



Iraq Alert I

Recapturing Ninewa and Mosul: the need for post-ISIS peacebuilding

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PAX is highly concerned that there is no peacebuilding strategy to complement military operations combatting ISIS. The US-led coalition against ISIS (the coalition) supports the Iraqi Army and the Kurdish Peshmerga by bombarding ISIS positions, but if the coalition wants the re-conquest of Mosul province to be a step towards a more peaceful Iraq, it must begin preparing a peacebuilding operation in Mosul province now. Without it, there is a serious risk of gross human rights violations, revenge operations and further ethnic cleansing if the province and city of Mosul are recaptured, laying the ground for further conflict. The behaviour so far of the Iraqi army and the Peshmerga, and in particular the Shia militias fighting ISIS is reason for concern. If Mosul city is attacked by the different anti-ISIS forces, a peacebuilding plan should support the protection for the hundreds of thousands Sunni civilians currently living under ISIS control at risk of becoming trapped. As long as there is no resolution between the central Government of Iraq and the Kurdish Regional Government for the disputed status of recaptured areas, the risk of further violent conflict remains high.¹

The UN, the EU and states participating in the coalition should commit to an ambitious, long-term peacebuilding plan in Mosul and Ninewa and allocate sufficient financial resources and diplomatic capacity to implement it. Such a plan should include the following elements:

- Bring the Government of Iraq (GoI), the Kurdish Regional Government (KRG) and all relevant local stakeholders to the negotiation table to agree on a process for the two governments to find a solution for the disputed areas, in particular the Ninewa plain. This should be an inclusive process, with the participation of women, representatives from all minorities, and internally displaced persons (IDP) communities in these areas guaranteed.
- In preparation for a peacebuilding operation, a trustworthy information network and system in ISIS-controlled areas must be established.
- Require that the GoI and KRG establish meaningful measures to prevent revenge operations, ethnic cleansing, forced or denied return of IDPs, and land grabbing in the disputed territories. The coalition should condemn such actions and use its leverage to prevent any more from taking place.
- Require that the GoI and the KRG, in consultation with representatives of IDP communities, come to an agreement on secure and peaceful return of the IDPs.
- Sunni Arab combatants willing to defect from ISIS should be offered a way out by the GoI and the KRG, including reintegration of fighters and transitional justice.
- Preparations must be made for the rehabilitation of local and provincial governance in Mosul and the Ninewa plain. Local governments in exile and representatives of the communities in exile as well as those who remained under ISIS rule will need to come to agreements for effective and representative local governments that can be trusted by the communities. With the high level of diversity in Mosul province, the approach to trust-building needs to be decentralized and bottom-up.
- An inclusive, community-based approach must be taken for the organization of security in the areas re-conquered on ISIS. All forces, militias and local protection units set up before or during the conflict should ultimately be brought under the control of legitimate authorities.
- An inclusive approach to governance and security also requires meaningful steps for the inclusion of women and girls and the protection of their rights and security at all levels. There should be a strong emphasis on the interaction between women, local authorities and security stakeholders to maximize structural improvements to women's security, particularly at the local level.

¹ <http://www.aljazeera.com/indepth/opinion/2015/03/strategy-tikrit-mosul-150312085053736.html>



BACKGROUND OF THE CONFLICT

Mosul province is wedged between Kurdish North Iraq and Arab Central Iraq and is part of the *Disputed Internal Boundaries areas* (DIBs), meaning territories disputed between the KRG and the Gol. Mosul province includes Iraq's second-largest city, also named Mosul, and the Ninewa plain, which is home to many of Iraq's ethnic and religious minorities.

In the summer of 2014, ISIS conquered the province of Mosul, resulting in a humanitarian disaster, hundreds of thousands of IDPs and thousands of civilian casualties. The advance of ISIS, and in particular the massacres of Yazidis in Sinjar and images of western hostages being beheaded by ISIS, led to the formation of a US-led international coalition conducting airstrikes against ISIS and other jihadist armed groups in Iraq and Syria. In Iraq, the coalition supports the Gol and the KRG in operations against ISIS.

Different factors have contributed to the advance of ISIS in Mosul province. First, a marginalized area with an extremely fragile social fabric was fertile ground for ISIS to rise. Mosul province is the most diverse region in the country and is home to the majority of Iraq's minority groups: Christians of various denominations, Yazidis, Shabak, Turkmen, and Kakais. Previously, the area was subject to Saddam Hussein's Arabization policies; Arab tribes were relocated to this area to change the demographics. This history still fuels land disputes today, and in combination with the lack of development resulting from its disputed status, has led to a situation where the area can be described as marginalized and fragmented, with an extremely fragile social fabric.

Additionally, governance structures did not prioritize citizen interests. Although the seat of governance in the region, the Mosul Provincial Council, consists of representatives of the different groups, it is tainted by serious allegations of corruption and clientelism. Ineffective regional governance and political friction between the governor and both the Bagdad Government and the KRG further exacerbate the situation.

The actions of the Iraqi government also contributed to the rise of ISIS. In 2011, Iraq, like most Arab countries, experienced a wave of popular protests against corruption and a failing government. In the Sunni Arab areas, this initially non-violent popular protest was a reaction to years of marginalization by the central Iraqi government resulting from sectarian policies. The Maliki government responded with violent repression and bombardment, including the use of barrel bombs in Fallujah. Hundreds of people, including many non-combatants, have been killed by aerial bombardment and artillery shelling throughout 2013 and 2014.² This agitated existing distrust in the central government and strengthened the support for jihadist groups.

MOSUL UNDER ISIS RULE

The assault and occupation of Mosul province by ISIS has led to the mass killing and expulsion of minorities as well as Sunni Arab civilians and to communities turning against one another. Due to the existing poor relations between the various communities, ISIS infiltrated the area quite easily and was in some cases joined by local Arab tribes. This is because a strong Sunni jihadist presence had already developed in the city of Mosul, in particular the Sunni area in the west, in recent years. These factors have effectively led to a situation where communities are turning against one another and old scores are being settled. Inter-community killings are related to population policies from the Saddam Hussein era and to historical grievances between communities, including economic, land and water disputes. Yazidis from the Sinjar area report that their long-time Arab neighbors were the first to come take their women and kill their men. Christian families from Qaraqosh received phone calls from Muslim neighbours standing in their houses describing the inventory and saying "it's now ours".

Since the end of 2014, Kurdish Peshmerga forces have been able to recapture a sizeable portion of Ninewa's Kurdish/Yazidi-populated territory, including Arab-populated areas along the way. The advance of the Peshmerga, the Iraqi Army and Shia militias leads to an influx of Sunni Arab IDPs into Mosul, seeking refuge in the deserted houses of minorities and Kurds who have fled from ISIS, and further increasing the number of the city's inhabitants. Exact numbers are hard to determine but some sources estimate there are around 1.5 million inhabitants in Mosul at the moment, with the expectation

² see e.g. <http://www.bbc.com/news/world-middle-east-29013275> for attacks on the Fallujah and Kirkuk area; and <http://www.washingtonpost.com/news/checkpoint/wp/2014/07/23/iraq-still-using-barrel-bombs-on-civilian-areas-human-rights-group-says/>



of hundreds of thousands more to come from areas recaptured from ISIS. Developments in Mosul are difficult to confirm and highly subject to manipulation and propaganda. In preparation for a peacebuilding operation, the establishment of a trustworthy information network and system in ISIS-controlled areas is needed.

Even if the rule of law by ISIS is cruel and violent, many Sunni Arabs in Iraq feel ISIS offers them some form of protection that is not provided by the Kurdish Peshmerga, and even less so by the Shia militias and the Shia-dominated Iraqi army. Without clear statements and guarantees from the GoI and the KRG on a process of transitional justice and reintegration of Sunni civilians and combatants who could be enticed to turn against ISIS inside ISIS controlled-areas, it will be extremely difficult to *win the hearts and minds* of the Mosul population.

WOMEN IN THE CONFLICT IN IRAQ

Violations of the integrity and security of women and girls have always been central to the conflict in Iraq. The degradation of women by ISIS has reached an all-time low, with reportedly thousands of Yazidi women kidnapped in the summer of 2014 still living in captivity³. Other forces have also proven to be a threat to the security of women. Anger about the violence against women by security actors has become a conflict trigger on all sides. A policeman from Fallujah explained to PAX in June 2014 that the Iraqi army's violation of the honor of women and children was one of the reasons citizens were receptive for ISIS ideology, while activists in the southern parts of Iraq say ISIS's violation of women is one of the primary motivations for men to join the Shia militias.

At the political level, commitment to the security and rights of women and girls is absent. Under former prime minister Maliki, the government in Baghdad proposed a new personal status law (also called the "Jaafari Personal Status Law") permitting the marriage of girls at the age of 9 – just a few days after the same government had accepted the 1325 National Action Plan (NAP) on the protection of women and girls and their participation in political processes. In addition to undermining the adoption of the 1325 NAP with a contradicting measure, the lack of budget for the 1325 NAP in 2015 further indicates that there is no political will for implementation.

An inclusive and bottom-up approach to governance and security, elements for a peacebuilding strategy as proposed by PAX, also require meaningful steps for the inclusion of women and girls and the protection of their rights and security at all levels. There should be a strong emphasis on the interaction between women, local authorities and security forces in order to maximize improvements to women's security, in particular at the local level.

SCENARIOS OF RECAPTURE OF MOSUL

The recapture of Mosul province and city is a cause for concerns. The Iraqi Army, the Peshmerga and various Shia militias say to prepare for such an operation, but the level of coordination is unclear. Instead, each of the forces is reinforcing its own positions. Additionally, human rights organizations such as HRW have repeatedly concluded that Shia militias and the Iraqi army have committed gross human rights violations and war crimes in the process of recapturing ISIS-held territories⁴. Furthermore, the recapture of Mosul itself is likely to create a new security and humanitarian crisis. So far, Sunni Arabs, even if they do not sympathise with ISIS, have little reason to trust either the Iraqi army, the Shia militias or the Peshmerga.

Three scenarios have been analyzed for the recapture of Mosul city, each with dramatic consequences for the population. The first scenario would be that the Sunni population, according to some estimations 1.5 million civilians, could try to escape to ISIS-controlled Raqqa in Syria, which would lead to a further humanitarian crisis in Syria. In a second scenario, the Sunni Arab population would move to KRG-controlled areas, as they might fear less violence from the Peshmerga than from the Shia militias. The last scenario, where the Sunni population would be trapped together with ISIS fighters in the city of Mosul, while the Iraqi army, Shia militias and the Peshmerga try recapture the city through urban warfare, is likely to lead to high numbers of civilian casualties. Anti-ISIS Sunni spokesmen stated that it would be better if Mosul were to be recaptured by Sunni forces, but at

³ The UN estimates around 3,000 persons, mainly Yazidi's, remain in ISIS captivity.

⁴ "After Liberation Came Destruction: Iraqi Militias and the Aftermath of Amerli", Human Rights Watch: <http://www.hrw.org/reports/2015/03/18/after-liberation-came-destruction>



present the non-ISIS Sunni militias are far from strong enough and unlikely to have the capacities to control the city of Mosul.

There must be a peacebuilding plan that offers a fourth scenario for the trapped civilians in Mosul. It should consist of a combination of heavy international pressure on the GoI and the KRG as well as an offer to support the protection of civilians in Mosul rather than a new wave of sectarian violence.

RETURN OF IDPs

The return of the IDPs to previously ISIS held regions is also highly problematic. Displacement of the various ethnic and religious communities in multiple areas is one of the main characteristics of the situation in northern Iraq. The region has been subject to demographic manipulation by the various governments in Baghdad and Kurdistan for many decades. The waves of sectarian violence from 2005 to 2008 led to the displacement of millions of people already. Community and political leaders of Kurds and various minority groups advocate for the restoration of the demographic situation but each hold very different interpretations on what this means. Whether and how IDPs can return will be determined by the forces that recapture the towns and villages, each giving advantage to their own groups.

Political leaders of minority groups, mainly Yazidis and Christians, are advocating for a protected zone or safe haven, or eventually even their own autonomous region in the Ninewa plain under international protection. They are seeking support from European countries in the coalition and the US for this. Although the lack of trust in both the GoI and the KRG for their protection is understandable, the creation of a safe haven in the Ninewa plain bears its own risks. The Ninewa plain could become a sort of Christian and Yazidi ghetto, endangering the position of minorities in other parts of the country. It is unclear who would and could protect the region, as the international coalition is highly unwilling to put boots on the ground to ensure the necessary long term protection. A special zone without protection could prove to be a trap. Local protection in the form of units consisting of minority members exclusively could play a role in local policing, but only if they guarantee the rights of members of the other ethnic and religious communities (such as the Shia Shabak) who also live in the Ninewa plains, and with whom there is a history of conflict over land and access to resources. Such units should be part of a legal structure and can be part of an agreement between stakeholders over the future of the disputed territory in Mosul province. Without an agreement, a safe haven in Ninewa would most likely only be possible under protection of the Peshmerga, but such a solution would lead to further claims of the KRG on the Ninewa valley and increase the potential for the breakup of Iraq.

COMMITMENT TO PEACEBUILDING

As outlined above, there are many risks that accompany a purely military strategy to combat ISIS. While there are many details that must be worked out, the most important first step is for the states in the coalition, and in particular intergovernmental organizations such as the UN and the EU to commit to developing a peacebuilding plan for Mosul. In its recently published communication on the strategy for Syria and Iraq, the European Commission and High Representative Mogherini committed to “make the inclusivity of Iraq a reality”⁵. Mosul will prove to be a test case for this commitment. While most of the EU member states are participating in the coalition, the EU itself is not involved in operations. In addition to the UN, the EU can play a crucial role in peacebuilding in Mosul. This involves dedicating sufficient diplomatic capacity to bring the GoI, the KRG and relevant stakeholders to the table to agree on a political arrangement and measures to prevent further sectarian violence, ethnic cleansing and bloodshed. At the same time, sufficient capacities and financial means should be allocated for local peacebuilding and the establishment of inclusive local governance.

The Iraq Alert is a policy brief published by the Dutch peace movement PAX.

PAX headquarters
Utrecht
Thirsa de Vries
devries@paxforpeace.nl
+31 (06) 4898 1497

EU Liaison Office
Brussels
Astrid Schrama
schrama@paxforpeace.nl
+32 (0)495387083

UN Liaison Office
New York
Alexandra Hiniker
hiniker@paxforpeace.nl
+1 917-618-2330

Jan Jaap van Oosterzee
vanoosterzee@paxforpeace.nl
+31 (06) 4898 1486

⁵ http://ec.europa.eu/echo/files/news/20150206_JOIN_en.pdf