# Timothy Gaston warns Northern Ireland risks becoming dumping ground amid immigration Bill dispute



Timothy Gaston, a TUV representative for North Antrim, has raised alarm over the implications of new UK immigration legislation during a debate in the Northern Ireland Assembly. Voicing concerns that Northern Ireland may become a "dumping ground" for illegal migrants, he highlighted the unique challenges posed by the region's open border with the Republic of Ireland. His remarks come in the wake of the Second Reading of the UK Government's immigration Bill, which seeks to tighten border control but has sparked significant debate.

In his speech at Stormont on 13th May, Gaston welcomed the government's proposed changes, which he believes represent a shift towards a more stringent immigration policy. He suggested that recent local electoral outcomes, reflecting rising public support for parties like Reform UK—known for their tough stance on immigration—have influenced the government's newfound urgency. “TUV wants to see boats crossing the channel stopped and immigration tightened up," he stated, calling for a serious commitment to border security.

However, Gaston’s primary concern lies with Northern Ireland's immigration framework. He observed that while immigrants can be intercepted when moving from the Republic into Northern Ireland, there is seemingly less scrutiny regarding their entry in the opposite direction. This loophole, he argued, poses significant risks for the region, which already faces complex immigration challenges heightened by its post-Brexit status.

The situation is further complicated by recent legal developments. On the same day as Gaston’s speech, the High Court in Belfast ruled that parts of the UK's Illegal Migration Act are incompatible with human rights provisions established under the Good Friday Agreement and the European Convention on Human Rights. This decision specifically affects the potential deportation of asylum seekers to Rwanda—a cornerstone of the UK government's current immigration strategy. The ruling raises urgent questions about how the new legislation will function in practice within Northern Ireland, particularly in light of ongoing tensions surrounding human rights compliance.

Gaston drew parallels between the present immigration Bill and the contentious Rwanda deportation scheme, emphasizing that the latter could face similar legal challenges. He warned that if the court were to find the Bill incompatible with existing laws, Northern Ireland might lack the necessary immigration controls, turning it into a haven for illegal immigrants. “This is a stark warning,” he said, urging the Labour Government to take immediate action to avert such an outcome.

In light of Gaston’s comments, the political landscape in Northern Ireland appears increasingly fraught. Opposition parties such as Sinn Féin, the SDLP, and the Alliance Party have expressed deep apprehension regarding measures they perceive as excessively restrictive or detrimental to human rights. The recent court ruling has intensified these discussions, prompting concerns that Northern Ireland's immigration policies could diverge significantly from those in the rest of the UK, potentially inviting legal challenges and further political instability.

Gavin Robinson, interim leader of the Democratic Unionist Party, echoed these sentiments by calling for a robust, unified immigration policy that extends to Northern Ireland. His comments reflect the broader anxieties among some political factions that the region could attract a surge of asylum seekers if it operates under different legal parameters than the rest of the UK.

As the legislation continues its journey through Westminster, the growing dialogue surrounding immigration in Northern Ireland underscores the urgent need for clarity on post-Brexit rules. The complex interplay of local sentiments, legal statutes, and intergovernmental relations will undoubtedly shape the future of immigration policy in this vibrant yet vulnerable region.

### Reference Map

1:
[[1]](https://www.loveballymena.online/post/gaston-warns-northern-ireland-risks-becoming-dumping-ground-for-illegal-migrants)2: [[2]](https://www.itv.com/news/utv/2024-05-13/uk-illegal-migration-act-undermine-human-rights-and-should-be-disapplied-in-ni), [[3]](https://www.bbc.co.uk/news/uk-northern-ireland-69001673),
[[5]](https://www.reuters.com/world/uk/parts-uk-immigration-law-not-valid-northern-ireland-high-court-rules-2024-05-13/)3:
[[4]](https://www.bbc.co.uk/news/uk-northern-ireland-69007979)4:
[[6]](https://www.ft.com/content/10295154-eabd-4e83-ba5a-5546f8d0e6e4)5: [[7]](https://www.lemonde.fr/en/international/article/2024/05/01/tensions-rise-between-ireland-and-the-uk-over-migration_6670072_4.html)

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## Bibliography

1. <https://www.loveballymena.online/post/gaston-warns-northern-ireland-risks-becoming-dumping-ground-for-illegal-migrants> - Please view link - unable to able to access data
2. <https://www.itv.com/news/utv/2024-05-13/uk-illegal-migration-act-undermine-human-rights-and-should-be-disapplied-in-ni> - On May 13, 2024, the High Court in Belfast ruled that certain provisions of the UK's Illegal Migration Act should not apply in Northern Ireland, as they breach human rights laws. The court found that these provisions infringe upon rights protected under the Good Friday Agreement and the European Convention on Human Rights. The ruling has significant implications for the UK's immigration policy, particularly concerning the deportation of asylum seekers to Rwanda. The UK government has indicated plans to appeal the decision, asserting that it will not affect their operational plans.
3. <https://www.bbc.co.uk/news/uk-northern-ireland-69001673> - A High Court judge in Northern Ireland ruled that large parts of the UK's Illegal Migration Act should not apply in the region due to breaches of human rights laws. The judge declared that the act is incompatible with the Windsor Framework, a post-Brexit agreement between the UK and the EU. This decision raises questions about the viability of the UK's plan to deport some asylum seekers to Rwanda. Prime Minister Rishi Sunak stated that the ruling would not change the government's plans and that they would take steps to defend their position, including appealing the decision.
4. <https://www.bbc.co.uk/news/uk-northern-ireland-69007979> - The Democratic Unionist Party (DUP) has called for the UK government to prevent Northern Ireland from becoming a 'magnet' for asylum seekers. This follows a High Court ruling that parts of the UK's Illegal Migration Act should not apply in Northern Ireland due to breaches of human rights laws. DUP interim leader Gavin Robinson emphasized the need for a unified UK-wide immigration policy to deter individuals from entering Northern Ireland. The UK government has indicated plans to appeal the court's decision, asserting that it will not affect their operational plans.
5. <https://www.reuters.com/world/uk/parts-uk-immigration-law-not-valid-northern-ireland-high-court-rules-2024-05-13/> - The High Court in Belfast ruled that elements of the UK's Illegal Migration Act are not applicable in Northern Ireland due to inconsistencies with post-Brexit human rights protections. The law, aimed at preventing illegal immigrants from claiming asylum and facilitating their removal to home countries or third countries like Rwanda, was found to unlawfully affect asylum seekers, children, and trafficking victims in Northern Ireland. Despite the ruling, Prime Minister Rishi Sunak insists that this will not impact the UK's operational plans to deport asylum seekers to Rwanda, with flights expected to commence in July.
6. <https://www.ft.com/content/10295154-eabd-4e83-ba5a-5546f8d0e6e4> - On May 13, 2024, the High Court in Northern Ireland ruled against key parts of the UK's Illegal Migration Act, impacting Rishi Sunak's plan to send asylum seekers to Rwanda. Justice Michael Humphreys found the act's human rights provisions conflicted with the Windsor framework and the European Convention of Human Rights, rendering the Rwanda asylum policy inapplicable in Northern Ireland. Despite Sunak's intention to appeal and start flights by July, law expert Colin Murray noted the ruling further undermines the policy's credibility. The decision followed a challenge by the Northern Ireland Human Rights Commission and a young Iranian asylum seeker.
7. <https://www.lemonde.fr/en/international/article/2024/05/01/tensions-rise-between-ireland-and-the-uk-over-migration_6670072_4.html> - Tensions between the UK and Ireland are escalating due to the UK-Rwanda Agreement, which intends to deport asylum seekers from the UK to Rwanda. Ireland blames the British government for the repercussions, notably a significant increase in asylum seekers crossing from Northern Ireland into the Republic of Ireland. The Irish government has passed an emergency bill to facilitate returning these asylum seekers to the UK, highlighting the need to monitor the border. The UK asserts that its agreement with Rwanda is deterring migrants, but the Irish High Court has ruled that the UK is not a safe asylum destination due to the potential for deportations to Rwanda.