

Scoping Study

“A strategy for women participation in peace processes in Nineveh”

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List of abbreviations

CEDAW	Committee on the Elimination of Discrimination against Women
FGD	Focus group discussion
GNWP	Global Network of Women Peacebuilders
IDPs	Internally displaced people
IOM	International Organization for Migration
ISI	Islamic State of Iraq
ISIL, ISIS, or IS	Islamic State of Iraq and the Levant
KA	Kurdistan Alliance List
KDP	Kurdish Democratic Party
KRG	Kurdish Regional Government
NAP 1325	National Action Plan to implement UNSCR 1325
NRC	National Reconciliation Committee (NRC)
NPC	Nineveh Provincial Council
PMF	Popular Mobilization Forces
PUK	Patriotic Union of Kurdistan
UNSCR	United States Security Council Resolution
UNDP	United Nations Development Program
UPP	Un Ponte Per
YPG	People's Protection Units

1 Introduction

EIBarlament approached swisspeace to conduct and draft a scoping study on the conflict context of the Nineveh governorate in Iraq and the role of women in the current peace process. The study aims at supporting EIBarlament within the framework of their project “Towards Enhancing Women’s Participation in Peace Processes in the Nineveh Region”, a project commissioned by GIZ. The project involves the drafting of a strategy paper on improved participation of women in peace, reconciliation, transitional justice, and conflict resolution processes in Nineveh; inspired by UNSCR 1325. EIBarlament’s strategy paper will offer recommendations on these issues and will be submitted to the Iraqi President’s Office.

The study sets out with a brief analysis of the conflict history of Iraq in general, and Nineveh Governorate in particular, outlining key actors and lines of conflict and tensions as well as their underlying drivers. It then provides insights into the research participants’ definitions of peace and their assessment of ongoing peacebuilding activities, including the main challenges.

The cornerstone of the study is dedicated to women’s participation in Nineveh. Starting with women’s participation in political decision-making, it continues with their involvement in peacebuilding, focusing on why it matters and why it is currently insufficient. In the following, it looks at the role of UNSCR 1325 in Iraq, both past and present, and draws conclusions for the Second National Action Plan for the resolution’s implementation. It finishes the section on participation by looking at the current status of female refugees’ participation and what needs ought to be addressed to increase it. p

The study then moves on to a short section on transitional justice, sketching the research respondents’ trust and evaluation of existing judicial institutions to bring justice as well as their attitude to the establishment of an international criminal tribunal. It finishes with recommendations and entry points for action.

2 Design and scope of study.

The study draws on qualitative research methods, combining extensive desk-review with original data obtained through the conduct of thirty interviews. Jameel al-Jameel and Baraa Sabri acted as local experts, who did the actors’ mapping based on which interview participants were selected. The thus chosen respondents cover a wide range of stakeholders to ensure a diversity in occupational and geographical backgrounds, as well as the inclusion of the various minority groups and the representation of both sexes (see also Figures 1 and 2). The analysis includes the views and perceptions of civil society members, policy-makers, members of women’s organizations, officials from public administration, as well as tribal and religious figures.

The interviews were semi-structured following a questionnaire with thirty questions. The majority of the questions encouraged the participant to expand on their answer with only a few scale questions. To this end, a draft questionnaire of EIBarlament was adapted and developed in close cooperation with the two local experts, Jameel al-Jameel and Baraa Sabri, who were commissioned by EIBarlament to conduct the interviews. They provided feedback on the draft questionnaire and, after the first interviews were conducted, on the reworked questionnaire for final adjustments. The two local experts conducted the thirty interviews within three weeks, between the end of June and beginning of July 2020.¹ As a result of the current Covid-19 pandemic, the majority of the conversations could only be held via phone. The average length of interviews was one hour. Two different translators provided the English translation of the interviews on a rolling basis. Given the sensitive context of the research, all

¹ Elza Seferian, the project coordinator from Elbarlament, also conducted some of the interviews.

participants were anonymized. Finally, Jameel al-Jameel and Nineb Lamassu reviewed a first draft of this report and gave extensive and valuable feedback on it.

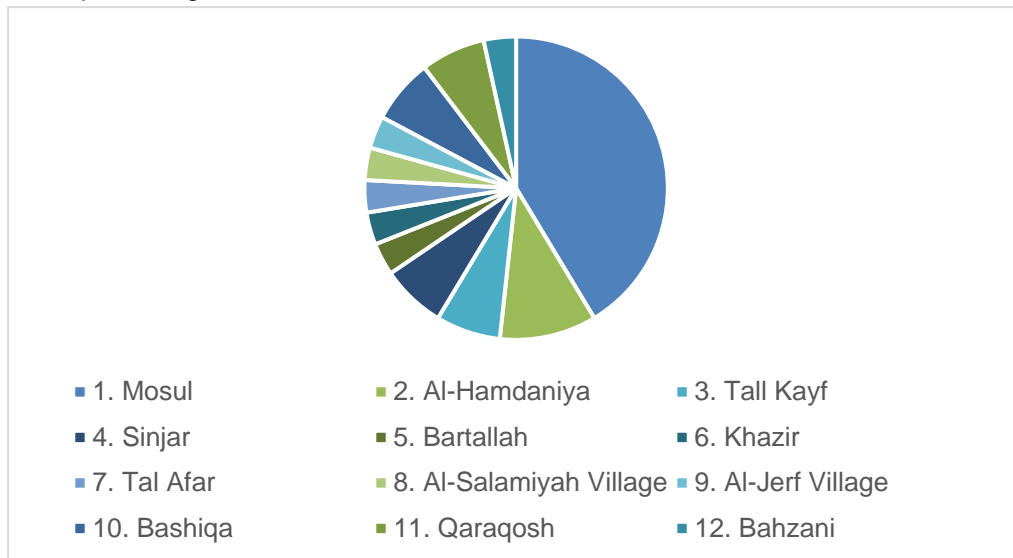


Figure 1: Geographical background of research respondents

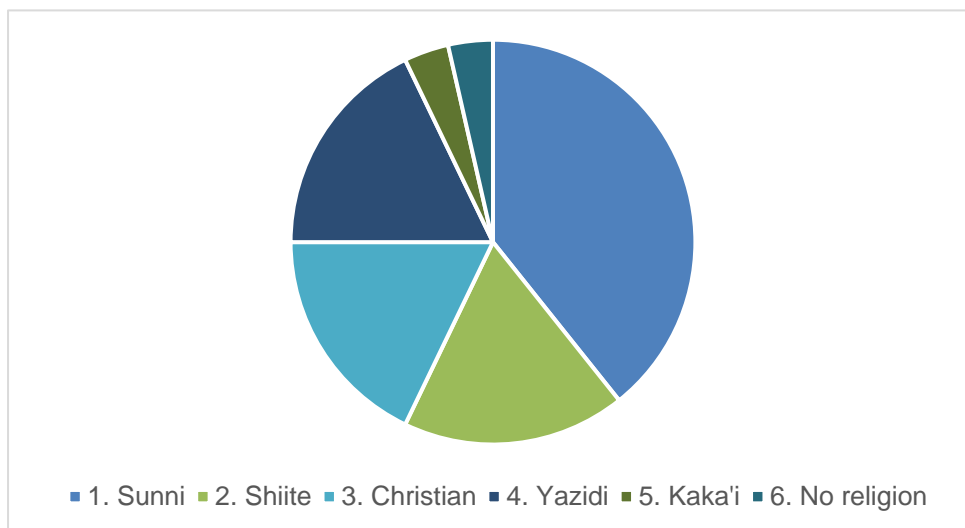


Figure 2 : Religious background of research respondents

The core of the study is based on the analysis of the thirty interviews combined with a review of the available literature on the subject. Some sections, where indicated in the text, include the analysis of additional original data made available by EIBarlament:

- Five interview transcripts (English translations) from interviews conducted by EIBarlament with NGO representatives.
- An English transcript from a focus group discussion with civil society representatives organized by EIBarlament on 16 July 2020 during which swisspeace participated. The transcript provided input from seven participants from the event and offered valuable insights that helped contextualize the interview data.

As with every study, this report too has several limitations. The short-term conduct and duration of the study posed a significant challenge. It meant that only a limited number of interviews could be conducted and analyzed while upholding the standard of qualitative interview analysis. Thus, the study is not representative of the entire Governorate of Nineveh. It is a scoping study in the real sense of the word and does not cover the context in its whole complexity. Besides, the quality of the interviews may

have been influenced by several factors. Firstly, conducting interviews over the phone as opposed to holding them face-to-face may have affected the quality and depth of the answers in some instances. It is more difficult for researchers to establish trust in this setting, especially where interview respondents have not been met previously. Secondly, translation per definition skews research because translators bring their own interpretative framework, and some of the original statements and meanings may be processed and presented with slight variations. Lastly, the desk research drew exclusively on English language sources, which may lead to bias by leaving out local accounts and studies of the context.

3 The Conflict Context of Nineveh

To understand the current conflict context of Nineveh governorate, it is essential to comprehend the complex history of Iraq and its inherited challenges post-British Mandate, which ended in 1932. Consequently, a very complex socio-political landscape was shaped and formed. Moreover, under Ottoman rule, which laid the seeds for the early Sunni Arab monopolization of state institutions in what was to become the republic of Iraq: prepared the ground for fierce power struggles.² Dissent from various groups of diverse ethnical backgrounds, including attempts at secession by some and their fierce suppression by the Iraqi Central Government under its changing leadership, have since fuelled mistrusts and grievances among the various peoples that inhabit Iraq.

Incessant external interventions of powerful nations with their vested interests, above all the United States and Iran, but also interventions of multilateral organizations such as the United Nations: led to widespread suspicion towards foreign interference and imposition among a large part of the population, which also has implications for today's interventions and approaches to peacebuilding in Nineveh Governorate context.

3.1 Grievances and divisions rooted in Iraqi history

Iraq, with an estimated population of roughly 40 million people, has been home to many different ethnic groups. Arabs, which make up about 80 percent of the population, account for the majority followed by Kurds and Turkmen as the second and third largest groups in the country (Figure 3).

During the first decade of the new state, there were grievances between the various ethno-religious groups: Shia Muslims, Sunni Kurds, Turkmen, Yazidis, Shia Shabak and Assyrian Christians because the state was focused on Sunni Arab domination and control over the country's resources. The post-2003 era was mainly Sunni Arabs along with other groups who felt marginalized and side-lined from political participation by the Shia dominated government.

In the early years after the Second World War, **Kurdish Peshmerga**, first under the leadership of Mustafa Barzani, Head of the Kurdish Democratic Party (KDP) and after the mid-1970s divided under Barzani and Jalal Talibani, Head of the Patriotic Union of Kurdistan (PUK) led a series rebellions against the central government. The Kurds, which under British rule had enjoyed periods of administrative freedoms under a sort of in-direct rule agreement, saw their chance of **gaining independence and sovereignty** increasingly slipping away³. The First Kurdish-Iraqi war (1961 – 1970), which involved over 25,000 guerrillas and 60,000 Iraqi troops, resulted in casualties estimated to amount to 100,000 deaths.⁴ In its aftermath, a peace plan was put in motion awarding broader Kurdish autonomy and representation in governmental bodies to be implemented within four years. Yet, the predominantly

² Stacy Holden, 'The Secular Roots of a Religious Divide in Contemporary Iraq', *Origins: Current Events in Historical Perspective*, 9.2 (2015).

³ Saad Eskander, 'Britain's Policy in Southern Kurdistan: The Formation and the Termination of the First Kurdish Government, 1918-1919', *British Journal of Middle Eastern Studies*, 27.2 (2000), 139–63.

⁴ Edgar O'Ballance, *The Kurdish Revolt: 1961 – 1970* (Faber&Faber, 1973).

Arab Iraqi government put much effort into maintaining leverage and control in the region, especially against the backdrop of the oil-rich regions of Kirkuk and Khanaqin. Thus, Kurds remained dependent on the Iranian military support to offset the power balance. By 1974, the situation escalated once more and led to the Second Kurdish Iraqi War, which ended in 1975. The violent conflict lasted until the US-led invasion in 2003 and witnessed occasional involvement from Syria, Russia and Iran. Tensions between the Kurdistan regional Government and the Central Iraqi Government have since persisted.

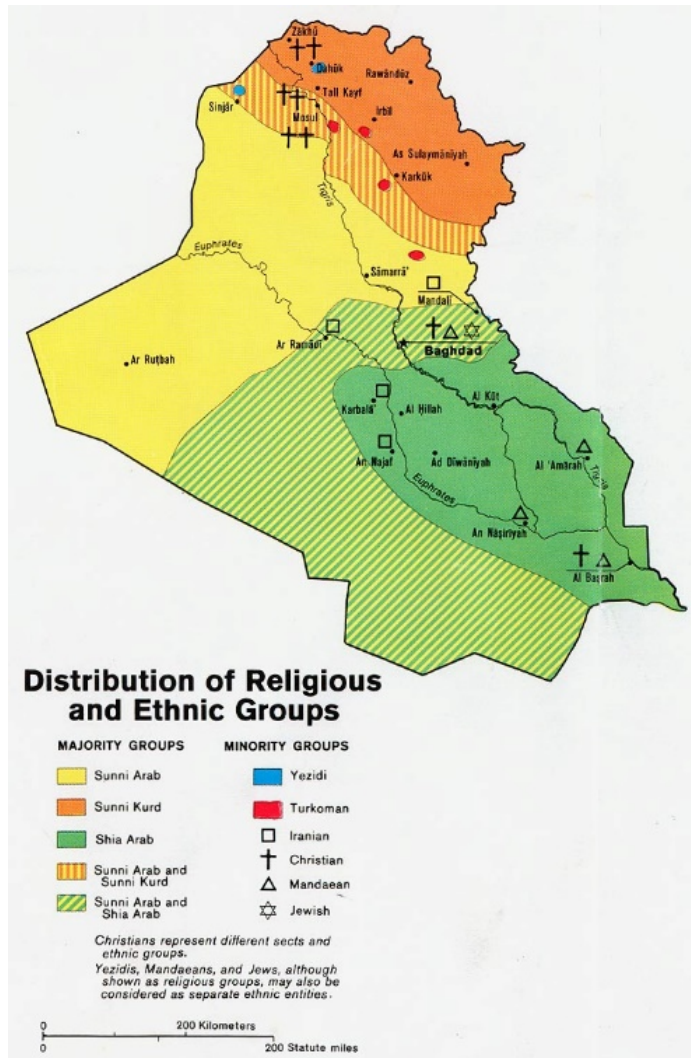


Figure 3: Distribution of Ethnoreligious Groups in Iraq (1978). Source: University of Texas Libraries

Arab Sunni control continued throughout 'Ba'athist Iraq' covering the period from 1968 to 2003. The Ba'ath Party firmly seized power after its second coup attempt in 1968 (also referred to as 17 July Revolution) with Ahmed Hassan Al-Bakr as President of the Revolutionary Command Council. His cousin **Saddam Hussein**, the Ba'ath Party's deputy, became Deputy Chairman of the Revolutionary Command Council and Vice President. The Arab Socialist Ba'ath Party's rule began with high economic growth due to high international oil prices, which, in turn, strengthened Iraq's role in the Arab world. Al-Bakr gradually lost power to Saddam in the 1970s, when the latter strengthened his position within the party and the state through his post as de facto chief of the party's intelligence services. Ultimately, Al-Bakr resigned, in 1979, under pressure and Saddam Hussein who subsequently assumed the offices of both the President and the Chairman of the Revolutionary Command Council.

The 1980s were marked by **territorial disputes with Iran** and **the government's fears over a Shia insurgency** inspired by the Iranian Revolution.⁵ As part of the Arab population, the Shia religious group, which made up roughly two-thirds of Iraq's population felt oppressed by the central government. Throughout the Ba'athist era, all their efforts to gain power and ensure a political voice were violently suppressed. The costly **eight-year war with Iran**, which started in 1980, bore devastating results for Iraq's society and economy. It ended in a stalemate despite Iraq's political and logistical support from the United States, the Soviet Union, France, and the United Kingdom. Estimates of casualties range from one million soldiers and civilians to twice that number. After a United Nations-brokered ceasefire (UN Security Council Resolution 598), both sides retained their original borders.

The early 1990s saw an increase in Shia-led revolts in the South and a wave of uprisings in the Kurdish-populated North, which were quelled with massive force by Iraqi government forces spearheaded by the Iraqi Republican Guard. Moreover, another territorial dispute with a neighboring country emerged, leading to **Iraq's invasion of Kuwait**. The Ba'athist government had officially raised concerns over Kuwaiti slant drilling of oil across the border. Moreover, it accused its oil-rich neighbor of deliberately increasing their oil output (above mandatory OPEC Quota). Thus, reducing international oil prices and the much-needed revenue for Iraq to mitigate its desolate economic situation. The international response to Iraq's invasion of Kuwait led to the **Gulf War** (1990 – 1991) and subsequent international **economic sanctions imposed by United Nations' Security Council**, adding further devastation to the already affected Iraqi population. The sanctions, which were also linked to demands of removal of weapons of mass destruction (UNSCR Resolution 687),⁶ further aggravated the country's economic conditions throughout the 1990s and weakened the Ba'athist regime.⁷ After 1991, Iraq underwent hyperinflation while the population suffered from increased levels of poverty and malnutrition.

The end of Sunni Arab supremacy was heralded in 2001, in the aftermath of the September 11 attacks when the United States labelled Iraq as part of the "Axis of Evil" in their newly proclaimed War on Terror. After several aerial attacks on Iraqi infrastructure in **March 2003**, while using the UN Resolution as a justification for Iraq's non-compliance and the existence of weapons of mass destruction, the United States with strong British support and military aid from other nations invaded Iraq.⁸ **The occupation of Iraq by Coalition forces** was declared as a necessity for maintaining peace and security in the region. Saddam Hussein vanished shortly after the invasion but was eventually captured, tried, and executed on December 30, 2006. Initial hopes of a better future and prosperity among many Iraqis were, however, short-lived. The occupation and a rushed political transition increasingly led to more entrenched rifts between Iraqi society and manifested in more disastrous results.

Under the Coalition Provisional Authority (caretaker government), Iraq saw two US administrators until the Iraqi Interim Government's establishment in June 2004, which was later replaced by the Iraqi Transitional Government in 2005. The United States, as the main occupying power, played a key role in defining and managing the transitional and interim arrangements. The new Iraqi National Assembly was elected in the Parliamentary elections in January 2005 with a mandate to draft a new constitution under a lot of time pressure and not without controversy.

"While the process of drafting the constitution ought to have been deliberative and inclusive, it was everything but. Rushed to meet arbitrary deadlines, it produced a document that ratified the alienation of Iraq's Sunni Arab community by formulating a system of government and a mechanism of oil revenue

⁵ Claudia Wright, 'Religion and Strategy in the Iran-Iraq War', *Third World Quarterly*, 7.4 (2007).

⁶ The UNSCR Resolution 687 demanded complete removal and destruction of all chemical and biological weapons and ballistic missiles with a range greater than 150km (under Geneva conventions). The established United Nations Special Commission was tasked with the supervision relating to inspections and set provisions asking Iraq to abide by its obligations under the Nuclear Non- Proliferation Treaty, not to develop nuclear.

⁷ The UN imposed stringent economic sanctions on Iraq largely ended in May 2003 with exceptions related to arms and to oil revenue, which gave the US and UK control over Iraq's oil revenue until December 2010 (<https://www.bbc.co.uk/news/world-middle-east-12004115>).

⁸ The UN Security Council did not issue a resolution authorizing the use of force against Iraq.

distribution that would excise the Sunnis from the country's new order and wealth. Rather than being the glue that binds the country together, the new constitution threatens to be the prescription and blueprint for its dissolution". (Hilterman Jost)⁹

The last US interim administrator left Iraq in 2005 while a large US military presence remained. Yet, the hurried political transition, in a society that had seen thirty years of unrelenting brutalities without opportunities to heal, encouraged the emergence of various actors with explicit sectarian and ethnic agendas.

As the Iraqi society struggled to rebuild and rehabilitate after three consecutive wars, decades of sanctions and internal turmoil: it soon faced a renewed emergence of violence between the occupation forces and a growing Iraqi insurgency. **Terrorism** emerged as a threat to the Iraqi people shortly after the 2003 invasion of the country, with **Al Qaeda** firmly establishing a presence. Former Ba'ath Party officials and many foreign fighters joined the insurgency, chiefly attacking American forces and those Iraqis allied with the occupation forces. Moreover, Sunni Jihadist forces increasingly targeted Shia religious shrines, places of worship and civilians, which was met by a wave of Shia reprisals and counterattacks against the Sunnis. While the conflict intensified, many journalists and scholars started referring to it as a civil war, fearing the country's disintegration only three years after the US-led invasion.¹⁰ Despite the presence of over 130,000 US troops, the period immediately following the dismantling of Saddam Hussein's regime witnessed profound lawlessness. Extremists were able to exploit the deepened rift between Sunni Arabs, who were the backbone of the ousted regime, and the Shiite majority of the population who after decades of marginalization were finally granted the opportunity to seize power. By October 2006, the Islamic State of Iraq (ISI) issued a statement that the Mujahideen Shura Council, an umbrella organization of several Sunni insurgent groups fighting the US-led coalition and allied Iraqi forces, was disbanded and replaced by the ISI.

Sectoral violence engulfed the Shia, Sunni, and Kurdish ethnic groups and specifically targeted minority groups such as the Yazidi, Assyrian Christians, Shabaks and Kaka'es, which led to mass exodus of these ethno-religious groups who found themselves under the threat of torture and death. Furthermore, Nouri Al-Maliki, a former Shia dissident who took the prime minister's office in 2006, lost much credibility among Iraqi people over accusations of corruption and sectarian politics, antagonizing both the Kurdish and the Sunni camps. Especially in early 2014, the government's handling of security matters came under great scrutiny. The ISI transformed under Abu Bakr al-Baghdadi into the **Islamic State of Iraq and the Levant** (ISIL, ISIS, IS). The transnational jihadist group, which attracted many foreign fighters, captured and terrorized large areas of Iraq, including the cities of Falluja, Abu Ghraib, and Al Qaim, Ramadi in 2015, which left them practically in control of large areas of Iraq. The northern cities of Tikrit and Mosul, along with large parts of the governorate of Nineveh, including parts of Salheddin, Kirkuk, and Diyala, were seized by ISIL and aligned insurgent forces during the Northern Iraq offensive in June 2014. The reign of ISIL only ended after 2017 when military victory was finally declared.¹¹ Nonetheless, armed groups, including ISIL, are still present, and there is a risk that the still fragile situation may lead to a resurgence of violence in the future.

[3.2 Conflict context of the Governorate of Nineveh](#)

Much of Iraq's turbulent and violent history is also reflected in the Nineveh governorate, which straddles the borderline between Sunni Arab and Kurdish-dominated areas. Nineveh, as the third-largest governorate of Iraq, is located in the North of the country and characterized by a very diverse and mainly tribal society,¹² which has been profoundly touched by armed conflict and sectarian violence.

⁹ Jost Hiltermann, 'Preventing Iraq's Disintegration', *The Baltimore Sun*, 5 March 2006.

¹⁰ Hiltermann.

¹¹ Nehal Mostafa, 'Iraq Announces End of War against IS, Liberation of Borders with Syria', *Iraqi News*, 2017 <<https://www.iraqinews.com/iraq-war/iraq-announces-end-war-liberation-borders-syria-abadi/>>.

¹² According to the United Nations Humanitarian Information Center (HIC) there are over 70 different tribes: UN Assistance

Even before the 2003 invasion, many of Nineveh's inhabitants were faced with **territorial disputes and forcible displacement** resulting from the 'Arabization' policy pursued by the post-1968 Ba'athist government under Saddam Hussein rule. The Ba'athist Arabisation policy aimed to promote national unity through a collective Arab identity while oppressing Kurdish nationalism and identity, along with other minority identities. As early as the 1970s, the central government separated, in a strategic move, the mainly Kurdish inhabited Aqra District from the Dohuk governorate and attached it to Nineveh "to allow for a better deployment of Iraqi troops to fight against the Kurdish Peshmergas" (Meier 2019).¹³

Tens of thousands of Kurdish residents, along with other minorities, were forcibly displaced on more than one occasion by violent means. During the 1980s, the government settled Arabs from other parts of Iraq in the original areas of these deported populations. Nonetheless, after the 1990s and the aftermath of the Gulf War, the region witnessed the establishment of no-fly zones imposed by the United States, the United Kingdom and France. These prohibited Iraqi aircrafts from entering the airspace of these no-fly zones, whilst the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP) regained control over some of the predominantly Kurdish-inhabited areas establishing Kurdish autonomous region.¹⁴ Tensions over allocation of administrative areas between the Kurdistan Regional Government (KRG) and the Iraqi Central Government have continued post-2003 invasion and have **remained a core concern for Arabs and Kurds alike**. Disputed areas in Nineveh governorate (Figure 4) include Aqra, the northern part of Al-Shikan, the Nineveh plains,¹⁵ as well as northern parts of Sinjar and Tel Afar and Shekhan districts, which are mainly inhabited by Kurds, along with Assyrians, Yazidis, Turkmen, and Shabaks.¹⁶

After the surrender of Nineveh's capital city of Mosul to US control in April 2003 and the ensuing US-led invasion, the city saw a **rise in Kurdish fighters** moving into the provincial capital and taking control of the surrounding areas. When Kurdish political parties started to expand their area of influence by filling the political vacuum after the ousting of the Ba'athist regime, opposition to increasing Kurdish control grew among the Sunni Arab population of the governorate. However, Kurdish politicians and militia saw an opportunity to regain further control over areas that they had long laid claim of. Eventually and gradually, with the redeployment of coalition forces away from Nineveh to other areas in Iraq more control was gained by the Kurdish forces over the area, which made up the majority of the troops stationed in the governorate.

The Kurdistan Alliance List (KA), a coalition of the two main ruling parties in KRG: the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) took three-quarters of the seats in the Provincial Council with the Supreme Council for the Islamic Revolution in Iraq (SCIRI), a Shia Islamist political party winning much of the remaining seats. This political crisis and perceived underrepresentation of Sunni Arab interests led to a divided region between Arabs and Kurds.¹⁷ In 2009, Sunni Arab parties called for an end of the boycott of the electoral process to try and regain political representation. Thus, in the January 2009 provincial elections, Al-Hadbaa, a nationalist party mainly led by Sunni Arabs, managed to retake 19 of the 37 seats while the Kurdish Nineveh Fraternal List finished second with 12 seats.

Mission for Iraq (UNAMI), Map of Tribes in Iraq, 3 August 2003, <<https://www.refworld.org/docid/4693430d0.html>>.]

¹³ Hiltermann.

¹⁴ Daniel Meier, 'Disputed Territories in Northern Iraq: The Frontiering of in-between Spaces', *Mediterranean Politics*, 23 October 2019.

¹⁵ The three northeastern districts of Telkaif, Al-Hamdaniya, and Al-Shikhan are part of the Nineveh Plain.

¹⁶ Peter Bartu, 'Wrestling With the Integrity of A Nation: Disputed Internal Boundaries in Iraq', *International Affairs*, 2010 <<https://www.ncciraq.org>>.

¹⁷ NCCI, 'Ninewa – NCCI Governorate Profile' (NGO Coordination Committee for Iraq, 2010).



Figure 4: Map of the Nineveh Districts (including Disputed Territories). Source: NCCI

The Iraqi Islamic Party won three seats, and the religious minorities (the Shabaks, Christians, and Yazidis) received one seat each under the new quota system. While the Kurdish party retained approximately a third of the seats in the elections, proportional to their relative population, they largely rejected local government institutions as significant tensions between the Al-Hadbaa and Kurdish factions arose. Disagreement mainly centered on Al-Hadbaa's claims of Mosul being an "Arab city" and their opposition to relinquishing parts of Nineveh to the Kurdistan Regional Government (KRG). According to Kurds, Al-Hadbaa continued to marginalize Kurdish authorities and continued their attempts to push Kurds back over the "Green Line" (Nineveh governorate border shared with the KRG).

Nineveh's history of Arab identity and strong military tradition, coupled with a resistance to growing Kurdish influence, made **the governorate a prime base for many Sunni insurgents** post the 2003 invasion.¹⁸ A poorly-guarded Syrian border allowed for easy infiltration and stockpiling of weapons. Furthermore, disgruntled or destitute Arab youth from poor neighborhoods were seen as a recruiting pool for violent extremism. The governorate turned into a bloody and unrelenting battleground for a multitude of different fighting factions, each scrambling for power and control over resources. While in 2007 - following a vast operation of the coalition and Iraqi forces¹⁹ involving daily curfews and mass detainments - Nineveh was declared free of Al-Qaida yet insurgent activities persisted. In light of the failure of Iraqi forces to provide security to the governorate's population, tribal militias saw themselves increasingly responsible for protecting their communities from Al-Qaida and its affiliates. After the emergence of the **Islamic State of Iraq and the Levant (ISIL) in 2013**, it soon became the most dominant insurgent group in the Nineveh governorate. As a culturally and religiously diverse region, Nineveh was particularly vulnerable to brutal attacks of ISIL, who seized the city of Mosul in June 2014. The capital remained under ISIL control for two years before coalition and allied Iraqi forces retook through one of the most extensive military operations since the 2003 invasion. The Iraqi Government forces aided by the Kurdistan Regional Government, international forces and allied militias started their offense on 16 October 2016, with Iraqi and Peshmerga forces engaging ISIL on three fronts advancing from one village to another.

Sinjar, which was home to an estimated 400,000 Yazidis, also came under ISIL attack and the group

¹⁸ NCCI.

¹⁹ US and Iraqi intervention in Mosul named "Operation Lion's Roar" (launched in May 2007).

seized its capital city of the same namesake in August 2014. Studies suggest that in the span of only a few days, up to 10,000 Yazidis were either brutally killed or kidnapped.²⁰ The advance of ISIL triggered the flight of thousands of Yazidis to the Sinjar Mountains, located to the North of the city. With ISIL subsequently cutting the escape routes at both the southern and northern entrances to the mountains, thousands of families were left stranded facing starvation. Aid came in the form of a pushback offensive in December 2014, which involved roughly 8000 Kurdish forces - mainly Peshmerga - who were aided by the Syrian-Kurdish People's Protection Units (YPG) forces and supported by coalition airstrikes.²¹ Many Yazidis who had been trapped by ISIL fighters were eventually airlifted off the mountain or escorted through neighboring Syria back into Iraq, where they found refuge in the KRG controlled areas.

The conflict in Nineveh saw the **involvement of a great many numbers of armed actors**, both official and unofficial. Besides ISIL or other Al Qaida-affiliated insurgent groups and the US-led coalition forces, they included the Iraqi Security Forces (ISF) and their Counter-Terrorism Service (CTS), Iraqi Police, Kurdish Peshmerga (KRG security forces) and Asayish (KRG security police). Furthermore, numerous state-sponsored and tribal militias were active, each with ties to ethnic groups or political parties. Moreover, The Popular Mobilization Forces (PMF), a state-sponsored umbrella organization to fight ISIL, were composed of some 40 militias consisting of mostly Shia but also Sunni Muslims, Christians, and Yazidi groups. The division of control and influence between these multiple forces had been extraordinarily complex and dynamic. Large parts of the Nineveh's population were often caught between crossfires or directly targeted by one or the other group based on their affiliation or ethnic background. The constant struggle for power and survival during armed conflict created and deepened sectorial divisions between Arabs, Kurds, and other ethnic minorities such as the Yazidis, Assyrian Christians, or Turkmens, which unraveled much of the governorate's social fabric.

While military victory over ISIL was eventually declared at the end of 2017, it is important to note that the various conflicts fought after 2003, including the rise and defeat of ISIL and the ensuing dynamics, also allowed for (new) armed groups and political factions in Nineveh to influence and change the balance of power. Zmkan Ali Saleem, Adjunct Professor of the American University in Iraq, highlights:²² in addition to the Kurdish KDP, several factions of the Popular Mobilization Forces have successfully translated their military fight against ISIL into political and economic capital. Together with emergent Shia and Sunni political figures in post-ISIL Nineveh, they have sought to capture local state institutions to secure and protect their share of power.

In December 2019, after years of political turmoil, a quick succession of public figures and unbelievable suffering and anguish in Nineveh, Naim al-Jabouri, a retired general and native of Nineveh from an influential Sunni tribe, was appointed as Nineveh's governor.²³ According to various analysts, he had gained a reputation for being a professional military commander. However, caught between the interests of the factions that carried him into office and the camps that are backed by external forces such as the United States or neighboring Iran, he has formidable challenges to surpass. After decades of war, many armed militias are still present in Nineveh,²⁴ while the security sector is fragmented and mistrusted by many citizens due to allegations of corruption. The governorate lacks infrastructure and services and, according to many civil society actors, the intense competition for influence and power continues. With multiple grievances and profound traumas connected to the violence inflicted on the population by the various armed groups: a dire need for reconciliation, rebuilding trust, and social cohesion is deemed an imperative necessity. Moreover, grave concerns over a lack of economic opportunities exist in a yet very fragile environment. Another major challenge will also be the safe return

²⁰ Valeria Cetorelli and others, 'Mortality and Kidnapping Estimates for the Yazidi Population in the Area of Mount Sinjar, Iraq, in August 2014: A Retrospective Household Survey', *PLoS Med*, 14.5 (2014).

²¹ Victoria Richards, 'ISIS Latest: Kurdish Forces "Break" the Siege of Mount Sinjar', *The Independent*, 19 December 2014.

²² Zmkan Ali Saleem, 'Prisoner of the Deal: Nineveh's Governor and Local State Capture', *LSE Conflict and Research Programme Blog*, 2020 <<https://blogs.lse.ac.uk/crp/2020/03/12/prisoner-of-the-deal-ninevehs-governor-and-local-state-capture/>>.

²³ Ali Saleem.

²⁴ According to a USAID report there are reportedly fourteen armed groups that operate in the capital of Mosul alone.

of thousands of displaced minority groups, such as the Yazidis and Christians: many of whom have sought refuge outside of Iraq. It is difficult to provide precise estimates due to a lack of reliable figures. Furthermore, thousands of family members of ISIL fighters - mostly wives and children - are still held in camps, segregated from society.

4 Peacebuilding in Nineveh

4.1 Defining peace and security

The following section analyzes how interview participants conceive peace and security, how they define them and what they perceive to be the necessary elements to achieve them. It also provides a short overview of existing peacebuilding initiatives in Nineveh and their relative successes as perceived by the research respondents.

Tellingly, the most prevalent answer to what respondents would define as 'peace' was not limited to what in feminist peace studies is commonly referred to as "negative peace", i.e., peace reduced to the protection of physical integrity during violent conflict. Instead, the overwhelming majority adopted a much more comprehensive conception of 'peace' emphasizing two further qualifiers for what they deemed a peaceful society. Firstly, they emphatically highlighted the **peaceful co-existence** of all communities based on equality between and justice for all of them both within the Nineveh Governorate and Iraq as a whole. Secondly the aspect of trust between these same communities – in the field most commonly referred to as **social cohesion** – was claimed to be vital for achieving and maintaining the former.

A peaceful society is a society, where all components live peacefully together and trust one another (respondent from Til Asquf)

The respondents underlined what researchers and policy-makers have jointly been advocating for effective peacebuilding efforts and initiatives in Nineveh. The study on *Physical and Societal (Re)construction in Nineveh post- Islamic State* conducted by the Carnegie Middle East Center, for instance, concludes that effective peacebuilding in Nineveh Governorate must not be reduced to physical reconstruction, but entail bringing society together as a whole.²⁵

Hence, peacebuilders in the region, is a delicate bridge to be built: between the desire to address the pre-IS local alienation from central government via further decentralization on the one hand and risking to merely transfer the multi-party competition from the national to the provincial level on the other.

From the interviews, it is clear that putting an end to the struggles between different groups and factions must be a priority to ensure and maintain the desired **peaceful co-existence**. When asked which steps research participants think ought to be taken to achieve their definition of peace, they mentioned the necessity of both formal and informal processes. Regarding the former, they referred to the need to adopt **laws against discrimination** as well as the importance of implementing adequate **monitoring**. Crucially; however, it was stressed that this could only be done, if **public institutions** played a **credible leading role**. Respondents argued that a shift in attitude was required among state officials, from mainly caring about their PR to acting like a "cultured elites" that "practices the co-existence they preach". The respondents emphasized: without such steps the informal process taken by the

²⁵ Dylan O'Driscoll, 'Physical and Societal (Re)Construction in Nineveh Post Islamic State', *The Politics of Post-Conflict Reconstruction*, September, 2018, 28–33.

communities themselves would not suffice and should thus be taken by the official leadership.

Participants mentioned informal **dialogue initiatives to be a crucial process, which** brings different societal groups together and strengthens their bonds. One such interviewee asserted: “we won't be able to rid off the stereotypes against each other without interacting with each other”. This was complemented by another participant's wish to “spread a culture of non-transgression and abuse” against ‘other’ groups and raise people's awareness about their rights and freedoms. Nonetheless, there was an agreement that mutual understanding and rebuilding of the lost trust should, ultimately, extend beyond the informal level and be promoted within the setting of formal institutions.

The ongoing power struggles appear not only relevant for the interviewees' vision of peace but also impact their perception of security. Throughout the thirty interviews, one trend clearly emerged: while the security situation was seen as improved compared to when ISIL had ruled the territory, it had not yet reached the level of “full-fledged security”. To gauge their perception, respondents were asked to assess the level of security in Nineveh at the provincial, district and the community level. Four options were given, ranging from “secure” to “insecure”. The vast majority chose the second option “relatively secure” for all geographical levels with a relatively higher number of interviewees describing the community level as “secure”. This ties in with the local alienation and struggles between the factions outlined above: due to a lack of trust, feeling of security decreases as the geographical radius increases. One respondent summarized this by saying, “the weakness of the state makes the citizens lose their sense of security”.

State weakness was highlighted by the fact that ISIL cells continued to operate and perpetrate attacks by exploiting the ongoing tensions between the different militias while the Iraqi security sector lacked control and influence.

The situation is relatively safe at the three levels. Nevertheless, it would be better without the existing political and militia related conflicts, without the explosions here and there, and without the conflict between the Government of Iraq (GoI) and Kurdistan Regional Government (KRG) (a respondent from Khana Sor)

Yet several respondents also praised the security forces as a force for good, whose presence and enforcement has had a positive impact on their lives safety. It was also stressed that this success is attributed to co-operation projects between the security forces and the citizens, which is a further indication that the **local initiatives, involving public institutions, and whose primary aim is the establishment of trust** can be very fruitful.

4.2 NGO accounts

It is important to reiterate that the limited number of interviewees do not allow for a representative and comprehensive assessment of the overall situation of peacebuilding initiatives, conflict resolution, and dialogue processes in Nineveh. The aim here is not to provide an exhaustive mapping of existing processes and initiatives. Instead, this section aims at giving a first insight into the range of peacebuilding activities that respondents were aware of and the successes and challenges they associated with them. To do so it first looks at the perspective from representatives of five NGOs and in the next sub-section draws from the thirty interviews to shed light on interviewees' perceptions of peacebuilding. For a more comprehensive overview, the recent mapping, published by the United States Institute of Peace and the Middle East Research Institute earlier in 2020,²⁶ may prove useful.

²⁶ Henriette Johansen and others, ‘Ninewa Plains and Western Ninewa: Sustainable Returns and Stabilization Efforts’ (Middle

The following has been shared by the five NGO representatives who were interviewed by EIBarlament. The focal areas of these NGOs cover five out of eight districts of the Nineveh Governorate: namely Hamdaniyah, Tal-Kaif, Sinjar, Tal-Afar, and Mosul. Moreover, insights from the Focus Group discussion organized by EIBarlament have also been incorporated in order to present the below analysis.

The interviewees' organizations are involved in various community projects that encourage joint activities between different groups in sports, culture, media, environmental protection, and recreational activities. Sometimes, these activities are channeled through the local community, rehabilitation, or youth centers. Besides, they support or implement dialogue initiatives from the national to the community level. They engage with or help establish peace committees and encourage participation in local governance. Additionally, they offer training - and training of trainers (ToTs)- on topics such as media, gender-based violence, interfaith dialogue, peace- education, and mediation.

In terms of primary beneficiaries and stakeholders, the various projects target a wide range of actors. From an RPP-framework perspective, include both "key people" and "more people".²⁷ Among the beneficiaries are tribal leaders, religious leaders, representatives of local authorities and civil society, as well as ordinary community members, especially from marginalized groups (women, children, disabled, youth, IDPs). Some interviewees stressed their attention given to the inclusion of people from diverse backgrounds and along potential conflict cleavages (e.g., religious, ethnic, IDP/host communities).

Interviewed organizations have been in contact with a broad range of government officials from the municipal, district, governorate, regional (including KRG) and national levels. While three interviewees assessed their government counterparts as "engaged up to a certain extent", only one identified them as "highly engaged". Mixed responses about government representatives' engagement over the last years did not allow for the determination of a general trend.

Amongst the many challenges faced by these organizations in Nineveh, the following were deemed to be the most significant: tensions between political parties, non-state armed groups (e.g., the Popular Mobilization Units), and different authorities (KRG vs. GoI) were mentioned several times. Moreover, access to their work locations is rendered difficult by the heightened security risks and considerable bureaucratic hurdles. Other challenges mentioned relate to participation motivation, coordination, and prioritization of activities. Some respondents considered that workshop participants engage in "forum shopping", while others underlined the lack of coordination leading to the duplication of efforts among organizations. The priorities of key actors, such as the UN, were also criticized as they do not necessarily reflect the needs on the ground. Trying to work in a conflict-sensitive manner in a context characterized by a high level of religious diversity and firmly enshrined traditional social structures were underlined as additional challenges. The situation relating to the Pandemic Covid-19 exacerbated the overall complexity.

Three out of five interviewees mentioned the relative success of conducting joint activities at the community level. Although they were not framed as peacebuilding or reconciliation initiatives, they offered people of different groups the opportunity to gather around shared interests, such as sport, culture, media, environmental protection, and recreation. The use of social media was deemed helpful for reaching out to the youth. One interviewee highlighted the successful work with community mediators above the age of forty, while another pointed out positive results from using cultural festivals as a platform for bringing together different groups. The training of teachers on peace education tailor-made for children was also considered as highly beneficial.

Interestingly, four out of five interviewees expressed difficulties in working with one particular group of

East Research Institute, 2020).

²⁷ The "reflecting on peace practice" framework established a matrix to reflect on the change level of peace practice (socio-political vs. individual level), the stakeholders involved (key people vs. more people) and strategies used. See: CDA Collaborative Learning Projects (2016): Reflecting on Peace Practice (RPP). Basics. A Resource Manual. Cambridge.

stakeholders, namely the religious leaders. Current approaches to involving religious leaders in activities that aim to bring different groups together have not been very successful. According to the respondents, they have rather led to further polarization. The same was said to be true for explicit interfaith-dialogue initiatives. Nonetheless, during a focus group discussion, it was underlined that while working with conservative religious figures was difficult, all the different religious groups also had more moderate representatives. Identifying those who are more open to change was crucial as religious leaders were critical actors with significant influence in their communities.

4.3 Study participants' perspectives

The thirty research participants were asked to list all the different activities they were aware of in the fields of peacebuilding, conflict resolution, transitional justice, and interfaith dialogues. This serves to get a glimpse of existing initiatives and their assessment thereof.

The most significant gap concerned the area of transitional justice and interfaith dialogue, where most participants did not know any noteworthy projects with respect to the afore-mentioned initiatives. Similarly, there was not much awareness about initiatives and activities in the field of transitional justice. Only the initiative of Prof. Hussein Al-Shabaky was mentioned, which is called 'The Justice Network in Mosul'. A detailed discussion on the lack of transitional justice programs and the main issues that lie ahead follows in section 6 of the report.

In contrast, peacebuilding was the area where participants gave the most answers. The different organizations said to implement peacebuilding activities are illustrated in the below graph (Figure 5). The graph visualizes the relative importance of an organization gauged by the number of participants that mentioned them. Moreover, those organizations that were identified as being primarily active in Mosul are indicated in *italics*.

Un Ponte Per (UPP) is by far the most widely known actor with 11 mentions out of the 30 participants. The second cluster, listing among others GIZ, only had three mentions. Accordingly, the organizations in the penultimate group were mentioned twice, and those in the outset cluster only once.

The actors who were identified represent a mixed of different types of organizations: from INGOs like USAID, PAX or UPP to local civil society actions like Wasel Tasel, Sanad or Odessa for women. It is noteworthy that only one public initiative, namely the "Council of Elders in Nineveh Plains", was cited. Respondents emphasized the lack of engagement of authorities in peacebuilding, and expressed that the peace committees in place often proved ineffective because they got bogged down in disputes or lacked the necessary funding.

As gleaned from the literature: the National Reconciliation Committee (NRC), at the central government level, established together with the UNDP eight reconciliation subcommittees in Nineveh; however, the NRC lacked government funding. Additionally, its mandate was not well defined. This led to tensions with authorities at the provincial level with a similar mandate. To make matters more worse and even more complex, locally created peace committees comprised of local elites and community leaders have been working in parallel¹³ without clarifying their relationship to the other entities.²⁸ The recent replacement of the Committee for Co-existence and Community Peace only seemed to add to the confusion and lack of public coordination. Therefore, it comes as little surprise that interviewees did not refer to state-led or supported peacebuilding efforts and emphasized instead that the bulk of the work was currently done by civil society actors.

²⁸ Johansen and others, pp.:38-39.

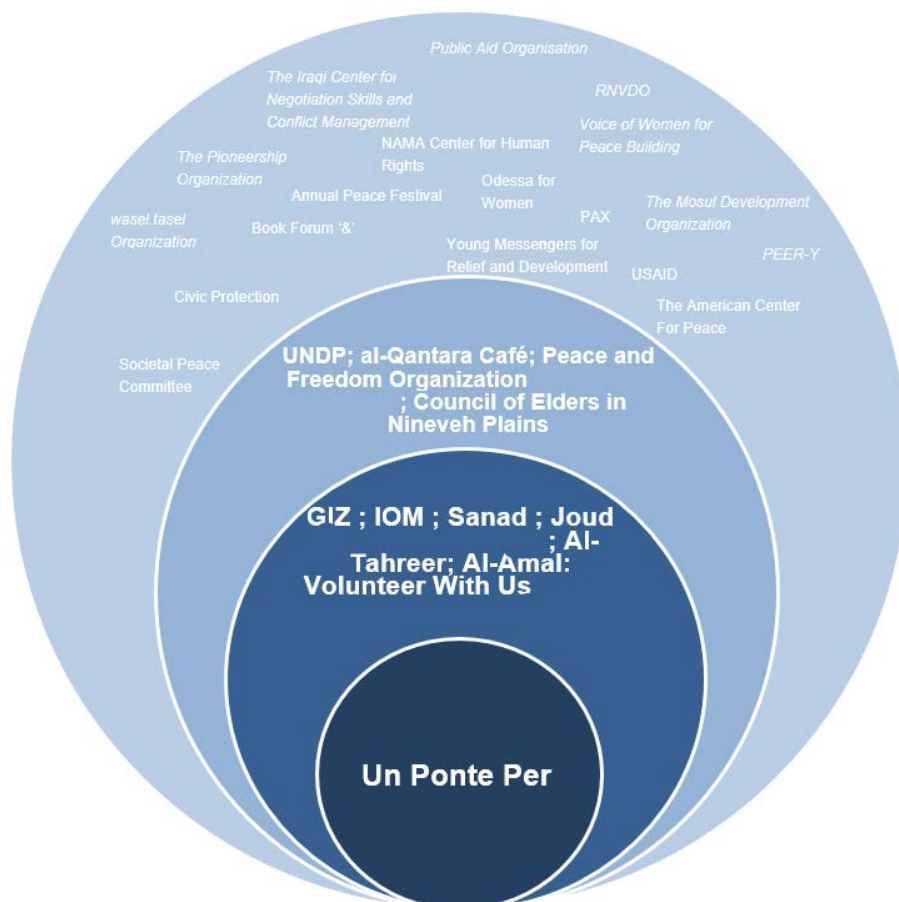


Figure 5: Organizations working in peacebuilding (ordered by the number of mentions)

Peacebuilding activities are mainly led by the youth in Nineveh, whether through volunteer teams or civil society organizations, local and international. The civil society in its various components is the one leading the initiatives. (NGO worker from Mosul)

Small cultural initiatives like the al-Qantara café, the book forum '&' at Mosul University or the annual Peace Festival were lauded as particularly appealing for encounters of different groups and the strengthening of social cohesion.

The respondents did not make much distinction with regard to conflict resolution, which is, in part, probably due to a lack of stringent conceptual distinction between peacebuilding and conflict resolution. The only organization that was newly mentioned in this segment of the questionnaire was the Conflict Resolution Service.

To assess the quality of peacebuilding activities, participants were asked to choose on a scale of four from “very successful” to “not successful”. 16 out of the 30 interlocutors found the quality of these activities “partially successful”, with an additional 6 awarding them a “successful” and two even “very successful” attestations. The **notion of a need for improvement is widely shared** despite the many challenges that were mentioned.

Among the reasons why it was only partially successful, interviewees list a range of issues. Several respondents emphasized the **security risks**, especially when activities were not conducted in their immediate vicinity because movement continues to pose a risk factor. The majority also agreed on the **lack of official support**. People reported barriers to getting approval for their initiatives, the inability to use public facilities, let alone receive public funding. Most problematic of all; however, was an absence of public endorsement of these peacebuilding initiatives. Authorities were, therefore, not seen to be “leading the way” in reconciliation. Indeed, there is no specific budget or cluster identified within the

Iraqi Financial Tracking Service for social cohesion and reconciliation projects. Nor is there a cohesive and formalized national reconciliation framework with comprehensive guiding policies and monitoring mechanisms.²⁹ As a result, the impact and sustainability of programs for social cohesion and reconciliation will undoubtedly be limited.

Another point raised was that priorities of Nineveh residents, who still struggle to build their livelihoods, might lay elsewhere. Thus, peacebuilding activities might not address their most urgent needs. One respondent stated: people did not necessarily see the value of seeking a dialogue with other communities. Another participant added: before reconciliation and peacebuilding could take place, the issue of **transitional justice** needed to be addressed. Yet there were not enough efforts in that direction. People needed to overcome their grief and hurt and feel a sense of justice before they were ready for reconciliation.

Some groups have not gotten their rights, and they have not been compensated for terrorist atrocities, the destruction, and the losses suffered. When there is a loss that has not been fixed, there is anger and aversion to others. The government neither knows how to deal with the different groups of society in Nineveh nor allows others to intervene in the right way. It is not that people are intolerant, but they have negative feelings. They are angry. I cannot immediately have them participate in a peace initiative, I must first implement justice, and then I can ask them to be peaceful and overcome the past.
(female NGO worker from Mosul)

Lastly, there is the issue of minority representation in peace initiatives. According to respondents, inclusion does not yet happen at sufficient levels. Some reported that the low level of participation was linked to the fact that certain minority groups did not want to travel to Mosul for peacebuilding activities, as they still felt sense of insecurity. Others stated there were differences among the various minorities with regards to their engagement. While some asserted: minority groups felt more empowered to speak up, others did not. The positive role of Yazidis and Christians was mentioned by several respondents. While the Shabaks, for instance, were largely absent. Despite these difficulties, research participants felt there still was an improvement, not least because there was recognition at the theoretical level that minorities should be included in peacebuilding activities.

One good thing that happened after liberating Nineveh is that the presence of minorities in activities is no longer a luxury. This is now essential in any activity, project, and idea. This is definitely something positive, and it did not exist in the past. But we still need more, since the participation of minorities differs from one region to another. What we need to reach is effective participation at the same rate in all regions. (female NGO worker from Mosul)

Despite the timidly positive assessment of existing peacebuilding efforts, a significant discrepancy between the needs of the communities and the implemented activities remains to be addressed. This is also reflected in a recent collaborative study by the IOM, the Social Inquiry and The Peace and Reconciliation Working Group, in which the Nineveh governorate shows the highest rate of locations in need of reconciliation. Yet out of the 158 identified areas, 117 report that commensurate efforts are

²⁹ Johansen and others, p.39.

currently not taking place³⁰.

5 Women's participation in peacebuilding

5.1 Assessment of existing participation

In a focus group discussion conducted by Elbarlament on 16th of July 2020, a male journalist and activist who works with the Yazidi community, summarized the consequences of conflicts between many different parties and military factions for women's participation as follows: "In this game women and minorities lose out".³¹ Women lose out across the spectrum because their exclusion is not solely limited to peacebuilding. The absence of women in public life and their lack of access to decision-making positions are a general and profoundly societal problem.

In the most recent parliamentary elections in May 2018, an unprecedented number of female candidates (nearly 2,011) ran. In compliance with the quota introduced into the Constitution in 2005, women received 25 percent of the seats in the Council of Representatives. However, no woman was included in forming the government. More importantly, the quota is deemed to have had adverse effects. Not only has women's representation at the highest echelons of Iraqi politics never exceeded the prescribed 25 percent, but women who managed to secure appointment are perceived by many as used in a tokenistic way. Former Iraqi female MP Nadia al-Jabouri, for instance, argued conservative religious parties, as well as other parties, used the quota in their favour by appointing particularly loyal and at times even fanatic women.³² So even though the introduction of the quota has increased women representation in Iraq's parliament from barely 7.6 percent to 25, its impact is mitigated. Female MPs are widely seen as lacking the necessary power to influence other MPs and advocate for women's rights.³³ Their activity is often limited to work on "typical" women's issues such as child-rearing. This has caused widespread disappointment among many women.

During the focus group discussion, the issue of "token women" in politics was also discussed. Some male participants, nonetheless, felt it was also up to the women to assert more power in public life. Especially, in a tribal and conservative society: men would not just deliver it to women on a "silver plate".

A UNDP study states that women's poor performance in parliament is, in part, due to the broader discriminatory dynamics at work, regardless of a quota. A case in point for this ongoing discrimination is women's exclusion from party leaders' negotiations of political and security issues as well as from chairing parliamentary committees, except those on family and social issues.³⁴ With regards the interview respondents, four respondents went as far as concluding that the best solution would be to abolish the quota *tout court*.

Similar problems are mirrored at the level of the Nineveh governorate. While many respondents agreed that women's participation in Nineveh had somehow improved, at least in terms of more active involvement in civil society, there was also consensus that it was still nowhere near enough when it came to political decision-making.

³⁰ IOM, 'The Growing Role of Reconciliation in Return Movements: Snapshots from the Return Index' (Return Index Thematic Series Briefing #2, 2019).

³¹ El Barlament, 'Second Focus Group Discussion on Nineveh', 2020.

³² Bahira Al-Sheikhly, 'Iraq's Well-Meaning Parliamentary Quotas Are a Disservice to Women', *The Arab Weekly*, 2019 <<https://theArabweekly.com/iraqs-well-meaning-parliamentary-quotas-are-disservice-women>>.

³³ Valeria Vilardo and Sara Bittar, 'Gender Profile - Iraq: A Situation Analysis on Gender Equality and Women's Empowerment in Iraq' (Oxfam International, 2018).

³⁴ UNDP, 'Iraq Human Development Report', 2014 <file:///C:/Users/LEANDR~1/BIA/AppData/Local/Temp/UNDP-IQ_IraqNHDR2014-English.pdf>.

5.1.1 Participation in peacebuilding

Despite a somewhat improved situation in the recent years, the vast majority of the interviewees conceded that women's representation in peacebuilding efforts was insufficient. An in-depth Nineveh-centered study conducted by the United States Institute of Peace (USIP) and the Middle East Research Institute (MERI) confirms this view stating: women remained critically underrepresented in formal peace committees.³⁵ Considering their general weak status in public life, this conclusion can come to no surprise because it is a true reflection of a deeper-seated societal issue.

One reason why women are excluded from formal peace processes is grounded in the fact that representatives of political parties, especially those involved in the formal and informal security sector, conflicts and subsequent negotiations are generally male-dominated. Entry points for civilians in general, but especially for women that had sought nonviolent means to navigate the conflict, do not present themselves easily and need to be created. A recent data analysis³⁶ of all peace settlements since the mid-1990s shows that even though 2000 peace agreements have, on average, increased their mentioning of women from 12 to 47 percent, women remain especially excluded in the early stages of the peace process or in the implementation phase in which Iraq finds itself currently. Moreover, the vast majority of agreements only mention one-off provision for women's inclusion. The most popular being participation, but without referring to other forms of provision such as international law on gender, transitional justice pertaining to women, institutional reform accounting for women or, less frequent still, women's involvement in the implementation. As such, women's participation in formal processes often remains ink on paper.

The Committee for Co-existence and Community Peace, established only in May 2019, is the epitome for women's exclusion from official peacebuilding processes in Iraq. This is when the Prime Minister, Abdul-Mahdi, created this new institution after abolishing the National Reconciliation Oversight Committee of the Council of Ministers and the Higher Committee for Co-existence and Community in the Secretariat of the Council of Ministers. Last October, in the periodic report to the Committee on the Elimination of Discrimination against Women (CEDAW), the Iraqi government argued that "women contributed to the Coexistence and Community Peace Committee"³⁷ without further expanding how they did so. The civil society shadow report to CEDAW, written by the NGO Iraqi Women Network, drew attention to the fact that not a single woman had a seat in this Committee nor were its activities tailored to women's needs.³⁸

5.1.2 The potential of women's participation

The need for women's participation in reconciliation efforts is usually based on arguments of either "difference" or "sameness". The first entails the notion that women, by definition, bring a particularly useful and different viewpoint to reconciliation because of their specific experience of war. The latter is the opposite, claiming that women have a right to equal participation because they are half of every community and do not need to bring anything in addition to claim that right.

In terms of peacebuilding, the priority lies with reaching sustainable stability. This requires agreements that take into account all aspects of a society including viewpoints and aspirations of all members and not just of those who resorted to and asserted themselves through violence. From this perspective, it is not about any women's participation, but about including **women peacebuilders**: civilian actors, who in the midst of war sought to work across entrenched ethnic, religious and political divisions; took

³⁵ Johansen and others, p.40.

³⁶ Political Settlements, *Gender Perspectives in Peace Agreements*, 2019 <https://www.politicalsettlements.org/wp-content/uploads/2019/07/GJA_Gender.pdf>.

³⁷ Committee on the Elimination of Discrimination against Women, *In Dialogue with Iraq: Committee on the Elimination of Discrimination against Women Stresses the Importance of Female Political Participation*, 2019 <<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25189&LangID=E>>.

³⁸ Iraqi Women Network, *Shadow Report to the CEDAW Committee*, 2019 <https://tbinternet.ohchr.org/Treaties/CEDAW/SharedDocuments/IRQ/INT_CEDAW_CSS_IRQ_37264_E.docx>.

responsibility for their communities, negotiated across battle lines to break impasses and de-escalate.³⁹

Many studies, both quantitative and qualitative have shown that when unarmed non-state actors (many of whom are female) are included in peace processes, the achieved peace agreements are more likely to be successful. For instance, a 2015 comprehensive study by the International Peace Institute evaluating peace talks between 1989 and 2011 found when women peacebuilders were included in those talks, the resulting peace agreements were 20% more likely to last at least for two years, and 35% more likely to last for 15 years.⁴⁰

Therefore, to advocate for women's participation in peacebuilding means to acknowledge and value the peacebuilding efforts certain female civilian actors have made in times of conflict: by including them in formal and public reconciliation processes. To do so **locally, rather than at the national level**, has proven to be more effective, especially in the MENA region for several reasons.⁴¹ Firstly, the threshold to access may be lower because processes often happen through mechanisms of **civil society organizations** and local peace committees rather than internationalized high-level political diplomacy. Successful local participation of women peacebuilders happened for instance in different governorates across Yemen: they brokered ceasefires, prisoner exchanges and resource management deals by using their pre-existing relationships and roles within the communities.⁴² In Syria, women successfully negotiated with armed actors in Zabadani to establish prisoner releases, a civilian safe zone and a ceasefire initiative but were, ultimately, undermined by a local council that established a male negotiating team to replace them. Secondly, when local peace processes are **state-initiated**, women may also have more chances in convincing stakeholders that they have valuable local expertise and networks they could bring to the peace councils or committees. Lastly, local conflict resolution programs are frequently supported by **international actors** who may have gender equality commitments that can be tapped into to advocate for women's meaningful engagement.

Given that peacebuilding efforts in Nineveh exhibit all the above-mentioned three criteria of civil society involvement: state initiative are at times facilitated by international actors, where the pre-conditions for enhanced involvement of women peacebuilders would be more favourable. Crucially, it seems this outlook is also shared by many of the research participants, especially with regard to civic peace processes in urban areas, in which they argued women's engagement clearly increased. In particular, young interviewees expressed optimistic views, emphasizing that Iraqi women now had a considerable chance to contribute more actively to peacebuilding.

[The Iraqi woman] has a big chance, particularly now. The period we are living in now has given a chance for the woman more than any other period because she has taken the initiative to lead the change and society is ready to accept this more and more with every day. (Young woman activist from Mosul)

5.2 Perceived obstacles to participation

Despite these positive visions, there is substantial agreement across all research respondents that significant impediments to women's participation still exist – both at formal and informal level – and that

³⁹ International Civil Society Network, 'Women at the Peace Table' <<https://icanpeacework.org/the-issues/women-at-peace-table/>>.

⁴⁰ Marie O'Reilly, Andrea O Suilleabhain, and Thania Paffenholz, 'Reimagining Peacemaking: Women's Roles in Peace Processes' (International Peace Institute, 2015).

⁴¹ Laura Wise, Robert Forster, and Christine Bell, 'Local Peace Processes: Opportunities and Challenges for Women's Engagement' (Political Settlements, 2019) <<https://www.politicalsettlements.org/wp-content/uploads/2019/08/PA-X-Spotlight-Local-Peace-Processes-Digital.pdf>>.

⁴² M. Heinze and S. Stevens, 'Women as Peacebuilders in Yemen' (Social Development Direct and Yemen Polling Centre, 2018) <http://www.sddirect.org.uk/media/1571/sdd_yemenreport_full_v5.pdf>.

they are rooted in **patriarchal customs and traditions**. A recent study by Sanad for peacebuilding, which spoke to over 105 women in Nineveh, further corroborates this finding: social pressures and traditions were named as the main reasons for the women's sense marginalization.⁴³

Several tendencies emerged from the conducted interviews. Research participants emphasized that important regional differences existed. Mosul, despite being an urban area, was also deemed more conservative than the surrounding Nineveh Plains (districts of Tel Kef, Shekhan and Hamdaniya). Conversely, Sinjar District was perceived as being more receptive to women's participation.

5.2.1 The role of the family

According to the interviewees, families play a pivotal role in enabling or hindering women's participation. As one young activist from Mosul said: "The family is at the front line: if a woman has her family's support, the rest of society won't be a problem". Yet, the family cannot just be seen detached from society. It transpired that support did not only mean that families agreed with the woman's engagement in peacebuilding because that in itself was deemed less of a problem. Far more problematic is that families fear the judgement of other relatives' and/or community members and therefore restrict their daughter's freedom to avoid being accosted and shamed by their relatives and community. This is intimately tied to the fact that women and daughters in particular, are seen as the embodiment of a family's honour in Iraqi society. Whilst the male custodians are attributed the role of controlling the aforementioned honour by controlling the woman. This manifests in the existing and common phenomenon of "honor" killings.⁴⁴

A phenomenon that has, in recent years, been amplified by the legacy of ISIS and its extremist system of morality that was particularly impregnated on the occupied city of Mosul.⁴⁵ Thus, there is a culture of shame that keeps women in a very tightly prescribed behavioural framework. This is why a number of interlocutors also pointed to women's security concerns when participating in public activities, citing incidents of harassment and bullying.

As a result of this cultural setting and the role of families, interviewees noted that the few women who participate in peacebuilding came generally from a higher social and educational background and were more likely to have families who would support them.

Two further aspects were mentioned as contributing to the prevailing traditional setting: The Personal Status Law and education.

5.2.2 The Personal Status Law

The Personal Status Law was also mentioned during the FGD held on 16 July 2020 as the first legislation that governmental action ought to focus on to make a tangible difference for women's conditions in Iraq. Present judicial practice relating to the Personal Status Law No. 188 of 1959 leads to violations of women's rights in various forms:⁴⁶

- Marriage outside the court, child marriage, forced marriage as well as *fasliya* (forced marriage by immediate family member) and *nahwah* (obstruction of marriage by a cousin suitor Polygamy for men who own properties and have certain financial capacities⁴⁷;

⁴³ Sanad for peacebuilding, *Policy Recommendations for Effective Inclusion and Integration of Women Role in Peacebuilding Processes in the Governorate of Nineveh, Iraq*, 2019.

⁴⁴ Honour killings are left unpunished based on The Penal Code No. 111 of 1969 and the Code of Criminal Procedure No. 23 of 1972, which include articles allowing violence against women under the pretext of preserving so-called family honour. These are customs that according to Article 45/Second of the Iraqi Constitution should be prohibited because they are contrary to human

⁴⁵ Suha Oda, 'Life After Daesh for the Women of Mosul', *Raseef22*, 2017 <<https://raseef22.com/article/1070722-life-daesh-women-mosul-ideas-extremist-group-linger>>.

⁴⁶ Iraqi Women Network.

⁴⁷ The original law prohibited polygamy but Saddam Hussein changed it when he married his second wife. This modified law thus allows polygamy under certain circumstances mentioned in Chapter 1

- Arbitrary divorce: Women are often forced to accept *mukhala'* (repudiation divorce), which implies waiving their rights and exposing them to family pressure as well as bargaining by the husband in exchange for the divorce. Civil society also reports an increasing use of Sharia offices in divorce cases to accelerate the procedures.
- Restrictions to inheritance;
- Difficulty of implementing court decisions regarding access to alimony and matrimonial payments.

Several lawsuits have been filed before the Federal Court challenging the constitutionality of articles within the Personal Status Law but most of these cases were dismissed due to their lack of a constitutional or legal basis. The most recent successful case is the Supreme Judicial Council's decision in April 2019 to declare *nahwah* illegal under Article 2 of the Anti-Terrorism Law No. 13 of 2005.

5.2.3 The educational system

During the FGD, the prevailing educational system was subjected to intense debate. Several participants highlighted the problem of the segregation of girls and boys after elementary school, leading to a general lack of knowledge about the opposite sex and an unease in its encounter. Moreover, teachers were accordingly also often all-female or all-male. A female university teacher, who works with the group "minority women forum in Iraq" emphasized the stereotypical gender role depiction in school curricula, needed reform.

There was widespread consensus that a more gender-neutral curriculum, mixed classes and potentially a mix of male and female teachers, in addition to the introduction of topics related to peacebuilding and reconciliation would be highly desirable. Yet, it was also expressed that the Nineveh governorate did not provide an easy entry point: as in fact, the directorate of education was directly involved in promoting segregation. Alternatively, it was suggested that a better avenue might be to work and raise issues relating to gender and peacebuilding directly with school teachers and in a second step think of advocating within the directorate itself. Given that the central government mentioned in its recent report to CEDAW both the ongoing re-drafting of the curricula to remove stereotypical content and the need to highlight women's participation, in addition to the commitment to work with teachers directly,⁴⁸ there seems to be some scope of manoeuvre.

Education was however not only criticized in its institutional form, but also with regards to women's general knowledge about their rights. Several interviewees said that women were simply not aware of human rights provisions on which they could base their claims and therefore urged for further training in particular with regards to CEDAW.

5.3 The role of the National Action Plan 1325

CEDAW is not the only international instrument for women's rights that is scarcely known. As the thirty interview transcripts show, there seems also very limited knowledge about UNSCR 1325 and its corresponding Iraqi National Action Plan (thereafter INAP1325). Only a handful of respondents had heard about the resolution. One young female academic and activist actually reported that she had been part of civil society's effort to push for a comprehensive INAP1325; however, even these interlocutors could merely sketch the resolution's main aims without providing any further details. The few who had heard about UNSCR 1325 also agreed it was detached from Nineveh and only saw it relevant to Baghdad, if at all.

This finding is striking because the interview participants are generally all active in civil society, policy-making or academia, which had led us to presume that more people would have detailed knowledge

⁴⁸ Committee on the Elimination of Discrimination against Women.

not only about the resolution itself but also about the current drafting process of the second INAP 1325. Given that this was not the case and in light of the reported detachment, it is arguable that more awareness campaigns, training and crucial localization efforts would be beneficial.

5.3.1 UNSCR 1325 in Iraq

The unanimous adoption of UNSCR 1325 in 2000 marked a historical milestone for feminist peace advocacy that had been championed by women activists from the Global South. For the first time the UN Security Council specifically addressed gender issues and women's experiences in conflict and post-conflict situations; and their contribution to conflict resolution and prevention.⁴⁹ One of its four pillars is the call for increased women participation at all decision-making levels; in mechanisms for the prevention, management and resolution of conflict; in peace negotiations; in peace operations, as soldiers, police, and civilians. This focus on women's agency and participation in peacebuilding, and guaranteeing security, symbolized a paradigmatic shift compared to previous UN resolutions, which had considered women primarily as victims and in need of protection.⁵⁰

However, Iraq has had an ambivalent relationship with resolution 1325 that should be taken into account when thinking about its implementation. The US and UK invasion of Iraq happened only a couple of years after the resolution's adoption. In October 2003, two Iraqi women, Amal Al-Khedairy and Nermin Al-Mufti, toured various parts of the USA, including a meeting with the NGO Working Group on Women, Peace and Security, a coalition formed to advocate for a discussion on resolution 1325 in the Security Council. They were adamant about not even wanting to consider evoking the resolution to advance their rights because they did not want to associate with anything related to the Security Council that had caused them so much pain.⁵¹ Similar grievances may still exist to this date, which is why using resolution 1325 is a path to be treaded carefully.

Indicative of a change in the perception of the resolution is that Iraq was, in fact, **the first country in the MENA region to adopt a NAP 1325** in 2014 for the period 2014-2018 as one of Maliki administration's final actions. Its development was led by the Federal Government of Iraq and the Kurdistan Regional Government with cooperation between the Ministry of Women's Affairs, Ministry of Interior, and the Ministry of Defense in Baghdad, and the Ministry of Interior and Women's High Council in Kurdistan along with the Iraqi NAP 1325 Initiative, assembling women's rights organizations and networks across the country.⁵² The First Iraqi NAP 1325 is unique in that it offers a poignant and detailed analysis of the different legal, political and economic discriminations women find themselves in Iraq. Yet, the substantive part of the NAP 1325 is small compared to the introduction. It lacks clear outcomes, indicators, attribution of responsibilities and budget to different public entities and an accountability mechanism. This is indeed one of the central criticisms levied against the first INAP 1325.

Without a doubt, its implementation was significantly interrupted by the occupation of ISIL. Yet civil society organizations have pointed out that many of the elements that made the implementation of INAP 1325 more difficult were self-made by the central government. Only a year after the NAP 1325 was adopted, the new Prime Minister Abadi abolished the Ministry of Women's Affairs⁵³ that had co-drafted the plan and replaced it with two institutions: the Women's Empowerment Department of the General Secretariat of the Council of Ministers and the National Team for Resolution 1325.⁵⁴ Both of

⁴⁹ C. Cohn, 'Mainstreaming Gender in UN Security Policy: A Path to Political Transformation?', in *Global Governance: Feminist Perspectives*, ed. by S Rai and G Waylen (Palgrave Macmillan, 2008), pp. 185–206.

⁵⁰ Nicola Pratt and Sophie Richter-Devroe, 'Critically Examining UNSCR 1325 on Women, Peace and Security', *International Feminist Journal of Politics*, 13.4 (2011), 489–503.

⁵¹ Sheri Lynn Gibbings, 'No Angry Women at the United Nations: Political Dreams and the Cultural Politics of United Nations Security Council Resolution 1325', *International Feminist Journal of Politics*, 13.4 (2011), 522–38.

⁵² PeaceWomen, 'National Action Plan: Iraq' <<https://www.peacewomen.org/nap-iraq>>.

⁵³ Kaya Zeynep, 'Women, Peace and Security in Iraq: Iraq's National Action Plan to Implement Resolution 1325' (LSE Middle East Centre, 2016).

⁵⁴ CEDAW, 'Women, Peace and Security in Nigeria' (LSE Middle East Centre, 2017), <https://tbinternet.ohchr.org/Treaties/.../INT_CEDAW_NGO_NGA_27883_E>, p.24.

them not only had overlapping mandates but were also competing for already scarce budgetary resources.⁵⁵ Perhaps more importantly still, with the abolition of the Ministry of Women's Affairs the Emergency Room for the Implementation of Resolution 1325, that had been specifically set up to monitor its implementation in times of IS occupation, also ceased to exist.⁵⁶ When in December 2017 yet another new institution was created to implement INAP 1325, namely the Cross-Sectoral Task Force, it included 25 members from federal and provincial governments. The majority of them were men in public office thus excluding women and civil society actors.⁵⁷ As such, it veered off the defining principle of the resolution it was supposed to implement: to guarantee women's participation. Finally, neither INAP 1325 nor the Emergency Plan considered the particular effects of conflict and post-conflict on women and girls. Thus not responding to the needs of female IDPs, survivors of sexual violence⁵⁸ and women (thought to be) associated with ISIS, many of whom reside within Nineveh Governorate.

5.3.2 The Second NAP 1325

The Government underlined in the period report to CEDAW that it was drafting a Second INAP 1325 for the period 2019-2022 and that it hoped to finalize it by the end of 2019. Currently, no information on the drafting stage is publicly available and neither did any of the interview participants know more about it.

However, the **I-NAP Alliance 1325**, an Iraqi Independent Civil Society Network, consisting of 40 organizations has created a **draft Second NAP 1325**⁵⁹. In February 2020, the Alliance submitted the draft report to the PM, as well as to the Secretary-General of the Council of Ministers, Chairman of the CSTF 1325 and the Minister of Interior. It was stressed that the group hopes the government takes this proposition into account even though it needs further reviewing, especially in light of the upcoming 20th anniversary of the resolution. It would thus be an important opportunity for the government to continue being one of the guiding lights in the MENA region in this regard. This would also make sense since the government has previously stressed the importance of and commitment to involving civil society organizations in the development of the plan.⁶⁰

From experiences with the First INAP 1325 the following **general avenues of improvement** in view of a Second NAP 1325 can be deduced:

- Include civil society actors in the drafting process;
- Increase focus on the issues covered by resolution 1325, in particular key areas such as women's
- participation in reconciliation, prevention of violence against women and specific relief needs for female IDPs;
- Give equal attention to women affiliated with ISIS by referring to the follow-up resolution 2242, which calls for women's participation also in "extremism" prevention, which should not be limited to the participation of female victims but also perpetrators of "extremism" through de-radicalisation, de-stigmatization and reintegration programs;
- Improve implementation with strong coordination, avoiding institutional turn over and competition, and with involvement of the Ministry of Women's Affairs, the government committed on reinstating⁶¹;
- Improve the implementation further with well-defined timelines, comprehensive monitoring mechanisms and clearly allocated budgets

For the **Nineveh Governorate specifically, a process of localization** would most likely prove fruitful. Across the interviews one element crystallized that was true not only for the INAP 1325 but for

⁵⁵ Iraqi Women Network.

⁵⁶ Iraqi Women Network.

⁵⁷ Iraqi Women Network.

⁵⁸ Zeynep.

⁵⁹ I-NAP Alliance 1325, 'Alliance to Support the Implementation of UNSCR 1325', 2020.

⁶⁰ Committee on the Elimination of Discrimination against Women.

⁶¹ Committee on the Elimination of Discrimination against Women.

international frameworks in general: a widespread feeling of detachment.

This is one of the resolutions that we find to be far from our society. Iraq has signed almost all international resolutions, including the CEDAW, but then it does not commit to them. Nothing exists on the ground. They do not even inform people about them. (respondent from Mosul)

This local perception taps into the general local alienation from central government in Nineveh and should therefore be taken seriously not only for efficiency reasons. This is why the process of localization, which the Global Network of Women Peacebuilders (GNWP) developed, might yield more sustainable and locally- rooted outcomes when implementing UNSCR 1325. As has been discussed before, it can also be easier to enhance women's participation at the local rather than the national level.

Qassem Abdullah Jasim, the head of the Cross-Sectoral Task Force, charged with the implementation process, attended a GNWP workshop on localization in 2018, which indicates that planning considerations go in that direction.⁶² Localization essentially entails a bottom-up approach that directly engages governors, mayors, councilors, community leaders, paramount chiefs, indigenous leaders and traditional leaders, religious leaders, women leaders, youth leaders, teachers, local police and military personnel and all other key local actors in the implementation of resolution 1325 in local communities.⁶³

Local stakeholders are involved in two crucial ways: they are first convened in a Localization workshop lasting 2-3 days, in which they identify and reflect on the issues raised by the resolution and how they may correspond with their local peace and security needs. Collectively, they examine previous policies and formulate new concrete local actions. In a next step, a smaller team of local stakeholders comes together for "write-shops" that last over several months to actually draft a Local Action Plan, local laws and policies based on the workshop outcomes.⁶⁴

That way local stakeholders are more prone to have awareness of the content of the resolution and how it may overlap with their needs and work together towards its implementation at local level, thus narrowing the gap between an international framework and local realities. Importantly, a most recent study based on implementation schemes from the OSCE region shows that Local Action Plans do not presuppose the existence of an INAP 1325, but can be developed independently from the ground up based on localized gender and security analysis.⁶⁵ Therefore, this is an important opportunity to use in case of further delay of governmental action.

5.4 Situating female refugees' participation

A small part of the study was concerned with gauging what kind of peacebuilding efforts existed with regard to female refugees. It is important to note that this part was not covered in-depth and mainly gave interlocutors the possibility to list programs and initiatives they were aware of to get a first impression. It goes without saying, that this subsection does not provide an exhaustive view of activities on the ground.

Generally speaking, this section of the questionnaire yielded the least detailed answers and a high proportion of no answers at all, hinting at a general lack of awareness of this issue. Nevertheless, two conclusions can be drawn.

Firstly, out of all the potential programs directed at female refugees, initiatives related psychosocial

⁶² GNWP The Global Network of Women, 'Ensuring Local Ownership for Effective Implementation: Localization of UNSCR 1325 in Iraq', 2020 <<https://gnwp.org/localization-iraq-november-2018/>>.

⁶³ Mavic Cabrera-Balleza and Agnieszka Fal Dutra Santos, 'From Best Practice to Standard Practice: A Toolkit on the Localization of the UN Security Council Resolution 1325 on Women and Peace and Security' (Global Network of Women Peacebuilders, 2018) <https://gnwp.org/wp-content/uploads/BestPractice_5march2019_NoCropMk-1.pdf>, p.16.

⁶⁴ Cabrera-Balleza and Fal Dutra Santos, pp.:20-21.

⁶⁵ Henri Myrtilinen, Laura J Shepherd, and Hannah Wright, 'Implementing the Women, Peace and Security Agenda in the OSCE Region' (Organization for Security and Co-operation in Europe, 2020) <<https://www.osce.org/files/f/documents/3/4/444577.pdf>>, p.68.

support turned out to be the best known. Three respondents mentioned programs that taught women embroidery and sewing as a way of coping with trauma. These initiatives were often listed in connection with the Yazidi community, with Yazda, the Global Yazidi Organization, playing a leading role in establishing such programs in two Yazidi camps: JM Mashko and Qadiya. Other organizations that were said to have implemented similar programs included the al-Amal Association, as well as GIZ in collaboration with the Ministry of Defense.

Secondly, concerning all other potential areas for enhancing female refugees' participation, be it through socio-economic development, decision-making workshops or training them in camp management: the conclusion is one of scarcity. There were only single mentions across the thirty interviews. This is not to say conclusively that these programs do not exist, but given the nature and background of the respondents it can reasonably be assumed that they would have some knowledge if they did exist. Thus, their lack of knowledge can be taken as an indication for genuine absence of those programs.

The single mentions pertained to three areas.

1. One male peacebuilding coach from Nahiya Ba'shiqa reported on the project "ways of living", which his organization Solidarity League Association (Rabitat al-Tadhamon) implemented in Kokhie. The project aimed at supporting 40 female refugees to find employment.
2. Three respondents talked about trainings for women to run refugee camps with a particular mention of ACTED's initiative at the As-Salamyah camp.
3. One interlocutor pointed at the IOM running a project on "safe areas of return" with the local government

According to the participants, such programs are greatly needed and beneficial, **provided they run on a long-term basis** and are well coordinated.

The need for special attention to female refugees' participation and to foster socio-economic pre-conditions is also a finding of a recent study on Mosulite women, conducted by the Women's International League for Peace and Freedom.⁶⁶ It offers four insights that are relevant for future programming on female IDPs' participation.

Firstly, the study offers an unexpected insight. Internal displacement led some women to feel more empowered. For the first time, they became the head of their household, and could make decisions. Besides, they sometimes ended up in areas and communities that shared less patriarchal and conservative values and therefore felt more empowered to assert their rights. While men lead the majority of camps, there have been a few cases where women managed to take on leadership roles. They often organized into women's committees and employed new skills such as mapping the needs and priorities of women in the camp or training other women. This led to some of the women to actually not wanting to return, not only because they fear for their security as is the case, for instance, for many Yazidi women, but also because they are afraid of returning to a more conservative setting.⁶⁷

Secondly, it found that socio-economic circumstances are as relevant when working with female IDPs as are the effects of sexual violence yet they are often side-lined. In the specific case of Mosul, women pointed out how their loss of subsistence due to displacement coupled with the poor living conditions in the camps not only increased their sense of insecurity, but also undermined their position within the camp.⁶⁸ This could lead to a vicious circle, in which women due to the economic constraints were forced to marry off their underage daughters: a situation that was reportedly taken advantage of by the local

⁶⁶ Rasha Jarhum and Alice Bonfatti, 'We Are Still Here' (Women's International League for Peace and Freedom, 2019) <https://www.wilpf.org/wp-content/uploads/2019/08/ENG_We-Are-Still-Here_Mosulite-Women.pdf>.

⁶⁷ Jarhum and Bonfatti, p.19.

⁶⁸ Jarhum and Bonfatti, p19.

community, including Kurdish men.⁶⁹

Lastly, women IDPs who are (believed to be) affiliated with ISIL, i.e. wives or daughters of former fighters present one of the biggest challenges. Thousands are held in displacement camps with no access to obtaining certificates for their marriages or children.⁷⁰ As such, they risk staying in a legal limbo and remain exposed to hatred and sexual abuse from security forces, who regularly raid the camps. This can potentially fuel radicalization of these women and their children; and is not compatible with a strategy of de-escalation and reconciliation. UNSCR 1325 has several follow-up resolutions, one of the most important ones is resolution 2242 (2015), which urged states to enhance women's participation also in the prevention of "violent extremism". Swisspeace has conducted an extensive study of how women are currently included in prevention of "extremism". One core conclusion was that female perpetrators are excluded in this framework, potentially bearing damaging consequences for conflict prevention.⁷¹ For effective prevention and de-radicalisation, attention should also be steered to female perpetrators. This should involve understanding their motives, ensuring due process and their reintegration into society.⁷²

6 Transitional justice

If someone hurts me and stays free, I would be hurt even more, and I would remain scared without feeling safe. (female NGO worker from Bashiqa)

Coming full circle, it is useful to remember the respondents' initial definition of peace: a state of **peaceful co-existence** for all communities based on equality between and **justice for all**.

This state has yet to be achieved because when asked to assess the people's trust in Nineveh' state institutions to promote transitional justice on a scale from 1 (not at all) to 10 (very high), the average mark given was 3. The **lowest levels of trust were awarded by participants** with Yazidi, Shiite, Kurdish, and Christian backgrounds both male and female. When assessing the quality and outcomes of current efforts of transitional justice, **not a single respondent considered that justice had been served and perpetrators been punished**. Instead, respondents collectively felt that justice was served either unequally with only a fraction of the perpetrators being punished or the justice system was flawed or difficult to access, leading to impunity.

A glaring illustration of the existing impunity is that the fate of thousands of abducted women remains unknown with no concerted political initiative in sight to correct this state. The latest statistics of the Office of Abductees in the Kurdistan Region showed the abduction of 3,548 Yazidi women, out of whom only 2,288 have been found. Similarly, only 42 of the estimated 600 Turkmen women who were kidnapped have been found.⁷³ In light of these assessments on the current state of 'dealing with the past' and transitional justice, it is perhaps less surprising that **all but one respondent supported the idea of an international criminal court** to prosecute crimes that had been committed against minorities. When probed for the exact rationale of their support the following two elements surfaced:

⁶⁹ Jarhum and Bonfatti, p.20.

⁷⁰ Jarhum and Bonfatti, p.33.

⁷¹ Elizabeth Mesok, 'Women, Peace and Security and the Prevention of Violence' (KOFF, swisspeace, 2019), p.33.

⁷² International Civil Society Action Network, 'Invisible Women: Gendered Dimensions of Return, Rehabilitation and Reintegration from Violent Extremism' (UNDP).

⁷³ Iraqi Women Network.

- An accentuated hope for a more thorough and fair process because all parties would be heard, and old files investigated, which respondents did not believe could be achieved in a national process
- A strong wish of victims to have an opportunity to finally share their stories with a recognised entity and to receive compensation

It will not be discriminatory since it is an international criminal court. It will make sure that all victims are compensated. That is why we need such courts, because the justice that the government might provide would be discriminatory and would marginalize many groups. (young female activist from Mosul)

The one research participant that was opposed to the idea was an activist from the Kaka'e community. Contrary to everyone else, he feared an international tribunal would not be more equitable, but lead to certain groups feeling excluded and therefore risk causing new turmoil.

There are undoubtedly many challenges lying ahead in terms of transitional justice. In what follows, three main stumbling blocks shall be briefly touched upon.

First, human rights organizations caution against the current lack of investigations into crimes committed by the Iraqi security forces and the corresponding lack of due process with regard to suspected members of ISIL. Women Iraqi activists have drawn particular attention to the devastating consequences of the military operation against ISIL.⁷⁴ They had advocated for a ceasefire to ensure civilian evacuation before the liberation. Instead explosive weapons were used that resulted in additional IDPs, as well as killed and injured civilians. In this liberation operation, Iraqi forces were said to have treated the local population in Mosul as potentially hostile and consequently increasing the already existing polarization.

Subsequently, according to Human Rights Watch⁷⁵, security forces arbitrarily detained ISIL suspects for months and violated due process, withholding information about the charges and preventing access to a lawyer. The Nineveh detention facilities holding women and children on charges of ISIL affiliation were reportedly so overcrowded and inhumane that it amounted to ill-treatment.⁷⁶ The counterterrorism court in Nineveh is, however, considered to have improved trial proceedings since 2019. Judges have since been required to provide a higher standard of evidence material in order detain and prosecute suspects.

In a similar vein on unequal treatment of perpetrators, an investigative team has been established, tasked with collecting and preserving evidence of war crimes, but limited to those committed by ISIL.⁷⁷ Due process is not only relevant with regard to de-radicalization and reintegration of female IDPs associated with ISIL, but also for an equitable process of transitional justice, which was expressed by all interviewees to be the quality of restoration to strive for. Part of this should also be investigating what led people to join ISIL, including those that did not do so by free will.⁷⁸ It is understood that working with members of ISIL will be challenging. Several respondents emphasized a lack of tolerance among the communities that suffered heavy losses. Keeping this in mind and getting the local population on board will be key.

⁷⁴ Jarhum and Bonfatti, p.2.

⁷⁵ Human Rights Watch, 'Iraq: Thousands Detained, Including Children, in Degrading Conditions - Three Nineveh Jails Way Over Capacity', 2019 <<https://www.hrw.org/news/2019/07/04/iraq-thousands-detained-including-children-degrading-conditions>>.

⁷⁶ Human Rights Watch.

⁷⁷ Jarhum and Bonfatti, p.15.

⁷⁸ O'Driscoll, p.29.

There are many people who do not accept activities nor organisations that work with ISIL families and their children

Secondly, O'Driscoll urges to counter the notion of collective guilt of Sunni Arabs because it not only hinders reconciliation, but it also affects sound governance. He argues that there is a widespread misconception among members of minority groups in Nineveh that the majority of Sunni Arabs were complicit in the actions of ISIL and that they have, therefore, not suffered as a community. This narrative should be challenged and opportunities created for Sunni Arabs to also recount their suffering and losses. A more nuanced perception of what happened and the knowledge that suffering occurred on all sides might help to bring the different communities together.⁷⁹

The prospect for building a common history, based on the country moving forward in unison is only possible, if the various stories of suffering are combined into a shared narrative.

Finally, the subject of sexual violence should be approached in an encompassing way, addressing two aspects. On the one hand, it needs to be acknowledged that formal security forces as well as militias committed acts of sexual and gender-based violence during and after the liberation campaign. Many women report of cases of rape and sexual exploitation in exchange for access to basic provisions, such as food or shelter.⁸⁰ On the other hand, there is extensive and recent research⁸¹ on sexual violence being perpetrated against men and boys. It is often not recognized, and, at best, subsumed under torture. Unlike with female victims, it tends to happen in detention and is an even greater taboo subject than sexual violence against women. Reiterating the need for all suffering to be acknowledged and repaired but also in light of changing patriarchal gender roles, acknowledging the issue, and taking male survivors of sexual violence seriously can prove to be transformative.

7 Recommendations and entry points for political action in Nineveh

On women's participation in peacebuilding

1. There is abundant lack of knowledge on existing provisions women could refer to in order to advocate for their rights. Awareness raising and training regarding CEDAW and UNSCR 1325 could mend this situation.
2. When involving UN and other international frameworks, be mindful of prevailing grievances and mistrust towards the UN or other foreign actors among large parts of the population. Trust- building activities would be a way to navigate this challenge.
3. Increasing women's participation in local peace processes has often proven easier and more effective, and is thus a particularly relevant strategy to pursue for civil society and international actors on the ground.
4. The Government has made several important commitments in the 2019 periodic report to CEDAW, these commitments should be referred to when advocating for the enhanced involvement of women in peace processes, not least because CEDAW, unlike UNSCR 1325 has an accountability mechanism.
5. Draw from the draft Second NAP 1325 the I-NAP Alliance 1325 submitted and involve both the Alliance as well as other civil society actors in the process.
6. Draw from the GNWP localization mechanism to ensure the Local Action Plan is based on local
7. stakeholders' needs and vested interests for more successful implementation.

⁷⁹ O'Driscoll, p.29.

⁸⁰ Jarhum and Bonfatti, p.9.

⁸¹ Marysia Zalewski and others, *Sexual Violence Against Men in Global Politics* (Routledge, 2018).

8. 7. Overall, a holistic approach will be necessary to do justice to the prevailing patriarchal norms that are the largest barrier to women's participation. This includes:
 - a. Amendment of the Personal Status Law.
 - b. Amendments in the Criminal Code in order to criminalize discriminatory practices such as violence against women, impunity thereof and marriage as a way of perpetrators of rape to "repair the damage".
 - c. Adopt a law on domestic violence.
 - d. Working towards the reform of the educational curricula, and an end to the segregation at secondary school level so that trust and mutual understanding between men and women can already be built at a young age. And, if no support can be garnered at the provincial level from the directorate of education, start by directly involving teachers.
 - e. Coordination with programs that focus on socio-economic needs because they are the precondition for women's participation. Without a basis of livelihood, participation will only be possible for women from higher socio-economic backgrounds.
 - f. Working in parallel with men in order to avoid feelings of alienation, which in other experiences have led to a dangerous backlash against women in empowerment programs.
 - g. Supporting locally-led and long-term advocacy campaigns and awareness raising initiatives at all levels, national, regional and local. At the local level, include programs that work with communities and families so that women are not prevented from access to public peacebuilding activities because of family member's fears of a "bad reputation".
 - h. Identifying moderate and more open religious leaders who are willing to engage in peacebuilding and may support the promotion of women participation. Religious leaders have a key role in communities and are often very influential on people's behaviors and attitudes.

On IDPs

1. The aforementioned holistic approach will, not least, also prove important for enhancing the participation of female IDPs
2. Similarly, coordinating activities with socio-economic development projects is key. This may, moreover, help mitigate the vulnerability to sexual exploitation of destitute female refugees.
3. Participation of female IDPs should, moreover, include women and children associated with ISIL who are in a particularly vulnerable position. This could also help reduce the risk of radicalization of these family members of former fighters who often suffer unfair treatment and are marginalized from society. The ending of detention, ensuring due process as well as de-stigmatization and reintegration should be an integral part. The follow-up resolution 2242 for UNSCR 1325 provides an ideal advocacy tool for this. Moreover, raise awareness among society and work with local communities who might resist re-integration of these women and children.

On transitional justice

1. Promoting and ensuring transitional justice is a key component in post-conflict settings without which reconciliation efforts are bound to have a limited effect. Grievances need to be heard and addressed, so that society can start a healing process.
2. The establishment of an international tribunal seems to enjoy wide support in light of trust issues towards nationally moderated processes.
3. For reconciliation of all societal components to be successful, there has to be equitable acknowledgment of the suffering in all communities, including among the Arab Sunni community
4. Reconciliation also requires equitable investigation and reparations for all crimes, irrespective of their perpetrators, including sexual violence perpetrated by Iraqi security forces, against women affiliated with ISIL; and men and boys.

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