

United Nations human rights experts oppose UK decision to make Shamima Begum stateless

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Following a Court of Appeal decision to back the Conservative government's stripping of Shamima Begum's citizenship, human rights experts appointed by the United Nations called on the UK to allow her to come home from a refugee camp in Syria.

Begum lost a challenge at the Special Immigration Appeals Commission (SIAC) in February last year. Her legal team took her case to the Court of Appeal in October. Begum's appeal of the government's decision was denied on February 23.

She was deprived of her citizenship in 2019 for having travelled to Syria as a 15-year-old schoolgirl and joined the Islamic State of Iraq and Syria (ISIS). The ruling means the Begum, now 24-years-old, is permanently barred from Britain and officially stateless. She remains stranded in a dangerous detention camp in northern Syria without legal rights or protection.

The ruling by three appeal judges (Dame Sue Carr, Lord Justice Bean and Lady Justice Whipple) was unanimous in agreeing with the SIAC. Technically the decision could still be challenged. But the dismissal of all Begum's arguments seriously hinders her ability to gain a full appeal at the Supreme Court.

The judges made the perverse ruling that "there was no material shortcoming" on the part of then Home Secretary Sajid Javid "arising out of any failure to take account of the possibility that Ms Begum had been trafficked for the specific purpose of sexual exploitation". This was despite the court's own acknowledgment of "the likelihood that she was a child victim of others who wished to exploit her for sexual or extremist reasons". All evidence points to this.

According to the judges, Javid was entitled to conclude that fears Begum posed a risk to national security were more significant because it was "a question of evaluation

and judgment" allowed to him in law.

In reality, Javid's decision is a gross violation of democratic rights that is designed not only to perpetuate a demonisation of Muslims, but also to prevent any examination of the filthy role played by British and world imperialism in fomenting Islamist terror organisations over several decades.

To justify their actions, successive UK home secretaries have claimed that Begum could have applied for Bangladeshi citizenship through her parents. This is a lie. Under Bangladeshi law, Begum could apply for citizenship only up to her 21st birthday. The government of Bangladesh made clear that it would refuse in any case and execute her if she ever set foot in the country.

Washing their hands of the Begum's basic human rights, Carr said, "It could be argued the decision in Ms Begum's case was harsh. It could also be argued that Ms Begum is the author of her own misfortune. But it is not for this court to agree or disagree with either point of view."

The decision was condemned on Wednesday by Siobhán Mullally, the UN's Special Rapporteur on trafficking in persons, especially women and children; Mama Fatima Singhateh, Special Rapporteur on the sale, sexual exploitation and sexual abuse of children; Reem Alsalem, Special Rapporteur on violence against women and girls, its causes and consequences; Tomoya Obokata, Special Rapporteur on contemporary forms of slavery, including its causes and consequences; and Ben Saul, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

They said, "Protections owed to victims of trafficking and those at risk of trafficking, especially children, must be respected to be meaningful," adding of Begum's

departure from the UK as a vulnerable child, that “these circumstances were never properly investigated”.

The UN statement was clear that any supposed question of “consent or voluntariness or use of force, deception or coercion is irrelevant where the victim of trafficking is a child”. The experts concluded, “Given the continuing serious risk of irreparable harm, we urge British authorities to take steps to ensure Ms Begum’s protection and to follow the lead of many other governments who are now repatriating women and children from northeast Syria.”

The UK has only repatriated two nationals in recent years and around 30 British women and children remain in camps across northern Syria and the region. Between 2012 and 2022, the Home Office deprived 220 people of their UK citizenship, almost always due to “national security” concerns. Only Bahrain had a higher figure.

Begum’s fate is deeply tragic. She left east London in 2015 with her two school friends Amira Abase, also 15, and 16-year-old Kadiza Sultana to join ISIS in Syria. The US-orchestrated civil war in the country was in its fifth year and ISIS, spawned out of Washington’s various Islamist proxies, commanding around 30,000 fighters, temporarily took control of large parts of north-western Iraq and eastern Syria.

It was revealed in 2022 that, unbeknown to her, Begum’s transit to Syria was facilitated by a Canadian state intelligence asset and that British intelligence were aware she had been groomed online.

Ten days after arriving in the Syrian city of Raqqa, then an ISIS stronghold, Begum was married to Dutch convert Yago Riedijk. She lived under ISIS rule for more than three years, having three children, all of whom died young—one of pneumonia while she was in a refugee camp hoping to return to the UK to raise him.

Sultana’s family said they believed she died in an airstrike in May 2016, while planning to escape and return home. It is not known whether Abase is alive.

Following the military defeat of ISIS, Begum was located in al-Roj camp in northern Syria in 2019. Her lawyers warn that conditions there have reached a “critical point” of “near starvation” and disease. “It is not a refugee camp—those detained are unable to leave and the conditions have, with ever greater urgency, been categorised by every international body as well as by the UK courts in Shamima’s case itself, as constituting torture and inhuman treatment.”

The denial of citizenship to Begum has played a major role in shifting politics to the right, with her every legal

denial greeted with sadistic glee by a fascistic constituency and hailed in the right-wing media.

Former Home Secretary Suella Braverman, a darling of the far right who has made anti-immigration measures the main plank of an expected future Tory Party leadership challenge, said of the Court of Appeal decision: “My priority is, and always will be, the safety and security of the UK. I am pleased with the decision from the court today, who have agreed with the Government’s position on every appeal ground”.

Interviewed on the right-wing GB News, Priti Patel, Braverman’s predecessor as home secretary, said of the UN’s intervention: “It’s absolutely clear, the UN are wrong on this, basically. The UN should not be getting involved in what is a very domestic case of the United Kingdom.” She added that Begum’s “case is closed as far as we’re concerned”.

The hounding of Begum in the media continued Thursday with two hosts on Talk TV, owned by the Murdoch corporation’s News TV, denouncing her and the United Nations. Kevin O’Sullivan bewailed how the “increasingly ridiculous woke United Nations under the control of that fool António Guterres from Portugal... a sort of left-wing idiot” was now “demanding that Britain repatriate ISIS bride Shamima Begum.” He concluded, “She’s not coming back. She’s a terrorist who will stay in the Syrian desert where she deserves to stay”.

The Labour Party is fully behind this filthy and vindictive campaign. When the special immigration appeals commission ruled last year that Javid had acted lawfully in stripping Begum of her British citizenship, Labour leader Sir Keir Starmer, a former Director of Public Prosecutions, said the court had made “the right decision.”



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