

**“WE JUST WANT SOMEONE
TO PROTECT US”**

Civilian Protection Challenges in Kirkuk



RECOGNIZE. PREVENT. PROTECT. AMEND.

T +1 202 558 6958
E info@civiliansinconflict.org
civiliansinconflict.org

December 2019

Cover *Civilians living amidst homes damaged during fighting between ISIS and Peshmerga in a village in Kirkuk, 2016.*

Sahr Muhammedally/CIVIC

Report designed by Dena Verdesca.

ABOUT CENTER FOR CIVILIANS IN CONFLICT

Center for Civilians in Conflict (CIVIC) is an international organization dedicated to promoting the protection of civilians caught in conflict. CIVIC's mission is to work with armed actors and civilians in conflict to develop and implement solutions to prevent, mitigate, and respond to civilian harm. Our vision is a world where parties to armed conflict recognize the dignity and rights of civilians, prevent civilian harm, protect civilians caught in conflict, and amend harm.

CIVIC was established in 2003 by Marla Ruzicka, a young humanitarian who advocated on behalf of civilian war victims and their families in Iraq and Afghanistan. Building on her extraordinary legacy, CIVIC now operates in conflict zones throughout the Middle East, Africa, Europe, and South Asia to advance a higher standard of protection for civilians.

At CIVIC, we believe that parties to armed conflict have a responsibility to prevent and address civilian harm. To accomplish this, we assess the causes of civilian harm in particular conflicts, craft practical solutions to address that harm, and advocate the adoption of new policies and practices that lead to the improved wellbeing of civilians caught in conflict. Recognizing the power of collaboration, we engage with civilians, governments, militaries, and international and regional institutions to identify and institutionalize strengthened protections for civilians in conflict.

ACKNOWLEDGEMENTS

This policy brief was written by Paula Garcia, CIVIC's Iraq researcher, reviewed and edited by Ali Al-Assaf, Iraq Country Director and Sahr Muhammedally, CIVIC Middle East and South Asia Director. Shannon N. Green, Senior Director of Programs, Natalie Sikorski, Program Officer in the Middle East and South Asia program, and Daniel Chinitz, Communications Consultant, provided additional editing support. Mohammed Nooraldeen, CIVIC Iraq Program Associate and Hana Qader, CIVIC translator and fixer, provided research assistance in Kirkuk.

CIVIC is grateful to the civilians, community leaders, members of the security forces, and government representatives who agreed to participate in our interviews and share with us their perceptions and concerns, and to the non-governmental organizations who supported our research and shared important insights with us.

The civilians with whom CIVIC spoke have suffered immeasurably during the armed conflict and years of insecurity. We greatly appreciate their willingness to speak to us. CIVIC takes seriously our responsibility to ensure their words are translated into policies and practices that address their protection concerns.

CIVIC's work in Iraq is supported by the German Federal Foreign Office (FFO).

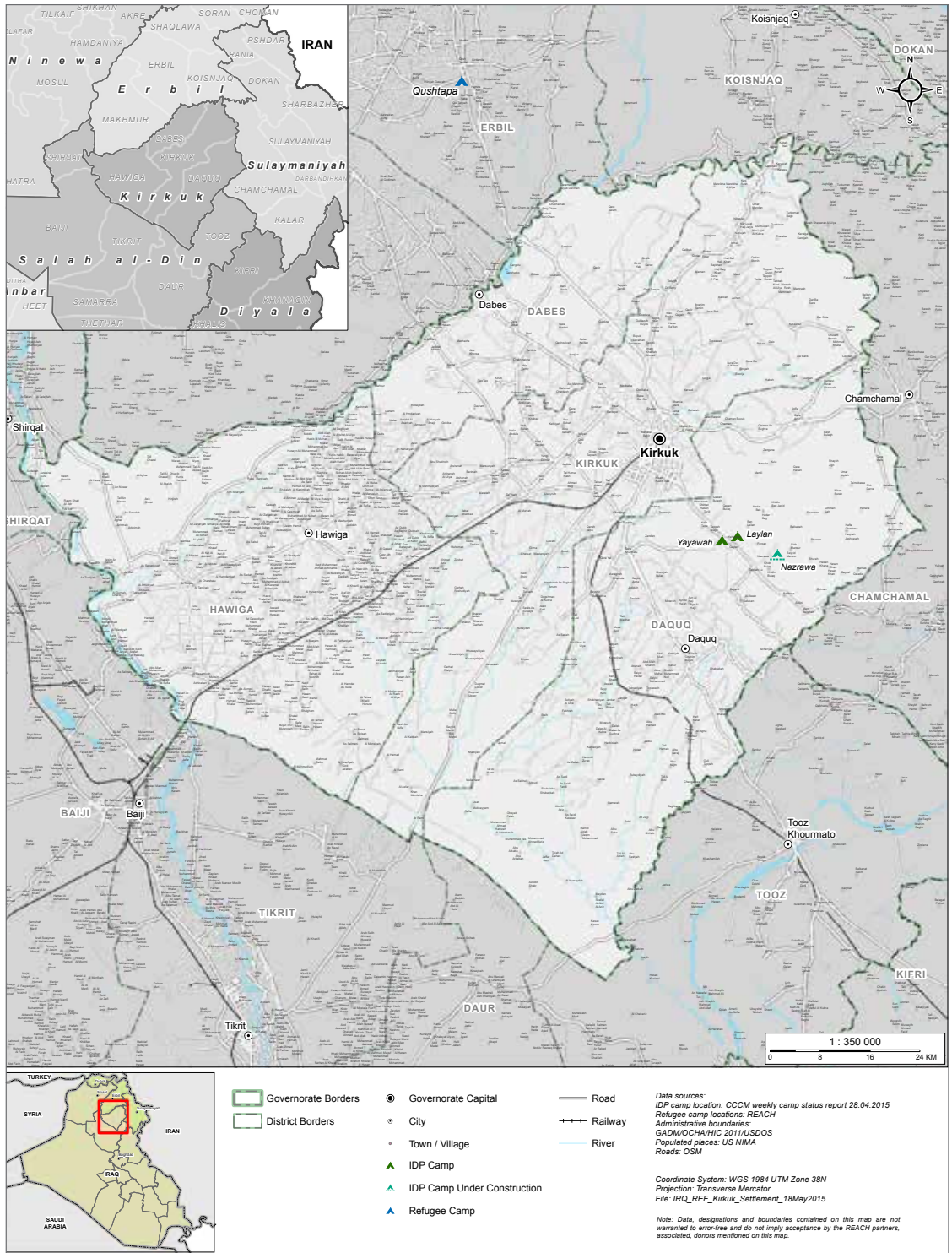


Girl meets ISF officers at checkpoint in Kirkuk governorate, 2019.

Omar Al-Hilali

TABLE OF CONTENTS

Acknowledgments	iii
Glossary	1
Executive Summary	2
Recommendations	4
Methodology	5
Background	6
Security Environment	8
Protection Concerns	11
During and after military operations against ISIS	11
ISIS threats and response of security forces	13
Civilian perceptions of ISF	19
Lack of Women in Security Forces	25
Harassment of Female IDPs	26
Conclusion	28



REACH Initiative, Kirkuk reference map with IDP camps, 18 May 2015.
https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/reach_irq_map_reference_kirkuk_governorate_villages_18may2015_a1.pdf

GLOSSARY

CIVMIL	Civilian-Military
CJTF-OIR	Combined Joint Task Force Operation Inherent Resolve
CTS	Counter-Terrorism Service
FGD	Focus Group Discussion
ICTS	Iraqi Counter-Terrorist Service
ID	Identification Document
IDP	Internally Displaced Person
IED	Improvised Explosive Device
IHL	International Humanitarian Law
IHRL	International Human Rights Law
INSS	Iraqi National Security Service
ISF	Iraqi Security Forces
ISIS	Islamic State of Iraq and Syria
GBV	Gender-Based Violence
GOI	Government of Iraq
KDP	Kurdistan Democratic Party
KPC	Kirkuk Provincial Council
KRG	Kurdistan Regional Government
KRI	Kurdistan Region of Iraq
MOD	Ministry of Defense
MOI	Ministry of Interior
MOMD	Ministry of Migration and Displacement
PUK	Patriotic Union of Kurdistan Party
PMU	Popular Mobilization Units
TAL	Transitional Administrative Law
SVBIED	Suicide Vehicle-borne Improvised Explosive Device
UN	United Nations

EXECUTIVE SUMMARY

Two years after Iraqi Security Forces (ISF) retook remaining areas of Kirkuk governorate in 2017 from the Islamic State (ISIS or Daesh in Arabic), civilians in Kirkuk remain vulnerable to harm by ISIS, which has begun an insurgency campaign seeking to undermine government efforts at stabilization and recovery. Civilians in parts of Kirkuk are worried that their protection concerns, such as attacks by ISIS and intimidation, are not being adequately addressed by the government and security forces.

These concerns are exacerbated by the unaddressed loss of property and forced displacement of some ethnic and religious sects, perpetrated by some members of the Iraqi and Kurdish security forces during the campaign against ISIS. The abusive behavior of some members of the ISF toward perceived ISIS-affiliated families or those who lived under ISIS rule is also weakening the trust between civilians and security forces. Although the Islamic State is weak and geographically limited, preventing its return and brutal rule over civilians requires the Iraqi government to proactively protect civilians, engage with communities to address their protection concerns, and ensure oversight of its forces.

This policy brief analyzes the protection threats affecting civilians in Kirkuk due to the existence of ISIS cells still active in the governorate. It also assesses the response of security forces to these threats, the efforts by the Government of Iraq (GOI) and the ISF to improve security in the governorate and ensure the safety of its inhabitants, and the trust deficit between civilians and security actors.

Although ISIS no longer controls large swaths of Iraq and Syria as it once did, it has now resorted to a hit and run insurgency. In Kirkuk, ISIS remains active in the rural areas of Daquq and Hawija, intimidating civilians who cooperate with the government, kidnapping and attacking both mukhtars (community leaders appointed by the government) and tribal leaders, stealing food and supplies from civilians, and burning crops – especially at night. Civilians have reported that security forces are not providing adequate protection to stop or deter these attacks through sufficient patrolling or through the creation of early warning mechanisms. When they do act to defend civilians, ISF are often ambushed by ISIS, which has a deterrent effect on

future responses out of concern for their own force protection. Consequently, civilians feel defenseless and unprotected by authorities at night, diminishing their trust in government forces. To fill the void, civilians are resorting to their own self-defense mechanisms, such as having local, untrained armed men guard the villages from rooftops, which creates new risks to civilians.

There are a myriad of security actors in Kirkuk, with different mandates, training, and competencies that impact how effective they are in protecting civilians and in turn how civilians view and rely on them. In October 2017, Kurdish Peshmerga forces withdrew from Kirkuk following the Kurdish independent referendum, which was not supported by the GOI. ISF and the Popular Mobilization Units (PMUs), which were created in 2015 to respond to ISIS threats, were deployed to control Kirkuk. The Iraqi Federal Police, which operates under the Minister of Interior (MOI), is at this writing, the main security force in the governorate. They work in coordination with the Iraqi army, the Iraqi Counter-Terrorist Service (ICTS), different PMU groups, and the Kirkuk local police. Civilians' perceptions regarding the different local forces depends heavily on which ethno-sectarian group they belong to.

The behavior of some units of the ISF and the PMU is also contributing to instability in the area. Civilians complain about bribes being requested in order to allow the transport of goods through checkpoints and disrespectful behavior toward women at checkpoints. Sunni Arabs in Hawija feel discriminated against and say the Federal Police harass them and accuse people of being ISIS supporters because of their sect and/or for having lived in ISIS-occupied territories. Some members of the Federal Police are also occupying civilian homes in Kirkuk preventing internally displaced persons (IDPs) from returning to their areas of origin and rebuilding their lives. These properties were initially used for operations against ISIS, as the forces lacked forward operating bases, but they have not been returned to their owners nor have owners been compensated for their use. This is also fueling civilians' resentment toward some ISF units.

Civilians also reported the marginalization and harassment suffered by perceived ISIS-affiliated families, or families in which at least one member joined ISIS, especially by women whose husbands

or fathers are missing, arrested, or dead. Female IDPs are perceived to be affiliated with ISIS because of their husbands' or fathers' affiliation, and those residing in IDP camps are often victims of sexual abuses and harassment. Efforts to stop the abuse and hold persons accountable are absent. Finally, some Sunni Arabs believe that their homes were destroyed or looted during the campaign against ISIS to punish them for having lived under ISIS rule or to reverse the demographic changes under Saddam Hussain's "Arabization" campaign. Their losses have not been compensated under the 2007 Iraqi Compensation Law, leaving them resentful of local officials and forces.

The ISF in Kirkuk and the Kirkuk Operations Command (KOC), which is the governorate-based security headquarters, do not have protocols to track incidents of civilian harm caused by security forces — either at checkpoints or during operations — that impact civilians or their property. Nor are there designated community outreach officers to resolve protection concerns from civilians. Civilians fear retaliation if they make formal complaints about forces' abusive behavior. A Citizens Affairs Office exists within ISF units, and is tasked to receive civilian complaints about security personnel, but its process and findings have rarely led to change of policy or any disciplinary action against officials.

The economic and political importance of Kirkuk for both the Iraqi Federal Government and the Kurdistan Regional Government (KRG), and its status as a disputed territory under Iraqi law, also impacts stabilization efforts in the governorate. The change in security actors in Kirkuk since 2017 has created a security gap in some areas that are neither patrolled by Kurdish Peshmerga forces, who were present in Kirkuk until October 2017, nor by the ISF. A lack of coordination and intelligence sharing between the ISF and Peshmerga can be exploited by ISIS. A joint ISF-Peshmerga force was announced by the GOI and KRG in 2018, but has yet to be deployed.

The rise of ISIS in Iraq in 2014 can be attributed to poor governance at both the central and governorate level, as well as heavy handedness and abuse toward the Sunni community by some members of the ISF who acted with impunity. Since major combat operations against ISIS ended in 2017, the government and its security forces have an opportunity to break from the past practices that led to support for ISIS, and effectively engage with civilians to address their concerns. Civilians need to be able to trust security forces to protect them and address their protection concerns, investigate allegations of abuse, and build a more cohesive protection-based approach to governance and stabilization.

RECOMMENDATIONS

To the Kirkuk Government:

- Advocate to the Federal government to allocate funds to Kirkuk to ensure the implementation of Compensation Laws No. 20/2009 and No. 57/2015 and improve the compensation application process to ensure it is accessible, fair, and effective.¹
- Commit Kirkuk security forces to participate in scenario-based trainings on protection of civilians, including community engagement, international humanitarian law (IHL), and international human rights law (IHRL).

To the MOI, MOD, and PMU Committee:

- Commit Kirkuk security forces to participate in scenario-based trainings on protection of civilians, including community engagement, IHL, and IHRL.
- Support the forward deployment of women officers trained for policing tasks.
- Resource and train the Citizens Affairs Office within each ISF unit to engage with local communities, receive complaints from different sources (media, NGOs, and citizens), and refer allegations of violations for investigations and prosecution.
- Investigate allegations of misbehavior, sexual harassment, abuse and exploitation in IDP camps, and hold persons accountable under the law. Acknowledge and publicize the results of investigations.
- Provide trainings to mukhtars and other government-appointed local representatives on mechanisms for civilians to report complaints.

To the Kirkuk Operations Command and Federal Police, Local Police, and PMUs in Kirkuk:

- Work with communities to set up early warning systems to effectively deter and respond to threats from ISIS.
- Establish a system for monitoring and evaluating patrolling and its effectiveness in deterring threats.
- Engage in regular dialogue with civilians and community leaders — both men and women — to assess security risks from any remaining ISIS presence, and listen to concerns arising from security forces' misconduct or tensions between communities. Ensure that engagement with communities is done safely and constructively and does not expose civilians to further risk of harm.
- Recruit, train, and deploy female police officers to support interaction with civilians and, when necessary, searches of female civilians.
- Investigate allegations of misbehavior, sexual harassment, abuse and exploitation, and hold persons accountable under the law.
- Ensure all personnel receive scenario-based trainings on protection of civilians and effective patrolling, including community engagement.

To UN agencies, governmental and non-governmental actors working in IDP camps:

- Ensure IDPs inside and outside camps have adequate and confidential mechanisms to report abuses involving security forces, camp managers, or other persons present in the camp. Investigate complaints and hold those involved accountable under the law. Special attention needs to be paid to vulnerable female-heads of household at risk of exploitation.

¹ CIVIC has done extensive analysis of the Iraqi compensation law and outlined detailed recommendations on ways to improve the process. See "We Hope, But We Are Hopeless": Civilians' Perspectives of the Compensation Process in Iraq," Center for Civilians in Conflict, October 2018, https://civiliansinconflict.org/wp-content/uploads/2018/12/CIVIC_COMPENSATION_FinalWebDec20.pdf

METHODOLOGY

This policy brief presents CIVIC's analysis of the current protection threats to civilians in Kirkuk governorate. The study is based on 78 interviews with civilians, community leaders (such as tribal sheikhs and mukhtars)² members of the Kirkuk Provincial Council (KPC), and members of the security forces, such as Federal Police, Kirkuk Local Police, and members of the Popular Mobilization Units (PMUs), known as Hashd al-Shaabi in Arabic. To better understand female perspectives, CIVIC held a focus group discussion (FGD) with seven females from Hawija city.³ A desk review of relevant literature was also conducted for this report.

All interviews were done in Kirkuk governorate and in Erbil city between June and October 2019.⁴ CIVIC conducted a total of 65 interviews with civilians and community leaders, of which 18 were women and 47 were men, and three interviews with members of the KPC, including one female representative and two males. In addition, eight interviews were conducted with local police and Federal Police, local and tribal PMU groups, and other significant PMU organizations, such as the Badr organization.

The brief also includes interviews and conversations by CIVIC with staff members from 16 local and international NGOs, and three UN agencies during the same period.

The interviews were semi-structured to allow greater flexibility in the data collection and were conducted face-to-face or by phone in Arabic, Kurdish, Turkmen, or English at the discretion of the respondent. The interviewers made clear the aims of the research, and all of the interviewees gave informed consent. For the security and privacy of all interviewees, CIVIC has withheld names and/or identifying information throughout the brief.

The policy brief is not a survey intended to provide statistically significant results or conclusions; rather, it presents the perspectives of the civilians interviewed regarding the security situation in their area and the threats they suffer. It also reflects perspectives of the KPC, police, ISF, and Hashd forces interviewed. The brief provides some recommendations on how to improve civilian protection in Kirkuk, and gives context to the relationship between the security forces and the civilian population, amidst a constantly evolving security environment.

CIVIC's analysis in this document does not purport to capture all tribal, ethno-sectarian, and geo-strategic complexities of Kirkuk that impact civilians. While the document often analyzes events and civilian perceptions through an ethno-sectarian lens, CIVIC understands the multi-layered identities and motivations of Kirkuk residents and does not seek to reduce them to their ethno-sectarian identities.

2 Mukhtars are community leaders in villages or city neighborhoods, chosen through some form of consensus in the community or among the tribal leaders. They exercise their authority in different matters in their villages. A mukhtar knows all the families in the village and their history and they are legally authorized to stamp certain public documents. See Michael Knights, "The Islamic State Inside Iraq: Losing Power or Preserving Strength?" *CTC Sentinel* 11, no.11 (December 2018): 1-10. <https://ctc.usma.edu/app/uploads/2018/12/CTC-SENTINEL-122018.pdf>

3 The FGD was conducted in Hawija city.

4 Only seven interviews with civilians, community leaders, members of the KPC and activist were conducted in Erbil city, with the rest taking place in Kirkuk city, Hawija city, and some villages in Hawija and Abassi sub-districts. Participants from Daquq came to Kirkuk city to participate in the interviews while some of the participants from villages around Hawija met the CIVIC team in Hawija city. The CIVIC team met NGO workers and UN staff members in person in Erbil and Kirkuk city, but also via Skype and phone call.

BACKGROUND

Located at the crossroads between Erbil and Baghdad, Kirkuk city and its surroundings have a long history of trade and cultural exchange. Occupied and molded by different empires, the history of Kirkuk is one of ethnic, religious, and cultural diversity, with Turkmen, Arabs, Kurds, and various Christian sects living side by side, uniquely shaping the city.⁵

After the Baath party took power in 1968, Kirkuk and other ethnically mixed areas were subjected to a series of “Arabization” policies, which attempted to shift the ethnic demographics in favor of the Arab population.⁶ After the fall of Saddam’s regime, thousands of Kurds and Turkmen who had been forcibly displaced during the “Arabization” campaign returned to Kirkuk to reclaim their properties. Both the 2003 Iraqi Transitional Administrative Law (TAL) and the 2005 Constitution designated Kirkuk and other ethnically mixed areas as part of the “disputed territories” whose status remains unresolved.⁷

In June 2014, with ISIS expanding throughout the south of Kirkuk governorate and federal security forces withdrawing, Kurdish Peshmerga forces were deployed in Kirkuk city and other central and northern parts of the governorate, and halted ISIS from gaining control over the entire governorate. From 2015 to 2017, Peshmerga forces, joined by locally recruited Shia Turkmen fighters

and by PMUs from other parts of Iraq, along with anti-ISIS coalition air support, began retaking parts of Kirkuk, with the remaining areas of Hawija and southern Daquq retaken by the ISF in October 2017. During these military operations, thousands of families left their homes in ISIS-held areas, creating an influx of IDPs in Kirkuk city and creating the need for IDP camps in the governorate.⁸

ISIS’ removal from Kirkuk also provoked a new turn in the long-standing dispute between the KRG and the federal government over the control of the disputed territories.⁹ Kirkuk was included in the Kurdish referendum on independence held by Kurdish authorities on September 25, 2017, despite protests by the Iraqi federal government and some segments of Kirkuk’s population.¹⁰ The referendum caused the GOI to order Peshmerga forces and Kurdish officials out of Kirkuk. In October 2017, the ISF, along with some PMU forces, marched toward Kirkuk and other disputed territories in Diyala and Nineveh governorates after the Peshmerga forces withdrew. This change in political and security actors resulted in the displacement of thousands of Kurds from Kirkuk city. The former governor of Kirkuk, Najmaddin Karim, along with his cabinet and members of KPC affiliated with the Kurdish parties, left Kirkuk.¹¹

These developments further destabilized Kirkuk and

5 Liam Anderson and Gareth Stansfield, *Crisis in Kirkuk: The ethnopolitics of conflict and compromise*, (University of Pennsylvania Press, 2011), 9-12.

6 The Baathist regime limited property ownership by thousands of Kurdish, Turkmen and Christian inhabitants, forcibly displacing families while bringing thousands of Arab families from other parts of Iraq and relocating them to Kirkuk. The regime also took away the property titles and rights of those displaced but did not grant ownership to the new settlers. Instead, these new Arab settlers were granted land tenure contracts. See: Anderson and Stansfield, *Crisis in Kirkuk*, 24-48.

7 According to article 140 of the 2005 Iraqi Constitution, which incorporates article 58 of the Transitional Administrative Law (TAL), those areas of Iraq disputed by different ethnic groups and affected by the policies of demographic engineering of the previous regime, are subject to a process of demographic normalization. Those forcibly expelled from these areas are allowed to return, and those settlers brought from other governorates of Iraq are allowed to return to their places of origin and receive compensation. After this period of demographic “normalization”, a new census will be carried out, followed by a referendum, in which its citizens would be able to choose between either joining the Kurdistan Autonomous Region of Iraq (KRI) or remaining as part of Federal Iraq. See: Anderson and Stansfield, *Crisis in Kirkuk*.

8 According to the International Organization for Migration (IOM), approximately 115,000 people, just from Kirkuk governorate, were displaced after the advance of ISIS. International Organization for Migration, *Integrated Location Assessment: Thematic Overview and Governorates Profiles* (Baghdad: International Organization for Migration (Iraq Mission), 2017), 33.

9 As early as 2014, the KRG openly acknowledged that the collapse of the ISF and the control of parts of Kirkuk by the Kurdish forces opened the door to the incorporation of Kirkuk to the Kurdistan Autonomous Region. See: Dexter Filkins, “The Fight of Their Lives,” *The New Yorker*, September 29, 2014, <http://www.newyorker.com/magazine/2014/09/29/fight-lives>.

10 “Iraqi Parliament votes to reject Kurdish referendum,” *Rudaw*, September 12, 2017, <https://www.rudaw.net/english/middleeast/iraq/12092017>

11 Most of those fleeing were Kurdish families in which one or several members were affiliated to the Kurdish security forces (Peshmerga or Asayish) or to political parties. By Kurdish security forces we include the Peshmerga or Kurdish military forces, and the Asayish, the Kurdish secret service, See: “Kirkuk offensive: Thousand flee as Iraqi Army advance”, *Al-Jazeera*, October 17, 2017, <https://www.aljazeera.com/news/2017/10/kirkuk-offensive-thousands-flee-iraq-army-advance-171016103540463.html>

have created a new source of friction. Following the departure of a sizable number of KPC members in late 2017,¹² the council was unable to pass any new legislation and elect a new governor, effectively freezing the KPC and hampering governance.¹³ The lack of consensus over the appointment of a new governor and disagreement over who should be included in the lists of voters are likely to inflame tensions during future elections within Kirkuk.¹⁴

Although ethnic tensions were aggravated by ISIS rule and successive changes in the political leadership of Kirkuk, Kirkuk's ethnic and religious groups have historically coexisted and cooperated, with multiple examples of strong social cohesion in places such as Kirkuk city, where mixed marriages are still common.¹⁵ The discord among Kirkuk's ethnic groups has been exacerbated by the competition between the KRG and Baghdad for political and territorial control over the governorate and its abundant natural resources.

“Our situation here is difficult. From the evening until the morning, people are scared.”

Community leader from Daquq, July 2019.

-
- 12 Kirkuk did not participate in the 2013 or in the 2014 provincial elections. The allocation of the KPC's seats dates back to the 2005 elections, although some seats have changed due to independent and smaller factions joining other parties throughout the years. Currently the KPC has 41 seats divided as follow: 11 seats for the Kurdistan Democratic Party (KDP), nine seats for the Turkmen front, eight seats for the Patriotic Union of Kurdistan party (PUK), six seats for Sunni Arab block, three seats for the Islamic Union of Kurdistan, and three seats for the Christian block.
- 13 While the Kurdish KPC members affiliated with the PUK resumed their posts soon afterwards their withdrawal in October 2017, the KDP members continued boycotting the KPC. Their absence made it impossible for the council to reach the quorum needed to elect a new governor.
- 14 Provincial elections were scheduled for April 2020, however due to the protests spreading throughout Iraq since October 2019, until the date of this writing, the GOI has indefinitely postponed the celebration of provincial and local elections. In addition, as part of the measures taken by the GOI in response to the protestors' demands, the Iraqi Council of Representatives has suspended the work of all provincial, district, township, and municipal councils in Federal Iraq (except for those in the KRG). See, "Statement of the Council of Representatives", Iraqi Council of Representatives, October 26, 2019. <http://en.parliament.iq/2019/10/26/statement-2/> According to the new and provisional legislation, until new provincial elections take place, governors would have to be elected by the members of Council of Representatives that are elected by residents in that governorate. For Kirkuk it would mean that the Iraqi MPs elected in Kirkuk district would decide on the new governor. However, it is yet to be seen if they will be able to agree on a candidate, See, Mohammed Walid, "Iraqi Government indefinitely postpone local elections" Anadolu Agency, November 12, 2019. <https://www.aa.com.tr/en/middle-east/iraqi-government-indefinitely-postpones-local-elections/1643317>
- 15 Michael Knights, "Kirkuk in Transition Confidence Building in Northern Iraq," *The Washington Institute for Near East Policy*, Policy Focus 102, (April 2010):1. <https://www.washingtoninstitute.org/uploads/Documents/pubs/PolicyFocus102.pdf>

SECURITY ENVIRONMENT

Since 2018, Kirkuk has been the governorate with the most ISIS-led attacks in the country, with an estimated average of 33 attacks per month.¹⁶ ISIS attacks impact government stabilization efforts, slow IDP returns, and undermine confidence in the government's ability to protect civilians.

ISIS maintains a presence in the Hamrin Mountains, which straddle Diyala, Salah al-Din, and Kirkuk governorates, and in the Qarachokh Mountains, which serve as a natural border between Kirkuk and Erbil governorates. The mountainous area has made it possible for ISIS to construct tunnel networks with weapons caches while evading detection.¹⁷ ISIS has also used the rivers and water canals (wadis in Arabic) in Daquq and Hawija, such as Wadi al-Shay or Wadi Zinghatyun, as bases from which to launch operations in Kirkuk governorate. From these locations, ISIS has been regrouping and returning to the insurgency-style tactics the organization used prior to 2014.¹⁸

Southern Kirkuk's geography, with its water canals, reed beds, and hills, as well as its poor communication and transportation infrastructure, has made it a perfect location for ISIS elements to hide, plan, and launch operations. The anti-ISIS coalition's Combined Joint Task Force-Operation Inherent Resolve (CJTF-OIR) and the ISF regularly conduct operations against ISIS remnants in some of these locations, including in the Hamrin and Qarachokh mountains.¹⁹ ISF relies on CJTF's advisory support, trainings, and technical capabilities such as intelligence, surveillance, reconnaissance, and air support. However, the rugged

geography has made it difficult for security forces to clear the area of ISIS remnants.

To intimidate civilians, ISIS is now engaging in low-intensity insurgency tactics, such as night attacks in villages; kidnapping for ransom; executions of farmers; burning of agricultural land; destroying irrigation systems, electric towers, and other infrastructure; and targeted assassinations of mukhtars and tribal leaders. These tactics are intended to drive out pro-government community and tribal leaders, pressure communities into providing supplies and safe-havens for fighters in exchange for protection, and depopulate areas so ISIS can move in and increase its operations.²⁰ In 2018, ISIS conducted over 148 targeted assassinations across Iraq against medium- or high-profile individuals, including leaders of security forces, members of provincial councils, tribal leaders, and local mukhtars.²¹

After the withdrawal of the Peshmerga forces from most of Kirkuk governorate, following the fallout of the October 2017 Kurdish referendum,²² the GOI deployed four regiments of the Counter-Terrorism Services (CTS) along with the 5th and 20th divisions of the Iraqi army and some PMUs to control Kirkuk city.²³ The PMUs' involvement in this deployment created resentment within pockets of the local population who viewed PMU members as less professional and more sectarian than regular security forces. Some Kurds affiliated with the Kurdish security forces left the city in fear of retaliation. At the same time, the 5th and 6th Divisions of the Federal Police were deployed across the governorate making the Federal Police the main security actor in the governorate, working sometimes in coordination with

16 Knights, *The Islamic State Inside Iraq*, 6.

17 Derek Henry Flood, "From Caliphate to Caves: the Islamic State's Asymmetrical War in Northern Iraq", *CTC Sentinel* 11, no.8, (September 2018):30-34. <https://ctc.usma.edu/app/uploads/2018/09/CTC-SENTINEL-092018.pdf>

18 CIVIC interviews with members of the security forces, August 2019.

19 See for e.g., CJTF Release # 20191120-01, Defeating Daesh Highlights of the Week, <https://www.inherentresolve.mil/Portals/14/Documents/Security%20Highlights/2019/11%20November/CJTF-OIR%20Press%20Release-20191120-01-Defeating%20Daesh%20Highlights.pdf?ver=2019-12-04-073151-227>

20 Knights, *The Islamic State Inside Iraq*, 6.

21 Knights, *The Islamic State Inside Iraq*, 1.

22 The KRG still holds control of small parts of the northeast of Kirkuk governorate, in the sub-districts of Shwan and Qara Hanjir.

23 CIVIC interviews with members of the security forces, July and August 2019.

the tribal PMUs or Hashd al-Ashari,²⁴ other local PMU groups,²⁵ and the Kirkuk police.²⁶ In June 2018, the Iraqi army and PMUs transferred control of the city to the Federal Police. In February 2019, the CTS was replaced by the 61st Brigade of the Special Operations division of the Iraqi Army.²⁷

The role of the PMUs has also changed since 2017. PMU groups that came from the south have relinquished many of their security duties, including operating checkpoints, to the Federal Police, tribal and other local Hashd units, and are currently less visible. However, they still exercise influence in the governorate through their economic offices, political agreements, and locally recruited militias.²⁸ The population's perceptions regarding the different local forces depend heavily on ethno-sectarian identity. Civilians tend to mistrust PMUs from a different ethnic or sectarian group than their own.

It is important to note that following the 2017 referendum, the withdrawal of the Peshmerga and the deployment of the ISF and PMUs in the disputed territories, such as parts of Nineveh and Kirkuk, have created gaps in the security of these territories as some areas do not have any security forces present.

Additionally, the lack of coordination and poor intelligence sharing between the KRG Peshmerga forces, the ISF, and the PMUs have also been affecting security in Kirkuk. These issues were highlighted during a dialogue between civilians and security forces organized by CIVIC in July 2019.²⁹

The myriad of security forces reporting to different ministries and authorities is also an obstacle to coordination and security management in Kirkuk, which in turn directly impacts civilians seeking safety after the end of major combat operations. Disputes occur between different security forces that sometimes do not agree with each other or even challenge each other's authorities. For example, in February 2019 the Federal Police refused to stop at a checkpoint controlled by the 61st Brigade of the Special Division of the Iraqi army. This resulted in a verbal altercation and use of live fire. In July 2019, another verbal altercation and exchange of fire occurred between PMUs and the 61st Brigade during a checkpoint inspection. These incidents – and many others – that have been occurring since 2018, present a risk to civilians who are in the vicinity of such incidents.³⁰

-
- 24 Sunni Arab tribal militias, known as Hashd al-Ashari, are found in different governorates in Iraq. In contrast to Shia Hashd al-Shaabi, who come mainly from Southern Iraq, the Hashd al-Ashari have local origin and allied to local tribal leaders. In Kirkuk, some of the Arab tribes created their own PMU militias or Hashd al-Ashari, and participated in the fight against ISIS along with the regular SFs and PMU from the south. The two most important groups are the Hashd al-Hawija, also called Brigade 56, led by the Jubbur tribe; and the Saraya Tahrir al-Hawija, led by a Sheikh from the Ubaid tribe and operating in Riyadh and Rashad sub-districts.
- 25 There are also some non-tribal Hashd militias composed by local Turkmen, such as the PMU Brigade 16 affiliated with the Badr party and comprised by local Shia Turkmen. It operates in areas of Daquq district populated by Shia Turkmen, specially Taza sub-district, and Yaichi sub-district. Other Turkmen PMUs are the Hashd al-Turkmeni and the Immayn Brigades, both spreading in areas of Yaichi sub-district and Dibis district. Source: CIVIC interviews with members of the security forces, July and August 2019.
- 26 In February 2019, the 6th division was replaced by the 3rd division of the Federal Police, at the same time, the 14th division of the Iraqi army was also deployed in the Zab sub-district in Hawija district and some parts of Dibis district. Source: CIVIC interviews with members of the security forces, July and August 2019.
- 27 CIVIC interviews with members of the security forces, July and August 2019.
- 28 The Badr Forces, Asaib Ahl al-Haq and Saraya al-khorasani are the most important nation-wide PMUs acting in Kirkuk governorate. Despite not being present on the ground, these PMUs still remain as an important power actor and power broker in Kirkuk's politics, as well as exercise influence through their local and tribal affiliates. It is important to note that all local or tribal PMUs are affiliated to one of these nation-wide PMUs.
- 29 The dialogue included five senior commanders of the ISF, one senior local government official, and 11 community leaders from Kirkuk city. Four members of the Kirkuk Civilian Protection Group (CPG) also attended the event. In 2019, CIVIC coalesced men and women representing the ethnic and religious fabric of Kirkuk city to form CPGs to engage in dialogue with the ISF on protection concerns. See also, Ahmed Aboulenein, "Islamic State makes comeback in Iraq with switch to guerrilla tactics," *Reuters*, July 24, 2018, <https://www.reuters.com/article/us-mideast-crisis-iraq-security/islamic-state-makes-comeback-in-iraq-with-switch-to-guerrilla-tactics-idUSKBN1KE0MH>; Lead Inspector General report to the US Congress, "Operation Inherent Resolve", July – September 2018, <https://oig.usaid.gov/sites/default/files/2018-11/lig-oco-oir-0918.pdf>
- 30 Since January 2018 there have been numerous incidents of disputes between different armed actors. Only in July 2019 there were two cases of disputes between the Federal Police and some PMU units in Daquq district, and the above-mentioned case between the Special Forces Division or 61st Brigade, and a PMU brigade in Kirkuk city. Source: CIVIC interviews with an officer of the Kirkuk local police and several staff members of an NGOs operating in the governorate, July and August 2019.



An Iraqi flag stands tall amidst rubble in a village in Kirkuk, 2016. Sahr Muhammedally/CIVIC

Finally, it is important to highlight that not all security incidents, such as IED explosions and the use of armed fire occurring in Kirkuk governorate, should be attributed to ISIS. Although it is difficult to identify the real perpetrators and motives behind some of these incidents, such as the IED detonations in Kirkuk city that occurred on May 30, 2019, some explanations

point toward external interference, political disputes, or attempts at increasing ethno-sectarian tensions in Kirkuk. In addition, security analysts have remarked that some incidents involving the use of IEDs can be attributed to local armed actors trying to spread panic through the population in order to justify their presence on the ground.³¹

³¹ CIVIC interviews with NGOs operating in Kirkuk governorate and researchers studying the post-ISIS security situation and trends on the country, in July and August 2019.

PROTECTION CONCERNS

After major operations against ISIS ended in 2017, drivers of insecurity and conflict continue to persist in Iraq, which threaten its stability. This section examines key protection concerns in Kirkuk, which if unaddressed, will continue to create fissures in communities traumatized by war and undermine stabilization efforts.

During and After Military Operations Against ISIS

Unlawful actions by pro-government forces during military operations against ISIS have contributed to a trust deficit between communities and the government in Kirkuk. These incidents have mostly not been investigated. Sunni Arabs, whose homes and properties were destroyed during operations by some units of the Peshmerga and PMUs, possibly to prevent their return to disputed areas or as punishment for supporting ISIS,³² have not been compensated under the 2009 Iraqi Compensation Law.³³ The whereabouts of hundreds of Arab men suspected of being affiliated with the Islamic State, who were detained by the Kurdish Asayish³⁴ and other Iraqi security actors, remain unknown. From 2014 to October 2017, over 350 Arab males were detained by Kurdish security forces.³⁵ While 105 prisoners were transferred to the ISF in 2017, local and international NGOs report that many remain disappeared and no one has been held accountable.³⁶

Forced displacement of perceived ISIS-affiliated families and the looting and destruction of their

properties is another problem contributing to the mistrust of security actors. NGOs and civilians have widely reported the destruction of private property and looting the homes of perceived ISIS-affiliated families after security forces took control. Civilians blame PMUs for most of the looting, while pointing out that the Iraqi army has behaved more respectfully toward civilians and their properties.³⁷ A female from Hawija told CIVIC, “Three [members of an armed force] entered my house [after the liberation in 2017] and said, ‘This is an ISIS house.’ They said they would take the house from me. They took my house as a base for themselves. They told the people in the village to take whatever they wanted from my home. I saw people and families going into my house, taking my things, and after they left, the forces burned the house to the ground.”³⁸

In some instances, houses were used by different security actors, including PMUs and Federal Police, as quarters or forward bases, as official bases had not yet been built. Some civilians told CIVIC the security forces looted the houses upon their departure. A female from Hawija told CIVIC, “My aunt’s house was in good condition before they [security actor who she did not want to name, fearing reprisal] stayed there, but when they left, they took everything and ravaged the inside of the house.”³⁹

Human Rights Watch reported that in January 2018, the ISF and PMUs rounded up at least 235 families of perceived ISIS-affiliates, loaded them onto trucks and took them to IDP camps in Daquq and Laylan in Kirkuk governorate, based on lists that had been compiled by different security actors – not a judicial order.⁴⁰ Once in the camps, some families reported

32 CIVIC visited the villages of Idris Khaza'al, Idris Khubbas, and Idris Hindiya Qadima, 20 kilometers west of Kirkuk city, where villagers noted that the Peshmerga and Asayish had burnt or demolished dozens of homes with bulldozers in early February 2015. CIVIC observed bulldozer-type demolitions of many homes. For destruction of property and looting committed by the PMUs in Tuz district in Salah al-Din governorate see, “After liberation came destruction,” Human Rights Watch, March 2015, <https://www.hrw.org/report/2015/03/18/after-liberation-came-destruction/iraqi-militias-and-aftermath-amerli>.

33 CIVIC Interviews with civilians from Daquq district and staff members of NGOs operating in Kirkuk, July and August 2019.

34 Asayish is the Kurdish secret service.

35 “Kurdistan Region of Iraq: 350 Prisoners ‘Disappeared,’” Human Rights Watch, December 2017, <https://www.hrw.org/news/2017/12/21/kurdistan-region-iraq-350-prisoners-disappeared>

36 “We submitted a list to the court of Appeal with more than 300 names of people who had been arrested by the Asayish between 2014 and 2017, but could not be found in any of the detention centers. And they got back to us with a list of only 19 individuals they had found in the system. The rest, nobody knows where they are.” CIVIC Interview with an NGO worker in Kirkuk, July 2019.

37 CIVIC interviews with an NGO worker and a civilian, July 2019.

38 CIVIC interviews with an IDP from Hawija, August 2019.

39 Participant of a Focus Group Discussion organized with females in Hawija city, October 2019.

40 “Families with ISIS Relatives Forced into Camps,” Human Rights Watch, February 2018, <https://www.hrw.org/news/2018/02/04/families-isis-relatives-forced-camps>. Most of the families were taken to Daquq camp but some of them went to Laylan 1 and 2 IDP camps also located in Kirkuk governorate.

having their identification cards confiscated, so that they could not leave the camps.⁴¹

Punishing entire families for what some family members may have done is a form of collective punishment not permissible under international law. Forced displacement of civilians during conflict can amount to crimes against humanity, according to international law.⁴² Allegations of disappearances and the deliberate destruction of property need to be transparently and independently investigated, and the fate of the detainees must be made known.

Training the ISF

Members of the ISF interviewed for this report initially told CIVIC they had received training on the protection of civilians prior to being deployed for combat operations. The training by the CJTF-OIR mostly included tactical training and lectures on international humanitarian law (IHL) and international human rights law (IHRL), not scenario-based training on how to mitigate civilian harm during military and stability operations.⁴³ Moreover not all ISF units received training from CJTF, and it is difficult to evaluate whether humanitarian law and protection of civilians was included in the course and to what extent. The PMUs are not trained by CJTF.

“The Federal Police is stationed inside the village. But they should set a perimeter around the village to be able see the attackers coming and protect us. If they are inside the village with us and there is an attack, they will attack all of us: the villagers and the security forces.”

Community leader from Daquq, July 2019.

41 CIVIC interview with civilian IDPs from Hawija district, August 2019.

42 See: Federico Andreu-Guzman, “Criminal Justice and Forced Displacement: International and National Perspectives”, ICTJ and Brookings-LSE project, June 2013. <https://www.ictj.org/sites/default/files/ICTJ-Research-Brief-Displacement-Criminal-Justice-Andreu-Guzman.pdf>

43 “Policies and Practices to Protect Civilians: Lessons from ISF Operations Against ISIS in Urban Areas”, Center for Civilians in Conflict, October 2018, <https://civiliansinconflict.org/wp-content/uploads/2019/10/Policies-and-Practices-2.pdf>

ISIS Threats and Response of Security Forces

Since early 2018, ISIS attacks on villages have become more common. ISIS elements have remained hidden in the Hamrin Mountains, in the numerous riverbeds, and in destroyed villages. In southern Kirkuk, ISIS elements have been reorganizing themselves and strengthening their capabilities to launch, once again, an insurgency-style campaign against the Iraqi government by targeting civilians, local authorities, and security forces.

ISIS Infiltration in Rural Kirkuk

Among civilians from different ethno-religious groups living in rural areas in Kirkuk and Salah al-Din, a prevalent feeling was that of being defenseless and at constant risk of harm by ISIS. Many still do not feel safe in their villages at night. Some said they continue to be afraid of leaving their houses after dusk, locking themselves inside their homes until daybreak.⁴⁴

Since early 2018, ISIS has increased attacks and expanded their activities in Kirkuk governorate and Tuz district in Salah al-Din. ISIS cells have been carrying out attacks during the night, targeting the less protected, less populated, and more vulnerable rural areas.⁴⁵ CIVIC spoke to civilians from Umm Kusayr village, in Hawija district, which has been attacked at least three times since the beginning of 2019. Attackers have used both small arms fire and mortar rounds against houses and villagers in this location. In a June 2019 incident, the attackers launched mortars into the village and planted roadside IEDs, which detonated against a vehicle of the Federal Police, who were responding to the mortar attack. Locals declared that the village was a target because many of the residents were members of the local police or the tribal PMU and resided there with their families.⁴⁶

An interviewee told CIVIC that only after the June attack did the Federal Police establish a surveillance post covering one third of the area, while some armed guards belonging to the personal security of a Kirkuk Provincial

“If we complain at a checkpoint because we are waiting for a long-time, they tell us we should stop complaining because we are ISIS supporters.”

Civilian from Hawija district, August 2019.]

Council member watched the other side of the village. A third area is defended by the villagers who take turns and guard from their rooftops every night.⁴⁷

CIVIC was able to corroborate that security forces do not regularly patrol rural areas during the night. Early detection mechanisms – such as surveillance posts set around the villages that could alert the population of an attack, or prompt local forces to respond to a surprise attack at night – are lacking. Community leaders believe that since the security forces are the main targets of ISIS attacks, they do not leave their quarters at night in fear of being targeted.⁴⁸

In addition to the lack of patrolling and surveillance mechanisms, several civilians complained that after an incident occurs, the Federal Police are slow in responding because they are concerned about being ambushed. In one of our interviews, a distressed

44 CIVIC interviews with civilians from Hawija and Daquq districts, July and August 2019.

45 CIVIC monitoring of the security incidents occurred in Kirkuk governorate since January 2018. See also, Knights, *The Islamic State Inside Iraq*.

46 CIVIC interviews with civilians and community leaders from Hawija, July 2019.

47 CIVIC interviews with civilians and community leaders from Hawija, July 2019.

48 CIVIC interviews with civilians from Hawija and Daquq districts, July and August 2019.

villager complained, “When we are attacked, the Federal Police does not do anything. Last time we were attacked they did not help us. Even if they had armored vehicles, they did not help.”⁴⁹ The interviewee referred to different time frames and locations in Daquq — one that occurred in May 2019 and the other in July 2019.

Respondents also reported that different armed actors have different response times. For instance, in Hawija district, civilians indicated that the tribal PMU, or Hashd al-Ashari, composed of members of local tribes, is quicker at responding to calls for help by the villagers than the Federal Police.⁵⁰ They explained that the tribal PMU is made up of individuals from these areas and that they feel they are protecting their own people, in many cases, family members or neighbors. The Federal Police, on the other hand, is mainly composed of Shia Arabs from southern Iraq who identify less strongly with the local Sunni Arab population from Hawija. Some of those interviewed explained that, in case of an attack, they call the tribal forces first because they trust that they will respond more quickly and they personally feel closer to them.⁵¹ However, tribal PMUs are often not properly equipped as they have only small arms and are not well trained to respond to ISIS attacks.

Consequently, in many rural villages in Kirkuk governorate, civilians have taken charge of their own security. Community leaders and civilians from different villages in Daquq and Hawija, where CIVIC conducted interviews, described how they have established their own early warning and surveillance mechanisms to detect and prevent attacks during the night. In most cases, men from the villages take turns keeping watch from their rooftops, armed mostly with AK-47 rifles.⁵²

The area south of the Kirkuk-Baghdad highway in Daquq district has also experienced constant attacks. Armed actors routinely target villages, such as Ali Saray, Heftagar, Dara, and Zanqir.⁵³ In Dara village alone, four people have been kidnapped by alleged ISIS elements since October 2017.⁵⁴

These attacks have also prompted criticism by civilians towards the Federal Police for leaving the villages unprotected during the night and not responding to the incidents on time. The locals have taken up arms to defend themselves and organized patrols and surveillance posts. A community leader from Daquq district explained, “Every night 23 men from each village organize watches and patrols around the villages, while the Federal Police stay inside their quarters.”⁵⁵ Notably, while there is reliance on tribal PMUs to fill in the gap, civilians view the Federal Police — despite their critique — as an entity of the government that should protect them and deter threats.

The local population is afraid of cultivating their lands, as kidnappings of farmers occur during the day.⁵⁶ Humanitarian aid workers told CIVIC that due to the unstable security situation, families are less likely to return to their villages, thus remaining in protracted displacement.⁵⁷ Moreover, economic recovery is severely hindered because some farmers are abandoning their farms, and people are generally less inclined to invest in new businesses or to rehabilitate existing ones.

Civilians from Daquq told CIVIC that ISIS fighters infiltrate villages at night to buy or steal food and other supplies. Armed individuals, likely to be ISIS affiliated,

49 CIVIC interviews with a civilian in Daquq District, July 2019.

50 CIVIC interviews with civilians from Hawija district, July and August 2019.

51 Because tribal PMUs are native to their areas of operations, they know the terrain and its challenges better. Moreover, most civilians have relatives who joined the tribal PMU. In case of an incident, they are more likely to call their relatives or neighbors in the tribal PMU, who are likely to respond quicker because their own families and communities are in danger.

52 CIVIC interviews with civilians from Daquq and Hawija Districts, July and August 2019.

53 CIVIC monitoring of the attacks occurred in Kirkuk governorate since January 2019.

54 One of the civilians was abducted during the day while working on his farm. His family received a call from the kidnappers threatening to kill him if the family did not pay a ransom. On another occasion, Diyar and Shershad, were kidnapped on their way to watch a football match in a stadium close to Daquq town in 2018. The attackers killed Shershad when they found out he was a member of the Asayish, and demanded a ransom in order to free Diyar. A fourth victim, Sheker, was attacked while working on his farm. Because he was a member of the Kurdish Peshmerga, the attackers killed him, recording a video of the brutal murder, in which they curse the Peshmerga forces and swear to kill all those working for the security forces. CIVIC Interview with community leaders from Dara village and Heftagher, July 2019.

55 CIVIC interview with a civilian from Daquq District, July 2019.

56 CIVIC interviews with civilians from Daquq District, July 2019.

57 CIVIC interviews with NGO workers operating in Kirkuk governorate, July and August 2019.

block the roads to villages, threatening inhabitants with harm if they do not comply with their demands of providing food, sheep, and other supplies.⁵⁸

In some cases, armed fighters infiltrate villages whose populations are deemed to support or work for the government and the security forces. On July 15, 2019, a number of ISIS members infiltrated Muhammad Khalifa village in Riyadh sub-district in Hawija during the night, looking for individuals affiliated with the ISF and PMUs. The fighters searched house after house, interrogated civilians, and killed two villagers.⁵⁹ This attack was likely in retaliation for the killing of at least ten ISIS fighters in airstrikes that were conducted by Iraqi forces and CJTF in Wadi Zighaytun, Kirkuk – an area known to be a hiding place for ISIS cells.⁶⁰ Apart from retaliation, these attacks have the goal of intimidating the civilian population and discouraging them from collaborating and engaging with the security forces, in an attempt to widen the gap between security forces and the population.

The community also feels the cumulative psychological effects of such attacks so soon after the areas were cleared of ISIS. The civilian population is feeling increasingly defenseless. The attacks have not only slowed returns of IDPs and the economic recovery of Kirkuk, but also jeopardized stabilization efforts.

Over 1.7 million Iraqis remain displaced after major operations against ISIS ended in 2017. Many are unwilling to return to destroyed towns, where there are no jobs or public services.

Targeting Community Leaders

One of the most effective tactics used by ISIS to hamper post-conflict reconstruction and stabilization

efforts is the targeted killing of local community leaders. From January 2018 to August 2019, in Kirkuk province alone, ISIS conducted 20 attacks against government-appointed mukhtars, killing six of them.⁶¹ Including other non-government appointed community leaders, such as tribal sheiks, the number of leaders killed surpasses 35.⁶²

Since the fall of ISIS, mukhtars have expanded their duties, taking a larger role in maintaining security in their areas. They provide security forces with valuable information, such as who joined ISIS or who collaborated with the group, or about any suspicious movements or strange persons in the villages for which they are responsible. Though not without problems, as described below, the mukhtars' information is highly trusted by government authorities and security forces.⁶³

In one of the most significant attacks in December 2018, ISIS members infiltrated the villages of Muhaddad and Idhba al-Jadida in Rashad sub-district, abducting 15 civilians and a mukhtar.⁶⁴ The civilians were released hours later, but the mukhtar was killed.⁶⁵

ISIS' targeting of mukhtars serves a double purpose. On one hand they eliminate the person most knowledgeable about the current dynamics and history of a village, a person who could potentially identify ISIS supporters and inform the authorities. On the other hand, it sends a strong message to the community that pro-government actors and those collaborating with the government or security forces will be punished.⁶⁶

The group is also targeting tribal leaders who are seen as pro-government, some of them leaders of tribal PMUs. The logic behind these attacks is similar, but in these cases, it discourages other tribal leaders

58 CIVIC interviews with civilians from Daquq district, July 2019.

59 CIVIC interviews with an NGO worker of an NGO working in Kirkuk governorate, and a member of the security forces operating in Rashad sub-district, July and August 2019.

60 CIVIC interviews with a local police officer from Daquq district and staff member of an NGO operating in Kirkuk governorate, August 2019. See also, "Coalition airstrikes kill three jihadis in Kirkuk", *Basnews*, July 8, 2019, <http://www.basnews.com/index.php/en/news/iraq/532248>

61 CIVIC monitoring of the security incidents occurred in Kirkuk governorate since January 2018 and interviews with NGOs operating in Kirkuk governorate, July and August 2019. Note: this data includes only abductions, assassinations and other attacks against mukhtars legally appointed by the MOI. However, a sizable number of attacks have been conducted against other community leaders, such as tribal leaders, for which we do not have exact data.

62 See: Knights, *The Islamic state inside Iraq*.

63 Erik Gustafson and Rashd al-Aqeedi "Mosul Recovery: A Dream Deferred" December 1, 2018, *Iraq Matters*, produced by Education for Peace in Iraq, podcast audio, <https://enablingpeace.org/35-mosuls-recovery-a-dream-deferred/>

64 Sangar Ali, "Islamic State kidnaps 19 people in two separate attacks outside Kirkuk", *Kurdistan 24*, December 25, 2018, <https://www.kurdistan24.net/en/news/9bfb17bd-9a10-4889-82a0-0fecb105543c>

65 CIVIC interview with a member of the security forces operating in Rashad sub-district, in Kirkuk, in August 2019.

66 Gustafson and al-Aqeedi, *Mosul Recovery*.

“How can I ask all of those who left to return? I can ask them [the IDPs] to return, but they will not listen. They know it is not safe, and with all these [intentional] fires people do not want to invest in their farms. They may just lose their money.”

Community leader from Daquq, July 2019.

from collaborating with the government and coerces them into accepting ISIS’ presence and facilitating their operations. The message to the population is clear: If ISIS is capable of kidnapping and killing a mukhtar or a tribal leader, then they can kill anyone.

Some of the mukhtars interviewed by CIVIC confided that they had received anonymous calls threatening to kill them if they did not comply with the group’s demands.⁶⁷ A mukhtar from Kirkuk told CIVIC, “They [ISIS] call me on the phone and they threaten me. They say: ‘you must not collaborate with the government or the security forces.’ They call me an apostate.”⁶⁸

Arson

Arson is also being used by armed groups, including ISIS, to prevent economic recovery, destabilize rural areas, and prevent a return to normalcy. While some cases of arson have been caused by personal disputes and acts of retaliation, ISIS elements have been extorting farmers in different parts of Iraq, such as rural areas of Kirkuk, Nineveh, Salah al-Din, and Diyala, demanding

that they pay *zakat*,⁶⁹ or a tax to the group, in exchange for “protection” and to avoid having their fields burned.⁷⁰ In other cases, armed individuals, presumed to be ISIS affiliates, have burned farms as a punishment to villagers for cooperating with the government.

The use of arson is part of a larger strategy by ISIS to inflict hardship on the population at a limited cost to the armed group’s resources.⁷¹ These actions have hampered recovery by slowing down the revitalization of the agricultural sector, and the Iraqi economy as a whole, after years of conflict. Moreover, the spread of fires has affected NGO recovery programs, and many are re-evaluating whether work on livelihood projects in certain areas has value, given the risk that entire projects could be destroyed by arson.⁷² A member of an international NGO raised concerns with CIVIC regarding the impact these fires might have on agricultural projects developed by local and international NGOs, pointing out that NGOs and donors may be less likely to initiate agricultural projects in the affected areas if their viability is affected by

67 CIVIC interviews with community leaders in Daquq district, in July and August 2019.

68 CIVIC interview a community leader in Daquq district, in July 2019.

69 Zakat, one of the Five Pillars of Islam, is charitable contribution considered a religious obligation for all Muslims who meet the necessary criteria of wealth. Since the fall of the Caliphate, ISIS cells have reportedly demanded that farmers pay them a contribution as zakat.

70 Rikar Hussein, “ISIS militants target Kurdish farmers in Disputed Iraqi Territories”, VOA, May 22, 2019. <https://www.voanews.com/extremism-watch/militants-target-kurdish-farmers-disputed-iraqi-territories>

71 Trent Shoenborn, “Flames of war: Arson as a Weapon of conflict in Syria and Iraq”, July 1, 2019, *International Review*, <https://international-review.org/flames-of-war-arson-as-a-weapon-of-conflict-in-syria-and-iraq/>

72 CIVIC interview with an NGO worker operating in Kirkuk governorate, June 2019.



A billboard symbolizing ISF victory over ISIS in Kirkuk, 2016. Sahr Muhammedally/CIVIC

intentional fires.⁷³

Furthermore, these acts of arson have had an additional psychological effect on the affected populations, as villagers feel unprotected and vulnerable to the actions of armed actors. The inability of the government and state forces to stop the fires deepens the feeling of abandonment by the government among civilians and reduces their trust in state institutions as guarantors.⁷⁴ By carrying out arson attacks, ISIS is sending a strong message to civilians: the government cannot protect its citizens.

These incidents are sometimes followed by attacks

by the perpetrators against emergency responders or civilians trying to extinguish the fires. In May 2019, armed individuals alleged to be ISIS members set fire to agricultural lands near Dara village, south of Daquq town in Daquq district. When the villagers ran to extinguish the fire, they were shot at by the individuals who started the fire. A civilian respondent to the fires told CIVIC, “We were shouting at them, ‘please, we just came to extinguish the fire, don’t shoot at us,’ but they kept shooting, so some of the villagers started shooting back to provide cover to those who were trying to put off the fire.”⁷⁵

73 CIVIC interview with an NGO worker from an NGO developing livelihood projects in different areas of Iraq, July 2019.

74 In many of the interviews, civilians shared their fears and concerns regarding these types of attacks, and how, because the security forces were unable to prevent them, they were forced to defend themselves and their fields against attackers. CIVIC interviews with civilians in Daquq and Hawija districts, July and August 2019.

75 CIVIC interview with a community leader from Daquq district, July 2019.

ISIS Tactics

ISIS' low-intensity insurgency has focused on targeting members of the security forces, whether ISF or PMU, and local authorities supporting the government. The numerous incidents that have occurred in Kirkuk and other areas of Iraq since 2018 seem to indicate that some of the ISIS attacks against civilians are designed as ambush operations. By attacking a village or setting fire to a farm or electric tower, ISIS seeks to attract the attention of the security forces and emergency respondents to then ambush them with small arms fire attacks or IEDs planted on the roads.⁷⁶

Several cases of arson in Hawija and Daquq districts were found to be started by ISIS members to ambush the security forces and emergency teams responding to emergency calls. One such case occurred in Daquq district in May 2019, when unidentified individuals set fire to agricultural lands south of Daquq town. An IED likely to have been planted by the same attackers went off, and while a civilian used a tractor to get to the fire to extinguish it, a second one detonated near an ISF patrol responding to the incident.⁷⁷

Although the analysis of the incidents suggests that civilians were not the target in these operations, they

have had a tremendous impact on civilians' lives. The burning of fields has resulted in losses to the villagers just as they began to rebuild their lives. But above all, these ambushes have affected the response of the security forces, widening, once again, the population's feelings of powerlessness and defenselessness. In one of our interviews a civilian stated: "I have some land that we have to farm soon and I am afraid I will not be able to do so without protection. But the Federal Police will not protect us."⁷⁸

Moreover, security forces are also becoming suspicious of the information received from local informants. In February 2018, a PMU convoy was ambushed in Riyadh sub-district, while conducting a search operation after receiving an anonymous call about the existence of an ISIS hideout in the area. The attack caused 27 fatalities of the PMU brigade.⁷⁹

These attacks and ambushes are leading security forces to be more cautious when responding to incidents, which can cause delays in their responses, or a lack of response altogether. Civilians, in turn, see the security forces as not committed to protecting them from threats and maintaining security.

76 In another incident, which occurred in June 2019, ISIS members allegedly attacked a power transmission power near al-Murra village, in Hawija district, detonating an IED against the ISF patrol responding to the incident.

77 CIVIC's monitoring of the security incidents in Kirkuk governorate, and interviews conducted with civilians and security actors from Daquq district conducted in July and August 2019.

78 CIVIC interview with a civilian from Daquq District, July 2019.

79 "ISIL claims attack on pro-government militia in Iraq", *Al-Jazeera*, February 19, 2018, <https://www.aljazeera.com/news/2018/02/isil-claims-attack-pro-government-militia-iraq-180219135016632.html>

Civilians Perceptions of ISF

The relationship between civilians and security actors is heavily influenced by their respective affiliations, ethno-sectarian identities, and perceptions of each other. In particular, civilians originally from areas formerly held by ISIS do not trust the ISF, as they are under constant threat of being accused of ISIS affiliation, even when they have already obtained their security clearance.

Tensions Due to the Presence of Armed Actors

Throughout our interviews, civilians from different ethnic and religious components of Kirkuk's society complained about the presence of armed actors in their villages. While the security situation requires the presence of armed forces deployed throughout the governorate, some civilians felt unease about having armed Federal Police and/or local tribal PMU soldiers inside their villages, as they could attract ISIS attacks.⁸⁰ Moreover, some civilians interviewed argued that the security forces should set a perimeter around the villages to better protect the population.⁸¹

Community views on the ISF in Hawija, Daquq, and Tuz are also influenced by relations prior to ISIS control, and local security actors failing to address the grievances of the community.

Civilians in Sunni Arab areas displayed mixed feelings regarding the tribal PMUs. Some villagers felt comfortable with their presence, as they were members of the same tribe and often related to them,⁸² while

others felt uncomfortable because of their origin as militias outside of the official state forces. A civilian told us, "These armed militias are not well trained, they are not part of the ISF."⁸³

Interviews with Turkmen and Kurds in Altun Kopri, Taza, and Daquq surfaced differing views of the Turkmen PMUs. Turkmen PMUs have been accused of harassing non-ethnic Turkmen, looting and destroying properties, and blocking IDPs from returning to their areas of origin.⁸⁴ These abuses have been particularly evident in Tuz district, a part of Salah al-Din governorate bordering Kirkuk governorate on the east.⁸⁵

Shia Turkmen inhabitants from Taza and Daquq whom CIVIC interviewed reported having good relations with the Turkmen PMUs and said they were respectful with "all ethnicities."⁸⁶ However, none of the Kurdish or Arab participants living in areas of Daquq, where Turkmen PMUs are present, had such views.⁸⁷ A civilian sharing his views of the local Turkmen PMU told CIVIC, "They are not professional forces and they behave disrespectfully with us."⁸⁸ Some civilians and even members of the local police interviewed accused the PMUs of being involved in illegal activities and of extorting the local population.⁸⁹

In Hawija, some Sunni Arab families complained about being mistreated by the security forces, particularly by the Federal Police.⁹⁰ While Hawija is a Sunni Arab dominated area, the Federal Police are perceived as being mostly composed of Shia Arabs from the

80 CIVIC interviews with civilians in Daquq and Hawija districts, July and August 2019.

81 See section: "ISIS Infiltration in Rural Kirkuk"

82 CIVIC interviews with civilians in Hawija district, July and August 2019.

83 CIVIC interview with a civilian in Abbasi sub-district, part Hawija district, on August 2019.

84 CIVIC interviews with Kurds and Sunni Arabs residing in Daquq district, as well as with humanitarian workers operating in the district, July and August 2019.

85 Historically, Tuz district was part of Kirkuk governorate until Saddam Hussein redesigned the borders of some provinces with the intention of changing the demographics of such provinces in benefit of the Sunni Arab population. Tuz has been compared to a "small Kirkuk" because of its ethnical and religious diversity. Before ISIS attacked the district, gaining a foothold on the southern parts of the district, Tuz was composed of a mix of Sunni Arab, Sunni and Shia Turkmen, and Sunni Kurdish villages. Its capital, Tuz Khurmatu, represented all these components and the city was well integrated. However, after ISIS attacked the district, and after the subsequent changes in the forces that controlled of the area, the social coexistence among the groups has been severely damaged.

See: Erica Gaston and Andras Derzi-Horvath, "Iraq after ISIL," Global Public Policy Institute, March 2018, https://www.gppi.net/media/Gaston_Derzi-Horvath_Iraq_After_ISIL.pdf

See also: "After liberation came destruction", Human Rights Watch, March 2015, <https://www.hrw.org/report/2015/03/18/after-liberation-came-destruction/iraqi-militias-and-aftermath-amerli>

86 CIVIC interviews with Shia Turkmen in Taza, Yaichi and Daquq sub-districts, located in Kirkuk and Daquq districts, July 2019.

87 CIVIC interviews with Kurds and Sunni Arabs residing in Daquq district, July and August 2019.

88 Ibid.

89 CIVIC interviews with civilians and police officers residing or working in Daquq district, July and August 2019.

90 CIVIC interview with an Arab civilian from Hawija district, July and August 2019.

“At the checkpoints, they [the security forces] always stop me and my daughters for a long time. They ask me where my husband is and if I am alone. They also say that they can help me if I give them my phone number, but I know what they mean.”

*Female IDP head of household,
Laylan IDP camp in Kirkuk, August 2019.*

south.⁹¹ This has created resentment among the local population of Hawija who see the Federal Police as “outsiders.” Some civilian interviewees reported being profiled as ISIS supporters because of their Sunni affiliation.⁹²

Several civilians interviewed felt disrespected and harassed by the security forces manning checkpoints.⁹³ Some males complained that the Federal Police stopped their car for longer time periods if there were females in the vehicle. Whether security forces are merely following their protocol of checking passengers in every vehicle, or, as some interviewees expressed “disrespecting their women,” this practice runs afoul of the more conservative rural social norms and is generating resentment within the local population.⁹⁴ This was also corroborated by female interviewees who said that they have felt intimidated by some members of Federal Police guarding the checkpoints.⁹⁵

“Some of them are very respectful and professional, but others stare at us.”⁹⁶ A female from Hawija told us how a member of the Federal Police asked her brother for his phone number, allegedly for security reasons, just to call him later and tell him his sister was beautiful and that he wanted to marry her.⁹⁷ Other females agreed that they had experienced similar episodes, to which one added, “One day a Federal Police officer told my father, ‘we will give you a woman to marry if you give us one of your daughters.’”⁹⁸

The misbehavior of some members of the security forces has had exponential effects on the image civilians have of the entire force, creating mistrust toward the security forces and the national and provincial government, and even creating resentment and encouraging a lack of cooperation with these forces.

Nevertheless, civilians from different ethnic backgrounds have mentioned to CIVIC that soldiers or police officers from the same force displayed different

91 This is explained by the post-2003 order and the policies of former Prime Minister Nouri al-Maliki, that favor the domination of the security forces by the Shia Arab population.

92 CIVIC interviews with civilians from Hawija district, July and August 2019.

93 CIVIC interviews with civilians from Hawija district, July and August 2019.

94 CIVIC interviews with civilians and members of the tribal PMU, Hawija district, between July and October 2019.

95 CIVIC Focus group discussion with females from Hawija city, October 2019.

96 Ibid.

97 Ibid.

98 Ibid.

behaviors depending on their division or brigade.⁹⁹ This highlights the influence commanders can have on their troops' actions and their behavior toward the local population. Commanders have an immense power to influence their soldiers, inculcating the principles of civilian protection among their ranks, and helping to build ties between the security forces and the civilians they are protecting.

Extortion and Bribes

Civilians interviewed by CIVIC in Hawija district reported that they are regularly stopped at checkpoints while carrying goods and asked to pay a "tax" or bribe to the security forces manning the site. Locals noticed that these security forces would demand payment whenever they saw locals transporting their harvest or goods to sell in the markets. "If it is just people travelling it's ok, they do not ask for money. But if we want to bring our harvest to the market to sell, they ask us for money," said a civilian from Hawija.¹⁰⁰

Some people interviewed attributed these behaviors exclusively to the Federal Police, stating that the tribal PMUs who were from the area and part of the community did not engage in such practices. Others indicated that both local tribal PMU and Federal Police demand payments at checkpoints.¹⁰¹

These actions further tarnish the image of the security forces, generating resentment toward them. Commanders need to investigate these allegations and instruct forces to cease such unlawful practices.

None of the civilians, community leaders, or NGO staff interviewed by CIVIC attributed these behaviors to the Iraqi Army or the Counter-Terrorism Service. In this regard, civilians stated that both of these units are more professional and respectful in their engagement with the local population.¹⁰²

Complaint Mechanisms for Civilians

CIVIC has noted the lack of adequate channels for civilians to report incidents of civilian harm. While different security forces, such as the Federal Police, Local Police, Iraqi Army, and the KOC, have departments of civilian affairs, also called Citizen Affairs Offices, which are meant to gather and investigate civilian complaints about security forces, civilians report that their work has not led to changes in policy or any disciplinary action against officials involved in violations. This was also highlighted during a recent Civilian-Military (CIVMIL) dialogue in Kirkuk. Civilians noted that the myriad of armed actors performing security duties in Kirkuk confuse locals, who do not know to whom they should report concerns.¹⁰³

Moreover, civilians rarely use these mechanisms because they are not familiar with them, because they believe they are ineffective, or because they fear retaliation if they denounce a member of the security forces.¹⁰⁴ For these mechanisms to be effective, they need to be transparent to guarantee the anonymity and protection of the informants, and to integrate third parties that are able to be neutral in investigating and addressing the complaints presented. During the CIVMIL dialogue, participants suggested that a coordination mechanism should be created by the different security forces and include the creation of a specific agency to be responsible for receiving citizens' complaints regarding the security forces and following up on them. Hotlines should be available, and civilians should be encouraged to report protection threats and issues they experience while interacting with security actors through a government-led social media campaign.¹⁰⁵

99 CIVIC interviews with civilians in Hawija district, July and August 2019.

100 CIVIC interviews with civilians from Hawija district and with NGO staff operating in the district, between July and August 2019.

101 Ibid.

102 Ibid.

103 CIVMIL dialogue facilitated by CIVIC in Kirkuk city, July 2019. See also footnote 29.

104 CIVIC interviews with civilians from Hawija, Daquq and Kirkuk districts, from July to October 2019.

105 See footnote 37 on the CIVMIL Dialogue organized by CIVIC in Kirkuk city, July 2019.

“The Federal Police is currently using my house as their quarters so I cannot return to my village. My brother in law went to speak to them and asked them if they could pay some form of rent if they were going to stay there, but they refused.”

Female IDP head of household from Hawija displaced in Kirkuk city, October 2019.

Civilian Properties Occupied by Security Forces

During the fight against ISIS, as areas were being cleared in Nineveh and Kirkuk, there were no temporary forward deployed bases. Security forces used abandoned homes to rest, eat, and plan operations. However, even though major combat operations ended in December 2017, some homes in Hawija and Daquq used by the ISF have not yet been vacated.

At the time of writing, Federal Police occupied at least 13 houses in the Hay Qada neighborhood of Hawija city, using them as headquarters and preventing their owners from returning.¹⁰⁶ A resident of Hay Qada who has been unable to return home told CIVIC, “My house is occupied by the Federal Police. When I went to visit my property after the liberation, the road leading to my neighborhood was closed and I was prevented from accessing my house by the Federal Police, who told me the houses were being used as headquarters.”¹⁰⁷ Local government authorities have failed to compensate civilians whose homes are being occupied or provide a timeline on when homes will be vacated.

Some civilians and NGO staff operating in Hawija district told CIVIC that the Federal Police were using houses in Zab and Abassi sub-districts as police quarters as well. The owners have been unable to return and remain displaced in Kirkuk city. They have been forced to rent houses in Hawija city or have moved in with relatives.¹⁰⁸ In one case, a family complained that they were not allowed to take their belongings and furniture from their house. “We asked if we could at least have some of our furniture and belongings but they [referring to Federal Police] refused. They said ‘this does not belong to you anymore’”¹⁰⁹

Civilians interviewed by CIVIC reported that the security forces have neither compensated them, nor paid any form of rent for the use of their properties. “We tried to ask the mayor of Hawija and the commanders of the Federal Police for compensation, such as the price of the rent we are paying now [while in displacement], but they refused,” said a civilian whose house in Hay Qada was occupied by the Federal Police.¹¹⁰

A member of the tribal PMU recognized that, during the military operations and in the early aftermath, security forces did not have bases in the area, so “they had no

106 CIVIC interviews with a civilian and several staff members of NGOs working in Kirkuk governorate, July and August 2019.

107 CIVIC interview with a civilian from Hawija city, October 2019.

108 CIVIC interviews with civilians from Hawija district and with staff members from several NGOs operating in Kirkuk governorate, July and August 2019.

109 CIVIC interview with a female civilian from Hawija district, October 2019.

110 CIVIC interview with a civilian from Hawija city, October 2019.

choice” but to occupy private houses or government buildings and in Rashad sub-district, a school building. However, he also recognized that the Federal Police should have built their own bases so that the school could be repaired and return to being used as a school.¹¹¹

According to the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, “functioning schools and universities should not be used by the fighting forces of parties to armed conflict in any way in support of the military effort.” This includes schools that have been abandoned or evacuated. Although the declaration of Safe Schools provides an exception “in extenuating circumstances when [the security actors] are presented with no viable alternative,” which could have been the case as stated by this PMU member, the use of schools should always be temporary and security forces should vacate school buildings as soon as possible.¹¹²

CIVIC’s interviews and other anecdotal evidence suggest that some of the properties still occupied by the Federal Police belong to people perceived by security forces as ISIS-affiliated families. While some of these families remain displaced because of the lack of the security clearance necessary to return or because they fear retaliation, those families who tried to reoccupy their properties have been rejected by the Federal Police stationed there.¹¹³

Authorities have argued that Iraq’s counter-terrorism law allows for the expropriation of properties belonging to ISIS members.¹¹⁴ However, such expropriation can only be done through a judicial order, which would require a trial and conviction of an individual for terrorism-related charges, and a subsequent order by a court for the confiscation of those properties registered

under the names of convicted persons.

In August 2019, the Deputy Commander of the 3rd Division of the Federal Police stationed in Hawija and Daquq told CIVIC that they had only used houses that were empty or “belonged to ISIS” and that he had not heard of the Federal Police occupying people’s houses and displacing them.¹¹⁵ However, while those properties may have been empty during and right after combat operations,¹¹⁶ in 2019, some families have shared with CIVIC their intentions to return or have suggested that at least the government or the security forces pay them a rent.¹¹⁷

These actions are impacting the return of some IDP families to their areas of origin and are also creating resentment among the local population who think these security forces are insensitive to the population’s difficult living conditions and see them as placing themselves above the law. This type of behavior is not only unlawful, but damages the security forces relationship with the local community, and hinders stabilization efforts.

Harassment of Perceived ISIS-Affiliated Families

Families perceived as having members that joined or collaborated with ISIS were subjected to forms of collective punishment such as destruction and looting of property and forced displacement. International and local NGOs, including UNAMI, have raised concerns because of the marginalization and punishment of families in which, one or several family members joined or collaborated with ISIS. They have nicknamed them “ISIS families,” which is meant in a derogatory sense.

These concerns are particularly alarming in female-headed families. Many female-headed households,

111 CIVIC interview with a member of the tribal PMU operating in Rashad sub-district, August 2019.

112 The Safe Schools Declaration, launched in Oslo in May 2015, attempts to tackle the broad impact of armed conflict on education, outlining a set of commitments to protection and ensure education during armed conflicts. See: Global Coalition to Protect Education from Attack (GCPEA), <http://www.protectingeducation.org/safeschoolsdeclaration>

113 CIVIC interview with staff members from NGOs operating in Kirkuk governorate, July 2019.

114 Article 6.2 of the Anti-Terrorism Law “All funds, seized items, and accessories used in the criminal act or in preparation for its execution shall be confiscated.”

115 CIVIC interview with the Deputy Commander of the 3rd Division of the Federal Police, deployed at that time in Rashad, Riyadh, Zab, Daquq and Kirkuk city, August 2019.

116 One of the civilians interviewed by CIVIC said that, when a group of families visited the Major of Hawija demanding a solution for their occupied properties: “The major admitted that, after liberation, the commander of the Federal Police came to him requesting houses where his troops could establish their quarters. The major said he offered them those houses in Hay Qada because the neighborhood was new and empty. The major allowed them to stay there.” CIVIC interview with an IDP from Hawija district, August 2019.

117 CIVIC interviews with an IDPs from Hawija district, August 2019.

whose husbands died or disappeared during the fighting, have lost their only source of income, leaving them with few or no resources, stranded in IDPs camps, and with scant possibilities of returning to their areas of origin or starting a new life. Conservative social norms discourage women from enrolling in the work force, resulting in a descent into poverty by these families that have women as the heads of the household.

In conservative Sunni Arab areas, such as Hawija and southern Daquq, women rarely work outside their homes. Whereas in other circumstances a woman and her children would normally be supported by their extended families, the stigma attached to being an “ISIS family,” as authorities and security forces call them, makes this support less likely. The extended families

are afraid that by helping them, they will also be labeled ISIS supporters. A displaced woman from Hawija district explained that, after some security actors expelled her from her house, she moved into her brother’s house. “While I was in my brother’s house, almost every day they [members of the security forces] would arrive to search it. [...] After a while my brother asked me to leave his house, saying he did not want any more problems.”¹¹⁸ The same woman also reported being harassed during search operations: “They were telling me ‘give us your phone number, if you need anything we can help you.’ They knew I was alone.”¹¹⁹

Single female IDPs interviewed inside and outside IDP camps widely reported being harassed by the security forces because of their perceived vulnerability.

118 Ibid.

119 Ibid.

Lack of Women in Security Forces

Under the Iraqi patriarchal system, women do not enjoy equal access to leadership positions and are under-represented or absent from legislative, executive, and judicial bodies where the decisions being made greatly affect their lives. National decision-making is perceived as the exclusive domain of men.¹²⁰

Family law is discriminatory toward women, particularly with regard to divorce, child custody, and inheritance. In the absence of a male relative, a woman lacks economic, physical, and social protection and support. Women also face domestic violence. According to UNICEF, 51% of Iraqi women aged 15-49 years believe that a husband/partner is justified in hitting or beating his wife under certain circumstances.¹²¹

These structural issues were compounded by the ISIS crisis. In areas under ISIS control, women lost access to the public sphere. ISIS imposed strict social controls and a set of radicalized gender norms in communities, which included the strict separation of women from unrelated men in public spaces, which in turn affected women's ability to work.¹²²

According to a local women's organization, while ISIS never controlled Kirkuk city, the attitude toward women in the city has become more conservative in recent years. This is due to the presence of IDPs who lived under ISIS rule and have come from rural areas, as well as the deployment of security forces from southern Iraq – who are perceived to be more conservative toward women. These factors translate into increased harassment against women venturing into the streets

and women feeling less comfortable in the public sphere, which impacts their daily lives.¹²³

During a FGD with women from Hawija city organized by CIVIC in October 2019, participants said that women are afraid and reluctant to go to the police station alone, for instance to file a complaint against their husbands. "In this society, if a woman goes to the police station alone to file a complaint, her husband would want to divorce her. People would say 'you must wash your hands of this woman.'"¹²⁴ The participants also shared stories of females being harassed at police stations,¹²⁵ which were later corroborated by other NGOs working in the area. "Sometimes the police officers harass women who come to them alone to file a complaint. Women told me that police officers would sit too close to them and make them uncomfortable, or they would try to touch them or ask for their phone numbers and call them at night."¹²⁶ Part of the problem can be explained by the lack of female police officers, but also by the lack of sensitization and training police officers receive on gender.

The lack of females within the security forces mean they are also not present during cordon and search operations where women and children are present, or during the screening of females. This has proven to be very problematic during military operations against ISIS, since the lack of women officers made it impossible to screen women crossing the frontlines or after an area was retaken by the security forces. In some cases, ISIS members disguised as civilian women carried out suicide attacks, causing numerous casualties among

120 "National Action Plan for Implementation of the United Nations Security Council Resolution 1325 Women, Peace and Security 2014-2018," Government of Iraq, https://www.peacewomen.org/sites/default/files/final_draft_Iraq_-_nap_1325_eng.pdf

121 Abusive traditional practices such as honor killings, forced marriages, and female genital mutilation (FGM) is present in some areas of Iraq. According to UNICEF, 10 to 25% of women in Kirkuk governorate have suffered FGM. See: "Iraq: Statistical Profile on Female Genital Mutilation/Cutting," United Nations International Children's Emergency Fund, December 2013, https://www.28toomany.org/static/media/uploads/Continent%20Research%20and%20Resources/Middle%20East/fgmc_irq.pdf

122 "Gender and Conflict Analysis in ISIS Affected Communities of Iraq," Oxfam, May 30, 2017, <https://policy-practice.oxfam.org.uk/publications/gender-and-conflict-analysis-in-isis-affected-communities-of-iraq-620272>.

123 CIVIC assessment "Protection Concerns in Kirkuk City", March 2019.

124 Participant of a Focus Group Discussion organized in Hawija city, October 2019.

125 Ibid.

126 CIVIC interview with a female NGO worker from an NGO working in Hawija city, October 2019.

the security forces. To tackle this issue – as described by CIVIC in previous reports – security forces used female civilian volunteers, sometimes the wives of mukhtars, to conduct screenings with females.¹²⁷ However, this posed a number of problems as well, since civilians have not been trained for such tasks and could be exposed to great risk.

The inclusion of female officers in cordon and search operations will also have broader effects vis-a-vis the relations between security forces and civilians. Women are more likely to feel safe if female officers are present during search operations. Moreover, civilian females are more likely to approach female officers to share their concerns, to seek for help, or even to file a complaint.¹²⁸

Harassment of Female IDPs

IDP women-headed households are especially vulnerable to marginalization and exploitation. With their husbands missing, most of these women have lost their only source of income. If the families are perceived as “ISIS-affiliated,” they typically lose the support of their extended family, village, or tribe. The stigma of being “ISIS families,” means they can be targets of harassment by other civilians and security forces. NGOs have widely reported discrimination some of these families face when accessing humanitarian aid. Despite the humanitarian principle of non-discrimination when providing assistance, some local authorities, security forces, and even some NGO workers have reportedly denied basic assistance, such as food or non-food items, to some of these families.¹²⁹

Some IDPs have been blacklisted by the security forces due to the real or suspected affiliation of a family member with ISIS, leading to obstacles if they need to renew their documents and obtain security clearance to return their area of origin. This identification is based on several lists

held by the myriad of security forces taking part in military operations against ISIS and/or holding territorial control of Kirkuk governorate. However, this identification process presents a series of problems from a legal perspective. As they have been identified as possible suspects by unknown members of the community, not an Iraqi Court, and included whole families where one member had joined or collaborated with ISIS, even though the rest of the family had not taken part in any criminal action.

As mentioned above, hundreds of families perceived to have a degree of connection with ISIS were forced to leave their houses in Hawija and Daquq district, loaded into trucks by security forces, and taken to IDP camps in Kirkuk governorate, mainly Daquq camp.

The security forces would present a list with the names of those IDPs “blacklisted,” instructing camp management to restrict their movement outside the camp. According to several NGOs CIVIC spoke to, these individuals needed a sponsor in order to leave the camp to go to work, go shopping in a nearby town, or even to go to the hospital. A sponsor, someone who has not been blacklisted, would support the application and vouch that the person is not a security threat.¹³⁰ Many families have struggled to find a sponsor that could support their application. Some women told CIVIC that members of the security forces guarding the camps would ask them for their phone numbers in return for allowing them to get past the gates.¹³¹

Others interviewed said they had received calls from men, or have been approached by men from the camp or security guards, asking them for sexual favors in exchange for money or help.¹³² NGOs working in IDP camps in Kirkuk governorate have told CIVIC they are aware of the existence of prostitution and sexual exploitation in the camps and that women are asked

127 “Mosul: Civilian Protection Challenges post-ISIS”, Center for Civilians in Conflict, May 2018, <https://civiliansinconflict.org/publications/policy/mosul-civilian-protection-challenges-2/>; “Policies and Practices to Protect Civilians: Lessons from ISF Operations Against ISIS in Urban Areas”, Center for Civilians in Conflict, October 2019, <https://civiliansinconflict.org/publications/research/policies-practices-to-protect-civilians/>

128 CIVIC interview with a member of the Kirkuk CPG, created by CIVIC in July 2019; See also footnote 28.

129 CIVIC interviews with NGOs that currently have activities in IDP camps in Kirkuk governorate, or worked there in the past, Kirkuk city, July and August 2019; “The condemned. Women and children, isolated, trapped and exploited in Iraq”, Amnesty International, April 2018, <https://www.amnesty.org/en/documents/mde14/8196/2018/en/>

130 CIVIC interviews with NGOs that currently have activities in IDP camps in Kirkuk governorate, or worked there in the past, Kirkuk city, between July and October 2019

131 CIVIC interviews with female IDPs living in Laylan 1 camp, located in Daquq district, July and August 2019.

132 CIVIC interviews with two female IDPs living in Laylan 1 camp, located in Daquq district, August 2019. For more information see also: “The condemned. Women and children, isolated, trapped and exploited in Iraq,” Amnesty International.

for sexual favors in exchange for assistance.¹³³ An NGO worker told CIVIC that the situation was much worse in Daquq Camp, “It’s like a market.”¹³⁴ While NGO staff said the situation in Laylan 1 and Daquq 2 is better, they confessed that it is still occurring.¹³⁵

Some women also expressed fears of being assaulted during the night. Although none of the women interviewed by CIVIC reported experiencing any attempts of sexual assault in the IDP camps, NGOs working in the camp corroborated that these incidents have happened in Laylan 1 and 2, in the former Daquq camp, and in other camps across Iraq.¹³⁶

While there are mechanisms for IDPs to report abuses to camp management and a Gender-Based Violence Unit exists in all camps in Kirkuk governorate, they are ineffective. According to UN agencies and NGOs

interviewed for this report, different IDP camps have different reporting mechanisms for IDPs to complain and report abuses such as letterboxes, protection officers working in the camp, camp management officers, and even a hotline.¹³⁷ However, many of the gender-based violence complaints seem to go missing and are thus not investigated.¹³⁸

There are also cases of prostitution or “survival sex” happening in IDP camps in Kirkuk governorate, however, NGOs and UN agencies are reluctant to intervene, arguing IDP women should be free to decide for themselves, and that it is a difficult issue to tackle. As a result, single IDP women are in a position of vulnerability and at high risk of exploitation. Government authorities, NGOs, UN agencies, and security forces must take the measures required to avoid the risk of exploitation.¹³⁹

133 CIVIC interviews with NGOs who currently have activities in IDP camps in Kirkuk governorate, or who worked there in the past, Kirkuk city, between July and October 2019.

134 CIVIC interview with an NGO worker, Kirkuk city, July and August 2019.

135 Ibid.

136 CIVIC interviews with NGOs that currently have activities in IDP camps in Kirkuk governorate, or who have worked there in the past, Kirkuk city, between July and October 2019.

137 Ibid.

138 CIVIC interview with an NGO worker, Kirkuk city, July and August 2019.

139 Other protection issues affecting IDPs are the problems in renewing or obtaining missing civil documentation, and the issues surrounding obtaining security clearance in order to return to their areas of origin. Because of the complexity of these issues, and because they affect IDPs across different governorates in Iraq, these protection concerns will be addressed in an upcoming policy brief on the topic of return of IDPs to their areas of origin and the impact security actors are having in the return process.

CONCLUSION

As Kirkuk's civilians try to rebuild their lives and communities after the end of major combat operations, the success of post-ISIS stabilization efforts will depend heavily on whether security forces can protect civilians from attacks and be responsive to their protection concerns.

ISIS cells, present mostly in Kirkuk's rural areas, have launched attacks against the population in the form of mortar attacks, arson, and targeted assassinations of civilians and community leaders. This has slowed the return of displaced persons and the reactivation of economic activity. The harassment of the local population seen as sympathetic to ISIS, and the

demand of bribes from some members of the ISF, have also negatively impacted the image the local population has of the security forces.

Countering the Islamic State's threat to civilians requires the Iraqi government and its security forces to proactively protect the population from violence, by responding to their concerns, providing a consistent and effective deterrence from attacks, and making themselves accountable to the people they are mandated to protect. Only then will trust between civilians and security forces – essential for long-term stability and economic recovery – take root.

Back Cover *ISIS car bomb in Bashir village, Kirkuk, 2016.*

Sahr Muhammedally/CIVIC



RECOGNIZE. PREVENT. PROTECT. AMEND.

T +1 202 558 6958
E info@civiliansinconflict.org