

AID AND THE ISLAMIC STATE

The IRIN/HPG Crisis Brief is a new product designed for aid workers, policy makers and donors to address a gap in current analysis of humanitarian research and action. In this pilot we examine the flows of international aid into parts of Iraq controlled by militants from the so-called Islamic State (IS).

KEY MESSAGES

- Despite mounting humanitarian needs in Iraq, access for international aid agencies is extremely limited.
- Some humanitarian assistance is getting through to areas held by the group calling itself Islamic State (IS), suggesting that the group is not completely indifferent to the suffering of civilians under its control.
- Engagement with IS is critical to efforts to reach populations in need, though it will only be possible if conditions improve and there is greater clarity around the legal and reputational risks.
- Aid agencies should continue open dialogue with donors on counter-terrorism measures and their implications for humanitarian work.

Background

The group calling itself Islamic State (IS) may only have appeared in the Western media in June, when it took control of the Iraqi city of Mosul, but it has been present in Iraq in various incarnations for a decade or more. A militant Sunni Muslim extremist group, it emerged from the ashes of Al-Qaeda in Iraq (AQI) following the death of AQI's former leader Abu Musab al-Zarqawi in a US airstrike in 2006, under the name Islamic State of Iraq (ISI). In 2013 ISI announced that it had merged with the Islamist group Jabhat al-Nusra in Syria to form Islamic State in Iraq and the Levant (ISIL/ISIS). Although Jabhat al-Nusra has never publicly stated its allegiance to IS, and its ideological ally al-Qaeda even severed ties with it, Jabhat al-Nusra and IS have moved closer together in

an effort to strengthen their military capabilities in the face of the air campaign by the United States and its allies that began in June 2014.

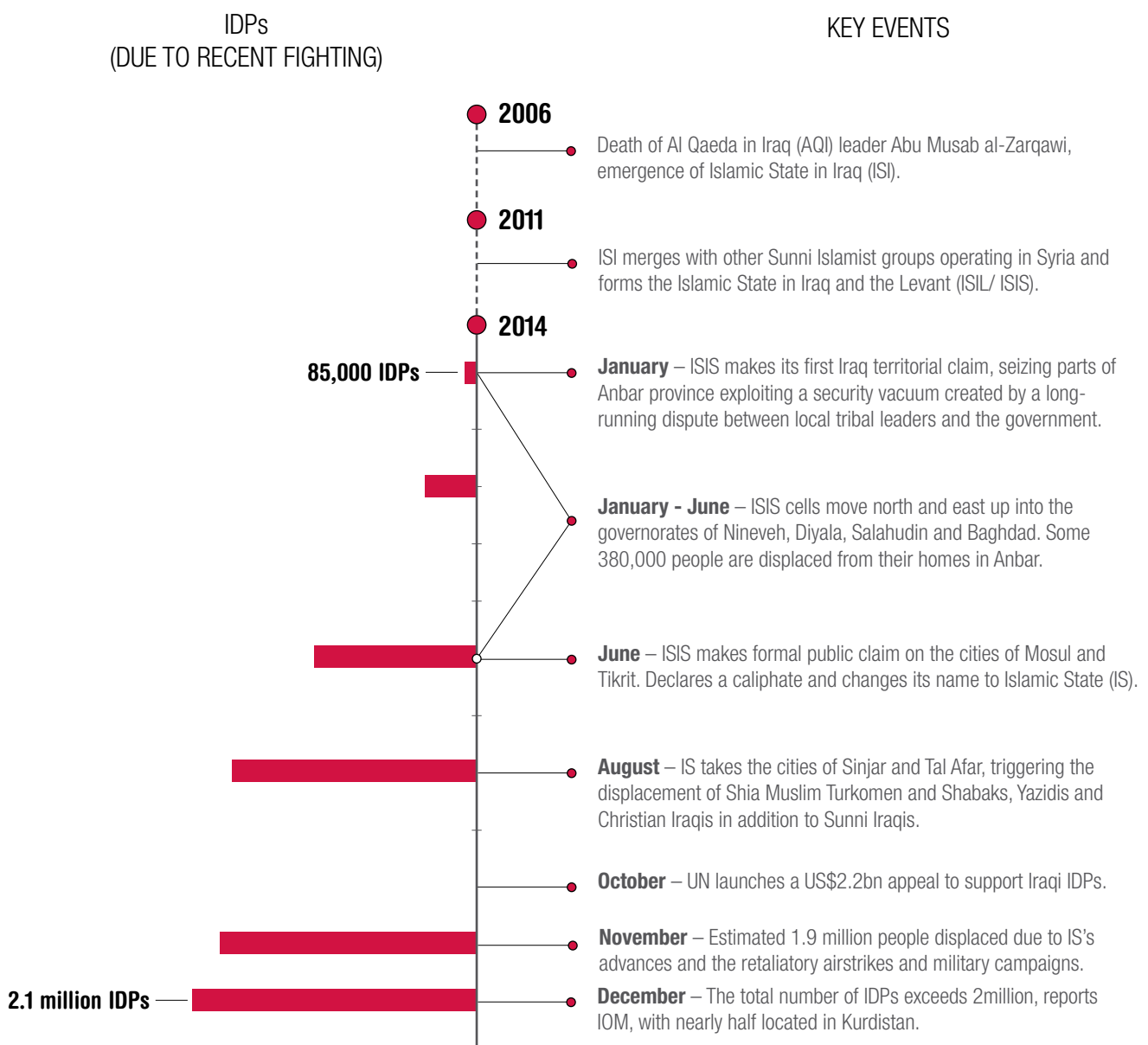
IS has skillfully exploited Iraq's sectarian divisions and poor governance to win domestic support, and has used sophisticated propaganda techniques to attract a global following and encourage Muslims from as far afield as Australia, the United Kingdom and Chechnya to join its ranks. It is difficult to say how much genuine popular support IS enjoys among ordinary Iraqis; while some Sunnis welcomed its rise as a counter to the Shia-led government in Baghdad, in recent weeks media reports from inside Mosul appear to show growing resentment towards the group and its violent and controlling ways.¹

¹ 'Mosul Diaries: A Terrifying Night', BBC News, 11 December 2014, www.bbc.com/news/world-middle-east-29600573.

IS as a group made its first territorial claim in Iraq in early January 2014, seizing parts of the city of Fallujah in Anbar province, from which government security forces had withdrawn following clashes with local leaders over the shutting down of pro-Sunni protest camps. From January onwards, using Anbar as their base, IS cells moved north and east into Nineveh, Diyala, Salahudin and Baghdad city, making a formal public

claim on Mosul in June, and then days later the city of Tikrit. Since the fall of Mosul IS and affiliated armed opposition groups, including Baathists, tribal militias and members of the former regime and military, have taken control of large swathes of the governorates of Ninewa, Salah al-Din and Diyala and the cities of Mosul, Tikrit, Telafar, Baiji, Quayyara, Sinjar, Suleiman Bek, Rashad, Hawiga, Riyadh, Falluja and Saqlawiyah.²

FIGURE 1: THE RISE OF IS IN IRAQ



Sources: UN OCHA Iraq: Displacement - Humanitarian Snapshot and IRIN reporting

² OCHA, Periodic Monitoring Report, Iraq, November 2014.

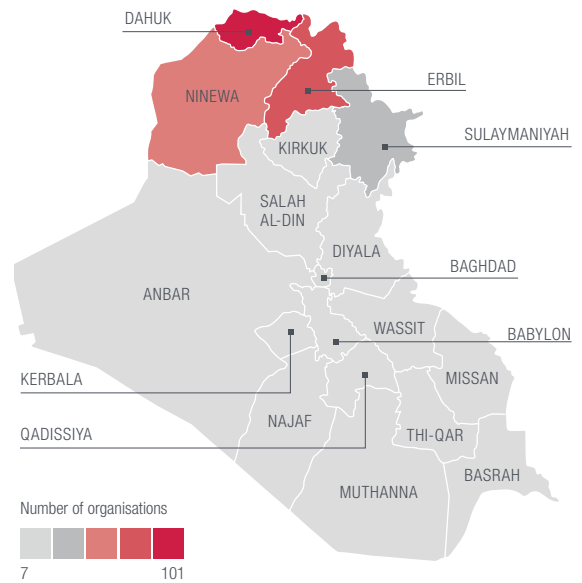
Although the frontlines are shifting on a near-daily basis and it is hard to know exactly where IS has control, the United Nations estimates that 3.6 million people are living in areas in IS hands.³ Needs in these areas are particularly high, and access to humanitarian assistance and basic goods is exceptionally difficult. Due to the challenging security situation only a handful of international humanitarian organisations are working in Iraq outside of Kurdistan.⁴

Is aid getting through?

While the presence of IS is a major reason for lack of access, insecurity has meant that large swathes of Iraq had already been off-limits to foreign aid workers and their organisations for several years. Fear of falling foul of counter-terrorism legislation in the United States and Europe is also keeping international organisations out of territory deemed to be under the control of IS or associated groups. Yet despite the perception that IS areas are no-go zones for assistance, some international aid is getting through and UN agencies and other international organisations are working with local counterparts to deliver humanitarian support to displaced Iraqi families and Syrian refugees.

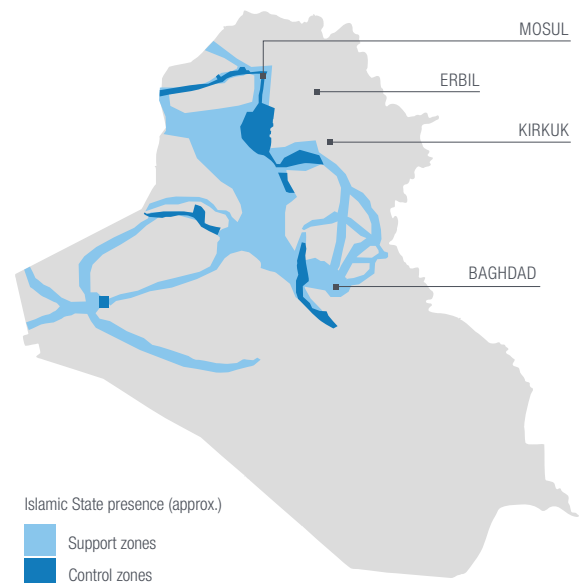
Aid, albeit in smaller quantities, is being delivered through local partners in Al Obaidi (also called Al Qaim), a camp for Syrian refugees in Anbar province. The camp has been inaccessible to the UN since June, due to the IS presence in the surrounding areas. Through local partners, the World Food Programme (WFP) and other agencies have provided food parcels, hygiene kits, prefabricated latrines and water trucking to Al Obaidi camp and surrounding areas, in many cases using supply routes and local partners established when the camp opened in June 2013, before IS took control of the area.⁶ Most of the groups working there are Iraqi-registered NGOs, but some international NGOs are also operating inside Anbar.⁷ Major international aid agencies are using individuals who have good relations and can mediate with IS to facilitate assistance. No international or UN staff are involved in delivering aid to these areas, and items are distributed in plain

Figure 2: Aid organisations operating in Iraq (as of Nov 2014)



Source: UN OCHA Iraq 3W Operational Presence

Figure 3: IS presence in Iraq (as of Dec 2014)



Sources: Al Jazeera - MAP: Where is the Islamic State operating?; Institute for the Study of War

3 OCHA, Global Humanitarian Overview, 2015, December 2014.

4 OCHA, 'Iraq IDP Crisis Situation Report No. 14 (26 September–3 October 2014)', <http://reliefweb.int>.

5 'UNHCR Registration Trends for Syrian Persons of Concern 31 August 2014', <http://reliefweb.int>.

6 'WFP Syria Crisis Response: Situation Update, 17–30 September 2014', <http://www.wfp.org>.

7 'WFP Syria Crisis Response: Situation Update, 15–30 October 2014', <http://reliefweb.int>.

black bags without agency logos.⁸ The International Committee of the Red Cross (ICRC)⁹ has delivered vaccines, medicine, surgical instruments and supplies to healthcare facilities in several cities under IS control, and the Iraqi Red Crescent Society (IRCS) is still making distributions inside Mosul, where it continues to run a branch,¹⁰ and in the governorates of Salahadin, Anbar and Kirkuk.¹¹

Residents and officials living in IS-controlled areas report seeing very little international aid, though this may be because logos are being removed, and because IS representatives are directly involved in – or claiming credit for – aid distributions. One Mosul resident told IRIN:

*‘They [international agencies] work through local NGO partners. It is hard and difficult for the partners to do it, but they do it very secretly and they are working under cover. These are local groups who have good contacts with the Arab tribal networks and they are sometimes aligned to local Arab tribes’.*¹²

The head of a local NGO based in the city of Tikrit said:

*‘We have volunteers working in areas that are under Daaesh [the Arabic name for IS] control and Daaesh doesn’t bother them because they are doing humanitarian work and helping people ... There is not a problem for us to work, the only problem is the labelling of the organisations that send us the aid supplies. We have to have it without labelling for Daaesh to accept it. If they saw these labels, they wouldn’t let it in and they give our volunteers trouble and they forbid the distribution of those items to the people.’*¹³

Although IS’ rhetoric is clearly anti-Western, it is less clear whether or to what degree it is opposed to humanitarian agencies or humanitarian work more generally. The murders of aid workers Alan Henning, David Haines and Peter Kassig appear to have been

motivated by their countries’ military action rather than by their profession. Unlike other radical groups such as the Taliban, IS has conducted polio immunisation campaigns in Syria. Experience in Al Obaidi, and to some extent Mosul, suggests that the group is not automatically opposed to working with humanitarian actors – as long as certain terms are agreed, such as no labelling and no international staff members, and assistance serves the group’s wider aims.¹⁴ IS knows that it needs to support communities in its territories if it is to win them over. It is therefore capitalising on its role as a conduit for aid distributions to project the image of a group that is not only engaged in an armed struggle, but also providing for people living under its control.

‘People think IS are giving food, but actually they are just distributing items from others.’

Using its slick media division Al Hayat, IS shares videos depicting distributions of food and other support services, including medical supplies. Food distributions appear to be organised, with registration points and queues for delivery; some bags are branded ‘IS Department of Relief’. To counter claims that Mosul is being starved of supplies and its residents are going hungry, IS has posted photographs on Twitter of supermarket shelves filled with food and pictures of cats being fed.¹⁵ However, IRIN was unable to find anyone who had received support from the ‘IS Department of Relief’. In fact, most people IRIN spoke to said that IS was stealing from people in areas it controlled. According to one aid worker in Tikrit:

8 ‘RRP6 Monthly Update – September 2014: Food Security’, AidNews, 28 October 2014, <http://aidnews.org>.

9 ‘ICRC Scales Up Activities To Help Over 1.5 Million People’, 30 October 2014, <http://reliefweb.int>.

10 ‘Mosul: Iraqi Red Crescent Remains the Only Active Organisation on the Frontline’, 25 November 2014, <http://www.ifrc.org>.

11 ‘Iraqi Red Crescent Society Distributes More Than 12 Thousand Food Parcels

to the Displaced Families in Kirkuk Governorate’, 25 November 2014, <http://reliefweb.int>.

12 IRIN interview, October 2014.

13 IRIN interview, October 2014.

14 Aaron Zelinjun, ‘The Islamic State of Iraq and Syria Has a Consumer Protection Office’, The Atlantic, 13 June 2014, <http://www.theatlantic.com>.

15 Mosul Eye blog post (now on facebook), 20 October 2014.

*'They don't give anything, they just take. If someone has a truck of aid on the street, they will ask for money from them to allow them to pass ... They steal cars and raid banks and now they are starting to raid houses that people have left so maybe they are getting food and other items from those properties and giving that out to people.'*¹⁶

A former Mosul resident added:

*'When IS expelled the Christians, Yazidi, Shabak and Turkmen and the Shia, they took all the belongings of the communities: their farms, food, cows and sheep. Then, after Eid, IS started slaughtering the cows and distributing food for people in Mosul as an Eid gift. Most of the people of Mosul didn't accept this gift because they said they would not eat from their friends who had been expelled.'*¹⁷

Notwithstanding the discrepancy between the image IS is seeking to project and what Iraqis told IRIN, IS' apparent willingness to accept some aid, albeit conditionally, suggests that there may be opportunities to negotiate broader or deeper access to IS-held areas. However, in considering whether to engage with the group agencies must carefully judge the risks involved. Analysing engagement in past conflicts may be helpful in weighing up the decision.

Humanitarian negotiations – past and present

Working with and through IS and other armed opposition groups is critical to accessing and assisting the millions of people in Iraq in need of aid. At the same time, however, the dynamics around aid provision in Iraq are a source of acute discomfort for humanitarians. Although duty-bound to deliver aid impartially, based on need, there is a very real fear that working with IS will inadvertently benefit the group materially, confer on it undue legitimacy in the eyes of the Iraqi people and prolong the conflict and suffering. In addition, the fact that IS is a listed terrorist organisation, and therefore subject to counter-terrorism laws in many countries, potentially exposes any organisation providing aid in IS territory – or indeed simply negotiating for the purpose of providing humanitarian aid – to legal sanction.¹⁸

IS' reputation for extreme violence makes engaging with it risky for aid organisations, and potentially reprehensible in the eyes of the public. Thus, for legal, reputational and security reasons aid organisations are extremely wary of interacting with the group. Despite these concerns, the imperative motivating humanitarian agencies is to alleviate suffering and respond to needs wherever they are found. To do this aid agencies need to be able to obtain and sustain access to all vulnerable populations, if need be through negotiating with belligerents, including proscribed groups.

Recent HPG research on engaging with Al-Shabaab in Somalia and the Taliban in Afghanistan may hold important lessons for agencies grappling with the practical, legal and ethical difficulties associated with access negotiations in Iraq.¹⁹ The research found that engaging directly or indirectly with Al-Shabaab and the Taliban, early and deliberately, was critical to working consistently and safely in the territories they controlled. In both cases, agencies asserted that their strong links with communities and their track records, with the majority having been present for extended periods, were critical in enabling them to effectively negotiate. As an example, structured engagement with multiple levels of the Taliban and with the community was an important element in ensuring security, both for aid workers and for local Afghans.

Experience in Afghanistan and Somalia shows the need for aid agencies to lay the groundwork for future negotiations in Iraq in anticipation of more conducive conditions and greater clarity around the legal and reputational risks. This requires a thorough analysis of the context, negotiating skills, knowledge of key stakeholders and the ability to maintain a network of contacts. The two cases also highlight the need for a cohesive approach: collaboration and coordination among aid agencies around negotiations with non-state actors in Somalia and Afghanistan were rare, and there was little or no sharing of information on negotiating tactics and strategies. This allowed adept negotiators to play one agency off against another to ensure more advantageous agreements.

16 IRIN interview, October 2014.

17 IRIN interview, October 2014.

18 S. Pantuliano, K. Mackintosh and S. Elhawary, Counter-terrorism and Humanitarian Action: Tensions, Impact and Ways Forward, HPG Policy Brief 43, 2011.

19 A. Jackson and A. Giustozzi, Talking to the Other Side: Humanitarian Engagement with the Taliban in Afghanistan, HPG Working Paper, 2012; A. Jackson and A. Aynte, Humanitarian Negotiations with Al-Shabaab in Somalia, HPG Working Paper, 2013.

The situation in Iraq might be more difficult, not least because aid agencies lacked access to many parts of western Iraq long before IS gained control of these areas. The conflict is multifaceted and rooted in complex geopolitical developments dating back decades, making understanding the dynamics among the many actors involved extremely difficult. Yet despite the access restrictions international aid agencies have been able to build networks through local partners, who have continued to deliver support. As in other conflicts, any negotiations with armed groups in Iraq will principally be conducted by these local partners. A key lesson from the Afghanistan experience is that such a devolution of responsibility, if repeated in Iraq, must be bolstered by better support, guidance and training.

Humanitarian organisations have been in similar situations before: the dilemmas and difficult questions that come with negotiating with belligerents in conflict are as old as humanitarian action itself. Such negotiations are never easy, and often present difficult ethical, operational and legal dilemmas. Experiences from Afghanistan and Somalia show that aid agencies have succeeded in reaching people in need, although such access is never guaranteed, nor can it be maintained without sustained dialogue.

International Humanitarian Law (IHL) seeks to balance the military and security interests of warring parties, including non-state armed groups, with the need to alleviate suffering. In order to do this aid agencies

need to negotiate with the parties concerned to gain access to populations in need. IHL is also clear that such negotiations do not confer any legitimacy on these groups. As the introduction of counter-terrorism measures has tipped the balance in favour of military and strategic interest, this dialogue cannot be limited to armed groups, but must also include donors, to raise awareness of the potential negative effects of such legislation on humanitarian work.²⁰

Discussions on negotiating with armed groups are rare among aid agencies and experience is seldom shared. While there are good reasons for this – not least concerns around the safety of staff and operations and reputation – greater transparency about the risks and compromises of engagement with armed groups is needed. If Iraq is any guide, future conflicts will require more, not less, engagement.

Experience from Afghanistan and Somalia shows the importance of engaging early with armed non-state actors. Such engagement has a better chance of succeeding when aid agencies have a clear strategy and coordinated policies, underpinned by frank and honest discussions with donors on the potential negative effects of counter-terrorism legislation. The lessons learned from Afghanistan and Somalia could usefully contribute to the development of a strategy for engagement in Iraq that mitigates the specific ethical, legal and operational challenges surrounding engagement with groups such as IS.

20 N. K. Modirzadeh, D. A. Lewis and C. Bruderlein, *Humanitarian Engagement Under Counter-terrorism: A Conflict of Norms and the Emerging Policy Landscape*, *International Review of the Red Cross*, vol. 93, no. 883, September 2011.



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