

Mosul: Peacebuilding After ISIS

With the offensive on Mosul unfolding, awareness is growing that one day, military groups united in the struggle against ISIS in Iraq will no longer have a common enemy. New conflict dynamics will emerge that need to be addressed urgently. While the need for a longer-term political strategy is now broadly recognized, the Coalition seems to leave the responsibility for such a strategy mainly in the hands of the Iraqi and Kurdish governments. However, the intervention of the Global Coalition against ISIS has a direct impact on ongoing local conflict dynamics. PAX therefore believes that the Coalition carries heavy responsibility for Iraq beyond ISIS and should be more directly involved in and committed to such a longer term political strategy. The recent international meeting in Paris¹, co-hosted by France and Iraq, on Mosul after ISIS was an important step to build such a strategy, but participation of local civil society and local leaders was lacking. Without transparent and inclusive planning based on ongoing community consultation, armed actors will seek to turn military victories on the ground into a new status quo, in pursuit of their own territorial or sectarian agendas. PAX is concerned that this engenders new conflict and clears the ground for new insurgent groups.

Of particular concern is the lack of a framework for transitional justice in areas where ISIS retreats. Where this is absent, ad hoc arrangements on justice, compensation and return imposed by the 'liberators' risk to result in a new cycle of violence.

PAX therefore believes that the Coalition needs to take its share of responsibility for a comprehensive and longer-term stabilization and peacebuilding strategy for all of Iraq that involves all conflict drivers and facilitates political solutions that address the needs, interests and (historical) grievances of all the different stakeholders on the ground.

Mosul offensive

The long-awaited Mosul offensive has started. Besides military coordination between the various forces involved, civic and political planning for the city and the governorate remains limited. Areas where ISIS previously retreated have shown us that the lack of a post-ISIS plan results in new conflict on the ground, particularly in the disputed areas². In Sinjar, for instance, local communities are now victims of a power struggle between various competing militias who were empowered through their fight against ISIS. As a result, only a very limited number of IDPs have returned to these areas following the retreat of ISIS.³

Need to link a political vision to humanitarian and stabilization efforts

The International Coalition Against ISIS is aware of the need for "stabilization, governance, and inclusivity,"⁴ but what does this mean for Mosul? The case of Iraq and other conflicts have taught us that the understanding of stabilization is highly politicized. Therefore, humanitarian and early recovery responses need to be connected to stabilization efforts in order to prevent duplication or, worse, gaps emerging. Moreover, even though increasing civil-military coordination is taking place, civilian actors find the lack of transparency around agreements secured between opposing armed actors a challenge. The international community needs to ensure that a sequenced and well-coordinated response between all actors on the ground is thoroughly linked to an agreed-upon political strategy that aims to not just stabilize, but address the deeper roots of the various conflicts, grievances and tensions. One way of doing that could be by creating space for civilians to build local, inclusive forms of governance. By focusing on the local level (perhaps even on the level of neighborhoods in Mosul), the influence of national or regional spoilers can be mitigated.

Examples of bottom-up processes of peacebuilding

Examples exist showing that inclusive bottom-up processes *can* contribute to real political solutions. Since 2015, PAX has facilitated the establishment of local peace committees in areas of Ninewa where ISIS has retreated, functioning as citizen platforms where local concerns and priorities can be voiced to stakeholders, and where local communities can discuss mechanisms for transitional justice and dealing with the past. Similarly, USIP has supported mediation efforts, which have contributed to return of displaced communities to Tikrit.⁵ These examples show that inclusion of local communities with support of international expertise on peacebuilding can contribute to local plans for co-existence and to rebuilding trust between the various communities. Here, inclusion of marginalized groups such as IDPs, minorities, women and youth will be vital for ensuring protection of civilians. While promoting such political solutions, Coalition actors should mitigate the enormous pressure for loyalty that (returning) communities experience by those military actors that are in charge in that particular area. They should support a policy promoting a period of transition or pause during which communities can resettle, both physically as well as mentally, can re-engage in political life, restore community relations and rebuild community resilience. Such an approach would mitigate the enormous political and military pressures to decide hastily on the status of areas under dispute.

Inclusion as a way to prevent a return to conflict

Post-ISIS peacebuilding should include not only IDPs and host communities, but also the - mainly Sunni - communities who lived under ISIS and are perceived to be hostile by both the Erbil and Baghdad governments. Inclusion of their priorities and security concerns is vital to prevent a return to the fertile breeding ground in which ISIS emerged. Such a process should be developed with full consideration of all historical and recent sensitivities and various narratives around accountability, justice and reconciliation.

Transitional justice and screening processes of communities fleeing ISIS

Of particular concern is the lack of a framework for transitional justice in areas where ISIS retreats. Where this is absent, ad hoc arrangements on justice, compensation and return imposed by the 'liberators' risk to result in a new cycle of violence. The case of Fallujah demonstrated the potential for revenge actions and extra-judicial killings to take place in the absence of a clear national framework for transitional justice.⁶ At this moment, advocacy efforts are underway to ensure proper structures for independent monitoring of vetting and screening procedures carried out by Iraqi and Kurdish authorities of citizens leaving Mosul. Real guarantees for human rights protection in the midst of violence remain unclear; what happens to people who don't pass the vetting process successfully and what happens with the people who choose not to flee Mosul?

High-level discussions on the establishment of an international court to address crimes against humanity for Iraq are underway. In the meantime, it is of critical importance that international expertise on transitional justice becomes available on the ground where ISIS retreats, to support local communities and to link back to initiatives of the Iraqi National Reconciliation Committee.

Return of communities after ISIS

The humanitarian community has identified different scenarios of possible Mosul city displacement, but authorities have decided on the location of IDP camps in 'liberated' areas. PAX is concerned that the locations

of these camps in the disputed territories may contribute to future tensions between IDPs from Mosul and communities who will return to their areas after conflict. Return to areas in Iraq post-ISIS has become highly politicized with governors and political parties controlling and sanctioning return or linking return to demographic-political agendas. This leads to scenarios where affected communities can lose their ability to remain politically independent and might even become targets in renewed conflicts. Return should be supported only when it is safe, voluntary and informed. In Iraq, the legacy of demographic change has resulted in an ongoing cycle of conflict. In order to break this cycle for areas where ISIS retreats, a framework for durable solutions on return of the various generations of displaced communities should be developed, with the participation of Iraqi and Kurdish civil society and in cooperation with local authorities.

Recommendations

The International Coalition against ISIS, including the governments of Iraq and Kurdistan, EU member states and the United States, should develop, with UN agencies, a comprehensive and longer-term peacebuilding plan. This plan should be developed as part of a consistent political strategy for Iraq, which:

- ◆ Consists of an agreed-upon political strategy that aims to not just stabilize, but to also address the deeper roots of the various conflicts, grievances and tensions in Iraq, including the conflict over the Disputed Internal Boundaries areas (DIBs);
- ◆ Takes into consideration all good practices regarding humanitarian (post-)conflict crisis response, including improved coordination between the short, medium and longer-term stages in order to prevent duplication or, worse, gaps emerging;
- ◆ Resists political and military pressure to decide quickly on the status of areas under dispute by promoting a transition phase during which communities can resettle, re-engage in political life, restore community relations and rebuild community resilience;
- ◆ Provides entry points and political support for the development of inclusive bottom-up initiatives on local and regional levels as a way to address questions over governance;
- ◆ Ensures the inclusion in such processes of all marginalized groups as well as communities that lived under ISIS, as a vital element ensuring protection of human rights and avoiding renewed radicalization;
- ◆ Is mindful of the politicized context of displacement and return and promotes the development of a durable and conflict-sensitive framework for return, including guarantees in accordance with international humanitarian law, between the international community and the governments of Iraq and Kurdistan.
- ◆ Promotes the conditions to develop an Iraqi framework for transitional justice and calls for a mechanism for international support complemented by national legal reform to address violations of international law, including war crimes, crimes against humanity and genocide, which includes, but is not limited to ISIS crimes; and
- ◆ Makes available international expertise on the ground where ISIS retreats, to support local communities in their transitional justice initiatives, including evidence gathering and documentation, and to link these back to the National Reconciliation Committee, ensuring input for the development of a national framework on transitional justice.

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¹ <http://europe.newsweek.com/frances-hollande-warns-isis-jihadis-fleeing-raqqa-iraqi-special-forces-join-511976?rm=eu>

² As well as lessons learned in Fallujah: <https://www.irinnews.org/analysis/2016/09/27/iraqs-mosul-make-or-break-moment-aid-agencies>

³ See for instance: "Sinjar After ISIS. Returning to Disputed Territory", PAX, June 2016, <https://www.paxforpeace.nl/stay-informed/news/sinjar-after-isis-returning-to-disputed-territory>.

⁴ Dutch minister Bert Koenders in Parliamentary debate on September 29th, 2016.

⁵ See for instance <http://www.usip.org/olivebranch/2016/10/17/iraq-recapturing-mosul-only-the-beginning>

⁶ See recent Amnesty report; <https://www.amnesty.org/en/latest/news/2016/10/iraqis-fleeing-is-held-areas-face-torture-disappearance-and-death-in-revenge-attacks/>