

Australian Government Banishing Muslim Children to Death Camps in Al-Hol, Syria by Ceasing their Mothers Australian Citizenship Ruled Unconstitutional by High Court

News:

The High Court on Wednesday (9/6/22) ruled it unlawful for the Home Affairs Minister to strip dual nationals of their Australian citizenship under section 36B of the Australian Citizenship Act 2007 (Commonwealth), which also applies to children aged 14 to 18.

The High Court decision will better protect the rights of dependent children of suspected foreign fighters charged under Australia's counter-terrorism laws, advocates say. Save the Children welcomed the High Court's ruling that stripped dual nationals of their Australian citizenship as unlawful. They said that the decision has major implications for the rights of children, including the 47 Australian children trapped in Al Hol and Al Roj camps in Syria.

"The power for Australia's Home Affairs Minister to revoke the citizenship of dual nationals for suspected terrorism-related conduct or convictions is an abrogation of Australia's responsibilities and is not in the best interests of dependent children," Children Australia CEO Mat Tinkler said. "The children languishing in camps in Syria are some of the most vulnerable in the world and should not be made to pay for any alleged actions of their parents. "We're aware of cases where decisions by the Australian Government to revoke an adult's citizenship have effectively left children stateless. "Both these innocent dependents – as well as any children accused or convicted of criminal activity – have the fundamental right to retain their Australian citizenship. (Source: <https://www.sbs.com.au/news/article/peter-dutton-says-landmark-high-court-ruling-on-dual-nationals-will-have-dire-consequences/07a89w9ga>)

Comment:

For the last four years, 47 Muslim children (aged six years and under) and their 20 Muslim mothers have been abandoned and left to rot and die by the Australian Government in camps in North-Eastern Syria. Most of these women and children are held in Al-Hol and Roj camps. Al-Hol was, and remains, by any measure one of the worst places on earth to be a child. Located in a remote part of the Syrian desert, conditions in al-hol oscillate between extremes. In winter, the biting cold has been known to cause hypothermia. Indeed, several children have died in al-Hol from exposure to the cold. Literally, freezing to death. In summer, the searing heat saps the energy and fluid from young bodies to the point of dehydration. There's no running water, and very limited access to health care and education.

Twenty-two-year-old Shayma Assad described the horrible condition her children face. She said, "My son gets sick every two weeks my son gets sick but there's no medical supply for him here. There's no treatment for him here. My son has had diarrhea for two years. I can't toilet train him. I change his nappy up to twelve times a day. Six times at night. Constant diarrhea, diarrhea, diarrhea it doesn't stop with him."

The father of one of the Australian Muslim women, Mariam Dabboussy, described in his book, 'A Fathers Plea', that "When Mariam's eldest girl, now aged six, had a rotten tooth pulled from her skull without painkillers, I felt the wrench as if it was my own tooth. My petrified granddaughter was held down while somebody started ripping her tooth out with a pair of pliers. When Mariam objected, she was restrained. While her daughter screamed, Mariam dulled her own pain by hitting her head against the wall. This was just another day in al-Hol. This was my beautiful grandkids' childhood. This was life for 'people of this nature'".

In February 2022, 12 UN special rapporteurs wrote a joint letter to the Australian government raising concerns about conditions in the Syrian detention camps. The letter outlined how both adults and children in the camps suffer from post-traumatic stress disorder and are underweight, suffering from complex urgent health concerns. Due to malnourishment, dire housing and sanitary conditions and other serious deficiencies to which they have been subjected in recent years, the children, many of whom are very young, present diversified and disturbing medical conditions including anemia, asthma, skin irritations, chronic infections, and grave dental problems. Moreover, owing to their repeated exposure to violence and insecurity, they show signs of trauma, including psychological and behavioral disorders, as well as chronic fatigue and acute stress.

Sexual abuse of women and children is pervasive in these camps and has been documented by the International Crisis Group in their interviews with aid staff and UN staff members.

Following the High Court's Ruling, the Australian Government can no longer wash its hands from the responsibility of repatriating forty-seven Muslim children together with their twenty Muslim mothers from al-Hol due to their draconian deprivation of denationalization. Citizenship deprivation used by the government has been a part of their anti-terror legislation which targets 'undesirable citizens' viewed by the previous Liberal Government as "bad Muslim women". Mothers who willingly or unwillingly took themselves and their children into a warzone in Syria in the words of PM Morrison had "gone and fought against our values and our way of life". In response the Government sought to punish these women and children by banishing them as stateless with no protection or help, subjecting them to exist in literally one of the worst places on earth to be a child! These women and their children have been persecuted and punished by the Australian Government simply because they are Muslim! The glaring hypocrisy, furthermore, of punishing Muslims for going off to fight abroad against oppressive regimes have been laid bare by the Russian-Ukrainian conflict. Had these Muslim women followed their husbands and brothers off to Ukraine to fight against Russia they would not have been deprived of their citizenship and made to live in the hell that al-Hol represents, nor would they have been prosecuted for terrorism.

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