



Exiles in Their Own Country: Dealing with Displacement in Post-ISIS Iraq

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What's new? Three years after Iraq's victory over ISIS, more than a million Iraqis are still displaced. Hundreds of thousands are in camps. Those in the most difficult predicament are families with perceived ISIS affiliations, who face not only formal barriers to return but also rejection by people at home.

Why does it matter? Absent a solution for Iraq's displacement crisis, the people stranded in camps risk being tarred as "ISIS families" and turning into a permanent underclass. With no legitimate prospects, they could be susceptible to recruitment into organised violence, including criminal and insurgent groups.

What should be done? The Kadhimi government should address the displacement crisis by removing informal barriers to return in consultation with community leaders and doing more to mitigate rejection of families with perceived ISIS affiliations in their areas of origin. It should approach the problem as one that especially affects women and female-headed families.

I. Overview

Three years after Iraq defeated the Islamic State (ISIS), more than a million Iraqis remain displaced. Hundreds of thousands reside in camps, unable or reluctant to return to their war-ravaged homes. One subgroup, in particular, faces an intractable dilemma: civilians with family ties to alleged ISIS members, who are stigmatised as somehow complicit in their relatives' actions. Prime Minister Mustafa al-Kadhimi has rightly put a priority on helping the country's uprooted people. Along with its partners, the Kadhimi government should work to end these Iraqis' domestic exile – brokering either their safe, voluntary return home or some durable alternative. To do so, it will need to surmount not only official barriers to return or resettlement but also fierce public resistance to these displaced families coming home. It should approach the displacement crisis as both a matter of long-term national stability and a particular problem for women and female-headed families, given how vulnerable displaced women are and how their legal and social status hinges on that of their husbands and other relatives.

II. Lasting Displacement and Perceived ISIS Affiliations

On 10 June, Prime Minister Kadhimi marked the sixth anniversary of ISIS's seizure of Mosul with a trip to the northerly city and its environs in Ninewa governorate.¹ Throughout the visit, Kadhimi stressed that Iraq would not repeat the sort of corruption and mismanagement that permitted ISIS's rise.² In an important gesture, he also visited the al-Salamiya displaced persons camp south of Mosul. The camp hosts residents of Mosul and rural Ninewa who, even today, remain unable to return home and resume normal lives. Kadhimi promised to help the camp dwellers go home, even as he appealed to them for patience.³

As Iraq has faced numerous other crises since 2017 – most recently, the COVID-19 pandemic and economic near-insolvency – the problem of protracted post-war displacement has lingered. Yet the Iraqi government has done little to resolve it. Kadhimi's visit to al-Salamiya, the first by a prime minister to a displacement camp since ISIS's defeat, marked a seeming course change.⁴ Kadhimi had earlier listed action on the displacement crisis among the ten "priorities" in his government's ministerial program.⁵

Al-Salamiya's roughly 15,000 residents are among the nearly 1.4 million Iraqis uprooted from their homes by the war to defeat ISIS.⁶ The total includes roughly 330,000 in camps, mainly in Ninewa, Dohuk and Erbil governorates in areas ringing the Kurdistan region. Of the displaced nationwide, approximately 60 per cent are from Ninewa.⁷ Displaced people fled their home districts in waves, including some who left when ISIS arrived, and others who remained only to depart later, such as amid the military campaign against the group. Displaced people with perceived ISIS affiliations were typically part of the last wave.⁸

¹ "Prime Minister Mustafa al-Kadhimi Meets with Tribal Representatives and Ninewa notables", Office of the Prime Minister, 10 June 2020 (Arabic); "Prime Minister Mustafa al-Kadhimi Visits Mar Eddie Church in al-Hamdaniya District and Meets with Patron of the Chaldean Diocese in Mosul", Office of the Prime Minister, 10 June 2020 (Arabic).

² Qassim Abdul-Zahra, "PM vows IS will never again overrun Iraqi territory", Associated Press, 10 June 2020.

³ Readout of Kadhimi's visit circulated among humanitarian workers in Iraq on 10 June 2020, provided via messaging app, July 2020. See also "Prime Minister Mustafa al-Kadhimi Visits Displaced Persons Camps in Nimrod in Ninewa Province", Office of the Prime Minister, 10 June 2020 (Arabic).

⁴ Former Prime Minister Haider al-Abadi (2014-2018) visited displaced persons camps several times during the campaign against ISIS. For example, see "Prime Minister Haider al-Abadi Visits Baharka Displaced Persons Camp in Erbil", Office of the Prime Minister, 4 June 2015 (Arabic). His successor Adel Abd al-Mahdi (2018-2020) did not.

⁵ "Ministerial Program", Office of the Prime Minister, 6 May 2020 (Arabic). On the other challenges facing Kadhimi's government, see Lahib Higel, "On Third Try, a New Government for Iraq", Crisis Group Commentary, 8 May 2020.

⁶ For profiles of camps including al-Salamiya, see "Iraq: IDP Camp Directory – Comparative Dashboard & Camp Profiles Round XIII, February-March 2020", REACH, 8 July 2020; "Iraq Master List Report 116, May-June 2020", International Organization for Migration (IOM), 16 July 2020.

⁷ "Iraq Master List Report 116", op. cit. Mosul was ISIS's de facto capital, where it mounted its last major battle in Iraq against Iraqi and allied forces.

⁸ For example, see "West Mosul: Perceptions on Return and Reintegration among Stayees, IDPs and Returnees, June 2019", IOM, 30 June 2019; "Managing Return in Anbar: Community Responses to the Return of IDPs with Perceived Affiliation", IOM Iraq, 26 March 2020.

There are many reasons why the camp residents have not returned home. Iraq's stunted post-war reconstruction means that, for many, their homes remain in ruins or their areas of origin lack paying jobs or public services such as education and health care.⁹ Some families lost their breadwinner in the war, or had members suffer debilitating injuries. In a camp, they at least have shelter and receive a regular package of rations.¹⁰

Other displaced Iraqis stay away from home for security reasons. That includes those whose towns – mainly in outlying rural areas – ISIS still preys upon at night. It also includes those who fear the security forces in their areas of origin, whether the army, federal police or state-affiliated paramilitary groups.¹¹ Many express special apprehension about Popular Mobilisation (al-Hashd al-Shaabi) paramilitaries, some of which operate without government oversight.¹² Lastly, an unknown but significant number of what Iraqis typically call “ISIS families” (*awail Da'esh*) – people with perceived family ties to ISIS fighters – remain displaced because they would face a hostile reception in their home areas if they went back. Among those in their hometowns who might be hostile are the many victimised by ISIS, ranging from Shiites to Yezidis and other religious minorities to Sunnis whose beliefs ISIS deemed heretical or whom it accused of collaboration with the Iraqi state.

Many displaced people still in Iraq's camps – perhaps the majority – are not “ISIS families” and have been unable to return home for other reasons. There is no fixed, agreed-upon definition of an “ISIS family”, moreover, and no confident estimate of how many remain stranded in camps. Many other “ISIS families” are also dispersed elsewhere across the country, outside the camps. Even the term “ISIS families” – though used widely – is misleading. Humanitarian workers and human rights activists push for the somewhat less stigmatising term, families with “perceived affiliations”. They also stress what these families have in common with other displaced people.¹³

The stigma attached to these alleged militant affiliations is the main reason why it is impossible to count “ISIS families” and hard to determine whether a given family falls into this category, however it is labelled. Camp residents who have such ties have every reason not to be forthcoming about why they cannot go home.¹⁴ Nor is there a single authority to provide a definitive verdict. The security services have multiple lists

⁹ For an account of how corruption and administrative dysfunction have hobbled reconstruction in Mosul, see Zmkan Ali Saleem and Mac Skelton, “The Failure of Reconstruction in Mosul: Root Causes from 2003 to the Post-ISIS Period”, Institute of Regional & International Studies, 10 June 2020. Iraq's Integrity Commission says Ninewa's former governor and his associates embezzled tens of millions of dollars, including nearly \$10 million earmarked for the rehabilitation of two Mosul hospitals. “Iraq says ex-governor embezzled \$10 mn in aid for displaced”, AFP, 30 July 2019.

¹⁰ Crisis Group interviews, displaced persons camp in Kurdish-held Ninewa, December 2019. For a breakdown of barriers to return, see “Intentions Survey: IDP Areas of Origin, March 2020”, REACH, 15 June 2020.

¹¹ “Intentions Survey: IDP Areas of Origin”, op. cit. For more on ISIS's continuing insurgency, see Crisis Group Middle East Report N°207, *Averting an ISIS Resurgence in Iraq and Syria*, 11 October 2019.

¹² Crisis Group interviews, displaced persons camp in Kurdish-held Ninewa, December 2019.

¹³ Crisis Group interviews, humanitarian workers, remote via messaging app, July 2020.

¹⁴ An international humanitarian aid worker said she expected that many female-headed families in the camp where her organisation works had alleged affiliations. But, by way of clarification, she added: “We have no clue how many are directly perceived as ISIS-affiliated. We have no idea if anyone can say”. Crisis Group interview, Erbil, December 2019.

of alleged ISIS members they can check to assess whether someone has family ties to such a person. But these lists are not necessarily reliable. Furthermore, the residents of a family's home district may have their own definition of "ISIS family" that they use to declare the family unwelcome or seek revenge. Returnees who have not themselves been legally charged with wrongdoing could face retribution. If a man was allegedly involved with ISIS, anyone from his immediate family to entire extended families might be considered implicated in the group's crimes.¹⁵

As more of those displaced from 2014 to 2017 return home, Iraqis increasingly assume that anyone still living in the camps must have ISIS affiliations.¹⁶ As a result, there is a risk that general resentment of "ISIS families" could extend to include all encamped displaced people.

Provincial and local governments have made some attempts to broker the return of the displaced, with the involvement of both local civil society bodies and national committees, as well as additional support from NGOs.¹⁷ Progress, however, has been slow.¹⁸ In parallel, governorates have tried to paper over the displacement issue by closing and consolidating camps, despite protests from humanitarian and human rights groups.¹⁹ This approach reduces the number of camps without addressing what has kept Iraq's displaced away from their homes.

Baghdad has produced no comprehensive program to facilitate the return of the displaced. A draft plan developed by one of two reconciliation-focused committees would have concentrated "ISIS families" in newly built or repurposed rural compounds (complete with semi-permanent housing – trailers, not tents – and restrictions on movement), among other measures.²⁰ The plan would have allowed them to return home only after residents of their areas of origin had agreed and the families had completed "de-radicalisation" programming. The plan appears to have been shelved, after Kadhim's predecessor as premier eliminated the committee that drafted it.²¹ More targeted state efforts to address aspects of the displacement crisis, for instance an education ministry directive to allow children lacking official documents to attend school, have been implemented incompletely by local authorities or not at all.²²

¹⁵ A camp administrator said, "Say someone comes from a village, and the village is small – everyone knows each other. Now, that family had an ISIS member. People don't say the [rest of the] family had nothing to do with it. No, they say the whole family is ISIS". Crisis Group interview, Erbil, December 2019.

¹⁶ Crisis Group interviews, international humanitarian workers, Erbil, December 2019.

¹⁷ Iraqi and international NGOs have worked with communal leaders and "local peace committees" to broker agreements on reconciliation and return. Previously, they coordinated with either the Committee for Pursuance and Execution of National Reconciliation or the Supreme Committee for Coexistence and Communal Peace, both of which answer to the Prime Minister's Office. In May 2019, the former committee was folded into the latter, which became the Committee for Coexistence and Communal Peace and the coordinating partner for these organisations' efforts.

¹⁸ For one effort to negotiate displaced civilians' return, see Viola Gienger, "In the Shadow of a Massacre, a Peaceful Return in Iraq, Part II", U.S. Institute of Peace, 17 July 2015.

¹⁹ Anbar and Ninewa governorates both saw substantial consolidations in 2019. "Iraq: Snapshot on IDPs in Formal Camps – 2019 Summary", CCCM Cluster, 1 March 2020. On consolidations and expulsions in Ninewa, see "Iraq: Camps Expel over 2,000 People Seen as ISIS-Linked", Human Rights Watch, 4 September 2019.

²⁰ "Iraq: Confining Families with Alleged ISIS Ties Unlawful", Human Rights Watch, 7 May 2019.

²¹ See footnote 17.

²² "Iraq: School Doors Barred to Many Children", Human Rights Watch, 28 August 2019.

III. Formal and Informal Obstacles to Return

Many displaced Iraqis with alleged ISIS affiliations remain stranded. On an individual or family basis, some may have avenues for going home. But they face not only daunting official, procedural barriers to leaving the camps and securing their rights and entitlements as citizens, but also popular and communal resistance to their return. Sometimes, these reinforce each other.

A. Procedural Barriers

Family members of alleged ISIS fighters often cannot pass the official security clearance necessary for both their return and the renewal of civil documents they need to live normally. Some lost these documents when they fled their homes; in the case of young children, they may have never obtained them.

Security clearance is mandatory for displaced people seeking to acquire a range of official documents, including civil identification and nationality certificates.²³ The clearance involves review by several security services and also typically relies centrally on the *mukhtar*, the local headman in the displaced person's hometown or city neighbourhood. In coordination with the security services, a *mukhtar* is responsible for supervising his area and managing residents' interactions with the state, including registering new arrivals. As part of the clearance process, security services will usually ask him to vouch that a returnee is not ISIS-affiliated, after consultation with area residents.²⁴

Without these documents, the displaced cannot return to their areas of origin. They also cannot move freely to earn a daily wage, a bind that means they struggle to save enough to pay lawyers' fees or other costs of return. Many are also barred from a range of transactions and public services, including state-provided health care and schools for their children.²⁵

Often, the only option people with alleged ISIS affiliations who do not receive a security clearance have is to file a criminal complaint in court against their relative suspected of joining ISIS, in a process called *tabria*, which translates roughly to "disavowal". Once they have lodged the complaint, the court issues an arrest warrant for the relative. Plaintiffs receive a certificate attesting to their willingness to testify against their relative, which then allows them to receive a security clearance. To secure civil documentation, some people may also need to file a missing persons complaint for the relative to obtain a death certificate. That obviates the need for a husband to

²³ "Barriers from Birth: Undocumented Children in Iraq Sentenced to a Life on the Margins", Norwegian Refugee Council, 30 April 2019; "Paperless People of Post-conflict Iraq", Norwegian Refugee Council, 16 September 2019.

²⁴ Crisis Group interview, camp administrator, displaced persons camp in Kurdish-held Ninewa, December 2019.

²⁵ Crisis Group interviews, displaced man, camp administrator and international humanitarian worker, Erbil and Kurdish-held Ninewa, December 2019. For example, see Maya Gebeily, "Born under IS, sick Iraqi children left undocumented, untreated", AFP, 16 May 2019.

be present in order for a woman to secure papers for her children, for example.²⁶ Yet *tabria* is difficult, time-consuming, expensive and sometimes unpredictable.²⁷ The cost can be prohibitive for displaced people with few means.

B. Communal Rejection

Formal barriers to displaced persons' return have been substantially documented, including by organisations such as the Norwegian Refugee Council.²⁸ Yet even if these barriers come down, these uprooted people may still be unable to go home.²⁹ Families with perceived ISIS affiliations can face communal rejection that, while informal, is just as effective as any bureaucratic rule in impeding their return. Such rules can be amended or broken. The hostility of their old neighbours, on the other hand, is harder to dispel with policy changes – and it often comes replete with threats of physical attack.

The reasons for society's resistance to displaced persons' return differ from place to place. People in each area that ISIS once controlled have their own experience of its rule and the attendant atrocities, as well as their own recollections of which locals were, in their view, complicit. Ninewa governorate's Sinjar district, for example, remains torn by the rupture between its Arabs and Yezidis: the Yezidis who survived the ISIS genocide reject the return of Arab neighbours whom they accuse of involvement in the abductions and killings. Elsewhere, the fault line may be tribal or between Sunni and Shiite residents, depending on the area's history and demographic makeup.³⁰

Sentiments behind communal rejection can also be hyper-local and even personal. An aid worker said the reasons for hostility seem "to vary not just from district to district, but from cluster of houses to cluster of houses".³¹ Residents of post-ISIS areas say they remember every individual who joined or aided and abetted the group.³² Yet allegations of ISIS links can be arbitrary and subject to abuse. People may feel the need to reject fellow residents with alleged affiliations as a way to shield themselves from suspicion.³³ Others may level allegations out of malice or because of old grudges.³⁴

²⁶ Crisis Group interviews, international humanitarian worker, Erbil and remotely by messaging app, December 2019 and July and August 2020; Belkis Wille, senior researcher at Human Rights Watch, remotely by messaging app, July and August 2020.

²⁷ Crisis Group interviews, camp administrator, Iraqi journalist and international humanitarian worker, Erbil, December 2019.

²⁸ For example, see "Paperless People of Post-conflict Iraq", op. cit.

²⁹ Crisis Group interviews, international humanitarian workers, Erbil, December 2019.

³⁰ Crisis Group interviews, Iraqi officials, Baghdad, February and June 2019.

³¹ Crisis Group interview, Erbil, December 2019.

³² A *mukhtar* said, "There were families who stayed [in areas under ISIS's control] for material reasons [ie, because they lacked the means to leave]. We know them; their circumstances are difficult. But they didn't join ISIS, so there's no problem with them. ... People who lived here under ISIS know who drank and ate with ISIS". Crisis Group interview, Ramadi, June 2019.

³³ A displaced man from Ninewa claimed, for example, that his relatives had reported him and his immediate family as ISIS affiliates in order to burnish their own image. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

³⁴ Many camp residents from the Ninewa countryside said such false accusations are a barrier to return, as did a camp administrator. Crisis Group interviews, displaced persons camps in Kurdish-held Ninewa and Erbil, December 2019. A reconciliation-focused Iraqi official said the same. Crisis Group interview, Baghdad, February 2019.

Many Iraqis also voice fears that civilians with perceived ISIS affiliations may have absorbed the group's ideas.³⁵ Iraqi officials thus often propose solutions for "ISIS families" that presuppose some program of "rehabilitation" or "de-radicalisation".³⁶ A Ninewa camp administrator reported that a small number of residents, who mostly kept to themselves, seemed still committed to ISIS, or to its extreme interpretation of Islam, but that the group's influence had faded as time passed.³⁷

The undercurrent to articulated objections to the displaced people's return may just be strong emotions – which, far from making the objections less serious, likely makes them harder to address.³⁸ These Iraqis have survived a terrible trauma in which they believe some of their neighbours and acquaintances were complicit. That trauma is only a few years old, and Baghdad has been slow to assuage the anger and hurt. It has been dilatory, for example, in paying out promised compensation to those who suffered during the war with ISIS.³⁹

Some of ISIS's victims are prepared to act on this anger, even if that means threatening alleged ISIS members' families. For Iraqis with perceived ISIS affiliations, then, the risk of attack in their areas of origin is real. A woman from Salah al-Din governorate said she and her family had been pushed out of the camp where they were living, but that residents of her hometown had told her she could not come home. She feared that if she tried to return, locals might hurt her teenage son.⁴⁰ Even if families with perceived ISIS affiliations can return and live at home safely for a time, residents may blame them for later ISIS activity.⁴¹ Some local government officials allege that returnees have abetted nearby ISIS attacks.⁴² A camp administrator said his Ninewa camp had welcomed dozens of families who had been expelled from other camps but could not go home, many because they faced ostracism and threats if

³⁵ Crisis Group interviews, Iraq, February, March, June, December 2019.

³⁶ Crisis Group interviews, Iraqi officials, Baghdad and Ramadi, June 2019; Crisis Group telephone interview, international humanitarian worker, June 2019. "Iraq: Confining Families with Alleged ISIS Ties Unlawful", *op. cit.*

³⁷ Citing the example of school-age children, the administrator said, "The thing about them is that they don't lie. They say whatever they feel. So, when you interact with the kids, it's clear that [ISIS's line of thinking] has reduced a lot. I'm not saying it's not there, but it has reduced a lot". Crisis Group interview, Erbil, December 2019.

³⁸ An Iraqi humanitarian worker described the emotional response of some residents of post-ISIS areas when encouraged not to view returnees as "ISIS families": "They'll get angry. They'll say, 'This is what they were. ... We suffered a lot because of them. Our house was bombed. We lost our property'". Crisis Group Skype interview, July 2020.

³⁹ On Iraq's compensation regime, see "'We Hope, But We Are Hopeless': Civilians' Perceptions of the Compensation Process in Iraq", Center for Civilians in Conflict, 6 January 2019.

⁴⁰ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁴¹ A displaced woman said she had received word that a tribal settlement in her home area in Salah al-Din would permit her to return, but that she feared locals would abduct her son or target her family if problems arose in the area. Even if things remained calm, she said the tribal settlement's terms required her family to stay at home, with no mobile phones and unable to work the family land. She made a diamond shape with her hands to illustrate how her family would be confined within their house's walls: "When we go back, we'll be living like this". Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁴² Husham al-Hashimi, "ISIS in Iraq: The Challenge of Reintegrating 'ISIS Families'", Center for Global Policy, 7 July 2020.

they returned. A fellow administrator said, “They say, ‘I just saved my children from dying. I’m not about to repeat that experience’”.⁴³

C. *The Compound Impact of Formal and Informal Barriers*

Barriers such as communal resistance to return and formal obstacles such as security vetoes can reinforce each other in ways that make it harder to address any single problem facing Iraq’s displaced.

The best example of the convergence of the formal and informal is the *mukhtar*. The *mukhtar*’s role is two-sided; he is simultaneously a local agent of the state and the representative of communal sentiment to the state. Displaced Iraqis with alleged ISIS affiliations need their *mukhtar*’s sign-off for official documents and permission to return home.⁴⁴ The *mukhtar*, in turn, is responsible for ascertaining and communicating his community’s attitude regarding particular would-be returnees. If he thinks they would face real danger, he can hardly approve their return.⁴⁵ When he declines these families’ applications for documents, is it the state, then, that is rejecting them, or is it their home community?

The distinction between the formal and the customary or communal is also blurred with regard to local security forces, which can prevent some families’ return. Camp residents express fears about the jumble of security bodies, possibly including Hashd paramilitaries, that may be patrolling their home areas.⁴⁶ A single bad interaction at a checkpoint – including a case of mistaken identity, because of a common name – can have grave consequences.⁴⁷ Many fear being disappeared, in particular by Hashd units that are formally part of the official security forces but can sometimes operate autonomously.⁴⁸ “In Mosul, when they take someone suspected of doing something, you don’t know where to”, a camp resident said.⁴⁹

Yet even as these various forces are part of the official security services, they can also be related and responsive to civilian residents, who can appeal to them to threaten would-be returnees. Even those the *mukhtar* has approved for return are not safe, said

⁴³ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁴⁴ Crisis Group interview, camp administrator, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁴⁵ Crisis Group interview, international humanitarian worker, Erbil, December 2019.

⁴⁶ A man from Mosul said, “The police, the army, the Hashd – each one is a government on its own”. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁴⁷ “Iraq: Thousands Detained, Including Children, in Degrading Conditions”, Human Rights Watch, 4 July 2019. Even suspects who are eventually exonerated can face lengthy pre-trial detention in grim, overcrowded facilities. Detainees also can fear conviction in summary trials, regardless of their guilt or innocence; Iraqi courts have prosecuted thousands of alleged ISIS suspects under the country’s expansive counter-terrorism law, which stipulates capital punishment for ISIS membership, and have convicted some defendants based solely on confessions seemingly given under torture. See “Flawed Justice”, Human Rights Watch, 5 December 2017; and “Iraq: Key Courts Improve ISIS Trial Procedures”, Human Rights Watch, 13 March 2019.

⁴⁸ For more on the Hashd and its relationship to Iraqi state authority, see Crisis Group Middle East Reports N°188, *Iraq’s Paramilitary Groups: The Challenge of Rebuilding a Functioning State*, 30 July 2018; N°194, *Reviving UN Mediation on Iraq’s Disputed Internal Boundaries*, 14 December 2018; and N°215, *Iraq: Fixing Security in Kirkuk*, 15 June 2020.

⁴⁹ Crisis Group interview, displaced man from Mosul, displaced persons camp in Kurdish-held Ninewa, December 2019.

one man displaced from rural Ninewa: disgruntled locals might secretly report them to paramilitaries, who will detain them.⁵⁰ Other camp residents pointed out that many security personnel, including members of local “tribal” Hashd units, come from families who reject the return of allegedly ISIS-affiliated people.⁵¹

Iraqi politicians who warn loudly of the threat posed by returning “ISIS families” represent another blurring of lines between public opinion and official attitudes. These politicians are both voicing what are likely their constituents’ sentiments and inflaming those same feelings. Iraq’s populist politics thus produces a dangerous feedback loop.⁵²

IV. Gendered Impact

The challenges facing displaced families with perceived ISIS affiliations are significantly worse for female-headed households, largely because women’s legal status and social position are intertwined with those of their husbands and families. In practice, women must therefore traverse the same complicated pathways out of displacement as men, while facing additional obstacles.

The clearest illustration may be that a married woman usually cannot, by herself, obtain a security clearance or civil documentation for her and her children. Women whose husbands are detained, wanted by the security forces or otherwise missing and unaccounted for thus find themselves in an impossible predicament. The many such women in the camps typically cannot pass a security clearance and, without that clearance, cannot renew their documents. Even if they manage to pass a clearance and renew their own documents, in their husbands’ absence they may still be unable to get basic papers for their children.⁵³

⁵⁰ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁵¹ Crisis Group interviews, displaced people from Salah al-Din and Ninewa, displaced persons camp in Kurdish-held Ninewa, December 2019. “Tribal” Hashd forces are locally recruited guard units, often with a senior tribal figure as a sponsor. See Erica Gaston, “Sunni Tribal Forces”, Global Public Policy Institute, 30 August 2017.

⁵² These politicians have seized in particular on recurring rumours that Iraqi citizens in Syria’s al-Hol displacement camp will be repatriated to invoke the supposed danger posed by those Iraqis and by “ISIS families” generally. For example, see “Parliamentary statements regarding ISIS families in Ninewa”, Iraqi News Agency, 26 February 2020 (Arabic). The al-Hol camp now holds Syrian, Iraqi and other women and children taken into custody as ISIS’s last territorial pocket in Syria fell in March 2019. Arabic-language news media has featured lurid footage of a hard core of women in al-Hol angrily shouting ISIS slogans as well as accounts of them stabbing guards. “Female jihadists try to stab guards and flee from al-Hol Camp in north-eastern Syria”, video, YouTube, 30 July 2019 (Arabic). On European politicians’ fear-mongering about the return of their own countries’ nationals from al-Hol, see Crisis Group Middle East Report N°208, *Women and Children First: Repatriating the Westerners Affiliated with ISIS*, 18 November 2019.

⁵³ See “Barriers from Birth”, op. cit.; and “Paperless People of Post-conflict Iraq”, op. cit. A staff member of an organisation that helps displaced people renew their official documents said he works with dozens of women whose husbands are likely dead but who, in the state’s eyes, “aren’t exactly widows”. If a woman’s husband is missing and his death was not registered in a hospital or morgue, he said, the government treats the husband as a fugitive and refuses to issue documents to anyone in the family. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

These women's main avenue for pursuing legal autonomy is *tabria* – disavowal – but this procedure is freighted with additional burdens and perils. By providing testimony that a detained or missing husband was involved with ISIS, a woman pursuing *tabria* can put him at risk. “It means acknowledging that her husband is with ISIS. It puts more stigma on the family, and it may expose the husband to danger”, a humanitarian worker said.⁵⁴ Pursuing *tabria* can compromise a woman's inheritance rights and other entitlements under Iraqi law, and it also risks alienating her in-laws. She may lose a desperately needed support network, which can offer her everything from emotional comfort to physical protection. She can even face threats of violent reprisal or removal of her children by angry in-laws who feel implicated by her testimony.⁵⁵

The administrative hassle of the *tabria* process is also more onerous for women.⁵⁶ Rumours abound exaggerating the cost of the process, and the corruption surrounding it, which are particularly daunting for women who may have little formal education or experience navigating the bureaucracy – a task often assumed by the male head of household, especially in rural areas. “It can be confusing”, said a staff member of an organisation that helps the displaced renew their documents. “Now [this woman] has no husband to tell her what's happening. She's become the head of the household. She can get a mistaken understanding of things, until we clarify what's happening”.⁵⁷ Apart from finding the money for lawyers' fees, single mothers must make multiple trips to municipal offices staffed by employees who can be hostile to perceived “ISIS families”.⁵⁸ Some Iraqi organisations assist women with *tabria*. But many international agencies and donors refuse to do so, because they believe the process can violate the “do no harm” principle in stigmatising the women who go through it and incriminating others.⁵⁹

On top of all this, the process is emotionally tormenting. It presents a woman with a terrible choice: publicly denounce her husband or remain, in effect, outside society.⁶⁰ As a psychologist who worked in one camp said, “Many women are holding onto a glimmer of hope that their [missing husbands] are still alive”.⁶¹

⁵⁴ Crisis Group interview, Erbil, December 2019.

⁵⁵ “Broken Home: Women's Housing, Land and Property Rights in Post-conflict Iraq”, Norwegian Refugee Council, 11 May 2020; “Managing Return in Anbar”, *op. cit.*

⁵⁶ Crisis Group interviews, displaced persons camp in Kurdish-held Ninewa, December 2019. A woman whose husband was imprisoned for belonging to ISIS said disavowing and divorcing him would cost 400,000 or 500,000 Iraqi dinars (\$332 or \$415) in lawyer's fees. As the head of a household of eight, she could not afford to pay such a bill.

⁵⁷ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁵⁸ Crisis Group interviews, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁵⁹ Not all humanitarian workers agree. One international humanitarian worker criticised this position: “I think people can be a little patronising toward women who might be looking in a clear-eyed way at their situation. Sometimes I think the international discourse doesn't give them enough credit, so that we're not talking about these women as if they're children, as well; rather, that they're able to make decisions within a very poor set of choices”. Crisis Group Skype interview, 22 July 2020.

⁶⁰ A woman whose husband had died fighting for ISIS said she had gone through with *tabria* because she felt she had little alternative. “What can I do?” she asked. “God knows the truth”, she said about her feelings for him. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁶¹ Crisis Group interview, Erbil, December 2019. A sheikh resident in one camp said he has told women seeking his counsel to divorce husbands who joined ISIS, because Islamic jurisprudence so dictates. “Some women get upset”, he said. “They love their husbands. But it's *sunna* [Islamic prac-

Women also face barriers to using customary mechanisms to get home. For example, women have only limited access and ability to participate in the tribal fora where sheikhs and notables arrive at settlements allowing returns. Normally, they would approach tribal sheikhs only with a male relative or intermediary.⁶²

If these women are unwilling to break, officially and symbolically, with their husbands, many will be unable to get a security clearance. And clearance or not, many of their home communities will reject their return. According to an international humanitarian worker, “Residents say, ‘If they can’t [disavow their husbands], we don’t want them back’”.⁶³

The legal status issues and general stigma facing these displaced women only further limit their ability to cope with precarious circumstances. Getting paid work is particularly challenging for women with perceived ISIS affiliations. Employers checking references often go to local *mukhtars*, who report these women’s alleged ties; they are then typically not hired. Many of these women can only find economic opportunities with support from humanitarian organisations, which themselves may face pressure from locals not to help allegedly affiliated families.⁶⁴ All these difficulties encourage some female-headed families to cling to life in camps.⁶⁵

These women’s lack of legal and financial autonomy – their struggle to afford private living quarters in their home areas, for example – also acutely deepens their vulnerability. As divorced or widowed women, they already suffer from diminished social status and lack of physical protection. As a displaced woman said, “In Mosul, where is a woman supposed to sleep alone? At least here [in the camp], there’s safety”.⁶⁶ Yet even in camps, women who are socially isolated and economically needy can be vulnerable to sexual abuse and exploitation by camp authorities or local security actors. It is hard to gauge the scope of the problem, but abuse appears to be occurring in some camps.⁶⁷

There is no agreed-upon narrative about the degree of culpability or agency that should be assigned to women who were married or related to ISIS members. These questions about how to understand women’s involvement in ISIS are not singular to

...]” that they ought to emancipate themselves. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁶² Haley Bobseine, “Tribal Justice in a Fragile Iraq”, The Century Foundation, 7 November 2019. On the other hand, an arguably paternalistic discomfort at seeing displaced women in these vulnerable circumstances has helped provide an impetus for tribal efforts to arrange their return. An international humanitarian worker said, “I think women have benefitted from many Iraqis’ deep sense of shame at the conditions they’re in. ... People are uncomfortable with it. So that’s something that has allowed these tribal mechanisms to work, to protect this population that’s seen as vulnerable”. Crisis Group Skype interview, 22 July 2020.

⁶³ Crisis Group interview, Erbil, December 2019.

⁶⁴ Crisis Group Skype interview, humanitarian worker involved with livelihoods assistance, August 2020.

⁶⁵ As a male camp resident put it, “If [these women] went back home, they could only survive by begging. Here at least they have a tent to themselves”. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁶⁶ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁶⁷ See “Iraq: The Condemned: Women and Children Isolated, Trapped and Exploited in Iraq”, Amnesty International, 17 April 2018; and Sanar Hasan, “When one of them refuses, she’s threatened’ ... Displaced women in Iraqi camps victims of sexual and political exploitation”, Raseef22, 20 July 2020 (Arabic).

Iraq, although Iraqi women living in cities and towns seized by the militants were more caught up in ISIS by circumstance than were the foreign women who actively migrated to Syria and Iraq to join the group and marry its fighters.

In practice, though, these Iraqi women whose association with ISIS is more tenuous must still endure the persistent antipathy of their fellow Iraqis.⁶⁸ Many women who manage to return home face lingering suspicion and resentment. Some suffer ostracism even from their own families, who may spurn either the women themselves, the children they had with husbands allegedly involved with ISIS or both. A mother of four described how her family invited her home, only to take her children from her and deposit them with her imprisoned husband's family. They refused to take in children they viewed as the product of their ISIS father. She managed to recover her children, and then returned to the camp. "I haven't thought of going back since then", she said. "[My family] calls me, and they repeat, 'Give up your children and come back'".⁶⁹ Aid workers call these sorts of U-turns, in which returnees leave once more for camps, "re-returns".⁷⁰

V. Toward Government Action, Done Right

By requiring displaced people with perceived ISIS affiliations – who, again, face no criminal charges – to denounce their family members, the Iraqi state treats them as presumptively guilty by association. If they refuse, they are effectively sentenced to open-ended stays in provisional camps. This treatment amounts to extra-legal punishment of these displaced people in violation of their rights. The Iraqi government should work to remedy their situation, foremost out of humanitarian concern and obligation to its citizens. "We're brothers – on one land, one Iraq", said a displaced man from rural Ninewa. "We're no different from people in Basra".⁷¹ Indeed, a solution for Iraq's displaced and for families with alleged ISIS affiliations in particular is in Iraq's national interest: it is important to the country's recovery from years of violent conflict. These encamped people are, in effect, exiles in their own country. Yet they are Iraqis, living inside Iraq. They cannot be ignored or wished away; they are part of the country's future.

Alongside the moral imperative to act is a political one. It can be risky to warn that continued ostracism of these Iraqis endangers the country's stability without further stigmatising them or encouraging narratives of their "radicalisation" for which there is little seeming basis. Yet without action to reincorporate these families into society, they do seem at risk of becoming a permanent underclass. Denied the chance to live as normal, law-abiding citizens, they could become targets for recruitment by criminal gangs, by ISIS or by something else like it.

⁶⁸ Women with perceived ISIS affiliations can suffer from stigma even in camps. "Local [towns] people would spit on me and my children", said a woman about her experience in one camp. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁶⁹ The woman said she could not secure documents for her children without her husband – yet she also feared that if she divorced him, his family would take her children. Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁷⁰ Crisis Group interviews, camp administrator and humanitarian worker, Erbil, December 2019.

⁷¹ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

Perhaps the most urgent aspect of this problem is the plight of children who, after the traumatic experience of war, are now spending formative years in camps. If they grow up in these conditions, with no prospects, they are at risk of being exploited and instrumentalised by violent actors.⁷² To the extent that some Iraqis worry about these children having absorbed some of ISIS's ideas, it is hard to see how isolation in camps will help. For their well-being and Iraq's future stability, it would be critical to reintegrate them into society. Access to education is a major part of that. "These kids need to feel they're part of something, and they need someone to help them", said a displaced father from Mosul. "They need to see they're part of society".⁷³

Absent proactive solutions, the country's displacement crisis could just drag on. As time goes by, Iraqi authorities are moving the remaining displaced people into fewer and what seem to be harsher camps. Humanitarian workers worry that some of these camps, with very severe movement restrictions, are becoming effective detention centres.⁷⁴ The concentration of these displaced Iraqis in a handful of camps that are assumed to be populated mainly by "ISIS families" could actually prolong these families' hardship by making the residual displacement problem easier to ignore.

Yet even as Iraq should not leave its citizens in the limbo of protracted displacement, there are also grave risks to pushing these families to return to their home areas. Rushed or compulsory returns could expose them to violence.⁷⁵ Some displaced families may never be able to safely return to their areas of origin and may have to resettle in third locations. Others may eventually be able to make a safe and voluntary return, but only after the government and its partners exert substantial effort to ensure that residents of their areas of origin accept them back.

Kadhimi's visit to the al-Salamiya camp was a positive step. He reportedly spoke with camp residents about giving grants to rebuild displaced people's houses and forming a government committee to develop solutions for return.⁷⁶ The Kadhimi government's seeming desire to address the displacement crisis is welcome. But if it hopes to ensure that displaced people's return to normal life is safe, voluntary and sustainable, Baghdad, along with its NGO and donor partners, ought to additionally account for both the informal, communal barriers to return and the issue's inescapably gendered nature.

Surmounting the informal barriers to return will require more efforts by Iraqi authorities and supporting NGOs to consult community leaders in displaced Iraqis' areas of origin, and to sensitise residents to the return and reintegration of their former

⁷² An Iraqi journalist said, "A child whose father was killed and whose mother was exploited and raped won't be in his right mind. There'll be a spirit of revenge there". Crisis Group interview, Erbil, December 2019.

⁷³ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

⁷⁴ Crisis Group interview, international humanitarian worker, Erbil, December 2019.

⁷⁵ One vivid illustration of the risk of returns gone wrong came in late 2019, when Ninewa governorate authorities began busing residents originally from Salah al-Din to camps in that governorate. The buses were met with protests by angry locals who refused to receive "ISIS families", as well as threats on social media and, reportedly, grenades thrown at a camp fence. "We're not a dumping ground for bad people, or, as people say, a receptacle for outlaws and families of ISIS members", a local notable told a television broadcast. "Popular rejection of harbouring ISIS families in al-Shihama camp in Tikrit", video, YouTube, 3 September 2019 (Arabic). See also "Iraq: Camps Expel over 2,000 People Seen as ISIS-Linked", Human Rights Watch, 4 September 2019.

⁷⁶ Readout of Kadhimi's visit circulated among humanitarian workers in Iraq, op. cit.

neighbours. The nature of that consultation and any agreements on return will necessarily vary by area, given the specific grievances obstructing return in each locale; in some areas, it may entail resorting to customary tribal mechanisms.⁷⁷ Some communities may also demand that returnees participate in “de-radicalisation” programming. Even if the evidentiary basis for this programming is dubious – in Iraq and elsewhere – it may be unavoidable in order to reassure area residents, who may care about both ensuring that would-be returnees no longer harbour violent intentions and the signal sent by their willingness to participate in such programs.

Material incentives could also help. Iraq has little money to spare, and local resistance to return might be deeply personal. Nonetheless, the distribution of long-promised compensation to residents of post-ISIS areas would likely help temper ill feeling. Baghdad and its partners should also consider making strategic investments in areas where return is tough, linking additional services or reconstruction to community reconciliation. Given Iraq’s financial difficulties, donors have an opportunity to step in, helping Baghdad rebuild the country physically and socially by encouraging the reintegration of tens of thousands of women and children.

Even for Baghdad to visibly pay attention to these areas’ residents – themselves traumatised by ISIS and the war to defeat it – could help soften their opposition to the return of the displaced. In that sense, the July visit by the minister for migration and the displaced to Ninewa’s Sinjar district was another worthwhile move, for the solicitude it demonstrates for ISIS’s victims.⁷⁸

Policy ought also to take into account how displacement disproportionately affects women and female-headed families, and how women relate especially to the law and Iraq’s customary structures. Wherever possible, the government and its partners should try to maximise these women’s autonomy and agency, so that they can themselves participate in deciding their fate. The government should explore and, if possible, institute administrative changes that would allow displaced women to secure civil documents for themselves and their children independently of their missing or imprisoned husbands. That may mean delinking security clearance procedures from access to civil documentation, or an “amnesty period” in which women could secure basic documents for their children without the father’s involvement.⁷⁹ Baghdad and its partners should also look to support women materially in ways that give them greater independence in considering their legal options and choosing where to live – whether in their home communities or in other areas, where they might struggle to afford rent and living expenses.

It is also important to include women in decisions that affect them. Tribal settlements on return, for example, are concluded among men, despite being largely about the fate of women. These mechanisms thus risk further disenfranchising women. As an example, a displaced woman said she feared for her children if she went home to her Salah al-Din district but, after she was told of a tribal settlement there, felt she had no choice: “If we don’t go back now, [my children] will be fugitives forever. ... I don’t want them to go back. But it’s our fate”.⁸⁰ However possible, Iraqi authorities

⁷⁷ For more, see Bobseine, “Tribal Justice in a Fragile Iraq”, *op. cit.*

⁷⁸ “Ministry of Migration and the Displaced”, Facebook, 5:10pm, 5 July 2020.

⁷⁹ See “Barriers from Birth”, *op. cit.*

⁸⁰ Crisis Group interview, displaced persons camp in Kurdish-held Ninewa, December 2019.

and NGOs should consult women as part of these processes. They should not feel at the mercy of a “fate” decided by men.

Most important of all, of course, is that the Kadhimi government follow through on its stated commitment to investing attention, energy and resources in solutions for Iraq’s long-term displaced, including families with perceived ISIS affiliations. Otherwise, the likely outcome is more ad hoc camp closures, more unsafe returns and more concentration of people with perceived ISIS affiliations in semi-permanent camps, outside society.

VI. Conclusion

Prime Minister Kadhimi’s evident interest in solving Iraq’s displacement crisis suggests that, for displaced Iraqis and those with perceived ISIS affiliations in particular, a better life is possible. His government faces several grave challenges. Still, Baghdad and its partners ought to keep the displaced on the agenda.

Displaced people with perceived ISIS affiliations are Iraqi citizens in Iraq, charged with no crime. Without a solution, they could become lasting pariahs; excluded from normal life, they are in danger of turning instead to destructive coping mechanisms or even in some cases being recruited into organised violence. The Kadhimi government should ensure that resolving Iraq’s displacement crisis remains a priority, both for the country’s future stability and for the sake of these long-suffering Iraqi citizens.

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