



# The Future of Kirkuk

## Between Erbil and Baghdad

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A joint Research project by the (Centre for Future Studies)  
and the (Legal and Political Studies Centre at the University of Sulaimani)

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- 1) To promote expertise and support research activities in politics and international relations with a particular focus on the future of strategy and public and foreign policies.
- 2) To contribute to the development and improvement of the philosophy of scientific research in Iraqi Kurdistan.
- 3) To offer the governing institutions of the Kurdistan Regional Government (KRG) professional and expert advice.
- 4) To offer professional and expert advice to private sector and to non-governmental organizations operating in Iraqi Kurdistan.
- 5) To contribute to the improvement of learning program in the field of the center's expertise.
- 6) To hold scientific conferences and seminars on current and future domestic and international political and strategic issues.
- 7) To coordinate with governmental and non-governmental centers for scientific research in and outside Iraqi Kurdistan with the aim of exchanging ideas and expertise.
- 8) To follow up and measure directions of, and trends in, the public opinion in Iraqi Kurdistan, particularly on those issues that are crucial to the stability and prosperity of the region.
- 9) To train and prepare researchers in the center's area of expertise.
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- 6) To carry out opinion polls on various domestic political issues in Iraqi Kurdistan.
- 7) To gather data and publish analysis on various issues connected with public policy in Iraqi Kurdistan.



**Report Number 1 – September 2017**

**Report Number 2 – November 2017**

**Report Number 3 – February 2018**



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## Report Number One

September 2017

# The Future of Kirkuk

Between Erbil and Baghdad

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## **Introduction**

In 2014 Kirkuk fell into the hands of the Peshmerga forces of the Kurdistan Regional Government (KRG) as a result of its resistance against the Islamic State's military offensive into Northern Iraq. The KRG's subsequent military campaign protected Kirkuk against the Islamic State and the group's continuous attempts to win control of the city. Therefore, many have argued that following the events of 2014 it is no longer plausible to address the issue of Kirkuk using the same pre-2014 mechanisms (in the same way that after 2005, it was no longer possible to address the issue of Kirkuk via the same means as the immediate post-2003 period).

In 2003 the international community framed the collapse of the Iraq Ba'ath Party regime and the emergence of a new Iraqi order as an opportunity to establish a new free Iraq. After many years of authoritarianism, war, restriction of public freedoms and abuse of fundamental human rights there was now a new promise in the country that it would depart from the governance methods of the old Iraq inflating expectations that a new Iraqi governing arrangement would work swiftly to resolve the problem of Kirkuk using new political and constitutional processes.

The hope for finding a quick resolution for the issue of Kirkuk was high due to the symbolism that it presented. While Kirkuk was the most prominent problem in the broader issue of the Iraqi disputed territories and hosted a diverse multi-cultural and multi-ethnic population, the province presented Iraqi decision-makers with a problematic national geopolitical space that it could solve with the country's new political and legal processes that it was to implement nation wide. These processes included the adoption of a federal system of government, administrative decentralization, democratic proportional representation, shared-governance via a federal multi-party national coalition government and a new nationwide culture of compromise and sectarian sacrifice. However, a solution to the Kirkuk issue also required mechanisms that would be specific to the province and the disputed territories more broadly. These requirements were met in the country's new legal infrastructure, specifically Article 58 of the 2004 interim Iraqi constitution (the Transitional Administrative Law) and Article 140 of the 2005 Iraqi Constitution (The Constitution of the Republic of Iraq).

However, for Kirkuk reality failed to meet expectation as these legal and political mechanism have not yet resolved the issue if the Iraqi disputed territories (which includes Kirkuk). Hence, this report, as part of the project titled *'The Future of Iraq: Between Erbil and Baghdad'*, will attempt to answer some of the latest questions surrounding the issue of Kirkuk. In doing so, the report will distance itself from earlier studies on Kirkuk and from mechanisms that have, in the past, been used to solve the issue. Furthermore, to find answers to these pressing questions that have come to fore in the latest developments in the city of Kirkuk the study will be scientific (based on the disciplines of politics, history, security, international studies). The report also aims to put forward its findings to parties concerned with the issue of Kirkuk.

The project, *'The Future of Iraq: Between Erbil and Baghdad'*, has been produced by researchers from *'The Centre for Future Studies'* in collaboration with the *'The Centre for Political and Legal Research'* of the *University of Sulaimani's College of Law and Politics*. The project has taken six months to complete and is made up of three reports published on a bi-monthly basis, of which this report is the first of the three.

The central question of this project, which is also the fundamental question running through all three reports is: *"What will the future be for the security and administration situation in Kirkuk after the defeat of the Islamic State in Iraq?"*

To answer this question, the project has organized its answer onto three primary levels. These are:

**Level one:** *The future of politics and administration in Kirkuk*

**Level two:** *Kirkuk's security scope*

**Level three:** *The regional and international scope*

The significance of this project is as follows

First, it will mark the first time that researchers have conducted such extensive research into Kirkuk after the recent events and political developments that have affected Kirkuk and Iraq as a whole (such as the defeat of the Islamic State in Iraq and the Kurdish independence referendum).

Second, the project will become a valuable source for politicians, academics, and the Kurdish political parties so that, in future, they can approach the Kirkuk dossier with caution.

Third, all of the academic sources in this research paper will be native, and local researchers will carry out the research.

## **Part 1: The Kirkuk Question: A Historical Review**

### **1.1: The Nature of Identity and the Significance of Kirkuk**

Kirkuk Province's geopolitics, borders, economy, oil reserves and identity issues have worked to turn it into a staging ground for a perpetual violent conflict between its Arab, Turkmen and Kurdish populations. Not only has this rivalries worked continuously to change the geographic history of the province, but has also worked to shift conflict into the heart of national political decision-making to the extent that the issue of Kirkuk is now responsible for the deadlock between Baghdad and Erbil in the Iraqi political process.

In terms of Kirkuk's identity and its geography, the information available in current sources differ and are inconclusive. The sources divide between Kurdish, Arab and Turkmen sources, with each claiming the Kirkuk as part of their respective historical identities. The sources, although impaired by political and nationalistic bias, present three different historical narratives of Kirkuk (a Kurdish Kirkuk, a Turkmen Kirkuk, and an Arab Kirkuk). Of course, this is not to discount the fact that the city is also home to Assyrians among numerous other smaller ethnic and religious populations with each of those also treating Kirkuk as part of their millennia-long heritage.

Therefore, it is not surprising that observers have described Kirkuk as a 'microcosm of Iraq' or a 'barrel of gunpowder', given that whenever any of the sides have claimed ownership of the province and used the claim as a political pressure card in the country it has worked to strengthen Iraq's nationalist rivalries. Prior to the first half of the 20th century, the dispute over Kirkuk's identity was between the Turkmen and the Kurds. However, as a consequence of the policies of Iraq's second republican government in 1963 and the governments that followed, which, on the one hand, saw Arab tribes from southern Iraq relocate to the city and, on the other, it saw the systematic destruction, expulsion and shifting of the Kurdish and Turkmen identities, the Arabs also became primary players in the Kirkuk dispute.

Kirkuk falls on latitude '35.478565', and longitude '44.401932'. Its distance from the Iraqi capital of Baghdad is 250 kilometers north. According to the statistics

gathered in 2003, its population was 755,700.<sup>1</sup> However, in 2012 Iraq's Ministry of Planning and Iraq's Office of Statistics recorded the population as 1,332,025. Kirkuk city has an area of 9679km<sup>2</sup>, and its neighboring provinces are Mosul, Diyala, Salahadin, Sulaimani and Erbil. Other than the oil resources it also has 2,500,000 acres of agricultural land and historical sites such as the Kirkuk Citadel, the Charmo site, the Tomb of Daniel, and the Old Kirkuk Market.<sup>2</sup> In 1976, the Iraqi government, following its policy of Arabization (artificially adjusting the identity and population of Kirkuk province), temporarily changed the province's name from 'Kirkuk' to 'Tamim'.

In 1925 the first franchise rights to develop the Kirkuk oil fields was awarded to the Turkish Petroleum Company, of which British Petroleum, Royal Dutch Shell, French Oil (later renamed Total Fina Elf) were significant shareholders. Since the issuing of this first license, the Kirkuk dossier has become the central issue in the troubled relations between Kurdistan and Baghdad. Moreover, the discovery of oil in Kirkuk became one of the fundamental causes for the acceleration of rivalries between the Iraqi government, the Kurds, and the Turkmen. Sources reveal that since 1925 there have been continued attempts to manipulate the identity of Kirkuk's population artificially to disqualify Kurdish, Turkmen and Assyrian claims of ownership on the province. Therefore, it is clear that the political problems associated with Kirkuk and its ownership has deeply rooted in Iraqi history.<sup>3</sup>

### **1.2: Kirkuk's Geographic History**

Kirkuk Province is one of Iraq and the Middle East's most historic spaces. It is a commercial center and a pillar of the Iraqi economy. There are varying opinions on the Kirkuk city's origins and who first founded it. Nevertheless, an observation of the ancient relics and structures in the city reveals that the Kirkuk Citadel was built between 4500-3500 BC. What is more, an ancient artifact with cuneiform script that

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<sup>1</sup> Alireza Bangi, *Adjacent Dictionary*, Third Edition (Tehran: Astan Quds Razavi, 2008), p. 240.

<sup>2</sup> See the official website of Kirkuk province/encyclopedia here:  
<http://kirkuk.gov.iq/encyclopedia.htm>

<sup>3</sup> Amini Hosseini, "Nationalism and Its Impact on Turkey's Position toward the Geostaltic of Kirkuk", Master's Thesis on International Relations, Tehran: Faculty of Literature and Humanities University, 2013. p. 62.



was unearthed in 1927 mentions the Guttian people, an ancient people who are widely regarded to have been one of the early inhabitants of Kirkuk.<sup>4</sup> Additionally, under the Kirkuk citadel, in the city's south, archeologists have found the remains of the ancient city of Arapkha.<sup>5</sup>

Some current sources claim that the Lolois and the Hurris, who were ancient inhabitants of Mesopotamia and generally considered to be ancestors of today's Kurdish people, were the peoples responsible for founding the city of Kirkuk. However, while ancient sources do refer to the area of Kirkuk they use different names when doing so. In the era of the Lolois, one of the early inhabited of Kirkuk, the city was referred to as *Arabkha* and *Alilani* (the City of God). In the later era of the Guttians, the town became the capital of the Guttian controlled territory, which was located between the two rivers of Mesopotamia (Tigris and Euphrates). In other sources, such as those of the ancient Sumerians the city of Kirkuk is missing. Some scholars argue that this may be due to the fact that the city may have fallen outside of Ancient Sumeria's literary reach. While Kirkuk has also not been recognized as one of the prominent Sumerian towns in their sources this does not mean that Arapkha (Kirkuk) did not exist. Historians note that the ancient Sumerians tended to write more about those cities in their territory that their Kings had founded not those like Arapkha (Kirkuk) that pre-dated their rule. What is more, in the sources that refer to the warring period (third millennium BC) between the Guttian, Sumerian, Acadian and the Assyrian Empires, they note that in this period the Guttians invaded Babylon and relocated the city's artifacts to Arapkha.<sup>6</sup> While later Islamic period sources also do not use the name Kirkuk when referring to the city, instead referring to it as the city of '*Karkhini*', the first recorded use of the city's modern name of Kirkuk was in Ali Yezidi's 15th Century book the '*Safarnama*'.

There is wide disagreement around the origins of the name 'Kirkuk'. With Arab historians, such as Taha Baqir, arguing that the name 'Kirkuk' originates from the

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<sup>4</sup> Goran Ibrahim Salah, *Kurds During the Ottoman Empire*, First Edition (Sulaimani: Hamdi, 2007), p. 17

<sup>5</sup> Jamal Rashid and Rashid Fawzi, *History of the Ancient Kurds*, First Edition (Erbil: 1990), p. 35

<sup>6</sup> Kamel Mazhar Ahmed, *Kirkuk and its Governance of Throughout History and Conscience*, First Edition (April 2004), p. 5

city's previous name of '*Kirkh Slokh*', and Kurdish historians, such as Jamal Ahmed Rashid, argue that the name originates from the previous name *KurKura*<sup>7</sup> which in the era of the Medes changed to '*KurKurk*' and later transformed into the modern name of '*Kirkuk*'.<sup>8</sup>

### 1.3: The Political History of Kirkuk's Component Groups

If the Gutti, Loloyis and, Hurris were the first nations that founded Kirkuk and are all considered to be the ancient ancestors of Kurds, their identity and their language, then the Kurds are to be regarded as one of the original inhabitants of Kirkuk. The introduction of the Arab identity into Kirkuk came as a result of the Islamic Armies of the Arabian Peninsula's attack on the region in 17 AH (638 AD).

In the conflicts between the Ottoman Empire and the Safavid Empire Kirkuk was placed under the administration of the Ottoman Empire. In the Ottoman-controlled Sharazur Wilayat Kirkuk was made the administrative center of the region.<sup>9</sup>

Considering Kirkuk's inhabitants, historian and geographers, such as al-Qalqashandi, Ibn Khardazba, Qudama, Qazwini, and Yaqut al-Hamawi, describe the regions of Daquq, Kirkhini and Sharazur Wilayat (of which Kirkuk was its center) as Kurdish.<sup>10</sup>

During the more modern tribal period of Kurdish history the Kurdish lands were divided into separate Kurdish chiefdoms. In this period, control of Kirkuk shifted between the Babanis (1107 - 1267 AH), who sided with the Ottoman Empire, and the Ardalanis (617 - 1284 AH), who sided with the Safavid Empire. The Islamic Encyclopedia argues that while in the 18th century Kirkuk was the center of Sharazur Wilayat (made up of the cities of Kirkuk, Erbil and Sulaimania) by 1879 the Ottoman Empire established the Mosul Wilayet in its place, and in this new administrative structure, Kirkuk became a militarized city.<sup>11</sup>

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<sup>7</sup> Gurgur in Kurdish means a region of fire and Kirkuk's oil region is called 'Babagurgur'.

<sup>8</sup> Abdulkarib Yusef, *The Borders of Southern Kurdistan, Historical and Geographical Areas over Five Thousand Years*, Second Edition (Sulaimaniyah: Shivan, 2005), p. 280.

<sup>9</sup> Goran Ibrahim Salah, *Ibid*, p.34

<sup>10</sup> Kamel Mazhar Ahmed, *Ibid*, pp. 23-23.

<sup>11</sup> Multiple Authors, *Kirkuk's Founder Amongst the Ancient Nationalities*, First Edition, (Arbil: Aras, 2009), p. 101.

Due to the existence of oil in Kirkuk and the Mosul Wilayet more widely, at the end of the First World War, the British Empire decided to keep command of the city. Furthermore, the presence of oil in the area meant that the boundaries presented for the region in the Sykes-Picot Agreement between Britain and France had to be redrawn to give control of the Mosul Wilayet and its natural resources to the British. In return, the British were willing to relinquish control of Lebanon and Syria to the French.<sup>12</sup>

In the first decade after the establishment of Iraq, control of Kirkuk became the most pressing issue in the conflict between the Kurds, Arabs and the British. During the rule of Mahmud Hafid Zadeh (known as Sheikh Mahmoud Barzinji) Kurdish control of Kirkuk became a primary demand of the Kurdish leadership for the first time. Mahmud Hafid Zadeh applied political pressure on the British to place Kirkuk under his Kurdistan based government's authority.

French historian Chris Kochera argues that during the period of British rule in Iraq the British were against the idea of giving control of Kirkuk to Mahmud Hafid Zadeh's government. Instead, the British believed that the governance of Kirkuk should be awarded to a Turkish custodian who could work under British influence. However, in 1922 the Iraqi monarch, King Faisal, with the consent of the British, released a royal decree placing Kirkuk firmly under the authority of the Iraqi state. In response to the action of King Faisal and the British, the Kurds and Mahmud Hafid Zadeh expressed their anger and dissatisfaction further.<sup>13</sup>

This event is understood as the first episode of Kurdish revolt against a perceived attack on the 'Kurdishness' of Kirkuk's identity. While this Kurdish revolution has over the years taken many forms, it began with the revolts against the British and continues until present with numerous revolts against successive Iraq governments.

The Iraqi government began raising the Iraqi flag over official buildings in Kirkuk in 1923; however, it was not until 1925 that Kirkuk received its Iraqi identity legally. An agreement between Turkey, Great Britain, Iraq and the League of Nation

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<sup>12</sup> Liam Anderson and Margaret Stansfield, *Crisis in Kirkuk*, Translated by Omed Osman, First Edition (Erbil: Mukrian, 2013), p. 44

<sup>13</sup> Chris Kutschera, *Kurdish National Movement*, translated by Ebrahim Younesi, Second Edition (Tehran: Look, 1998), p. 84 and 97.

to formally place the Mosul Wilayet into Iraqi state control formalized this new arrangement.<sup>14</sup> However, given that between 1920 and 1957 the Iraqi state was weak its leaders were unable to build unity and nationalist sentiment amongst the country's multi-ethnic and sectarian population in the same way that the leaders of Iraq's neighbors, Kemal Mustafa Atatürk (in Turkey) and Reza Shah Pahlavi (in Iran) had done in their respective states. While Iraq's unique ethnic and sectarian makeup made this task far more difficult for Iraq's leaders, the Iraqi state continued to remain weak until the emergence of Iraq's Ba'athist government in 1963. With the emergence of this new strong Iraqi Government, a different and more organized conflict began between Iraq's different components over Kirkuk that has impacted the city significantly. It has left behind an immense geographic and demographic footprint, as well as a cultural identity crisis in Kirkuk, dividing and fracturing Kirkuk further.

#### **1.4: The Development of Competing Visions on the Identity of Kirkuk**

Today four primary ethnic groups live in Kirkuk. These groups are the Kurds, the Arabs, the Turkmen, and the Assyrians. These groups divide further as the people of Kirkuk divide religiously between Islam (Shia/Sunni), Christianity, and Kakai. Members and proponents of each of these ethnicities and religious leanings argue that they are native to Kirkuk. However, recent statistics and election results seem to reveal that the Kurds remain the dominant group in the province (even after efforts systematic efforts to weaken their population in Kirkuk, including the implementation of forced migration, Arabization, assimilation and genocide).

In the 20th century, there have only ever been three official government-sponsored data sets regarding the country's population. These data sets were gathered from the 1957, 1965 and 1977 censuses. While, war, revolution, constant internal migration and local tribal culture mean that the data sets are not reliable to present a complete picture of Kirkuk, they are the only data sets currently available to measure Kirkuk population.

The census of 1957 was carried out in respect to a person's 'mother-tongue'. It revealed that the population of Kirkuk province was 388,839 with the inhabitants of

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<sup>14</sup> Collection of Authors, Ibid., P. 105

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the city of Kirkuk numbering 120,401. The data also showed that of those living in Kirkuk province 187,593 were Kurdish and of those residing in the city, 40,047 were Kurdish. The census also measured that there were 83,371 Turkmen in the province of which 45,307 lived in the Kirkuk city. In terms of the Arab population, the census revealed that only 109,620 Arabs lived in the area of which 1509 of them resided in Kirkuk city. (See Table 1)

**Table 1: 1957 Census of Kirkuk Province**

Number	Mother Tongue	Kirkuk	Other Regions of Kirkuk Province	Total of Kirkuk Province
1	Arabic	27,127	82,493	109,620
2	Kurdish	40,047	147,546	187,593
3	Persian	101	22	123
4	Turkmen	45,306	38,065	83,371
5	English	634	63	697
6	French	35	6	41
7	Indian	79	8	87
8	Assyrian-Chaldean	1,509	96	1,605
9	Other language	414	-	418
10	Unknown	5,146	138	5,284
	Total	120,402	268,437	388,839

*Source: Qadir, 2006 p.30*

These figures reveal that, in terms of population size, in 1957 the Kurds were the largest ethnic group in Kirkuk Province, the Turkmen second largest and the Arabs third. However, it offers a different picture regarding Kirkuk city. Here, the figures reveal the Turkmen were the largest population in the town, the Kurds second largest and the Arabs third. (See Table 1) Iraqi historian Shakir Khasbak supports these figures by explaining that in the 1950's the Kurds made up 55% of the population of Kirkuk Province.<sup>15</sup>

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<sup>15</sup> Jabar Qadir, *Contemporary Kurdish Issues: Kirkuk, Anfal, The Kurds and Turkey*, First Edition, (Erbil: Aras, 2006), p. 31.

In 1963, the Iraqi Ba'athist party launched a successful coup against the Iraqi government. Following the coup the Kurdish political movement in Iraq (the September Revolution) began negotiations with the new Ba'athist Iraqi government in Baghdad to reach a settlement. The talks collapsed on account of Iraqi government's dissatisfaction with Kirkuk and parts of Mosul becoming part of a Kurdish autonomous zone. As a result, another war broke out between the Baghdad and Erbil.<sup>16</sup>

Between 1963 and 1968 the Iraqi government began an organized military, economic and cultural campaign to transform Kirkuk's identity. The process witnessed the Iraqi government engaging in mass internal migration. The Iraqi government migrated Arabs from southern Iraq to Kirkuk, while simultaneously expelling Kirkuk's inhabitants to the southern Iraq. The Iraqi government also replaced Kurdish oil sector workers with Arabs and established numerous military bases in Kirkuk province branding the area a 'security zone'. The new security infrastructure in Kirkuk was designed to empty Kirkuk province of its Kurdish population. What is more, the Iraqi government also distributed weapons and ammunition to Kirkuk's Arabs and encouraged them to attack the Kurdish revolutionaries. The Iraqi government also replaced the Kurdish and Turkmen names of Kirkuk's districts, schools, and streets with Arabic names.<sup>17</sup>

Following a short break from power, as a result of their overthrow by the supporters of Abdul Salam Arif, the Ba'athist Party returned to power following a second successful coup in 1968 led by Ahmed Hassan Bakir and Saddam Hussein. Following the coup Ahmed Hassan Bakir governed Iraq for eleven years; however, his leadership was marked by instability. During Bakir's premiership, the Ba'athist Party continued in its policies to alter the identity of Kirkuk.<sup>18</sup>

At the end of 1969, the Kurdish movement (September Revolution) once again entered intensive negotiations with Baghdad. By the end on the 11th March 1970, the two sides reached a fifteen-point agreement that promised to establish a Kurdish

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<sup>16</sup> Karim Yeldiz, *Kurds in Iraq*, (Tehran: Tokli, 1391), p. 50

<sup>17</sup> Abdulkarib Yusef, *Ibid*, p336

<sup>18</sup> Fred Kussard, *The Kurdish Question After The Iraqi State's Transitional Administration Law*, (Sulaimania: Kurdistan Center for Strategic Studies, 2004), p. 90

autonomous zone in Iraq. However, the Kirkuk issue once again became the deal-breaking issue for both parties. Even though the deal between Baghdad and the Kurdish leadership achieved peace between them for four years; it ultimately collapsed after neither side was willing to compromise on their demands for ownership of Kirkuk. More plainly, the Iraqi government was unwilling to place Kirkuk into the promised Kurdish autonomous zone. Following the collapse of the agreement the Kurds retreated into their northern mountains and restarted their military campaign against the Iraqi government.<sup>19</sup>

With Iranian backing, the Kurds waged an intense military campaign against Baghdad. The Kurds aimed to increase pressure on the Iraqi government so that it would agree to place Kirkuk into the promised Kurdistan autonomous zone. The Kurdish military pressure on Baghdad forced the Iraqi government to compromise to Iran on its interests in the Shat-al-Arab to protect its interests in Kirkuk. The compromise meant Iran would agree to no longer support the Kurdish war effort against Baghdad allowing the Iraqi government to retain Kirkuk and see off further Kurdish attacks. In 1975 Iran and Iraq formally signed the agreement, known as the 'Algiers Agreement', with the mediation of Algeria and Egypt. It immediately cut Iranian support to the Kurds and forced them to flee the Iraqi borderlands.<sup>20</sup>

The policy of Arabization implemented by Baghdad and its persecution of Kirkuk's Kurdish and Turkmen population resulted in a transformation of Kirkuk's population and identity. In 1975 and 1986 the Iraqi state separated the predominantly Kurdish towns of Chamchamal, Kalar, Kifri, and Tuz-Khurmatu from Kirkuk Province and attached the two Arab cities of Zab and Sirkan to the province.<sup>21</sup>

As a direct result of these Iraqi policies, Kirkuk's geographic area in 1977, reduced from 20,355km<sup>2</sup> to 10,282km<sup>2</sup>. (See: Map 1 and 2)

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<sup>19</sup> Chris Kutschera, *Ibid*, p. 345

<sup>20</sup> *Ibid*

<sup>21</sup> Abdulkarib Yusef, *Ibid*, p331

Map No.1: Kirkuk 1957

Map No.2: Kirkuk 1987



Source: Official Website of Article 140, Official KRG cabinet website, 2013

The demographics of Kirkuk also changed as a result of these Iraqi government policies. The Kurds and Turkmen went from making up 48% and 21% of the population respectively to 37% and 16% respectively. The Arab people, on the other hand, increased from 28% to 44% of the Kirkuk's population. Making them the largest population in the area.<sup>22</sup> (See Table 2)

Table 2: Official Iraqi state statistics on the ethnic make up of Kirkuk 1957 and 1977

Nationality	1957 Census	1977 Census
Kurdish	48%	37%
Turkmen	21%	16%
Arab	28%	44%

Source: Shorish, 2003. P.20

<sup>22</sup> Shakhawan Shorish, *Cleansing the Kurdish Nation*, First Edition, (Sulaimania, 2003) p20



From the 1980's onwards, Kirkuk province endured a campaign of genocide and persecution (the most famous component of which was known as the Al-Anfal Campaign). Under its campaign, in 1991, the Iraqi government forced the migration of more than 3,000 Kurds from Kirkuk, a policy that continued until it reached 108,000.<sup>23</sup> The Iraqi government coupled its system of forced displacement of peoples with the destruction of 779 Kurdish and Turkmen villages in Kirkuk province.<sup>24</sup>

Therefore, by utilizing the practice of genocide and persecution the Iraqi government was able to significantly reduce the Kurdish population in Kirkuk making its Arab population the most numerous.<sup>25</sup> The Iraqi government was also able to destroy the Kurdish and Turkmen districts of Shorja and Almasi in Kirkuk by relying on its Arabization policy.<sup>26</sup> What is more, between 1963 and 1987 Kirkuk province lost over 50% of its previous geographic area. (See image 1 and 2) Iraqi government policy shrunk the geographic area of Kirkuk province from 20,355 km<sup>2</sup> to 10,282 km<sup>2</sup>.<sup>27</sup>

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<sup>23</sup> Collection of Authors, *Ibid.*, P. 115-117

<sup>24</sup> Abdulkarib Yusef, *Ibid.*, p331

<sup>25</sup> Amini Hosseini, *Ibid.*, p.66

<sup>26</sup> Collection of Authors, *Ibid.*, P. 116

<sup>27</sup> See the official site of Article 140, KRG Council of Ministers, 2013 - <http://www.com140.com/paper.php?source=akbar&page=15>

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## Part 2: The Present and the Future of Kirkuk

### 2.1: The Complexity of the Kirkuk Problem

Numerous factors have further deepened the central problem of Kirkuk; a geographic space that is divided between various nationalities, sects, languages, and cultures. These factors are; the question of its identity, issues around land ownership, the presence of rare natural resources in the area, the altering of the province's demographics, its shifting administrative practices, and the politicization of its internal divisions. The Kirkuk issue becomes problematic, as each of the factors listed above are, in their own right, difficult issues to deal with when trying to solve the Kirkuk dilemma. Therefore, the difficulty of finding a solution to the Kirkuk issue is further compounded as such a solution would require all of the above factors to be addressed at the same time.

If the circumstances were different and a solution to the Kirkuk issue only required one of the above factors to be addressed, then it is possible to argue that such a solution would, to an extent, be much more straightforward to achieve. For example, if the presence of rare natural resources was the primary cause of civil and political strife in the area, then the different sides could quickly reach an agreement to divide the natural resources in a just manner. Equally, if the problem that was compounding the central issue was only demographic or administrative in nature, in that there had been a previous attempt to reduce or increase the population of one of the sides in the dispute, then through specifically designed policies population figures could, to an extent, be normalized to the levels they were before the interference.

However, other factors outlined above such as the issue of identity and the politicization of the Kirkuk's cleavages, are more challenging to resolve. An observation of another contested regional city is such as Jerusalem underlines how problematic the process of finding a solution to the question of identity really is. Jerusalem is contested between Israel and the Palestinian with both considering the city an essential part of their respective land and heritage. Given that both, land and heritage, are fundamental factors in the formation of group identity the possibility for compromise to settle the dispute over the city becomes even more unlikely. What is more, a democratic solution to the identity issue is perhaps more problematic as it

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demands all the nations, religions or sects involved in the dispute agree on a single identity, which is also highly unlikely given the sensitive nature of identity issues.

The complexity of the Kirkuk issue is that it suffers from all of the factors outlined above. Moreover, Kirkuk's division is due in large part to the presence of three distinct nationalities (Kurdish, Turkmen, and Arab). While the Kirkuk also hosts religious and sectarian diversity, (Christians, Sunni Islam, Shia Islam), the impact of these components on the Kirkuk issue is far less than the different national groups. Like Jerusalem, the dispute underlining the Kirkuk issue is the question of Kirkuk's identity. The Kurds believe that they are the true owners of Kirkuk, for which over the years they have made substantial sacrifices. These sacrifices have rooted Kirkuk city deep into the fabric of Kurdistan's history and national sentiment.

To confirm Kirkuk's Kurdish identity, the Kurds point to numerous historical documents from the Ottoman Empire, specific maps and surveys of the area and accounts from travellers that have, at different periods, passed through the region. One of the causes of the collapse the March 1970 agreement, between the then Iraqi government and the Kurdistan Democratic Party, was the issue of the ownership of Kirkuk. Successive Iraqi governments, since 1968 in particular, have sought to weaken Kurdish claims on Kirkuk's identity by incentivizing the migration of Arabs to the city and forcing the migration of Kurds from the city. These Iraqi governments have also worked to Arabize the language of education and have worked to Ba'athify Kurdish culture and thinking in Kirkuk. While Iraqi governments made serious attempts in this regard, their actions were ultimately in vain as it, instead, strengthened Kurdish claims on Kirkuk.

Like the Kurds, the Turkmen also maintain that Kirkuk is part of their national heritage. They argue that Kirkuk is a Turkmen city and is part of the landmass, which they call 'Turkmeneli' (the homeland of the Turkmen). To evidence their claim the Turkmen also point to specific accounts from travellers and historical documents.

The complexity of these disagreements over the ownership rights and identity of Kirkuk are complicated further by the existence of vast oil reserves in the province. Kirkuk's oil reserves constitute 7.5% of proven global reserves. The existence of rare natural resources in Kirkuk works to complicate the situation as its economic

potential becomes a cause that risks transforming the rivalries over land ownership and the identity between the different components into violent conflict. What is more, when coupled with any of the factors outlined above the presence of natural resources in Kirkuk also makes finding solutions to its issues of political administration far more challenging. During the period of the Iraqi Ba'athist regime, the Iraqi Government implemented numerous demographic and administrative alterations to Kirkuk in the hope of boosting Kirkuk's Arab identity at the expense of its Kurdish one. Hence, this practice, often referred to as Arabization, is the second factor has worked to entrench Kirkuk's divides and now threatens to take the dispute in Kirkuk to a more violent phase, making any potential solution to the dispute even more difficult to achieve. Numerous sources explain that the Iraqi government has, in the past, expelled Kurds, whose ancestors had resided in Kirkuk for generations, and replaced them with new Arab residents that the Iraqi government migrated into the province from central and southern Iraq. Furthermore, the Iraqi government incentivized the migration of these Arabs into the Kirkuk by offering them jobs and homes on arrival in Kirkuk. This process was one part of the Iraqi governments more extensive campaign to 'Arabize' and 'Ba'athify' Kirkuk's residents.

Another element of the Iraqi governments Arabization program was administrative. The Iraqi government moved some Kurdish townships from Kirkuk Province to Sulaimania and Diyala Province, while simultaneously moving Arab municipalities into Kirkuk province. With this administrative adjustment, the Iraqi government was successful in reducing the Kurdish demographic in Kirkuk province. The Iraqi Government also worked to erase Kirkuk's Kurdish identity from Kirkuk by substituting the Kurdish names of districts, schools and official buildings with Arabic ones. In 1976, the Iraqi government recognized that the name of the city was not Arabic and went so far as to change Kirkuk's name to al-Tamim.

The last factor that has complicated the situation in Kirkuk is the politicization of the issue as a whole. Issues around Kirkuk's diversity, such as its identity, ethnic diversity, religious diversity, and linguistic diversity have become primary motivations for one of Kirkuk's components to attempt to dominate the territory, while at the same time working to weaken or erase the identity of another group. It is important to note that the existence of diversity alone in any geographic area does not cause violent confrontation or divisions. For instance, there are more than four

languages spoken in Switzerland by its residents, and neighboring Switzerland are four states, each of which speaks one of those languages (spoken in Switzerland) officially. For Switzerland, this multilingualism has become a source of strength that has assisted in building the modern Swiss nation, and today Switzerland is one of the leading first world nations.

Therefore, ethnic, religious, sectarian and linguistic diversity is only a problem for nations when there is an effort to base the foundation of a state on one of these identities while excluding the rest. Kirkuk has been a dilemma for Iraq for the past century due to the politicization of identity issues by successive Iraqi governments. There has been a continued effort to stamp a new Iraqi identity onto the city, and this has worked to distance other groups such as the Kurds from the general Iraqi identity.

## **2.2: Kirkuk: Before the Islamic State**

Since 2003 only one Provincial Council election (in 2005) has been carried out in Kirkuk Province. In that election, the Kurdish Brotherhood List won 59% of the vote, which converted into 28 of the 41 Provincial Council seats. The Turkmen won nine seats, and the Arabs won six. This election gave Kurds administrative power over the Kirkuk and, as a result, since 2003 Kirkuk has had two Kurdish Governors, Abdul Rahman Mustafa (served 2003-2011) and Najmaddin Karim (served 2011-present).

Within Kirkuk's Provincial Council itself, members reach decisions by a system of majority vote. Hence, since 2003, the Kurds have been in control of decision making in the province. Due to the sensitive nature of Kirkuk political situation, the Iraqi government has shied away from holding another local election in the Kirkuk. The main reason for deferring Kirkuk's Provincial Council elections is that Kirkuk is recognized as an Iraq's 'disputed territory'. Both, Article 58 of the Transitional Administrative Law and Article 140 of the Iraqi constitution have set out a method to settle the status of the province. The method is a three-part process, which includes a normalization period, a census and a referendum and according to the Iraqi Constitution they are to be carried out by the 31st of December 2007.

### **2.3: Kirkuk: After the Islamic State**

After the KRG's Peshmerga forces were able to protect Kirkuk from the Islamic State invasion of northern Iraq, Kirkuk fell under Kurdish Regional Government control. The Iraqi forces proved unable to resist the Islamic State forces, and as a result, in June 2014 deserted their military positions in northern Iraq, effectively handing over control of Mosul and many of the Sunni regions of Iraq over to the Islamic State. While the Iraqi forces fled the battlefield without any resistance against the Islamic State the Kurdish forces made countless sacrifices in their resistance of the group's assault on Iraq protecting many of those territories left behind by Iraqi forces. The KRG's Peshmerga force were able to push back against the Islamic State to regain the territory that the Iraqi Army had essentially handed over to the Islamic State. As a result of these events, many of the territories that the 2005 Iraqi constitution regards as 'disputed' have fallen into Kurdish Regional Government control as a result of status quo politics. Nevertheless, legally they remain under the administrative authority of the Iraqi Federal Government (IFG) with its budget and state employee salaries remaining under the responsibility of Baghdad.

Masoud Barzani, the President of the Kurdistan Region of Iraq, has on numerous occasions made public the position of the KRG on the new state of affairs in Iraq regarding the issue of the country's disputed territories. He has argued that the territories that have been recaptured by the Kurdish Peshmerga are no longer "disputed territories" but are now territories of the KRG. In addition, in the last week of August 2017, Kirkuk's Provincial Council was able to secure a majority vote (the Turkmen and the Arab members had boycotted the vote) to include Kirkuk in the KRG's 25th September 2017 independence referendum. However, these developments raise legal questions, such as what is the legality of an occupying force, that has taken control of Kirkuk and the disputed territories by default and by the use of force, to swiftly decide on the future of the province through a likely one-sided referendum? And, if it is legal, how will Kirkuk and the disputed territories be administered in the future?

#### **2.4: Kirkuk's Political and Administrative Future**

In Iraq the Islamic State is in retreat and facing defeat as it has been ejected from both Mosul, the capital of their self-proclaimed Caliphate, and Tel Afar. The only vital area to remain under their control in Iraq is Hawija. The Islamic State's defeat in Iraq will have a lasting impact on Iraq's entire political process, especially its political and administrative future. The question that will face all Iraqi politicians of all persuasions in Iraq is, what will the future be for Kirkuk Province after the Islamic State? Listed below are some plausible options for the province's future.

- 1) Kirkuk Province retains its current legal status, in that it remains an Iraqi province outside of the Kurdistan Region of Iraq.
- 2) Kirkuk Province becomes another autonomous region in Iraq similar to Kurdistan Region of Iraq and enjoys the same power and privileges that the KRG has.
- 3) Kirkuk Province attaches to Iraq's Kurdistan Region (where the Kurdistan Region government administers the province in the same way that it does the three other Kurdish provinces under its jurisdiction or administers it in a unique way that awards Kirkuk more local administrative and financial power
- 4) Kirkuk Province becomes a province in a new future autonomous Sunni region in Iraq or becomes a contested province between the Kurdistan Region and that future Sunni region of Iraq.
- 5) Kirkuk province receives protection from a regional or international organization (UN or Arab League), or is placed under the supervision of foreign states that have interests in the area (such as the United States, Turkey and the European Union). As a result Kirkuk becomes officially an internationally protected disputed region until a solution can be found.

While some of the options outlined above, in particular option four and five, may prove challenging, if not impossible, to implement, one of the first three options may be more likely given that each has backing by one of the Kirkuk's primary components (Kurds, Turkmen and Arab). Kirkuk's Arabs prefer the first option, for Kirkuk to remain under Baghdad's control. Kirkuk's Turkmen generally support the idea of Kirkuk becoming an autonomous region in Iraq with distinct executive, legislative, and judicial powers. While Kirkuk's Kurds

support the idea outlined in option three in that Kirkuk should become part of the KRG. Therefore the question remains, which of the options above presents the most likely future of Kirkuk Province?

This project aims to find an answer to this question, especially, after status quo politics and military resistance awarded control of Kirkuk to the KRG.

### **2.5: The Future of Kirkuk and the Question of Kurdish Independence**

The current state of Kirkuk begs the question, how will Kirkuk be administered when, and if, the Kurds of Iraq gain independence? The answer to this question is dependent on whether or not the Kurds will declare independence and if they do declare independence will this new independent Kurdish state include Kirkuk? At present, there is neither a solid guarantee that the Kurdish Independence referendum will be successful in achieving a 'yes' vote nor is there one concerning the extent to which a 'yes' vote will be utilized to establish a new Kurdish state, if at all. However, if this report takes the assumption that the Kurdish referendum does result in a 'yes' vote and that subsequently this vote is used by the KRG to secede from Iraq then in respect to the future of Kirkuk Province there are two potential scenarios.

**Scenario One:** The KRG declares independence without Kirkuk and the majority of Iraq's disputed territories. For Kurdish independence, this scenario is the most likely to succeed and reduces the likelihood of the Kurds coming into confrontation with Iraq's Federal Government, neighboring states or international states. However, the scenario is unacceptable to the KRG given the importance of Kirkuk to the Kurdish state-building project. As mentioned previously, Kirkuk's significance to the Kurds is clear in that the province has been a point of contention between successive Iraqi governments and Kurdish authorities for decades. Moreover, the Kirkuk issue has, to date, been the single issue that has prevented the Kurds and Arabs of Iraq from reaching a final agreement to resolve the broader Kurdish question. Thus, after almost a century of struggle over Kirkuk, it is highly unlikely that the Kurds will now relinquish their demands on the province and other disputed territories and declare independence without them, especially now that they control much of these territories as a result of the war against the Islamic State.

**Scenario Two:** The KRG declares independence with Kirkuk and some of Iraq's other disputed territories. It is clear that Kurds favor this scenario of Kurdish



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independence. However, this scenario comes with more obstacles and risks for the KRG. A Kurdish breakaway of this nature from Iraq will most likely face opposition from some of the other ethnic groups in Kirkuk and increase the threat of a military confrontation with the Iraqi Army and the Iranian sponsored Shi'a Popular Mobilization Forces currently operating in Iraq. Moreover, compounding these potential threats is the uncertainty surrounding the reaction of international states (such as the United States) on the issue.

What is certain is that the implementation of either of these scenarios will change Kirkuk's political and administrative future. However, just as in the case of Iraq, when in the past one side had governed Kirkuk's diverse community without regard for the other ethnic groups in the province, caused tribal rivalry, societal divisions, and unrest, the same troubles await a similar Kurdish governance of Kirkuk. If the KRG is successful in its bid to secede from Iraq with Kirkuk, it must take into consideration the ethnic diversity of Kirkuk to govern it successfully. Moreover, the KRG must be willing to offer Kirkuk's different communities rights, freedoms, assurances, security, and services that far outweigh those that the IFG has thus far provided. One of the best tools to employ in Kirkuk so that the KRG assures success in its administering of Kirkuk is de-centralization. The KRG will be well advised to decentralize the administration of culture (to solve the issues around identity and education), governance (to make the distribution of services more equal), Kirkuk's economy (sales of oil and its revenue), and security (creating a security force specific to Kirkuk which includes recruits from across Kirkuk's population).

### Part 3: The Security Situation in Kirkuk

This section of the report aims to answer numerous specific questions that relate to the issue of security in Kirkuk (in its more broader sense). These questions are:

- Is there a security threat on Kirkuk?
- Is the security of Kirkuk's residents under threat?
- Are there different opinions as to the future of Kirkuk's security?
- Is security considered an absolute term?
- How should security in Kirkuk be viewed?

This discussion into security refers to the term 'security' by its broader definition. Hence, This section will analyze the issue of security in Kirkuk on numerous levels.

#### 3.1: The Geostrategic Scope of Kirkuk

The geographic territory of Kirkuk is  $9426 \text{ km}^2$  and lies to the northeast of Baghdad. To north and east of Kirkuk is the Zagros mountain chain, to its west is the 'Little Zab' river and Salahadin Province and to its immediate south are Diyala Province and the Hamrin mountains. Kirkuk's location and established position is strategically significant as it is the place that brings together the states of Turkey, Iraq and Iran. Moreover, Kirkuk is the center of a strategic conflict between its components that has created a corner of regional instability that also draws in Turkey, Syria, Iran and Iraq. The converging of these two features of Kirkuk's location has opened it up to ever-increasing volatility. Therefore, observers are of the view that due to Kirkuk's geostrategic significance, whoever controls it will have the ability to exert power over Iraq's present and its future.<sup>28</sup>

Kirkuk's geostrategic importance is doubly important, as its vast oil fields (at Baba-Gurgur) were the first to be tapped in Iraq by the Turkish Petroleum Company (TPC) in 1927.<sup>29</sup> Estimates put Kirkuk's oil reserves at 10 billion barrels meaning the

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<sup>28</sup> Jihad Saleh, "Kirkuk: Conflict of Nationalism, [www.rojava.net/techihad/salah\\_kerkuk.htm](http://www.rojava.net/techihad/salah_kerkuk.htm) (24/08/2005)

<sup>29</sup> Taghreed Suleiman Dawood, "History of Oil in Iraq", <http://www.uobabylon.edu.iq/publications>

fields contain 7.5% of known global supplies.<sup>30</sup> Moreover, In addition to the presence of oil, Kirkuk also has known reserves of Uranium. The existence of this substance makes Kirkuk transcend local importance to also become a significant region internationally.

The purpose of this introduction is to understand the different levels of the Kirkuk conflict. While on the one hand, Kirkuk is significant due to its economic potential and its strategic position internationally, on the other hand, Kirkuk is a geographic space fought over by different groups for its significance in respect to its cultural identity, history, nationality, and land. These factors that fuel the Kirkuk dispute work to further complicate disagreements and increase mistrust between its inhabitants. Hence, the prize that Kirkuk represents to those who want to control it means that any such attempt is also likely to involve political attempts to rewrite the history and identity of the region. To date, numerous governments that have wanted to control the city have utilized mechanisms designed to manipulate and rebrand the original identity of Kirkuk.

### **3.2: The Story of Rival and Competing Interests**

Kirkuk Province is an area that hosts numerous competing interests between the different ethnic and religious components that make up the province's population and between the various forces that are in dispute over the Kirkuk's future. Inevitably on occasion, two or more of these groups or forces find common interests leaving the interests of the other group(s) neglected. Hence, this state of competing interests in Kirkuk Province adds further conflict to the region and is further intensified as a result of the presence of foreign interference in the dispute.

Each of the ethnic and religious components in Kirkuk has political and historical narratives that attach their respective ethnic or religious group to the city and province. The construction of these stories demonstrates their foresight in recognizing the need to create a future for themselves in Kirkuk. Therefore, it is correct to argue that the varied interests of Kirkuk's components have resulted in the creation of these political narratives that feed broader nationalist projects. These individual nationalist projects have been the cause of the various conflicts of

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<sup>30</sup> Ibid

ownership in Kirkuk. The result of many of these competing historical and political narratives has been the utilization of extreme mechanisms to adjust the reality of the province's demographics and history. In recent times, Iraq's former Ba'athist Party practiced these violent methods via its Arabization program and forced migration policies against Kirkuk's Kurdish and Turkmen populations. It attempted to use these mechanisms to swing the demographics of Kirkuk and alter accounts of the province's history in favor of its Arab community. In practice, this meant that the Ba'athist Party engaged tirelessly in practices of forced migration of Kirkuk's Kurdish and Turkmen populations out of the province. Moreover, it did the same Administratively by altering the borders of Kirkuk Province to exclude those areas that were predominantly Kurdish (Chamchamal, Kifri, Tuz Khurmatu) and instead including new areas that were predominately Arab. Kirkuk's Turkmen later (post-2003) accused the KRG of employing the same practices in Kirkuk in favor of Kirkuk's Kurdish population, a practice the Turkmen referred to as the "Kurdification" of Kirkuk.<sup>31</sup>

In finding a legal solution that satisfies all of the Kirkuk's components and does not allow one group hegemony over the others, as has been the case since 2003 where the Kurds have transformed Kirkuk's security situation by administering the entirety of Kirkuk's security dossier, Article 58 of Iraq's Transitional Administrative Law (TAL) of 2004 provided a legal framework to find a solution to the broader issue of Iraq's disputed regions (included Kirkuk). The 2005 Iraqi Constitution adopted this legal framework of the TAL in its Article 140. Since 2005 Article 140 has become the key to resolving the issue of Kirkuk and establishing an inclusive Iraq.<sup>32</sup> The aim lawmakers has when drawing up Article 140 was in part to settle the unresolved territorial disputes in the country without the need to once again resort to the competing nationalist narratives; instead they imagined that these could be avoided by allowing the residents of Kirkuk to decide on the future status of Kirkuk democratically via a referendum. Furthermore, Article 140 aimed to reduce the possibility of violence, incitement of ethnic or religious nationalism and civil war. However, even with this legal framework in place, the competing claims by the

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<sup>31</sup> Jneid Menko, "Iraq's Road Map for the Turkmen", <http://afkarhura.com/?p=3228>

<sup>32</sup> Hadi Hassan Mohsen, "The Disputed Territories", <https://iasj.net/iasj?func=fulltext&aId=75765>

different components of Iraq as to Kirkuk's 'true' identity continued. Therefore, the persistence of these varying nationalist agendas in Kirkuk will likely, force the sides back into conflict once again and such a conflict looks set to cause immense instability for Kirkuk's security situation. To understand each of the claims made on Kirkuk by the different component groups of the province it is necessary to understand their respective political and historical narratives. In so doing this report has laid out these narratives below.

### **1) The Kurds:**

The Kurds narrative is mostly a united one. The Kurdish argument for ownership of Kirkuk is not based on the importance of Kirkuk strategically; instead, it is based on a historical and nationalistic viewpoint. They argue that the minority populations of Kirkuk have unjustly governed Kirkuk's majority Kurdish population throughout Kirkuk's modern history.<sup>33</sup> The official Kurdish account is that Kirkuk is a majority Kurdish Iraqi province that includes Turkmen and Arab communities. They argue that returning Kirkuk to the jurisdiction of the KRG is to award Kirkuk its rightful historical Kurdish identity. Hence, regarding Kirkuk Masoud Barzani (President of Kurdistan Region of Iraq) and the KRG maintain that there are legal agreements on Kirkuk (normalization, census, referendum), in which the people of Kirkuk will themselves decide on its future. They argue that the KRG has not laid any official claim on Kirkuk but have only served to protect it from Iraq's enemies. They argue that the only solution for Kirkuk is enshrined under Article 140 of the 2005 Iraqi constitution, a legal article that allows for the people of Kirkuk to take a final democratic decision on Kirkuk's future. They also explain that whatever the outcome of the decision the KRGs intends to respect it.<sup>34</sup>

To reach their objective of finalizing the status of Kirkuk, the Kurds have in the past used many methods and tools, which include two separate occasions where they have provided security for Kirkuk province. The first occasion was following the collapse of the Iraqi Ba'athist government in 2003, and the second was following the

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<sup>33</sup> Liam Andersen and Gareth Stansfield, *The Crisis of Kirkuk: The Ethno politics of Conflict and Compromise*, Translated by Abdul-Alah Al-Nuaimi, Center for Iraqi Studies, Beirut, 2009, p. 121.

<sup>34</sup> Massoud Barzani, *A Peshmerga with the Post of President*, Sixth Edition, (Erbil: 2016) p.185

Islamic State's land grab of Iraqi territory to the southwest of Kirkuk, in 2014. After the Iraqi army's 12th brigade abandoned their military positions. The KRG's Peshmerga forces deployed to the Kirkuk province set up trenches and took up responsibility for securing the province's strategic energy infrastructure. However, since their invasion into northern Iraq, the Islamic State continues to be a security challenge for Kirkuk. The Kurds argue that their single aim when moving into Kirkuk has been to provide security for all the peoples of the province in the absence of national forces. However, while the Turkmen and Arabs of Kirkuk do not dispute the Kurds offered them protection from the Islamic State onslaught, they also believe that the Kurdish move was opportunistic and an attempt to use the 2014 events in Iraq as a smokescreen to unilaterally decide the future of Kirkuk.<sup>35</sup>

## 2) The Turkmen:

The political narrative of the Turkmen in Kirkuk is not a united one for two reasons. Firstly, they host a sectarian divide, and second, they are divided politically amongst numerous political parties that each has varying opinions on the future of Kirkuk's security. Some of these parties are against the idea of annexing Kirkuk to the Kurdistan Regional of Iraq. To prevent such an outcome, they have actively sought intervention in Kirkuk from the Turkish government especially after the two controversial decisions that the Kirkuk Provincial Council took. The first decision was made in March 2017 and permitted the flying of the Kurdish flag alongside the Iraqi flag over official buildings, in the province to which the Turkmen parties mounted a legal challenge at Iraq's Supreme Court. The second decision was made on 29th August 2018, which allowed for the inclusion of Kirkuk in the Kurdish independence referendum, to which the Turkmen parties voiced great dissatisfaction. The Turkmen parties argued that these decisions were unacceptable as it represented an attempt by the Kurds to decide on Kirkuk's future unilaterally.<sup>36</sup> What is more, the Turkmen political parties in Kirkuk also objected to the presence of Kurdistan

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<sup>35</sup> Arshad Salehi, The Policy of the Status Quo Will Not Change the Reality for Kirkuk's Turkmen, from the following website:

<http://aa.com.tr/en/%D8%AF%D9%88%D9%84%D9%8A/%D9%86%D8%A7%D8%A6%D8%A8-%D8%B9%D8%B1%D8%A7%D9%82%D9%8A->

<sup>36</sup> Ibid

Workers Party (PKK) fighters on Kirkuk's battlefields, a group that the Turkish government views as terrorists.<sup>37</sup>

The other branch of the Turkmen political parties is in favor of a decision that will annex Kirkuk to the Kurdistan Regional of Iraq; they even welcome it. These differing viewpoints aside there is a broader Turkmen perspective that was demonstrated in the 'Kirkuk Agreement' document published by 'The Turkmen Movement in the Future' group. This group has the support of most of the Turkmen political parties, personalities and academics. The main points of the document are as follows:<sup>38</sup>

- a) Kirkuk is the capital of Turkmen interests and rights. Any compromise in this regard will be regarded as a snubbing of the genuine rights of the Turkmen people.
- b) All peaceful avenues should be explored in finding a just solution to the matter of Kirkuk, which preserves Kirkuk's identity and diversity, and supports peaceful co-existence.
- c) The protection of Kirkuk from the seeds of division and provocation must be sought, and there must be an endeavor for expiation and the bettering of the state of the community and our mutual history.
- d) Kirkuk is for all its inhabitants, no matter what their nationality or group origin. They all share the same responsibility to preserve Kirkuk's unity, diversity, and composition.
- e) Kirkuk is the genus of unity between the different Turkmen political parties, forces and personalities.
- f) Any solution to the matter of Kirkuk must be via a compromise between the leading components in the province.
- g) Engagement in any negotiation to resolve the matter of Kirkuk must be on the principle of a shared Turkmen purpose via a united Turkmen position and

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<sup>37</sup> Jesse Rosenfeld, T: Abdulrahman al-Husseini, Focus of the Next Civil War in Iraq, at: <http://www.alghad.com/articles/855162%D9%83%D8%B1%D9%83%D9%88%D9%83-%D8%A8%D8%A4%D8%B1%D8%A9> -

<sup>38</sup> Dr. Jneid Menko, Ibid

without unilateral decision-making.

- h) There must be a pledge to preserve the identity of Kirkuk's administrative and multi-cultural uniqueness.
- i) The option of making Kirkuk an autonomous region within Iraq should become an official project, and the Turkmen should support it politically and internationally.
- j) In all political activities and announcements of the various Turkmen forces and parties, priority should be given to Kirkuk's status.
- k) Work should be carried out to normalize all the injustices faced by the Turkmen in Kirkuk.
- l) All methods must be sought to prevent the altering of Kirkuk's demographics.
- m) There must be an insistence on the equality of governance in Kirkuk on all levels and for all ethnicities, until a fair election can take place under the observation of the United Nations and other neutral observers.
- n) The Turkmen should receive a significant and leading role in Kirkuk's governance and be awarded sovereign posts that amount to at least 32% of available posts in Kirkuk.
- o) The Turkmen should unite their media output on the issue of Kirkuk, and at this stage should intensify their efforts to cover affairs in Kirkuk.
- p) It should be reaffirmed that Kirkuk is an Iraqi province and, therefore, should be the concern of all Iraqis. Its wealth and natural resources belong to all Iraqis. Its predicament, which associates with Iraq's territorial integrity, is a problem for all Iraqis. Furthermore, the Turkmen must work with the Iraqi national government in its serious legal efforts to neutrally solve the matter of Kirkuk in the interest of all sides.
- q) Efforts must be made to include the Turkmen representatives in any future governmental or non-governmental meetings on any redrawing of Kirkuk province's administrative borders.
- r) Kirkuk should be identified in the Iraqi constitution as having 'special status' as was the case in Article 53 of Iraq's Transitional Administrative Law.

This agreement, which is endorsed by the majority of the Turkmen community, reveal the threats that the community feel they face in Kirkuk, as well as demonstrating their demands for Kirkuk going forward. Aside from this agreement,



the Turkmen community has on numerous occasions also requested the formation of a Turkmen security force to protect their interests in Kirkuk. However, the Governor of Kirkuk has rejected these requests on the basis that the protection of all civilians in Kirkuk is the responsibility of the Peshmerga forces, the police and the city's official security forces. The Governor of Kirkuk has also explained that the doors of these organizations are open to any resident of Kirkuk that wishes to join their ranks on a voluntary basis. Any individual who does decide to join must do so with the intention of assisting in the re-establishment of Kirkuk's security system, protecting the peace and security of the province and defending Kirkuk from any future obstacle that may confront it, in particular, the terrorist actions of the Islamic State.<sup>39</sup>

### **3) The Sunni Arabs:**

On the issue of Kirkuk the political view of the majority in Kirkuk's Arabs population has changed since the establishment of the 'new Iraq' in 2003 and the early periods of the Iraqi political process. Previously the Arab view was that Kirkuk was an Iraqi territory, and thus any attempt to annex Kirkuk must be resisted. However, after the invasion and occupation of Sunni Arab northern Iraq by the Islamic State and the subsequent liberation of those territories by the Popular Mobilization Forces, the Arab viewpoint on the issue of Kirkuk has changed. Today, as a result of the threat posed by Iraq's Popular Mobilization Forces, the ever-present void in Sunni political representation, the mistrust between the Arabs and Kurds and the lack of dialogue, they argue that the Kurds are taking advantage of the situation in Kirkuk by arresting Sunni Arabs, displacing them and engaging in the destruction of Sunni villages.<sup>40</sup>

### **3.3: Kirkuk, The Location of Future Conflict**

The majority of opinions on the future of Kirkuk following the defeat of the Islamic State are that it will host a violent conflict between the Kurds and the Arabs

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<sup>39</sup> Statement Issued by the Office of the Governor of Kirkuk Published on:

<http://www.nrttv.com/Ar/Details.aspx?Jimare=52578>

<sup>40</sup> Ahmed Jawid, Kirkuk and Intended Intentions, article published on

<http://annabaa.org/nbanews/2009/04/249.htm>

due to the following:

- 1) The absence of an agreement between the Arabs and Kurds on Kirkuk going forward and the presence of the KRG Peshmerga forces in the province.
- 2) The presence of the Popular Mobilization Forces in southern Kirkuk, which at the moment number two brigades.
- 3) Kirkuk's oil, which the Kurdish government currently exports through the Cihan pipeline unilaterally.
- 4) The absence of any specific responsibility security-wise and the lack of any combined security force in Kirkuk, including any united Kurdish security force, given the Kurdish frontline currently divide along party political lines.
- 5) Battle of Hawija, which is unlikely to be conducted via any military cooperation with the Kurdish Peshmerga.
- 6) The Kurdish independence referendum and the possibility of carrying it out in the disputed territories without Baghdad's approval present significant challenges to Kirkuk's security.
- 7) The absence of any form of a dialogue between the different sides, in particular, those sides that require political guarantees in order to prevent their identities coming under risk in Kirkuk.

#### **3.4: Alternative Views**

After putting forward an overall image of Kirkuk's security situation, the following can be taken into consideration so that the current threats can be transformed into an opportunity for negotiations:

- 1) There should be an immediate holding of negotiations between the different sides and where necessary and possible guarantees should be issued.
- 2) A voluntary force, specific to Kirkuk, should be formed that includes all of Kirkuk's component groups.
- 3) The profits from the sale of Kirkuk's oil should be put into the service of Kirkuk.
- 4) The inclusion of all sides in deciding the future and final status of Kirkuk.

## **Part 4: The Regional and International Scope of the Kirkuk Issue: The Role of Iran, Turkey and the United States of America**

Kirkuk is not only a theatre of rivalry between Arabs and Kurds but also a theatre for regional and international rivalries between regional forces, such as Iran and Turkey, and international forces such as the United States and the United Nations. These regional and international states have, since 2003, all attempted to play a role in settling the Kirkuk dispute (or at least attempted to). Each of these forces has engaged with the issue of Kirkuk and attempted to mediate the disagreement with the aim of serving their own individual internal and international interests. This section discusses these differing interests and the role played by the regional and international forces in Kirkuk.

### **4.1: The Role of Turkey in the Kirkuk Issue**

Of the regional powers Turkey and its government have proved to be the most interested in Iraq's Kirkuk dossier. The general Turkish perspective is that Kirkuk's enormous oil and gas reserves would potentially allow the Iraqi Kurds to establish an independent Kurdish state against the security interests of Ankara. The mechanisms utilized by the Turkish government to prevent the KRG from annexing or fully controlling the province has changed many times since 2003. However, its primary motivation (or strategic goal) of Kirkuk not falling into the KRG's control has not changed.

To date, successive Turkish governments have used the following reactions and policies to prevent such an outcome:

It has threatening to use military force to protect Kirkuk from falling into official and complete KRG control.

- 1) It has assisted and utilized Kirkuk's Turkmen community to prevent the Kurds from gaining official and complete Kurdish control over Kirkuk.
- 2) It has insisted on their recognition of Kirkuk as a multi-ethnic Iraqi province.
- 3) It has chosen to be passive towards Erbil's selling of Kirkuk's oil in an attempt to create robust relations between Turkey's governing AKP party and the Kurdistan Region's Kurdistan Democratic Party. Passivity in this regard is also a preferred

policy of the AKP because it allows Turkey to benefit economically from the Kirkuk oil trade.

Since 2007 the Turkish government has changed its foreign policy significantly towards the Kurdistan Region of Iraq. The change was so significant that it has led observers and analysts to debate the idea that Turkey no longer opposes Iraqi Kurdish autonomy and that their decade-long friendly policy towards the Kurdistan Region of Iraq were signs that Turkey is ready to accept a declaration of the Kurdistan Regions independence from Baghdad.<sup>41</sup> A stance of this magnitude by the Turkish government will have significant consequences for the future of Kirkuk, as it will remove one of the major obstacles facing the KRG's attempts to gain formal control of Kirkuk.

The view is formed from numerous insights and practical developments in Turkish policy towards the Kurdistan Region of Iraq. First, there has been a fundamental shift in the Turkish government's political outlook on the Kurdish question internally and externally. This shift has been especially noticeable under the AKP government of Turkey and a direct break from the pre-2007 period when Turkey was under the government of the Kemalist nationalists who looked upon the Kurdistan Region of Iraq as a threat to Turkish interests. The Turkish AKP party viewed the Kurdistan Region of Iraq as an opportunity and as a consequence significantly improved bilateral relations with it and treated the region as a geostrategic regional ally.<sup>42</sup>

Second, the shifting of Turkish ties with the KRG owed much to the existence of immense reserves of natural resources (oil and gas) in the Kurdistan Region of Iraq. The continuous development of Turkey's industrial economy and its aim to become an international energy hub (especially in the field of oil and gas) that could connect the eastern energy producers with their western consumers was Ankara's primary motivation behind its bilateral relations with the Iraqi Kurds. In short, it was Turkish

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<sup>41</sup> Cağaptay, Soner, "Turkey's Kurdish Buffer," *Foreign Affairs*, July 1, 2014, available at: <https://www.foreignaffairs.com/articles/turkey/2014-07-01/turkeys-kurdish-buffer>

<sup>42</sup> Tol, Gonül, "A New Era in Turkey's Civil-Military Relations," *Middle East Institute*, August 30, 2010. As of May 4, 2016, available at: <http://www.mei.edu/content/new-era-turkeys-civil-military-relations>

economic interests over the national security challenges presented by the Kurdish question that has, for a decade, dominated Turkish policy choices in favor of relations with the KRG. The Turks pursued this policy even when it conflicted with those of the United States and the United Nations, who believed that Turkey was promoting the division of Iraq by dealing directly with the Kurds in respect to the Iraqi oil and gas trade.<sup>43</sup>

By taking into consideration Turkish energy needs it becomes clear that the benefits associated with the implementation of strong bilateral ties with the KRG far outweigh the security risks it presents to Turkish interests. Moreover, the Turkish government is well aware of the limited scope of military action that the KRG can take against the Kurdistan Workers Party on behalf of Turkey with its current levels of military equipment.<sup>44</sup> However, by not offering assistance to the Kurdistan Workers Party, not calling for the Kurds of Turkey to stand against the Turkish government the KRG, especially the Kurdistan Democratic Party has gone a long way to calm Turkish anxieties on the existence of the Kurdistan Region of Iraq.<sup>45</sup>

The Iraqi Kurds has worked tirelessly to disprove Turkey's concerns regarding the Kurdistan Region of Iraq. It has played a mediating role in the Kurdish dispute in Turkey and has promote a peaceful search for a solution to Turkey's Kurdish problem within the confines of the Turkish state.<sup>46</sup> Furthermore, the Turkish government is well aware that Iraq's Shia government would not currently serve Turkish economic and security interests as Turkey's regional rival, Iran, is for the most part controlling the political process in Baghdad. In addition, the instability caused by the deteriorating situation of the Shia tribes in southern Iraq has become a

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<sup>43</sup> Tol, Gonül , "Turkey's KRG Energy Partnership," Foreign Policy, January 29, 2013, available at: <http://foreignpolicy.com/2013/01/29/turkeys-krge-energy-partnership>

<sup>44</sup> Park, Bill, "Turkey-Kurdish Regional Government Relations After the US Withdrawal From Iraq: Putting the Kurds on the map? , US Army College, 2014, available at: <https://www.files.ethz.ch/isn/177967/pub1190.pdf>

<sup>45</sup> Al-Jazeera.com, "Kurdish Leader Asks PKK to withdraw from northern Iraq', 02/08/2015, available at: <http://www.aljazeera.com/news/2015/07/kurdish-leader-asks-pkk-withdraw-northern-iraq-150730193413866.html>

<sup>46</sup> Romano, David , 'Iraqi Kurdistan and Turkey: Temporary Marriage?', 'Middle East Policy', Vol. XXII, No.1, pp. 89-101.

cause for concern for the Turks and has further pushed the Turks towards a more robust alliance with the KRG.<sup>47</sup> A weak Iraqi Shi'a government that cannot get its own house in order and is under the increasing influence of Iran can neither provide for Turkey's energy needs nor does it have the strength to defend its shared borders with Turkey from the activities of the Kurdistan Workers Party (PKK). Compounding this is the fact that the Iraqi government cannot legally take economic or military decisions without the KRG's assistance or rubber-stamping of policy.

Therefore, Turkey's current soft policy stance towards the KRG began after the AKP party took power in Turkey in 2007. The AKP's opposition in Turkey mostly consisted of nationalists who wished for a tough Turkish stance towards the KRG that would see Turkey utilize its military and economic strength to isolate Erbil.<sup>48</sup> However, to date, the AKP remains in power in Turkey, and by consequence, the Turkish government views the Kurdistan Region of Iraq, not only as a means to protect Turkey's economic and security interests, but also to counter Iranian power and influence in Iraq.

#### **4.2: The Role of Iran in the Kirkuk Issue**

Like Turkey, Iran is displeased with the fact that the Kurds currently control Kirkuk. For Tehran, the reality of Kirkuk being in the hands of the Kurds increases the likelihood of the establishment of an independent Kurdish state on their doorstep. While the Iranians have put their formal support behind finding a peaceful solution to the Kurdish problem in Iraq it is evident that, in the disputes between Baghdad and Erbil, the Iranians have mostly offered their support to the Shi'a dominated Iraqi government in Baghdad, a government that has on multiple occasions demonstrated their reluctance to implement Article 140 of the Iraqi constitution. This robust relationship with Baghdad is one way in which Iran can

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<sup>47</sup> Stansfield, Gareth, "Kurdistan Rising: To Acknowledge or Ignore the Unraveling of Iraq," in Middle East Memo, Washington, D.C.: Brookings Institution, 2014, available at: <https://www.brookings.edu/research/kurdistan-rising-to-acknowledge-or-ignore-the-unraveling-of-iraq/>

<sup>48</sup> International Crisis Group, ' Turkey and Iraqi Kurds: Conflict or Cooperation?', 2008, available at: <http://old.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/081-turkey-and-iraqi-kurds-conflict-or-cooperation.html>

play an influential role in the future of the Kirkuk issue. Furthermore, Iran's support for Iraq's Popular Mobilization Forces allows Tehran to play a significant role in both Kirkuk's security situation and the state of play between the component groups within the Kirkuk province.

Iranian resentment towards the KRG control of Kirkuk stems from the fact that this control will allow the Kurdistan Region of Iraq to move towards declaring formal independence, which in turn, increases the likelihood of the Iraqi state collapsing and weakening the position of Iraq's Shi'a community (Iran's strongest regional ally). Kurdish separation from Iraq could also lead to Sunni Arab split from the country, drastically weakening Iran's regional strength and influence.

Iran is also concerned with the alliances that the KRG has. It resents Iraqi Kurdistan bilateral relations with Turkey that has allowed the Turkish government to project its political and economic strength across the Kurdistan Region taking advantage of Iraqi Kurdistan's oil and gas exports. It is also dissatisfied with the fact that Kurdish relations with the United States and Israel have allowed those two countries to exert their authority right up to the Iranian border.

Aside from Iran's geopolitical and security concerns in regards to Kurdistan Region of Iraq, Iran, like Turkey, has its eye on Kirkuk's natural resource wealth. To the dissatisfaction of the KRG Iran is in talks with Baghdad about a joint project to export Kirkuk's natural resources through Iran.<sup>49</sup> It is for these reasons that, Iran has expressed its disapproval towards the holding of the Kurdish independence referendum in Kirkuk and the disputed territories. The Iranians argue that such a move would cause conflict and violence to erupt in Kirkuk and Iraq more widely. The formal Iranian declaration of this position formally underlines its willingness to utilize its relations with Baghdad and its command over Iraq's Popular Mobilization Forces to oppose the KRG's attempt to include Kirkuk in its independence referendum.<sup>50</sup>

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<sup>49</sup> Press TV, "Iran, Iraq reach deal over Kirkuk pipeline", 31/07/2017, available at: <http://www.presstv.ir/Detail/2017/07/31/530224/Iran-Iraq-reach-deal-over-Kirkuk-pipeline>

<sup>50</sup> Press TV, "Iran Warns Iraq's Kirkuk decision to Back Kurdish Referendum Provocative", 30/08/2017, available at:

### 4.3 The Role of the United States of America in the Kirkuk Issue

Since the collapse of the Iraqi Ba'athist regime in 2003 the United States has been consistent in its position that Iraq should remain united. It is from this position that the United States has thus far opposed the notion of Kurdish independence. However, unlike Turkey and Iran, the United States has not formally opposed Kurdish control of Kirkuk. At the same time, the United States has also not placed any pressure on Baghdad to implement Article 140 of the 2005 Iraqi constitution even when it is apparent that Iraq's Shi'a dominated government has no intention of taking any such action.

Furthermore, the United States has formally expressed its dissatisfaction with the developing relationship between Ankara and Erbil in regards to oil and gas as in the view of Washington (in particular during the Obama administration) the bilateral relations of the two sides allowed the Kurds much needed space to push their independence agenda.<sup>51</sup>

However, the powerful United States and KRG military relationship in the fight against the Islamic State worked to keep the United States silent when the Kurdish Peshmerga forces took control of Kirkuk. The current United States administration under President Donald Trump has formally requested that the KRG postpone their independence referendum on the basis that such a poll at present would distract from the coalitions fight against the Islamic State. But, unlike Iran and Turkey, the United States has not declared a formal position on whether or not such a referendum in future should include Kirkuk.

In light of the new reality in Kirkuk, namely Kurdish military control over Kirkuk and the Kurdish attempt to hold an independence referendum that includes its holding in Kirkuk province, the question arises: What kind of policies will Iran, Turkey and the United States employ now and in the future to achieve their interests in Kirkuk?

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<http://www.presstv.ir/Detail/2017/08/30/533466/Iran-Iraq-Kurdistan-referendum-Kirkuk-Bahram-Qassemi-UAE-Yemen-war>

<sup>51</sup> Park, 2014, p. 44



## **Conclusion and Results**

This report can conclude by putting forward some fundamental points that help to understand the future of Kirkuk:

- 1) While historical evidence has not managed to sufficiently put to rest the debate over which of the current groups in Kirkuk had original ownership of the area they do prove that ancient nations such as the Ghutti, the Loloyis and the Hurris were some of the first inhabitants of Kirkuk. The fact that these ancient societies are considered the ancestors of the Kurdish nation and language means that the modern Kurds can be regarded as some of the earliest inhabitants of the Kirkuk.
  
- 2) The history of Arab and Turkmen migration to, and settlement in, Kirkuk dates back more than a millennium to the history of Islamic conquest in the Kurdish regions of the Middle East. This fact alone demands that whoever ends up governing Kirkuk in future should guarantee the rights of these groups. However, there must also be caution when as the demands of both of these groups regarding ownership over Kirkuk's identity is interwoven with the aims and agendas of internal and regional powers, which have, at one point or another over different historical periods, had substantial influence over the governance of Kirkuk. This influence was evident during the Ottoman Empire and the successive Iraqi governments, in particular in the 20th century during Iraq's Ba'athist period. During this period Kirkuk witnessed the use of inhumane tools by the Iraqi government (forced migration, Arabization, and Ba'athification) to change Kirkuk's identity via the manipulation of Kirkuk's linguistic groups, dilution of its multi-ethnic complexion, political interference, and administrative adjustments. These activities have fueled today's rivalries and conflicts in Kirkuk.
  
- 3) By comparing the preferences and interests of the different component groups in Kirkuk, in a manner that puts those of the Kurds on one side and those of the Turkmen and Arabs on the other, it seems the option of establishing Kirkuk as

an autonomous region in Iraq is unfair to the Kurds. Moreover, while this option does not solve the Kirkuk issue any more efficiently than the solution already proposed under Article 140 of 2005 Iraq's constitution, it is also an illogical option. The option will not solve the Kirkuk dilemma; instead, as Iraqi experience in this regard (as outlined in this report) demonstrates, such a solution will only deepen the rift between the sides making Kirkuk more violent still.

- 4) If the KRG has a choice between Kurdish independence without Kirkuk but with possible Iraqi acceptance/passivity, and the option of independence with Kirkuk that also brings within the possibility of armed conflict with Iraq's formal and informal forces and general international and regional objections then the Iraqi Kurds should choose the latter.
- 5) The reasoning that makes the above option the most suitable for the Iraqi Kurds is not merely born out of the reality that realpolitik has today given the Kurds military and administrative control over Kirkuk, or that they are also in control of other disputed territories in Iraq. The reasoning is also that new internal, regional and international dynamics and factors following the arrival and defeat of the Islamic State in Iraq have given the Kurds a unique opportunity to move towards declaring independence with Kirkuk. This opportunity sources from the reality that Iraq is today in a weak economic and military position, Turkey is presenting a soft stance towards the question of Kurdish independence, and the United States is increasingly aware that they can monopolize on the geostrategic position of the Kurdistan Region of Iraq to contain Iranian hegemony in Iraq and the broader Middle East.
- 6) Of course, the above is not enough to ensure that the Kurds can successfully declare independence with the annexation of Kirkuk and the other disputed territories. The KRG also need to secure some other necessities in this regard; such as re-establishing a united stance between the different Iraqi Kurdish political parties and a renewed commitment to democratic practice within the Kurdistan Region. It is important to remember that to successfully govern the

disputed territories that the KRG intends to annex it needs to distance itself from unilateral governance of the area and instead focus on governing those regions with consideration for the voices of its diverse populations. In this regard the Kurdistan Region must work in those regions to make the different communities equal stakeholders in their joint future. If the Iraqi Kurds fail in this, then they can expect the same scenarios of conflict, rivalry, division and the possibility of territorial dismemberment that had previously faced successive Iraqi government.

- 7) If the KRG intends to annex Kirkuk and other disputed territories, that it currently controls, to the Kurdistan Region, regardless of a declaration of independence (for it may be the case that the Kurds may only use a successful independence referendum vote to justify annexing those disputed regions to their Kurdistan Region rather than using it to declare independence), then they must consider the needs of the different groups within those regions. The KRG should pay serious attention to their political, economic and cultural concerns and offer them services that are far superior to those that they were offered by Baghdad.
  
- 8) One of the best tools to ensure success in future Kurdish administration and governance in Kirkuk and the disputed territories is the implementation of decentralized administration that cover all levels of government and state sectors in those territories including, culture and education (to solve issues relating to identity), administration (to ensure equality in receiving services), economic matters (sale of oil and gas), and security (to establish a security force tasked explicitly with protecting Kirkuk and that forms from members of all of Kirkuk's communities).





## Report Number Two

November 2017

# The Future of Kirkuk

Between Erbil and Baghdad

A joint Research project by the (Centre for Future Studies)  
and the (Legal and Political Studies Centre at the University of Sulaimani)

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## **Introduction**

The project, 'The Future of Iraq: Between Erbil and Baghdad', has been produced by researchers from 'The Centre for Future Studies' in collaboration with the 'The Centre for Political and Legal Research' of the University of Sulaimani's College of Law and Politics. The project has taken six months to complete and is made up of three reports published on a bi-monthly basis, of which this report is the second of the three and the first report was published two months ago in September 2017.

The central question of this project, which is also the fundamental question running through all three reports is: “What will the future be for the security and administration situation in Kirkuk after the defeat of the Islamic State in Iraq?”

The project will base its research on scientific study (based on the disciplines of politics, history, security, international studies) to find answers to the most pressing questions that have come to fore in the latest developments in the city of Kirkuk. The report also aims to put forward its findings to parties concerned with the issue of Kirkuk.

To answer this question, the project has organized its answer onto three primary levels. These are:

**Level one:** *The future of politics and administration in Kirkuk*

**Level two:** *Kirkuk's security scope*

**Level three:** *The regional and international scope*

The significance of this project is as follows:

**First**, it will mark the first time that researchers have conducted such extensive research into Kirkuk after the recent events and political developments that have affected Kirkuk and Iraq as a whole (such as the defeat of the Islamic State in Iraq and the Kurdish independence referendum).

**Second**, the project will become a valuable source for politicians, academics, and the Kurdish political parties so that, in future, they can approach the Kirkuk dossier with caution.

**Third**, all of the academic sources in this research paper will be native, and local

researchers will carry out the research.

The considerations and conclusions of this report, the second of the project, which was prepared in November 2017, is generally a continuation of the findings and results of the first report, which was prepared in September 2017. The objective of this project is to research the distinctive characteristics of the Kirkuk issue and its different domestic and international qualities within a set timeframe of six months. What is more, the instability of the Kirkuk issue's and the solutions to it is the reports central concern. In this regard, during the preparation of the first report Kirkuk Province was under the control of the KRG's Peshmerga due to status-quo politics. Kurdish control of the Kirkuk resulted from the KRG's Peshmerga forces' defense of the Kirkuk in the face of an armed invasion into northern Iraq by the Islamic State in the summer of 2014. During this period it was expected that the KRG would no longer accept the old mechanisms, namely Article 140 of the 2005 Iraqi Constitution, that were previously employed to solve the Kirkuk issue and those of Iraq's other disputed territories.

In contrast to the geopolitical conditions in which the previous report was prepared, during the preparation of this, the second, report of the project, in particular after 16th October 2017, the geopolitical conditions of Kirkuk Province underwent a complete transformation when Iraq's Federal Government was able to oust the Kurdish Peshmerga forces from the entirety of Kirkuk Province and Iraq's disputed territories. The IFG subsequently brought these territories back under Iraqi government control thrusting the issue of Kirkuk, and finding a solution to it, into a new political phase. Hence, this report, as the second of the project, *'The Future of Iraq: Between Erbil and Baghdad'*, will attempt to put forward a renewed review into the Kirkuk issue, in particular, its characteristics and actors, and, at the same time, analyze the latest proposed solutions to the problem of Kirkuk following these changes.



## **Part 1: ‘Shared Governance’ as a Solution to the Kirkuk Issue**

### **1.1: The Kirkuk Issue and the Scope for a Solution**

The complexity of the Kirkuk issue many different features; however, to date none of the proposed solutions have been able to address the varying paradigms of these complexities. It is for this reason that for any attempt at reaching a final settlement in the Kirkuk issue to be successful it must be supported by thorough meaningful research into those complexities. Furthermore, to settle the Kirkuk issue in a manner that distances all the Kirkuk's component groups from further conflict and displacement, and that no longer provides them with the justification to revert back to their nationalist trenches, there is a requirement that the implementation of the necessary mechanisms and strategies to resolve the Kirkuk issue must follow prior research into the issue.

Kirkuk's complex problems divide into two classes, those that are internal and those that are international. The internal issues divide further into three levels of complexity (low, medium, high). The problems with a high level of complexity are those that are especially difficult to resolve, and they may, in the end, reach no resolution. Those difficulties with a medium level of complexity are those that are difficult to solve but less complicated than those with the highest level of complexity. The issues with a low level of complexity are those that would be simple to resolve. Those elements of the Kirkuk issue that fall into the ‘high level of complexity’ bracket are those that are dependent on the emotions and mentality of the different component groups of Kirkuk (such as the issue of resolving Kirkuk's identity). Those elements of the Kirkuk issue that fall into the ‘medium level of complexity’ bracket are those that are based on the division of resources over Kirkuk's different component groups (such as presence of oil and a solution to the administration of the province). While these problems are challenging to resolve a resolution to them is possible. Those elements of the Kirkuk issue that fall into the ‘low level of complexity’ bracket are generally problems that are simple to resolve (such as the political differences between the different political parties within Kirkuk (See Table

3). However, when these low-level complexity problems are grouped with those problems with medium and high levels of complexity they add to the complicated nature of the Kirkuk issue.

The primary question here is; to what extent are the proposed solutions to the problem of Kirkuk, as a territory in Iraq disputed between the IFG and the KRG, realistic, suitable, and to the satisfaction of the different component groups in Kirkuk? There is no simple answer to this, to answer it the nature of Kirkuk's diversity, as well as its categorization as a disputed Iraqi territory demands that thorough scientific research and analysis be carried out into the impact of the proposed solutions to the Iraqi dilemma of disputed territories. When considering all the difficulties that followed the ratification of the 2005 Iraqi Constitution, a document that included the establishment of the Iraq's democratic political and federal systems as a measure to resolve the issue of the Iraqi disputed territories then it is clear that the processes outlined in the Iraqi Constitution and the political systems that it designed has thus far failed to resolve the issue of Iraq's disputed territories. In fact, in some instances, it seems that these processes and political systems have been contributing factors that have further complicated the situation in Kirkuk.

To reach a final settlement on the issue of Kirkuk, it is essential for the different parties, sides, and politicians involved to have a clear informed understanding of all of the dimensions of the Kirkuk issue. It is naive to believe that finding such a settlement without the proper information will be straightforward. To date, there is only one constitutional article covering the issue of Iraq's disputed territories, and that is Article 140. This article demands the implementation of three sequential steps, which are normalization, census, and referendum to resolve the issue of the future of Kirkuk and the other Iraqi disputed territories. However, the complexity of the problem has meant that the deadline of 31st December 2007 that the 2005 Iraqi constitution set in place for a final resolution to be found has been exceeded by a decade. The process of finding a solution to Article 140 remains bogged down in the normalization stage and progress to the census stage is looking increasingly unlikely. Additionally, even if the process had completed within the given time frame, it is

likely that Article 140 would still have failed to resolve all of the problems (outlined in table 3) to do with the Kirkuk issue as the scope of the article only addresses the issue of Kirkuk's administrative future and Kirkuk's return to its pre-1975 administrative borders.

Currently, it is the consequences of the Kurdish independence referendum that has distanced the IFG and the KRG from one another and, thus, further complicated the search for a solution to the Kirkuk issue. The Kurdish referendum was carried out on the 25th September 2017 with the inclusion of Kirkuk Province without consideration for the objections of Kirkuk's Arab and Turkmen residents. As a direct consequence of the holding of the poll forces of the Iraqi national army along with the Iranian led, Shi'a Popular Mobilization Forces were able to recapture Kirkuk and the other disputed territories from the Kurdish Peshmerga on the 16th October 2017. The Iraqi operation to retake these territories proved relatively bloodless with most of the area falling back into Iraqi government hands in a number of hours. The ease of the operation owed much to prior arrangements between the attacking forces, Iran, and some high-level Kurdish politicians of the Patriotic Union of Kurdistan. Therefore, today the fate of Kirkuk and Iraq's other disputed territories is even unclear as the events concerning Kirkuk and the disputed territories have since 2014 further eroded trust between the KRG and the IFG making the finding of a final solution to the problem of Iraq's disputed territories even more difficult.

Table 3

Problem	Dimension (Level of Complexity)	Particulars	Resolution Mechanism
<b>Kirkuk and the other disputed territories between the IFG and the KRG.</b>	Identity (Highest)	Ownership of Kirkuk	None
	Natural Resources (Medium)	Existence of immense oil reserves. Existence of considerable oil exports.	None
	Politicized Ethnic Conflict (Medium)	Intense conflict between Kurdish, Arab and Turkmen political parties. Conflict over ethnic demographics and political representation.	None
	Demographic and Administrative Adjustments (Medium)	Administrative changes to Kirkuk province since 1975. Displacement and Arabization especially during the period of Iraq's Ba'ath party. Migration of Southern Iraqi Arabs into Kirkuk.	Article 140 of the Iraqi Constitution. (Normalization, Census, Referendum)
	Internal Interference (Medium)	Political interference from Iraqi and Kurdish political parties based outside of Kirkuk. Kurdish and Iraqi governmental interference.	None
	Fate of Kirkuk (Medium)	Fate of Kirkuk's administrative future. Fate of Kirkuk's future governance.	Only Kirkuk's administrative future is covered by Article 140 of the Iraqi Constitution.
	Rivalry Between Internal Powers (Low)	Rivalry amongst the Kurdish parties over the province's administration. Same rivalries exist amongst the Arab and Turkmen political parties	None
	Regional Interference (External)	Interference from regional states like Turkey and Iran	None

Prepared by Jalal Hassan Mustafa (Centre for Future Studies)

### **1.2: Kirkuk and the Post-Referendum Choices**

Three weeks before the events of the 16th October 2017, on the 25th September 2017, a Kurdish independence referendum was carried in the Kurdistan Region of Iraq and much of Iraq's disputed territories including Kirkuk Province. The result of the poll was decisive with 92% voting in favor of independence.<sup>1</sup> The expectation, in light of the referendum decision, was that the KRG would approach the issue of the disputed territories in one of the following ways:

1. The KRG would declare independence across all those regions that took part in the poll (the Kurdistan Region and most of the disputed territories that were at that point under control of Peshmerga forces). Moreover, the expectation was that after such a declaration the Kurds would unite their resources to confront any military, economic, diplomatic or political threat or reaction that came as a result of the vote from Iraq, regional states or the international community.
2. The KRG would postpone any declaration of independence to calm the dissatisfaction over the poll that was expressed by Iraq, regional states, the United States of America and parts of the international community and that led to threats of strong retaliation and the marginalization of the Kurdistan Region of Iraq (threats and anger that continued to increase following the referendum).<sup>2</sup>

If the KRG had chosen to take the first method, then it would have likely ignited a violent military confrontation with Baghdad. In comparison, the Kurds expected the second method coupled with the general Kurdish will for independence, that the referendum demonstrated to bring Baghdad to the negotiating table, where the KRG could then negotiate Baghdad's acceptance of Kurdish separation from Iraq. In both methods, the expectation was that Kirkuk and the disputed territories would either

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1 For official referendum results see the official website of the Kurdistan electoral and referendum commission at: <http://www.khec.krd/details.aspx?jimare=288>

2 For further information on the consequences of the Kurdistan independence referendum see the website of the Centre for Future Studies (Policy Paper Number 1: Sulaimani, Centre for Future Studies, 30th September 2017, p. 2) at: <https://www.centerfs.org/post-kurdistan-referendum-disputed-territories/>

be the zones of conflict or the central issue in any negotiation or compromise. Moreover, the expectation was that the Kurdish leaders would continue with their uncompromising demands for the annexation of Kirkuk and the Iraqi disputed territories and Kurdish independence in the same way that they had done in the run up to the independence poll. The notion being that it would demonstrate the KRGs strong willingness to engage with Baghdad over the issue by force or by negotiation.

There was also a widespread view that even if the KRG was forced to postpone their declaration of independence, it could still use the results of the referendum to justify its continued military presence in Kirkuk and its holding of administrative and legal control of the Iraqi disputed territories that were under its control. Hence, the expectation was that if the KRG did not use the poll to declare independence, it could still utilize the result to finalize the status of Kirkuk as part of Kurdish territory within a federal Iraq.

Given that the war against the Islamic State had awarded the KRG's Peshmerga forces control of much of Iraq's disputed territories (until the 16th October 2017) the expectation on the KRG was that it would follow one of the methods outlined above. The strong position of the KRG during this period led many observers to argue that it was no longer plausible to use pre-2014 measures (Article 140) to solve the Kirkuk dilemma. To reason this position they pointed to the way that it was no longer credible to use the pre-2003 measures to resolve the Kirkuk issue after Iraq's Baathist government collapsed in 2003. They argued that the Iraqi Ba'athist government's collapse ended many years of authoritarianism, war, the constraint of public freedoms, and the abuse of fundamental human rights and opened up a new promise in the country that political and constitutional means would be used to swiftly resolve the problem of Kirkuk.

The hope for finding a quick resolution for the issue of Kirkuk was high due to the symbolism that it presented. While Kirkuk was the most prominent problem in the broader issue of the Iraqi disputed territories and hosted a diverse multi-cultural and multi-ethnic population, the province presented Iraqi decision-makers with a problematic national geopolitical space that it could solve with the country's new political and legal processes that it was to implement nation wide. These processes

included the adoption of a federal system of government, administrative decentralization, democratic proportional representation, shared-governance via a federal multi-party national coalition government and a new nationwide culture of compromise and sectarian sacrifice. However, a solution to the Kirkuk issue also required mechanisms that would be specific to the province and the disputed territories more broadly. These requirements were met in the country's new legal infrastructure, specifically Article 58 of the 2004 interim Iraqi constitution (the Transitional Administrative Law) and Article 140 of the 2005 Iraqi Constitution (The Constitution of the Republic of Iraq).<sup>3</sup>

However, in contrast to the above expectations (declaration of independence or at least Kirkuk becoming a part of the Kurdistan Region of Iraq and the KRGs preparedness for confronting any retaliation that may come as a result of the vote) the actions of the Kurdish leadership in the immediate post-referendum period revealed that they were not prepared to utilize the referendum result to move towards a declaration of independence (first approach). Instead, the KRG unilaterally requested negotiations with Iraq (second approach).

### **1.3: Re-balancing of Power**

While the Kurds chose to postpone their declaration of independence; instead, calling on Baghdad to enter into negotiations with them, Baghdad's response was firm and decisive. Following the referendum, Baghdad began its response with threats of political and economic sanctions against the Kurdistan Region. It followed this by ordering military units from the Iraqi Army, and the Iranian backed Popular Mobilization Forces (that were at the time engaged in Hawija against remnants of the Islamic State) towards Kirkuk and those disputed territories that were under Kurdish control. When they reached Kurdish positions, the KRG's Peshmerga forces put up minimal opposition and instead retreated from those disputed territories that it had under its control since 2014. These events did not only signal the failure of the

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<sup>3</sup> For more information on these constitutional and legal tools see: entry 1,5 and 6 in the 2005 Iraqi Constitution.

Kurdish methods outlined above, but also changed the balance of power in the Iraqi disputed territories in favor of the IFG. This re-balancing of power in Iraq cannot alone be credited to the western and Iranian backed improvements in Baghdad's military ability. It also came as a consequence of the significant internal divisions that existed and continues to exist in the Kurdistan Region of Iraq's political process.

The Kurdish defeat resulted in a significant decrease in Kurdish hegemony and power in Kirkuk and Iraq's other disputed territories to an extent that has locked the Kurds out of political and administrative decision-making in these territories. Moreover, with this defeat the Kurds also lost the opportunity of managing the resolution of the Kirkuk dispute (which include, Kirkuk's future political process, governance, and administration, and also access to its oil revenues and natural resources).

#### **1.4: Kirkuk's Zero-Sum Game**

While the Kurdish political leadership has, for the most part, neglected the issue of Kirkuk, it has also not formulated any specific proposals, projects or strategic plans for Kirkuk's future, revealing clearly the fact that the KRG has not taken significant steps to protect Kurdish interests in Kirkuk. What is more, unlike the IFG the KRG has only involved itself minimally with third party projects and proposals regarding Kirkuk and the disputed territories.

Perhaps the projects most worthy of the KRG's attention are those that were proposed by the International Crisis Group (ICG). In 2006 the ICG suggested that Kirkuk become an independent federal region temporarily for ten years with the area consisting of four populations (Kurdish, Turkmen, Arab and Assyrian) each having separate administrative powers. In 2008 the ICG proposed another idea called 'oil for soil', in which the proposal required Kurds to abandon their claims of ownership on Kirkuk in return for access to use Kirkuk's oil fields. Furthermore, a project by the United Nations (UN) is also worth Kurdish attention as some of this organization's work in Iraq targets internal disputes such as those of the Iraqi disputed territories. In 2009 the United Nations Assistance Mission in Iraq's (UNAMI) representative in Iraq presented a new project to Arab and Kurdish decision-makers to address the



problem of Iraq's disputed territories. The main points of the project were:

- 1) Article 140 of the Iraqi Constitution should be modified, as some areas of the article are unclear.
- 2) Kirkuk province should remain outside the jurisdiction of any region.
- 3) The joint Iraqi and Kurdish administration of Kirkuk should be strengthened.
- 4) Kirkuk should be awarded special status in a manner that gives the province more autonomy in internal administration and that reduces Iraqi and Kurdish hegemony over it.<sup>4</sup>

Hence, the IFG's delaying of the implementation of Article 140 of the Iraqi Constitution and the KRG's general neglect of projects to resolve the Kirkuk issue have been significant contributors to the continuation of the Kirkuk dispute and that of the other Iraqi disputed territories between the two governments. A possible reason for both parties preferring the protraction of the issue is that both governments may be of the view that the best settlement in their respective interests is one that can be achieved unilaterally and through the use of military force at some point in the future. Such logic derives from the idea of 'winner takes all' or the strongest side will ultimately take control of those disputed territories. However, given that the concept of 'strength' is fluid and, thus, open to change, such thinking means that a solution reliant on the use of force to settle the issue will ultimately be self-defeating. For example, in 2014 and 2017, the KRG was at its strength in Iraq it was able to control Kirkuk. The Kurdish position weakened at the close of 2017 as a result of the breakdown of internal unity between the Kurdistan Region's parties. This weakening of the Kurdish position caused the KRG to lose control of Kirkuk and the disputed territories to the IFG on the 16th October 2017. Now, that the IFG is at strength over its Kurdish rival as a result of its defeating of the Islamic State and the international backing it has received Kirkuk is once again in Baghdad's control. However, today this IFG position of strength is also at risk of collapse due to the

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4 Nawshirwan Said, 'Kurdistan Referendum on the Status of Kirkuk', <http://www.washingtoninstitute.org/en/fikraforum/view/kurdistan-referendum-and-the-status-of-kirkuk>

numerous emerging fractures in the unity of Iraqi Shi'a political community. Further eroding this unity is the threat posed to it by the dissatisfaction of Iraqi civilians who, as a result of increased levels of corruption, economic crisis, increased unemployment levels and weakness at the core of Iraq's establishment and administration, are suffering. What is more, Iranian hegemony in Iraq and international pressures are further weakening Baghdad's current position. It is possible that these weakening factors will result in the current Iraqi position of strength over the disputed territories to retract and allow the control of Kirkuk to once again return back to the KRG.

Therefore, Erbil and Baghdad should understand that positions of strength are temporary, and power grabs and unilateral attempts to solve the issue of Kirkuk and the other disputed territories will fail to address its complex problems thereby further protracting the issue. Playing the 'zero-sum' game in Kirkuk will only serve to deplete the resources of both sides without reaching any real solution. Once both government's understand the self-defeating nature of the zero-sum game over the Iraqi disputed territories, they will both also come to the realization that the only real answer to the issue of Kirkuk and the disputed territories that both governments will accept is to negotiate a peaceful final resolution. One such topic of negotiation that is currently proposed as a viable solution to the issues surrounding Kirkuk and the disputed territories is the principle of shared governance.

### **1.5: Kirkuk and Shared Governance**

The first report of this project envisaged a number of possible scenarios for dealing with the issue of the Kirkuk's future. It is perhaps relevant to outline them again. The scenarios were as follows:

- 1) Kirkuk Province retains its current legal status, in that it remains an Iraqi province outside of the Kurdistan Region of Iraq.
- 2) Kirkuk Province becomes another autonomous region in Iraq similar to Kurdistan Region of Iraq and enjoys the same power and privileges that the KRG has.
- 3) Kirkuk Province attaches to Iraq's Kurdistan Region (where the Kurdistan

Region government administers the province in the same way that it does the three other Kurdish provinces under its jurisdiction or administers it in a unique way that awards Kirkuk more local administrative and financial power

- 4) Kirkuk Province becomes a province in a new future autonomous Sunni region in Iraq or becomes a contested province between the Kurdistan Region and that future Sunni region of Iraq.
- 5) Kirkuk province receives protection from a regional or international organization (UN or Arab League), or is placed under the supervision of foreign states that have interests in the area (such as the United States, Turkey and the European Union). As a result Kirkuk becomes officially an internationally protected disputed region until a solution can be found.<sup>5</sup>

The previous report that was prepared before the events of the 16th October 2017, deemed scenario four and five unlikely, while it considered the first three scenarios possible outcomes of the dispute as each was supported by at least one of Kirkuk's component groups (scenario one: supported by Arabs, scenario two: supported by Turkmen, and scenario three: supported by Kurds). However, the only way that any of these three scenarios could be successfully implemented would be via the use of force and unilateral decision-making ('zero-sum' game mentioned in the previous section).

Therefore, in the current post 16th October 2017 circumstances, the most fitting solution for the issue of Kirkuk is for all sides to work towards a system of shared governance in Kirkuk. If then, under these new circumstances in Kirkuk and the disputed territories, the initial question (posted in the first report) is asked again; which scenario best fits the future of Kirkuk? The answer of 'shared governance' would fit neatly into the fifth scenario for the future of Kirkuk.

The establishment of a system of shared governance is dependent on Iraq remaining a federal state and retaining its democratic model. If these conditions are not in place, then Iraq will be face a perpetual 'zero-sum' conflict between the

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<sup>5</sup> See the website of the Centre for Future Studies, 'The Disputed Territories following the Kurdistan Region's Independence Referendum, Ibid, p.11-12

Kurdish will for separation and the will of the IFG for centralization, a rivalry that was foreseen in 2004 by Liam Anderson and Gareth Stansfield in their book titled *'The Future of Iraq: Democracy, Dictatorship or Division?'*<sup>6</sup>

The first step in exploring the possibility of a system of shared governance in Kirkuk that is supported by a democratic Iraq is for the IFG and the KRG to return to the negotiating table. Negotiations are in the interests of both governments as for the KRG talks are an opportunity for the Kurds to protect the political and economic autonomy they have enjoyed since before 2003. For the Kurds to protect their valued autonomy, they need to strive for the continuation of Iraq's federal model of government. For the IFG, on the other hand, negotiations are an opportunity to rest, regroup and restore their armed forces, as the Iraqi armed forces are currently in no state to fight a protracted conflict. Negotiations will also reassure the United States that the current animosity between two of its allies is not going to be protracted and, therefore, will not allow further Iranian influence and hegemony in Iraq. Moreover, it is also in the interests of both governments to seek a negotiated solution, as it is clear that given the complexity of the Kirkuk issue, a military solution to it, will not be viable in resolving the issue.<sup>7</sup>

If both governments do decide on negotiations, the most important topic of discussion should be the question of how to resolve the problems of Kirkuk and the disputed territories? The most fitting short-term answer is the establishment of a local transitional shared government that can, to an extent, lay the groundwork for the eventual implementation of those legal mechanisms enshrined in Article 140 of the 2005 Iraqi Constitution, which is designed to resolve the issue of Kirkuk and the disputed territories. The reliance on the 2005 Iraqi Constitution to settle the dispute will, on the one hand, respect the wishes of Baghdad to have its sovereignty protected, and on the other, will also recognize the desires of Erbil to have Iraq

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6 Liam Anderson and Gareth Stansfield, *'The Future of Iraq: Dictatorship, Democracy, or Division?'*, 1st Edition, (New York: Palgrave, 2004) p.1-11

7 International Crisis Group, *Oil and Boundaries: How to Resolve the Kurdish Crisis in Iraq*, Briefing on the Middle East, 55, Brussels, 17 October 2017, <https://d2071andvip0wj.cloudfront.net/B055-iraq-oil-and-borders-ARABIC.pdf>

remain a federal democratic system.

However, given the events of previous years, there is no guarantee that the two governments will uphold the 2005 Iraqi Constitution in the negotiations. Hence, the guaranteeing of the 2005 Iraqi Constitution cannot be treated as a pre-condition for the successful outcome of the talks. Furthermore, the 2005 Iraqi Constitution only provides for the establishment of a federal structure for the IFG. It does not make any provisions for the establishment of a system of shared governance in Kirkuk or any of the other disputed territories. The 2005 Iraq Constitution only provides an outline for the organization of the federal structure of the Iraqi government across the different provinces and regions of the country. It does not account for the internal administration of those regions and provinces. Therefore, in the current Iraqi position where there is little confidence in the 2005 Iraqi Constitution to deliver for the people of Kirkuk, and also with the document itself remaining indifferent on the issue of internal administration, the required administrative structures for the regions of Kirkuk and the other Iraqi disputed territories can be organized in the following ways:

- 1) A written all-encompassing agreement: A written agreement can result from negotiations that have no pre-conditions, are free from political pressures, and are observed by independent third-party arbitrators, such as the United Nations, the European Union or the United States.
- 2) A federal law: A negotiated federal law can be drafted and passed under the observation of third-party arbitrators. Such a law would see the rules and regulations of the new administrative model being laid out clearly.

Therefore, in both cases independent third-party arbitrators are required to oversee the process of establishing the new administrative structure of the shared governance model and later its practical implementation. The presence of these independent third-party arbitrators is not only essential for Baghdad and Erbil, but also for the component groups that make up the populations of Kirkuk and the disputed territories, especially those populations that fear for their futures any time the IFG or the KRG flex their political muscles in these territories. What is more, the Iraqi Constitution also permits the presence of independent international observers.

Article 58 of the Iraqi TAL of 2004 first made provisions for international observers when it allowed the Secretary-General of the United Nations to play a mediation role between the different groups involved in the Kirkuk dispute<sup>8</sup> and Article 143 of the current Iraqi constitution has allowed for the continuation of the previous TAL article.<sup>9</sup>

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8 See Article 58 of the 2004 Iraqi Transitional Administrative Law.

9 See Article 143 of the 2005 Iraqi Constitution.

## **Part 2: The Security Situation in Kirkuk**

### **2.1: The Security Situation in Kirkuk Before 16th October 2017**

Following the liberation of Iraq in 2003, a new security situation took hold in Kirkuk in which a number of violent groups under different names began carrying out violent attacks in and around Kirkuk. The most prominent of those groups were ‘*The Army of the Men of the Naqshbandi Order*’, ‘*The Supporters of Islam*’, ‘*The Birds of Heaven*’, ‘*The Authors of the Twentieth Revolution*’, ‘*Supporters of the Sharia*’, ‘*Al-Qaeda*’, and ‘*The Army of the Mujahidin*’. Their methods that they relied on the most to cause violence were the use of improvised explosive devises (IED's), suicide attacks, attacks on joint US and Iraqi army patrols, IED packed vehicles, kidnappings, executions, and attacking people in their homes. According to statistics from the Kirkuk Police Headquarters, the number of victims from post-2003 violence<sup>10</sup> is as follows:

**Table 4**

<b>Year</b>	<b>Number of Casualties</b>
<b>2003</b>	380
<b>2004</b>	280
<b>2005</b>	390
<b>2006</b>	700
<b>2007</b>	800
<b>2008</b>	300
<b>2009</b>	310
<b>2010</b>	190
<b>2011</b>	280
<b>2012</b>	300
<b>2013</b>	450

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<sup>10</sup> Statistics received from the headquarters of the Kirkuk Police

In 2014 the Islamic State’s invasion into northern and central Iraq and its capture of Mosul, Salahadin, Ramadi, and Diyala Provinces meant the group also became a threat to Kirkuk Province. The threat from the Islamic State on Kirkuk became particularly serious when Brigade Twelve of the Iraqi army, which was based in Eastern Kirkuk's K1 military base, deserted their positions without putting up any resistance. This events created a security void in Kirkuk that put the lives of Iraq’s civilian population at serious risk. To fill the security void left by the Iraqi army then the KRG, with agreement from the IFG responded swiftly and deployed its Peshmerga forces to the area. From September 2014 until the Peshmerga forces captured Hawija in October 2017 the military commanders of the Peshmerga forces claim to have launched over 120 separate operations to recapture all of Kirkuk province from the Islamic State. In every attack, the Peshmerga forces suffered countless casualties and losses. However, during the period that Kirkuk was under the control of the KRG the statistics regarding the number of victims from violence decrease markedly.<sup>11</sup> (See Table 5)

**Table 5**

Year	Number of Casualties
2015	100
2016	130
2017	47 (Until October)

Prior to 2014, there were (since 2006) a number of joint military agreements between the KRG’s Peshmerga forces and the IFG’s security forces to manage the security dossier of Kirkuk jointly under the observation of coalition forces. This arrangement was in place until 2011 when a strategic security agreement was agreed between the United States and Iraq, which saw the United States handing the Kirkuk security dossier over to the Peshmerga forces, Kirkuk’s Asaish security forces and the Iraqi military forces. This new arrangement saw the establishment of a supreme level

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<sup>11</sup> Ibid



joint committee that was headed by a joint commission from the Iraqi Ministry of Defense and the KRG's Peshmerga Forces Ministry. These arrangements culminated in the establishment of a joint force covering Kirkuk, Mosul and Diyala provinces called the Golden Lions Force. The task of the new force was to preserve the security of the provinces' borders and to conduct any security operation within these regions that were required by the head of the supreme level joint committee.<sup>12</sup>

## **2.2: The Security Situation in Kirkuk After 16th October 2017**

After the arrival of the Islamic State in Kirkuk, the KRG's Peshmerga forces, the forces of the Iraqi Ministry of Interior and the KRG Asaish Security forces jointly administered the province's security dossier on a de-facto basis.

However, following the 2017 battle of Hawija in 2017 the Iraqi army with the support of the Iranian backed Popular Mobilization Forces decided to move their forces to recapture Kirkuk and the other Iraqi disputed territories that from the KRG. The IFG's decision was made on the back of the KRG carrying out a Kurdish independence referendum in the Kurdistan Region of Iraq and Kirkuk and an Iraqi Council of Representatives issued mandate demanding such action from the Iraqi Government. The Iraqi army with and the Iranian backed Popular Mobilization Forces advanced on Kirkuk and the other Iraqi disputed territories on the 16th October 2017 and were able to recapture the regions from the KRG swiftly as a result of the the lack of opposition presented by the Peshmerga forces. The retreat of the KRG's Peshmerga forces and the gains of the Iraqi government established a new military and security situation in the region. The forces that were involved in the IFG's advance on Kirkuk and the disputed territories were the Federal Police, the majority of brigades and component groups of the Popular Mobilization Forces, The Anti-Terror brigade, The New Brigade, and The Operations of Eastern Tigris.

The offensive disrupted Kirkuk's security infrastructure and impacted the province on multiple levels, of which this section will discuss the offensive's impact on Kirkuk's security.

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<sup>12</sup> Interview with the advisor to the Peshmerga Ministry on 08/11/2017

First, following 72 hours advanced notice to the KRG's Peshmerga Forces, on the morning of the 16th October 2017 the different component forces of the IFG advanced on Kirkuk and the disputed territories. The advance began by recapturing territory in southern Kirkuk. The first clashes erupted when the Iraqi Government forces entered Kirkuk's industrial area. However, due to a lack of a united political position on the part of the Patriotic Union of Kurdistan and the Kurdistan Democratic Party, their divisions quickly trickled down to the front lines causing the Kurdish defensive lines to quickly collapse. Subsequent to the collapse of the Peshmerga's resistance the majority of the Kurdish forces retreated from their defensive positions.<sup>13</sup>

As news of the Kurdish Peshmerga's retreat from Kirkuk spread through Kirkuk's civilian population, primarily through Kirkuk's Kurdish community, the realization dawned on them that there was now a large security vacuum in the province and that there was no one left to protect them from the advancing Shia dominated Iraqi forces. Fear and panic quickly spread through Kirkuk's civilian (mostly Kurdish) population which prompted a mainly Kurdish civilian exodus from Kirkuk. According to international reports, as a result of the KRGs Peshmerga forces' retreat, 200,000 Kurdish civilians fled the province.

Second, following the recapture of Kirkuk a new security protocol was established in Kirkuk and the former governor of the province Najmadin Karim was temporarily replaced. However, as the many Provincial Council Members from the Kirkuk brotherhood list fled Kirkuk due to the Iraqi military operation, a new permanent Governor has not yet been selected.

Third, the events of the 16th October 2017 transformed internal relations between the Kurdish political parties with the Kurdistan Democratic Party releasing an official party statement on the 8th November 2017 describing the Kurdish loss of Kirkuk and the disputed territories and their understanding of the new security

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13 Dr. Saddam Marir Jumaili, Reasons behind the Iraqi-Kurdish conflict in Kirkuk?, Center for the Future of Research and Advanced Studies, See the following link: <https://futureuae.com/ar-AE/Mainpage/Item/3356/>

situation in Kirkuk. The first paragraph of the statement read,

*"The Popular Mobilization Forces and the Iraqi Army's attack on Kirkuk and the Kurdish territories that are outside of the Kurdistan Region on the night of the 16th October 2017 were caused by dishonest, pre-planned, and underhand agreements of a few people within a specific Kurdish party as revealed by statements from leading members of that party. These actions caused a crisis for the city of Kirkuk and other areas and the displacement tens of thousands of Kurdish, Arab and Turkmen families. Furthermore, these actions also resulted in many civilian casualties especially in and around the towns of Tuzkhurmatu, Khanaqin, and Kirkuk. That which we achieved through years of blood and struggle was put under threat in just a few hours. Even though these policies and plans, like the policies of Arabization before them, will not change the identity of these regions."<sup>14</sup>*

In contrast, some members of the Patriotic Union of Kurdistan Politburo and some of its military commanders place the blame for the loss of Kirkuk and the disputed territories on the Kurdistan Democratic Party arguing that the loss of Kirkuk and the other disputed territories was the result of their unilateral persistence on holding the Kurdish independence referendum in Kirkuk and the disputed territories.<sup>15</sup>

Fourth, the other groups within Kirkuk, especially the Turkmen forces (Turkmen Front) welcomed the arrival of the Iraqi troops and are now demanding the formation of a special Turkmen security force to protect Kirkuk's Turkmen community and interests. Moreover, this group is now pushing for the IFG to prevent the Kurdish security forces from returning to Kirkuk.<sup>16</sup> Kirkuk's Sunni Arab community is skeptical of the situation and are as a community divided.

Fifth, currently the security situation in Kirkuk is marked by an atmosphere of fear, panic and human rights violations. The Higher Commission for Human Rights

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14 See the official website of the Kurdistan Democratic Party on 8th November 2017 at <http://www.kdp.info/a/d.aspx?s=040000&l=13&a=104725>

15 See Azhans Newspaper, issue 61, 25th October 2017

16 Kirkuk Turkmen Reject the Arrival of any Kurdish Forces to the Province, Internet Source, 11th November, 2017 see link: <https://hathalyoum.net/articles/1407320>

has accused the Popular Mobilization forces of abusing human rights.<sup>17</sup>

Sixth, the Iraqi Prime Minister has issued an executive order for the formation of a Kirkuk Operations Command in the city of Kirkuk that will replace the Eastern Tigris Operations Command. The task of the new authority is to protect the security of the province by overseeing all of Kirkuk's component groups and offering protection to all of Kirkuk's population. Moreover, it will set up checkpoints at the city's entrances, protect the province's oil infrastructure, and protect the province's institutions. The order prohibits the new force from entering Kirkuk city, as it argues that the task of civilian protection is with the province's police force. The aim of the security forces is the protection of Kirkuk's residents, which it describes as the city of brotherhood and peace.<sup>18</sup>

Seventh, the Iraqi forces and those of the Popular Mobilization Forces have made every attempt to follow through with their promise to return the Iraqi army to its pre-2003 positions. However, the KRG's Peshmerga forces are displeased with this Iraqi request and is now demanding a new agreement under the supervision of the United States. Hence, the objective of dialogue and understanding is to return the security situation in Kirkuk to one of joint administration.

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17 Human Rights Commission: Destruction and Destruction in Kirkuk and Al-Tuz by Illegal Gangs of the Internet, posted today at the following link: <https://hathalyoum.net/articles/1405183>

18 Kurdmedia, Iraqi Government Implements a Plan in Kirkuk, <http://www.kurdmedia.co/details.aspx?hewal&jmare=16720&Jor=1>

### **Part 3. The Loss of Kirkuk and the Disputed Territories by the KRG: The Role of Regional and International Powers**

The ousting of Kurdish political and military power in Kirkuk and the other Iraqi disputed territories on the part of the IFG on the 16th October 2017, was, on the one hand, a devastating blow to the status and economic ability of the Kurds in Iraq, and on the other, it was a significant setback to KRG's aims and ambitions of securing an independent state for Kurdistan in northern Iraq. While this failure had much to do with a lack of foresight, misinterpretations of the political state of the region, and poor strategizing on the part of the Kurdish leadership in the post-referendum period, the failure also had a lot to do with the coming together of the policy objectives of international and regional states such as Iran, Turkey and the United States.

In discussing the regional and international dimension of the KRG's failure to hold Kirkuk and the other disputed territories on the 16th October 2017, this report must once again emphasize that the failure was as a result of the inexperience and short-sighted nature in which Kurdish decision-makers tend to handle political, international, economic and societal issues. In the case of the 16<sup>th</sup> October 2017, the central reason that caused regional states, such as Turkey and Iran, to stand against the KRG's attempt to hold Kirkuk, and its strategic allies, namely the United States, to make no serious effort to prevent the Iraqi Government's offensive was that KRG had generally been unsuccessful in utilizing its decades of regional autonomy to build strong bilateral relations with these foreign nations.

The message from the 16th October 2017 defeat was clear; failure can be the only outcome when international politics, economics and security are handled with political party interest and personality politics put before national interest. Such failure is even starker when such issues are dealt with without serious consultations with independent experts in international relations and decision-making, especially when national organizational structures built specifically for the purposes of policy consultation are absent.

Thus, the report aims to answer the following questions:

1. What were the motivating factors behind the strict Turkish and Iranian response to the KRG after it carried out its independence referendum?
2. What role did both Turkey and Iran play in the events that caused the Kurdish political and military retreat from Kirkuk and the other Iraqi disputed territories?
3. Why did the United States not prevent the IFG's attack on the KRG in Kirkuk and the disputed territories on the 16<sup>th</sup> October 2017?
4. What lessons must the KRG take from this failure, especially in how they should manage their international relations going forward?

### **3.1: Turkey and the Kurdistan Region of Iraq: Caught Between Political and Economic Interests**

Prior to the KRG's holding of its independence referendum, experts described Ankara's economic, security, and geostrategic relations with Erbil as Turkey's best in the region.<sup>19</sup> However, following the insistence of the KRG on holding its independence vote and the subsequent referendum on 25th September 2017 that demonstrated little if no consideration for Turkish demands that the KRG refrain from holding such a poll, relations between the two sides collapsed and soured. In the aftermath of the referendum, the Turkish government put its full backing behind the IFG to recapture Kirkuk and the disputed territories from the KRG. These events demonstrated the Kurdish leadership's complete lack of comprehension in its assessment of the extent in which the poll would impact its relationship with Turkey, and how Turkey would react to such an event. The Kurdish leadership based its evaluation on numerous fundamental assumptions regarding what it believed was Turkey's view on the KRG. These assumptions were that:

- 1) Turkey's economic interests outweighed its anxiety over the possibility of an independent Kurdistan in northern Iraq.

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19 Fehim Tastekin, ' Turkey, Iran, Iraq in shaky alignment against Iraqi Kurdistan', Al-Monitor, 29/09/2017, available at: <https://www.al-monitor.com/pulse/originals/2017/09/turkey-iran-iraq-alignment-against-iraqi-kurdistan.html>

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- 2) The KRG's (in particular, the Kurdistan Democratic Party's) stance against the Kurdistan Workers Party (PKK), which included explicit Kurdish security cooperation with Turkey would pave the way for Turkish acceptance for a Kurdish separation from Iraq.
- 3) Turkey's relationship with the KRG is Ankara's only guarantee of continued influence in Iraq in the face of expanding Iranian hegemony in the country. Therefore, regional politics would not allow Turkey to distance itself from the Kurdistan Region of Iraq even if the KRG took steps towards Kurdish independence.
- 4) From the Turkish perspective, it would be better for Kirkuk and its natural resources to be under the control of the KRG rather than the Shia Arab dominated Iraq Federal Government that is heavily influenced by Iran.
- 5) The KRG (in particular, the Kurdistan Democratic Party) has offered assistance to the Turkish president's Justice and Development Party (AKP) in reducing the internal threat posed to the Turkish state by its Kurdish population. The KRG has supported the AKP by working to promote the peaceful efforts of the Kurds in Turkey to secure their rights and have condemned the use of violence for these ends. Therefore, if Ankara stands against the KRG, it would also put the political and security interests of the AKP under threat.

The fact that the Turkish government chose to support the IFG instead of the Iraqi Kurds and to remain silent towards the IFG and the Iranian backed Popular Mobilization Forces' push to recapture Kirkuk and Iraq's disputed territories from the KRG demonstrated the inaccurate and misguided nature of the above outlined Kurdish hypothesis'. In reality, the bilateral relations between Ankara and the KRG were based on Turkey's interpretation of the Iraqi Kurds as a non-state actor. Moreover, the driving force of the relationship was President Erdogan and the AKP's view of Kurdish decision-makers as clients rather than an independent regional actor that can pursue policies outside of Ankara's wishes.<sup>20</sup> Hence, after the KRG held the

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20 Alireza Nader, Larry Hanauer, Brenna Allen, Ali G. Scotten, 'The Regional Implications of an Independent Kurdistan', RAND, 2015, available at:

independence referendum in 2017 the Turkish president and other Turkish decision-makers labeled Kurdish decision makers, especially Masoud Barzani, as dishonest towards the Turkish government.

It is far simpler to account accurately for Ankara's hostile reaction towards the KRG's steps towards independence from Iraq when there is an understanding of the Turkish state's general policy motivations in this regard. Firstly, the Turkish government's acceptance of a Kurdish zone in northern Iraq (be it an autonomous region or an independent state) is dependent on a sustainable solution to Turkey's Kurdish problem.

From this perspective, the Kurdish push for independence was self-defeating in that it could not marry Kurdish economic needs with Turkish security concerns. During the run-up to the Kurdish independence referendum, KRG was well aware of its current and continued future economic and fiscal dependence on Turkey in regards to exporting oil and fulfilling its import needs via cross-border trade. What is more, the KRG was also aware that the political process between the Turkish AKP government and the Kurds of Turkey's southeast had broken down and was undergoing a new violent phase. Therefore, the KRG failed to perceive the contradiction in its policy objectives. Its push towards independence only reinforced the Turkish government's view that the attempt by Turkey's Kurds to secure their rights peacefully was becoming a significant threat to Turkish national security, in that a Kurdish state in the region would further encourage Turkish Kurds to continue their struggle against the Turkish state. So, by failing to convince the Turkish government to agree to the Kurdish independence referendum (which given this Turkish policy motivation would have proved almost impossible), a Kurdish state, if it so came to be, would have immediately failed given the inevitable ending of Turkish support for the Kurdish region in Iraq.

It is even more profound that the KRG also failed to link the impact of Kurdish success in the Syrian Civil War under the Democratic Federation of Northern Syria and the Peoples Protection Units (YPG) (close allies of the PKK) to Turkey's position



on its independence push. Kurdish developments in Syria (PYD, YPG) has worked to make the Turkish government even more anxious about the threat posed to Turkish security by the broader Kurdish events in the region and by consequence was more likely to reject any steps towards further Kurdish regional success.<sup>21</sup>

Moreover, the failure of judgment on the part of the KRG was even more severe when it was evident that it had also failed to read the signals coming from the Turkish government that it could not accept any more regional strides forward by the Kurds. For instance, during this period, President Erdogan reacted to widespread concern among the Turks that the Kurds were making immense progress in the region by reversing his government's 'Kurdish opening' policy towards Turkey's southeast and returning his government to a nationalist policy that denied the existence of Kurds in Turkey and that suppressed Kurdish politicians and activists in the country.<sup>22</sup> These regional developments should have been clear warning lights to the KRG that Turkey could not and would not accept the Kurdish independence referendum. Hence, the holding of the 2017 Kurdish independence referendum only demonstrated the extent to which the KRG were misinformed when making their push for independence.

The second determination of the Turkish government's policy towards the Kurdistan Region of Iraq is Ankara's pragmatic acceptance of an economic, security and diplomatic relationship with the KRG that disproportionately benefits Turkey. Turkey has been able to utilize this relationship to gain immense economic and security benefits, while they have also been able to utilize the relationship to prevent further steps by the KRG towards independence, which means the Kurdistan Region of Iraq would not become a factor of encouragement to Turkey's Kurdish population and thereby would not impact negatively on Turkish internal security.

While Turkey did benefit enormously from its economic relationship with the

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21 Akin Unver, Turkey and the Kurds, Charting the end of a peace process', *Financial Times*, 25/05/2016, available at: <https://www.ft.com/content/9f06f0cc-1b85-11e6-b286-cddde55ca122>

22 Reuters Staff, 'Turkey draws Western condemnation over arrest of Kurdish lawmakers', *Reuters*, 04, 11, 2016, available at: <http://www.reuters.com/article/us-turkey-security-kurds/turkey-draws-western-condemnation-over-arrest-of-kurdish-lawmakers-idUSKBN12Y2XA?il=0>

Kurdistan Region of Iraq, especially in the field of oil exports, the ties did not reach a level of mutual economic dependence. Therefore, the Turkish government insured that its relations with the Iraqi Kurds would not become an obstacle to its interference in any future Kurdish step towards independence, such as the 2017 Kurdish independence referendum.

Moreover, a relationship of mutual economic dependence would only have prevented the Turkish government from rejecting the 2017 Kurdish independence referendum if the Turkish government was a democratic one, in that, it was a system in which Turkish civilians (especially its Kurds) were able to play a significant role in the Turkish governments foreign policy. Since 2002, the opposite has been true for the Turkish political system as President Erdogan and his party the AKP have followed procedures of power accumulation and demonstrated a complete lack of democratic principles in their formulation of Turkey's foreign policy objectives. It is for this reason that the Turkish government was able to quickly change its soft position towards the KRG to an adversarial one, thereby allowing the Turkish Government to take serious steps to prevent steps by the KRG towards independence. President Erdogan showed his sudden change of position towards the KRG by issuing statements in the immediate pre and post-referendum period where he and other leaders of the AKP echoed the views of the Nationalist Turkish government that preceded the AKP. In their statements Erdogan and other notable AKP politicians argued that Kirkuk was a Turkmen city, and that the Iraqi Kurds had no claim to it. Erdogan and the AKP's reaction to the Kurdish referendum underlined the similarity of position that it held with Turkey's Kemalist nationalists towards the KRG's control of Kirkuk and the opportunity such an eventuality would offer to the Kurdistan Region of Iraq to gain independence. Hence, Erdogan and the AKP have taken the policy position of rejecting the notion that Kirkuk is a Kurdish city.

Turkey's third determination for its policy toward the KRG is that even if Iran, Turkey's regional rival, controls the Iraqi political process the Turkish Government is not willing to counter such Iranian hegemony in Iraq by strengthening its relations with the KRG and accepting Kurdish independence (or steps towards it). Turkey's

complete cooperation with Iran and Russia is perhaps the best evidence for the fact that Turkey does not believe relations with the KRG (holders of the same religion and sect as Turkey) to be more beneficial to Turkish interests than ties with Shi'a Persians and Arabs. For the Turkish government, regardless of its leadership, geostrategic factors will always outweigh religious and sectarian ones in the Turkish state's foreign policy decisions.

Turkey has not had a clear policy toward the Erbil or Baghdad, and it is this very vagueness that has caused disagreements with Iraq's Kurds and Arabs. Turkey's close relations with the KRG impacted its relations with the IFG negatively. Strong disputes arose between Turkey and Iraq over both Turkish supports for KRG's oil sales without prior approval from Iraq's Federal Government and the presence of the Turkish military in Iraqi Kurdistan. In contrast, Turkey's recent change of heart over its relations with the KRG and its consequent strengthening of ties with the IFG to oppose the KRG in Kirkuk and the Iraqi disputed territories demonstrates that Turkey continues to have security, economic, and geostrategic interests in Iraq and that to achieve these they are prepared to switch alliances between Baghdad and Erbil at will. Therefore, to meet its security and economic interests in Iraq in the future the Turkish government will do the following:

- 1) Turkey will continue to sideline the Kurdistan Region of Iraq by working to reduce Kurdish political and economic power in Iraq. Turkey will attempt this by supporting the IFG's efforts to control Kirkuk's oil infrastructure and the country's border crossings with Turkey. In so doing, the Turkish government will work to open a direct border crossing with Iraq that bypasses the Ibrahim Khalil border crossing with the Kurdistan Regional of Iraq. From the Turkish government's perspective opening such a crossing will prevent the KRG from having unilateral control over Turkey's border crossings with Iraq. If the Turks can successfully carry out these steps, then it would remove any power and influence the KRG has over the relationship between Turkey and Iraq and would ultimately force the region to submit to the will of these nations. What is more, given the Iraq Federal Government has not sanctioned Turkey for its previous dealings with the KRG and remains willing to export oil through Turkey the

Turkish government has the motivation to carry out these steps, as it would guarantee its national and economic interests in Iraq.

- 2) Turkey will use military force within the Kurdistan Region of Iraq to hit PKK targets and reduce the threat that group poses to Turkish national security. In this regard, Turkey will also seek the assistance of Iraq and Iran as per their previous agreements on military cooperation for collective border security.
- 3) The Turkish government will use its Turkmen issue again to pressure the IFG to preserve Turkish economic and political interests in Iraq (especially in Kirkuk and Mosul). Turkey's invitation to Turkmen representatives from Kirkuk and Telafar to visit Ankara is one part of this Turkish policy in Iraq.
- 4) The Turkish government will work to strengthen its relations with Iraq's Sunni community to counter Iranian influence in Iraq.

### **3.2: The End of the US-Kurdish Alliance in Iraq?**

The fact that the IFG was assisted by the Iranian backed Popular Mobilization Forces in its attack and takeover of Kirkuk and the disputed territories (Iran being the United States' regional rival in the Middle East), and this assistance did not become a sufficient reason for the United States, the KRG's strongest political and military ally in Iraq, to intervene in the conflict in Erbil's favor was a cause for confusion for Kurdish decision-makers and for international observers. What is more, not only did the United States fail to act in also remained toward this Iranian power grab in Iraq. Some experts argue that the events of the 16th October 2017 and the days that followed represented a significant victory for the Iran over the United States backed coalition in Iraq and the Middle East. Moreover, they argue that Washington's silence on the issue represented its acceptance of Iran's new hegemony over the entirety of Iraq.<sup>23</sup>

The question that arises from these events is: Was the United States' negative response to the 2017 Kurdish referendum and the KRG's attempt to hold Kirkuk and

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23 Michael Weiss, 'How America Sided with Iran Over the Iraqi Kurds', CNN, 24/10/2017 , available at: <http://edition.cnn.com/2017/10/24/opinions/how-america-sided-with-iran-over-iraqs-kurds-weiss/index.html>

the disputed territories an act of betrayal by the United States government towards KRG, particularly after the KRG played a significant role in defeating the Islamic State as part of the United States backed coalition?

The United States made every effort to dissuade the KRG from holding the 2017 independence referendum and warned them that they could not handle the repercussions that would follow such a move from Turkey, Iran and Iraq. The United States believed that the timing of the Kurdish decision to carry out the poll was wrong and that it would not win international support (the United Nations Security Council's rejection of the move and the reiteration of its support for a unified Iraq was evidence for the validity of the United States perspective). Hence, the message was clear from the United States prior to the poll that it intended to continue its policy of protecting the unity of Iraq.

The perspective of the majority in the United State's government is that while the Kurdistan Region of Iraq is a vital regional ally of the United States worthy of United States support and assistance, this relationship does also not extend to its quest for independence from Iraq. According to this perspective the creation of a 'No-Fly Zone' over Iraqi Kurdistan in 1991, support for Kurdish autonomy, assistance to enshrine Kurdish autonomy in the 2005 Iraqi Constitution, and its assistance to the Peshmerga forces against the Islamic State are all evidence that the United States intention to work with the Kurdistan Region of Iraq as an important regional ally, and that this is how the United States will continue to see this relationship going forward.<sup>24</sup> Therefore, while the United States government does for the most part recognize the general right of the Kurdish people to independence, it also formulates its policy towards the Kurdistan Region of Iraq on the basis that the creation of an independent Kurdish state in the Middle East, at present, is counterproductive to the interests of the United States.

The United States cannot afford to put its alliance with Turkey at risk as Turkey

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24 Michael Young, 'Did Barzani Overplay His Hand by Organizing a Kurdish Referendum?', Carnegie Middle East, 26/10/2017, available at: <http://carnegie-mec.org/diwan/73517>

is an integral member of the NATO alliance and the United States relies on its military presence on Turkish soil to preserve of the Middle Eastern balance of power. Moreover, the United States has vital interests in retaining good relations with the IFG and other Arab nations in the Middle East. In this regard, the United States believes that support for Kurdish independence, at present, will not only result in the United States damaging its relationships with the IFG and other Middle Eastern Arab governments but will also alienate Arab public opinion in the United States.<sup>25</sup>

While the United States is indeed working to limit Iranian power in Iraq and the wider region, United States decision-makers does not believe that supporting Kurdish attempts to hold Kirkuk and the disputed territories would serve this agenda. In fact, the United States government may have considered the opposite that if they had supported the Kurds on the 16th October 2017 against the IFG and the Popular Mobilization Forces, then it was likely that Iraqi politicians, as well as its citizens, would have looked to support from Tehran. Such an outcome would have seen Iran being perceived as the protector of Iraq, while the United States would have seemed the aggressor.

The lack of United States support for the 2017 Kurdish referendum and the KRG's attempt to hold Kirkuk and the other Iraqi disputed territories on the 16th October 2017 does not mean the United States will stop supporting the KRG going forward. The case may be that the United States continues to support the KRG according to the following guidelines:

- 1) The United States will continue to support the KRG in its attempts to defeat the Islamic State by offering security and military assistance to the Peshmerga forces. The 'War on Terrorism' is a pillar of the United States strategy in the Middle East, and so it is crucial for the United States to continue to support the KRG in this regard.
- 2) The United States will support the current Iraqi Prime Minister Heider al-

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25 John Glaser Christopher A. Preble, 'The Plight of the Iraqi Kurds Poses a Difficult U.S. Foreign Policy Challenge', National Interest, 21/10/2017, available at:

<http://nationalinterest.org/feature/the-plight-the-iraqi-kurds-poses-difficult-us-foreign-policy-22838>

Abadi's efforts to retain his position in the next Iraqi government. Abadi has demonstrated that he is willing and able to work independently of the Iranian agenda in Iraq. In this respect, the United States' Support for Abadi is on the basis that it will work to contain and push back Iranian power and influence in Iraq over the coming four years. The United States also wants the Kurdistan Region of Iraq to remain a part of Iraq, and in that respect they want Kurdish political and parliamentary participation in the Iraqi state to strengthen the civilian government of Iraq and distance Iranian influence and proxies in that government.

- 3) The United States looks set to assist in solving the outstanding issues between the IFG and the KRG peacefully. The United States' perspective on the matter of Iraq's disputed territories is that the issue must be resolved as per the 2005 Iraqi Constitution and through negotiations rather than militarily confrontations.

Therefore, these guidelines demonstrate that United States support for the KRG going forward will be through the re-organization of political power in the Kurdistan Region of Iraq via democratic means and without regard for personal or political party interests.

Taking advantage of a powerful ally like the United States requires fundamental changes in the mentality, ideology and character of power in the Kurdistan Region. If the same Iraqi Kurdish elites continue to decide on the Kurdistan Region's foreign policy, then it is difficult to see how the Kurdistan Region's interests in Iraq can be protected and achieved going forward.

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## Part 4. Kirkuk's Significance to Iran

### 4.1: The Geopolitical Significance of Kirkuk to Iran

Since the establishment of Iraq, Kirkuk has been contested between numerous different groups. On the one hand, it has given the Iraqi government's centralization efforts a crucial geostrategic dimension, and on the other Kirkuk has also had particular importance to Turkey and Iran and the Iraq Kurdish liberation movement. Furthermore, today the geo-economic aspect of the Kirkuk issue is more significant to state actors, non-state actors, military forces, and political and economic groups that its geopolitical character. While, to date, each of these competing groups have already left their respective marks on Kirkuk, the geo-politics and geo-economic of the province continues to motivate these groups to play a significant role in Kirkuk going forward.

The primary questions of this section are:

- 1) What is the significance of Kirkuk In respect to Iran?
- 2) What would the cost be to Iran if the KRG controls Kirkuk?
- 3) How would Iran benefit if the IFG continues to control Kirkuk?

Since the establishment of Iraq in 1920 until the Ba'athist regime of Saddam Hussein, the Iranians have not found Baghdad to be a favored capital to have political, economic, and strategic relations with. Instead, both sides have chosen to work with each other's internal adversaries (amongst them the Kurdish opposition parties in the other's respective states) as methods to settle the perpetual rivalry and conflict between them, and as a way of protecting their respective national interests.<sup>26</sup> It has only been in the last thirteen years, in which Iraq has witnessed a transformation and Iran has found in Baghdad, not just a friendly neighbor and ally, but a government that closely aligns with Tehran and willingly collaborates with it to

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26 Habibollah Abdullhassan Shirazi and Kamran Taremi, "The Role of Opposing Groups in Iran and Iraq (1378-1375), First edition, (Tehran: Islamic Revolutionary Doctrine Center, 2005), pp. 293-299.



expand the project of Iranian Islamism. This close relationship owes to the fact that the Iraqi Shi'a Arab and Kurdish communities now control Baghdad's government, two groups that received high levels of Iranian support during previous Sunni Arab Iraqi regimes.

During the eight-year Iran-Iraq war (1980-1988) Iran regarded the Iraqi Kurds as close kin and chose them as integral allies in its attempts to weaken Saddam Hussein's government. The Iranians worked closely and enjoyed a mutually beneficial strategic alliance with the Iraqi Kurds until 2003. These bilateral relations saw the Iranians work with the Iraqi Kurds to wrestle control of Kirkuk from the Iraqi Government. In one instance Iran went so far as to send Iranian military forces into Kirkuk in support of the Kurdish (Patriotic Union of Kurdistan) Peshmerga forces. Therefore, pre-2003, the Iranians viewed the Iraqi Kurds as their real allies in the region and this strategic alliance between Iran and the Kurds was not disturbed by the presence of the then smaller Shi'a Da'wa party and the Supreme Islamic Council of Iraq in southern Iraq. The Iranians strengthened their relations with Iraq's Kurds further, as the Iraqi Kurds (nationalists, leftists, and Islamists) never turned their back on their relationship with Iran, even when Iran was confronted with a period of international isolation.

However, following the United States invasion of Iraq in 2003 and the coming to power of Iraq's Shi'a community (close allies with Tehran), Iran's position toward the Iraqi Kurds and Kirkuk transformed. Baghdad went from adversary of to Iranian ally overnight. The overthrow of the former Sunni Arab Iraqi regime ushered in a new era of relations between Iran and the Iraqi Kurds. From 2003 onwards, Iran looked to the Iraqi Kurds to prop up the Iraqi Shi'a government in Baghdad, and as a result, Iran based its new policy toward Iraq around the principle of a united Iraq that was allied to Iran.

Tehran no longer looked to the Iraqi Kurds to protect Iranian interests in Kurdistan and Kirkuk or to destabilize Baghdad as it had done in 1968, 1974, during the Iran-Iraq war and after the 1991 Kurdish uprising when it joined Kurdish forces on the front lines against Baghdad. Since the collapse of the Iraqi Ba'athist Regime Iran has worked on a policy of maintaining a strong pro-Iranian Baghdad and has

worked with the KRG in this regard.

For over a decade now Iran and Iraq have worked intensely and in parallel on their joint strategy and interests in Iraqi Kurdistan and Kirkuk. Therefore, to understand the reasons behind the latest events regarding Iran and the KRG, the manner in which Iran now deals with the Kirkuk dossier and the reasons Iran sidelines the KRG in Kirkuk, it is vital to first understand Iran's new strategy in Iraq.

Iran understands that without the KRG Iraq will not be the friendly neighbor that Iran wishes it to be. With this in mind, Iran has developed a two-pronged policy towards the Kurdistan Region of Iraq. On the one hand, Iran does not want the KRG to reach a point where it no longer dependent on Iran and the IFG. If it does achieve this level of independence, Iran believes it will become a factor for the encouragement of the Iranian Kurdish struggle for independence from Iran, thereby posing a direct threat to Iran's internal security and territorial integrity. On the other hand, Iran does not want the KRG becoming so weak that they can no longer support Iran's efforts to maintain a pro-Iranian Iraqi government. Therefore, Iran believes that if the Iraqi Kurds were to win control of Kirkuk, then the first part of its policy towards the KRG will collapse with its region wide consequences also affecting Iran's internal security. However, by keeping Kirkuk out of the KRG's hands, it can keep the Iraqi Kurds at a level of strength where they can continue to support Iranian efforts in Iraq.

#### **4.2: Annexing Kirkuk: Implications for Iran**

The form of the current Iraqi government is so different to that of the previous Iraqi regime that the significant role that geopolitics previously played in establishing the Iraqi government's centralized sovereign power over the country no longer has a notable role in Iraq's state relations. Today Kirkuk's geo-economic power has taken the place of geopolitics as the most significant mover of events in Iraq, its Kurdistan Region of Iraq and the broader region. When it comes to addressing the respective economic interests, financial standing in international markets and management of the internal conflict in Kirkuk the different Iraqi sides (Arabs and Kurds) work both individually and together.

Whether in the previous centralized Iraqi state or the new troubled federal model the geopolitical and geo-economic significance of Kirkuk has remained consistent. It has been this character of Kirkuk province that has caused the failure of all negotiations between the Iraqi Kurdish political movement and Iraqi state in last half century. Moreover, Kirkuk's geopolitical and geo-economic significance continues to be the stalling factors in the implementation Article 140 of the 2005 Iraqi Constitution and that prevents the IFG and the Kurdistan Region of Iraq from reaching a final agreement over the province's future.

Kirkuk's geographic position, shape, topography, size, water sources, and natural resources has distinguished it from the other Iraqi provinces and given it a historically crucial geostrategic position. What is more, the discovery of oil in the area at the end of the Ottoman Empire provided the new state of Iraq with an immense new income stream that also attracted its neighbors and provided the Iraqi Kurdish political movement in the country's north its economic goal.<sup>27</sup> This summary of Kirkuk is enough to understand the reasoning behind the decision to place the Mosul Wilayet into the new Iraqi state in the early 20th century. The then European Architects of the Iraqi state understood that such an economic resource could be utilized by Iraq to compete with its neighbors and to protect its sovereignty.<sup>28</sup>

Consequently, for the Iranians, the same reasoning, when applied to the Iraqi Kurds leads them to the view that if the KRG controlled Kirkuk, it would have the ability to compete with its neighbors and protect its sovereignty. Moreover, detaching Kirkuk from Iraq would geopolitically and geo-strategically weaken Iraq, sever the KRG's dependence on Tehran and the IFG, encourage Kurdish populations in Iran, Turkey and Syria to seek independence from there respective states, and most troubling for Iran, bring Israeli and United States influence on to the Iranian doorstep, putting Iranian national security at risk.

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27 Aminighosini, 'Nationalism and Its Impact on Turkey's Position on the Geoeconomics of Kirkuk', Master's Dissertation in International Relations (Tehran: Faculty of Literature and Humanities University, 2013), p. 43.

28 Multiple Authors, *Kirkuk: City of Nationalities*, i. (Arbil: Aras, 2009), p.105

Therefore, for the Iranians, if Erbil controls Kirkuk, it would mean the significant weakening of the pro-Iranian Shi'a Iraq and the emergence of a new non-Shia and non-Iranian state actor, which some Iranian politicians and military officials would regard as the second Israel. Furthermore, such a geopolitical formation would also mean the weakening of Iranian regional hegemony as attaching Kirkuk and the other disputed territories to the Kurdistan Region of Iraq would almost double the area of the Iraqi Kurds from 40,000 km<sup>2</sup> to 75,000 km<sup>2</sup>. It would also provide the KRG with healthy land, water, and natural resources that would bring about economic independence for the Iraqi Kurds, and would increase its population from 5,500,000 to 6,500,000.<sup>29</sup>

Compounding these changes would be the fact that such a scenario would allow Erbil to control more of the seats in the Iraqi parliament and Erbil would receive a larger share of the Iraqi budget further weakening the IFG and Iran's regional standing along with it.

#### **4.3: Kurdistan Region of Iraq without Kirkuk**

For the Iranians, a Kurdistan Region of Iraq that does not have ownership of Kirkuk means a Kurdish political entity in northern Iraq that remains dependent upon Tehran and the IFG. With the KRG remaining in its current form both the IFG, a close ally of Iran, and Tehran can be confident that they will not suddenly have a new state on their doorstep that is closely allied with the United States and Israel.

Iran's goal with the Kurdistan Region of Iraq is to prevent another 'Azerbaijan experience'. Azerbaijan chose to shunt its Azeri-Shi'a identity (both Iranian identities) as a determinant of its policy objectives and instead chose to conduct its policy based on its Turkic-western identity (which allied the country closely with Turkey and the United States). This policy direction by Azerbaijan presents a constant threat to Iran's strategic objectives. Therefore, this is an experience that Iran does not want repeating with the Kurdistan Region of Iraq.

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29 Zahra Ahmadipour and Mahmoud Mubasaki, 'The Obstacles to the Annexation of Kirkuk to the Kurdistan Region (Iraq), Summer of 1394, p.45-46.

In general, Iran (notably, the state and those moral guardians within it that make decisions based on ideology and promote Iranian objectives over realpolitik in Iran's policy formation, and not the Iranian government) does not have an optimistic view on Kurdish independence, and so they view the KRG's referendum in the same unfavorable light as to the Iranians. Kurdish ownership of Kirkuk is the single factor that will guarantee future Kurdish independence.

This same branch of the Iranian government branded the 2017 Kurdistan independence referendum as an Israeli plan. The Iranian's made this view public in a statement by Iranian parliamentarians on the 29th September 2017. The parliamentarians announced, *"For many years now Iraq has become the objective of American and Israeli conspirators; however, the Iraqi nation (Arabs, Kurds, Sunni, and Shia) has, with its stability, removed their egotistic plans for the country"*. The statement goes on, *"the Kurdistan Region of Iraq's independence referendum can illegally scar the unity and sovereignty of Iraq putting the country into a new crisis. We ask the Iranian government to support the Iraqi government in its attempts to prevent this Zionist plan."*<sup>30</sup>

Furthermore, on the issue, Hassan Amir Abdollahian, the Iranian Parliamentary Director General for International Affairs said: *"The flying of the Israeli flag by supporters of the Iraqi Kurdish independence referendum in Erbil begs the question: is the Zionist regime not the most prominent defender of a Kurdish state?"* Abdollahian also wrote, *"it is said that Massoud Barzani has openly asked Tel Aviv to defend the Kurdish independence referendum."*<sup>31</sup>

Iran is not only concerned with the KRG annexing Kirkuk and the consequential breakup of Iraq, a close ally, strategic partner, and sectarian and cultural affiliate of Iran that contributes to Iran's regional status, but it is also (like Turkey) anxious that such a move may prompt calls for Kurdish independence in Iran which may also result in the break up of the Iranian state. For Iran, a successful bid for Kurdish statehood will have both long and short-term effects on the politics, culture,

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30 <http://www.hamshahrionline.ir/details/383644/Iran/politics>

31 <http://www.hamshahrionline.ir/details/382374/Iran/foreignpolicy>

economy and security of Iranian Kurdistan. Iran understands that when the time comes for the Kurdish dossier to become an international issue, and when this leads the international community to address the issue of Kurdish rights, some of the injustices concerning the Kurds will fall into the scope of the Iranian state. Such a dossier will only add to the pressure already on Iran from the international community.

What is more, Iran has not forgotten the three critical political stages that the Iraqi Kurds have passed and that have had significant impacts on Iran. Firstly Iran recalls the issue of Sheikh Mahmoud's Kurdish governments, which encouraged and won support from most of the Kurdish political and tribal leaders in Iranian Kurdistan. It also brought the Kurdish issue to the fore during the reign of Reza Shah Pahlavi causing violence and military defections. Secondly, Iran remembers, the formation of the Hiwa political party which had a profound impact on the Kurdish Inteligencia in Iran and became a reason for the creation of Zhekaf and later the establishment of the Mahabat (Kurdish) Republic in Iran. Thirdly, and more recently Iran remembers the experience of the Kurdistan Region of Iraq (without Kirkuk). In this recent experiment with Kurdish autonomy, Iran played a supportive role that it had not with any of the previous two governments. Iran found that instead of the Kurdish government in Iraq becoming a direct factor in encouraging Iranian Kurds and destabilizing Iran Kurdish regions it played a significant role in providing Iran with its quietest period in regards to its Kurdish regions. Moreover, Iran's dealings with the KRG allowed for joint security operations against terrorism and strong bilateral economic relations. It is collectively these three critical political stages that Iran has assessed and decided on its current position towards the Kurdish desire for independence.

Therefore, from the Iranian perspective in a scenario where the Kurds are successful in annexing Kirkuk to their autonomous region in northern Iraq the following may occur:

- 1) It will raise the geopolitical status of the Kurdistan Region in Iraq and the broader region.
- 2) The Iraqi Shi'a community that are supporters of Iran, and that have relied upon

their alliance with the Iraqi Kurds to keep Iraq under Iranian influence will come under threat.

- 3) It will reawaken the Sunni-Arab case in Iraq, becoming a tool to destabilize the Iraqi Shi'a community and it is possible that the KRG will become an advocate of the Sunni political agenda to (at least) create a Sunni-Arab autonomous region in Iraq.
- 4) It will pave the way towards independence for the Kurdistan Region of Iraq and as a result, would leave a weakened Iraq.
- 5) It will encourage the revolutionary Kurdish political movement in Iran and reignite decades old acrimonious sentiment between the Iranian Kurds and the Iranian state seriously threatening Iran and pushing it towards an uncertain future.
- 6) It will put at risk the territorial unity of Iran and its internal security.
- 7) It could thwart Iranian plans to have Kirkuk's oil pass through Iranian ports.

It is the above considerations that aided the Iranian government to decide to, directly and indirectly, assist the IFG to recapture Kirkuk from the KRG.

While there are softer opinions on the Kurdish referendum and Kurdish independence among people close to the Iranian government and some Iranian academics, these groups have less leverage on the Iranian policy direction. Instead, Iranian policymaking, especially in regards to Iraq and its Kurdish Region, tend to reflect the opinions of Iran's revolutionaries as well as the principles underpinning the Islamic Revolution more broadly.

Moreover, the Iranians do not make any attempt to keep their assistance to the Iraqi government, in regards to the Iraqi Government's efforts to take back Kirkuk from the KRG, secret. After the events in Kirkuk on the 16th October 2017 the head of the office of the Supreme Leader of Iran (Ali Khamenei), announced "*the United States and Israel had made plans to create a second Israel, but the advice of the Supreme Leader of Iran (Ali Khamenei) and the sacrifices made by General Qassim Sulaimani thwarted these plans and liberated Kirkuk.*"

It is also noteworthy to explain that Iran did not only capture Kirkuk from the Iraqi Kurds by supporting Baghdad. It was also able to rely on the support of some

Kurdish forces (a wing of the Patriotic Union of Kurdistan) that Iran had for many years before the 16th October 2017 built robust and friendly relations with. What is more, Iran was also able to incorporate internal Kurdish disputes into its plans to prevent KRG from escaping from Iran's sphere of influence and pushed the final settlement on the Kirkuk issue further down the road.

For current Iranian policy, the recapture of Kirkuk from the KRG means; first, the Iraqi Kurds will take a step back in their national development to their pre-2014 status, and second that the central economic element required for Kurdish independence is no longer available to the Iraqi Kurds. Furthermore, Iranian backed action has forced the Kurds to return to the Baghdad based political process where they will have little choice but to work with Iran's Iraqi Shi'a allies preserving the post-2003 Iraqi model. The preservation of this Iraqi model continues to grant Iran a close regional political and strategic partner for it to utilize to reach its general objectives.

By following this policy, Iran was also able to expedite its plans with Iraq to export Kirkuk's oil through Iran rather than Turkey. It has been less than a month since Iraq recaptured Kirkuk from the KRG, but already Ali Mosawi, the Head of Iraqi Oil Trade, has revealed that negotiations are underway to transport Kirkuk's oil to refineries in Kermanshah. He explained that under the proposal the first stage of implementation will see Iraq transporting 15,000 barrels per day of oil via oil tankers to Iran and that during the second stage this number will reach 25,000 barrels per day.

Therefore according to these proposals, it is likely that in future the transport of Kirkuk's oil between Kirkuk and Kirmashan will replace the current arrangement between Kirkuk and Ceyhan. This future outlook means both Kurdistan Regional of Iraq and Turkey are set to lose out financially.



## **Conclusion and Results**

This report can conclude by putting forward some fundamental points that help to understand the future of Kirkuk.

- 1) Due to the diverse nature of the Kirkuk dispute and of Kirkuk's residents, the mechanism put in place to reach a realistic, fitting and agreeable final settlement between the Kurdistan Region of Iraq, the IFG and the different component groups in Kirkuk have, to date, been unable to reach such a solution. The mechanism put in place by Article 140 of the 2005 Iraqi Constitution is of particular concern due to the slow pace of its implementation and the fact that the article alone may only solve some of the problems inherent in the Kirkuk dilemma, while neglecting other relevant features.
- 2) Recently, when the KRG held administrative and security control of Kirkuk Province, they neglected to address some of the pressing issues in the Kirkuk, and did not formulate a clear strategic plan or project for the management Kirkuk's future (be that a continued future in Iraq or one as part of the Kurdistan Region of Iraq). Moreover, similar to the period in which the IFG's administered Kirkuk the KRG also did not respond to projects and proposals that Kirkuk's component groups and external stakeholders put forward regarding the solving the Kirkuk issue and that of Iraq's disputed territories.
- 3) What is essential at this point for both the IFG and the KRG to understand is that temporary unilateral authority over Kirkuk by either party is not a guarantee to achieving a solution to the deep-rooted problems of the province. What is more, insistence on unilateral control over Kirkuk by either party will only serve to weaken the possibility of a solution. Once both sides reach this understanding, then the option of a return to calm and peaceful negotiations over the issue will be more acceptable to them. One of the solutions currently proposed by observers of the Kirkuk issue is the notion of 'shared governance' in the province. However, before such a proposal can reach a stage of implementation it requires thorough analysis and planning so that it can solve the majority of the problems currently facing

Kirkuk and its community. (The current problems that 'shared governance' would look to solve are Kirkuk's political future; its system of governance; its manner of administration; and the division of the province's income from oil and other natural resources.)

- 4) The risks associated with Kirkuk's current state of security currently persist, with instability and fear continuing to plague the province, especially in respect to its Kurdish residents. Hence, the immediate solution is for all parties to distance themselves from the forced implementation of a one-sided de-facto security apparatus in the province as such a solution will not be successful.
- 5) The security breaches in Kirkuk reveal that political party influence in the KRG's Peshmerga forces have fueled military division. It was this multi-command structure of the Peshmerga forces that caused the collapse of the KRG's military plans in Kirkuk. Therefore, The KRG should consider their military failure in Kirkuk as an eye-opener and recognize the serious need for a re-organization of its Peshmerga forces on the basis of one unified Kurdish national force.
- 6) The KRG's failure to hold Kirkuk and the other disputed territories was the result of the poor political comprehension on the part of the KRG. The inability of the KRG to comprehend the situation at hand extended from a profound over estimation of the ability of the Peshmerga forces to resist its rival army's and militias in Iraq to striking errors of judgment on the position that regional and international states, as well as international organizations, were likely to take on the issue of the 2017 Kurdistan independence referendum.
- 7) The loss of Kirkuk was the materialization of Kurdish failures on two fronts. First, the KRG has since 2003 based the region's foreign policy and diplomatic relations on specific personal and political party interests without detailed consideration for the needs and interests of their international partners. Second, there was a lack of internal unity and collective political and social purpose in the Kurdistan Region of Iraq, as well as a lack of planning on the national level to strengthen the status of the Kurds in Kirkuk and the other disputed territories.



## Report Number Three

February 2018

# The Future of Kirkuk

Between Erbil and Baghdad

A joint Research project by the (Centre for Future Studies)  
and the (Legal and Political Studies Centre at the University of Sulaimani)

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## **Introduction**

This report is the third and final of the project 'The Future of Iraq: Between Erbil and Baghdad'. It has been produced by researchers from 'The Centre for Future Studies' in collaboration with the 'The Centre for Political and Legal Research' of the University of Sulaimani's College of Law and Politics. The project has taken six months to complete and is made up of three reports published on a bi-monthly basis, of which this report is the third of the three. The project published its first and second reports in this series in September and November 2017 respectively.

The central question of this project, which is also the fundamental question running through all three reports is: "What will the future be for the security and administration situation in Kirkuk after the defeat of the Islamic State in Iraq?"

The project will base its research on scientific study (based on the disciplines of politics, history, security, international studies) to find answers to the most pressing questions that have come to fore in the latest developments in the city of Kirkuk. The report also aims to put forward its findings to parties concerned with the issue of Kirkuk.

To answer this question, the project has organized its answer onto three primary levels. These are:

**Level one:** *The future of politics and administration in Kirkuk*

**Level two:** *Kirkuk's security scope*

**Level three:** *The regional and international scope*

The significance of this project is as follows:

First, it will mark the first time that researchers have conducted such extensive research into Kirkuk after the recent events and political developments that have affected Kirkuk and Iraq as a whole.

Second, the project will become a valuable source for politicians, academics, and the Kurdish political parties so that, in future, they can approach the Kirkuk dossier with caution.

The considerations and conclusions of this report, the third of the project, which

was prepared in February 2017, are generally a continuation of the findings and results of the first two reports, which was prepared in September 2017 and November 2017 respectively. The objective of this project is to research the distinctive characteristics of the Kirkuk issue and its different domestic and international qualities within a set timeframe of six months. What is more, the instability of the Kirkuk issue's and the solutions to it is the reports central concern. In this regard, during the preparation of the first report Kirkuk Province was under the control of the KRG's Peshmerga due to status-quo politics. Kurdish control of the Kirkuk resulted from the KRG's Peshmerga forces' defense of the Kirkuk in the face of an armed invasion into northern Iraq by the Islamic State in the summer of 2014. During this period it was expected that the KRG would no longer accept the old mechanisms, namely Article 140 of the 2005 Iraqi Constitution, that were previously employed to solve the Kirkuk issue and those of Iraq's other disputed territories.

In contrast to the geopolitical conditions in which the previous report was prepared, during the preparation of the second report of the project, in particular after 16th October 2017, the geopolitical conditions of Kirkuk Province underwent a complete transformation when Iraq's Federal Government was able to oust the KRG's Peshmerga forces from the entirety of Kirkuk Province and Iraq's disputed territories. The IFG subsequently brought these territories back under Iraqi government control thrusting the issue of Kirkuk, and finding a solution to it, into a new political phase. Hence, this report, as the second of the project, *'The Future of Iraq: Between Erbil and Baghdad'*, will attempt to put forward a renewed review into the Kirkuk issue.

This report, the third in the series, will aim to present a long-term perspective on the issues and component groups that are associated with reaching a final settlement in Kirkuk province on the local, national, regional and international level.

## **Part 1: The Case of Diversity in Kirkuk: A Solution Based on Collective Agreement:**

The Kirkuk issue is a complex and multi-dimensional one, and thus its solutions must also be far-reaching. Any solution must settle a wide range of topics, from issues relating to the national identity of Kirkuk and the province's legal rights to a final settlement on matters concerning politics, provincial administration, the constitution, the economy, and Kirkuk's society. Therefore, this section aims to outline some possible multi-dimensional and far-reaching solutions to the Kirkuk issue.

### **1.1: Power-Sharing and the Fate of Kirkuk**

It is possible to divide a solution to the Kirkuk issue into two parts, where the first addresses the relationship between Iraq's component groups and those of Kirkuk, and the second addresses the relationship between the IFG and the KRG. One of the solutions often supported by scholars to solve the rivalries prevalent in these relationships between communities in deeply divided communities is 'power-sharing'. However, much debate surrounds this notion of 'power-sharing' and the manner of its implementation, as each case is different and requires a 'power-sharing' plan specific to its different characteristics. Kirkuk Province presents advocates of the idea of 'power-sharing' with a problematic case study as the successful implementation of any 'power-sharing' model in Kirkuk province demands that architects of such a model must be well versed on the different elements and dimensions of the Kirkuk problem.

With this in mind, the question presents: How can the concept of 'power-sharing' be utilized to solve the Kirkuk issue? In answering this question, some further sub-questions must first be answered. These questions are:

- 1) What is it that makes the Kirkuk issue so complicated?
- 2) What steps are required before a power-sharing model can be designed and implemented?
- 3) What are the internal factors that have pushed the Kirkuk issue in its current

direction?

When dealing the issue of diversity governments have the option of utilizing one of two methods to confront it. These methods are to either erase the diversity in their communities or to accept it.<sup>1</sup> When dealing with multiculturalism, multi-ethnicity or sectarianism within their respected populations, different governments have, throughout history, resorted to one of these options. Regarding the erasing of an identity there are numerous ways in which governments can attempt it; these are, dissolving a minority population into a majority population, expelling and forcibly displacing minority groups both internally and internationally, and, on occasion, state-sponsored genocide and massacre. Another indirect method of erasing diversity is to establish a democratic political system by majority-rule as this guarantees that the minority community would never have the ability to have a significant impact on the nations political process. Hence, the methods of erasing diversity are well established and are implemented with the aim of reducing the effect of minority communities on the political process of the broader-nation. At the same time, there is also many ways in which governments have worked to accept the existence of diversity in their respective societies.<sup>2</sup> In some cases, entire political systems have been established around the acceptance of societal diversity. Some of the methods used in this regard are federalism, constitutional arrangements, and other forms of 'shared governance'. Ultimately, the primary objective behind the implementation of the two methods outlined above is to achieve of political stability.

Since Iraq's establishment in 1932, successive Iraqi governments from its monarchical period until the collapse of its republican government in 2003 have implemented various policies that aim to achieve political stability in Kirkuk by erasing the ethnic, cultural and sectarian diversity in the province. However, these policies did not only fail to produce political stability in Kirkuk, but also widened the gap between the state and its citizens in the Kirkuk province.

According to numerous sources, during the period of the Iraqi Ba'athist

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1 Brendan O'Leary (2014), Macro-political Approaches to Ethnic Conflict Resolution  
<https://www.youtube.com/watch?v=O76ilgnaaOE>

2 Such as majoritarian democracy.



government, many mechanisms were employed to attempt to erase the diversity of Kirkuk's population. The Iraqi government aimed to reduce the Kurdish (and to a lesser extent the Turkmen) identity so that they would have the smallest possible impact on the institutions and administration of the province. In achieving this, the Iraqi government engaged in policies of population displacement to strengthen Kirkuk's Arab population at the cost of its other populations. The methods used by the Iraqi governments, especially in its Ba'athist period, to erase the non-Arab identity of Kirkuk were numerous and included;

- 1) Attempts to Arabize Kirkuk by incentivize the migration of Arab families into Kirkuk Province and the expulsion of non-Arab (especially Kurdish) families.
- 2) Distancing Kurdish state employees and their families from Kirkuk, either by terminating their employment or re-assigning them to central and southern Iraq.
- 3) Implementation of its Ba'athification policy, which was used intensely against non-Arab communities.
- 4) Carrying out a campaign of genocide against the Iraqi Kurds, which began in 1988 under the title Al-Anfal.<sup>3</sup> According to Human Rights Watch, the direct result of the massacre was the slaughter of 100,000 Kurds<sup>4</sup>, with many more taken to northern Iraqi deserts to be buried alive in mass graves. (After 2003 many of these mass graves containing Kurds were re-discovered).

The implementation of these methods to erase Kirkuk's diversity worked to create a chasm between the Iraqi state and Kirkuk's residents (especially its Kurdish ones). The efforts ultimately failed in its aim to bring about political stability in Kirkuk province.

Therefore, the failure of this past Iraqi experience in achieving political stability in Kirkuk by attempting to erase diversity in the province goes to demonstrate that the use of this mechanism in future will only lead to another similar failure. Instead,

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<sup>3</sup> According to the decision that was passed by the Iraqi Supreme Court the Anfal was recognized as Genocide.

<sup>4</sup> Human Rights Watch (1993). Genocide in Iraq: The Anfal Campaign Against the Kurds. Available on <https://www.hrw.org/reports/1993/iraqanfal/> (accessed 12/02/18)

Iraq should distance itself from any attempt to manage the multi-ethnic, multi-cultural and sectarian makeup of Kirkuk and the other Iraqi disputed territories via this means. Following the collapse of the Ba'athist government in 2003 the majority of the country came together to condemn the actions of the previous regime and agreed that to achieve political stability in the country they needed to implement a political system that was dependent on Iraq's diversity of population.

### **1.2: Solving the Kirkuk Problem: 2003 to 2017**

After the collapse of the Iraqi Republican Government in 2003 and the failure of its efforts to achieve political stability by attempting to erase populations, the Coalition Provisional Authorities and the Iraqi Governing Council, which was a body that represented all the component groups in Iraq, chose to follow a policy that accepted Iraq's ethnic, cultural and religious diversity. The representative nature of the new Iraqi Governing Council was evidence in itself of the new direction that Iraq would take going forward.<sup>5</sup> What is more, the new Iraqi Transitional Government that followed the dissolution of the Coalition Provisional Authorities and the Iraqi Governing Council also founded on the idea of ethnic, cultural and religious inclusivity and divided its government portfolios in the same manner. Inclusivity has remained the principle underlining the formation of all Iraqi governments since 2005. This underlying notion of inclusivity in Iraq's governing culture had also left its mark on Kirkuk province.

After the previous Iraqi regime's attempt to erase Kirkuk's diversity failed to reach its objectives of political stability, a specific legal article was inserted into the 2005 Iraqi Constitution to address the issue of Iraq's disputed territories (with a particular focus of Kirkuk as one of the most explosive disputed territories in Iraq). The constitutional article aimed to normalize the status of Kirkuk by reversing the effects of the previous regime's policies on the province's identity and makeup. The article in question was Article 140 of the 2005 Iraqi Constitution. It re-emphasized

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<sup>5</sup> This council worked under the supervision of the Coalition Provisional Authority. The council had 25 members and its ethnic and religious breakdown included thirteen Shias, five Sunnis, five Kurds, one Turkmen and an Assyrian. Three of its members were women.

the need to implement Article 58 of the Transitional Administrative Law via a three stages formula that would assist the people of Kirkuk to reach a final democratic settlement on the Kirkuk issue. In essence the formula was the implementation of three specific policies in regards to Kirkuk, which were normalization, census, and referendum. Moreover, it set a deadline of the 31st December 2007 for the implementation of all three stages to be completed. However, given that, until present (almost ten years past the deadline), only a small part of the first stage has been completed<sup>6</sup> it can be argued that Article 140 has thus far failed to be an all-encompassing mechanism for solving the Kirkuk issue.

The Kirkuk issue (as one of Iraq's disputed territories) is so complicated that it has forced the political separation of Kirkuk province from the political principles underlining the administration of every other Iraqi province. The sensitive nature of the Kirkuk has meant that the province has only been able to hold one Provincial Council election since 2005, where the other Iraqi provinces have held Provincial Council elections in 2005, 2009 and 2013 (excluding the provinces of the Kurdistan region of Iraq which saw its last provincial council elections held in 2014). Debates continue to rage in the Iraqi National Assembly and among Iraqi politicians as to the date of the next Kirkuk Provincial Council elections. The Kurdistan Democratic Party has, since 17th October 2017, labeled Kirkuk an occupied territory, and therefore, does not agree to the holding of Provincial Council elections in Kirkuk in its current state.<sup>7</sup> Kirkuk's Arabs and Turkmen, who were previously in a weak position in Kirkuk, see the present circumstances in Kirkuk, following IFG's takeover of the province from the KRG, as an opportunity to take advantage of Kurdish weakness in Kirkuk to hold such elections. However, the vision of the Arabs and Turkmen is not to dominate Kirkuk but to install an administrative body in the Provincial Council that divides equally, three ways, between Kirkuk's Kurds (32%), Turkmen (32%) and Arabs (32%) and with a small quota (4%) going to the

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6 Interview with Khalid Shwani in 2003 by Dr. Jalal Hasan Mistaffa, researcher at the Centre for Future Studies.

7 'Khasraw Goran: We will not take part in the elections in Kirkuk', <http://www.kdp.info/a/d.aspx?l=13&a=106688>

province's Christian minority.<sup>8</sup> To date, this proposal by Kirkuk's Turkmen and Arabs has failed to win the support of Kirkuk's Kurds as the Kurds believe themselves to be the majority population in the province<sup>9</sup>, and so, view the proposal as one that forces the will of the minority on the majority. Therefore, at this juncture, the question is, how and with what mechanisms can the Kirkuk issue resolve when the 2005 Iraqi Constitution has failed to deliver, and when there has only been one Provincial Council election held in Kirkuk?

#### **How to resolve the issue of Kirkuk and the disputed territories?**

The most sensitive element of the Kirkuk issue is that it divides between numerous ethnic groups. It is difficult for a majoritarian democratic process to solve the problem, especially since the province retains scars from a previous authoritarian and dictatorial regime. The difficulty in finding a solution does not only lie in the fact that Kirkuk is a province that has a mix of ethnicities, cultures and religions, as compounding this problem is also the fact that Iraq as a whole (since 1958) has been subject to history filled with oppression, abuse, the rejection of Kurdish rights and Arabization. What is more, Iraqi democracy remains underdeveloped and steeped in political crises; a crisis that seems more severe in Kirkuk and its surrounding areas. Therefore, the primary question remains how can the Kirkuk issue and that of Iraq's other disputed territories resolve in a manner that can bring about political stability for Kirkuk Province and by consequence for the rest of Iraq?

For any proposed solution to be successful in Kirkuk (as one of Iraq's disputed territories and a region of ethnic, cultural and religious diversity) it must adhere to the following:

- 1) Due to Kirkuk's nature and that of the other Iraq disputed territories', in that they have a diverse makeup, any proposed solution must not exclude any of the main component groups (Kurds, Turkmen, Sunni Arabs) that inhabit those regions from the decision-making process. To date, the major causes of

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8 Hussein Daud, 'The Kirkuk Crisis Complicates the Electoral Scene in Iraq', January 28, 2018, Al-Hayat on the following link: <http://www.alhayat.com/Articles/26994465/>

9 Rudaw, 'Kurds Refuse to Distribute Positions in Kirkuk on the Basis of 32% for Each Group', 5/2/2018 on the following link: <http://www.rudaw.net/arabic/kurdistan/05022018>

instability and turbulence in these territories have been that at least one of the component groups has always felt excluded from its decision-making process and governance.<sup>10</sup>

- 2) Due to past demographic and administrative adjustments made to Kirkuk Province (especially by the previous Iraq's Ba'athist government) that aimed to dissolve non-Arab, mainly Kurdish, identities from the Kirkuk, it is essential for any proposed solution to begin by compensating the groups that suffered under these policies. Such a program of compensation would also send the message that Kirkuk's residents were, from then on out, in charge of their own futures and that the era of oppression was over. Moreover, this compensation will promote the idea of collective action across the ethnic, cultural and religious divides to bring about political stability.
- 3) Any solution must allow space for the cultural autonomy of the different groups in Kirkuk. By 'cultural autonomy' this report means independence in the decision-making of those bodies that represent the cultural affairs (education and cultural centers) of the various groups in Kirkuk.

### **1.3: 'Power-sharing' as a Solution to the Kirkuk Issue**

The two primary 'power-sharing' models are consociational democracy and centripetalism. Both models have specific characteristics that make them a suitable system for implementation to achieve political stability in deeply divided communities like Kirkuk. This section will focus on consociational democracy as a potential model to solve the Kirkuk issue; however, it will also take into account some of the criticisms of centripetalism.

There are numerous examples around the world where the implementation of consociational democracy has brought political stability to deeply divided societies. Some prominent cases include Lebanon, Belgium, and Northern Ireland. Some of

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10 Interview with Hassan Toran – Member of the Iraqi parliament in its third term on 18th February 2018 2003 by Dr. Jalal Hasan Mistaffa, researcher at the Centre for Future Studies.

these societies might have witnessed internal conflicts if they had not implemented consociational democracy. However, this does not mean that their day-to-day politics remains stable. Arend Lijphart is a leading figure in the theory of consociational democracy and believed that the implementation of consociational democracy (like in the Netherlands in the 1960's) could succeed in bringing about political stability to those societies that divide deeply along ethnic, religious, ideological, linguistic, cultural lines.<sup>11</sup> When, in 1969, Lijphart first wrote his article on consociational democracy, the dominant theory was majoritarian democracy (Westminster System). In Lijphart's view democracy could succeed in deeply divided societies if it was by consensus. According to Lijphart, the principles that would underpin such a democratic model were the following:

- 1) The active inclusion of the significant political forces within a society in a fully representative grand coalition government.
- 2) Space must be allowed for the minority communities to have the right of limited autonomy, in particular, in respect to their specific cultural affairs.
- 3) The grand coalition government must represent all sides proportionately in government, state institutions and state employment.
- 4) The minority communities in the coalition government must have the 'right to veto' to suspend a government decision or change that would have otherwise affected their group's interests negatively.<sup>12</sup>

In Lijphart's view, there are many ways to incorporate these fundamental principles of consociational democracy in a political system; the manner of which they combine into a single political system varies from one case to the next.<sup>13</sup>

There is an argument to suggest that it may be easier for Kirkuk and Iraq's disputed territories to adopt consociational democracy than other cases. First, the Iraqi Constitution does not prevent Iraqi provinces from implementing specific

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11 Arend Lijphart (1969). Consociational Democracy, *World Politics*, Vol. 21, No. 2, pp. 207-225.

12 Arend Lijphart (1996). The Puzzle of Indian Democracy: A Consociational Interpretation, *The American Political Science Review*, Vol. 90, No. 2, pp. 258-268

13 Arend Lijphart (2008). Thinking about Democracy: Power sharing and majority rule in theory and practice, Routledge, Oxford, UK. p.4

forms of provincial governance. Second, while the Iraqi Constitution treats its citizens equally and affords them the same rights regardless of their ethnic, cultural or religious background, it also allows space for their specific cultural development by enabling the establishment of ethnic, religious and cultural schools particular to each of Iraq's component groups. Article 3 and Article 4 of the 2005 Iraqi Constitution enshrines these rights for Iraqi citizens. First, Article 3 makes clear that Iraq is a country of many nationalities, religions and sects.

Second, Article 4 Subsection 1 explains that the Arabic language and Kurdish language are the two official languages of Iraq. Moreover, the right of Iraqis to educate their children in their mother tongues, such as Turkmen, Syriac and Armenian, in government educational institutions in accordance with educational guidelines, or in any other language in private educational institutions, is guaranteed.

Third, Article 4 Subsection 4 sets out that the Turkmen language and Syriac language are considered two other official Iraqi languages in the jurisdictions in which they represent the density of population. The Iraqi Federal Court has passed judgment that the Turkmen and Assyrian communities of Kirkuk meet the condition of 'density of population' as set out in Article 4 of the Iraqi Constitution.<sup>14</sup> The same judgment by the Iraqi Federal Court also allows for text on road signs to be in all four of the province's languages (Kurdish, Arabic, Turkish, Assyrian). In Kirkuk, this judgment has, to date, been implemented in official buildings, on the road, and in universities. Moreover, by its very nature Article 4 of the 2005 Iraqi Constitution demands that the IFG set aside funds for the allocation of educational institutions in all of Iraq's languages. Hence, this provides for the 'cultural autonomy' condition required for the successful implementation of a consociational democracy in Kirkuk and the other disputed territories.

The first principle required by Lijphart for the successful implementation of a consociational democracy was for the empowerment of a fully representative grand coalition government. For Lijphart, this requirement is unconditional if the aim is to

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14 Iraqi Supreme Court Decision - number: 15, year: 2007, See here:

[https://www.iraqfsc.iq/krarat/2/2008/15\\_fed\\_2008.pdf](https://www.iraqfsc.iq/krarat/2/2008/15_fed_2008.pdf)

have a stable government in deeply divided communities via consociational democracy. In the case of Kirkuk, the makeup of its Provincial Council did indeed previously resemble the grand coalition that is required by Lijphart. However to prevent instability due to Kirkuk's sensitive nature, the IFG has decided against holding fresh Provincial Council elections in the province since 2005. While, all three of the main component groups in Kirkuk (Kurds, Arabs, Turkmen) have had representations in this local grand governing coalition, both the Turkmen and the Arab communities often complain that the Kurds have not awarded them their rightful share of representation in Kirkuk. What is more, they argue that since 2003 Kurdish representation in Kirkuk's governing institutions has gradually increased.<sup>15</sup>

In working to resolve these disagreements, the different groups have held numerous meetings under the observation of the United Nations Assistance Mission in Iraq (UNAMI). For instance, in 2009 a group of 25 representatives from Kirkuk's Provincial Council, that included representatives from all of Kirkuk's component groups, took part in a workshop titled 'The Implementation of the Dead Sea Agreement: Just Solutions to the Obstacles Facing the Governance of Kirkuk' and agreed on the swift implementation of numerous solutions to the Kirkuk problem. The most notable settlement they decided on was the implementation of a government that divided the governance of Kirkuk Province between its component groups in the following way: Kurds (32%), Arabs (32%), Turkmen (32%) and Christians (4%). This agreement became known as the 'Berlin Agreement', and the manner in which they agreed to divide provincial power was a reaffirmation of Article 23 of the 2008 Provincial Council Election Law.

Today the Turkmen and Arabs demand the implementation of the 'Berlin Agreement' and Article 23 of the 2008 Provincial Council Election Law. However, Kirkuk's Kurds reject this proposal arguing that a power-sharing agreement on equal footing is unjust to the Kurds, as it does not take into consideration their majority status in Kirkuk. What is noteworthy is that while the Kurds disagree with the proposed equal division of power in Kirkuk, it was the former Iraqi president Jalal

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15 Interview with Hassan Toran – Member of the Iraqi parliament in its third term on 18th February 2018 2003 by Dr. Jalal Hasan Mistaffa, researcher at the Centre for Future Studies.



Talabani (a Kurd) who first introduced the idea with numerous Kurdish officials also signing off on the plan originally. Regardless, what is required now is a renegotiation between the representatives of Kirkuk's different component groups to adjust the division to one that all sides can accept and is just to the size of each group.

The third and fourth principles required by Lijphart for the successful implementation of a consociational democracy, which was the proportional division of power and the 'right to veto' that can be implemented as soon as a broad coalition government has been established. In regards to the Kirkuk case, the 'Berlin Agreement' and Article 23 can be utilized to split power justly between the different groups and divide the important portfolios of the province (Governor, Deputy Governor, Chairman of the Provincial Council, and others), as well as the medium and lower level ones between them. However, the equal division of power presents numerous problems, not least that it imposes a form of 'minority tyranny' as there is currently no accurate and up to date census available on the population size of each of Kirkuk's component groups that can be used as a foundation for the division of power. Currently, the Kurds believe themselves to be the majority population in Kirkuk, and therefore, the equal division of power in the province would be an injustice upon their community.

The secondary problem with the proposed equal division of power is the idea that such a settlement would be a permanent fixture of Kirkuk's governance. While such an arrangement may bring political stability in the short-term, in the long term, as the demographics of the town naturally change and its political atmosphere evolves, it threatens further political instability.

The tertiary problem with this manner of power-division is that the posts and positions in the power-sharing government would most likely go to the party loyalists of the parties involved. The issue with this outcome is that it introduces inexperienced and undeserving officials into the Kirkuk dilemma. Previous Iraqi experience has shown that the division of power in this manner leads to increases in corruption, bribery, government office idleness, and the disenfranchisement of residents with the entire arrangement.

In regards to the 'right to veto' principle of consociational democracy, the idea is a simple one, that each group have the right to reject any proposal that they feel will harm their group's interests in Kirkuk. The 'right to veto' can be implemented in numerous official institutions of Kirkuk especially in the Provincial Council, which is Kirkuk's seat of power and the place where the province's decision-making process takes place. However, the 'right to veto' also comes with some negatives, which, if implemented, need to be overcome with appropriate mechanisms. Firstly, the implementation of a 'right to veto' threatens to make the process of decision-making more difficult, lengthier, more costly, and by consequence damaging to residents. Two steps may assist in reducing this negative impact:

- 1) The 'right to veto' should be limited in scope and only available to specific issues that directly affect a specific component group or that can be shown to effect that group negatively.
- 2) The 'right to veto' should only be available in the Kirkuk Provincial Council and should not be implemented in all of Kirkuk's government offices.

#### **1.4: Factors Affecting Consociational Democracy in Kirkuk**

While the consociational democracy model for Kirkuk may present a solution for Kirkuk's internal politics and governance, numerous external factors will also play a role in the success or failure of this model of governance. A thorough analysis and presentation of these factors are laid out below.

Firstly, when discussing the consociational democratic model as a solution for the Kirkuk issue, the discussion should also include the question, under what status will this model be most successful? Will consociational democracy be more successful if Kirkuk retains its current geopolitical state, if it joins the Kurdistan Region of Iraq or if it becomes a stand-alone autonomous region within Iraq? In truth, the answer to such a question requires the preparation of a well-informed report on the issue by an independent body. Nevertheless, the evidence, thus far, seems to point in the direction of Kirkuk Province receiving autonomous regional status within Iraq as the model best suited to consociational democracy. This model of Kirkuk province would allow for minimal space for external interference and would likely strengthen

Kirkuk's internal political process. Moreover, regional status would allow more political positions to become available in Kirkuk that would allow for a more inclusive political process that all sides would feel they have a stake in.

Second, the Kirkuk issue has an external dimension (KRG and the IFG), a regional dimension (Turkey and Iran) and an International dimension (the United Nations represented by UNAMI). These dimensions, especially the regional and international dimension have made finding a resolution to the Kirkuk issue more complex and more difficult. Hence, the consociational democratic solution to the Kirkuk problem (or any other) must also take into consideration the concerns and demands of these parties.

Third, some outstanding problems remain unresolved between the KRG and the IFG (external dimension). These problems are directly related to the Kirkuk issue and are, for the most part, legal issues such as Article 140 of the 2005 Iraqi Constitution (the legal mechanism for solving the Kirkuk issue) and the absence of a national oil and gas law that can regulate the export and sale of the commodity between the Kurdistan Region of Iraq and the IFG. Without a solution for these legal matters, it is highly unlikely that the implementation of consociational democracy would be successful in Kirkuk. Moreover, it is not right to expect a resolution to these problems via the application of consociational democracy in Kirkuk as such a model would only be able to solve the administrative issues present in Kirkuk and not those present in Iraqi as a whole.

### **1.5: Legal and Constitutional Mechanisms to Solve the Kirkuk Problem**

It is clear that, at present, for the Iraqi government, the only acceptable, just and legal solutions to the Kirkuk issue are those that the 2005 Iraqi Constitution allows. In this regard, the 2005 Iraqi Constitution has allocated Article 140 specific to solving the Kirkuk problem. Article 140 lays out the mechanisms needed to reach a final resolution in Kirkuk in the following way.

*"First, The executive authority shall undertake the necessary steps to complete the implementation of the requirements of all subparagraphs of Article 58 of the Transitional Administrative Law.*

*Second, The responsibility placed upon the executive branch of the Iraqi Transitional Government stipulated in Article 58 of the Transitional Administrative Law shall extend and continue to the executive authority elected in accordance with this Constitution, provided that it accomplishes completely (normalization and census and concludes with a referendum in Kirkuk and other disputed territories to determine the will of their citizens), by a date not to exceed the 31st of December 2007."*

Hence, this article makes it incumbent on the executive (IFG) to make the necessary preparations that Article 58 of the Transitional Administrative Law of 2004 lays out.<sup>16</sup> Article 58 of the Transitional Administrative Law makes clear:

- 1) *"The Iraqi Transitional Government, and especially the Iraqi Property Claims Commission and other relevant bodies, shall act expeditiously to take measures to remedy the injustice caused by the previous regime's practices in altering the demographic character of certain regions, including Kirkuk, by deporting and expelling individuals from their places of residence, forcing migration in and out of the region, settling individuals alien to the region, depriving the inhabitants of work, and correcting nationality. To remedy this injustice, the Iraqi Transitional Government shall take the following steps:*
- 2) *With regard to residents who were deported, expelled, or who emigrated; it shall, in accordance with the statute of the Iraqi Property Claims Commission and other measures within the law, within a reasonable period of time, restore the residents to their homes and property, or, where this is unfeasible, shall provide just compensation.*
- 3) *With regard to the individuals newly introduced to specific regions and territories, it shall act in accordance with Article 10 of the Iraqi Property Claims Commission statute to ensure that such individuals may be resettled, may receive compensation from the state, may receive new land from the state near their residence in the governorate from which they came, or may receive compensation for the cost of moving to such areas.*
- 4) *With regard to persons deprived of employment or other means of support in order to force migration out of their regions and territories, it shall promote new*

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<sup>16</sup> Article 143 of the Iraqi Constitution states: "The Transitional Administrative Law and its Annex shall be annulled on the seating of the new government, except for the stipulations of Article 53(A) and Article 58 of the Transitional Administrative Law."

*employment opportunities in the regions and territories.*

- 5) *With regard to nationality correction, it shall repeal all relevant decrees and shall permit affected persons the right to determine their own national identity and ethnic affiliation free from coercion and duress.*
- 6) *The previous regime also manipulated and changed administrative boundaries for political ends. The Presidency Council of the Iraqi Transitional Government shall make recommendations to the National Assembly on remedying these unjust changes in the permanent constitution. In the event the Presidency Council is unable to agree unanimously on a set of recommendations, it shall unanimously appoint a neutral arbitrator to examine the issue and make recommendations. In the event the Presidency Council is unable to agree on an arbitrator, it shall request the Secretary-General of the United Nations to appoint a distinguished international person to be the arbitrator.*
- 7) *The permanent resolution of disputed territories, including Kirkuk, shall be deferred until after these measures are completed, a fair and transparent census has been conducted, and the permanent constitution has been ratified. This resolution shall be consistent with the principle of justice, taking into account the will of the people of those territories."*

However, to date, most of these requirements have not yet been met, and the reasons for this are two-fold. First, the general neglect by the IFG's in preparing the required groundwork to resolve the Kirkuk issue. However, this is not to say that the KRG (the second party in the dispute) has been active on the subject, quite the contrary the KRG has also demonstrated disregard on the matter. Still, according to the two legal articles outlined above, that are the only two legal frameworks addressing the issue, the responsibility to prepare the legal groundwork to reach a final settlement falls on the IFG.

The IFGs neglect of its legal responsibilities regarding the Kirkuk issue has not only breached Iraq's constitutional law but has also brought within numerous negative consequences, such as cheating Kirkuk's displaced residents (and other displaced residents of Iraq's other disputed territories) out of their fundamental legal political, economic, and humanitarian rights. It has also left residents of Kirkuk (and the disputed areas) without necessary services and provision for their basic everyday needs. The fact that Kirkuk has been subject to a dual administration system between

the IFG and the KRG has meant that these problems have protracted as each side shuns responsibility on to the other. This attitude by the IFG and the KRG has also worked to reduce government oversight of Kirkuk's administrative and security processes, worsening the already dire state of services and the provision of residents basic needs in the area. Moreover, this lack of oversight has paved the way for financial and administrative corruption and political instability and insecurity, allowing the actions of both terrorist organizations, such as Al-Qaeda and the Islamic State, and Iraqi security forces, such as the Popular Mobilization Forces (that are currently illegally governing Kirkuk and the Iraqi disputed territories), to put the lives and fundamental rights of Kirkuk's residents at risk.

Second, the complexity and weakness of the instruments and mechanism put forward by both legal articles (outlined above) to reach a final settlement on the Kirkuk issue as they are designed to be short-term and catch all solutions to a much broader problem woven into the fabric of Iraqi society. Hence, while these solutions may hold in the short-term, they are unlikely to solve specific elements of the Kirkuk issue in the long-term, namely the problem of Kirkuk's identity and the management of Kirkuk's natural resources.

Although the IFG has neglected the issue and the legal articles available are weak and complex, this does not take away from the urgent need for a solution to the Kirkuk problem. However, any solution presented in future must consider the two reasons given above explaining why the legal requirements to solve Kirkuk have not yet been met. Hence, this report believes that, to avoid more delays of implementation, any future solution must come with the following pre-conditions: first, it must include active mechanisms that would prevent the IFG from dragging its feet once again on the issue. To achieve this result, guarantees can be incorporated into the solution, such as official periodic reviews into the IFGs (Iraqi Council of Ministers) progress in meeting its legal obligations towards the Kirkuk issue, and holding the IFG (Iraqi Council of Ministers) accountable whenever it is clear that it is neglecting its legal responsibilities towards Kirkuk. To date, there has only been one formal committee that has had responsibility for implementing Article 140 of the 2005 Iraqi Constitution, which "The Committee for Implementing Article 140". This

committee formed by executive order number '46-MRN/48/1373' on 9th August 2006. The problem with this committee is that it is only empowered to implement Article 140, and has not been given any powers to oversee or reprimand the IFG's handling of the issue. Therefore, in parallel with the legal articles outlined above (especially Article 58 of the TAL 2004), it may be useful to award powers to oversee and reprimand the IFG to the following three institutions and organizations:

- a. **The Iraqi president**, the second part of Iraq's executive power.
- b. **Iraq's legislature**, especially the Federal Council, which as the secondary component to Iraq's National Assembly has yet to form.
- c. **Secretary-General of the United Nations**, especially if any of the sides in the Kirkuk dispute feel that the Iraqi Presidency and the Iraqi National Assembly is not fulfilling their assigned role on the issue.

Second, a review and amendment process of the mechanisms that are currently in use to settle the Kirkuk issue must be carried out, of which Article 140 is the most obvious. However, opposing this process of an amendment is a number of obstacles, of which the first is the self-imposed deadline for the implementation of Article 140. According to Article 140 of the Iraqi Constitution, the issue of Kirkuk must have been settled by 31st December 2007. However, a decade on from that deadline the legal process for deciding the fate of Kirkuk has remained stalled in its initial phases.

Another obstacle is, how is article 140 to be amended when, in Article 126 of the Iraqi Constitution, there are intense and complex requirements that need to be met before any part of the constitution can be altered?<sup>17</sup> Moreover, none of those

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17 Article 126 of the Iraqi Constitution states: First: The President of the Republic and the Council of the Ministers collectively, or one-fifth of the Council of Representatives members, may propose to amend the Constitution. Second: The fundamental principles mentioned in Section One and the rights and liberties mentioned in Section Two of the Constitution may not be amended except after two successive electoral terms, with the approval of two-thirds of the members of the Council of Representatives, the approval of the people in a general referendum, and the ratification by the President of the Republic within seven days. Third: Other articles not stipulated in clause "Second" of this Article may not be amended, except with the approval of two-thirds of the members of the Council of Representatives, the approval of the people in a general referendum, and the ratification

requirements guarantees the rights of the Kurdistan Region or the different groups of Kirkuk (especially the Kurds) if Article 140 is amended. In other words, there is no set guarantee that if Article 140 is modified, then it won't be done in a manner that only protects the interests of the IFG at the cost of Iraq's other component groups.

Regarding the expiration of Article 140 most constitutional experts, in particular, Iraqi legal experts, believe that there is no expiration date for those principles and mechanisms designed to solve the issue of Kirkuk and the disputed territories enshrined in Article 140 of the 2005 Iraqi Constitution. The only element of Article 140 that has expired is the required date of implementation. Nevertheless, the Kirkuk issue persists, and the 2005 Iraqi Constitution remains active and has yet to be suspended. Hence, Article 140 will only expire when either the 2005 Iraqi Constitution is discontinued or when Article 140 is amended or removed in line with Article 126. It is also worth mentioning that there are other articles, such as Articles 75, 137 and 142<sup>18</sup>, in the 2005 Iraqi Constitution that like Article 140 has passed its

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by the President of the Republic within seven days. Fourth: Articles of the Constitution may not be amended if such amendment takes away from the powers of the regions that are not within the exclusive powers of the federal authorities, except by the approval of the legislative authority of the concerned region and the approval of the majority of its citizens in a general referendum.

18 Article 65 of the Iraqi Constitution states: "A legislative council shall be established named the "Federation Council," to include representatives from the regions and the governorates that are not organized in a region. A law, enacted by a two-thirds majority of the members of the Council of Representatives, shall regulate the formation of the Federation Council, its membership conditions, its competencies, and all that is connected with it." Article 142 of the Iraqi Constitution states: First: The Council of Representatives shall form at the beginning of its work a committee from its members representing the principal components of the Iraqi society with the mission of presenting to the Council of Representatives, within a period not to exceed four months, a report that contains recommendations of the necessary amendments that could be made to the Constitution, and the committee shall be dissolved after a decision is made regarding its proposals. Second: The proposed amendments shall be presented to the Council of Representatives all at once for a vote upon them, and shall be deemed approved with the agreement of the absolute majority of the members of the Council. Third: The articles amended by the Council of Representatives pursuant to item "Second" of this Article shall be presented to the people for voting on them in a referendum within a period not exceeding two months from the date of their approval by the Council of Representatives.



required date of implementation but have not lost their constitutional value or significance.

Therefore, to address the complexity and impossibility associated with amending the 2005 Iraqi Constitution, and in the case of this report, Article 140, it may be possible to solve the flaws and the complexity of its implementation mechanisms by adopting laws to reform it. However, to be successful these laws must be drawn up in an environment that respects all the guarantees and safeguards demanded by the amendment process, especially towards the KRG and the Kurdish residents in the associated regions. Moreover, other than standard safeguards that Iraqi lawmakers must respect when setting new laws, there must also be extra safeguards in place to ensure that any new mechanism that is put in place to solve the issue of Kirkuk and the disputed territories does not reduce the rights of Kirkuk's residents to below that which Article 140 already enshrines.

Any new law that looks to reform Article 140 must include the following:

- 1) An acceptance that it will abide by the principles of coexistence, power-sharing and the equitable distribution of Kirkuk's income, opportunities, material gain and immaterial gain.
- 2) Protections of its principles through a formally electable body. While an elected official body already exists in Kirkuk Province in the form of the Kirkuk Provincial Council, and which represents Kirkuk's residents on a proportional basis, it may be necessary to form a secondary elected body in Kirkuk, called "The Council of Kirkuk's Groups". Such a body can represent Kirkuk's component groups equally. This body may be especially useful to address the Berlin Agreement's requirement to split representation between the groups in Kirkuk equally (Kurds - 32%, Turkmen -32%, Arabs - 32% and Christians 4%). Such a body can have different powers to that which the Provincial Council has, in particular, it can have control over issues to do with coexistence and the

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Fourth: The referendum on the amended Articles shall be successful if approved by the majority of the voters, and if not rejected by two-thirds of the voters in three or more governorates. Fifth: Article 126 of the Constitution (concerning amending the Constitution) shall be suspended, and shall return into force after the amendments stipulated in this Article have been decided upon.

equitable distribution of Kirkuk's income, opportunities, material gain and immaterial gain.

- 3) A period of transition that gives Kirkuk special status lasting between four to seven years, in which Kirkuk's residents govern the province through a power-sharing agreement. This period should then be utilized to reach a final settlement.
- 4) Mechanisms to ensure international oversight, especially from the United Nations Assistance Mission for Iraq. International organizations can offer assistance in regards to the manner of implementation of any new law regarding Kirkuk, while also overseeing Kirkuk through its transition period (application of the mechanisms and the state of power-sharing).
- 5) Active tools and processes to make the method of acquisition, use and sale of natural resources (oil and gas) more transparent. The inclusion of this element is essential as the issue of Kirkuk's natural resources is one of the fundamental areas of disagreement between the IFG and the KRG. What is more, the inclusion of this element could work to allocate funds from the sale of Kirkuk's natural resources as compensation to Kirkuk's residents to remedy the years of loss, oppression and persecution they have faced at the hands of successive Iraqi governments. To date, the complexity of the Kirkuk issue has been compounded by the disenfranchisement of Kirkuk's residents from the political process, as they currently have no knowledge of where revenue generated from Kirkuk ends up.
- 6) A genuine commitment by the IFG to implement all of the requirements (normalization, census, referendum) set out in Article 140 of the 2005 Iraqi Constitution. In fulfilling this commitment, a budget should be set aside for the first stage (normalization) of Article 140, which the Iraqi Government can utilize to;
  - a. Compensate those residents of Kirkuk who have faced forcible migration.
  - b. Resolve issues of land and home ownership in Kirkuk.
  - c. Reversing those laws and decisions, which the previous Iraqi Baathist regime previously implemented to alter the administrative borders, demographics,

economy, and the social fabric of Kirkuk's community.

The IFG should then begin the necessary procedures to hold a transparent census in Kirkuk. It may be possible for the Iraqi Government to also engage in the steps required to carry out the count in parallel with its efforts to complete the requirements for stage one (normalization). This parallel execution can only work if the IFG also takes into consideration (through laws and guarantees) all those that have been affected by the discriminatory policies of the previous Iraqi Baathist regime, but that has yet to return to Kirkuk. The preparation and implementation of any census in line with Article 140 must also have international oversight by the international organizations such as the United Nations (UNAMI). Once the first and second stage of Article 140 is complete (will likely take up the majority of the transitional period) the IFG can utilize the final year of the transition period to prepare and hold the final referendum, completing the requirements of Article 140. For a successful vote, the voters taking part in the poll must have the following options on their ballot:

- a. Kirkuk should remain an Iraqi Province under the direct authority of the IFG.
- b. Kirkuk should join the Kurdistan Region of Iraq and enter into the jurisdiction of the KRG.
- c. Kirkuk should become an autonomous region within Iraq and be run autonomously by a government specific to the Kirkuk region.
- d. Kirkuk should remain under the shared control of the IFG and the KRG for the foreseeable future.
- e. This option should be left open for any other possible outcome that presents itself during the transitional period.

Lastly, the referendum should be conducted by 'direct voting' and decided by majority vote.

## Part 2: The Future of the Security Dossier in Kirkuk

One of the most significant and sensitive elements of the Kirkuk issue that presents an opportunity for politicization in the debate about the future of Kirkuk is the issue of its security. The events of the 16th October 2017 changed the balance of power in Kirkuk Province putting Kirkuk's security dossier into the hands of Iraq's counter-terrorism units and Kirkuk's police forces. What is more, since the 16<sup>th</sup> October 2017 the KRG's Peshmerga forces and its security (Asaish) forces no longer have a role in the administration of Kirkuk's security dossier.

Hence, to understand the future of Kirkuk's security dossier this section will discuss the perspective of Kirkuk's different component groups, the IFG and the KRG on the issue of Kirkuk's security. In addition it will also explain the threat posed to Kirkuk's security by the re-emergence of terrorist organizations in the area.

### 2.1: Perspective of Kirkuk's Component Groups

The administration of the Kirkuk security dossier in the view of Kirkuk's component groups has changed as a result of their day-to-day interaction with it. The Turkmen believe that in the absence of a professional security service Kirkuk's security dossier has been taken over by an organized intelligence body. Pointing to January 2018 alone, representatives of the Turkmen community explain that the intelligence body has targeted three Turkmen individuals with two of them subsequently assassinated. The Turkmen argue that this dire state of Kirkuk's current security situation is the result of the poor policies pursued by the IFG and the KRG since 2003. The Turkmen believe that it is for this reason that Kirkuk's security services; especially the province's police force is in need of a process of review and improvement.<sup>19</sup>

For Kirkuk's Arabs, even though their ethnic group currently holds the post of Governor in Kirkuk (temporarily), they are worried about the post-16th October

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<sup>19</sup> Interview with Hassan Toran – Member of the Iraqi parliament in its third term on 18th February 2018 2003 by Dr. Jalal Hasan Mistaffa, researcher at the Centre for Future Studies.

2017 state of Kirkuk. They are anxious, as they believe that since the IFG's takeover of Kirkuk there are no indicators as to the direction Kirkuk will take going forward. At present, the Kirkuk based Arab council, which is a representative body of the Sunni Arabs, supports the current state of Kirkuk's security believing that the law has only been sovereign in Kirkuk since the 16th October 2017. The general view amongst Kirkuk's Arab population that the current 'peaceful' state of Kirkuk is the result of the professionalism of Kirkuk's security services; hence the Arab Council in Kirkuk tends to support all the constitutional and lawful policies that the IFG implements in Kirkuk.<sup>20</sup>

For Kirkuk's Kurds, they are generally against all the recent steps taken by the IFG in Kirkuk, as they believe them to be illegal and unconstitutional. The Kurds point to the Iraqi Constitution and the Status of Forces Agreement formed on 20th October 2011 between the United States forces in Iraq, the Iraqi forces, and the KRG's Peshmerga forces that sets out the joint nature in which the security dossier of Iraq's disputed territories must be administered. In section B of the agreement the Supreme Joint Ministerial Committee agreed to the following six points regarding their mutual security cooperation in Kirkuk<sup>21</sup>:

- 1) The ending of the joint security area.
- 2) The Golden Lions Force will be the only active force at the checkpoints.
- 3) The Golden Lions Force has the task of protecting checkpoints and themselves within a radius of 500 meters from the joint security zone.
- 4) The Golden Lions Force shall organize the security protocol between the joint security zones after cooperation with the 'Joint Cooperation Centre' in Kirkuk.
- 5) The Fourth Regiment of the Golden Lions shall be increased to create joint security checkpoints.
- 6) The Iraqi police forces will be responsible for maintaining security within Kirkuk city.

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20 Statement by the Arab Council in Kirkuk on 20/12/2013

21 Status of Forces Agreement formed on 20th October 2011

Therefore, Kirkuk's Kurds believe that the current security situation in the province has been imposed upon them and demand that it be reviewed and reversed to that which the 2005 Iraqi Constitution and the joint agreements allow.

## **2.2: The Perspective of the KRG and the IFG on the Security of Kirkuk**

Following the Kurdish independence referendum on the 25th September 2017, the IFG requested that the KRG return control of the Iraqi disputed territories to Baghdad. Due to the Kurdish rejection of the demand, the IFG launched a large-scale military drive northwards towards the center of Kirkuk city on the 16th October 2017. The Iraqi government was able to take over control of Kirkuk and its surrounding areas, and oust the KRG's Peshmerga forces from the area relatively swiftly. The IFG justified the move by describing it as "imposing the law and re-extending the IFG's power and sovereignty to those regions" as, in their view, was legally requested by the Iraqi Council of Representatives. Moreover, the move against the KRG allowed the IFG to strengthen or restore its relations with regional states, namely Turkey and Iran. These states, which also opposed the KRG's push for independence, offered to provide the IFG with all necessary intelligence, economic, and military assistance to recapture the Iraqi disputed territories from the KRG.<sup>22</sup>

For its part, while the formal position of the United States was that they didn't want relations between the KRG and the IFG to sour, and thereby distract from the war against the Islamic State, they also formally reiterated that they were in favor of an Iraq that was united. To achieve its aim of keeping Iraq together, the United States was determined to keep negotiating channels open between the two sides. This position of the United States was reflected in a statement issued by an Iraqi parliamentarian from the Kurdistan Democratic Party, in which he revealed that the United States was trying to normalize the state of Kirkuk and the other Iraqi disputed territories. He went on to explain that Massoud Barzani would not withdraw Kurdish demands on Kirkuk and is currently awaiting the actions of the

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22 Dr. Eilaf Rajeh Hadi, 'The Strategic Importance of Kirkuk in Light of Kurdish Ambitions and the Regional reality', Arab Democratic Center, 6th December 2017 at: <https://democraticac.de/?p=50871>

mediating sides before he decides on the Kurdistan Regions next steps. His statement read, "for now we are choosing to remain silent on the issue of Kirkuk and the separated territories as we are waiting for the mediating sides to normalize the situation in Kirkuk and allow the Kurdish Peshmerga forces to return to those areas. However, if the state of Kirkuk doesn't restore, then the Kurdish leadership will not be able to contain the anger of its people."<sup>23</sup> Therefore, it is possible that the United States has a new project for administering Kirkuk. There is talk to suggest that it may seek to establish new military bases in the province to restore the state of Kirkuk to a condition that is satisfactory to all sides.

The standpoint of the KRG, on the other hand, is clear. They believe that the actions taken by the IFG in Kirkuk after the 16th October 2018 in the name of the law with the aim of re-enforcing Baghdad's power and sovereignty over the region was, and continues to be, unconstitutional and, in fact, a violation of the law. The Kurds argue that Article 140 of the Iraqi constitution recognizes Kirkuk Province, as one of the numerous disputed territories in Iraq, and therefore, the different sides of the dispute must share its governance. For the Kurds, this means that the administration of Kirkuk's security dossier must also be in the same spirit of collaboration. The Kurds have long taken the position that the only solution for the disputes between the IFG and the KRG is in the articles of the 2005 Iraqi Constitution. Moreover, the Kurds argue that the notion of settling disputes through Iraq's legal mechanisms must become the principle that underpins any future process of national dialogue that aims to resolve Iraq's remaining disputes.<sup>24</sup> They also explain that the character of the 2005 Iraqi Constitution is one that protects the rights and powers of the Iraqi people and thus, its full implementation is the only way in which Iraq can remain united. Therefore, the KRG holds the view that the normalization of Kirkuk, from its current irregular state, can only be achieved through dialogue.

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23 Shakhawan Abdulla, Member of Iraqi Parliament

24 <http://cabinet.gov.krd/a/d.aspx?s=040000&l=13&a=56021>

### 2.3: The Risk of the Re-emergence of Terrorist Organizations in Kirkuk

While the Islamic State's ability to hold territory in Iraq has come to an end, the United States and its international coalition partners believe that the threat of the Islamic State's re-emerge and its ability to hold Iraqi territory if future has not diminished, especially in Kirkuk and its surrounding areas. These regions are at a higher risk, as they have not been subject to the same military action as other areas that were previously held by the Islamic State. Moreover, they present a perfect geography for members of the Islamic State to hide and re-organize. Hence, the intelligence agencies of international and regional states explain that the presence of these groups in Kirkuk put the future security of the province at risk. The Islamic State continues to carry out operations in Kirkuk, such as their attacks on western Kirkuk on 20th February 2018 in which they were able to kill 27 members of the Popular Mobilization Forces. Such attacks offer a stark reminder of the security risk that these terrorist organizations present to Kirkuk going forward. Compounding this threat further is the establishment of new groups such as the 'White Flags', who directly threaten Kirkuk's security and stability.<sup>25</sup>

Furthermore, The 'Okazi Saudi' newspaper, which sources from intelligence agencies, has released a report claiming that the leadership of the Islamic State has a plan to attack and take over Kirkuk.<sup>26</sup> These facts reveal that the threats to Kirkuk from these terrorist organizations are real and the organizations like the Islamic State are merely waiting for a suitable opportunity or lapse in security in Kirkuk to re-emerge. Therefore, any lapse or void in security presents an opportunity for terrorist organizations and risks the safety of Kirkuk's residents.

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25 <https://www.alhurra.com/a/Iraq-attack-Hawija-hashed-Isis/419634.html>

26 The 'Okazi Saudi' Newspaper, //http:// www.okaz.com/



## **Part 3: The Future of Kirkuk in Regional and International Politics**

### **3.1: The Perspective of the United States on the Future of Kirkuk**

Going forward the United States can play an active role in the Kirkuk issue, especially after the failure of the attempt by the Islamic State to establish an Islamic Caliphate in Iraq and Syria. Kirkuk will have a unique position in the United States' foreign policy towards Iraq, not only because political stability in Iraq as a whole demands a settlement between Arabs and Kurds in Kirkuk and the other disputed territories, but also for the reason that western allies of the United States, such as the United Kingdom, have substantial economic interest in Kirkuk's natural resources and those of Iraq more broadly. These two considerations of the United States' foreign policy when dealing with the Kirkuk dispute between the IFG and the KRG are discussed in this section.

#### **First consideration: The establishment of a stable political and security environment in Iraq.**

Securing political influence in Iraq is one of the United States' primary objectives in the country, and thus Washington is working hard in this regard, especially after the defeat of the Islamic State in Iraq. This aim of the United States links to its attempts to counter Iranian influence in the country and in the broader Middle East. In doing so, Washington's attempt is to reverse the gains it allowed Iran to make in the aftermath of the 2003 invasion of Iraq and ultimately contain the country within its borders.

To push back and ultimately contain Iran the United States believes that they need to establish a stable political and security situation in Iraq. Washington's belief is grounded in the notion that continued disagreements and conflict between the different groups of Iraq ultimately works to create an unstable situation in Iraq that Iran can take advantage of to increase its regional influence. Resolving the issue of Iraq's disputed territories, especially the issue of Kirkuk, will go some way to achieving a secure and stable Iraq. Therefore, for the United States to reach its

objectives, it must make the issue of Kirkuk one of their primary concerns.

Currently, the United States has put its full weight behind the current Prime Minister Heider al-Abadi as over the last three years Abadi has distanced himself from implementing the Iranian agenda in Iraq.<sup>27</sup> In contrast to Abadi, Iraq's former Prime Minister Nuri al-Maliki and his allies from the Popular Mobilization Forces (especially the Badr Brigade, Kataib Hezbollah, Asaibi Ahli Haq) are in full support of Iran's agenda in Iraq.<sup>28</sup> For his part, Abadi has attempted to limit Iran's hegemony in Iraq by preventing the Iranian backed Popular Mobilization Forces from assisting in the operation to recapture Mosul.<sup>29</sup> Hence, the United States feels that if Abadi retains his position as Prime Minister, his re-appointment will not only be a factor for achieving a secure and stable Iraq (as Abadi believes in a government that is inclusive of all of Iraq's ethnic and sectarian groups), but will also assist in bringing balance and a level of sovereignty back to Iraq, especially in the field of foreign relations. Hence, the United States' strategy for Iraq must include a resolution to the Kirkuk issue.

One of the scenarios is for the United States is to utilize Abadi's second term as Iraqi Prime Minister to resolve the Kirkuk issue through constitutional mechanisms. Abadi's insistence on the principles of the 2005 Iraqi Constitution when confronting the KRG's recent attempts to annex Kirkuk can become the basis for a resolution to the dispute over Kirkuk between the IFG and the KRG as the roadmap for a solution to the issue of Iraq's disputed territories are laid out in Article 140 of the constitution.

However, there are some obstacles to this scenario. First, the strength of United

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27 Maher Chmaytelli, 'Abadi Keeps Iran at Arm's Length in War on Islamic State', Reuters, (February 21, 2016), Available at: <https://www.reuters.com/article/us-mideast-crisis-abadi-insight/iraqs-abadi-keeps-iran-at-arms-length-in-war-on-islamic-state-idUSKCN0VU0ER>

28 Martin Chulove, 'From Tehran to Beirut: Shia Militias Aim to Firm up Iran's Arc of Influence', 'The Guardian', (16/01/2017), Available at: <https://www.theguardian.com/world/2017/jun/16/from-tehran-to-beirut-shia-militias-aim-to-firm-up-irans-arc-of-influence>

29 Jamie Dettmer, 'Militias Insist on Joining Liberation of Mosul', VOA, (17/09/2016), Available at: <https://www.voanews.com/a/shiite-militias-insist-on-joining-liberation-of-mosul/3555246.html>

States' influence in Iraq going forward is dependent upon the re-election of Abadi as Prime Minister in the 12th May 2018 elections. To increase the likelihood of Abadi's re-election it seems as though the United States has put its full weight behind him. In so doing, the United States has assisted Abadi in the establishment of the 'Success List' (independent of the Shia Da'wa Party), in his efforts to defeat both the Islamic State and the push for Kurdish independence, and in his pledges to confront corruption and the wasting of public funds (even though this last one has been mostly unsuccessful).<sup>30</sup> Of course, one of the major obstacles for the United States is that the re-election of Abadi relies heavily on the support of the Iraqi Kurdish parties. In the current state of play, it seems as though the Iraqi Kurds will only support his re-election if they have firm guarantees that the next Iraqi Government will put serious effort into resolving the issue of Iraq's disputed territories.

Therefore, for the United States to overcome this obstacle, any alliance between Abadi and the Kurdish political parties must begin with an act of good faith from Abadi to demonstrate to residents of the Kurdistan Region of Iraq that he can be trusted to resolve those issues that are currently crippling them. For instance, a first step could be for Abadi to restart the payment of salaries to state employees in the Kurdistan Region of Iraq. Such an overture would be an excellent foundation for pre and post-election collaboration between the two sides. It will demonstrate a commitment to the principles of the 2005 Iraqi Constitution on the part of Abadi and will deliver a message to the KRG that the next Abadi-led Iraqi government will work to resolve outstanding issues between the two sides, particularly that of the Iraqi disputed territories. However, a barrier to this outcome is that the political parties in the Kurdistan Region of Iraq have, to date, shown no willingness to work with Abadi's list. More troubling still, is that the political parties in the Kurdistan Region of Iraq have, at present, varying views on the issue of competing in the 2018 Iraqi Elections in Kirkuk Province and the other disputed territories. For example, the current stance of the Kurdistan Democratic Party is to boycott the elections in

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30 Kirk H. Sowell, 'Abadi's Failed Reforms', 'Carnegie Endowment for International Peace/ Sada', (27/11/2015), available at: <http://carnegieendowment.org/sada/62004>

Kirkuk, as it believes the IFG's control over the province since 16th October 2016 to be illegitimate. For now, the only Kurdish parties prepared to compete in the poll in those regions is the Patriotic Union of Kurdistan and a coalition of smaller Kurdish parties with the Gorran Movement.

This internal division in the Kurdistan Region of Iraq over how to compete in Kirkuk may work to weaken the Kurdish vote and thereby their status in those territories, which will ultimately impact upon the possibility of any deal with Abadi later down the line (if Abadi does get re-elected). Having said this, it is still early to discuss Kurdish post-election attitudes as negotiations for the formation of the Iraqi Government are always complicated, and unpredictable, and only after elections are they entertained. Therefore, for the United States' to succeed in its aims to have Abadi re-elected it needs to play a significant role in the post-election negotiations to form a viable governing coalition between Abadi's list and those of the Kurds, the Sunni Arab and the Shi'a Arabs. If this United States backed scenario is successful, then there is scope for some agreement on the future of Kirkuk and the disputed territories between the KRG and the IFG.

Second, another obstacle that faces this United States agenda in Iraq, and a constitutional solution to the dispute over disputed territories between the IFG and the KRG is if Abadi fails to attract the other Iraqi political parties into his 'Success List'. If Amar Hakim's 'National Wisdom Movement' decides to leave Abadi's list, then Abadi will be considered too weak to govern and will, therefore, spark calls for the United States to drop its support for Abadi and find a new candidate to back.<sup>31</sup> Furthermore, if Abadi were successful in keeping his list together then to succeed in forming a government, he would also need to negotiate and win support from Shia Arab and Sunni Arab parties in Iraq, which adds a new level of complexity to resolving the issue of disputed territories between the IFG and the KRG. The reason for the complexity is that any agreement between the United States, Abadi and the

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31 Jessa Rose Dury-Agri & Omer Kassim, 'Iraqi Prime Minister's Coalition Fractures, Signaling Change of Premier', 'Institute for the Study of War', (08/02/2018), available at:

<http://www.understandingwar.org/background/iraqi-prime-minister%E2%80%99s-electoral-coalition-fractures-signaling-change-premier>

Kurds on the disputed territories will also require the agreement of these smaller parties otherwise the potential for an governing coalition led by Abadi will dissipate.

The second scenario is if one of the other lists and not the United States backed 'Success List' wins the most votes in the May 2018 elections. In such an event it will be the list with the most votes that gains control of the government formation process. In this scenario, it will be the government forming negotiations and the role of Kurdish parties in the future government that will determine the manner that the disputed territories will be resolved between the IFG and the KRG. However, the reality remains that any political force that gains power in Iraq will require military, economic, political and diplomatic assistance from the United States. Hence, to receive this assistance that political force will have to work out a way in which to fit into its program the United States' strategic plan for Iraq. What seems clear is that, at present, the United States is working for a long-term military presence in the country through the broadening of the 2008 United States Iraq Security Agreement.

The United States' desire to remain in Iraq militarily is for three reasons: to support its war against terrorism, to secure the economic interests (oil and gas) of its allies in Iraq, and to curtail Iranian influence in Iraq and the Middle East.

If Nuri al-Maliki's 'State of Law' coalition (a close ally of Iran) succeeds in the May 2018 Iraqi poll and it decides to allow Iran the space to increase its influence in Iraq, then Iraq will become the staging post of a conflict for supremacy between the United States and Iran. Such an event would complicate the United States' efforts to find a political and constitutional solution to the problem of Iraq's disputed territories. The close relationship between the KRG and the United States will see Iran and its allies in Iraq work to prevent the KRG from gaining any power over Iraq's disputed territories, especially Kirkuk. Therefore, the best outcome for the KRG in this event is (if they can present a united front) to announce that they are neutral in the dispute between the United States and Iran. Instead, the Kurdish parties should engage with the IFG; however, this would not present the KRG with a guarantee of gaining any effective control over Kirkuk or the other disputed territories.

### **Second Consideration: The United States' economic interests in Kirkuk**

It is apparent that regional and international powers such as Iran, Turkey, and Russia have demonstrated an immense interest in the oil and gas fields of Kirkuk (and the Kurdistan Region). Iran and Turkey both aim to become regional and international oil hubs on the back of Iraq's (especially Kirkuk's) oil and gas market. For Russia its economic interests in Iraq are more manifest with ROSNEFT, the Russian owned energy company, already active in Iraq and its Kurdistan Region.

While the United States does not currently have a direct economic interest in Iraq's natural resources market, its western allies, such as the United Kingdom, have enormous interests in investing in Iraq's (especially Kirkuk's) oil and gas market. Therefore, to protect the interests of its allies the United States will have an indirect involvement in the race for access to Kirkuk's natural resources. The United States will defend the economic interests of its western allies, such as the United Kingdom, as they have been steadfast in their military and diplomatic support for the United States-led campaign against the Islamic State.

Two days after the 16th October 2017 offensive on Kirkuk against the KRG, and the subsequent regaining of control by the IFG over Iraqi disputed territories, the Iraqi government extended an invitation to the British oil giant British Petroleum to assist Iraq in developing Kirkuk's disputed oilfields.<sup>32</sup> What is more, following the re-capture of Kirkuk, Iran, who played an influential role in supporting the IFG on the 16th October 2017 offensive, demonstrated its willingness to assist the IFG in Iraq's attempts to export Kirkuk's oil, by allowing Kirkuk's oil to be exported through Iran. Given the immense assistance, Iran has provided to Iraq's Shi'a leadership; it is likely that Iraq will accept the Iranian offer and allow its share of Kirkuk's oil and gas revenue.

This gathering of regional and international economic interests in Kirkuk could have negative implications for any potential final resolution for the status of Kirkuk Province, especially if the IFG is successful in providing effective security in the

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32 David Shepherd & Erika Solomon, 'Iraq Approaches BP to develop reclaimed Kirkuk oilfields', Financial Times, (October 19, 2017), available at: <https://www.ft.com/content/c532ff96-b3ed-11e7-aa26-bb002965bce8>

province in a way that serves these foreign interests.

The Turkish government also put its support and assistance behind the IFG after the 2017 Kurdish independence referendum. Hence, Turkey, like Iran, is expecting to be compensated for its assistance through Kirkuk's oil and gas revenue. If Baghdad finds a way to balance these international economic interests in Kirkuk by allowing each government its fair share of Kirkuk's oil revenue and can provide adequate security in the province without the assistance of the KRG then reaching any final resolution on the status of Kirkuk that is in favor of the KRG would become even more difficult.

The inclusion of the United Kingdom in Kirkuk's oil market is an attempt by IFG to legitimize the current state of Kirkuk in the eyes of the United Kingdom and the United States, two of the strongest supporters of the KRG. Given that neither of these two states put its support behind Kurdish independence, the IFG has seen an opportunity to sever the link between the KRG and its international partners via Kirkuk's oil market. Such a move may result in the weakening of the position of the KRG in any future negotiations over Kirkuk's future. However, if the United States decides to support the KRG in talks over the future of Kirkuk, a decision of this sort will become more complex, as the IFG has increased the United Kingdom's stakes in IFG-controlled Kirkuk.

### **3.2: The Iranian Perspective on the Future of Kirkuk**

#### **Iran and the KRG: Involuntary cooperation**

The events of the 16th October 2017, which saw the IFG regain control over Kirkuk Province with the assistance of Iran marked the moment that after half a century of cooperation between the Iraqi Kurds and Iran, transformed relations between them from 'an alliance of mutual self-interest' to 'reluctant neighbors'. Hence, the questions here are, what was it that worked against the shared history of mutual relations, shared borders, shared economic interests, and shared political interests to allow Iran to openly support the IFG in its push to oust the KRG from Kirkuk? And, what was it about the Kurdish 2017 independence referendum that posed such a threat to Iran that it could not discount it?

Iran tied the failure of the 2007 Kurdish independence referendum to Kirkuk, and once the IFG was able to regain control of Kirkuk province, the Iranian announced through its political platforms that it had defeated the "Israeli-United States conspiracy" against Iran that the two countries tried to carry out through the Iraqi Kurdish independence referendum. The speaker of Iran's official Friday sermon, Ahmed Khatami, openly stated that the Iranians wished for the Kurdistan Region of Iraq to remain a part of Iraq. He also paid compliments to Iraq "for quickly regaining control of Kirkuk from 'them' [Iraqi Kurds]". During his sermon, he also sent a message to the decision-makers of the KRG saying, "one experience is enough, remain a part of a united Iraq and assist the Iraqi state. Don't become a pawn in the hands of the Zionists and the United States."<sup>33</sup> This Iranian position anxiety begs the question: what is the risk to Iran if the KRG controls Kirkuk?

#### **Kirkuk and Iran's political doctrine towards the Kurdistan Region of Iraq**

The Kirkuk question is tied to Iran's general political doctrine in the Middle East. Hence the KRG's attempt to unilaterally annex Kirkuk was seen by the Iranian government as a direct disregard of, and attack on, the interests of Iran's regional political doctrine. In gaining a better understanding on this issue and to provide a more detail on the manner of Iran's dealings with the Kurdistan Region of Iraq and the political parties and forces within it, an explanation of Iran's general policy direction towards Kurdistan Region of Iraq requires explanation. This policy direction can be summed up in the following points:

- 1) Iran is against a permanent division of Iraq and the gradual progress of the Kurdistan Region of Iraq towards independence. Hence, it supports the preservation of a united and sovereign Iraq.
- 2) Iran deals with the Kurdistan Region of Iraq as a component of Iraq; Iran attempts to fit the Kurdish and Shia Arab community Iraq into a single unit in its grander region-wide policy.
- 3) Iran aims to preserve its relations with the KRG and its most significant political

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33 Khibirgizar Risnim website, Available at:  
<https://www.tasnimnews.com/fa/news/1396/08/19/1569654/>



parties and forces. It utilizes this relationship to protect regional security and deal with those issues which impact its internal security, such as border security and the threat from militants of the Iranian Kurdish opposition forces.

- 4) Iran works to prevent the KRG from becoming or joining an anti-Iranian front. In particular, it is working to avoid the Kurdistan Region of Iraq joining an alliance with Israel and the United States.
- 5) Iran aims to obstruct pan-Kurdish nationalists in the Kurdistan Region of Iraq, especially those that leave a lasting impact on Iranian Kurdistan and that support Kurdish nationalist and self-determinist thought in Iranian Kurdistan.<sup>34</sup>

Therefore, any regional event or policy that threatens any one of these Iranian strategic objectives is a threat to Iranian interests more widely. Iran's response to the 2017 Kurdistan independence referendum, in which it worked swiftly with its allies to oust the Kurds from Kirkuk, demonstrates that, to Iran, the issue of Kirkuk is far more strategically significant to Iran's than the mutual interests it shares with the KRG and the historical and any potential future political and economic ties between them. Moreover, the events of the 16th October 2017 revealed that as of the 25th September 2017 (the day of the referendum) decision-makers in Iran had formed a new consideration for their relations with the KRG. From the date of the referendum the threat of a Kurdish break away from Iraq became suddenly more pressing to the Iranians; hence, from then on Iran re-considered its policies towards the KRG against the potential implications of the independence poll, which to the Iranians was an independent Kurdistan that included Kirkuk and most of Iraq's disputed territories.

Since the referendum, the Iranian's are of the belief that the establishment of a Kurdish state that includes Kirkuk and the Iraqi disputed territories has become a real prospect in the region going forward. The Iranian's have, therefore, adopted this notion in their policy towards the region, and added to it their belief that Kurdish independence is an Israeli and United States conspiracy that aims to disrupt the

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34 Ja'far Hagapanah, *Kurds and Foreign Policy of the Islamic Republic of Iran*, First Edition, (Tehran: Cultural Institute of Studies, 2008), p. 181.

Middle Eastern status quo to target Iranian interests in the region.<sup>35</sup> In this regard, the leader of the Islamic Republic of Iran, in his meeting with the Turkish president (Recep Tayyip Erdogan) in early October 2017, described the Kurdish independence referendum as "a betrayal" by the KRG. He also added, "the United States and other foreign powers are attempting to create a second Israel in the Middle East." In the meeting the he also argued for "Iranian and Turkish cooperation to defend against such an eventuality."<sup>36</sup> The Turks and Iranians were ultimately able to thwart the Kurdish bid for independence with the help of the IFG. However, this did not curtail the threat of Kurdish independence perceived by Iran.

Therefore, to Iran's political doctrine Kirkuk is significant for two reasons; first, Kirkuk is the only element of the Iraq that has the power to keep Iraq united. And second, Kirkuk's preservation as a part of Iraq continues to keep the KRG dependent on the Iraq and Iranian governments, thereby completing the crescent of Shia influence in the Middle East.

The events that followed the 25th September 2017 was also a clear result and revelation of Iran's mounting displeasure with the direction of events in Kirkuk. These events were:

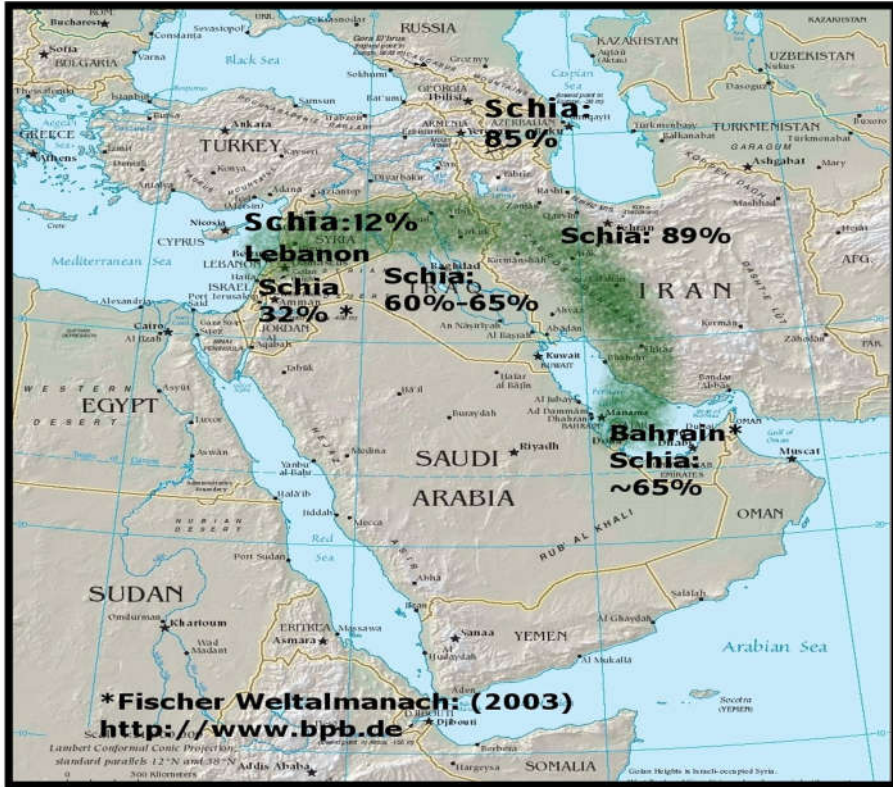
- 1) The Kurds had won the Kirkuk Provincial Council elections in 2005 with 63% of the vote resulting in the Iraqi Kurds taking control of the Kirkuk Provincial Council with 26 out of 41 available seats. Following this, the Kurds were able to take over the Kirkuk security dossier in 2007 altogether. More troubling that these events was the fact that the KRG was able to act independent of Baghdad as a result of its autonomy. This allowed the KRG to present itself as an adversary of Baghdad rather than an ally and component of the Iraqi State. This development stood against Iran's regional strategic objectives.
- 2) Following the Islamic State's assault into northern Iraq, Iraq's disputed territories fell into the hands of the KRG's Peshmerga forces in respect to political and economic influence. This control allowed the KRG to break from Iranian

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35 For more informations see: Hardi Mahdi (2017), 'Kurdistan: A Second Iran or Second Israel', Centre for Future Studies, Available at: <https://www.centerfs.org/kurdistan-another-iran-or-israel/>

36 Mission Newspaper, Number 9050, Years 32nd, Fifth Issue, 5/10/2017, p. 1.

dependency.



This backdrop, the holding of the independence referendum and the fragmented state of Kurdish politics allowed Iran a golden opportunity to seize on a moment of Middle East-wide agreement to utilize state and non-state actors under its influence, as well as regional allies, to confront the potential threat posed by the KRG and Kurdish independence to its political interests.

Even before the Kurds raised the Kurdish flag in Kirkuk, Iran had not hidden its unease towards the Kurdistan Region Government. In February 2017 the Iranian Foreign Minister announced that Iran was against the holding of a census and the

annexation of Kirkuk to the Kurdistan Region of Iraq.<sup>37</sup>

Therefore, the next question that arises is: what are the Iranian concerns towards a Kirkuk province controlled by the KRG? Iran's anxieties towards Kirkuk and the disputed territories being held by the Kurdistan Region of Iraq are the following:

1. The increase in instability and disturbances to the Middle East's political systems and borders, which threatens not only Iran but-also Turkey and Iraq.
2. The weakening of Iran's defensive borders.
3. The weakening of the Shia alliance in the Middle East's Sunni-Shia struggle.
4. The threat of the Balkanization of the Middle East.
5. The repeat of Iran's Azerbaijan experience in the Kurdistan Region of Iraq, as Iran's main adversaries are present in the region.
6. The effect on Iran's Kurdish population
7. Progress on the part of Iran's internal Kurdish opponents that currently reside in the Kurdistan Region of Iraq and potentially the backing they may receive from Erbil.<sup>38</sup>

A further threat presented to Iran's future security if the KRG has possession of Kirkuk is its geo-economic fall out for the region. Kirkuk hosts 400 million barrels of proven oil reserves making it Iraq's second largest reserves after the Basra oil fields and contributes up to 40% of Iraq's total exports.<sup>39</sup> From this vantage point, another element of Iran's concern over Kirkuk relates to the political rivalry that Iran has held towards Israel. The Iranians believe that Israel's central reason for supporting the KRG's efforts to split with Iraq is so that it can secure a reliable supply of energy. The Iranians think believe that since its establishment in 1948 Israel has faced issues of energy security. Over the last sixty years Israel's only means of securing energy supplies has been to rely on its shaky relations with oil and gas producing states in

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37 Radio Farda Website, Feb. 30, 1396, Available at:

[https://www.radiofarda.com/a/f4\\_iran\\_kirkuk\\_referendum\\_kurdistan\\_dangerous/28705682.html](https://www.radiofarda.com/a/f4_iran_kirkuk_referendum_kurdistan_dangerous/28705682.html)

38 Ardeshir Peshang (1396), 'Why is Iran Worried About Separatism in the Kurdistan Region, Layan Sayyati Faradab', Available at: <http://www.faratab.com/news/6647/>

39 Said Sassanian (1396), 'Why is Kirkuk important? Fars News Agency', 15/1/1396, Available at: <http://www.farsnews.com/13960114001429>

the region. Therefore, to the Iranians, Israel is aiming to secure its energy supplies via the KRG and the Kirkuk fields, which would ultimately liberate it from its energy insecurity and dependence on other regional states. What is more, this Iranian view is supported by the Iranian belief that Israel is currently the biggest buyer of Kurdish oil.<sup>40</sup>

By re-examining the five points of Iran's general policy direction towards Kurdistan Region of Iraq, then relating them to the general Iranian political mentality after its Islamic revolution and then considering them against the seven Iranian anxieties over the future of the Kurdistan Region of Iraq (with Kirkuk attached) it is clear that Iran deals with the issue of Kirkuk in conjunction with its attempts to keep Iraq united, its efforts to form a regional anti-American defensive front and its attempts to unite the KRG and the IFG. Regionally, Iran's dealings with the issue of Kirkuk are in parallelism with its position in the broader Shi'a-Sunni dispute and geopolitically in line with its hypothesized Shi'a crescent. Along with these Iranian considerations, when dealing with the issue of Kirkuk, Iran regards its internal security as major factor of consideration. In this context, the KRG's control of Kirkuk threatens to destabilize Iran's Kurdish areas and weaken Iran's border security (See report number two).

Iranian assistance to Iraq in dispossessing the KRG of Kirkuk will likely not spell the end for Tehran-Erbil relations as issues of geopolitics, geo-economics and shared border security still conjoin these two capitals. Therefore, continued ties between the two are set to remain strong, serving the interest of both sides. So, while it does appear that Iran has turned its back on the Kurdistan Region of Iraq after the 16th October 2017, realism dictates that it may be incredibly difficult for Iran to turn its back on the KRG of Iraq for more than a short period.

Moreover, with all of Iran's anxieties towards the KRG and the strength of its ideology in its policy-making process, it cannot exclude itself from dealing with realpolitik. For example, looking back to the period that followed the Kurdish

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40 Mehdi Hajjatpur (1396), Website of the Youth News Club, October 25, 2012, Available at: <http://www.yjc.ir/fa/news/6284599/>

uprising in 1991, when the Iraqi Kurds, with the assistance of the United States, were able to establish an autonomous zone in northern Iraq and escape the direct orbit of Baghdad, it wasn't long after that Iran engaged with them and became one of the most influential political powers in the Kurdistan Region of Iraq. Even though the establishment of this Kurdish zone seemed to initially contradict Iranian interests, Iran chose not to turn its back or rival the fledgling region but instead decided to accept the nature of the situation as *realpolitik* and fitted the new territory into Iran's grand strategic objectives and assigned it an essential role in that regard.

Moreover, an analysis of Iran's current policy and interests, as well as its open borders with the Kurdistan Region, and the existence of Kurdish nationalist dissidents in Iran reveal that Iran deals with the Kurdistan Region of Iraq and the Iraqi disputed territories as two separate policy issues. The fact that Iran deals with both issues separately demonstrates that Iran prefers the two issues to remain distinct from one another.

Therefore, the fact that Iran assisted the IFG in retaking Kirkuk from the Kurdistan Region of Iraq on the 16th October 2017 does not mean Iran will no longer deal with the Kurdistan Region of Iraq. Instead, Iranian assistance to the IFG against the Kurdistan Region of Iraq was merely an attempt by the Iranians, on the one hand to reduce the potential risk that may have come from the KRG controlling Kirkuk, and on the other, to keep the KRG dependent on the Iraqi and Iranian Governments. What is more, Iran's action against the KRG was an attempt to prevent Kurdish influence in Kirkuk disturbing Iran's regional agenda and alliances by way of the KRG introducing further Israeli and United States power into the region.

Given all this, is now Tehran's responsibility to restore its relations with the Kurdistan Region of Iraq. Rather than ending its ties with the Kurdistan Region of Iraq the evidence demonstrates that the new region-wide political reality, the new threats to Iran's economy from international sanctions, and the geopolitical significance of the Kurdistan Region of Iraq will force the Iranian government to renew its bilateral relations with the KRG. However, these relations, as always, will prioritize Iranian post-revolutionary principals before Iran's economic necessity.

### **3.3: The Turkish Perspective on the Future of Kirkuk**

As with Iran, Kirkuk has played a significant role in Turkish history and continues to play an essential role in Turkish politics and its national interest. As a marker of the importance of the status of Kirkuk to the Turkish government, it is perhaps enough to point out that it was the interference of Turkish government that forced the collapse of most of the negotiations between the Iraqi Kurds and the Baghdad over the issue of Kirkuk between in the Kurdish revolutionary period. For Turkey, the geopolitical and economic potential of Kirkuk, as well as the history and culture of Kirkuk's Turkmen community, have impacted the Turkish policy direction towards the KRG and the IFG. These considerations are not limited to current Turkish policy as its roots (under the keyword 'Mosul Wilayet') go back to the height of the Ottoman Empire and also the birth of modern Turkey under Kemal Ataturk.

As a strong regional player, Turkey has tremendous influence over the IFG and the KRG's politics on both the Iraqi national and international levels. Regarding the annexation of Kirkuk to the Kurdistan Region of Iraq the Turkish government formulates its policies towards the KRG to restrict and prevent the below outcomes.

- 1) The KRG increases its status in national and international politics.
- 2) Kurdish independence and the break up of Iraq.
- 3) The influencing and encouragement of the Kurds of Turkey to pursue the similar objectives that may lead to the breakup of Turkey.
- 4) The revival of the Kurdish political movement in Turkey and the threat posed by the PKK to Turkish national security.
- 5) The weakening of the position and status of the Iraqi Turkmen's in Iraqi affairs.<sup>41</sup>

By observing these considerations in the period from 2005 to 2014, and by comparing them to a similar observation in the period of the 2017 Kurdish

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41 Zahra Ahmadipour and Mahmoud Mobasekhahi, "Obstacles to the Annexation of Kirkuk to the Regional Government of Kurdistan (Iraq)", Geopolitical Chapter, Second Issue, Eleventh year, 1394, p. 51.

independence referendum, it is clear that in the 2005-2014 period Turkey had determined that risks posed by the KRG had to some extent diminished. This decrease in the level of its anxieties towards the Kurdistan Region was the result of a number of factors. Firstly, it had built a robust economic relationship with the KRG inline with the then general Turkish policy of peaceful relations with neighbors. The Turkish government's view of the KRG and its bilateral relations with it formed as a result of shared objectives. Second, The Kurdistan Region of Iraq had become a strong and dependent export market for Turkey. Third, the KRG was further dependent on the Turkish government as it relied on Turkish ports to export and sell its oil to international buyers.

However, since 2014 numerous complications such as the actions of the Islamic State, the deterioration of relations between Ankara and Washington, Washington's support for the Kurdish YPG in Syria, the coming together of Turkish, Iranian and Russian economic, political and security interests and, above all, the decision by the KRG to unilaterally hold a referendum without consideration for Turkish concerns increased the likelihood of the above outlines possibilities to unfold and thereby posed a risk to Turkish national security. The region-wide concern at the likelihood of the KRG annexing Kirkuk was so extreme that it brought Russia, Turkey, Iran, and Iraq around the same negotiating table to prevent such an eventuality.

It is important also to note that the issue of Kirkuk presents a unique dilemma for Turkey as Turkey is not only at risk if the KRG controls Kirkuk, but it is also at risk if the IFG controls it. The threat posed by the IFG is that, since 2003, Baghdad has become progressively closer to the general regional policy of Iran, while its relations with Ankara have been markedly poor. What is more, if the United States succeeds in influencing the formation of a pro-United States Iraqi administration, as a result of the May 2017 Iraqi elections, then Turkish interests in Kirkuk (if controlled by Baghdad) are still at risk as relations between Washington and Ankara are also at present incredibly poor.

Therefore, the Turkish government, more than any other regional force, is currently in desperate need to revise its regional political dossier. In recent years Turkey has focused on building short-term alliances to remedy its regional concerns



to the extent that it has put at risk its long-term relations with its strategic partners. If Turkey chooses to rebuild its ties with the KRG, then it can quickly restore its previously robust economic status and influence in Iraq. What is more, the weakening of the KRG's power in Kirkuk does not translate as a win for Kirkuk's Turkmen. This outcome would not necessarily allow for the Iraqi Turkmen to protect Turkey's ideological, historical and cultural identity in Iraq as there are more forces at play in Kirkuk that merely those of the Kurds and the Turkmen. Turkey's age-old adversaries, the Iranians and the Arabs, look set to stamp their influence on the Kirkuk province.

It is clear that once the post-Islamic State and post-Syrian Civil War Middle Eastern order is known the Turks have little option but to restart their efforts in the Kurdistan Region and Iraq to counter the influence of its regional rivals. Without this action, Turkish political and economic interests in the region will continue to be at risk. The risks to Turkey are:

- 1) Iraq decides to increase the level of Kirkuk's oil that it exports through Iran (a plan that is currently under discussion) to the extent that it becomes the replacement for Turkey's Ceyhan port, which the KRG previously relied on for Kirkuk's oil exports.
- 2) If the Kurdistan Region of Iraq's economic problems continue, which was partly caused by the recent removal of Kirkuk from the Kurdistan Region of Iraq, and partly by the strengthening of the IFG and its cuts to the Kurdish share of the Iraqi Budget (17%), then it will continue to have a damaging effect on Turkey's ability to sell its products in the Kurdistan Region of Iraq and ultimately weaken the Turkish economy.
- 3) If Iran chooses to restore its relations with the KRG before the Turkish government does, and builds its economic ties with the region (something that Iranian officials have indicated since the 16th October 2017) then another opportunity for the peaceful and legal annexation of Kirkuk would present itself to the KRG. This opportunity looks particularly likely if the current negotiations for the formation of Iraq's new government create a close alliance between the Iraqi Kurds and the Shi'a Arabs, ultimately drawing the Kurdistan Region of Iraq

closer to Iran's orbit. In such an event Turkish interests and those of the Turkmen look set to lose out.

Thus, these potential threats posed to Turkish political and economic interests could force Ankara to rethink its regional relationships and return to its pre-2014 ties with the KRG where it played a more influential role in the Kurdistan Region of Iraq than the IFG.

## **Conclusion and Results**

This report can conclude by putting forward some fundamental points that help to understand the future of Kirkuk. These points are as follows:

- 1) If there are two primary mechanisms (erasing diversity or accepting it) to manage diversity in diverse societies then successive Iraqi governments, since the Iraqi monarchy through to the end of the Iraqi Republican period in 2003, have employed the first mechanism of attempting to erase it when managing Iraq's diversity of population. These Iraqi governments have applied these policies to achieve some form of political stability in Kirkuk and its surrounding areas. However, the Iraqi government's policy in this regard has been misguided and did not allow for the Iraqi state to achieve its desired outcome; instead, it drove the Iraqi State institutions and the non-Arab residents of the country further apart.
  
- 2) Following the collapse of the Iraqi Ba'athist Regime in 2003 a new opportunity was presented to the Iraqi Government to rethink its previous policies to manage Iraqi diversity and to employ the second mechanism of accepting the ethnic, cultural and religious diversity prevalent within its population. By utilizing this mechanism an attempt was made by Iraqi decision-makers to reach a final settlement on the issue of Kirkuk (as one of the most sensitive geopolitical issues in Iraq). The effort saw Iraqi lawmakers draw up two separate legal articles, one in Iraq's 2004 Transitional Administrative Law and the other in the 2005 Iraqi Constitution, that were specific to the normalization of Kirkuk and the Iraqi disputed territories. Moreover, the legal articles also required steps to be taken by the IFG to reverse the results of the non-democratic mechanisms that were employed by the previous Iraqi Ba'athist regime in its attempts to erase Kirkuk's diversity. Article 140 of the 2005 Iraqi Constitution required the implementation of Article 58 of the 2004 Transitional Administrative Law, which made it

incumbent on the Iraqi government to resolve the issue of Kirkuk and the other Iraqi disputed territories via three distinct stages (Normalization, Census and Referendum). Article 140 of the Iraqi Constitution also required that these stages be complete by the 31st December 2007. However, the evidence shows that, to date, only a small part of the normalization phase (first stage) has been completed and it also reveals that there has been no serious effort by the Iraqi Government to complete any of the other steps. Hence, to date, these legal mechanisms have thus far failed to settle the Kirkuk issue.

- 3) One of the fundamental reasons that the Kirkuk issue has, since 2003, not resolved has been due to the IFG lack of determination to lay the groundwork for and ultimately implementing the requirements of Article 140. According to Article 58 of the 2004 Transitional Administrative Law and Article 140 of the 2005 Iraqi Constitution the responsibility of laying the groundwork and ultimately implementing the requirements of these legal articles is exclusively with the Iraqi Council of Ministers.
  
- 4) The IFGs neglect of its legal responsibilities regarding the Kirkuk issue has, on the one hand, breached Iraqi constitutional law, and on the other, has also had numerous negative consequences, such as the dispossessing of Kirkuk's displaced residents (and the displaced residents of Iraq's other disputed territories) out of their fundamental legal political, economic, and humanitarian rights. It has also left residents of Kirkuk (and the disputed areas) without necessary services and provision for their basic everyday needs. The fact that the region has been subject to a dual administration system between the IFG and the KRG has not helped. The dual administrative nature of Kirkuk has allowed these problems to protract with each side shunning responsibility on to the other. This attitude of the IFG and the KRG has also worked to reduce government oversight of Kirkuk's administrative and security processes, worsening the already dire state of services and the provision of residents basic needs in the area. Moreover, the lack of oversight has paved the way for financial and administrative corruption,

political instability and insecurity, allowing the actions of both terrorist organizations and formal security forces to put the lives and fundamental rights of Kirkuk's residents at risk. Moreover, it has created an environment in Kirkuk that is ripe for new terrorist organizations and groups to arise.

- 5) The complexity and weakness of the instruments and mechanism put forward by both Article 58 of the 2004 Transitional Administrative Law and Article 140 of the 2005 Iraqi Constitution to reach a final settlement on the Kirkuk issue is another reason for why the matter of Kirkuk has not yet resolved. Some of these instruments and mechanism are only short-term and catch all solutions to a much broader problem woven into the fabric of Iraqi society. Hence, while these solutions may hold in the short-term, they are unlikely to solve specific elements of the Kirkuk issue in the long-term, namely issues to do with Kirkuk's fate and identity, and questions around just distribution of the political, administrative and economic administration of the Kirkuk between its component groups.
- 6) If, 'power-sharing' is to be the most suitable solution for the problem of managing Kirkuk's diversity going forward, then such a solution, given the complexity involved with amending the 2005 Iraqi Constitution requires meeting some essential pre-conditions and also the utilization of specific mechanisms. For example, the IFG may have to establish a new law that can supplement Article 140 and assist it in overcoming its shortcomings. Moreover, such a law can install the required pre-conditions to resolve the problem of Kirkuk, such as officially recognizing Kirkuk's unique status. If the complexity of the Kirkuk issue, between the IFG and the KRG, also causes difficulty for the drawing up of such a law, then the two sides can, instead, reach a political agreement under the observation of an international body such as the United Nations to resolve the shortcomings of Article 140.
- 7) Kirkuk's security is currently under serious threat. The different component groups and the political parties in Kirkuk each have a different explanation and

perspective on Kirkuk's security situation. Hence, the following views are competing to shape Kirkuk's future security dossier:

- a. There should be a review of the Kirkuk security dossier, and all of Kirkuk's component groups should administer it collectively.
  - b. The 2005 Iraqi Constitution and the Status of Forces Agreement set out the manner in which Kirkuk's Security dossier is to be administered; and therefore, these legal mechanisms are the only way to bring stability and security to Kirkuk.
  - c. If any of Kirkuk's component groups are excluded from the administration of Kirkuk's security dossier, it will result in instability and further violence.
  - d. Regional and international forces should play a more significant role in mediating between the IFG and the KRG.
- 8) The United States believes that the Kirkuk dossier should resolve in line with the United States' wider strategy in the region. Regaining political influence of Iraq is a primary aim of the United States in Iraq and it is currently employing tremendous effort in this regard, especially since the defeat of the Islamic State in Iraq. This United States objective relates directly to its broader strategy of containing Iranian influence in the region. To achieve this, the United States requires political stability and security to prevail in Iraq as the current ethnic and sectarian disputes in the country, the lack of political stability and the non-cooperative state of Iraq's component groups has worked to create a political and security vacuum in the country that Iran has been able to fill. In this context, resolving the Kirkuk issue will become a significant factor in restoring political stability and security in Iraq. Therefore it appears that this United States objective will become the motive for the United States to work to find a resolution in Kirkuk. One of the scenarios to resolve the Kirkuk issue will be that the United States will attempt to rely on the concerned Articles in the 2005 Iraqi Constitution. This scenario may prevail as the IFG has recently justified its military actions against the KRG by demanding that the Kirkuk issue resolve via the implementation of the 2005 Iraqi Constitution. Therefore, the 2005 Iraqi constitution can become the foundations for a final settlement in Kirkuk as

Article 140 of the Iraqi Constitution has already laid out an agreed roadmap to resolve the issue of the Iraqi disputed territories.

- 9) A consideration of Iran's policies, interests, borders, and Kurdish population and political parties it is clear that Iran deals with both the issue of Kirkuk and the disputed territories and the issue of the KRG as two separate political issues. Iran does not want to see these two political issues merging; and therefore, Iran works actively in Iraq to prevent such an outcome. An understanding of this distinction in Iranian policy-making allows for the understanding that even though Iran assisted the IFG to recapturing Kirkuk and the disputed territories from the KRG on the 16th October 2017, it does not translate as an end to ties between the Iranian government and the KRG. Iran's actions against the Kurds was in line with its policies towards Kirkuk and the disputed territories, which are designed to reduce the threat that Kirkuk's annexation to the Kurdistan Region of Iraq presented to both the Iraqi and Iranian governments. The Iranian move was also to protect Iran's wider regional interests that require the KRG's dependence on both governments (something Kirkuk's annexation would have possibly ended).
  
- 10) The manner in which Turkey deals with the Kirkuk dossier relates to the way that Turkey identifies and reviews its political policies. In recent years, Turkey has focused on building short-term alliances to remedy its regional anxieties to the extent that it has put at risk its long-term relations with its strategic partners. Turkey can utilize an alliance with the KRG to rapidly restore its previously robust economic status and influence in Iraq. However, this restoration relies on a prosperous Kurdistan Regional of Iraq, which in turn relies on Kurdish access to Kirkuk's oil revenues. What is more, the weakening of the KRG's power in Kirkuk does not translate as a win for Kirkuk's Turkmen. This outcome would not necessarily allow the Turkmen to protect the ideological, historical and cultural roots of Turkey in Iraq as there are more forces at play in Kirkuk that merely those of the Kurds and the Turkmen. Turkey's age-old rivals, the Iranians

and the Arabs look set to stamp their influence on Kirkuk province if Turkey does not change track. Hence, once the new post-Islamic State and post-Syrian Civil War new Middle East order becomes clearer, Turkey will have little option but to restart its efforts in the Kurdistan Region and Iraq to counter the influence of its regional rivals. Without this action, Turkish political and economic interests in the region will continue to be at risk. However, if the Kurdistan Region's economic problems continue, which was partly caused by the recent takeover of Kirkuk, it will continue to have a damaging effect on Turkey's ability to sell its products in the Kurdistan Region of Iraq and will ultimately weaken the Turkish economy.



## The Researchers



Assist. Prof. **Dr. Omed Rafiq Fatah** holds a PhD in Political Science and specializes in modern political thought and has published six academic papers in Iraq's (including the Kurdistan Region) academic journals. Four of his articles are regarding the issue of security. He is also the Head of the Centre for Future Studies.



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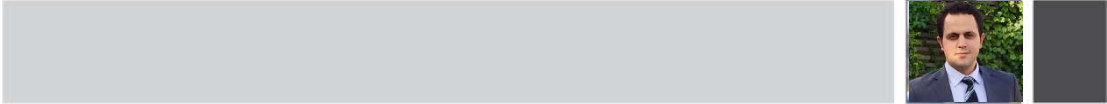


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**Dr. Hardi Mahdi Mika** holds a PhD in The Ancient and Modern History of Iran at the University of Iran. Hardi Mahdi Mika is lecturer at the University of Sulaimani. He is the head of the Kurdistan Centre for documenting and academic research at University of Sulaimani, and is also the assistant of the head of the Centre for Future Studies. He has authored numerous scholarly publications in Kurdish and Persian.

## The Translator



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### **Center for Future Studies**

A non-governmental center established to prepare scientific studies for the public interest.

#### **Aims and objectives:**

- 1) To promote expertise and support research activities in politics and international relations with a particular focus on the future of strategy and public and foreign policies.
- 2) To contribute to the development and improvement of the philosophy of scientific research in Iraqi Kurdistan.
- 3) To offer the governing institutions of the Kurdistan Regional Government (KRG) professional and expert advice.
- 4) To offer professional and expert advice to private sector and to non-governmental organizations operating in Iraqi Kurdistan.
- 5) To contribute to the improvement of learning program in the field of the center's expertise.
- 6) To hold scientific conferences and seminars on current and future domestic and international political and strategic issues.
- 7) To coordinate with governmental and non-governmental centers for scientific research in and outside Iraqi Kurdistan with the aim of exchanging ideas and expertise.
- 8) To follow up and measure directions of, and trends in, the public opinion in Iraqi Kurdistan, particularly on those issues that are crucial to the stability and prosperity of the region.
- 9) To train and prepare researchers in the center's area of expertise.
- 10) To address the region's strategic issues that has not been yet approached from an academic and scientific point of view.

#### **Activities :**

- 1) To carry out and publish scientific research.
- 2) To hold regular conferences, seminars and talks on current and future domestic, regional, and international political and security issues.
- 3) In addition to policy papers, analytical reports, and books, the center publishes a scientific journal that mainly deals with the future of domestic, regional, and international strategic and security issues.
- 4) To conduct interviews and interact with public and private media.
- 5) To translate and publish books and journal articles from English (and other foreign languages) to Arabic and Kurdish on the topics of the center's expertise.
- 6) To carry out opinion polls on various domestic political issues in Iraqi Kurdistan.
- 7) To gather data and publish analysis on various issues connected with public policy in Iraqi Kurdistan.

