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Addressing Iraqi Forced Migration
Testimony

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Mr. Chairman, I wish to thank the Committee for this opportunity to testify for the record on the issue of Iraqi sectarianism and forced migration, and its effects on Iraq, the Middle East, and the United States.

Commentators frequently affirm that sectarian violence in Iraq springs from “age-old ethnic tensions.” However, while the relevant sectarian *identities* do date back several centuries, sectarian *violence* has not persisted as a social constant throughout the millenia of regional history. Rather, outbreaks of sectarian violence have erupted in highly specific occasions, most of which can be explained through careful analysis of the particular social stresses at the time. As in other societies, when long term shifts such as dwindling natural resources, mass migration, or changes in social identity are inflamed by deliberate and short term policy choices, violence can break out.

In accordance with this presumption and projection of “age-old ethnic tensions” is the perception of Iraqi society as little more than an unnatural British creation of the early 20th century, held together solely by brute force. Those who see Iraq this way also envision Iraq as three distinct ethno-sectarian regions: a Shi‘i Arab Southern Iraq, Sunni Arab Central Iraq, and Sunni Kurdish Northern Iraq. While this simplified portrayal does bear some general resemblance to ethno-sectarian reality, it provides insufficient contextual information to competently engage with Iraqi society.

If one must classify Iraq according to ethno-sectarian identity, then there are far more than the three major ethno-sectarian groupings frequently mentioned. Sizeable additional groups include the Chaldo-Assyrian, Turcoman, Jewish, Yazidi, Sabaeen-Mandaeen, Shabak, Armenian, and several smaller groups. In addition to these indigenous categories, several Third Country National (TCN) groups, including Palestinians, Mujahidin-i Khalq (MEK) Iranians, Iranian Kurds, and guest workers, have settled in Iraq over the past several decades, and have found their situations deteriorating following the 2003 collapse of the Iraqi state.

Not only are there several minority groups in Iraq, but the three largest ethno-sectarian groups historically have rarely acted in internally coherent fashions. As a result, before 2003, one might more usefully have categorized Iraqi society as being divided between:

- Baghdad and the rest of the country,
- Ba‘ath party members and the rest of society,
- Kurdish nationalists and their opponents,
- communitarian activists and secularists,
- exiles and residents,
- tribal confederations,
- various class actors such as merchants, bureaucrats, peasants, and landowners, and
- several other categories which no longer carry the same relevance today.

Rather than recognizing the relevance of such classifications, Americans have tended to force Iraq into an artificial tripartite box allowing for only Shi‘i, Sunni, and Kurdish categories.

Unfortunately for Iraq, in the wake of the 2003 invasion, occupation authorities instituted policies which in their effect – although usually not in their intent – encouraged an increased sectarianism which eventually culminated in the violent geographic consolidation of Iraq’s ethno-sectarian mapping after 2006. Predictably, policymakers blamed “age-old ethnic conflicts” when sectarian violence exploded throughout the country after the February 2006 Samarra shrine bombing. Several prominent commentators even argued for various forms of tripartite state partition as a solution for this violence. While a noticeable shift in U.S. policy in 2007 eventually contributed to a calming of the violence, the remapping of Iraq’s ethno-sectarian geography has not yet been – and may never be – reversed. Ironically, this remapping has all but created the tripartite Iraq that American policymakers imagined already existed in 2003. In effect, Iraq’s new “imagined community” was imagined in Washington, D.C. – and continues to be so imagined.

The effects of the ethno-sectarian remapping described here are widespread, potentially permanent, and highly problematic for the cohesion of Iraq’s future state and society. Communal consolidation has progressed to such an extent that Iraq has already evolved somewhat from a mosaic patchwork of geographically mixed sectarian clusters into the rough outline of three large regions coinciding with the majoritarian ethno-sectarian identities of Shi’i Arab, Sunni Arab, and Kurdish. Those who either refuse to or are not allowed to fit within these majoritarian identities have mostly been forced out, causing:

- The nearly complete erasure of certain micro-minority communities such as the Sabaeen-Mandaeans and Shabak;
- The external migration of roughly half of Iraq’s Chaldo-Assyrian Christian populations;
- The entrapment and/or external migration of prominent third country nationals such as the Palestinians, certain Iranian Kurds, and the Mujahidin-i Khalq Iranians;
- The expulsion of minority clusters of majoritarian ethno-sectarian groups caught outside of their region of dominance.

The Government of Iraq announced a major initiative in July 2008 to help reverse the ethno-sectarian remapping described here. This initiative promised incentive packages to return to place of origin, an increased emphasis on property rights and protection of returnees, and other elements that might promote the reversal of post-2003 forced migration. Unfortunately, implementation has remained uneven since this initiative’s initial announcement. Through today the return of Iraqi populations to their pre-2003 place of origin has remained minimal. Does this mean we should push for immediate return? Paradoxically, no. Displaced Iraqis have quite well-founded fears of return at the moment and their returns should not be encouraged before adequate legal frameworks to deal with property disputes are in place. The rushing of such returns could destabilize Iraq and endanger recent security gains if overall political progress has not first been sufficiently achieved.

Current Recommendations:

So, where do we go from here? Here are some recommendations for addressing, ameliorating, and partially reversing the most troubling legacies of Iraqi forced migration of recent years:

IDPs:

- **Property Adjudication & Returnee Assistance:** For further detail, interested parties should examine the outstanding special report being issued by the U.S. Institute of Peace’s Deborah Isser and Peter Van der Auweraert on this issue this week. According to that report, several initiatives might alleviate the problem of

property adjudication, without which no longer term solution is possible. In line with these, I would emphasize the following:

- The Iraqi government should adjudicate post-2003 property disputes with the same bureaucratic zeal and legal priority as pre-2003 property disputes. Without such adjudication, return cannot be envisioned for hundreds of thousands of Iraqis.
 - International actors should provide capacity building assistance to Iraqi government agencies charged with adjudicating property disputes originating both before and after 2003.
 - The Iraqi government currently provides return assistance only to those displaced between January 1, 2006 and January 1, 2008. This limitation clearly disadvantages those displaced between 2003 and 2006.
 - Property adjudication and returnee assistance initiatives should be implemented within a broader framework of national reconciliation and transitional justice.
- **Housing:** One of the underlying factors contributing to forced migration in Iraq is a previously unrecognized and acute housing shortage throughout the country. The government of Iraq – and its supporters – must strive to construct housing throughout the country, in order to catch up with nearly 30 years of postponed construction and ameliorate property pressures which have contributed to sectarian violence in recent years. A newly announced \$160 million initiative to construct 5,000 housing units throughout 4 southern provinces is a step in the right direction. Coordinating such housing initiatives with the Ministry of Displacement and Migration might help alleviate the plight of displaced populations, both in Baghdad and throughout the governorates.
- **Elections:** Iraqi government authorities and international support agencies must ensure that all Iraqi citizens are able to vote, regardless of their physical location at the time of the elections scheduled for later this year. If election administration is perceived as rigged against displaced populations (domestic and international), the results are not likely to be perceived as legitimate, which will undermine the future stability and legitimacy of any elected government.
- **PDS Transferability:** One of the factors causing hardship among displaced Iraqis is the non-transferability of Public Distribution System (PDS) cards between governorates. Such cards should be made freely transferrable between governorates in order to reduce the hardship of vulnerable populations, and contribute to the stabilization of displaced populations.
- **Micro-Minority Protections:** The “micro-minorities” of Iraq serve as a figural “canary in the coal mine” vis-à-vis the maintenance of social stability, individual freedoms, and cultural diversity. If such populations – the Sabaeen-Mandaean, Shabak, Chaldo-Assyrian Christian, Yazidi, Turcoman, and others – are secure, then the chances for a stable, diverse, and secure Iraq are greatly increased. In order to bring about such a situation, several recommendations come to mind:
- **Minority Security Council** – such a body should be created and tied directly to the Prime Minister’s office. It would provide a voice for minorities close to the center of governance without creating any extra-territorial or sectarianizing expectations on behalf of the body politic.

- **Concentrate third country resettlement of Sabaeen-Mandaeans**, so that the cultural continuity of this very small community might be preserved. At this point, the spreading of this community throughout the world threatens their very survival as a communal identity.
- **Autonomous Zones** – such initiatives **should not** be encouraged, as they encourage the further factionalization of Iraqi politics and would encourage a dangerous backlash from the respective regional majority populations.

Regional Forced Migrants:

- **Cross-Border Mobility:** In order to encourage those who have left Iraq to consider return, the United States should help Jordan and Syria think creatively about a special and temporary status that would allow those Iraqis in those two countries mobility across the border. Such an initiative would allow Iraqis to carry out “**look and see**” visits to their places of origin. At this point, hundreds of thousands of Iraqis in neighboring countries face a “one way ticket” back to Iraq – if they can afford to leave at all due to penalties assessed on those who overstay their visas. If such Iraqis return and then discover that their situation is unsafe, they would be effectively trapped as they cannot return to the countries they are currently residing in due to their ad-hoc and semi-legal status as “guests”. In order to ameliorate this situation, neighboring countries – particularly Jordan and Syria – must be encouraged to waive visa overstay penalties and allow Iraqis to enter again should they find their return untenable following such a brief visit. If this policy change is not implemented, migrant Iraqis are unlikely to risk return at all, unless they’re absolutely sure that the situation in Iraq is better than in their current location – which will not be the case any time soon.

Third Country Resettlement Forced Migration:

- **Increase in-country processing** of asylum seekers in Iraq, Jordan, and Syria. This has been stated several times in recent years, but remains a key need.
- **Increase federal support for domestic assistance** for asylum seekers, modelled on the 1970s Southeast Asian refugee assistance programs. The United States is directly responsible for the displacement of hundreds of thousands of vulnerable Iraqis – the least we can do as a society is to ease the transition for those fortunate enough to survive the horrendous violence of the past 6 years.

The forced migration of Iraqis comprises at one and the same time a series of individual and communal tragedies, a humanitarian challenge in the near term, and a potential security challenge for the future. While there is no single “silver bullet” which can solve this highly complex and contentious set of issues, I hope these strategies might serve to address the most troubling aspects of the problem.

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