

# The Shabaks

## Perceptions of Reconciliation and Conflict



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# **The Shabaks**

## **Perceptions of Reconciliation and Conflict**

**MERI Policy Paper**

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# 1. Executive Summary

With the complete military defeat of IS in Iraq underway, the process of the return of internally displaced people (IDPs) faces enormous challenges. IS's swift seizure of control of vast swathes of territories created new fissures and exacerbated old animosities and grievances among the variegated communities of the Nineveh Plain. Members of certain communities joined IS, while others showed sympathy to the group, causing rising social tensions among the communities. The war against IS also prompted certain communities to form their own armed forces, which can now be used to challenge rival communities and impose one-sided solutions by virtue of force. While no rigorous plan for the post-IS situation is available, and with Iraq facing economic and political hardships, the region's dynamics are likely to continue to be conflictual, and communal relations may worsen further. Understanding how communities perceive reconciliation and conflict is a key element to ensure the return of IDP's in the future.

This report focuses on the Shabak community, an abstruse ethno-religious group living on the Nineveh Plain just east of Mosul, and how they perceive reconciliation and conflict. Various international minority rights organisations recognise Shabaks as one of the five main minority groups most affected by the recent conflict beginning in June 2014. At present, the Shabak community is comprised of both Sunni and Shi'ites, yet the community's religious identity has significantly evolved over time, moving from a distinctly heterodox to a more orthodox set of beliefs and rituals. This, combined with their geographic location in the disputed territories in close proximity to various other minorities, make their views on conflict and reconciliation particularly relevant for future coexistence in Nineveh.

One of the main findings of this report is that the Shabak community suffers from four main conflicts. Two relate to relations with other ethno-religious communities, namely Sunni Arabs and Christians, and the other two concern divisions within the community itself, that is, religious and ethnic identity. The rise of IS has impacted conflict dynamics in two distinct ways. On the one hand, it has led to a proliferation of armed groups, significantly increasing the possibility of a violent escalation. On the other hand, the complete rupture of the pre-2014 status quo has resulted in an intensification of identity discussions, which is linked to the settlement of the administrative status of disputed territories on the Nineveh Plain.

The community's perception of justice and security is also explored in this report. Interviews reveal that the community is fearful of forced displacement and revenge acts after their areas are liberated, while some expressed doubts about the ability of the security forces and the judiciary system in place to deal with the post liberation environment.

## 2. The Shabak community

This paper is one of a series produced as part of a study entitled Perceptions of Reconciliation and Conflict Among Minority Groups in Northern Iraq. The study was commissioned by the United States Institute for Peace (USIP) and covers five ethno-religious communities in Northern Iraq: Yazidi, Christian, Turkmen, Shabak and Sabeen-Mandaeans. The study took place from May 2016 until January 2017. This paper focuses on the Shabak community and constitutes an amended version of a report previously submitted to USIP. The findings in this report are based on qualitative data collected through 24 semi-structured key informant interviews and two focus groups. Participants of the study included both male and female community leaders, activists and intellectuals, as well as spiritual and political representatives.

The Shabak community has been living in Iraq for centuries, particularly in the Nineveh plain area, in a triangular shaped territory east of Mosul between the rivers Tigris and Greater Zab. Historically, the Shabaks worked mainly as sharecroppers in the rural parts of the plains while their landowners lived in Mosul. Shabaks live in around 56 villages and towns in the districts of Hamdaniya and Sheekhan. The demographic make-up of the Nineveh Plain is highly diverse and includes other minority communities such as Christians, Kaka'i, Eyzidis, Turkmen and Sunni Arabs. Although reliable statistics of demography do not exist in Iraq, the size of the Shabak community is estimated to be between 200.000 – 500.000 (Institute for International Law and Human Rights, 2013: p. 134; El-Shabak, 2013: p. 157). The common identity of the Shabak as a cohesive social group has changed over time and is a source of tension within the community itself. It is therefore important to briefly examine the history of the Shabak community in Iraq.

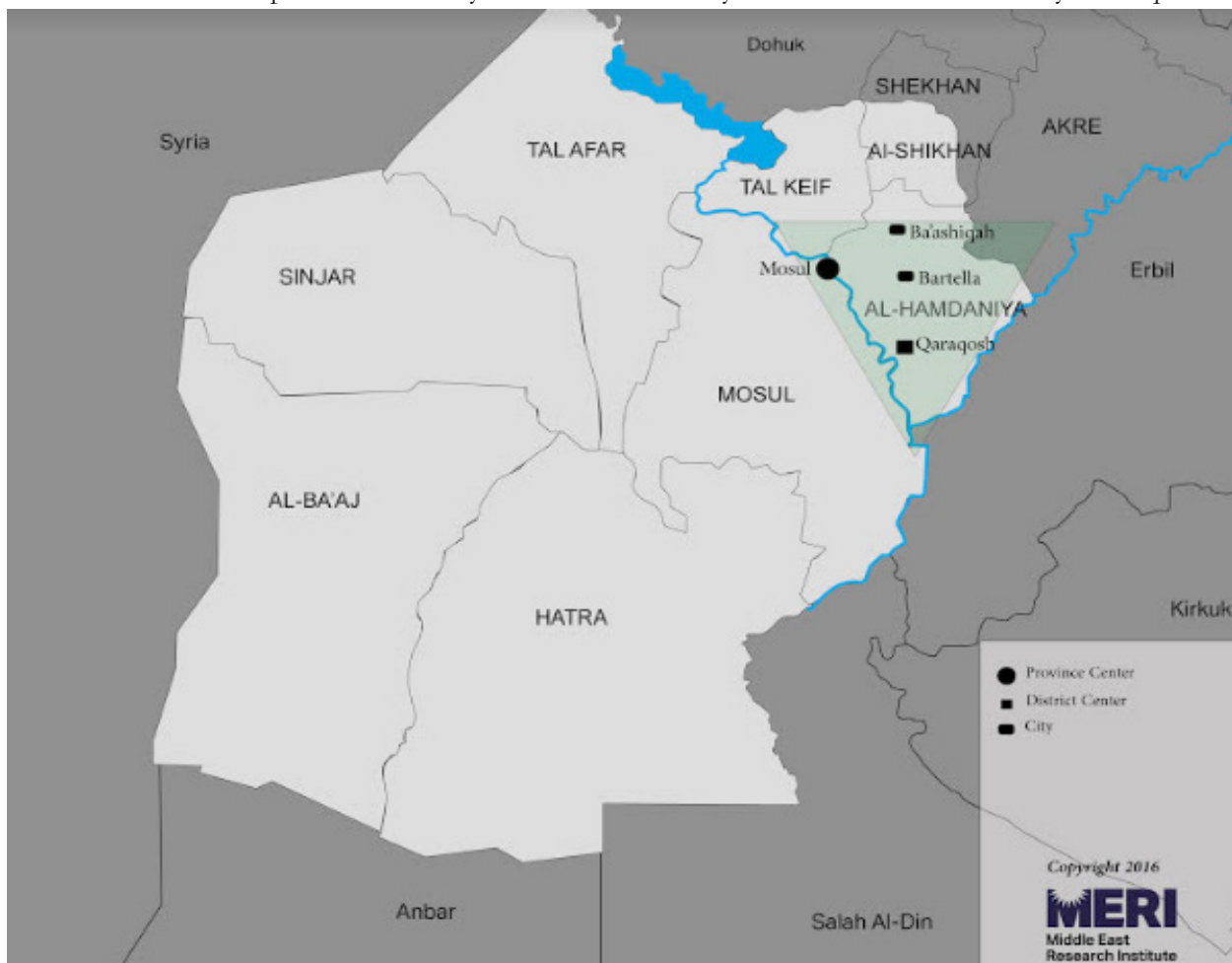


Figure 1: Shabak areas in Nineveh province



Despite some remnant cultural and linguistic particularities, the Shabak identity has become increasingly difficult to distinguish from other communities in Iraq (Leezenberg, 1994). Although historically the Shabaks could be identified as a particular ethno-religious group, the community has faced severe pressure to adopt an overarching ethnic identity as either Arabs or Kurds. Moreover, the distinct heterodox Sufi order of Bektashiyya, historically adhered to by Shabaks, has gradually made way for more orthodox Sunni and Shia orders. At present, around 30% of Shabaks are believed to be Sunni Muslims and 70% are Shias. This process of ‘Shiaisation’, observed by several anthropologists in the past century, was mainly set in motion during Iraq’s Republican Period after the major land reforms in 1958 and 1963 (Leezenberg, 1994; Vinogradov, 1974). Upward social mobility, combined with the unravelling of traditional inter-community power relations appears to have led Shabaks to conform to a more orthodox religious identity, predominantly Twelver Shia-ism (Vinogradov, 1974).

Ethnically however, the story of the Shabaks is more complex. As Michiel Leezenberg (1994: p. 5) notes: ‘it is unclear precisely when the Shabak emerged as a distinct ethnic group, and what their ethnic background is.’ The Shabaks are not and have never been a tribe. Instead, the community is composed of several different tribes from different ethnic backgrounds, namely Kurdish, Arab and Turkmen. In fact, it is believed the name Shabak is derived from the Arabic *Shabaka* meaning ‘to intertwine’, thus indicating the mixed background of Shabaks. Historically, Leezenberg points out, it has been tempting for nationalists of various kinds to over-emphasise one of these component features, and claim that the Shabaks are ‘really’ Arabs, Kurds, or Turkmen. From the 1970’s onwards Shabaks became entangled in the wider conflict between Arab and Kurdish nationalism. It appears however, that the Shabaks as a community never clearly sided with either camp. Nonetheless, the Shabak community suffered under Saddam’s Arabisation campaign in the 1980’s.

During the 1987 population census, Shabaks were confronted with a binary choice of ethnic registration: Kurd or Arab. Unable to identify as a separate nation, Shabaks were forced to either proclaim allegiance to the state by registering as Arabs – which often meant being sent to the frontlines of the ongoing Iran-Iraq war – or face the consequences of identifying as Kurds. Community divisions widened as some registered as Arabs and others as Kurds. The regime deported Shabaks who registered as Kurds to ‘prohibited zones’ under Peshmerga control and reportedly destroyed around 20 Shabak villages. Only several years later were displaced Shabaks finally allowed to return to their areas, after a prominent Shabak leader formally declared that all Shabaks were Arabs after all (van Bruinessen, 1998).

After the fall of Saddam’s regime, Shabaks were subjected to some of the worst instances of sectarian violence (Minority Rights Group International, 2014). One report estimates the number of Shabaks killed between 2003 and 2012 to be around 1,300 (UNHCR, 2012). Sunni Arab insurgent attacks on Shia Shabaks were not only religiously motivated; they also occurred as the community gradually became entangled into the larger Arab-Kurd struggle over the disputed territories. Accordingly, those who identified as Kurds and were seen as supporting Kurdish claims on the area could be targeted by Arab nationalists, while Shabak community leaders who opposed the notion that Shabaks are a component of the ‘Kurdish family’ were equally subjected to harassment, intimidation and assassinations (Human Rights Watch, 2009).

In the city of Mosul, Shabaks suffered a wave of kidnappings, killings and bombings prompting, causing many to leave the city and re-settle in the countryside of the Nineveh Plain. In October 2007, the Islamic State in Iraq distributed a flyer in the city referring to Shabaks as “rejecters” of Islam and claimed it was “an obligation to kill them and displace them without mercy” (Human Rights Watch, 2009: p. 37). In 2009, a member of the Army of Naqshibani, a Sunni insurgent group, stated the Shabaks were “in league with Iran” and therefore traitors. April 2013, Islamic State in Iraq also distributed notices to Shabak homes threatening



them to leave Mosul city within 72 hours or face death. Again, more than 1,500 Shabak families reportedly left the city (U.S. Department of State, 2013: p. 57).

In the Nineveh plains, Shabaks continued to be targeted by extremist groups attempting to instigate a sectarian response. Shabak places of worship and shrines were targets of attacks, as were holidays, rituals and even funerals. On 11 August 2009, two bomb-trucks exploded in the Shia Shabak/Turkmen village of al-Khazna, killing at least 34 people and wounding nearly 200 (Dagher, 2009). On 14 September 2013, a suicide bomber blew himself up at a Shabak funeral in Bashi'qa, killing 34 people and wounding 50 (Minority Rights Group International, 2014).

Migration flows resulting from the displaced Shabaks also led to tensions with other minority communities, in particular with Christians living in the district of Hamdaniya (Institute for International Law and Human Rights, 2013: p. 138). The influx of large numbers of Muslim Shabaks into Iraq's last remaining Christian-majority areas left many Christians concerned about the future identity of their towns.

After IS took full control over Mosul city in June 2014, Shabak houses were marked as belonging to "rejecters". The United Nations Assistance Missions to Iraq (UNAMI) and the Office for the High Commissioner for Human Rights (OHCHR) reported that, during Friday prayers on July 11 2014, the Imam from the Al-Tameem Mosque called on Sunnis to kill all Shabak remaining in the city (UN Office of the High Commissioner for Human Rights, 2014). While most Christian properties and places of worship were initially left intact, IS immediately started killing Shia Shabaks and looting their homes. IS designated Shabak properties "spoils of war" and promptly redistributed them among its fighters and others loyal to the group (Shamdeen, 2014). In August 2014, nearly the entire Shabak community was displaced as IS swept across and took control over the approximately 60 Shabak villages in the Nineveh plains (Minority Rights Group, 2014). For many Shabaks, this was the second time they were forced to flee from their homes in just two months. By 22 August, one estimate reported by the Iraqi Press Agency read at least 3,000 Shabak families had lost their homes, and hundreds killed (Mamouri, 2014). The Hammurabi Human Rights Organisation (2014) estimated the total number of displaced from Qaraqoush and Tilkef to be in excess of 200,000 individuals, many of whom were Shabak. Most sought refuge in the Kurdistan Region of Iraq (KRI) and in the Shia dominated areas in the South of Iraq such as Karbala, Najaf and Baghdad (Institute for International Law and Human Rights et al., 2016). It is too early to assess exactly what the long-term effects of displacement will be on the unity of the Shabak community. However, given the disputed status of the Nineveh Plain, and the tendency of both Erbil and Baghdad to bind potential constituents to their agenda through vast systems of patronage, one can reasonably expect a deepening of community divisions in the future (Salloum, 2016).

## 2. Internal Divisions and Tensions with other Communities

There are four relevant conflicts that currently affect the Shabak community. Divisions within the community exist mainly along ethnic lines, although religious identity has also become a factor after IS took over the Nineveh plain. Inter-community relations between Shabak and other communities such as the Sunni Arabs and Christians are strained for different reasons. The rise of IS has impacted the conflict dynamics in two distinct ways. Firstly, proliferation of armed groups active in the area significantly increases the possibility of a violent escalation in any conflict. Secondly, the rupture of the pre-2014 status quo between Baghdad and Erbil has led to an intensification of identity discussions within the community as both governments actively seek to regain control over the area.

**Table 1: Conflicts and tensions impacting the Shabak community**  
**Tensions with other communities**

Shabak – Sunni Arab	Terrorist attacks, intimidation and forced displacement from Mosul and Nineveh plain pre-2014, followed by IS’s genocidal campaign aimed at eradicating Shias from areas under its control has left relations between the Shabak and Sunni Arab community severely strained.
Shabak – Christian	Tensions mounted as Shabak population movements in the Nineveh Plain are perceived by Christians as threatening to their lifestyle and identity of historic Christian-majority towns.
Divisions within the community	
Ethnic identity	A sensitive and highly politicised dispute within the Shabak community between those who consider themselves ethnic Kurds and support the KRG’s claims on disputed areas, and those who consider the Shabak a distinct identity and support the central government in Baghdad.
Religious identity	Although relationships between Sunni and Shia Shabaks have been good historically, some Sunni Shabaks stayed behind when IS attacked and displaced the rest of the community. Many Shia houses were subsequently ransacked and looted, sometimes by Sunni Shabaks.

## 3. Shabaks and the Sunni Arab community

When participants were asked to rate the relationship between their community and others, the connection with the Sunni Arab community was consistently said to be worst. Respondents often shared personal stories of intimidation, discrimination, killings and terrorist attacks from their time living in Mosul City and in the villages of the Nineveh plain. Many had been forced to flee from their homes twice due to violence or threats thereof. Especially during the women focus group, it became clear that many victims still carry vivid memories from attacks against their community. Moreover, the blanket and merciless violence that followed IS’s take-over of Mosul and the Nineveh plain evokes a deep sense of betrayal among survivors.

It is very hard to deal with the Sunni Arabs after what has happened. They stabbed us in the back. Yesterday, we were neighbours and today we are enemies. It will be hard to live with them in the future.

– District council member

My house is ruined because of them. I don't believe making peace will be easy. It will be very difficult because there is no trust left.

▸ **Sub-district council member**

They lived with us for the past 100 years. And yet they went with IS and sold us cheaply; stealing our houses, animals and other properties. I lost 36 oxen.

▸ **Participant in male focus group**

The lack of inter-community trust, coupled with an absence of security and rule of law, leaves many displaced Shabaks to question their prospect for safe return. Many warned against the emergence of a 'law of the jungle', where individuals or armed groups take it upon themselves to settle grievances. Many Shabaks remain sceptical about the ability of the Iraqi judiciary to deal with the challenges ahead and satisfy victims. The main reason is corruption. The use of *wasta* (a political connection used to gain favour), although loathed by many, has become such a characteristic element of Iraqi state bureaucracy that one would be hard-pressed to find governmental departments whose functioning is not affected by it. Interviewees explained that in the past, individuals convicted of serious crimes such as plotting terrorist attacks would often be able to avoid serving out their sentence by bribing officials or by invoking favours from personal or family connections.

Interviewees further stressed the importance of distinguishing between varying degrees of guilt among perpetrators. Distinctions should be made between those who were forced to join IS, those who merely assisted IS and committed material crimes such as looting, and those who embraced IS' extremist ideology and committed violent crimes or mobilised others to do so. Some suggested that the families of those who joined IS voluntarily and committed violence should be exiled according to tribal customs, while less severe crimes of a material nature could be dealt with through the courts.

Others warned against the danger of overgeneralising victim and perpetrator groups. They mentioned Sunni Shabaks who had stayed behind in IS territory not because they supported IS, but because they simply did not want to leave their property and belongings at a moment's notice. Cooperation between tribal and judicial structures in the process of transitional justice will be a critical aspect in combating perceptions of collective guilt. Due to the significant challenges determining the various degrees of guilt among alleged perpetrators, some participants advocated for the establishment of an international court mandated to deal with the crimes.

It is better for us if an international court comes to deal with these issues. Our courts are not independent, and politics will inevitably come into play.

▸ **Male attendant focus group, 2016**

We have to distinguish between perpetrators and bystanders. There are Sunni Arabs displaced now, living in Erbil. We should not forget this. They genuinely hate IS and don't accept their agenda, but generalisation remains a problem.

▸ **Shia religious leader**

There remain significant barriers towards improving the relationship between the Shabak and Sunni Arab community. Over a decade of targeted violence and two large displacement crises has left many Shabaks palpably indifferent towards the concept of reconciliation. Many seem to prefer moving towards further social, territorial and political segregation as a way of avoiding problems in the future. As one participant, semi-jokingly, suggested: "What we want is the Berlin Wall between us and Mosul."

SShabaks strongly expressed feelings of pessimism towards any process of reconciliation that does not seek to address the, in their eyes, root-causes of violence: Arab nationalism and Sunni religious extremism.

Many participants expressed their view that, after IS, the proverbial ball is now in the court of the Sunni Arab community. And that it is up to them to make the first meaningful overtures towards the healing of relationships with other communities.

Before, we could not even go to Mosul. It was not safe. If we went to a university there, we would be killed. How do you expect us to be in one governorate?

Practically, there is not much we can do. We have to let them repair themselves... they should fix their minds so we can live with them again. Until then, we should divide Nineveh as a governorate.

I want to know why they hate us. We don't hurt them. We don't kidnap them. We don't fight them. I don't know why there is this hatred for us.

▸ **Participants in male focus group, 2016**

## 4. Shabaks and the Christian community

Participants were generally more keen to speak about their community's relationship with Christians and their views on how particular challenges could be overcome. Despite living alongside each other peacefully for centuries, tension and distrust between the communities has been steadily mounting.

Amid the violence of the Sunni insurgency, Shabaks started to return to the Nineveh plain in increasing numbers. In some cases, they have moved into Christian neighbourhoods – or town centres – where they have opened up shops and bought land and properties. In towns such as Hamdaniya and Bartalla, the previous regime of Saddam Hussein had allocated plots of land to those favourable to the regime, such as the families of those martyred during the Iran-Iraq war. After 2003, the difficulty in assessing ownership over these properties meant that many plots remained unclaimed and empty. With Shabaks now starting to buy these and other Christian-owned properties, Christians started to fear that the arrival of large numbers of Muslims threatens their way of life and erode the identity millennia-old Christian towns. Moreover, some perceive this migration to be supported by Baghdad and Iran in order to tilt the demography of these areas in favour of Shias. Shabaks however, refute this reading and argue the movement of Shabak people into Christian areas is not driven by any underlying agenda. They explain that Shabaks seeking access to employment and public services such as healthcare and education are naturally drawn to the larger towns inhabited by Christians. For them, the movement from their smaller villages to the larger predominantly Christian towns is a natural phenomenon of people moving from rural to more urban areas, not driven by any other motive.

Importantly, all participants stressed their resolve to continue to coexist and try to work out their differences with the Christian community peacefully. However, they did share grievances related to discrimination against their community. Participants frequently used the term 'second-class citizen' to explain how they felt living in some Christian majority towns. The issue of discrimination was said to be less prevalent in, where Christians constitute a smaller minority, such as Basheeqa. Shabaks argue that the unwillingness of Christians to accommodate them in the area has had a severe impact on the community's access to education, healthcare and employment.

When I studied in Mosul, it was very dangerous for me. There was a similar college in Hamdaniya, so I wanted to go there. But the officials in the administration did not accept me. The other students and the administration look at us in contempt and treat us as second-class citizens. We feel looked down upon.

▸ **Art student from Mosul**

When we finished elementary school in my village, we moved to high school in Bartalla. But when I went to

register, the manager of the school was a Christian who refused us. We were forced to spend one year at home until they built a new school in my village.

▸ **Participant female focus group, 2016**

If a Shabak woman is pregnant and goes to the hospital in Qaraqosh, the doctors would send her to Mosul to avoid the child's birthplace being in Qaraqosh.

▸ **District council member**

Several participants also complained about the effects of Christian checkpoints prior to 2014. As the violence in the Nineveh plains escalated and terrorist bombings became more frequent, the Church requested permission to mobilise Christian armed units for protection. Soon after the formation of these units, checkpoints were established outside the towns of Bartalla and Qaraqosh that regulated everyone going into the city. Some of these security forces, such as the *Churches' Guardians*, were funded and supported by the Kurdistan Regional Government (KRG). Respondents claimed that often the only way to get into the towns was to lie and tell the guards they were going to a village just on the other side of town. This seemed to particularly restrict the movement of young males traveling without their families.

It should be noted that many participants expressed an understanding for Christians wanting to preserve the Christian identity of their areas. And some claimed there was an agreement between the Christians and Shabaks regarding a solution. If Shabak villages are supported in their economic development, and public service provision such as education and healthcare becomes more accessible in those areas, there would be no need for Shabaks to move into Christian towns. Specifically, some local policymakers argued the town of Bazwaya should be designated a centre town of a district, endowed with facilities that match some of the larger Christian towns. However, considering the small distance between Bazwaya and Mosul – the village is located a mere 5 kilometres from the city – a more constructive solution might be to guarantee the safety of Shia Shabaks wishing to live or attend education in Mosul city. Furthermore, while this measure may succeed in diffusing tensions in the short term, it does not attempt to transform the relationship between the Christian and Shabak community in any meaningful way. In fact it would suggest that only by further segregating the two communities freedom of religion lifestyle could be guaranteed.

The solution is to make the region of Bazwaya a district and centre town. If this is done the Shabak people will leave Christian areas as we have agreed on before.

▸ **local representative**

Even before IS came we asked to make Bazwaya a centre town for the Shabaks. That way there will be distance with the Christian areas. But the central government refused.

▸ **local representative**

We are looking forward to a future where we can have a district for Shabaks as well as for Christians, so that both sides can practice their religion freely.

▸ **Qaraqosh council member**

## 5. Internal divisions and political representation

The most passionate response during interviews and focus groups would always follow questions related to the Shabak identity. Whether Shabaks should be considered as ethnically Kurdish carries significant political implications as it relates directly to the legitimacy of the KRG's claims on the disputed territories in the Nineveh plain areas. For this reason, both the central government in Baghdad and the KRG have in the past applied pressure on the community to identify a certain way.



This dynamic has led to the emergence of two distinct camps. The ‘Shabak nationalist’ camp is led by Dr. Hunain al-Qaddo and claims the Shabak constitute an identity distinct from Arabs and Kurds. Dr. Al-Qaddo is a member of Iraq’s Council of Representatives and is allied to Nouri al-Maliki’s State of Law block and the Badr Organisation. He is also the Secretary-General of the only Shabak political entity, the Shabak Democratic Gathering. The party advocates for the formation of a separate Nineveh Plain governorate tied to the central government in Baghdad.

The ‘pro-Kurdish’ camp is led by Mala Salim, a member of the KDP and currently the occupant of the only Shabak quota seat in Iraq’s Council of Representatives (CoR). Like Al-Qaddo, Salim demands a separate administration for the minorities of the Nineveh Plain but insists that this should become part of the Kurdistan Region via referendum.

The seemingly irreconcilable agendas of the two camps, accompanied by constant efforts to undermine each other, leads to an increasing polarisation within the community. At the political level, the distrust between the two camps has reportedly frozen any form of direct communication.

Those who believe we are only Shabaks and not Kurds, I don’t talk to them. We have altercations with them all the time. The same goes for them, they call me ‘Kurdified’.

▮ **Lecturer**

After the displacement of the Shabak community, both governments have stepped up efforts to bind the Shabak IDPs they are hosting to their agendas. During a rally on August 25, 2016 in Bardarash organised by Mala Salim, protesters demanded the liberation of their areas by the Peshmerga and to have the Nineveh Plain join the Kurdistan Region. Camp management in Bardarash reportedly ordered people to go out and join the protest while handing out KDP flags and banners. IDPs living in the camp complained they feared that defying such orders – and therefore the interests of the major Kurdish political parties – could have an effect on their welcome in the KRI and assistance they enjoy.

You know people in the camp are like people in prison: any order that comes they have to follow. Otherwise, they fear they might be thrown out or not get help with food or non-food items. These people have nowhere to go.

▮ **Activist, present at rally on 25 august, 2016.**

Many Shabaks declared to feel unrepresented by the political leaders in either camp. They see the few prominent Shabak leaders as advocating their party’s interests towards the community, rather than vice versa. Instead of being able to elect leaders who genuinely serve their interests, many Shabaks feel forced to make a choice between either the KRG’s KDP or Baghdad’s major Shia parties. Political leaders who become part of these larger parties lose their autonomy and are perceived to be “in the pocket” of organisations that pursue interests different from the Shabak community.

If the KRG gives Mr. Ghazwan or Mr. Salim a position, they do so on a condition. If they don’t fulfil those conditions, they will lose their position. So, they belong to the KDP and not us – the Shabaks.

▮ **Man during focus group**

We notice that our representatives in Baghdad and the KRG don’t have the rights to express our needs and ideas. They have to express the ideology that their parties have.

They don’t represent us, they represent their parties.

▮ **Two women during focus group**

The militarisation of Iraq's society in response to IS has meant that members of the Shabak community have now joined both Kurdish Peshmerga units as well as Baghdad-aligned Popular Mobilisation Forces (PMF). Some participants expressed concerns about Shabaks joining armed groups with competing interests. However, according to interviewees, the decision to join various armed groups is driven more by the need to obtain income and livelihood than any ideological convictions. Although the split appears to be largely along sectarian lines – with Sunni Shabaks joining the Peshmerga and Shias joining PMF units – they claim the risk of armed clashes between Sunni and Shia Shabaks is mitigated by the prevalence of inter-marriage between the two sects, creating bonds which transcend political differences. In the past, even as sectarian violence flared across Iraq, social relations between Sunni and Shia Shabaks did remain positive.

Mala Salim and Hunain Qaddo should start talking to each other. But the problem is they are only doing what their political parties tell them to. Their current rivalry has the potential to lead to conflicts in the future, especially now that groups on both sides are armed.

▸ **Political representative**

We fear from the possible war between the Iraqi Army and the Peshmerga. We fear we might be caught in the middle.

▸ **Medical professional**

## 6. Justice and reconciliation in the Nineveh Plain

Addressing each of the four broadly defined conflicts will require a distinct approach. The displacement crisis has deepened divisions within the community and exacerbated problems with others. Facilitating the safe return of IDPs therefore constitutes the first step towards improvement. Currently, however, the proliferation of informal security actors on the Nineveh Plain proves to be an inhibiting factor. In the absence of formal agreements and clarity regarding the future administrative status of their areas, many IDPs are concerned about the possibility of armed clashes between pro-Kurdish and pro-Baghdad forces.

If and when returns do occur, participants are concerned about revenge acts. If the police and judiciary prove incapable of administering justice effectively and to the satisfaction of victims, many fear that individual and tribal conceptualisations of justice might prevail. In the city of Mosul, these problems are already being reported (Cockburn, 2017). In the Nineveh Plain likewise, Shabaks fear it could lead to honour killings and the exiling of families or even entire Arab villages, such as Hasan Sham.

Some community views may present an obstacle for formal retributive justice mechanisms such as criminal trials. Participants made a clear distinction between those who had killed and/or committed sexual violence, and those who had stolen or looted. Some see this distinction as enshrined in Islamic Law, which distinguishes killing and crimes that touch the honour of an individual or family from crimes related to property and theft. As one religious leader argued for crimes in the former category: “If you violate my honour, it is not the public's right to do something about it, it is up to the person involved.” This means that, at least for some, more severe crimes such as murder or rape are seen to be outside the scope of public prosecution. On the one hand, this suggests that restorative justice mechanisms – i.e. those seeking to actively involve both perpetrator and victim in the process of settlement – are better suited to comply with community perceptions. On the other hand, it also serves as a warning that top-down government-led amnesty initiatives may not be recognised and respected by the community.

Diffusing tensions between Shabaks and Christians should be an important part of stabilisation efforts in the Nineveh Plain. For a region as diverse as Nineveh, it is crucial that different communities feel they are



free to exercise their religion and live according to their own principles. It is important that communication channels at the political, religious and community level remain open. The process of reconstruction provides opportunities for joint projects and cooperation between the two communities. Working together in the pursuit of shared outcomes increases inter-group contact, builds trust, and opens up new channels of communication that previously might have remained unutilised. Although the establishment of district centres such as Bazwaya may lead to the building of new schools and hospitals in Shabak areas, it would fail to effectively transform the relationship between different communities in Nineveh. Rather than building a new hospital or education centre in each pocket housing a different community, it would be more constructive in the long-run to ensure that Shabaks can safely access public education and hospitals in places like Mosul, Bartalla, and Al-Hamdaniya.

The divisions currently running through the Shabak community are likely to be intensified by upcoming political developments. The political leaders currently representing the community are members of parties with vastly diverging interests. Recent history shows that leaders like Mohammed Salam and Hunain Qaddo focus on representing their parties' interests towards the Shabak community, rather than vice versa. The struggle between Erbil and Baghdad for administrative control over the Nineveh Plain is likely to intensify as the Kurdish referendum scheduled for September comes closer. The majority of ordinary Shabaks does not want to take sides in disputes between the Arabs and the Kurds. However, in order to avoid this scenario from unfolding it is crucial that their political leaders start representing their communities in Erbil and in Baghdad, rather than representing Erbil or Baghdad at home.

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