



Joint Committee on Human Rights

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From Rt Hon Harriet Harman MP, Chair

The Rt Hon James Cleverly MP
Secretary of State for Foreign Affairs

12 October 2023

Dear James,

The Joint Committee on Human Rights (JCHR) is currently undertaking an inquiry into the accountability of British citizens and residents for crimes committed by Daesh in Syria and Iraq. The crimes committed by Daesh against the Yazidis and other religious minority groups include genocide and crimes against humanity, involving acts of murder, enslavement, torture, and rape. Even though these crimes were committed outside the territory of the UK, the UK is able to exercise extraterritorial jurisdiction over these crimes. The Committee will explore the various ways in which the UK Government has responded to returned Daesh fighters and members as well as the Government's treatment of those who remain outside of the UK's jurisdiction. In particular, we will consider the extent to which the UK is complying with its human rights obligations to prevent and punish acts of genocide and torture, as well as its obligations towards persons who may have been trafficked to Syria and Iraq to join Daesh.

In order to assist with our inquiry, we'd be grateful if you could provide answers to the following questions.

British citizens in Syria and Iraq

1. To date, how many British citizens left the UK to travel to Syria or Iraq in order to affiliate themselves with Daesh?
2. Of those British citizens affiliated with Daesh in Syria or Iraq:
 - a. How many have returned voluntarily to the UK?
 - b. How many have been repatriated with the assistance of the Government?
 - c. How many remain in Syria or Iraq?
 - i. Of those who remain in Syria or Iraq, how many of these are women? How many are children?
3. Could you please set out what work, if any, is being done by the Government to provide assistance to those who remain in Syria or Iraq?
4. Is the Government cooperating with the state authorities in Syria or Iraq in order to provide assistance to British citizens who remain in those territories and, if so, what is the nature of this cooperation?
5. Is the Government providing any assistance to the state authorities in Syria or Iraq with regard to local investigations or prosecutions?



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Obligations to prevent and punish international crimes

6. Does the Government recognise that the atrocities committed by Daesh amount to the crime of genocide (and therefore triggered various obligations on states under the Genocide Convention, the Convention Against Torture and under customary international law)?
7. When did the Government become aware of the genocide and torture taking place against the Yazidis and other religious minorities?
 - a. What steps were taken by the UK Government to comply with its obligation to *prevent* the commission of genocide and torture, particularly to stem the flow of British citizens/residents from travelling from the UK to join Daesh in the commission of these atrocities?
8. What steps has the UK Government taken to comply with its obligations to punish acts of genocide and torture committed by Daesh?
9. Bearing in mind the absence of any convictions of returned Daesh fighters for genocide or torture, does the Government consider that the UK is compliant with its legal obligations to punish genocide and torture?
10. Does the Government consider that an *ad hoc* international criminal tribunal may be necessary to ensure the prosecution of Daesh crimes and to avoid widespread impunity for genocide and torture?

I would be grateful for a response by 31 October 2023. I have also contacted the Home Office and the Ministry of Justice in the context of this inquiry, enclosing a copy of this letter. Copies of my letters to the relevant Secretaries of State are enclosed for your information.

Yours sincerely,

Rt Hon Harriet Harman MP
Chair of the Joint Committee on Human Rights