

Confirmation Labor directly blocking return of Australian citizens interned in Syria

Mike Head
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It is now indisputable that the Albanese Labor government is directly responsible for preventing the return home of 11 women and 23 children—all Australian citizens with valid passports—who have been incarcerated in primitive concentration camps in Syria since 2019.

Not only has the Labor government refused to help repatriate the families, in violation of their democratic and legal rights as citizens to return to Australia, the evidence shows that it effectively blocked their journey from the hellhole conditions in the Al Roj internment camp in northeastern Syria on February 16.

As the WSWs has explained, this constitutes a historic assault on the core democratic right of citizenship, without which no other political or civil rights can effectively be exercised, including the right to vote and to challenge government decisions, including arbitrary detention without trial.

Labor's actions set a precedent that can bar entry to any citizen, going far beyond these women and children, none of whom have been convicted of any offence. Instead, the government has barred them on the basis of unproven alleged family links to killed or imprisoned Islamic State (ISIS) fighters.

Dr Jamal Rifi, a medical doctor who has travelled to the Middle East to help family members secure the freedom of the women and children, told the media last week that the Albanese government effectively stymied the return of the 11 families.

The group had left the Al Roj camp in a convoy on February 16 with plans to travel to Beirut and then Australia, only to be turned around 50 kilometres into their journey. Rifi told Nine network newspapers that a premature notification to the media by officials at the camp had angered the Syrian regime in Damascus, so it had turned the vehicles around.

Rifi confirmed that Prime Minister Anthony Albanese's personal denunciation of the women—for whom he said he had "nothing but contempt"—had prompted the Syrian government to refuse their travel to Australia.

"We're making some inroads, but the biggest obstacle is the prime minister's statements," Rifi said. "The Syrian side is asking if he doesn't want them, we don't have anything from them, why should we help them?"

Rifi said the Syrian authorities feared the Australian government would not accept the women and children, so they would be stuck in Syria or a third country. "They were concerned the stopover country might not let them in because of all the negative statements that were happening in Australia," Rifi said.

Rifi said he and family members in Australia had tried to do "everything by the book," having communicated with the International Committee for the Red Cross. Passports had been granted to all the members of the group, including the youngest children born in the camp—a process that had taken months.

Rifi feared that the plight of the group would worsen because the Al Roj camp is in a portion of Syria controlled by an autonomous Kurdish authority, and the interim Syrian government was seeking to take control of the region and shut down the camp.

Two days after the group was turned back, Home Affairs Minister Tony Burke imposed a Temporary Exclusion Order (TEO) on one unidentified member of the group, overturning their democratic right, as a citizen, to return to Australia for at least two years. Such TEOs can be renewed indefinitely, extinguishing the right of return to anyone deemed "likely" to support "politically motivated violence."

Last month, the Australian Broadcasting Corporation reported that Al Roj staff had quickly dismantled some of the tents in which the families had been living. When the group returned after being turned back, some found their living quarters had been taken down, and had to move in together.

Many of the children, some as young as six, were born in detention and have known no other life, deprived of essential care and education, resulting in illnesses and deaths. Their Australian mothers mostly reportedly moved to the Middle East during the height of the so-called Islamic State caliphate, which was declared in 2014, then were displaced after its defeat in 2019.

Their mothers, usually from working-class suburbs of Sydney or Melbourne, often went to Syria at very young ages. For example, Kirsty Rosse-Emile, who grew up in the outer Melbourne suburb of Dandenong, was only 14 when she was married to a Moroccan-born dual citizen, Nabil Kadmiry, in 2008. They left Australia in 2014. He would eventually go on to become an Islamic State fighter and be stripped of his Australian citizenship in 2019.

Those named in the media also include Nesrine Zahab, from Sydney. She was 21 when she said she was tricked into going into Syria by her cousin Muhammad Zahab. She married ISIS fighter Ahmed Merhi—a friend of her cousin's—and gave birth to a son, Abdul Rahman, in the Al-Roj camp in 2019.

One question never posed in the corporate media is: What were the oppressive social and political conditions that provided fertile ground for the recruitment of vulnerable young men and their partners by reactionary Islamists who posed as enemies of global

imperialism and inequality, especially after the devastating US-led, Australian-joined, invasions of Afghanistan and Iraq?

In Australia's working-class suburbs, young people from Middle Eastern and other immigrant backgrounds face a future of low-wage employment, poor educational and social facilities, and constant police harassment.

Labor's further shift to the right

Labor's blocking of the return of the families is a further sharp political shift to the right to overturn core democratic rights. In 2019, 2022 and 2025—first under the previous Liberal-National government, then the Albanese Labor government, three groups of Australian citizens—32 women and children in total—returned from the camps.

There was government assistance in the first two cases, and a government agreement to accept the third group, two women and four children, who escaped from Al Roj last year and travelled overland to Lebanon, where they were initially detained for entering the country without visas before undergoing identity and security checks by Australian authorities in Beirut.

In 2019 and 2022, Labor leaders publicly backed the returns, saying citizens had the legal right to come home, while couching their positions in terms of "national security" dangers of leaving the families in the Syrian camps.

In 2019, the then shadow home affairs minister Kristina Keneally said a range of laws, including control orders, preventive detention powers, temporary exclusion orders and terrorism offences, including prosecution for entering declared areas, were designed precisely for the purpose of allowing citizens to be brought home and, where necessary, detained, prosecuted and monitored under Australian law.

After Labor's October 2022 repatriation operation, then home affairs minister Clare O'Neil referred specifically to citizen's rights. "What I really want Australians to understand is that the women and children who are in the camps at the moment are Australian citizens," she said. "I say that because it's really important that people understand that at some stage these people will be allowed to return to Australia."

Now that stance has been reversed, and without any judicial process, even though no one from these three groups has been convicted of a crime since their return.

The only recorded prosecution was of Mariam Raad, who was repatriated to Australia in 2022 by the Albanese government. She was charged with entering a prohibited "declared area" and pleaded guilty to the charge, which could have meant up to 10 years' imprisonment. She was not convicted, however. Instead, in June 2024 a magistrate exercised her discretion to discharge Raad on a good behaviour bond without recording a criminal conviction.

The magistrate accepted that Raad was in a coercive relationship with her husband, Muhammad Zahab, and was "immature and blindly following" him when she travelled to Syria at the age of

18. The court noted her contrition and good prospects for "rehabilitation" as a single mother of four children.

The "declared area" offence in section 119.2 of the Criminal Code is draconian. It is one of many created since the declaration of the "war on terrorism" in 2001 that hand vast arbitrary police-state power to government ministers. It makes it a crime to enter or remain in a foreign area declared by the foreign affairs minister.

That minister only has to be "satisfied" that a proscribed terrorist organisation is engaging in hostile activity there. Such proscriptions also occur by ministerial decree, if the attorney-general is "satisfied" that an organisation is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act, or advocates the doing of a terrorist act. These are all vague and sweeping accusations.

Being in a "declared area" is also a "strict liability" offence—the accused must prove that they were there for a "legitimate" purpose, such as humanitarian work or for a family visit. That effectively overturns the fundamental principle of the presumption of innocence and the need for the prosecution to prove guilt beyond a reasonable doubt.

Labor's assault on fundamental democratic rights has escalated since the December 14 ISIS-linked terrorist shootings at Sydney's Bondi Beach, for which the federal and state Labor governments have blamed—and sought to shut down—the widespread demonstrations in Australia against the ongoing US-backed Israeli genocide in Gaza, falsely accusing participants of antisemitism.

The barring of entry to citizens trapped in Syria also underscores how far the Labor leaders will go in tearing up fundamental legal and democratic rights as they vie with their Liberal-National counterparts to outdo Senator Pauline Hanson's far-right anti-immigrant One Nation party.

They are all trying to make immigrants, particularly Muslims, scapegoats for the declining living and social conditions confronting working-class households, just like their counterparts internationally, such as the Trump administration in the US, Nigel Farage's Reform UK, Marine Le Pen's National Rally in France and the AfD in Germany.

Basic legal and democratic rights, including citizenship itself, are threatened in the hands of the ruling class and its political servants. The defence of all such rights depends on the development of a mass movement of the working class, guided by the fight for socialism, with full civil rights for all people, regardless of their country of birth.



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