

**Y Gwir Anrh/Rt Hon Mark Drakeford AS/MS**  
**Prif Weinidog Cymru/First Minister of Wales**



Llywodraeth Cymru  
Welsh Government

Huw Irranca-Davies MS  
Chair, Legislation, Justice and Constitution Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN

21 February 2024

Dear Chair

Thank you for your letter of 26 January about the UK-Rwanda Partnership. I appreciate the opportunity to share the Welsh Government's views regarding this Treaty and the associated Safety of Rwanda (Asylum and Immigration) Bill.

Welsh Ministers have repeatedly stated in recent years – and it remains our view – that proposals to detain and remove everyone arriving via irregular means are not workable or ethical. We have been clear that an effective system requires compliance with the UN Refugee Convention and the European Convention on Human Rights, effective returns agreements with safe countries where connections exist, and sufficient safe and legal routes to the UK.

Since plans were being developed for EU Withdrawal, we have highlighted the loss of the Dublin III Regulation and EURODAC to UK Ministers. These systems enabled the UK to return individuals to other Member States where connections existed. Traffickers and people smugglers know that the UK can no longer rely on this pan-European cooperation which makes the UK a far more attractive destination.

Although the immigration system is not devolved, the Minister for Social Justice and Chief Whip published a written statement in March 2023 to set out our views about how the system could work more effectively:

[Written Statement: Safe and Legal Routes for Asylum Seekers \(31 March 2023\) | GOV.WALES](#)

We have considered the UK-Rwanda Treaty and the Safety of Rwanda (Asylum and Immigration) Bill but we believe the contents of both relate to reserved matters. We do not believe that a Legislative Consent Motion is required. However, we remain concerned that the Home Secretary cannot state that the Bill is compatible with the European Convention on Human Rights and the Supreme Court's judgement should make clear whether Rwanda is safe.

We were frustrated that the will of Senedd Cymru was ignored when legislative consent was withheld in relation to both the Nationality and Borders Act 2022 and Illegal Migration Act

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

2023. We maintain the position that the provisions we highlighted in those Acts have dual purpose which impacts upon Senedd competence. In those cases we do not believe the Sewel Convention has been observed. In relation to the Safety of Rwanda (Asylum and Immigration) Bill and the accompanying agreement, we do not believe the Sewel Convention is engaged.

I hope this information helpful in assisting the Committee in its scrutiny.

Yours sincerely

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

**MARK DRAKEFORD**