

MP-IDSA *Commentary*

Syrian ISIS Prisoner Transfers to Iraq: Challenges

Saman Ayesha Kidwai

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S*ummary*

The transfer of Syrian ISIS prisoners to Iraq overlooks structural vulnerabilities within Iraqi society that are likely to intensify as the process unfolds.

Introduction

The recent decision of the United States, Syria and Iraq to initiate the transfer of approximately 7,000 ISIS prisoners from Syria to Iraq has widely been viewed as a response to the tenuous security conditions in Syria, shaped by the fragile ceasefire between President Ahmed al-Sharaa and the Syrian Democratic Forces (SDF). Under the new arrangement, Iraq will oversee the detention, prosecution of ISIS prisoners, and their repatriation in collaboration with their respective governments. By January 2026, approximately 150 prisoners had already been transferred to Iraq.¹

At the same time, this arrangement has overlooked structural vulnerabilities within Iraqi society that are likely to intensify as the process unfolds, potentially hindering Baghdad’s ability to manage the risks associated with hosting ISIS detainees. These include entrenched sectarian fault lines, institutional fragility and domestic instability, a judicial and counter-terror framework under scrutiny for reported overreach, unresolved socio-political grievances that contributed to ISIS’s rise, and a precedent of prisons and detention camps functioning as incubators of irreversible radicalisation.

Fragility in Post-ISIS Iraq

While examining the United States–Syria–Iraq security arrangement, it is vital to assess the preparedness of Iraq’s judicial and prison systems to ensure legitimate and judicious trials, as well as to prevent internal radicalisation and recidivism within prisons. In 2025, Iraq’s Justice Minister, Khaled Shwani, revealed a startling reality: the country’s prisons were operating at 200 per cent of their intended capacity.²

At the outset, this raises concerns about the capacity of prisons to isolate high-profile and senior ISIS leaders and fighters while minimising, if not fully preventing, recidivism risks among those—particularly Iraqi nationals—placed in de-radicalisation programmes. This capacity deficit becomes more concerning when viewed against Iraq’s historical experience with detention-centric radicalisation.

As the precedent of rampant radicalisation in Camp Bucca—which forged the initial ISIS leadership—demonstrates, detention facilities in Iraq, in their various manifestations, have often functioned as epicentres of radicalisation. This reflects widespread mismanagement and the inadequate deployment of resources and intelligence-gathering mechanisms to contain potential threats.

¹ Ghaith Alsayed, [“U.S. Military Transfers First 150 Islamic State Group Detainees from Syria to Iraq”](#), *PBS News*, 21 January 2026.

² [“Iraq’s Justice Minister Says Prisons are at Double Capacity as Amnesty Law Takes Effect”](#), *Arab News*, 5 May 2025.

It is also important to note that Iraq’s counter-terrorism trials and laws have previously come under scrutiny for their broad interpretation of terrorism, allegations of forced confessions under duress, mass executions, and the implementation of the death penalty without notifying next of kin. The Sunni community has criticised these laws and judicial processes for deliberately targeting its members based on their sectarian association—Sunni—with ISIS.³ Such judicial overreach may be subtly reinforcing anti-state sentiments and hardening ideological narratives among tribal communities and the families of detainees.

In addition, Iraq’s economy is expected to come under greater strain once the transfer of ISIS detainees is complete, with expenditure on basic supplies and food alone exceeding 250 billion Iraqi dinars (more than US\$ 19 million).⁴ Despite the fall of the ISIS *caliphate* in 2019, Sunni-majority governorates such as Diyala, Nineveh and Anbar continue experiencing high-levels of poverty and socio-economic, health and educational deprivation, years after mass displacement due to ISIS-related terrorism activities.⁵ The detainee transfer may further reduce funds allocated for social welfare and infrastructure development in these areas due to growing economic strains. Notably, by 2025, Iraq’s fiscal deficit had reached 17.7 trillion Iraqi Dinars.⁶ This burden risks amplifying perceptions of collective punishment and anti-state sentiment among already aggrieved populations.

In this context, disillusioned youth may become more susceptible to victimhood narratives and terrorist recruitment, particularly as political and economic inclusion continues to shrink and collective memories of trauma and persecution are reinforced through ISIS propaganda. Moreover, despite discussions about housing incoming detainees in non-urban centres, there is no publicly available information on security arrangements or capacity-building measures to prevent prison breaks—an issue that has previously emerged as a recurring challenge in Syria.

Sectarian Fault Lines and Memory Politics

Against this backdrop, it is vital to examine the role of memory politics in Iraq and how the premiership of Nouri al-Maliki (2006–2014) is recalled by Sunni and Shiite constituencies. As coalition negotiations unfolded in January 2026—during which his party, holding 29 seats, wielded significant leverage—renewed attention was

³ [“Iraq Frees Over 19,000 Prisoners Under New Amnesty, Including Some ex-ISIL”](#), *Al Jazeera*, 13 May 2025.

⁴ Daraj, [“The Fate of Transferred ISIS Detainees from Syria to Iraq: Legal Pathways and Emerging Challenges”](#), *The Syrian Observer*, 27 January 2026.

⁵ [“Multidimensional Poverty in Iraq 2024 - Analytical Report”](#), United Nations Development Programme, 30 July 2025.

⁶ [“Deficit Soars: Projects Freeze: Iraq Heads Into 2026 With NO BUDGET”](#), *Shafaq News*, 7 December 2025.

drawn to his leadership and its perceived contribution to the collapse of the Iraqi military during ISIS’s blitzkrieg and the rise of Al-Qaeda in Iraq (later ISIS).⁷ His tenure was marked by deepening sectarianism, purges of Sunnis from senior positions and ministries, and the institutionalisation of the Shiite–Sunni divide, with the ensuing civil war creating conditions that facilitated ISIS’s rise.

On the one hand, his supporters within the Shiite constituency have emphasised al-Maliki’s experience and argued for his suitability as prime minister, expressing confidence in what they view as more mature and resilient state institutions. On the other hand, his critics among Iraqi Sunnis recall his successive terms as periods characterised by instability, displacement, crisis and deepening polarisation.

Additionally, the fallout of de-Ba’athification following the ouster of Saddam Hussein and the systematic marginalisation of Iraqi Sunnis from public and political life—a discriminatory policy continuing even in 2025—remains embedded in the Sunni collective memory. Several candidates standing in the 2025 parliamentary elections were reportedly disqualified in the lead-up to and following the elections under the de-Ba’athification policy framework. This move was widely received among the Sunnis as another attempt to undermine their political participation and influence.⁸ These debates continue impacting the socio-political cohesion or lack thereof, in Iraq. For Iraqi voters, historical grievances play a significant role in determining electoral outcomes.⁹

Notably, the assassination of Safaa al-Mashhadani, a former Sunni politician, in October 2025 refuelled the ethno-sectarian differences within the Iraqi polity. al-Mashhadani had been a vocal critic of Shia militias, such as Harakat Hezbollah al-Nujaba (part of Popular Mobilisation Forces or PMF grouping loyal to Iran), and their interference in Sunni-majority towns such as Tarmiyah, north of Baghdad.¹⁰ Notably, the PMF militia members operating in Sunni-dominated areas have frequently obstructed voter registration and the return and rehabilitation of Sunni families displaced by ISIS-related violence.¹¹

As a result, these developments have further reduced the political and civic space in the increasingly polarised country. The Sovereignty Alliance, the party to which al-Mashhadani belonged, attributed his assassination to ‘lawless armed groups’, with the party leader, Khamis Al-Khanjar, linking the event to the ethno-sectarian

⁷ [“Iraq’s Government Talks Reopen the 2010-2014 Political Memory”](#), *Shafaq News*, 24 January 2026.

⁸ Hamidreza Azizi and Isabelle Werenfels, [“Reclaiming Iraqi Agency: Post-election Dynamics and Challenges”](#), SWP Comment, Stiftung Wissenschaft und Politik, January 2026.

⁹ Noor Omer, [“Do Economic Policies Draw More Voters to Ballot Boxes?”](#), *iNNOV8*, 1 November 2025.

¹⁰ Issam al-Ubaidi, [“Anti-Militia Figure in Iraq: Who Was Assassination Victim Safaa al-Mashhadani?”](#), *Erem News*, 15 October 2025.

¹¹ Nancy Ezzeddine and Abdel Rahman Taha, [“Leaders Tighten Control as Repression Shapes Iraq’s 2025 Elections”](#), Report, ACLED, 5 November 2025.

apportionment system (Muhasasa Ta’ifia) instituted following the overthrow of Saddam Hussein’s Ba’ath party.¹² Such developments have reinforced ISIS’s endurance capabilities and ensured that it remains a relevant security threat. Analysts have noted that the terrorist group has exploited grievances such as marginalisation and economic concerns, and the dominance exercised by Shiite militias to bolster its recruitment from the Sunni community over the past year.¹³

On the other hand, there was considerable unrest within the Shiite community last year following the return of cleric Rafi’ al-Rifa’i—popularly referred to as the Grand Mufti of Iraq—to Iraq, marking an end to his 11-year exile. While the Grand Mufti commands influence over Iraq’s Sunni populace and has long been critical of al-Maliki, the Shiite militias and Iran’s influence in Iraqi society, many within the Shiite community consider him a terrorist. His return to Baghdad was perceived as a “suspicious political deal at the expense of the martyrs’ blood”.¹⁴ Such competing narratives within an ethno-sectarian polarised society have the potential to deepen existing fault lines in post-ISIS Iraq.

Regional Backdrop and Reassertion of Iraq’s Relevance

Even today, West Asia remains embroiled in conflict and heightened uncertainty, bearing the ramifications of geopolitical rivalries and proxy conflicts—ranging from the Israel– Hamas conflict and large-scale protests in Iran, along with the American response to the clerical regime’s handling of the protestors, to the uneasy ceasefire between Syrian President Ahmed al-Sharaa and Syrian Democratic Forces (SDF), among other pertinent developments. This has strained the attention and resources of the international community across multiple conflict theatres, adding to the strategic and counter-terror fatigue increasingly visible among major stakeholders.

It is likely that, in the context of these overarching crises, the Iraqi leadership has sought to rewrite the script by directing the global community’s attention to its long-standing role as a credible counter-terrorism partner and its often-overlooked importance as a regional player. At the same time, it may seek to rehabilitate its image within the strategic community as more than a battleground in a proxy conflict between Iran and the United States.

Furthermore, it would also hold that Baghdad is looking to reassert control over the regional security narrative and its indispensability in countering a future ISIS resurgence as a more centralised terror organisation. It is important to recall that

¹² [“Killing of Sunni Candidate Casts Shadow Over Iraqi Elections”](#), *Amwaj.media*, 21 October 2025.

¹³ [“Sunni Jihadist Resurgence After Strategic Setbacks to Iran-led Militias”](#), Tactics Institute for Security & Counter Terrorism, 25 November 2025.

¹⁴ [“After 11 Years, Iraq’s Grand Mufti Returns as the Power Map Shifts”](#), *The National Context*, 3 November 2025.

since the territorial defeat of ISIS in March 2019, Syria and the SDF have served as two of the primary lynchpins in containing the ISIS threat, being at the epicentre of the management of ISIS detention facilities and repatriation of ISIS families to their countries of origin.

By taking the initiative to transfer ISIS detainees to Iraq, caretaker Prime Minister Mohammed Shia' al-Sudani has, arguably, sought to redefine the regional security architecture. Prime Minister al-Sudani appears to be curating a carefully thought-out narrative of his country being the indispensable counter-terror partner to neutralise the ISIS threat, especially amid the uncertainty that prevails in Syria and as the United States, as the global *deal-maker*, has increasingly reduced its global counter-terror commitments.

Risk Management and the Recycling of Extremism

Taken together, detention centres housing successive ISIS detainees, as well as counter-terrorism tribunals, must be managed transparently and judiciously rather than serving as fodder for the hardening of ideological commitments or the reinforcement of collective memories of victimhood and martyrdom. Additionally, while the transfer of detainees to Iraq may allow Syrian actors to move towards political reconciliation and stability, Baghdad must confront a key dilemma: this arrangement—or the mere change in geographical location is unlikely to erode the ideological fervour of the detainees or dilute the threat their presence continues to pose to Iraq and the wider international community.

At the same time, it is essential to state that perceived or actual injustice, marginalisation and persecution experienced by the Sunni community can mutate into a vicious cycle in which collective memories of injustice harden ideological extremism among disaffected and vulnerable groups that feel excluded from decision-making and face obstacles to socio-economic and political mobility.

Conclusion

As the detainee transfer progresses, key security arrangements that need to be factored in include the establishment of parallel tracks to address the long-festering challenge of reconciliation and competing memory narratives that continue to sharpen ethno-sectarian fissures and lower the threshold for extremist recruitment. In their absence, there remains a risk that the very security threats this pragmatic arrangement seeks to contain may instead be reinforced. It remains to be seen whether successive Iraqi administrations will be positioned to manage this simmering burden and absorb the inevitable security risks, even as other states deflect the first-round impact of a potential new wave of violent extremism.

About the Author



Ms. Saman Ayesha Kidwai is Research Analyst at the Manohar Parrikar Institute for Defence Studies and Analyses, New Delhi.

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