

UK Government Seeking New Powers to Remove Citizenship Without Notice

Proposed law would exempt government from giving notice unless 'reasonably practicable' or due to national security or diplomatic concerns

By [Middle East Eye](#)

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A new clause added by the UK government to a proposed new nationality and borders [bill](#) would give the government the power to strip people of their British citizenship without giving them notice.

The clause, titled the “Notice of decision to deprive a person of citizenship”, exempts the government from having to give notice if it is not “reasonably practicable” to do so, or if stripping citizenship is in the interests of national security and diplomatic relations.

The proposed change to the current law is sponsored by Home Secretary Priti Patel. The bill is currently proceeding through the House of Commons but has yet to be considered by the upper house of the UK parliament, the House of Lords, which can propose amendments to legislation.

“British citizenship is a privilege, not a right. Deprivation of citizenship on conducive grounds is rightly reserved for those who pose a threat to the UK or whose conduct involves very high harm,” a Home Office spokesperson told Middle East Eye.

“The Bill doesn’t extend our power to remove citizenship. The requirement to give notice of a decision to deprive citizenship will be disapplied where it is not practicable to do so.”

In 2002, the UK introduced measures that allowed British-born nationals and naturalised citizens to lose their nationality rights. Successive governments [gradually broadened](#) the scope of those powers.

The government's use of the powers then rose in response to the perceived threat posed by British nationals returning from Syria.

Out of 172 people deprived of citizenship between 2010 and 2018, 104 of those cases occurred in 2017, according to Home Office figures.

Critics and civil liberties groups say removing citizenship is already a contentious power and scrapping the notice requirement would make the government's capacities even more draconian.

"Citizenship is the right to have rights, and stripping a person of citizenship can have life-changing and sometimes deadly consequences," said Emily Ramsden, a senior officer on migration and citizenship at Rights and Security International (RSI).

"Allowing the government to strip people of citizenship without even telling them would deepen the already Kafkaesque struggle of people deprived of citizenship - most of whom are likely from migrant communities - to protect their rights against abuses of power that are allowed to go unchecked by independent judges."

'Morally abhorrent policy'

The proposed change to the law comes after the High Court [ruled against the government](#) in a case brought by a woman, known as D4, detained in the al-Roj camp in northern Syria for the families of suspected Islamic State (IS) group fighters.

The court ruled that the UK government's decision to revoke her citizenship in December 2019 was "null and void" because she had not been notified of the decision until her lawyers asked the government to repatriate her in October 2020. She subsequently appealed the decision.

The new clause would remove the need to notify individuals that their citizenship has been revoked in a number of circumstances.

Other proposed rule changes in the bill have also attracted criticism. The current version of the bill would criminalise anyone arriving in the UK by an illegal route, and also criminalises anyone who seeks to save their lives.

On the other hand, it would give immunity to Border Force staff if people die in the English Channel during operations to push migrant boats out of British waters.

"The US government has condemned citizenship-stripping as a dangerous denial of responsibility for your own nationals. Ministers should listen to our closest security ally rather than doubling down on this deeply misguided and morally abhorrent policy," Maya Foa, the director of Reprieve, [told](#) the Guardian newspaper.

A Home Office spokesperson told MEE that the decision to deprive a person of citizenship "must be reasonable and proportionate", and that it would work "in accordance with international law".

It is illegal to revoke someone's citizenship if the measure would leave them stateless, meaning that those targeted must be dual nationals or legally entitled to claim citizenship of another country.

In 2019, the UK revoked the citizenship of [Shamima Begum](#), the British woman who at 15 travelled to Syria to join IS.

Earlier this year, Middle East Eye [reported](#) on the case of a British man who was able to return to the UK after four years stranded abroad, after the government was found to have wrongly assessed that he was entitled to Bangladeshi citizenship.

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