

UK Supreme Court refuses Shamima Begum appeal against revoking her British citizenship

Margot Miller
12 August 2024

On August 10, the day tens of thousands marched across the UK to oppose the spate of anti-immigrant riots, three justices of the Supreme Court denied Shamima Begum the right to appeal the revoking of her British citizenship.

This cruel and vindictive decision means Begum, demonised as a “Jihadi bride”, has exhausted all legal means of challenge in the UK and she remains stateless in Syria, deprived of all human rights.

Begum was a minor aged 15 when she left the UK in 2015 with two friends, Kadiza Sultana and Amira Abase, to marry Dutch Muslim convert Yago Riedijk, 21, at the height of the conflict in Syria. Sultana was reported later killed in Raqaa and Abase is presumed dead. Riedijk is in a Syrian prison.

At this time the UK was cultivating Muslim extremists in ISIS (Islamic State of Iraq and the Levant) in the combined US bid to topple the Assad regime.

Begum, born of Bangladeshi parents, was a vulnerable and impressionable schoolgirl, having grown up in the toxic climate of anti-Muslim xenophobia and “war on terrorism” to justify the Afghanistan and Iraq wars. She was groomed online by ISIS, which was known to the government via its Prevent strategy apparatus, though her parents were not informed. She was trafficked from the UK at the hands of a Canadian secret service asset in ISIS.

As her father said, “She was only a child. She made a mistake.”

Labour’s then shadow home secretary, now Home Secretary Yvette Cooper acknowledged this, telling the *Independent* in 2015, “You are talking about under 16-year-olds—in the end this is about child protection... We have to do everything we can to prevent young women being groomed or exploited.”

The Supreme Court denied Begum’s final chance to

overturn the ruling of the Special Immigration Appeals Commission (SIAC), which upheld then Conservative Home Secretary Sajid Javid’s 2019 decision to strip her of her citizenship after she was found in a refugee camp in Syria.

United Nations human rights experts appealed to the then Tory government to allow Begum to return home to the UK.

According to section 40 of the British Nationality Act 1981, the home secretary using executive powers can revoke citizenship if considered “for the public good... in the context of national security”, or “in cases of fraud.” Blanket national security issues overrule all else, including in this case concerns that Begum as a minor was trafficked and sexually exploited.

Dame Sue Carr, one of the Supreme Court judges, callously stated, “Ms Begum may well have been influenced and manipulated by others but still have made a calculated decision to travel to Syria and align with Isil [ISIS].

“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 only task of the court was to assess whether the deprivation decision was unlawful. Since it was not, Ms Begum’s appeal is dismissed.”

Steve Valdez-Symonds, Amnesty International UK’s refugee and migrant rights director, said, “It’s deeply concerning that the Supreme Court has concluded there’s no point of law to be considered on such a serious matter as stripping a British person of her citizenship—particularly when that was done on the back of her being exploited as a 15-year-old child.”

Even within the parameters of the anti-democratic

Nationality Act, however, Begum should never have had her citizenship removed as this made her stateless, ruling out any decision to deprive someone born with British citizenship (this does not apply to a naturalised person). Though her mother is believed to be a Bangladeshi national, Bangladesh said it would not recognise her as a citizen, and if she were to set foot on Bangladeshi soil, she would face the death penalty for her association with ISIS.

Incoming Home Secretary Cooper has it within her power granted by the 1981 Act to restore Begum's citizenship. In the words of joint executive director of human rights group Reprieve, Maya Foa, "If Shamima Begum has committed crimes, she can be charged and prosecuted in a British court. The UK is more than capable of handling the case of a 15-year-old schoolgirl who was groomed online by an organised trafficking operation."

Begum and her lawyers are denied due process, the right to hear or answer the national security charges.

In 2019, Sir Keir Starmer, then a shadow cabinet minister under Jeremy Corbyn told *Sky News's* Sophie Ridge that stripping Begum of British citizenship was the "wrong decision". In February this year, anticipating Labour's return to office, to prove he could be trusted in carrying out the dirty work of British imperialism, he upheld SIAC's ruling as the "right decision" as "national security has to come first".

Starmer's new Labour government is committed to support for the Gaza genocide and escalating wars in the Middle East and the Ukraine.

Scapegoating immigrants and people of non-British heritage and whipping up xenophobia is central to this war agenda and to Labour's austerity policies. Just over a month in office, Labour has begun the further privatisation of the National Health Service, maintained the two-child cap on welfare benefits, and deprived pensioners of winter fuel allowances. Home Secretary Cooper is carrying out a "summer offensive" of raids to deport "illegal" immigrants.

A further motive behind Labour's reversal involves the sinister operations of the British state. If Begum was allowed to return home and answer charges of collusion with ISIS, her evidence would draw further attention to the murky and illegal relations with terrorist groups the British state has cultivated in pursuit of imperialist intrigues.

In May 2017, Salman Abedi, a British-born Islamist, walked into the foyer of the Manchester Arena and blew

himself up with a home-made bomb, as fans were leaving a performance by singer Ariana Grande. Twenty-two were killed including children and many sustained serious injury.

Survivors and families of the victims are presently suing the UK's domestic intelligence agency MI5 for failing to prevent the terror attack, despite extensive surveillance of the Abedi brothers and a warning five months earlier by the FBI of an impending terrorist attack.

Salman Abedi and his brother Hashem were protected assets of British intelligence, given free rein to travel between the UK and Syria and Libya during the 2011 US-led NATO proxy war to topple Muammar Gaddafi.

Shamima Begum is an innocent victim caught in the crosshairs of British foreign policy. Since arriving in Syria, she has suffered profoundly, bearing and losing three children to malnutrition and disease. She has expressed bitter regrets for what she did and has declared her wish to return to her family in London.

For the last five years since the defeat of ISIS, she has lived in prison camps in horrendous circumstances, currently in Al Roj, which holds nearly 3,000 individuals, 65 percent of whom are children. Alongside other women and children from British families, they live in tents, freezing in winter and baking in summer. Sickness is rife and healthcare and education almost non-existent. Since January there has been no electricity, and food is scarce.

UN experts said in a report last year: "The mass detention of children in northeast Syria for what their parents may have done is an egregious violation of the Convention on the Rights of the Child, which prohibits all forms of discrimination and punishment of a child based on the status, activities, expressed opinions, or beliefs of their parents."

Begum's lawyers at Birnberg Peirce will take her case to the European Court of Human Rights in Strasbourg. The lawyers said, "It is a matter of the gravest concern that British women and children have been arbitrarily imprisoned in a Syrian camp for five years, all detained indefinitely without any prospect of a trial.

"All other countries in the UK's position have intervened and achieved the return of their citizens and their children."



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact