

# ILPA Information sheet

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## Syrian nationals: New immigration rules

March 2015

A [Statement of Changes to the Immigration Rules HC 1116](#) was published on 16 March 2015. These changes specifically affect Syrian nationals who are travelling through the UK on certain types of visit visas for entry to United States of America.

### What has changed?

People from certain countries who arrive in the UK and then pass through to another country without entering the UK are required to obtain a visa. This is known as a Direct Airside Transit Visa (DATV).

Syrian nationals do not need always need a Direct Airside Transit Visa to travel through the UK as long as they meet the conditions of the *transit without visa* concession and hold certain documents.

The Immigration Rules have been amended to narrow the exemption from the requirement to hold a transit visa to travel to the UK for Syrian nationals. The *transit without visa* concession will now not apply to citizens or nationals of Syria holding a temporary visa for the purpose of business, pleasure or medical treatment (categories B-1 and B-2) for the United States of America.

Those who no longer meet the criteria for the exemption will have to apply for a Direct Airside Transit Visa. Furthermore information on how to apply for this visa can be found [here](#). The application has to be made online.

### When do these changes take effect?

Confusingly, the new rules set out in the Statement of Changes HC1116 take effect on two different dates: 17 March 2015 and 24 April 2015. This is because the Statement of Changes HC1116 changes the rules straight away, but the rules it changes are themselves amended

on 24 April 2015. Therefore the changes have to be transferred to the new rules. The effect of the HC 1116 remains the same.

### **What is the reason for this change in the Rules?**

The Government states in the Explanatory Memorandum which accompanies these changes to the rules that there is evidence that Syrian nationals have been using the exemption from the requirement to hold a transit visa to travel to the UK to claim asylum, rather than to pass through the United Kingdom en route to another country or territory. The Explanatory Memorandum describes this as 'evidenced abuse' and says that it is the reason for the change.

The latest UNHCR figures suggest that there are currently 3.9 million Syrian refugees, most of whom are in Turkey, Lebanon, Jordan, Iraq and Egypt. Six and a half million Syrians are internally displaced. The UK is not participating in the UNHCR resettlement programme for Syria and on the 29 January 2014 the Home Secretary announced the establishment of the "vulnerable person relocation scheme". One hundred and forty-three people were resettled in the UK under the scheme by the end of 2014. The UK Government has committed humanitarian aid to the relief effort (£800 million as at February 2015). During 2014 there were 2,081 asylum applications from Syrians. Eighty-six per cent of applicants whose cases were decided during 2014 granted asylum.<sup>1</sup>

### **Further information**

Syrian nationals or citizens are still able to benefit from the exemption from the requirement to hold a transit visa if for example they hold a visa for Australia or Canada. Further information can be found [here](#) under paragraph 50 of the Immigration Rules, and [here](#) under Appendix V (as amended by the Statement of Changes HC 1116).

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<sup>1</sup> 2015 UNHCR country operations profile - Syrian Arab Republic <http://www.unhcr.org/pages/49e486a76.html>