

# Pakistan: Drop Threat to Deport Afghan

## Failed Promises by Countries to Provide Resettlement Heighten Risks

Afghan families leave Pakistan to return to Afghanistan, October 6, 2023. Click to expand Image

Afghan families leave Pakistan to return to Afghanistan, October 6, 2023. © 2023 Fareed Khan/AP Photo (New York) – Pakistani authorities' threats to deport more than one million Afghans puts them at grave risk of being returned to persecution and other abuse, Human Rights Watch said today.

Pakistan's Interior Ministry announced on October 3, 2023, that all migrants living without legal status in Pakistan had 28 days to leave voluntarily or face deportation. Broad calls by Pakistani officials for mass deportation have instigated an increase in police abuse against Afghans, including harassment, assault, and arbitrary detention.

"Afghans in Pakistan have long been a political football kicked back and forth between the two countries with little regard for their rights," said Patricia Gossman, associate Asia director at Human Rights Watch. "With resettlement countries dragging their feet and the United Nations caught off guard by the Pakistani announcement, Afghans are facing the threat of being returned home to face Taliban persecution and a humanitarian crisis."

The United Nations High Commissioner for Refugees (UNHCR) reported that as of October 2023, there were 3.7 million Afghans in Pakistan, among them some 700,000 Afghans who fled to Pakistan after the Taliban takeover on August 15, 2021. Many of this last group were encouraged to apply from Pakistan for resettlement programs in the United States, Canada, Germany, and other countries. While 200,000

have been resettled, others have been left in limbo. Afghan women and girls have often faced greater barriers to obtaining asylum, as destination countries have often prioritized assisting Afghans – overwhelmingly men – who contributed to their military efforts.

Pakistani officials have

Afghans, including women and girls, who fled Afghanistan after August 2021.

UNHCR issued non-return advisories in 2021, 2022, and 2023, calling for a bar on the forced return of Afghan nationals. Recently, UNHCR has urged Pakistan not to forcibly return Afghans, saying



blamed Afghans for a recent uptick in attacks by militant groups, linking these to "illegal migrants."

Afghans who were counted in Pakistan's only census of Afghans in 2005 were given proof-of-registration cards, which were largely accepted as confirming their status as refugees. These registrations stopped in February 2007, with Pakistan extending the validity of existing cards on successive occasions and extending citizenship to approximately 840,000 Afghans. The absence of any subsequent registration mechanism after 2007, and UNHCR's limited ability to process asylum seekers in Pakistan, has meant that many Afghans needing protection in Pakistan since 2007 have had little chance of obtaining it, generally facing delays of a year or more just to schedule interviews. Among more than one million who remain unregistered are thousands of

that returns could result in serious rights violations.

The UN and international donors should press Pakistan to end abuses against Afghans and protect Afghan asylum seekers in Pakistan, Human Rights Watch said. Pakistani authorities and UNHCR should agree on an expedited process of registering refugees, making assessments in a manner consistent with international law. Mass deportations, coerced or otherwise, may amount to a breach of Pakistan's obligations as a party to the UN Convention Against Torture and violate the customary international law principle prohibiting "refoulement," the forcible return of anyone to a place where they would face a genuine risk of persecution, torture, or other ill-treatment, or a threat to their life.

In 2016, Pakistani authorities coerced hundreds of thousands of registered Afghan refugees

into returning to Afghanistan. Pakistan claimed the returns were voluntary, but Human Rights Watch documented widespread abuse by Pakistan's police, including detentions, beatings, and confiscation of documents. Pakistan's threat to forcibly return Afghans comes at a particularly dangerous time, as the human rights situation in Afghanistan has worsened under the Taliban. Abuses by the Taliban, especially against women and girls, have escalated, imposing sweeping violations of the rights of women and girls to study, work, access health care, and move freely. Among those stranded in Pakistan are Afghan women's rights defenders who were forced to flee after retaliation – including torture – by the Taliban for their activism. Afghanistan is also in the midst of an economic and humanitarian crisis that has left over half the population – 28 million Afghans – dangerously food-insecure, with women-headed households disproportionately affected. Malnutrition levels among children have soared.

The Pakistani government should avoid recreating in 2023 the conditions that pressured Afghan refugees to leave in 2016, Human Rights Watch said. It should end police abuses and deportation threats and work with UNHCR to resume registrations of Afghan asylum seekers.

"Countries that promised to provide at-risk Afghans with resettlement abroad should live up to their promises," Gossman said. "Germany and most other European Union countries, the US, UK, Canada, and others have fallen far short on the numbers of Afghans they pledged to



# Israel Still Blocking Aid to Civilians in Gaza

## Collective Punishment of Palestinians is a War Crime

Sari Bashi

The Israeli government is deliberately deepening the suffering of civilians in Gaza by refusing to restore the flow of water and electricity and blocking fuel shipments. Willfully impeding relief supplies is a war crime, as is collectively punishing civilians

Israeli authorities committing war crimes against Palestinian civilians.

Gaza's infrastructure relies on the flow of electricity and drinking water from Israel and supply trucks entering via the Israeli crossings, but Israel cut those supplies following the attacks. By blocking objects

ity and water supply to Gaza and found ways to open its truck crossings. Not this time. "We will not allow humanitarian assistance in the form of food and medicines from our territory to the Gaza Strip," Prime Minister Benjamin Netanyahu announced last week.

allow a warring party to take steps to ensure shipments do not include weapons, deliberately impeding relief supplies is prohibited.

The roots of the violence in Israel-Palestine are multiple and run deep; the October 7 atrocities triggered another round of violence and tragedy



for the actions of armed groups.

On October 7, Hamas-led fighters crossed into southern Israel and committed the worst civilian massacre in Israeli history, gunning down families, burning people in their homes, and taking more than 200 hostages. Those atrocities were war crimes.

The fact that Palestinian fighters committed unspeakable war crimes against Israeli civilians does not justify

necessary for the survival of Gaza's 2.2 million residents, nearly half of whom are children, Israel is punishing all of Gaza's civilians for Hamas's attacks.

Israel, as the occupying power in Gaza, is required under the Geneva Conventions to ensure civilians have access to basic goods, and, as a party to the armed conflict, it must facilitate the delivery of humanitarian aid. During previous hostilities, it has maintained electric-

As of October 24, the Israeli military has allowed a total of 34 supply truckloads, overseen by UN agencies, to enter via Egypt's Rafah crossing with Gaza, far fewer than the 100 daily truckloads aid agencies say are the minimum needed. Israeli authorities have also refused to allow fuel, saying Hamas diverts it for its use. Fuel is desperately needed for hospital generators, water and sewage pumping, and aid delivery. While the laws of war

for civilians in Israel and Palestine. All parties should respect international humanitarian law and not commit unlawful attacks on civilians. Hamas and other Palestinian armed groups should immediately release all civilian hostages. Israel should restore the flow of electricity and water, allow monitored fuel into Gaza via Rafah, and take the necessary steps to open its own crossings into Gaza for humanitarian aid.



# Israel: Immediately Restore Electricity, Water, Aid to Gaza

**Denying Population Essential Services is Collective Punishment, a War Crime**



Israeli authorities need to immediately restore electricity, water, and fuel to Gaza and allow unhindered humanitarian aid to the population, Human Rights Watch said today.

Restoring electricity and water would meet at least some of Gaza's enormous humanitarian needs, including in northern Gaza, despite the damage from the Israeli bombardment to the water and electricity infrastructure.

"While aid agencies struggle to squeeze a few trucks of humanitarian aid into southern Gaza via Egypt, the Israeli authorities are keeping their crossings with Gaza closed and refusing to flick the switch for the water and electricity supply," said Tirana Hassan, executive director of Human Rights Watch. "There is no

excuse for denying water, food, and medicine to Gaza's civilian population. It is cruel

and contrary to international law."

International humanitarian law

requires Israel, as the occupying power in Gaza, to ensure that the basic needs of the civilian population are provided for. Israel also must facilitate, not block, the delivery of humanitarian aid. Cutting water and electricity to the population amounts to unlawful collective punishment. Under international human rights law, governments must respect the right to water, which includes refraining from limiting access to, or destroying, water services and infrastructure as a punitive measure during armed conflicts.

This is the first time during multiple rounds of hostilities since 2008 that Israel has cut water and electricity supplies to the civilian population and sealed its crossings with Gaza to prevent the delivery of humanitarian aid.

"Israeli authorities need to act immediately," Hassan said. "Lives are hanging in the





# Countries Should Back ICC Investigation on Israel-Palestine

## Important Opportunity to Speak Up for Justice

Balkees Jarrah  
Horrific crimes are being committed with devastating consequences for civilians in the

prosecutor's office has been investigating alleged serious crimes there since 2021. On October 10, the United

the court in media comments. For others, it appears the ICC may be the judicial elephant in the room.

The ICC prosecutor has not proactively issued a public statement reminding Israel and Palestinian armed groups of



escalating hostilities between Israel and Palestinian armed groups. Impunity for past abuses has clearly contributed to today's violations, which show no signs of abating. Despite this, governments have largely been silent about the critical role of the International Criminal Court (ICC), the one international entity already tasked with delivering impartial justice. Not all countries are members of the ICC and crises marked by grave abuses are often beyond its remit. But while Israel is not a member, the State of Palestine is. The ICC

Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory noted there was "clear evidence" of war crimes in Israel and Gaza and that it would be sharing information with relevant judicial authorities, especially the ICC. Despite this, Human Rights Watch is aware of only three ICC member countries—Liechtenstein, Switzerland, and South Africa—that have made clear statements referring to the ICC and the current hostilities. Ireland's foreign minister referenced the role of

All ICC members should urgently voice their support for the court's role. The response to date stands in stark contrast to other crises, including Ukraine, a non-ICC member country. After the full-scale Russian invasion in February 2022, the ICC prosecutor spoke out about the court's critical role, and an unprecedented number of mostly European ICC member countries asked him to open a Ukraine investigation. Even the United States, another non-ICC member, has expressed strong support for the ICC's role in Ukraine.

their obligations under international law and of the court's mandate to investigate their actions. The court's voice is urgently needed to help prevent further mass atrocities. Double standards in victims' access to accountability are unacceptable. On October 26, following a US veto of a UN Security Council resolution, the UN General Assembly will convene an emergency special session to consider the current hostilities. Will countries use that moment to raise their voices in favor of justice?



# Victory for Transgender Rights in Japan

## Supreme Court Rules Compulsory Sterilization Unconstitutional

Today, Japan's Supreme Court ruled as unconstitutional the country's law mandating sterilization surgery for transgender people as a requirement for legal gender recognition. The case follows years of advocacy

physical form of an alternative gender." They also must be single and without children who are younger than 18. In 2017, Japan pledged to revise the law. UN experts and the World Professional

In May 2023, the Supreme Court ruled in favor of the right of a trans woman government employee to use the restrooms in accordance with her gender identity. In November 2022, the government in

significant constraint on freedom from invasive procedures" in violation of the Japanese Constitution. While the Supreme Court has ruled against the sterilization requirement, it has asked a



and litigation to remove this abusive and retrograde requirement that contradicts medical best practices and international human rights law. Since 2004, transgender people in Japan who want to legally change their gender must appeal to a family court. Under the Gender Identity Disorder Special Cases Act, applicants must undergo a psychiatric evaluation, be surgically sterilized, and "have a physical form that is endowed with genitalia that closely resemble the

Association for Transgender Health have both urged Japan to eliminate the law's discriminatory elements. In 2019, the Supreme Court upheld a lower court ruling stating the law did not violate Japan's constitution. However, two of the Supreme Court justices recognized the need for reform: "The suffering that [transgender people] face in terms of gender is also of concern to society that is supposed to embrace diversity in gender identity."

Japan's Kanagawa prefecture awarded another transgender woman workplace compensation after recognizing her depression was the result of harassment she faced from her supervisor. In today's case, a transgender woman argued that the sterilization requirement violated her rights to pursue happiness and to protection against discrimination. The 15 justices ruled unanimously that: "Being forced to undergo sterilization surgery... constitutes a

lower court to review the requirement to have "genitalia that closely resemble the physical form of an alternative gender." Regardless, this judgment is a major step toward upholding the rights to health, privacy, and bodily autonomy of trans people in Japan. It will also resonate regionally and globally as governments increasingly recognize that the process for legal recognition of trans people needs to be separate from any medical interventions.



# “I Felt So Stuck”

## Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom

The United Kingdom has historically provided housing support to people seeking asylum who arrive in the country and are not immediately able to provide for their own basic needs. In recent years this sys-

In particular, the UK government has attempted to justify the use of barges, repurposed military bases, and similar large-scale settings as a means of reducing reliance on hotels that have themselves been

dation will reduce costs, the UK government has never backed up that claim; to the contrary, the available evidence suggests that the use of barges and barracks will yield negligible, if any, savings.

fall far short of international standards and the requirements of UK law.

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In an account that was typical



tem has increasingly been plagued by serious deficiencies, in violation of people's human rights to housing, food, education, health, and social security. Instead of addressing these concerns, the UK government is moving forward with plans that double down on failed hostile environment policies by expanding already problematic ad hoc arrangements for “contingency” asylum accommodation in ways that will only increase misery and rights violations across the country.

repurposed as contingency asylum accommodation. This is no solution: barges and military bases have the same, if not worse, deficiencies as repurposed hotels, afford even less privacy, may be located far from population centres and essential services, and lead to well-documented mental health harms. As with hotels, barges and barracks are unsuitable for anything other than short stays for adults. And although officials have claimed that using barges and barracks as asylum accommo-

The UK Home Office has said that it will not place families with children on repurposed barges or military bases, likely meaning that it will continue to rely on repurposed hotels as contingency accommodation for families for the foreseeable future.

This report, the product of joint research by Human Rights Watch and Just Fair, examines the experiences of families and unaccompanied children in contingency hotel accommodation and identifies practices and outcomes that

of those we heard, Nesreen R., a 36-year-old woman from Libya, told Human Rights Watch and Just Fair that when she and her family arrived in the UK, the Home Office placed them in Bradford, a town in northern England. Her four children were out of school for a month before she and her husband managed to enrol three of the four in a local school. School officials told Nesreen they did not have space for her oldest child, Tareq, age 14, who has autism. “It is not good for him to stay



without school for a long time," Nesreen said.

As is common in the UK's asylum system, the Home Office then moved Nesreen and her family more than 80 miles (125 kilometres) away to another hotel, in Scarborough, in the northeast of England. The children once again had to wait a month before they could attend school. The family's second hotel had originally opened in the 1880s and was in ill-repair. "This was a bad place," Nesreen said. "It was very old and very dirty, the sheets and carpets were filthy. . . . The beds were all broken, and there were holes in the carpet." The family received two rooms at opposite ends of the hotel. There were about 60 families in the hotel, and Nesreen did not feel that it was a safe environment for children.

Nesreen said that their stay in the second hotel caused their mental health to deteriorate. Sometimes she would stay in the room for three or four days at a time without going out. The time spent here was particularly difficult for Tareq. Nesreen said, "Sometimes I feel my son is depressed. I tried to talk to him about how he feels, I've tried to talk to him to see if he gets on with other kids. He is so sensitive. He's crying all the time; sometimes he won't leave his room for two days."

Health professionals have warned that an increasing number of children in contingency hotel accommodation suffer from malnutrition and other health issues caused by the food they receive. Nesreen told us that her children, who were between the ages of 6 and 14, had "a difficult time with the food." She explained, "Sometimes it was undercooked. The younger ones didn't want to eat at that hotel. They all lost weight." Their experience was by no means unusual: families in hotels across the United Kingdom have faced the struggles Nesreen described in getting her children to eat. Many people described the food they received as insufficient or unhealthy and said their children lost weight, in some cases

to such an extent that their doctors expressed concern for the children's health and development.

Nesreen's second hotel was in such a state of disrepair that after four months, the family learned the Home Office planned to move them to a third hotel. Concerned that her children's education would face additional interruptions before the family finally received a "dispersal" accommodation placement, long-term housing for people seeking asylum, Nesreen resisted the move. In April 2023, the Home Office placed the family in a flat in Newcastle, 90 miles (145 kilometres) away from their second hotel. When we interviewed them one month later, two of Nesreen's chil-



dren were in school, but 14-year-old Tareq and his 8-year-old brother were still waiting to receive placements.

Tareq told us the extended time out of school was taking a significant emotional toll on him. "I feel bad. I have no friends here. I want to go to school to make friends. I want to study maths and English," he explained. Nesreen has reached out repeatedly to the local schools in an effort to enrol Tareq and his younger brother. "I explained that he has autism and that not being in school has a big impact," she said. "But the school keeps replying that he will have to wait." When we spoke to the family again in August 2023, Tareq had received a school placement, but his 8-year-old brother had not.

As in the case of Tareq and his siblings, children in contin-

gency asylum accommodation are regularly out of school with no education for long periods, even though UK law guarantees the right to primary and secondary education regardless of migration status. Children with specific needs do not appear to receive particular consideration, despite the additional, serious impact being out of school can have on their well-being. Once children are enrolled, their schools may be far from the hotels where they are accommodated. Some schools provide bus passes for children, but others do not. And when families are moved to dispersal accommodation or between multiple initial accommodations, children often face further disruption to their education, integration,

cluded, large-scale institutional settings such as repurposed barracks and barges "jeopardise the mental health and wider well-being of the people seeking asylum accommodated there, and make them fundamentally unsuitable for use as asylum accommodation." Far from being an alternative to the use of hotels as contingency accommodation, they are precisely the wrong approach that will only lead to further human rights violations.

Instead of resorting to increasingly unsuitable settings for people seeking asylum, many of whom have already faced considerable loss and trauma, the UK government should urgently change its approach and reverse policy decisions

that contribute to the dehumanizing, harmful environment that characterizes much of the UK's initial asylum accommodation. Placing people in locations where legal support is very limited or nonexistent increases delays in asylum applications—partic-

ularly because the UK govern-

ment has also drastically cut legal aid. Accommodating people in places where they cannot prepare their own meals means that many parents face daunting daily struggles to find food their children will eat, in some cases leading to malnutrition. Barring most people seeking asylum from working ensures dependency and misery and can lead to destitution. It does not have to be this way. The UK government could save taxpayer money by allowing people seeking asylum to work, choose where to live, shop for their own food, and cook their own meals. In fact, until 1999, the United Kingdom allowed people seeking asylum to choose where they lived, giving them the opportunity to work to support themselves, with cash assis-

and sense of security. These and other serious shortcomings in contingency hotel accommodation violate the rights to housing, health, food, education, and social security and impede access to asylum. Barges, barracks, and similar large-scale institutionalized settings share the serious shortcomings of repurposed hotels. As the UK's experience of using former barracks at Manston and Napier as short-term holding facilities amply demonstrate, effectively warehousing people in close quarters poses serious—and foreseeable—health risks. For example, people living at these sites experienced outbreaks of diphtheria, norovirus, and scabies, as well as an alarming incidence of suicidal thoughts and suicide attempts. As the All-Party Parliamentary Group on Immigration Detention con-

cluded, large-scale institutional settings such as repurposed barracks and barges "jeopardise the mental health and wider well-being of the people seeking asylum accommodated there, and make them fundamentally unsuitable for use as asylum accommodation." Far from being an alternative to the use of hotels as contingency accommodation, they are precisely the wrong approach that will only lead to further human rights violations. Instead of resorting to increasingly unsuitable settings for people seeking asylum, many of whom have already faced considerable loss and trauma, the UK government should urgently change its approach and reverse policy decisions that contribute to the dehumanizing, harmful environment that characterizes much of the UK's initial asylum accommodation. Placing people in locations where legal support is very limited or nonexistent increases delays in asylum applications—partic-



tance as necessary to enable them to meet their needs. Instead of doubling down on the failed hostile environment policies of the past decade, the United Kingdom should invest in a rights-respecting asylum system. To do so, it should provide people seeking asylum with accommodation and other support in ways that allow them to regain a sense of safety and stability, control over their own lives, and human dignity.

As key first steps, the Home Office should ensure that families with children receive suitable dispersal accommodation placements in houses or flats as quickly as possible, strictly applying its 19-day guideline as a deadline for assignment to dispersal accommodation.

Unaccompanied children should be placed in housing that offers the care and protection to which they are entitled. In line with a July 2023 High Court decision, they should not be placed in contingency hotel accommodation. Unaccompanied children whom border agents deem to be adults, often on the basis of appearance alone, should be housed with other "age-disputed" young people pending an age assessment that follows international standards, including by giving the benefit of the doubt in close cases.

For all other people seeking asylum, the Home Office should avoid placements in large-scale, institutionalized accommodation, including barges and barracks, in recognition of the known harms of such settings.

Asylum accommodation and support should operate from the premise that children should grow up in secure and suitable environments, with appropriate and nutritious food on the table and their education, health, and best interests prioritised. Adults as well as children should be able to rebuild their lives with assistance and support that affirms their human dignity. Meeting these fundamental human

rights should be the starting point and form the building blocks for the UK's approach to asylum.

A mother watches her two children in a hotel room

**Methodology**  
Human Rights Watch and Just Fair interviewed more than 100 people for this report, including 52 people seeking asylum (27 of whom were children) who were either living in or had recently left hotel accommodation provided by the UK Home Office in cities and towns across England, including Bournemouth, London, Maidenhead, Newcastle upon Tyne, Reading, Slough, Stockton-on-Tees, Wokingham, and York. Most interviews took place between May 2022 and May 2023. Human Rights Watch and Just Fair interviewed some people more than once, in

El Salvador, Georgia, Guinea, Iran, Iraq, Lebanon, Libya, Nigeria, Mexico, Sudan, Syria, Turkey, Uganda, Vietnam, and Yemen.

Interviews were semi-structured and covered topics relating to initial reception conditions, age assessments, asylum procedures, hotel accommodation, education, health, and welfare. Most interviews were conducted in person at the hotel itself or at a nearby location. Some were conducted remotely over the phone. Human Rights Watch and Just Fair also conducted physical visits to hotels in Bournemouth, Ilford, Maidenhead, Reading, and Wokingham.

Human Rights Watch and Just Fair researchers conducted interviews in English or Spanish, in some cases with the aid of interpreters. The

included these responses in relevant sections of the report. Clearsprings Ready Homes referred us to the Home Office for comment.[2] The Home Office had not replied to our request for comment at the time of publication.

In line with international standards, the term "child" refers to a person under the age of 18.[3] As the United Nations Committee on the Rights of the Child and other international authorities do, we use the term "unaccompanied children" in this report to refer to children "who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so." [4] The term "migrant" is not defined in international law; our use of this term is in its "common lay understanding of

a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons." [5] It includes people seeking asylum and refugees, and "migrant children" includes asylum-seeking and refugee children. [6]

Many disability rights organizations in the United Kingdom adopt the

social model of disability, reflecting that model in the terms used to describe disabilities. [7] Human Rights Watch and Just Fair acknowledge that language and terminology may be used differently across time and contexts, reflecting the evolving conceptualization of disability, and that individuals may choose to self-identify in various ways. Whatever language or terminology one uses, human rights still apply to everyone, everywhere.

The focus of this report is England, and the statutory framework and data collected apply to England but not necessarily to devolved nations in the UK. The research did not



some cases following up between June and August 2023 with people we first interviewed in 2020 to understand their progress in the asylum system.

Human Rights Watch and Just Fair also conducted meetings with staff and volunteers from 50 charities, support groups, other nongovernmental organizations, and local authority staff.

We spoke with a mixture of families and unaccompanied children who had come to the UK via different means. These families and unaccompanied children were from a variety of countries, including Afghanistan, Albania, Egypt,

researchers explained to all interviewees the nature and purpose of our research, that the interviews were voluntary and confidential, and that they would receive no personal service or benefit for speaking to us, and we obtained explicit and informed consent from each interviewee. This report uses pseudonyms for all children and adults.

Human Rights Watch and Just Fair sought comment from the Home Office and from each of the three companies contracted by the Home Office to provide asylum accommodation. Two of these companies, Mears and Serco, responded to our specific questions,[1] and we have



examine first-hand developments in Scotland, Wales, or Northern Ireland, the three other constituent parts of the UK. Researchers did, however, hear from national and local nongovernmental organisations that operate elsewhere about the housing of unaccompanied children and families with children in other parts of the UK.

#### I. Seeking Asylum in the United Kingdom

Most asylum applications in the United Kingdom are ultimately granted. Yet waiting for this determination takes many months, and sometimes years. During this time, most applicants are not allowed to work. The UK provides accommodation and small amounts of cash support for people who are unable to provide for their basic needs while their asylum claims are pending. People who received accommodation under the system should receive long-term (or “dispersal”) accommodation, typically a flat or a house, after a few weeks in initial accommodation, which may be in a hostel setting. But the UK government’s under-resourcing of the asylum system and other policy decisions mean that stays in initial accommodation regularly exceed Home Office guidelines. As a result, the number of spaces in dedicated initial accommodation is insufficient. To meet the need, the companies contracted by the Home Office to provide accommodation for people seeking asylum have increasingly relied on hotels.

Instead of taking steps to reduce the use of hotels by ensuring that people can be matched quickly with and moved into appropriate longer-term accommodations, and in the face of rising costs and mounting public criticism, the UK government has announced that it will use barges, ferries, disused military bases, and former prisons as initial accommodation for people seeking asylum. The Home Office began to move some people to an airbase in July 2023 despite the known harms of such settings and even though estimates suggested its plan would yield little, if any, savings.

The Numbers

The UK received just under 75,500 asylum applications during the year ending March 2023, up from the 56,500 applications received in the 12 months ending March 2022,[8] and the highest since 2002, when the UK received more than 100,000 asylum applications.[9]

UK asylum application numbers are broadly a reflection of conflict and political instability. For instance, the Home Office acknowledges that the increase in asylum applications from Afghanistan in 2022, when people from that country were the second-most-common nationality applying for asylum, was “likely due to the ongoing conflict in Afghanistan.”[10]

Asylum applicants are a tiny fraction of the UK population. The 91,047 applicants for asylum made between April 2022 and March 2023 equals about 0.1 percent of the UK’s population.[11] As the Refugee Council points out, “In terms of the number of asylum applications per head of population, the UK ranks 22nd highest in Europe.”[12]

Around three-quarters of asylum applications decided in 2021 and 2022 were successful at the initial decision. Adverse decisions can be appealed; just over half of appeals decided in the year ending March 2023 were successful.[13] In partial explanation for these grant rates, a Home Office analysis notes that “[c]urrently, there are a large number of applications from individuals from recognised countries of conflict.”[14]

At the same time, wait times for initial decisions on asylum applications have increased in recent years, with applications decided in 2021 taking an average of 20 months to receive an initial decision.[15] At the end of 2021, of the approximately 101,000 people awaiting an initial decision on their asylum applications, 62 percent had been waiting for more than six months.[16] In fact, the UK had the second-largest asylum backlog in Europe; only Germany, which received more than three times as many asylum applications, had more people waiting for an initial decision on their claims at the end of 2021.[17]

As of November 2022, more than 40,000 people had waited between one and three years for an initial decision on their claim, and 725 people—including 155 children—had been waiting for more than five years, the Refugee Council found.[18]

At the end of March 2023, more than 170,000 people were awaiting an initial decision on their asylum claims.[19] Prime Minister Rishi Sunak has pledged that the Home Office will decide all asylum claims that have been pending since June 2022 by the end of 2023.[20] The Refugee Council, the British Red Cross, and other groups have urged the government to prioritise cases of people from countries with the highest asylum grant rates.[21]

#### Support for People Seeking Asylum

People seeking asylum who are “destitute,” meaning that they do not have adequate accommodation or funds to meet other essential living needs, are entitled to asylum support, including accommodation.[22] To meet this obligation, the Home Office is required to offer immediate support, including initial accommodation, to people who “may be destitute.”[23] This support is intended to be temporary, allowing a person’s essential living needs to be met while the Home Office evaluates their circumstances.[24] If the Home Office then finds that they do not have adequate accommodation or the ability to meet essential living needs, the Home Office offers them ongoing support, usually including longer-term-accommodations (often known as “dispersal” accommodation), while their asylum claim is pending.[25] Support for people who are “vulnerable,” including children and people who are pregnant, older, or disabled, should take into account their special needs.[26] More generally, the Home Office has a duty to carry out its functions “having regard to the need to safeguard and promote the welfare of children who are in the United Kingdom.”[27]

Initial accommodation for people who receive temporary support is usually in “full-board facilities,”[28] meaning

that all meals are provided; people ordinarily do not have access to kitchens to prepare their own meals. Full-board food service should include “complete and adequate provisions for pregnant women, nursing mothers, babies and young children, for whom three daily meals may not be sufficient, and people who need special diets e.g. gluten free.”[29]

People seeking asylum also receive small amounts of cash support if they would otherwise not be able to meet their essential living expenses.[30]

Initial accommodation is intended to be short-term. The Home Office has usually suggested that it aims to move people to dispersal accommodation within 19 days,[31] though at times it has stated that it expects these moves to happen within 35 days.[32] Between September 2019 and February 2020, people spent an average of 26 days in initial accommodation before they received longer-term accommodation.[33] Stay lengths in initial accommodation increased significantly during the Covid-19 pandemic. Well after the end of pandemic lockdowns, many people in initial accommodation, including most of those interviewed for this report, described stay lengths of six months or more—in the case of some families, well over two years—before they received dispersal accommodation.

#### The Use of Hotels as Initial Accommodation

The Home Office has arrangements for 1,750 places per night in dedicated initial accommodation for people seeking asylum. When the number of people requiring initial accommodation exceeds this capacity, the Home Office uses hotels as contingency accommodation. About half of the people in hotels are from Afghanistan, Eritrea, Iran, Sudan, and Syria, meaning that their asylum claims “have an exceptionally high likelihood of being granted,” analysis by the Refugee Council has found.[34]

The use of hotels on a contingency basis as initial accommodation increased significantly beginning in 2019. The



National Audit Office found that “between July and October 2019, the number of people in initial accommodation increased by 96% from 1,678 to 3,289.”[35] Between October 2019 and July 2020, “the number has averaged 2,800, of which more than 1,000 people have been in hotels each night, rather than in dedicated housing for asylum seekers.”[36]

The UK’s Independent Chief Inspector of Borders and Immigration observed in a 2022 report that “[b]y November 2021, 21,500 asylum seekers were being accommodated in 181 hotels, more than double the figures in May 2021.”[37] In March 2023, some 51,000 people seeking asylum were in 395 hotels, of which 363 were in England, a government source told BBC News.[38]

These figures likely do not include people who arrived in the UK under the Afghan Citizens Resettlement Scheme or the Afghan Relocations and Assistance Policy, under which just over 21,000 Afghans had arrived in the UK by March 2023.[39] People arriving under these programmes are not seeking asylum. Many have, however, stayed in temporary accommodation similar to the initial accommodation offered to people seeking asylum who would otherwise be unhoused—in most cases, far longer than anticipated. About 9,300 Afghans were in 67 “bridging” hotels under these resettlement programmes as of December 2022.[40] At the end of March 2023, 8,799 people who had arrived under the programmes were in hotel or other “serviced” accommodation; by the end of June 2023, the number was 6,575. Approximately half were children.[41] Afghan women evacuees placed in “bridging” hotels said that months in a setting meant to be temporary had meant a loss of routine and personal space, led to increased domestic violence, and harmed their mental health.[42] By the end of May 2023, the Home Office had notified all Afghan evacuees that they had three months to find their own accommodation.[43] The UK government said that it was funding “set-

tled accommodation,” houses or flats for people who were unable to find accommodation on their own,[44] but about 20 percent of Afghan evacuees were homeless after their eviction from bridging hotels, the Local Government Association estimated in August 2023.[45] In addition to single adults and families, the Home Office has housed unaccompanied children in hotels since July 2021.[46] More than 3,000 unaccompanied children were placed in hotels that year, including 725 who were under the age of 16. As of June 29, 2023, 192 unaccompanied children, including 53 under the age of 16, were in hotels. A lawyer for the Home Office acknowledged that one 9-year-old had been in a hotel, a placement that lasted less than 24 hours, but it was not clear when this placement occurred.[47] Nearly all unaccompanied children placed in hotels are boys.[48]

Officials were aware that the Home Office did not have the legal authority to be “running a children’s home,” in the words of one entry on an official risk register.[49] These and other internal documents reviewed by the Independent Chief Inspector of Borders and Immigration repeatedly warned at least as early as August 2021 that doing so was unlawful. For instance, another risk register entry noted: “[If the Home Office] continues to run [unaccompanied asylum-seeking children] hotels without any statutory responsibility . . . we will be breaking the law and continuing to run unregulated children’s homes and continuing to expose [the Home Office] to illegal activity, burnout and trauma.”[50] After the Home Office effectively lost track of several hundred unaccompanied children who went missing from these hotels,[51] a family court judge ruled in a case brought by the human rights organisation Article 39 that unaccompanied children who arrive in the United Kingdom should be in the care of child protection authorities rather than the Home Office.[52] In a separate legal action brought by Every Child Protected Against Trafficking (ECPAT UK), a child rights organisation, the

high court found in July 2023 that the Home Office’s routine housing of unaccompanied children in hotels was unlawful because UK law imposes the duty to accommodate and look after unaccompanied children on local authorities.[53] As of June 2023, the Home Office had still not located 154 of the unaccompanied children who went missing from these hotels.[54] The Home Office continued to place unaccompanied children in hotels after the high court’s ruling that the practice was unlawful; 130 newly arrived unaccompanied children were in hotels as of August 15.[55]

Unaccompanied children wrongly deemed to be adults are also placed in hotels, where they are housed with unrelated adults; the Home Office does not publicly report the number of unaccompanied children who receive hotel placements as adults and are subsequently found to be under 18, but a report by the Leeds City Council found that 30 unaccompanied children had been wrongly categorised as adults and placed in hotels in the city between January and August 2023.[56]

For a time, the Home Office attributed the rise in the use of hotel accommodation to the Covid-19 pandemic, saying, “It has been necessary to temporarily house a proportion of asylum seekers in hotels to make sure they are able to follow social distancing guidelines.”[57] While the pandemic certainly contributed to the increased use of initial accommodation, the reports of the National Audit Office and the Independent Chief Inspector of Borders and Immigration show that reliance on hotels for initial accommodation began well before the pandemic started and has continued through 2023.

Hotels used as initial accommodation are usually far more spartan than the word “hotel” suggests. “It is worth noting that even when hotels are used as a form of accommodation, it is highly unlikely that asylum seekers are receiving the same quality of service that a paying guest would receive,” a House of Commons Library report observed.[58] In particular, “[h]otel accommodation usual-

ly lacks facilities for children and suitable accommodation for families to share for extended periods,” as the House of Commons Public Accounts Committee found in a 2020 report.[59] In fact, as detailed more fully in this report, Human Rights Watch and Just Fair’s research has found hotel accommodation to be frequently unhealthy and unsafe for everyone, and wholly unsuitable for children and families.

#### Contracts for Provision of Support

In 2019, the Home Office contracted with three companies, Clearsprings Ready Homes, Mears Limited, and Serco Limited, to “meet the accommodation and essential living needs of eligible asylum seekers.”[60] The 2019 contracts replaced an earlier arrangement that had been in place since 2012.[61] Under the new contracts, the companies are required to provide a total of 1,750 initial accommodation places on a permanent basis and are allowed to use hotels if more places are needed.[62] The value of these contracts to the three companies will exceed £4.5 billion in total, with Serco expected to receive £2.1 billion, Mears £1.4 billion, and Clearsprings £996 million over their 10-year term.[63]

The Home Office has not made the contracts themselves public, but it has posted a “statement of requirements” for the companies it has contracted with to provide accommodation.[64] The statement of requirements includes general provisions that each company “shall ensure that it complies with all relevant mandatory and statutory requirements,”[65] including the duty to safeguard children from harm and promote their welfare,[66] along with Home Office policies relating to housing, food, hygiene, and child protection, among other areas.

The requirements call for accommodations to be licenced for their intended use and suitable for people with specific needs[67] and be safe for use and maintained to specific standards such that they are habitable, fit for purpose, and adequately equipped.[68]



Meals in “full-board” accommodations should include at least one vegetarian option, “cater for special dietary, cultural or religious requirements,” and “meet appropriate nutritional standards,” including for people with “health or other specific requirements.”[69] The companies providing accommodation should support people to register with a general practitioner (a primary care doctor, GP).[70] They should also “manage anti-social and violent behaviour (including violent extremism)” involving or affecting people in the accommodation they provide.[71] All contingency accommodation should meet the standards for initial accommodation providing full-board, as set out in the statement of requirements.[72] The cost of initial accommodation was much higher than that of long-term (or dispersal) accommodation under the previous contractual arrangements. In 2017, the House of Commons Home Affairs Committee observed that initial accommodation “cost[ed] around three times more to provide than the dispersal accommodation that follows and it is not regarded as suitable for long stays.”[73] In May 2023, more than 50,000 people were in initial accommodations at a cost, according to a government source, of more than £6 million per day.[74] Although the UK government has not released detailed figures of how much it spends on dispersal accommodation compared to initial accommodation, it is likely that initial accommodation continues to cost more than dispersal accommodation per person per day.

The Home Office contracts have been lucrative for the companies that provide asylum accommodation. Clearsprings Ready Homes increased its profits more than sixfold in 2021, with its three directors sharing dividends of almost £28 million.[75] Mears more than doubled its pre-tax profits from 2021 to 2022, “underpinned by the increased volumes experienced within the Asylum Accommodation and Support Contract (AASC),” the company stated.[76] And Serco was expected to make a

profit of about £245 million in 2023, an increase from 2022 that was in part due to “robust demand for immigration services,” according to Serco’s group chief executive officer.[77]

Mears’ response to our request for comment on our findings in advance of publication included the following points:

Mears is an experienced provider of housing across the UK and we have approached the AASC contracts committed to treating all our service users with dignity and respect. Mears has supported over a hundred thousand people across the UK in asylum accommodation and feedback is generally positive about the way our staff work with service users and the quality of our provision. Where there are any issues, we do our best to support our service users and resolve them.

We are committed to ensuring that asylum accommodation is safe, habitable and fit for purpose and will meet all contractual and regulatory standards. Mears understands the importance of supporting each person whilst living in its accommodation and to ensure that as a company it works with the communities in which it delivers services. We work very closely in partnership with local statutory agencies, including the NHS, Councils and the police. We have excellent partnerships in the community with local organisations, NGOs, charities and support groups, sports clubs, faith groups and many more. Asylum accommodation and support provision is complex, and there are many challenges, but we are proud of our dedicated staff and the work they do every day.

Our service users are of all ages and include many children, as part of family groups, and we make specific provision for them at accommodation sites.[78]

Serco included the following general observations in its response:

Serco is one of three providers of asylum accommodation under the AASC contracts with the Home Office. We are responsible for providing accommodation in two of the six contract areas of the UK,

namely the North West and Midlands regions. Our teams have extensive experience of providing this accommodation. They are committed to supporting asylum seekers with care, compassion, dignity and respect; fully recognising that many of these people will have had traumatic and challenging experiences and journeys, before claiming asylum in the UK.

Our contracts are to provide Initial Accommodation for asylum seekers and then Dispersed Accommodation in the community. Due to the well-reported numbers of people claiming asylum in the UK, and the availability of Dispersed Accommodation, we along with the other AASC providers, have been required to house large numbers of people in hotel accommodation. Our teams work extremely hard, alongside the Home Office and the Regional Strategic Migration Partnerships, to identify additional

Dispersed Accommodation in the community, with the aim of moving people on from hotel accommodation as soon as we can.

As part of our AASC contracts we do provide accommodation for children but only as part of family groups; where they are accompanied by at least one parent or legal guardian. We have no responsibility for accommodating unaccompanied children.[79]

Clearsprings Ready Homes referred all questions to the Home Office,[80] which had not responded at the time of publication.

Until 2012, when the UK government outsourced and privatized vital components of the UK asylum system, local governments and housing associations were responsible for asylum accommodation.

Conditions in accommodation for people seeking asylum deteriorated markedly after the shift to private providers, observes Jonathan Darling, a Durham University professor who has studied the asylum accommodation system.[81]

To the extent the UK government’s privatization of asylum accommodation and support is regulated, it appears to be nearly entirely through the

statement of requirements and other contractual provisions. When the state privatizes essential services, it has an obligation to regulate effectively to protect and fulfil human rights.[82] As Philip Alston, then the UN special rapporteur on extreme poverty and human rights, observed in a 2019 report on the UK, “[a]bandoning people to the private market in relation to services that affect every dimension of their basic well-being, without guaranteeing their access to minimum standards, is incompatible with human rights requirements.”[83]

The Cost-of-Living and Housing Crisis

Since late 2021, the UK has been experiencing a drop in real disposable income (meaning income adjusted for inflation and after taxes and benefits), leading to the biggest fall in living standards on record.[84]

The cost-of-living crisis has a disproportionate impact on particular groups in society, including people seeking asylum and their children. People seeking asylum are effectively banned from working, meaning they are forced into dependency on the meagre cash assistance from the Home Office. Levels of asylum support are set significantly below mainstream benefits and have not kept pace with the increasing cost of living, meaning life has become progressively more difficult. Many are living below the poverty line in conditions that violate their rights to food, housing, and more generally to an adequate standard of living.[85]

Charities have long warned that asylum support is insufficient to meet basic needs. Jane Williams of the Magpie Project, an organization that supports mothers with young children in insecure accommodation in east London, told Human Rights Watch and Just Fair that even before the cost-of-living crisis, living on the amount provided was already impossible. For a majority of these families, “if they take one more step down the ladder, they will fall off,” she said.[86] In addition, the UK has long been experiencing a severe housing crisis with the supply



of housing, particularly genuinely affordable or social housing, consistently not keeping pace with demand. The current emergency in the asylum accommodation system is one manifestation of the housing crisis gripping the country. With an inadequate supply of appropriate permanent accommodation, people are facing increasingly longer waits in unsuitable and substandard hotel rooms.[87]

In May 2023, in a bid to reduce hotel usage, the UK government announced plans to suspend licensing requirements for shared houses—known as “houses in multiple occupation” (HMO)—if they are used to house people seeking asylum. This plan would strip people of basic housing safety protections, including minimum room sizes, smoke detectors, and electric and gas safety standards.[88] This proposed change puts people seeking asylum, including children, disproportionately at risk. Such regressive changes to the law are possible because the UK has not recognised the right to adequate housing in domestic law.

Successive UK governments have refused to acknowledge or correct the profound damage more than a decade of austerity measures have had on social housing,[89] the welfare system,[90] the public health system,[91] public transport,[92] and other social services. Philip Alston, then the UN special rapporteur on extreme poverty and human rights, observed in his 2019 report on the UK that these measures have inflicted significant misery and harm while failing to yield their purported financial benefits:

The many billions extracted from the benefits system since 2010 have been offset by additional resources required, by local government, by doctors and hospital accident and emergency centres, and even by the ever-shrinking, overworked and underfunded police force to fund the increasing need for emergency services.[93]

Instead of changing course, senior government officials have often used migration to deflect attention from the role their policies have played in

the hardships faced by many in the world’s sixth-largest economy. For example, Home Secretary Suella Braverman has frequently suggested that people seeking asylum are not in need of support,[94] implicitly pitting them against people already in the UK who are living in poverty. In July 2023, Prime Minister Rishi Sunak announced that a pay increase for public sector employees would in part be funded by increasing the fees associated with most work permits, student visas, and residence permits.[95]

#### Hostile Environment Policies and Recent Proposals

The shortcomings of programmes to provide accommodation and other support for people seeking asylum arise in the larger context of harmful official attitudes and policies toward migration.

In particular, the UK government’s “hostile environment” policies sought to prevent access to services for anyone unable to prove their immigration status with the stated purpose of making the requirements so difficult that they would induce people to leave the country.[96] As then-Home Secretary Theresa May said in 2012, “The aim is to create here in Britain a really hostile environment for illegal migration.”[97] Assessing these policies, Dr. Charlotte Sanders, director of the Centre for Migration and Diaspora Studies at the School of Oriental and African Studies, has observed that they “tak[e] aim at the bearability of life” by employing “a racialised logic of worthy and unworthy life which denies many migrants the resources necessary to make secure and comfortable lives in Britain.”[98]

These policies preceded May’s tenure as Home Secretary, although they intensified during her time in that role. In 2007, Liam Byrne, the minister of state for immigration and asylum in the government of Prime Minister Gordon Brown, announced a crack-down on employment by people without regular immigration status: “We are trying to create a much more hostile environment in this country if you are here illegally.”[99] In fact, hostile policies toward

people seeking asylum date at least to 1999, when legislation increased the use of detention and the UK government changed the way people seeking asylum received support.[100]

Hostile environment policies were themselves the product of systemic “institutional racism in the Home Office” that was “embedded in nationality and immigration policy and practice.”[101] The wrongful detention and deportation of Black people from the Windrush generation and their children is another notable example of these policies and practices.[102]

More recently, and particularly as irregular Channel crossings dramatically increased beginning in 2018,[103] the UK government has introduced new measures that permit the pushback of boats to France;[104] allow the transfer of people seeking asylum to Rwanda, where they would stay if granted refugee recognition;[105] and eliminate access to asylum for people who arrive irregularly,[106] among other proposals.

The Nationality and Borders Act, enacted in 2022, explicitly authorized some of these measures, including through the introduction of new inadmissibility measures for people who have passed through countries deemed safe,[107] provisions for differential treatment of people recognized as refugees who have entered the UK irregularly,[108] removals to third countries deemed safe,[109] and pushbacks of boats.[110]

The Illegal Migration Act, which became law on July 20, 2023, prevents people who have arrived irregularly and have travelled through a country deemed safe from being able to claim asylum or access modern slavery or trafficking protections—effectively an asylum ban.[111] It provides that people will be detained upon arrival, possibly indefinitely,[112] and then deported either to their home country or a so-called safe country, such as Rwanda.[113] In response to sharp criticism by some Conservative members of the House of Commons, including former prime minister Theresa May,[114] and efforts by the

House of Lords to remove the bill’s most draconian measures,[115] the government agreed to minimal changes before the bill became law.[116]

Each of these laws explicitly undermines protections for unaccompanied children. For instance, the Nationality and Borders Act allows the Home Office to require some unaccompanied children to undergo discredited bone tests to determine their age.[117] The Illegal Migration Act gives the Home Office the legal authority to house unaccompanied children, presumably including in hotels,[118] and prevents unaccompanied children who enter the UK irregularly from acquiring immigration status upon reaching age 18.[119]

The government has retreated from some initiatives in the face of litigation and public pressure and as the ineffectiveness of some of its policies became apparent. In April 2022, one week before a court hearing on the boat pushback policy, the Home Office announced that it would not seek to implement it[120]—though the enactment of the Nationality and Borders Act later that month then gave the Home Office an explicit legislative basis to do so.[121] In June 2023, the Home Office announced that it would “pause” application of the differential treatment provision of the Nationality and Borders Act.[122]

But after the court of appeal ruled in June 2023 that the government’s Rwanda plan was unlawful,[123] the government vowed to carry it out[124] and asked the supreme court to overturn the ruling.[125] The government has already notified at least 24,000 people that they were being considered for removal to a “safe third country,” presumably in reference to Rwanda, the only country with which the UK has such an agreement.[126] In August 2023, a Home Office minister suggested that people who arrive in the UK after crossing the Channel irregularly might be sent to Ascension Island, a British territory in the South Atlantic, if the government could not carry out deporta-



tions to Rwanda.[127] Several days later, the immigration minister, Robert Jenrick, implied that the UK government could withdraw from the European Convention on Human Rights to be able to carry out third-country removals to Rwanda.[128] Amid criticism of its use of hotels as contingency initial accommodation for people seeking asylum, the government has also announced it will use ferries, barges, former military bases (in tents as well as barracks), and former prisons to house people seeking asylum.[129] In July 2023, despite ongoing legal action challenging the plan,[130] the Home Office moved 46 people, all male, to a Royal Air Force base in north Essex, northeast of London, and planned to house up to 1,700 adult men there;[131] the following month, former Home Secretary Priti Patel criticised the UK government for not making public details of how long it expected to use the base as asylum housing and the basis for its claim that the plan would save money compared with other options.[132] The Home Office also prepared an airbase in Lincolnshire and a barge, moored in Dorset, to hold a combined total of up to 4,200 people seeking asylum.[133] Despite the high likelihood that these forms of accommodation will cause serious harm to people seeking asylum, as discussed in Chapter VI, below, the opposition Labour party suggested in August 2023 that it would continue to use barracks and barges as asylum accommodation at least temporarily if it forms a government after the next election.[134] Although the UK government has repeatedly stated that these arrangements would reduce costs,[135] it has not released a detailed breakdown of expenses for refurbishing and operating these sites as accommodation for people seeking asylum. A study by two non-governmental organisations has found that the Home Office would save no more than £10 per person by housing people on the Dorset barge, the Bibby Stockholm.[136] A proposal to house 1,500 people in a third former Royal

Air Force base, in Linton-on-Ouse, in northern England northwest of York, stalled following local opposition and the threat of legal action. The contractor selected to run the site was Serco, one of the three companies that have contracted with the Home Office to provide accommodation for people seeking asylum—and which, like the others, has placed people in hotels under its Home Office contracts.[137] In November 2022, the Home Office repurposed a former care home in Essex as accommodation for disabled people.[138] As of June 2023, the Home Office had placed 55 people in the repurposed institution, which “is staffed like a standard Home Office asylum seeker hotel with security guards and reception staff but does not have trained care workers or nurses there as part of the contract.”[139]

**II. Inadequate Housing**

‘Initial’ or ‘contingency’ accommodation is often used for long periods of time for asylum-seeking families and children despite being unfit for long-term stays. This accommodation often makes use of bed and breakfasts, barracks, hostels, or hotels that have been quickly repurposed for their new use and often have numerous reported habitability issues. Human Rights Watch and Just Fair visited hotels in Bournemouth, Ilford, Maidenhead, Reading, and Wokingham, viewing rooms in each, and found that people placed in hotel accommodation were facing serious habitability problems that included a lack of space, dampness and mould, furniture and other items missing or in disrepair, and pest infestations, in violation of their right to adequate housing. Accommodation with dampness, pest infestations, or other habitability issues are not fit for purpose under the Home Office’s published standards.[140] These standards also call for shared rooms to be “appropriately sized for the number of occupants.”[141] People seeking asylum should be able to flag problems with their accommodation by contacting Migrant Help, the organization contracted by the

Home Office to provide advice, guidance, and assistance.[142] People who have called the helpline have experienced wait times of up to three hours with calls regularly unanswered, disconnected, or dismissed.[143] Mears and Serco provided responses to our questions in advance of publication; Clearsprings Ready Homes referred us to the Home Office, which had not replied to our request for comment at the time of publication. In response to our question on accommodation conditions, Mears stated: Policy on accommodation standards and requirements is determined by the Home Office and specified in the contract. Mears role is an operational one, to ensure that asylum accommodation is safe, habitable and fit for purpose and meets all contractual and regulatory standards. We do this on an ongoing basis through regular inspections of accommodation and the provision of a repairs and maintenance service. Mears carries out regular inspections at accommodation sites and raises issues for attention, including repairs and maintenance. In addition Mears welfare officers are in regular contact with service users and will take up any issues or concerns that are raised. Data is reported to the Home Office on how issues are dealt with and the timelines.[144] Serco included the following points in its reply: We note that you have interviewed 50 people who were living in or had recently left hotel accommodation provided under Home Office contracts in towns across England. Given that Serco manages two of the six regions we assume the number of people you have spoken to living in Serco managed accommodation is much lower. The reported experiences of a small number of people will not necessarily be truly reflective of the overall experiences of the many thousands of people we are accommodating. As you will be aware latest UK Government figures show that there are over 45,000 asylum seekers living in hotels across the UK.

Clearly with the number of people we are accommodating in hotels, as with any accommodation, from time-to-time there may be problems. These are rectified or repaired in accordance with the timescales set out in the Statement of Requirements. More specifically, across our two contract areas, in the first eight months of this year we only had three issues of mould, six about insects and none about rodents raised through the formal complaint process.[145] The right to adequate housing is guaranteed under article 11 of the International Covenant on Economic, Social and Cultural Rights, which the United Kingdom ratified, and so agreed to be legally bound by, in 1976.[146] This right applies to all people in the UK regardless of migration status. Habitability is a key component of the right to adequate housing. Housing must be habitable, with adequate space, and protect inhabitants from cold, damp, heat, rain, wind, and other threats to health, including structural hazards, and from exposure to disease vectors.[147]

**Overcrowding and Lack of Adequate Space**

Human Rights Watch and Just Fair interviewed several families who said that overcrowding and lack of adequate space were major problems in their hotels. The general lack of space makes life very difficult for children and families, with adverse consequences for privacy, mental health, familial relationships, and day-to-day life. For instance, Amina F., who arrived in the UK with her husband in August 2022, was initially placed for three months in a hostel in Wakefield, a town in northern England. Describing the accommodation, she said: The rooms were small. There was no table in our room, and no chairs, only a bed. There was not enough space for the number of people in each room. Seven persons shared one room. Other rooms had three or four people. There were many children, from newborns up to 17 years old.[148] In another case typical of those we heard, Miguel E., his wife,



and three children, aged 4, 7, and 15, who left El Salvador after they were threatened by criminal gangs and sought asylum in the UK, had lived in a hotel in east London's Tower Hamlets for eight months when we spoke to them in May 2022. The family of five shares one crowded room with three triple-decker bunk beds and one bathroom. Miguel says it is not an adequate space for a family and definitely not an appropriate space for children, telling us, "Here we feel penned in like we are animals." [149] His seven-year-old son, Luis, said to him, "Papa, this is like a prison." [150] Bella, his 15-year-old daughter, told us, "I have no space to myself and no privacy from my family. I do all my homework in my room. We eat all our meals on the floor of the room. I am sick of living like this." [151] Arman L., a 14-year-old boy from Iran who arrived with his mother, Yezda L., in August 2021, described similar conditions in each of the places the Home Office has assigned them. The two of them have been living in different hotels since then, most recently a hostel in Tower Hamlets, where they shared a small room with one bunk bed in it. The room had barely any floor space and had no room for any other furniture. Arman said, "I feel very claustrophobic, like I am suffocating." [152] Yezda described the room as tiny and lacking fresh air. With no chairs, they eat all of their meals on their beds. In fact, she said, "We spend our lives on the beds." [153] The close quarters have also affected her relationship with her son, she told us, adding that they fought a lot when they first arrived due to the lack of privacy. When Human Rights Watch and Just Fair spoke to Yezda again in June 2023, they were living in the same hostel; in all, she and her son had been in hotels used as contingency accommodation for one year and 10 months. [154] The experience of 15-year-old Jasper N. and his mother was much the same. Fearing religious persecution after they converted to Christianity, they left Iran and arrived in the UK in March 2022. They were sent

to a hotel in Hounslow, in west London, where they were initially placed in a small room with two single beds. The room was so filthy they agreed to accept a different room even though it only had one double bed. Jasper told us that he gives his mother the only bed because she has trouble sleeping. He sleeps on the floor on a blanket, where he sees mice running around as he is getting ready for bed. He had done this for a few months when we interviewed him in May 2022. "Sleeping on the floor is not very comfortable, but what else can I do?", he said. [155] Many of the people interviewed remarked that the spaces they were placed in might be suitable for a few days at a time or a week at most, but not for many months at a time.

The United Nations Committee on Economic, Social and Cultural Rights draws on the UN Department of Economic and Social Affairs' definition of overcrowding as "dwellings with densities of three or more persons per room" and considers occupancy in excess of this limit to contravene the right to adequate housing. [156] More generally, accommodation that does not offer adequate space or adequate privacy is not adequate housing regardless of the number of occupants per room. [157]

Dampness and Black Mould Human Rights Watch and Just Fair interviewed families who described dampness and lack of ventilation in their hotel accommodation, which is worse when rooms are overcrowded. These conditions can lead to the growth of toxic mould, mycotoxins, fungi, and bacteria, [158] some of which in turn can cause serious health conditions. [159]

Black mould on a wall Click to expand Image Black mould on walls of hotel which housed Maria and her two children, ages 3 and 5, in Hounslow, west London, UK. May 2023. © 2023 Private Children are at higher risk of ill-health from mould exposure, including severe allergic reactions as well as respiratory conditions such as asthma onset and exacerbation, coughing, wheezing, chest tightness,

and shortness of breath. [160] Research has found links between indoor mould exposure and adverse respiratory health outcomes in children. [161]

Maria V. has lived in a hotel in Hounslow, in west London, with her two sons, ages 3 and 5, for one year and six months. She has moved between four different rooms in this period. "Every room has had black mould and damp covering the walls," she told us. [162]

Her eldest son, David, developed a chronic cough after one year of living in the hotel. "He is just coughing all the time, nobody is able to sleep as the cough gets really bad at night, the window only opens a little bit so there is no fresh air," she said. [163]

In May 2023, David received a preliminary diagnosis of asthma and was awaiting a final diagnosis. Human Rights Watch and Just Fair reviewed a letter written by David's primary care doctor (known as a general practitioner or GP) that confirmed that the mould in the accommodation contributes to his respiratory symptoms, including his chronic cough and wheezing. [164]

Maria V. complained to the hotel on several occasions about the mould on the walls. Each time, hotel staff painted over the mould, which then returned. A hotel manager eventually told her that eliminating the mould would require more extensive work. Maria told us, "When I saw the mould, I could not believe I was in England. I have accepted this for myself, but what about my children? Why should my two boys have to live like this?" [165]

Toxic mould around a window Click to expand Image Toxic mould around window of hotel room which houses Blanca and her three children, ages 3, 6, and 14, in Ilford, East London, UK. May 2022. © 2022 Alex Firth

Blanca R., her husband, and their three children, ages 3, 6, and 14, are from El Salvador. Since arriving in December 2021, the family of five has been living in a hotel room in Ilford, in east London. Black mould grows around a window in the humid, poorly ventilated

room, which Blanca regularly cleans, but she says the mould keeps growing back. [166]

Khadija B., her husband, and their five children, ages 3, 5, 10, 15, and 17, came from Iraq to the UK in November 2021. When we spoke to them in May 2022, they had shared two rooms at a hotel in Ilford since their arrival. Khadija says there is mould on the walls in their hotel rooms, which always returns after they use cleaning agents to remove it. She is worried: "It grows next to our youngest son's bed. We try to open the windows to stop the mould, but the hotel staff tell us we have to close them for safety reasons," she told us. [167]

Miguel E., living with his family in Tower Hamlets, in east London, says their hotel accommodation has black mould spots on all the walls. The hotel staff paint over this mould but it grows back. He said his 7-year-old son, Luis, who sleeps near the mould, began to suffer from breathing difficulties. The doctor determined it was likely an allergic reaction. [168]

Unsuitability for People with Health Conditions

Human rights are interdependent; violations of the right to adequate housing can often also lead to the violation of the right to health, both mental and physical.

Maria V. is currently living in a hotel in Hounslow, in west London, with her two sons. Her eldest son, 5-year-old David, has autism and high support needs. He is prone to sensory overload and can find loud noises and constant stimuli very upsetting, meaning many elements of the hotel are unsuitable for him.

A boy sleeps on a mattress on the floor Click to expand Image David, age 5, who has autism and high support needs, has slept on the floor for months because he has not received the medical bed he requires. Hounslow, West London, UK. 2023. © 2023 Private

Because he thrashes around in his sleep, he is at constant risk of falling out of the bed. He requires a special medical bed, which is not available in the hotel, to sleep safely. After Maria complained to Migrant Help, the hotel provided them



with an attachable bed guard, which broke immediately.[169]

In another case, Amina F., a 26-year-old woman from Syria, arrived in the UK in August 2022 with her husband on a small boat from Dunkirk. She is seeking asylum in the UK due to the war and instability in her home country. After initially spending three months in a hostel in Wakefield, the couple were moved to a hotel in York, in the northeast of England.

Their accommodation is a self-contained studio with a bed, a table, a bathroom, and kitchenette. However, Amina suffers from health problems that include a blockage in her arteries and breathing difficulties. The windows do not open in her current accommodation. Amina said, "I need fresh air in the room. The room is small . . . I often feel short of breath. I asked to change my room, but the [hotel] staff refused." [170] Amina and her husband are very unhappy in their current accommodation and dream of when they can have their own flat to start a family. She told us, "I feel like my psyche is shattered, so many of my problems come from this and the emptiness in which I live." [171]

**Items in Disrepair or Missing**  
Many of those interviewed told Human Rights Watch and Just Fair that disrepair was rife in the hotel accommodation, with missing or broken items in many rooms. The UN Committee on Economic, Social and Cultural Rights has determined that adequate housing must contain facilities essential for health, security, comfort, and nutrition.[172]

Ana L., a 17-year-old girl, left El Salvador and arrived in the UK with her mother, father, and 12-year-old sister in June 2021. They were placed in multiple hotels after their arrival, including one in Hounslow, in west London, between June and October 2021. Ana told Human Rights Watch that this hotel was in a state of considerable disrepair. "The bed was broken in the middle and so the mattress sagged" to such an extent that sleep was difficult and a night in the bed caused severe back pain, she said. Her parents

reported it to the hotel management, but nothing was ever done to fix it. Their temporary solution was to prop the middle of the mattress up with cans from the foodbank.[173] The room also had a major issue with leaks when it rained. Ana said there were leaks around the windows and in the ceiling over her bed meaning when it rained everything would get wet. The family tried unsuccessfully to catch the water in bowls. When the family reported the leaks to hotel staff, the staff replied that they all have leaks in their homes as well. The leaks were not fixed for the four months they were there.[174]

Khadija B., the woman staying in Ilford, also complained of a broken bed in her family's hotel room. The bed was damaged when the family arrived, with all the slats in the middle broken. When we interviewed the family, the issue had not been fixed for over six months. The hotel staff refused to replace it and claimed that the family had broken the bed.[175]

Aside from broken items, some people also commented that furniture and appliances had been removed from rooms. For instance, Blanca R. and her family, staying in Ilford, told us that when they were hotel management removed these appliances from all rooms at the beginning of April 2022, telling people they did so for health and safety reasons. Blanca was doubtful, explaining, "It was when there was lots of news stories about the cost of energy going up, so we think that was the real reason." Without these appliances, life has been much more difficult for the family. "Now we keep the milk on the windowsill since they took away our fridge. I am not sure what we will do in the summer," Blanca told us.[176]

#### **Pest Infestations**

Saleh R., a 17-year-old boy, arrived in the UK with his father in February 2021 after fleeing conflict in Yemen. For their first 40 days in the UK, they were placed in a hotel room in London. Saleh said the building was old and run down. "It had a problem with mice in the corridors. I used to see mice all the time when I

walked around. Some of them were really big," he told us.[178]

Dead rat in a cardboard boxClick to expand Image

A dead rodent found in a hotel room assigned to a family seeking asylum, Hounslow, west London, 2021. Pest infestations have been reported in Home Office-provided accommodation. © 2021 Private Aileen L., who arrived in the UK in June 2021 with her husband and their two daughters, 12 and 17, was living with her family in Hounslow, west London, when we spoke with her in May 2022. The rooms had rats, she said. "We used to see dead ones on traps and live rats running behind pipes. When we or other families told the staff, they said this was not an issue that could be fixed," she told us.[179]

Victor B., a 14-year-old boy from Lebanon living with his family in Streatham, in south London, said that his hotel houses a lot of families with children. He explained that there is a problem with pests in the hotel and it affects the families around them. "Some families have bedbugs in their rooms, and we see them covered in bites," he explained.[180]

Amina F., a 26-year-old woman from Syria, said that the hostel in Wakefield where she and her husband spent three months in 2022 had "vermin, cockroaches, insects everywhere. There were pictures in the media, but nothing changed." [181]

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# Poland: Abortion Witch Hunt Targets Women, Doctors

## Criminalization, Pursuit of Alleged Offenders Violates Rights

(London) – Poland's government is targeting people for alleged abortion-related activities, intensifying a climate of fear that heightens risks for women and girls, Human Rights Watch said today. Human Rights Watch released a video highlighting how the government's dubious use of its powers to chase down alleged abortion-related activity threatens people's rights to privacy, autonomy, and health, amongst others.

Since a near-ban on legal abortion in 2020, Polish officials have increasingly opened investigations on questionable legal grounds against women and girls seeking medical care for miscarriages or after legal medication abortions, as well as against doctors. Polish law does not criminalize having an abortion but rather anyone who provides or assists someone in having an abortion outside of highly restricted grounds. The government is apparently attempting to find a basis for prosecuting family members, friends, and healthcare providers for illegally providing or assisting abortions.

"Polish authorities' ruthless pursuit of people trying to get or provide basic health care can only be described as a witch hunt," said Hillary Margolis, senior women's rights researcher at Human Rights Watch. "The government is misusing police and

courts to advance its anti-rights agenda, taking its abusive policies into private homes, hospital rooms, and doctors' offices."

In interviews with Human Rights Watch, doctors, lawyers, and a woman who had a legal medication abortion described sweeping and speculative investigations, and overbroad searches. Criminalizing those who pro-

six cases, five of which are ongoing. In the sixth, the prosecutor discontinued the proceedings without providing reasons for doing so.

Women and girls have been put under intense scrutiny for alleged abortion-related activity when they seek urgent health care. Joanna, a 32-year-old woman, said that the police demanded to strip search her in April after she had a self-

"They told me to take off my clothes, do squats, and cough," Joanna said. "I was just standing in front of them, I didn't take my underwear off.... I tried to take a step back but there was only a wall behind me. I felt I wasn't a human being anymore."

The lawyer representing Joanna and others subject to invasive searches and interrogation said that such "fishing expeditions" do not have sufficient legal basis. "This is just searching for searching's sake," the lawyer said. "It's not legitimate because the investigation must not be started without grounds for suspicion.... Only for abortion is it done this way." These actions also constitute degrading treatment in violation of international human rights law, Human Rights Watch said. Cases that Human Rights Watch documented offer evidence that Polish law enforcement authorities have increased



vide or assist an abortion unjustifiably interferes with the right to health, leading to negative health outcomes and potential persecution of those seeking abortion.

Additionally, since January 2021, at least six women are known to have died after doctors did not terminate their pregnancies despite complications that posed a danger to their health or lives, which remain legal grounds for abortion in Poland. Prosecutors opened investigations into all

administered medication abortion, which is legal.

Two weeks later, she called her psychiatrist for help with symptoms of severe anxiety. During the call, she disclosed her abortion to her psychiatrist, who called an ambulance and contacted the police. Police arrived at Joanna's apartment alongside a paramedic and escorted her to two different hospitals. At the second one, she was ordered to undress for what amounted to a body cavity search.

their pursuit of women, girls, and healthcare providers since the politically compromised Constitutional Tribunal issued a decision in October 2020 that virtually eliminated legal abortion in Poland. The decision, which entered into force on January 27, 2021, removed one of only three grounds on which an abortion could be obtained.

Evidence consistently demonstrates that laws criminalizing or restricting access to abortion do not eliminate it, but



rather drive people to seek abortion through means that may put their mental and physical health at risk and diminish their autonomy and dignity. Since the Law and Justice party (Prawo i Sprawiedliwość, PiS) came to power in 2015, Poland's government has carried out a sustained attack on sexual and reproductive health rights, particularly access to abortion. The ruling party brought the abortion case to the Constitutional Tribunal after parliament voted not to adopt legislation effectively banning legal abortion. The authorities' crackdown on women's rights is a symptom of their broader capture of the justice system and dismantling of democratic checks and balances. Under Law and Justice, the government has systematically eroded the rule of law by undermining the independence of the judiciary and establishing effective control over the Constitutional Tribunal, among other institutions. It has sought to silence independent civil society groups, activists, and those who protest against its policies, including through the police and courts. Abortion rights defenders have also come under fire. In March 2023, a Warsaw court convicted Justyna Wydrzyńska, co-founder of the activist group Abortion Dream Team, of helping a woman to procure medication abortion pills. Wydrzyńska, who was sentenced to eight months of community service, is appealing the conviction. Poland's government should urgently decriminalize abortion and provision of or assistance in procuring an abortion or abortion-related care, and ensure safe and legal access. The government and authorities should immediately stop questionable investigations and prosecutions related to abortion and ensure that women and girls can access necessary reproductive health care in a dignified and confidential manner, and that healthcare practitioners can provide such care without fear of prosecution. The authorities should also cease attacks on women's and reproductive rights defenders. Authorities' actions – and their

use of undemocratic means to pursue their aims – raise serious concerns over breaches of the European Union's founding values and Poland's international human rights obligations, Human Rights Watch said.

"By going after women and girls who need medical care – and doctors who provide it – Polish authorities are using their powers to terrorize people instead of to protect basic rights," Margolis said. "As the government ramps up its targeting and harassment of people allegedly linked to abortion, anyone can fall prey to these attempts and have their privacy, dignity, and right to health violated."

Additional Information on Increased Targeting of Alleged Abortion-Related Activity  
The October 2020 Constitutional Tribunal decision stated that abortion on grounds of "high probability of severe and irreversible fetal impairment or incurable illness that threatens the fetus' life" is unconstitutional, removing one of few, and the most accessible, legal basis for abortion under Poland's highly restrictive law. Previously, over 90 percent of the approximately 1,000 legal abortions annually in Poland were on these grounds.

Polish law now permits abortion only to safeguard the life or health of the woman or where a pregnancy results from rape or incest. However, in practice multiple barriers severely limit access to care in such cases, as the deaths of pregnant women refused terminations demonstrate.

The Constitutional Tribunal is widely acknowledged, including by the Council of Europe's legal advisory body, as politically compromised.

Between April and September, Human Rights Watch interviewed a woman who was interrogated by police after having a medication abortion, and two gynecologists who said they were targeted for allegedly providing or supporting the right to abortion care. Human Rights Watch also interviewed a lawyer who represented a 17-year-old girl interrogated by police after she took medication abortion pills, and a lawyer representing two

women interrogated by police: one after having a medication abortion and one following a miscarriage. In all three cases, police also searched the women's and girls' homes and seized belongings including their telephones. Polish media have reported other cases similar to the ones experienced by or within the direct knowledge of the individuals Human Rights Watch interviewed.

The authorities confiscated all patient medical records belonging to one doctor. Human Rights Watch also interviewed three of the patients whose records were taken, and two lawyers associated with the case.

Reported by Her Psychiatrist  
Joanna, the 32-year-old woman who had a legal, self-administered medication abortion at home in Krakow in April 2023, later contacted her psychiatrist over what she felt were anxiety attacks. She told the psychiatrist she was not going to harm herself. Yet a paramedic arrived at her door accompanied by police, whom the psychiatrist had contacted. Two male officers searched her apartment and asked for her phone, saying "it might be evidence in a crime," without specifying what crime.

In the ambulance, the police prevented her from using her phone to inform her sister of her whereabouts. "At that point, I realized that something was going wrong," Joanna said. "I knew I wasn't breaking the law in how I got the [abortion] pills, but it didn't matter." The police escorted her to a hospital, where they and two additional police officers surrounded her in an examination area. Later, at a second hospital, two female police officers entered the room where a gynecologist had examined Joanna. They ordered her to strip naked, squat, and cough, without providing a reason. Joanna refused. "They were just repeating, 'take off your clothes, do squats, cough,'" she said.

She removed her shirt and bra but not her underwear. She described feeling like a trapped animal. "I tried to take a step back but there was only a wall behind me. I felt I wasn't a human being anymore. I

didn't want to take my panties off because I was wearing a [sanitary] pad and it was dirty. It was too humiliating. Something caused me to scream: 'What do you want from me?!'"

Joanna said she gave officers her cell phone to prevent them from searching her physically, which she felt "would break me." While at the hospital, she realized her laptop had been confiscated. A few weeks later, police called her to give a statement, but did not inform her who or what was under investigation.

Kamila Ferenc, a lawyer at the Warsaw-based Foundation for Women and Family Planning who represents Joanna, said that proceedings regarding the crime of assisting illegal abortion are still pending, even though prosecutors cannot charge Joanna with this crime and there are no other potential suspects. Ferenc is also representing Joanna in two cases against the police for a disproportionate and unfounded search that violated her rights, led to inhumane treatment, and erroneously confiscated her belongings, as well as for breach of data privacy regulations due to the publication of personal information. The cases are ongoing.

Interrogated After a Miscarriage

In July, a 41-year-old woman spoke publicly about police interrogating her following a pregnancy loss. She said she called an ambulance in June 2022 when she was bleeding heavily after miscarrying at home in Warsaw at 19 weeks pregnant. Police stood outside her hospital room, insisting to doctors that they needed to question her, and then followed her out of the hospital. More police waited outside her house, where they pumped the septic tank and inspected it thoroughly, saying they were doing this on the prosecutor's orders. The prosecutor demanded that police strain the septic tank's contents through a sieve to search for evidence, but police refused. Police took the woman's bloody clothing, her used sanitary pads, a pair of scissors with which she had cut the umbilical cord after miscarrying, the placenta, and "other biological material" as



possible evidence of criminal activity.

A Warsaw district prosecutor's office initiated proceedings for assisting someone to have an illegal abortion, which carries a penalty of up to three years in prison. In October 2022, they discontinued the proceedings due to lack of evidence.

Ferenc also represents the woman and plans to bring a case against police for the search and investigation. "[The police] acted like [she] was a criminal and they wanted to find someone to bring charges against," Ferenc said.

#### 17-Year-Old Interrogated

In 2022, police interrogated a 17-year-old girl near Wrocław and searched her home when she sought health care after taking medication abortion pills. The girl had had a blood test that confirmed she was pregnant. Rather than consulting a healthcare provider, she interpreted the results herself using online information and believed she was 10 to 12 weeks pregnant.

Her friends called an ambulance when she experienced excessive bleeding after taking pills for a self-managed abortion. At the hospital, the girl learned that her pregnancy had been around 20 or 21 weeks, beyond the time frame for which self-administered medication abortion is recommended.

Police searched her home and first approached her while she was in the hospital, said Piotr Lech, the lawyer who represented her. They confiscated her telephone and her mother's telephone.

"My concern is about urgency and the power they used in this case," Lech said. "Even if [the prosecutor] believed something was wrong ... this urgency was definitely not necessary for a 17-year-old girl still in the hospital." He emphasized that the state should have prioritized the girl's health and safety. "The state gave an extra punch to this girl. She needed help first, not questioning," he said.

Soon after the girl's release from the hospital, Lech accompanied her to the police station for interrogation as a witness to possible infanticide. During the interrogation, police asked for names of people the girl

spoke with at Abortion Dream Team, which provides information and aims to destigmatize abortion, as well as where she procured abortion pills. Lech and his client refused to answer the questions. Police did not ask whether she had experienced rape or other sexual violence.

Lech noted irregularities in the case: he said that the speed and aggressiveness with which the police pursued it contrasted starkly to his experience in other cases, and that police interrogated his client as a witness to infanticide; however, as only the mother can be guilty of the crime of infanticide under Polish law, there was no suspect she could have "witnessed" committing the crime.

Within two days, Lech said, he received notice that the prosecutor had dismissed the case. Pressure on Reproductive Healthcare Providers

Dr. Maria Kubisa, a gynecologist in Szczecin, Poland, said that six armed specialist government agents raided her private practice on the local prosecutor's orders in January 2023.

The agents asked about one patient for whom Kubisa said she had no records. They confiscated her computer, telephones, and all of her patient medical records dating back to 1996, violating the patients' right to privacy. The records included sensitive information and images for about 6,000 patients.

Kubisa, who performs gynecological surgery, said the agents forced her patients out of her office. "[A patient] said she had had a serious surgery and needed to have her check-up because she had come from far away," Kubisa said. "One of the officers said that her health condition is not his problem, it's not what he cares about."

Kubisa's lawyer, Rafal Gawecki, confirmed that the raid was related to allegations that Kubisa had provided a patient an illegal abortion. Kubisa said she has not treated pregnancies since the 2020 Constitutional Tribunal ruling. She said the confiscation of her belongings and patient records left her unable to treat patients for weeks, and that

other reproductive healthcare providers could be targeted for similarly overbroad searches. "If they were able to [basically] close my clinic, then they can do anything," Kubisa said. "They took all of this [documentation] to find something and press charges against me." About 30 of Kubisa's patients lodged complaints, including against the prosecutor's office, for seizing their records. Three of them told Human Rights Watch that they felt the raid violated their privacy and sense of security, and exemplified targeting of women's sexual and reproductive health rights. As one said, "It's a matter of control over women and ... controlling our reproductive rights. Nothing like that will ever happen to any male patient who goes to a urologist... This is not even in the spectrum of [the government's] interest."

Gawecki said that in July, a regional court ruled there were legal grounds for the search of Kubisa's office, but that its execution and the seizure of all patients' documents were disproportionate and not consistent with the purpose outlined in the search order.

Other doctors also said that they have experienced increased pressure since the Constitutional Tribunal ruling. Dr. Dominik Przeszlakowski, an obstetrician-gynecologist in Krakow, said that the Jagiellonian University Hospital, one of Poland's largest public hospitals, fired him after 24 years following his outspoken opposition to the Constitutional Tribunal's judgment.

Before the judgment, the hospital provided abortions in cases of "high probability of severe and irreversible fetal defect or incurable illness that threatens the fetus' life." The day after the October 2020 judgment, the hospital cancelled all scheduled abortion procedures. "[Women] were just completely left alone," said Przeszlakowski. "They were told to go abroad, by doctors who wouldn't help them." At a meeting with doctors from the hospital's gynecological clinics, Przeszlakowski called for the hospital to reverse its decision. Later that day, the hospital reinstated

abortion procedures until the judgment came into force in January 2021.

When Przeszlakowski continued objecting to the hospital's refusal to terminate pregnancies from January, he said the clinic's director told him to "stop making a fuss."

In November 2021, following the death of a woman who was denied abortion care despite pregnancy complications, Przeszlakowski spoke at a Krakow protest and on a major television station. "[The ruling] was unjust, unfair to women, and nonsense," he told Human Rights Watch. "We have our medical knowledge, and it is our obligation to use this to do our work as well as we can."

In March 2022, Przeszlakowski left his shift early – something he said other colleagues did regularly – because his mother had an emergency. The same day, an unscheduled check on the unit led to a letter calling for him to explain his absence, followed by a reprimand. In April 2022, hospital management fired him, allegedly for failure to respond to the letter. When asked whether any other Jagiellonian University hospital employee had been terminated for similar reasons, he said that to the best of his knowledge, "No, no one else, never."

"They told me that they don't have any concerns about my work [as a doctor]," he said. "They knew at what time I left work [on the day in question], they knew I did a handover to colleagues, and despite that, they fired me. It felt like whatever I did or said, they would fire me anyway."

Based in part on off the record conversations with colleagues and doctors from other hospitals, Przeszlakowski believes that the unplanned check on the unit was conducted to create a pretext for his dismissal, with the real reason being his vocal, public critique of the Constitutional Tribunal decision. The clinic doctors and nurses, including the head of the unit, signed a letter asking the hospital to reinstate Przeszlakowski. He is bringing a case against the hospital for



# Climate Change – What Needs To Be Done

Pakistan, like many other countries, is experiencing various climatic effects due to global climate change. These effects include rising temperatures, changing rainfall patterns, increased frequency and intensity of extreme weather events, and melting glaciers. These changes have significant implications for Pakistan's agriculture, water resources, energy production, and overall socio-economic development. Here are some climatic effects on Pakistan and potential remedial measures and policies for mitigation:

1. Water Scarcity
2. Agricultural Challenges
3. Extreme Weather Event.

Remedial measures and policies include:

- Saving available agriculture land and restrict unplanned housing society expansion.
- Efficient water management practices, such as improving irrigation systems, promoting water-saving techniques, and implementing drip irrigation and construction, climate-resilient agricultural practices, such as crop diversification.
- Promoting renewable energy sources, such as solar, wind, and hydropower, through favourable policies, incentives, and feed-in tariffs and energy-efficient appliances.
- Implementing strict emission standards for industries and encouraging the adoption of cleaner technologies.
- Expanding forests and protecting existing ones can help sequester carbon dioxide and mitigate climate change. Policies and measures include:
- Launching a forestation and reforestation programmes to increase forest cover and enhance carbon sinks and reducing illegal logging.
- Engaging in international climate agreements and collaborations to access financial and technical support for climate adaptation and mitigation efforts.

These are just a few examples of remedial measures and policies that can help mitigate the

climatic effects on Pakistan.

Our analysis of the climate issue is unusually clear. We know exactly what we need to do—construct a carbon neutral global energy system by the middle of the century.

We know how to do it—all the technologies and engineering knowledge we need to get there by that time are already available. We know we can afford it—the International Energy Agency estimated last year that the net cost of doing so might add only a couple of

Far too often the climate narrative is framed in a way that excludes rather than includes most people.

Unless we correct this fault we will not build the necessary political will to take up those technologies and to use that capital, however good our analysis is and however hard we try. So I want to steer clear of the detail and begin by looking at the very big picture of the political challenge that climate change presents. We need to identify just how different



trillion dollars to what we will be investing in energy anyway over the next 25 years. That is a few tens of billions of dollars a year—I used to think that was a lot of money until the bankers taught me otherwise. What we do not know is how to put the technology and capital together in a timely manner. Doing that will require political will. Political will is built by making clear the connection between what is happening to the climate and all the other interests and preoccupations that concern us in our daily lives. Health and security are two of the most important of those preoccupations. One of the bigger barriers to building the necessary political will is the tendency of the climate conversation to fall too quickly into the elephant trap of mind numbing detail and impenetrable acronyms.

this problem is from any other that humanity has ever faced. It is different in at least three ways.

We're all in this together

Firstly, it is a problem that is more truly global than any other. The livelihood of literally every person in every nation will be affected by a changing climate. Far too many people lead lives constrained by poverty, violence, ignorance, and ill health. But they share the planet with others who lead lives that are affluent, peaceful, educated, and healthy. Everyone, for better or worse, will live with the consequences of climate change.

This characteristic creates an entanglement of interests unprecedented in history, and unprecedented in any of the efforts diplomacy has ever had to meet. And, although there might be hard power conse-

quences of a failure of climate policy, there are no hard power solutions to the problem.

The problem cannot be solved by one nation imposing its will on another. Therefore, solving the problem requires an intensity and persistence of cooperation between nations not yet seen.

Cooperation between governments is never one dimensional. This means climate policy success is ultimately predicated on the continuance of a global system where cooperation takes precedence over competition.

Policy failure is not an option

The second difference is that policy failure is not an option. The development of public policy is typically empirical. Human beings learn by doing. Policy measures are adopted, monitored for effectiveness, reviewed to take account of changing circumstances, and revised as necessary. Economic, social, or political goals that are not achieved today can be pursued again tomorrow. This is not true for climate change.

The long lifetime of carbon dioxide in the atmosphere—many centuries—means that we are committed irrevocably and, in policy terms, indefinitely, to whatever climate is generated by the carbon burden in the atmosphere at the point of stabilisation—that is, the point at which the amount of carbon we add to the atmosphere is balanced by the amount natural processes remove.

If we fail to stabilise greenhouse gas concentrations at a level compatible with the temperature rising by less than 2°C we cannot try again later to achieve this goal. This conflicts with the automatic reflex of all politicians when faced with a truly difficult problem: prevarication. And we cannot afford prevarication with this issue.