

Al-Muntada

Of the Iraqi Association

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Stripping Citizenship Without Due Process

The UK Immigration Bill finished its passage through the House of Commons on 30 January 2014. Now, at the time of writing this commentary, it is debated in the House of Lords.

The impact of the Bill is devastating, it includes, the removal of the right to appeal of wrong immigration decisions, it increases the powers of the executive, the transformation of residential landlords into immigration enforcers, the denial of all shelter to those without papers, the removal of appeal rights, the exclusion of undocumented migrants from the rental market, the introduction of policing duties for landlords, GPs, the extension of charges for NHS care and the stripping of citizenship without warning or judicial approval.

The British Home Secretary, Theresa May, has inserted a last-minute amendment to the Immigration Bill that will enable her to make people stateless without due process, the court or trial. The amendment would significantly expand her citizenship-

stripping powers. Currently May can not revoke a person's citizenship if it would make them stateless, so the power can only be used on dual nationals who would still have another nationality even if they lost their British citizenship.

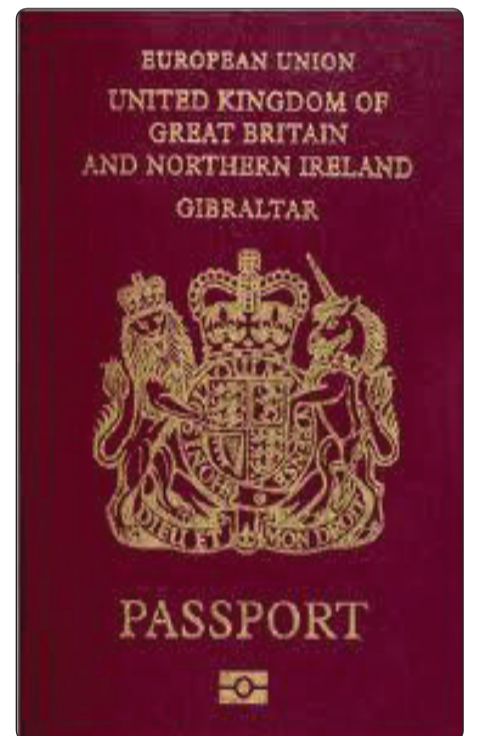
The current laws allow the Home Secretary to remove the citizenship of any dual national – including those born inside the UK – with no prior warning and no judicial approval in advance. This is shocking and desperate development, as it would lead to second class citizens in this country, deserving and undeserving people. It will reverse a long-standing ban on citizenship-stripping where doing so would leave someone stateless. It would give the Home Secretary the power to tear up people's passports without any need for the kind of due process we might once have expected as British citizens.

Under this amendment, naturalised British subjects could be stripped of their passports if the home secretary believes they are acting in a way which «seriously prejudices» the

national interest.

So citizens will not even need to be convicted of a crime in order to lose their citizenship. The new immigration amendment opens a gateway to punish citizens who have not transgressed the law, and their citizenship to be stripped without trial. This is potentially undermining our justice system. It may also be unconstitutional. The Bill of Rights of 1689 and Magna Carta surely insist on the right to trial of citizens and any law to this effect would run not only contrary to that due process, but also to the principles of consistency and accountability, severely impinging on the concept of the rule of law. What happened to innocent until proven guilty? If we don't have enough evidence to charge, try and convict suspects, then they should not be stripped of their citizenship. If they are suspects, then charge them and try them in a public court of LAW.

Citizenship stripping from suspects is grotesque. It's a shocking day for the presumption of innocence.



Refugee Forum lobbies government to amend Immigration Bill



Hammersmith and Fulham Refugee Forum say some of the new laws discriminate against ethnic groups.

A refugee charity has organised a national petition against major aspects of the government's Immigration Bill. Hammersmith and Fulham Refugee Forum is supporting the Movement Against Xenophobia (MAX), a campaign set up at the end of last year to oppose legislation which has been introduced in a 'climate of hatred'.

Phil Cooper, media officer at the Refugee Forum, says this is 'turning ordinary people into border guards' and could mean landlords would avoid letting property to anyone who looked or sounded foreign while people eligible for medical treatment could be refused by mistake.

However, the Home Office said it was targeting illegal immigrants who abuse the system and flout British laws. "Immigration has become a major political issue and

this legislation has been devised by Home Secretary Theresa May to create a hostile environment for illegal immigrants," said Mr Cooper. "But, in her desire to be seen as tough, the government has produced a Bill that threatens to have a negative impact on all ethnic communities and to undermine British justice."

The forum was launched in 2000 to ensure refugees' voices are heard and play a full part in the local community. It represents refugees from Iraq and Iran as well as Bosnia, Sudan and Ethiopia.

Mr Cooper added: "Hammersmith and Fulham is home to thousands of refugees and migrants who are living and working here quite legally.

"The different ethnic groups and the host community have got on well together for many years. This situation is under threat because of this legislation which is why we want to see the major amendments to the Bill."

Immigration and Security Minister James Brokenshire said: "The Immigration Bill will stop migrants using public services to which they are not entitled, reduce the factors which

encourage people to come to the UK and make it easier to remove people who should not be here.

"We will continue to welcome the brightest and best migrants who want to contribute to our economy and society and play by the rules. But the law must be on the side of

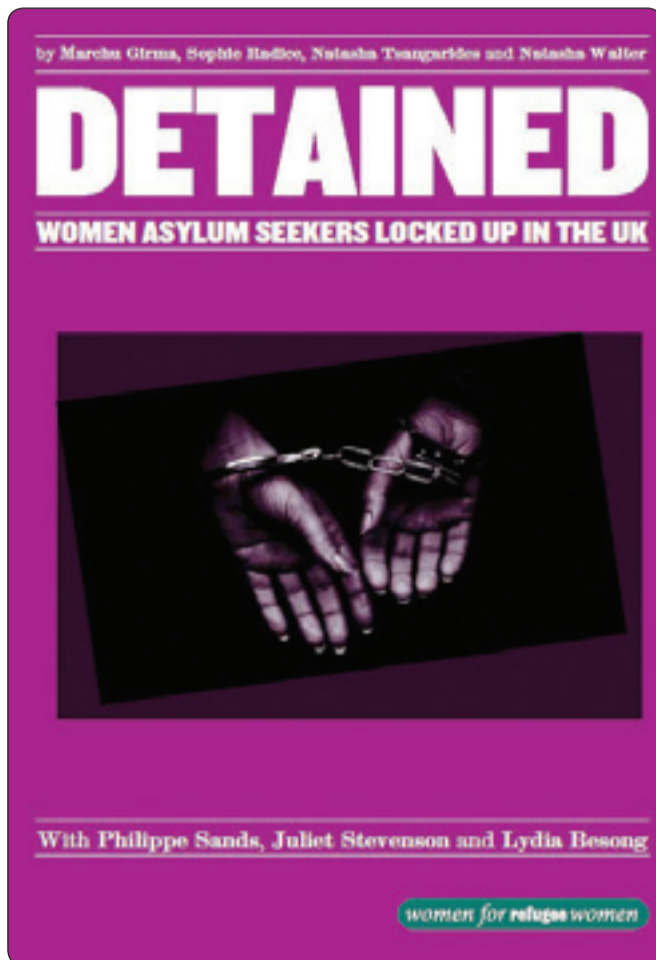
people who respect it, not those who break it. He added: "Hard-working people expect and deserve an immigration system that is fair to British citizens and legitimate migrants and tough on those who abuse the system and flout the law." For more information visit: <http://you.38degrees.org.uk/petitions/reject-government-inspired-xenophobia>

We are looking for volunteers



Would you like to join Iraqi Association volunteers team? Do you want to make a difference? Do you have a few hours a week? Email info@iraqiassociation.org

Appalling Condition of Detainees Women Asylum Seekers



A new report from Women For Refugee Women ('WFRW') sheds a sickening light on the conditions of women asylum seekers detained in Yarl's Wood IRC, at Milton Ernest Bedford. The report reveals that 70 per cent of the women they interviewed that were guarded by men said that the very presence of male staff made them feel uncomfortable. They spoke about male staff bursting into their rooms.

One of the detainees disclosed that she had been sexually abused in the detention. Half had suffered verbal abuse from guards, there had been physically assaulted. One described seeing an old woman coming back from the airport with cuts and bruises to her face, saying she had been hit by the guards. The report is a compelling collection and analysis of the voices of detainees themselves and has received some media interest (for example, in: The Courier; The Mirror; The Belfast Telegraph; and, The Independent).

The poor quality of decision

making in the Home Office has previously been criticised by UNHCR and continues through the process, with women's experiences of persecution being particularly poorly understood. About 25 per cent of men and 30 per cent of women asylum applicants have their refusal overturned on appeal. The report shows that most of the sample (40 out of 43) had suffered gender-related persecution including rape, sexual violence, forced marriage, female genital mutilation and forced prostitution, either by state authorities or against which state authorities failed to protect them.

According to the report, detention is enormously expensive, costing about five times as much as providing support to asylum applicants outside detention. On 4 February 2010, the Government reported in Parliament that the average overall cost of one bed per day in the immigration detention estate is £120 (included in these estimates are the costs incurred by incidents such as fires in IRCs and legal fees) (Hansard 2010).

Further, the report suggests that detention is not, in any case, particularly effective in its purported aim of assisting removal, since only 36 per cent of the women who had sought asylum and left detention in 2012 were removed from the UK. Almost two third were released into the community either with leave or to continue the application process. In this study, the average length of detention was two months and the range was three days to 11 months, with the UK one of the few countries in Europe refusing to implement a maximum length of detention.

The research shows that detention is expensive and ineffective, being over-used due to poor decision making in the Home Office and being carried out by G4S (and others) in ways that are abusive and damaging. The use of male staff to guard vulnerable women needs to stop; the abuse of privacy needs to stop; verbal, physical and sexual abuse of women needs to stop; and, the detention of asylum -seekers who pose no risk to the public needs to stop.

Academic Report Criticises UK Asylum Policy

The University of Sunderland has recently published a research that thousands of asylum seekers are living in destitution in Britain. It reveals the problem is being caused in the UK by failures in local and central governments to address the needs in the support system and the report has been sent to MPs and charities throughout the country.

Wearside researchers analysed people living in destitute conditions and found this is a long-term problem, instead of a short-term phase of homelessness.

In 2005 it was estimated that 283,500 people in the UK who came into the asylum process were living in poverty, some for more than six years, and it is believed the number has continued to grow.

The report, (Between Destitution and a Hard Place: Finding Strength to Survive Refusal From the Asylum System) said those fleeing persecution in their home country live in constant fear and anxiety

about their situation.

Several of those featured in the report had become mentally ill while some were relieved to be diagnosed with illnesses because it meant they would receive help.

One man lost the use of his hand when the owner of a restaurant – where he was working illegally – refused to take him to hospital following an accident and another told how he was put out of a van in a North East alley and left to fend for himself.

Dr Fiona Cuthill, a public health senior lecturer at the University of Sunderland, led the report alongside two members of the Sudanese community in the UK, Omer Siddiq Abdalla and Khalid Bashir.

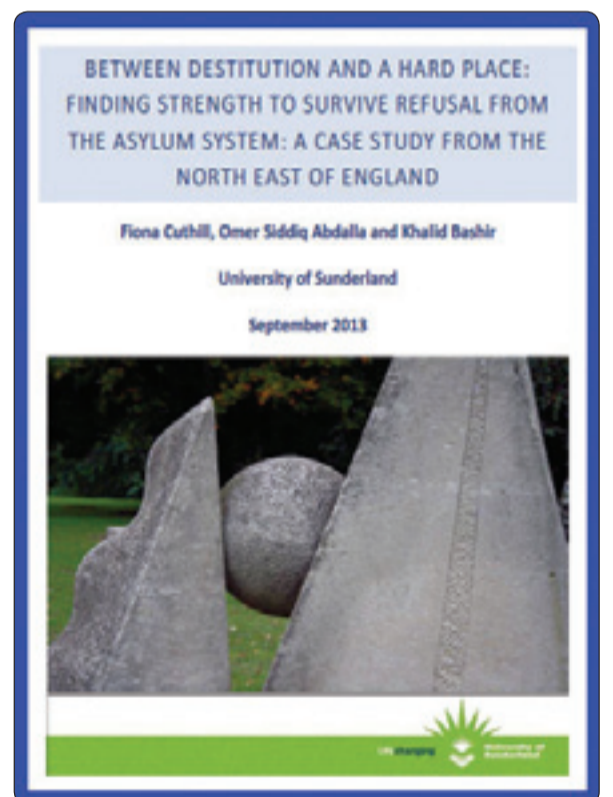
She said: "Rather than denying that destitution following the asylum process exists, or using it as a tool to force people back to their country of origin, both central and local government need

to harness the strength and resilience shown by these men and women to enhance both local communities and wider society.

"To give them the right to work would be a start. It is only then, that we can maybe say with some confidence that the UK is pursuing every opportunity to promote human rights and political and economic freedom."

The report revealed the daily struggle to find food and shelter and urges the Government to improve recognition and financial support for community and voluntary organisations which support the asylum seekers.

One of the key recommendations of the report was to allow those waiting to hear their case for asylum the right to work, subject to certain conditions, because being unable to earn money often leads to crime and exploitation and demeans the dignity of those waiting for a decision.



IRAQI ASSOCIATION (IA)

The Iraqi Association is a non-profit organisation that exists to enable Iraqis to settle and integrate in this country with rights to express their cultural identities. Our work aimed at Iraqis, by providing volunteerism, advice, public health support, counselling, training, employment guidance,

information services, and organising cultural events. It is also our mission to raise awareness about relevant events in Iraq and the integration process in this country."

Our Aims and Methods:

We provide the following services to our clients regardless of their race,

ethnic origin, language, and gender, religious or political background.

- Face-to-face support session
- Group empowerment session
- Workshop advice session
- Training session
- Outreach work
- Client-led information

