

Briefing before the Lantos Human Rights Commission
The Battle for Mosul: Protection Issues

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I would like to thank the co-chairs of the Tom Lantos Human Rights Commission, Congressmen Joseph Pitts and James McGovern. Your commitment to elevating human rights and humanitarian issues is not just admirable, it's critical as we face an unprecedented displacement crisis and witness the shrinking of protection space worldwide.

Thank you for the opportunity to speak on the civilian protection and humanitarian access challenges as the military offensive to drive the Islamic State from Mosul – Iraq's second largest city – ramps up. I represent the International Rescue Committee (IRC) – an international non-governmental organization that responds to the world's worst humanitarian crises and helps people whose lives and livelihoods are shattered by conflict and disaster to survive, recover, and gain control of their future. The IRC is a credible, consistent voice on civilian protection and humanitarian needs in Iraq. We have been on the ground for thirteen years -- since shortly after the war began in 2003 -- working to ensure civilians are protected from harm and given tools to rebuild their lives. During this time, we have seen areas of Iraq cleared of extremists three times over – each time without the corresponding humanitarian and political plans necessary to foster reconciliation and cultivate stability.

In particular, in responding to humanitarian needs during recent military operations in Fallujah and elsewhere in Anbar Province, the IRC has witnessed the shocking lack of protection for Iraqi civilians trying to escape violence. Those fleeing faced obstacles and dangers on each stage of the journey: unprotected and treacherous exit routes; unclear and often inhumane screening procedures, restrictions on movement while displaced and, in some cases, premature return to areas that lack security and opportunity. The result is not just a humanitarian crisis – but a political one. Displaced Iraqis are experiencing trauma and indignities that underscore their grievances and deepen their distrust of the government in Baghdad. If this does not change, the impact of driving out the Islamic state will be short-lived and perceptions of the Iraqi government will remain tainted. The same conditions that allowed al-Qaeda in Iraq (AQI) and then ISIS to gain traction will remain – fertile ground for ISIS or an offshoot to regroup and reemerge. If the residents of Mosul are not protected during conflict and are unable to return home with some guarantees for their safety and their future, the cycle of instability and violence will continue.

Current Overview of Mosul Operations and Humanitarian Impact

We are no longer “in the lead up to Mosul” -- military operations have launched and are continuing along the Mosul corridor. Iraqi Security Forces recently took Shirqat and an assault on Hawija is imminent as part of an effort to encircle Mosul city. Reports out of Baghdad yesterday indicate the operational pace will quicken in the next week to 10 days.

The situation is fluid and it still unclear how it will play out. But, the humanitarian community has an obligation to plan for a worst case scenario. This envisions as many as 1.2 to 1.5 million people affected – with up to a 1 million fleeing their homes and 700,000 needing shelter. Already, about 126,000 people from in and around Mosul have been displaced. Resources have not kept pace with the need (funding

for new camps is critically low; site selection has been painfully slow). Formal UNHCR or Iraqi government camps will not have the capacity to host this population. These facilities will be able to support only 200,000 to 400,000 (25% to 55%). The rest will have to find shelter elsewhere, including unfinished buildings, schools and mosques. Despite the Iraqi (and Kurdish Republic) government's preference and desire for an in-camp response, a non-camp response is unavoidable. We need a common understanding – among the Iraqi authorities, the coalition, and donors - that this is not a contingency; this is the reality. The humanitarian community is thinking creatively about mobile response and alternative shelter solutions like improvements to buildings where IDPs may reside. But this will require flexible funding and programming. Host communities are already under stress and demands on their resources - food and water, jobs, housing stock, and electricity – will stretch them thinner. The response must be flexible enough to support these communities as well.

And let's be very clear, we are talking about a population that has been living under ISIS control for more than two years. Civilians who remain inside the city must not be assumed to be sympathizers of armed groups. They need support, not distrust. Their needs will not be met with food and shelter alone. Already, the economic slowdown inside Mosul has affected livelihoods and the civilian population's ability to meet their own needs. Infrastructure has been damaged -- tap water is no longer safe to drink; access to medical care is limited, pharmaceutical stocks are low, and vaccines are reportedly unavailable. There will be urgent medical needs and cases of trauma, and thousands of children who have missed years of school. Sheltering these families is only the beginning.

To further complicate planning efforts, we need to grapple with the fact that large numbers of Mosul's civilians are unlikely to flee at all. Rather, they will choose to ride out the operations inside Mosul city – meaning all options to deliver aid to those trapped and to protect civilian life must be considered. For both populations, whether inside the city or in displacement, winter conditions will be an added concern and will require additional support. At the same time, international NGOs are constrained in their response as they struggle to secure visas for international staff in a timely manner, greatly affecting the oversight and effectiveness of their coordination and response efforts.

Looking Forward: Key Concerns

The IRC sees almost no evidence that the Iraqi government has internalized the lessons from the humanitarian fallout in Anbar Province. The need to protect civilians – in conflict zones, as they exit, and in displacement - is still not informing military planning. The focus of operations remains singularly on the military defeat of ISIS. This time around, civilians are just as likely to get caught up in the fighting, the siege, or to be prevented from leaving.

Those fleeing violence in Anbar faced two significant hurdles and these challenges remain. First, the Iraqi government has not identified safe routes out of Mosul City. Those wishing or forced to evacuate face a perilous and uncertain journey on routes littered with IEDs, mines, rough terrain and other dangers. Those who decide or are coerced to stay are cut off from most communication and are being encouraged to raise white flags to indicate their presence. Any discussion on potential evacuation of civilians or modalities of delivering aid to potentially trapped populations- to the extent they are happening - are not filtering down to humanitarian partners on the ground in Iraq. By and large, the international NGO community will be unwilling to operate in such an insecure environment. Nor will they be willing (or in some cases legally able) to ask local implementing partners to do.

Second, the Government of Iraq has not improved inconsistent procedures and often inhumane conditions at screening centers. While screening procedures are a right of the Iraqi government and even necessary for civilian security, the procedures have been lengthy, inconsistent and open to violations – with non-state actors often carry out their own screening. Families are separated for extended periods of time, causing severe psychological stress on women and children who are surrounded by armed men. Lessons from Fallujah emphasize the importance of a fair, transparent and timely process at screening facilities, with basic minimum provisions for IDPs waiting to be screened, and of an effective monitoring presence. This screening process is the first interaction IDPs have with the Iraqi government or its proxies and the indignities they experience make lasting impressions and reinforce suspicions. The impact in Mosul may be many times worse given its sizeable population and the long-standing grievances of its residents.

We question whether coalition partners are delivering the tough, but necessary messages to the Iraqi government about the importance of civil-military coordination and civilian protection. These points must be delivered in every engagement with the Iraqi government, at the highest levels, and not just in diplomatic channels, but via military-to-military channels as well. As trainers on the ground with Iraqi and Peshmerga forces, U.S. advisors can help shape how the operations are and will be conducted and how Iraqi and Kurdish forces prioritize protecting and respecting civilians. These forces cannot and will not do this without coalition and particularly U.S. pressure, guidance and support.

To this end, donors and all other stakeholders must call for the US-led coalition and Iraqi military planners to put civilian protection at the core of military operations to retake Mosul. This includes:

- Creating of a formal two-way communication flow between the humanitarian community and military planners to minimize and prepare for the humanitarian impact and, where possible, allow for real time problem-solving as operations are unfolding.
- Maintaining the principles of distinction and proportionality to help ensure that civilians are not trapped, effective communication channels and warning systems inform them about where hostilities are ongoing, and that critical civilian infrastructure is not damaged.
- Collaboration among the coalition and GOI/Kurdish military planners to identify and, when appropriate, act on options for voluntary and informed civilian evacuation that does not endanger those who remain.
- Iraqi and local authorities allowing people to move freely so they can access essential services like healthcare as well as find work so they can support themselves and their families.

With regard to screening center procedures, the U.S. government and key donors must engage with the GOI to ensure screening is done in accordance with national and international standards to ensure screening procedures do not deter Iraqis who otherwise want to flee. In particular:

- The deployment of a civilian-led monitoring and accountability mission where civilians face acute threats. Given the coalition partners' UNGA commitments to ensure "basic protection safeguards and humane treatment during screening and potential detention," they should take real steps to identify and launch an appropriate body with a strong mandate – in the absence of UNAMI mission, perhaps a UN CIVPOL deployment or some combination of entities.
- Only entities of the state should conduct screening and this staff must be trained to drive down likelihood of abuses.
- Centers must be located at safe distance from the conflict.

- Procedures should be transparent and timely, allow for due process, and give priority to the most vulnerable.
- Conditions must meet international human rights standards and populations must have access to sufficient food, water, medical care and shelter and families must be reunited as soon as possible.
- Humanitarian actors must have access. Protection experts, like the IRC, need secure access to populations as soon as possible to ensure that vulnerable cases are expedited and receive the critical help that they need.

After Mosul operations, a number of issues could contribute to a premature return of the residents, including: precedent from other operations; Iraqi government planning assumptions which will lead people to be temporary sites located close to the city (a thinly veiled means to push for a quick return); and the potentially sub-par living conditions at these sites. But safe return is months away given likely destruction of infrastructure and extensive and sophisticated contamination (in the form of IEDs, mines, and other explosives that ISIS will leave in its wake). Donors and other stakeholders must stress to the Iraqi government at all levels its obligation not to encourage people to return home before it is safe, and to support displaced people as they make an informed and voluntary decision on their eventual return.

And, given the divisions and arguments about who is going to govern the city and how once the offensive concludes, no meaningful plan for reconciliation is emerging. This dangerous vacuum will exacerbate tensions among the original inhabitants, those who fled at different times, and among different ethnic and religious groups. Clearing ISIS will just be step 1. Reconciliation and active steps to improve social cohesion are crucial to Iraq's long term peace and stability. The U.S., coalition, and other influential partners must push the Iraqi government on this front and offer funding and political support.

WHAT IS THE IRC DOING IN RESPONSE?

The humanitarian community has not had the luxury to sit and wait for Mosul operations to begin. 10 million Iraqis, nearly a third of the population, are already in need of aid. Since January 2014, 3.4 million Iraqis, including 1.5 million children, have been forced from their homes; some uprooted multiple times -- both fleeing ISIS-controlled areas and fighting in Anbar corridor towns of Fallujah and Ramadi. As one of the few INGOs operating in Anbar Province -- which has seen the most displacement, the IRC provides humanitarian relief and ongoing support to these Iraqis. Likewise, the IRC is supporting the thousands who have fled Mosul and the surrounding areas already -- turning our offices in Kirkuk and Tikrit into emergency response hubs.

The IRC identified the lack of access to livelihoods -- particularly as large numbers of IDPs reside outside of formal camp setting - and protection, particularly at screening centers, as two of the most pressing challenges facing displaced Iraqis. To address these needs, the IRC has two main program sectors in place:

- (1) **Multi-Purpose Cash Assistance:** The IRC is the lead agency for cash distributions for displaced people to the east and south of Mosul. Across the board, cash is one of the most cost efficient ways to provide high-impact support during a crisis. It is a dignified and flexible form of assistance that allows beneficiaries to make their own choices and buy essential items for themselves and their families. In an out-of-camp context, where the displaced are largely on their own, these cash payments are all the more critical. Assessments in the Iraqi context, specifically in the areas around

Mosul, concluded that markets will be able to cope with the injection of cash. Cash assistance includes one-off payments to displaced populations; multi-month cash assistance for vulnerable families; and additional support to a small number of extremely vulnerable individuals.

(2) Protection Monitoring and Legal Assistance: The IRC is the lead agency on protection issues as well. We will maintain a presence at screening centers to identify and alleviate the difficulties faced by families who are being separated for long periods of time, forced to wait without food or water, and at times subjected to inhumane interrogation procedures that do not meet minimum international human rights standards. IRC lawyers will also assist IDPs in recovering lost documentation, which will allow them to access government services, obtain a job, or move freely without fear of arrest. People traumatized by the two-year nightmare of living under the Islamic State will be identified and referred for special counseling. But, this presence is no substitute for broader civilian monitoring mission, be it UN CIVPOL or some other monitoring mechanism, to help ensure timely, transparent procedures at all centers and reduce the chances of abuse. Treating displaced civilians with dignity and respect rather than hostility and suspicion is key for a durable reconciliation once operations end.

With Fallujah, there was little notice. With Mosul, we have an understanding of what is coming and when. The Iraqi government and the international community have a rapidly closing window to invest in planning and implement preparedness measures to protect civilians. Applying lessons learned from Fallujah and elsewhere will not solve all the problems we are identifying. Even in the best case this will be a messy response. But these efforts will save lives now and help create the conditions necessary for political stability later. But, to be clear, the offensive has already begun and will only intensify in the coming weeks and months. We are racing the clock.