



Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA

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From the Chair of the Joint Committee on Human Rights

The Rt Hon David Lammy MP

Secretary of State for Foreign, Commonwealth and Development Affairs

10 January 2025

Dear Secretary of State,

The Joint Committee on Human Rights (JCHR) is launching a new inquiry on the topic of Accountability for Daesh Crimes. This follows an inquiry into the same subject, which was being undertaken by our previous Committee before the General Election was called and Parliament was dissolved. This inquiry looks into the extent to which Daesh fighters and members are being held accountable in the UK for their international crimes committed abroad. Our previous Committee received evidence about the various ways in which the then UK Government responded to returned Daesh fighters and members as well as the then Government's treatment of those who remain outside of the UK's territorial jurisdiction. In particular, we are keen to 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.

The evidence that the JCHR received for the previous inquiry [shows](#) that there have been no prosecutions in England and Wales of returned Daesh fighters for international crimes, such as genocide and crimes against humanity. Expert witnesses, such as Jonathan Hall KC, Independent Reviewer of Terrorism Legislation, [told](#) the Committee about concerns regarding lack of coordination between relevant departments and issues with evidence sharing. The point about difficulties in evidence sharing was also made by Dr Ewelina Ochab, from the International Bar Association's Human Rights Institute (IBAHRI), who [highlighted](#) differences in treatment between offences related to terrorism and those related to international crimes, and a lack of accountability for the latter. Additionally, the Committee [heard](#) from Ms. Amal Clooney, from Doughty Street Chambers, that "UK law limits prosecutions for some international crimes such as genocide to UK citizens and residents, while allowing prosecutions for torture and some war crimes on the broader basis of a suspect's presence in the UK", which, according to her, creates a "key barrier to the exercise of universal jurisdiction in the UK". Significant [concerns](#) were also expressed to us by Reprieve and Every Child Protected Against Trafficking (ECPAT UK) about the repatriation of Britons in Syria and Iraq and the use of deprivation of citizenship orders.

In May 2024, the JCHR sent a letter to the then Minister of State for Middle East, North Africa, South Asia, United Nations and the Commonwealth to ask for clarifications



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related to this inquiry. Due to the dissolution of Parliament, we never received answers to these questions. Could we please ask you to now provide us a response, by **29 January**, reflecting the views of the new Government on the issues below:

International, Impartial and Independent Mechanism (IIIM)

1. Can you describe the current arrangements that the UK holds with the UN's IIIM?
2. To what extent has the IIIM and any potential arrangements between the mechanism and the UK so far resulted in better accountability for Daesh crimes?

United Nations Investigative Team to Promote Accountability for Crimes Committed by Daesh/ISIL (UNITAD)

3. What are the Government's views about the closure of UNITAD, and to what extent do you believe the mechanism's closure might impact the ability of the international community to pursue accountability for Daesh crimes?
4. Did the UK authorities collaborate with UNITAD to benefit from their collected evidence before its closure?
5. Do you foresee any solutions to fill the vacuum left by UNITAD's closure?
6. What is the Government's understanding in relation to the fate of the evidence collected by UNITAD? Where is it being stored, who has access to it, and how could it be used following the closure of the mechanism?
7. Is the Government willing to propose a replacement mechanism for UNITAD, to be established by the UN in order to continue their important work?

Accountability

8. Would the Government consider supporting the creation of an international tribunal, court process, or UN investigative team to hold Daesh perpetrators of international crimes accountable for their crimes?
9. Is the Government making any representations to the Netherlands on the establishment of an ad-hoc tribunal to try crimes committed by Daesh, as proposed by the Dutch 2024 [framework coalition agreement](#)?
10. What is the Government's position on the UK signing and ratifying the [Ljubljana-The Hague Convention on international cooperation in the investigation and prosecution of the crime of genocide, crimes against humanity, war crimes and other international crimes](#)?

Syria situation

11. Does the volatile situation in Syria following the change in administration affect the UK's policy on repatriation of British citizens, particularly women and children?



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12. In your view, what impact will the change in administration have on the accountability of Daesh fighters for international crimes, particularly in relation to individuals still held in detention camps in Syria? Is any action being undertaken by the UK Government to ensure accountability?

Please note that given the cross-cutting nature of this inquiry, we are also sending letters to the Home Secretary and to the Lord Chancellor. Copies of these letters are attached for reference.

Yours sincerely,

Lord Alton of Liverpool

Chair, Joint Committee on Human Rights