schengen country;^{vii}
- the person is returned within 3 months of their arrival in the UK (although France may agree to accept the person after that time period);^{viii}
- the person has no outstanding asylum or human rights claim at the time they are returned and there is no outstanding court process or court order that bars the UK from returning the person to France at the time they are returned;^{ix} and
- at the time the person is returned to France, there is a 'balance' in the number of people being returned to France with the number of people admitted to the UK under the deal.^x

The process by which people may be returned to France under the deal

The process for returning someone to France is to some extent governed by the deal. However, the deal does not determine how the UK selects people to be returned. Nonetheless, it does give some indication of how the UK intends to do this. The key steps are as follows:

- The UK must, within 14 days of someone's arrival, make a formal request that France agree to accept their return. That request must be accompanied by relevant information and the UK must conduct checks on the person before making the request.^{xi}

- France will conduct its own checks and aim to make a decision on the request within 14 days of receiving it. If France has not made a decision within 28 days, the request is treated as rejected.^{xii}
- The UK intends to bar asylum claims of people affected by this deal. The Home Office will treat their claims as inadmissible (unless and until it decides not to seek their return to France).^{xiii}
- The UK must consider people's human rights, but the Home Office intends to bar appeals against decisions to return them to France by certifying any human rights claim as clearly unfounded. The person may still apply for judicial review of that certification and/or the decision to return them.^{xiv}
- The UK must arrange and pay for the person's return to France by plane and provide 72 hours' notice of when and where the person will be returned. On their arrival, France will check whether the person is someone it has agreed to receive back. If it is not satisfied of this, the UK will be responsible for receiving the person back from France.^{xv}
- If someone is returned but a court rules that the person should not have been returned and/or should be readmitted to the UK, the UK is required to cooperate in accepting the person back.^{xvi}

People who may come to the UK under the deal

The deal requires the UK to allow people in France to apply to come to the UK if they are:

- neither a national of the UK nor any European Economic Area (EEA) country nor the family member of an EEA national exercising EU free movement rights in France;^{xvii}
- not a risk to national security or public order in the UK nor someone who has previously been removed from the UK;^{xviii} and
- not an unaccompanied child.^{xix}

The process by which people may come to the UK under the deal

The deal requires criteria for determining who may come to the UK to be set out in immigration rules.^{xx}

Those rules were published on 5 August.^{xxi} Read together, the deal and the rules indicate the process for deciding whether someone is permitted to come to the UK under the deal will be in two stages. First, there is an **expression of interest** stage. This involves the following:

- a person wishing to come to the UK must make an application (called an 'expression of interest') using an online form;^{xxii}
- the application must be made within a period (called an 'application window') during which the Home Office has decided it is open to receiving applications;^{xxiii}
- the application must include a copy of the person's passport or other documentary and photographic evidence that establishes the person's identity and nationality;^{xxiv}
- the person must not have permission to be in France, and must not have been granted asylum or recognised as stateless by another country;^{xxv} and
- the person must not previously have been refused permission to come to the UK under the deal, entered the UK without permission, or been removed from the UK.^{xxvi}

If the Home Office is satisfied that the person satisfies all requirements at the expression of interest stage, it may put the person forward to a **decision stage**. This second stage involves the following:

- the Home Office will consider whether the person meets further criteria set out in policy guidance (currently this gives priority to people of a nationality with an 80% or higher asylum grant rate in the UK, who have been in the UK lawfully for at least 6 months in the past 5 years);^{xxvii}
- the Home Office may then grant permission for the person to come to the UK and, if it does so, will make arrangements and pay for the person's travel (on a 3 months' visa);^{xxviii} and
- the Home Office will however refuse permission to come to the UK if either the person does not meet the criteria or permitting the person to come would mean the number of people coming to the UK is not matched by the number of people being sent to France.^{xxix}

Applications to come to the UK may be made by single adults or families.^{xxx} Anyone permitted to come to the UK will need to apply for permission to extend their stay in the UK (such as by applying for asylum) within a period of no longer than 3 months from the time of their arrival.

Objections to the deal

Amnesty UK has both principled and practical objections to the deal. These objections include:

1. The deal is dehumanising. It treats people like parcels to be shunted back and forth across the Channel. Even though some people will be provided with a way to travel to the UK safely, this will depend on someone else making the dangerous crossing controlled by smugglers.^{xxxi}
2. The primary function of this deal is to penalise people who cross the Channel without permission to exercise their right to seek asylum in the UK for the primary purpose of deterring other people attempting to do the same. That penalty is to refuse to consider their asylum claim in the UK and to expel them back to France. Nobody should be penalised in this way.^{xxxii}
3. Notwithstanding what is said in the deal's Preamble, it is not an exercise in [responsibility sharing](#). Its ultimate ambition is to deter people coming to the UK via France. The deal shows no true concern for the wellbeing and rights, including right to asylum, of the people it affects or seeks to influence.
4. The immediate impact of the deal is for the UK, and to a lesser degree France, to waste resources (detaining people, processing claims, dealing with legal challenges, and transporting people across the Channel), which could be spent managing the asylum system more fairly and efficiently.
5. Even people who may have particularly strong reasons to make their asylum claims in the UK have no guarantee the deal will enable them to do so without relying on a smuggler and making a dangerous journey. Under the current Home Office policy, their circumstances are not even a priority.
6. There is a risk the deal will encourage even more dangerous journeys to avoid the impact of the deal (e.g., making longer or more secretive journeys whether by boat or other means or starting in another country such as Belgium or The Netherlands).
7. If – as seems very likely – the deal does not deter people coming to the UK to seek asylum, it will further undermine the credibility of governments that keep promising what they cannot deliver (stopping people seeking asylum) rather than taking responsibility for managing what they ought to deliver (managing an asylum system fairly and efficiently).

Conclusion

The deal should be abandoned. Rather than addressing the rights and welfare of refugees, it makes smugglers and dangerous journeys central to how anyone may seek asylum in the UK. It is another example of how governments – when ignoring people's humanity, rights and experience and simply trying to avoid their own responsibilities – make bad policy that harms people, wastes public funds, and is counter-productive. Asylum policy provides many examples of this over many years and under governments of differing political parties.

The Government should instead work with France and other countries to establish safe routes (that are not dependent on smugglers and dangerous journeys) for people to seek asylum including in the UK – having regard to where people have family and other strong links. It should encourage all countries to operate accessible, [fair and efficient asylum procedures](#); including by ensuring its own system applies these standards in deciding all asylum claims made in the UK.

Notes

- ⁱ The Preamble confirms the aim to “...prevent unauthorised movements between [the UK and France] and deter dangerous journeys... [and test] procedures for the identification and safe and orderly return of persons who arrive in the United Kingdom via dangerous journeys by small boats...”. Article 22 provides that the deal is to remain in force until 11 June 2026 unless it is terminated by either party giving one month’s notice or extended by mutual agreement of the parties in writing.
- ⁱⁱ The Preamble and Article 1 confirms this aspect of the deal to be for the UK to provide reciprocity to France.
- ⁱⁱⁱ Amnesty UK is among NGO’s represented on an asylum stakeholder group who were notified by Home Office email on 6 August 2025 that it was that day commencing operations in connection with the deal.
- ^{iv} Article 3; Article 2(1)(f) defines “small boat”
- ^v Article 4(2)(d)
- ^{vi} Article 4(2)(c); someone may still be returned to France if it is not known when the person arrived in the UK (though it will still need to be known that they came from France by small boat)
- ^{vii} Article 4(2)(b) and (4); this includes where an alert has been issued in the [Schengen Information System](#) or on French national databases
- ^{viii} Articles 1(1) and 4(3)(e)
- ^{ix} Article 4(1)(d)-(g)
- ^x Article 4(2)(f)
- ^{xi} Articles 4(3), 6 and 8(1)
- ^{xii} Article 8(2) and (3)
- ^{xiii} Article 4(1)(d) and
- ^{xiv} Article 1(4)(c) requires compliance with the European Convention on Human Rights, the Refugee Convention and the Council of Europe Human Trafficking Convention. Article 4(1)(e) indicates the Home Office intention to certify any human rights claim that would otherwise bar return to France as “clearly unfounded”.
- ^{xv} Articles 9 and 11
- ^{xvi} Articles 9(4) and 11
- ^{xvii} Articles 2(1)(e) and 12(1); and paragraph UEATS 2.3.(b) of Appendix UTEAS to the Immigration Rules (see below)
- ^{xviii} Article 12(6)
- ^{xix} Article 12(6); and paragraph UEATS 2.3.(a) of Appendix UTEAS to the Immigration Rules
- ^{xx} Article 12.2, which also permits the UK to set out further restriction or prioritisation outside the rules if this is done in consultation with France (France may then operate equivalent restriction or prioritisation in accepting returns from the UK).
- ^{xxi} [Statement of Changes to the Immigration Rules \(CP 1371\)](#) introduced Appendix UEATS (“UK/European Applicant Transfer Scheme”) to the [Immigration Rules](#), taking effect immediately (the deal having been [ratified the previous day](#)).
- ^{xxii} Paragraph UEATS 2.1. of Appendix UEATS (“UK/European Applicant Transfer Scheme”) to the [Immigration Rules](#). The [online form](#) is currently accessible but may be closed at any time.
- ^{xxiii} Paragraph UEATS 2.3.(d) of Appendix UTEAS to the Immigration Rules
- ^{xxiv} Paragraph UEATS 2.3.(c) of Appendix UTEAS to the Immigration Rules
- ^{xxv} Paragraph UEATS 2.3.(e)-(f) of Appendix UTEAS to the Immigration Rules
- ^{xxvi} Appendix UEATS to the Immigration Rules sets out various circumstances in which an application is to be treated as void, rejected, or any visa granted under it cancelled, including that permission to come under the scheme has previously been refused (paragraph UEATS 1.1.(c)), such as to avoid exceeding the number of people accepted for return to France (paragraph UEATS 5.3.).
- ^{xxvii} Home Office [UK/European Applicant Transfer Scheme policy guidance](#), version 1.0 (pp30-34)
- ^{xxviii} Article 12(2)-(4); and paragraph UEATS 7.1. of Appendix UEATS to the Immigration Rules (paragraph UEATS 7.2. confirms that a visa granted to come to the UK will prohibit access to public funds, work, and study)
- ^{xxix} Article 12(7); and paragraph UEATS 5.3. of Appendix UEATS to the Immigration Rules
- ^{xxx} Paragraphs UEATS 2.3.(a), 2.4. and 2.5. of Appendix UEATS to the Immigration Rules indicate that, in the case of families, a lead applicant must apply first and list family members on their application. The family members must then apply with a reference number from the lead applicant’s application (including evidence to establish their family relationship).
- ^{xxxi} This is necessary because any safe journey is provided only in exchange for the return of someone who has made an unsafe one.
- ^{xxxii} Article 31(1) of the Refugee Convention

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