

Border Security, Asylum and Immigration Bill **House of Lords Report, October-November 2025**

Impact of asylum policy supported by this Bill on the UK's commitment to Women, Peace and Security objectives:

“Afghans are now more likely to be refused asylum in the UK than they were before the Taliban returned to power. Women and girls are among those being refused asylum.”

This briefing provides an assessment of the Border Security, Asylum and Immigration Bill (“the Bill”) – and the asylum policy it supports (“the policy”) – in relation to the Government’s long-standing commitments to the Women, Peace and Security (WPS) agenda. These commitments are set out in its WPS National Action Plan, most recently reported to Parliament in June 2025.¹ These commitments apply both internationally and domestically. They extend to all UK actions affecting women and girls impacted by conflict and displacement, including those seeking asylum in the UK or otherwise affected by UK asylum policy.

Amnesty International and Gender Action for Peace and Security urge peers to press the UK Government to honour its commitments to women and girls by:

- (1) Amending the Bill to repeal Part 2 of the Nationality and Borders Act 2022;
- (2) Reinstating refugee family reunion; and
- (3) Revising its asylum policy so as to abandon a general policy of deterrence and instead promote respect for international asylum responsibilities by taking its share of these.

Overview

In summary, the policy and the Bill are profoundly at odds with the WPS commitments and the National Action Plan, because the UK’s general policy of seeking to deter people from seeking asylum is resulting in women and girls being denied protection here in the UK, despite having experienced, or being at risk of experiencing, gender-based violence and/or conflict related sexual violence in their home countries.

This discrepancy has grown markedly over the period since 31 December 2020, on which date the UK withdrew from the EU and began a general policy of attempting to deter people seeking asylum in the UK by refusing to recognise or fulfil the rights of

¹ The [seventh report to Parliament](#) concerns progress between February 2024 and February 2025 against the UK’s fifth WPS National Action Plan.

refugees who do so.² Notwithstanding a change in government following the July 2024 General Election, that policy continues. The Bill is in certain ways a further extension of it. That the present Government has decided not to repeal any provision of the Nationality and Borders Act 2022 (“the 2022 Act”)³ or specific relevant provisions of the Illegal Migration Act 2023 (“the 2023 Act”),⁴ also makes clear its continued commitment to the same approach. This policy is already harming the interests and rights of women and children affected by conflict, political and religious persecution and oppression. It is also undermining the UK’s leadership role as the UN Security Council Penholder of the WPS agenda, its Preventing Sexual Violence in Conflict initiative (PSVI), and the commitments under its WPS National Action Plan. That plan includes strategic objectives to prevent gender-based violence, including conflict-related sexual violence, and support survivors;⁵ and to support the needs of women and girls in crisis.⁶

This briefing for Report stage of the Border Security, Asylum and Immigration Bill, which continues on Monday and Wednesday, 1 & 3 November 2025, highlights critical ways in which the Bill and the policy it supports does that harm.

Refusing asylum to refugee women and children in the UK

This Government has begun deciding claims of thousands of people, whose asylum claims its predecessor refused to process. However, in doing so, this Government is applying legislation that its predecessor introduced but never gave effect because it refused to decide the claims to which that legislation applies.⁷ Thousands of people are, therefore, now being wrongly refused asylum in circumstances where they would previously have been recognised as refugees.⁸ Among them are many women and children. This includes women and children who are dependents on the claims of men;⁹ and women and children who have sought asylum in their own right.¹⁰

The primary reason for this is the application of sections 30 to 38 of the 2022 Act. These provisions have altered the interpretation and application of the Refugee Convention in the UK in ways that significantly and wrongly narrow the protection provided by that Convention. Effectively, decision-makers are being required to apply incorrect and unduly onerous tests of people’s claims and thereby treating many refugees as if without that international law status. This is affecting refugees of any

² This was begun by substituting paragraphs 345A-345D of the immigration rules by Statement of Changes in Immigration Rules (HC 1043), 10 December 2020, taking effect at 11pm on 31 December 2020.

³ See e.g., *Hansard* HC, Public Bill Committee, 18 March 2025 : Col 370 and the [minister’s reply of 17 July 2025](#) to Amnesty International UK.

⁴ *ibid*

⁵ Strategic Objective 2 (SO2) of the Plan

⁶ Strategic Objective 3 (SO3) of the Plan

⁷ Section 30(5) of the Nationality and Borders Act 2022 limited the effect of sections 30-38 of that Act to claims made on or after 28 June 2022 (the date of commencement of section 30).

⁸ See further Amnesty International UK’s [briefing to New Clause 118 at Committee](#) on ‘determination of asylum claims.’

⁹ 7,786 women and girls were refused asylum as dependents of men in the 12 months to end June 2025, see immigration system statistics, Table Asy_D02: Asylum initial decisions.

¹⁰ 8,893 women and girls were refused asylum as main applicants in the 12 months to end June 2025, see immigration system statistics, Table Asy_D02: Asylum initial decisions.

nationality. However, the impact is most acutely exposed by the treatment of Afghans. The grant rate on Afghan asylum claims has fallen from 96% to 40%.¹¹ Afghans are now more likely to be refused asylum in the UK than they were before the Taliban returned to power.¹² Women and girls are among those being refused asylum.¹³

While the Government persists in implementing these provisions of the 2022 Act it is seriously exacerbating the huge appeals backlog that has now been created.¹⁴ It is building the future backlog of people wrongly refused asylum in the UK, who cannot safely return to their home countries and who cannot lawfully or otherwise be removed from the UK. Far from resolving the backlog it inherited, it is merely passing much of that on elsewhere with new costs to the taxpayer and further limbo and anxiety for the people stuck in it. That includes women and girls now formally being threatened with return to Afghanistan, Iran, Eritrea and other places where they face persecution.¹⁵

Refusing refugee family reunion visas for women and children to be reunited with partners and parents in the UK

Wrongly, refusing the asylum claims of refugee men has two immediate impacts on women and children. First, as identified above, if women and children are dependent on those claims, it is to refuse asylum to those women and children too. Second, if these men are currently separated from their partners and children, it means that women and children – many of whom still in extremely precarious situations whether in or at the borders of places of conflict or persecution or elsewhere – cannot seek refugee family reunion in the UK. Save for the women and children embarking on a dangerous journey controlled by smuggling gangs, as the men likely had to do, there is no real or safe prospect of the family reuniting. Any heightened vulnerability of the women and children to violence and exploitation, including sexual violence, due to that separation will continue.

However, the Government are seriously worsening and extending the above concerns. They have paused refugee family reunion visas¹⁶ until no earlier than the Spring of 2026 (albeit with some confusion as to whether visas will become available again or with what additional restrictions).¹⁷ This constitutes a closure of the only numerically

¹¹ See immigration system statistics, Table Asy_D02: Asylum initial decisions – data on decisions in this briefing relates to main applicants only (unless otherwise stated).

¹² In the 12 months to end June 2021, the grant rate for Afghans was 55%; and for the previous 12 months it was 63% – see immigration system statistics, Table Asy_D02: Asylum initial decisions.

¹³ In the 12 months to end June 2025, 64 women and girls were refused asylum as main applicants; and a further 303 women and girls were refused asylum as dependents – see immigration system statistics, Table Asy_D02: Asylum initial decisions.

¹⁴ At end March 2025, the First-tier Tribunal backlog of outstanding appeals stood at 50,976, more than double the number 12 months previously and more than five times the number at the same point of any bar one other of the years going back to 2016 – see tribunal statistics quarterly, Table FIA_4.

¹⁵ Asylum grant rates have generally collapsed under the present Government. 289 Eritrean women and girls and 837 Iranian women and girls have been refused asylum over the 12 months to end June 2025 – see immigration system statistics, Table Asy_D02: Asylum initial decisions.

¹⁶ The pause was initiated at 3.00pm on 4 September 2025 by Statement of Changes in Immigration Rules (HC 1298) with transitional protection for applications made before that time – see paragraph AAP FRP3.

¹⁷ This matter was discussed in an Oral Evidence session with the Minister for Migration and Citizenship before the Secondary Legislation Select Committee on 28 October 2025.

significant safe route for refugees other than the UK's very modest resettlement commitments to UNHCR.¹⁸ It very disproportionately affects women and children. It means that even where the asylum claims of refugee men are still granted, their partners and children are to be abandoned in precarious conditions with only a dangerous journey controlled by smuggling gangs offering any prospect of relief.

This too is related to the Government's decision to retain all of the 2022 Act. One of the effects of section 12 of that Act is to empower the Home Secretary to withhold or impede refugee family reunion for some refugees though not others on the basis of how they have come to the UK.¹⁹

Wider effect of legislation and policy

The UK Government has for several years pursued the policy of attempting to deter people seeking asylum here by refusing to recognise or fulfil the rights of refugees who do so. The current deal with France²⁰ and what is reported as a proposal for a deal with Kosovo²¹ are each part of this.

However, the wider impact is the signal sent across the world that the UK is actively and emphatically unwilling, in various ways, to accept the responsibilities that are required of it and others under international agreements it has made. This is disastrous for women and children in conflict regions, refugee camps, and other situations of humanitarian crisis and displacement. The extremely precarious circumstances of many Syrian women and children in Turkey, Lebanon and Jordan, or of many Afghan women and children in Pakistan and Iran provide example.²² These are countries hosting very much larger populations of refugees than the UK. If the UK – significantly richer than these countries with significantly less responsibility being asked of it, will not abide by its international duties – it is even less likely that these countries can be expected to do so. The situation, for example, of Eritrean women and children in Sudan,²³ of Sudanese women and children in Chad,²⁴ or of various women and children in Libya²⁵ is no less precarious.

¹⁸ Resettlement schemes have largely been closed by the current Government. In any event, save for the Ukraine schemes, refugee family reunion has consistently constituted the most substantial safe route for refugees to the UK under successive Governments and over many years.

¹⁹ Section 12(5)(d)

²⁰ UK/France: Agreement on the Prevention of Dangerous Journeys [CS France No. 2/2025], presented to Parliament in August 2025.

²¹ See e.g. *The Times*, 'Kosovo open to hosting migrant returns hub for UK asylum seekers', 21 October 2025.

²² The very large populations of Syrian and Afghan refugee women and children in these respective countries face additional hardship and vulnerability arising from significant pressure on many refugees to return to their countries of origin or otherwise leave.

²³ UNHCR identifies there to be nearly 51,000 Eritrean refugee women and over 48,000 Eritrean refugee children in Sudan at 31 July 2025 – UNHCR, *Sudan: Eritrean refugees in Sudan as 31 July 2025*.

²⁴ UNHCR identifies that, by 10 August 2023, almost 720,000 Sudanese women and children had fled to Chad since April 2023 – UNHCR, *Emergency situation in Chad: Update on arrivals from Sudan*, 11 August 2025.

²⁵ The situation of refugees and other migrant people in Libya has been a matter of continued and severe concern to Amnesty International for many years, as summarised in successive annual report entries for that country.

Conclusion

Gender Action for Peace and Security (GAPS) and Amnesty International call on peers to join us in urging the Government to radically revise its asylum policy. That should begin by including repeal of asylum provisions, including the entirety of Part 2, of the 2022 Act in the Bill. The Government should instead signal the UK's firm commitment to fulfilling its duties under the Refugee Convention. It should ensure that all refugees on its territory receive asylum and rights to refugee family reunion in full, explore ways to enable refugees with particular connection to the UK to come here safely, and thereby encourage fulfilment of international human rights laws by others elsewhere.

In its introduction to its report on the WPS National Action Plan made to Parliament in June 2025, the Government claimed:

"In 2024 to 2025 the UK continued to drive forward implementation of the WPS agenda in an increasingly challenging international environment. The proportion of women killed in conflict in 2023 doubled compared with 2022 and UN verified cases of conflict-related sexual violence increased by 50%..."

"From day one, this Government has stepped up to tackle this challenge; from calling for the cessation of hostilities and protection of civilians in Sudan and continuing to stand united with Ukraine and Europe in the face of Russian aggression. Across these contexts, and beyond, the UK has called out and endeavoured to address the disproportionate impact of conflict on women and girls."

The international environment is increasingly challenging; and it is right for the UK to 'call out' the dreadful impact of conflict on women and girls, including increasing killings and sexual violence. However, the Government must take responsibility for its own contribution for why that environment is more challenging, which includes how its asylum policy showcases a disdain for international human rights standards and the rights of women and children affected by conflict and other repression. This Government has continued its predecessor's failure to join up its domestic policy and actions on asylum with what it is prepared to say on the international stage. Sadly, it is its actions not its words that can be expected to continue to carry more weight. If so, the environment in the UK and elsewhere for women and children affected by conflict, political and religious repression will worsen still further.