



Iraq: Fixing Security in Kirkuk

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Principal Findings

What's new? In October 2017, the Iraqi army restored central government control over the disputed Kirkuk governorate and its oil fields in the country's north. Since then, multiple federal forces including paramilitaries have policed the area. The new arrangement reassured the province's Arabs and Turkmen but left local Kurds feeling abandoned.

Why did it happen? The federal government's move into Kirkuk was triggered by a Kurdish independence referendum staged the previous month, which raised Baghdad's concerns that the Kurdistan Regional Government in Erbil would declare Kurdish statehood and annex Kirkuk, other disputed territories and their petroleum riches.

Why does it matter? Finding an equilibrium that satisfies Kirkuk's three main ethnic groups by ensuring that none dominates the security apparatus at the others' expense is a fundamental condition for the area's stability. Only such a configuration will ensure peaceful coexistence and help prevent a resurgence of the Islamic State.

What should be done? With international support, Baghdad and Erbil should establish joint security management in Kirkuk that includes a locally recruited multi-ethnic force under federal command. This arrangement would help protect the area from renewed insurgency, contribute to intercommunal peace and lay the foundations for an eventual settlement of Kirkuk's status in Iraq.

Executive Summary

As the campaign against the Islamic State (ISIS) wound down in 2017, the question of Iraq's disputed territories, which stretch along the internal boundary between the Kurdistan region and federal Iraq, re-emerged as a priority for Baghdad. The status of these territories, including Kirkuk and its oil fields, has long been a point of acrimony between Baghdad and the Kurdistan Regional Government (KRG) in Erbil. Tensions peaked in October 2017, after the KRG staged an independence referendum that included not just the Kurdistan region but also the disputed territories, which are home to Kurds, Arabs, Turkmen and smaller minorities. Baghdad sent its forces into Kirkuk, driving out Kurdish fighters who had controlled the area since 2014, when ISIS had driven out the Iraqi army. The new arrangement has reassured local Arabs and Turkmen but alienated Kurds; it is thus as destabilising as the one it replaced. Backed by the UN, Western governments and regional powers, Baghdad and Erbil should establish a joint security configuration in Kirkuk that includes a local multi-ethnic force to enable a broader political deal.

The latest crisis over the disputed territories began in June 2014, when ISIS entered Kirkuk governorate, reaching the outskirts of its eponymous capital. As Iraqi army units stationed there melted away, Kurdish peshmerga, a military force mandated to guard the Kurdish region, quickly filled the vacuum. Supported by Iran and the U.S.-led International Coalition to Defeat ISIS, they held off ISIS for three years and ultimately defeated the group jointly with the Iraqi military and associated paramilitary forces. Seeking to capitalise on their expanded control over parts of Kirkuk province and other disputed areas, as well as Western gratitude for the peshmerga's sacrifices, the KRG made a push toward statehood by organising a referendum at the end of September 2017, ignoring near-unanimous international advice to cancel or delay the exercise. Neighbouring Iran and Turkey in particular, each of which has its own Kurdish population, opposed the plebiscite and backed the return of government forces to Kirkuk.

On 16 October 2017, federal forces regained the upper hand in Kirkuk in a swift advance devised through a prior agreement with the Patriotic Union of Kurdistan (PUK), one of the main Kurdish factions, on their withdrawal. The reversal of control over Kirkuk and its oil fields, in particular, sparked an intra-Kurdish crisis between the PUK and the Kurdistan Democratic Party (KDP), its main political rival. It also severed the ties between the central and regional governments. Simultaneously, it fuelled intercommunal tensions in Kirkuk, as local Kurds felt insecure without forces representing them, while Arabs and Turkmen, who had felt unfairly dominated under the peshmerga since 2003, sensed that their situation would improve.

Following the October 2017 events, the federal government fashioned a temporary solution for Kirkuk, replacing the Kurdish governor with his Arab deputy in an acting capacity and deploying federal forces to manage internal security. This situation is stuck in a holding pattern as Baghdad is preoccupied with popular unrest in the country. Its non-resolution has given rise to serious frictions. Federal forces deployed in Kirkuk lack cohesion or a clear mandate, leaving gaps in jurisdiction that ISIS can exploit. These forces include the army, federal police and paramilitary al-Hashd al-

Shaabi (Popular Mobilisation), in addition to the local police. Elements of all these forces stand accused of misconduct, either harassing residents or engaging in petty graft, including shakedowns at checkpoints. Moreover, the presence of some of the Iran-linked paramilitary groups is making the predominantly Sunni population especially uneasy.

Although Baghdad-Erbil relations were on the mend after national elections in May 2018 and the formation of a new federal government later that year with Adel Abdul-Mahdi as prime minister, little changed in Kirkuk. In February 2019, the government established a high-level committee including federal and regional officials to review security gaps in the disputed territories. In June, Baghdad and Erbil agreed to a security set-up of joint army-peshmerga coordination. But they could not agree on whether the peshmerga should take up posts inside the governorate or just outside its northern and eastern boundaries. The government established a new joint operations command in Kirkuk comprising federal forces but not the peshmerga. The government also put on hold other steps to stabilise the area, such as replacing the federal police with the army, which has a far better experience of working in coordination with the peshmerga.

With the arrival of a new UN special representative for Iraq in early 2019, the UN Assistance Mission in Iraq began to engage Kirkuki members of parliament in Baghdad in a security dialogue in search of a more sustainable solution for the governorate. Arab and Turkmen representatives reject the peshmerga's return to the province, preferring that the federal army be stationed at its boundaries to keep the Kurdish fighters out. For internal security, local community representatives, including Kurds, appear to favour the establishment of a multi-ethnic force recruited exclusively from Kirkuk, but under federal command, to plug security gaps and soothe communal tensions. This force would replace external security forces that answer to different political actors.

Negotiations between Baghdad and Erbil stalled in late 2019 amid national political turmoil. Nonetheless, the security imbalance in Kirkuk persists and will remain a driver of instability if it goes unaddressed. The new government of Prime Minister Mustafa al-Kadhimi should make correcting it a top priority. The international community, including the UN, U.S.-led coalition forces and regional powers such as Turkey and Iran, should encourage Baghdad and Erbil to finish setting up a joint operations command, withdraw federal forces from the cities in phases, and support the establishment of a non-partisan multi-ethnic force to keep insurgent tendencies at bay and preserve intercommunal peace in Kirkuk.

Kirkuk/Baghdad/Erbil/Brussels, 15 June 2020

Iraq: Fixing Security in Kirkuk

I. Introduction

Kirkuk is often described as a microcosm of Iraq, with its rich ethnic and religious diversity of Arabs, Kurds, Turkmen and Chaldo-Assyrians. It also has been at the heart of competition between successive federal governments and the Kurdish national movement. After World War I, when the Ottoman Empire collapsed, Britain included Kirkuk in the new state of Iraq it created, where it fell in a belt between Kurdish-majority areas in the north and Arab-majority areas in the centre and south. The discovery of oil in the early 1920s turned Kirkuk into the engine of Iraq's economic growth. Even after explorers found larger oil fields in the south in the 1940s, Kirkuk remained a focus for national and international competition because of its location on the Arab-Kurdish fault line.¹ In Baghdad's eyes, Kirkuk may have receded in importance as an oil-producing centre, but to the Kurds it was home to the largest oil field in the north and the fuel for their own political aspirations.

The Baathist regime, which came to power in 1968, imposed a system that repressed the non-Arab population. In Kirkuk the regime's policies – known as Arabisation – forcibly relocated Kurds and, to a lesser degree, Turkmen from the governorate, replacing them with Arab families from the south. The regime also separated the predominantly Kurdish districts of Chamchamal, Kalar, Kifri and Tuz Khurmato from Kirkuk governorate, attaching them to Suleimaniya, Diyala and Salah al-Din governorates, respectively, in order to reduce Kirkuk's Kurdish and Turkmen populations.² During the 1988 Anfal counter-insurgency campaign, it engaged in mass killings in the Kirkuk countryside, emptying the oil- and gas-bearing area of its rural Kurdish population.³

The 2003 U.S. invasion and subsequent occupation of Iraq brought major change to Kirkuk and adjacent areas. It empowered the Kurds, who had gained autonomy from Baghdad in 1991 following Iraq's invasion of Kuwait, when the U.S., the UK and France imposed a no-fly zone in the north. The 2005 constitution demarcated Iraq's internal boundaries, establishing a federal Kurdistan region in Erbil, Dohuk and Suleimaniya governorates.⁴ But it did not settle the Kurds' claims to other areas, including Kirkuk, as part of the Kurdistan region. Article 140 laid out a three-phase process for resolving the status of these "disputed territories" by the end of 2007: "normalisation" (the reversal of demographic changes wrought by Arabisation), a census and a referendum. As the deadline loomed, not even the first phase was com-

¹ Crisis Group Middle East Report N°194, *Reviving UN Mediation on Iraq's Disputed Internal Boundaries*, 14 December 2018.

² Mohammed Ihsan, *Nation Building in Kurdistan* (London, 2017), p. 34.

³ Human Rights Watch, *Iraq's Crime of Genocide: The Anfal Campaign against the Kurds* (New Haven, 1995).

⁴ Crisis Group Middle East Report N°64, *Iraq and the Kurds: Resolving the Kirkuk Crisis*, 19 April 2007. See also Robert K. Brigham, *The United States and Iraq since 1990: A Brief History with Documents* (Hoboken, 2014), p. 26.

plete.⁵ Meanwhile, neither the federal nor the Kurdistan Regional Government (KRG) took charge of the governorate's development; instead, they blamed each other for its lagging economy, utilities and services. Moreover, Kirkuk's disputed status reduced local agency in managing resources.

Meanwhile, the two main Kurdish parties, the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP), which dominated Kirkuk's administration, facilitated the return of thousands of Kurdish families to the governorate. There is no clear record of whether relocation was limited to those whom the former regime had displaced (and their descendants) or if families not originating in Kirkuk were allowed to move in as well, as Arabs and Turkmen alleged.⁶ The latter resented the Kurdish parties for these practices, and the federal government for failing to intercede on their behalf, but they could do little about it.

Kurdish control reached its apex during the period when the Islamic State in Iraq and Syria, or ISIS, held half the governorate (2014-2017), dug in close to the city's western approaches. Kurdish forces that held ISIS at bay after the Iraqi army disintegrated took over the local security apparatus, leaving Arabs and Turkmen wary.⁷ The Arab population in particular felt targeted as ISIS followers by association. Moreover, Kurdish forces dug a trench separating Hawija, a predominantly Arab town, from Kirkuk, and prevented its residents from fleeing to the city as ISIS advanced. It was a symbolic act: some of the Kurdish political forces that champion Kirkuk governorate's annexation to the Kurdish region also seek to have Hawija excised and attached to neighbouring Salah al-Din.

The security landscape underwent a final makeover following ISIS's military defeat in Iraq, which came with a battle in Hawija on 8 October 2017. Only two weeks before, on 25 September, the KRG had held a referendum on independence for the Kurdish region, a vote in which it had included the disputed territories. The referendum sparked a reaction from Baghdad. On 16 October, having struck a deal with PUK factions to withdraw their peshmerga forces, Prime Minister Haider al-Abadi sent federal forces eastward from Hawija. They swiftly retook Kirkuk city and, facing little resistance, most of the governorate and other disputed territories. Baghdad imposed a new command structure of exclusively federal forces and local police. The Kurds found themselves lacking a force representing them in a governorate in which they were the largest ethnic group and to which they attribute high political value.⁸ The turn of events also deepened existing divisions between the KDP and PUK, which weakened the Kurds' ability to deal with the challenge.

Given the Kurds' longstanding claims to Kirkuk and their history of conflictual relations with successive post-2003 federal governments, the current situation is

⁵ Crisis Group Middle East Report N°80, *Oil for Soil: Toward a Grand Bargain on Iraq and the Kurds*, 28 October 2008. See also Liam Anderson and Gareth Stansfield, *Crisis in Kirkuk: The Ethnopolitics of Conflict and Compromise* (Philadelphia, 2009), pp. 154-163.

⁶ The Article 140 Committee and the Iraqi Property Claims Commission established under the 2005 constitution were tasked with resolving housing, land and property disputes but failed to resolve the thousands of property claims filed. Although these bodies still exist, they have made no progress since the 2007 deadline.

⁷ Crisis Group interviews, Arab and Turkmen provincial council members, Kirkuk, March 2019.

⁸ The late PUK leader (and Iraqi president) Jalal Talabani used to refer to Kirkuk as the Kurds' Jerusalem.

bound to create persistent tension that may fuel new cycles of inter-ethnic conflict. In addition, lack of coordination among competing security forces in Kirkuk city and its surroundings stands in the way of a coherent approach that could help prevent ISIS from resurging in Hawija and surrounding areas in the governorate's west.

This report views options for a viable security configuration for Kirkuk through a historical lens, first considering previous phases in security management from 2003 to the present, and then suggesting options for a more durable arrangement. With a new government in place in Baghdad, there is an opportunity to address this issue anew. Research was carried out in Kirkuk, Baghdad, Erbil and Suleimaniya in March, July, September and November 2019, involving more than 50 interviews with policymakers, legislators, security officials, civil society representatives, diplomats and residents of Kirkuk.

II. Kirkuk's Shifting Security Landscape

A. Changes in Kirkuk's Security Constellation

1. Pre-ISIS: 2003-2014

The post-2003 period has seen a cycle of conflict throughout the country. In 2005, Iraq plunged into a sectarian war which did not subside until three years later. A time of relative stability followed, but it ended in 2011-2013, after U.S. troops withdrew from Iraq and protests arose in predominantly Sunni Arab areas, including Hawija district in south-western Kirkuk, against the Shiite-dominated government in Baghdad that Sunni Arabs felt was excluding them from power. Prime Minister Nouri al-Maliki brutally cracked down on the protests. In Hawija, security forces killed dozens in a raid on a protest camp the government claimed had been infiltrated by militants.⁹ The violence provided fertile ground for ISIS, an incarnation of al-Qaeda in Iraq that had waged a persistent insurgency in the country since late 2003 and used the vacuum of Syria's post-2011 civil war to rebound from near-defeat. By the end of 2013, ISIS operatives had established themselves at protest sites in Anbar, Hawija and elsewhere, as demonstrators took up arms and some struck up tactical alliances with the militants.¹⁰

Between 2003 and 2009, security management in Kirkuk fell under U.S. command. In April 2003, U.S. special forces working closely with the peshmerga to defeat regime forces in northern Iraq took control of Kirkuk and its oil fields. Kurds were quick to step into the local governance structure left vacant by the regime – in the beginning, to loud protests from Arab and Turkmen residents.¹¹ Abdul-Rahman Mustafa, a non-affiliated local Kurdish lawyer, was elected Kirkuk governor in a council vote overseen by the U.S.-led Coalition Provisional Authority.¹² In the 2005 provincial elections, the Kurdish-majority Kirkuk Brotherhood list won 26 of 41 council seats and came to dominate governance as Arabs boycotted the political process.¹³ That council remains in place today (though some members have been replaced by their parties), because Kirkuk, unlike Iraq's other governorates, has seen no further provincial elections due to internal political paralysis.

As the U.S. rebuilt the Iraqi army it had sent home and dismantled in 2003, it began replacing its own forces with Iraqi federal forces in a phased process. By the end of 2006, it had transferred responsibility for security in Kirkuk to the Iraqi army, except for Kirkuk city and Hawija district, where U.S. troops remained. Hawija was a staging ground for the spreading insurgency that fed the sectarian war of 2005-2008. To counter it, the U.S. recruited and trained local Arab tribesmen, the Sons

⁹ "Iraq: Investigate Deadly Raid on Protest", Human Rights Watch, 24 April 2013.

¹⁰ Crisis Group Middle East Briefing N°38, *Iraq's Jihadi Jack-in-the-Box*, 20 June 2014.

¹¹ Crisis Group Middle East Report N°26, *Iraq's Kurds: Toward an Historic Compromise?*, 8 April 2004. See also Charles Briscoe, et al., *All Roads Lead to Baghdad* (Fort Bragg, NC, 2006).

¹² Sabrina Tavernise, "Kurds mobilize to elect one of their own in city of Kirkuk", *The New York Times*, 28 May 2003.

¹³ Crisis Group Middle East Report N°56, *Iraq and the Kurds: The Brewing Battle over Kirkuk*, 18 July 2006. See also Sean Kane, "Iraq's Disputed Territories: A View of the Political Horizon and Implications for U.S. Policy", *Peaceworks*, no. 69, 2011.

of Iraq (also known as the Awakening Councils).¹⁴ Although the level of ethnic and sectarian violence in Kirkuk never reached the levels witnessed in other parts of the country, communal tensions, especially between Arabs and Kurds, persisted.¹⁵ One reason was the government's failure to carry out Article 140's provisions. When the 31 December 2007 deadline passed, the UN Assistance Mission in Iraq (UNAMI) launched an initiative to resolve Kirkuk's status. It undertook a comprehensive study of the disputed territories, which it completed in 2009, but never made the findings public or used them to chart a way forward.¹⁶

Around the same time, the U.S. and Iraq signed two agreements, one pertaining to bilateral political and economic relations and the other to security.¹⁷ The latter, known as the Status of Forces Agreement, came into effect in 2009, and involved an incremental handover of responsibilities from the U.S. to Iraq and a drawdown of U.S. troops. In the disputed territories, the commanding U.S. military officer in Iraq, General Raymond Odierno, devised a structure to encourage the Iraqi army and peshmerga to cooperate through U.S.-supervised joint coordination centres and joint checkpoints.

Implementation proved challenging in Kirkuk, as all sides posed conflicting demands. The Baghdad government insisted on full withdrawal of the 10th peshmerga brigade, which had been stationed in the governorate's north. The Kurds opposed this demand, complaining about the much larger presence of the Iraqi army's 12th division. Local Arabs accused the U.S. of favouring the Kurds, while the Kurds expressed suspicions about the loyalties of the army commander, who had served in Iraq's army during Saddam Hussein's rule. Despite these complaints, the mechanism worked, with U.S. forces mediating between the two sides. Commanders of the two forces averted direct clashes through communication and coordination, as well as confidence-building measures.¹⁸ For example, the peshmerga assigned a liaison officer to the Joint Coordination Centre for Kirkuk, and provincial council members were invited to weekly security meetings that had previously included only representatives from the army, local police and peshmerga.¹⁹

At the national level, Baghdad and Erbil established a "high committee for security" that included representatives of the defence and interior ministries, as well as the Kurdish region's peshmerga affairs ministry, and convened at the U.S. embassy. The committee oversaw the work of four joint coordination centres in the disputed territories, including one in Kirkuk. It established joint patrols covering the area from the

¹⁴ Crisis Group Middle East Report N°74, *Iraq After the Surge I: The New Sunni Landscape*, 30 April 2008.

¹⁵ Peter W. Connors, *The US Army in Kirkuk: Governance Operations on the Fault Lines of Iraqi Society*, 2003-2009 (Fort Leavenworth, KS, 2011).

¹⁶ Crisis Group Report, *Reviving UN Mediation in Iraq's Disputed Internal Boundaries*, op. cit.

¹⁷ Crisis Group Middle East Report N°99, *Loose Ends: Iraq's Security Forces between U.S. Drawdown and Withdrawal*, 26 October 2010. See also R. Chuck Mason, *US-Iraq Withdrawal/Status of Forces Agreement: Issues for Congressional Oversight*, Congressional Research Service, 13 July 2009.

¹⁸ Crisis Group Middle East Report N°103, *Iraq and the Kurds: Confronting Withdrawal Fears*, 28 March 2011. See also Crisis Group Middle East Report N°88, *Iraq and the Kurds: Trouble along the Trigger Line*, 8 July 2009.

¹⁹ Connors, *The US Army in Kirkuk*, op. cit.

Iranian to the Syrian border. Security officials who participated in this committee explained that it worked well as long as U.S. military officers supervised it, but that cooperation started to wane after the 2011 U.S. troop withdrawal and, subsequently, the deterioration in security due to Prime Minister Maliki's harsh response to popular protests in Sunni Arab areas. Although intelligence sharing and even occasional joint army-peshmerga operations continued well into 2013, the KRG grew increasingly impatient with the federal government, repeatedly sharing reports of a growing insurgency in Mosul, only to see Baghdad dismiss them.²⁰

2. During ISIS: 2014-2017

When ISIS launched its attack on Mosul on 10 June 2014 and swiftly thrust southward, the Iraqi army disintegrated, withdrawing from positions across the disputed territories. By 12 June, all federal forces had left Kirkuk. The peshmerga stationed on the city's northern and eastern outskirts quickly moved downtown. ISIS attacked positions inside Kirkuk district (the area immediately surrounding the city) from the west in the following days and held two southern sub-districts for a short period before peshmerga fighters pushed them out under U.S. air cover. A front emerged south west of Road 80, which cuts through Dibis district, approximately 15km north of Kirkuk city, and continues through Daqouq district in the south east. Hawija was the only district in Kirkuk governorate that fell fully under ISIS control.²¹

The KDP and the PUK took control of the governorate's security apparatus. The PUK's 70th peshmerga brigade held areas south and east of the city toward the border with Suleimaniya governorate, and the KDP's 80th brigade held areas to the city's north and west toward Erbil governorate, including the main Kirkuk oil fields, thereby sustaining production. A newly constructed pipeline across the Kurdish region replaced Iraq's strategic Kirkuk-Baiji-Zakho pipeline, which ISIS had destroyed, enabling continuous export of Kirkuk crude via Turkey's Mediterranean terminal at Ceyhan, albeit at lower levels than before 2014.²²

With a wider geographic remit, the Kurdish parties' security police, the Asayish, was able to expand its traditional tasks by helping the peshmerga with intelligence gathering and local police with law enforcement, for example by making arrests and court referrals.²³ The Asayish had the advantages of a broader mandate, better training and more funding than local police; many Kirkukis of all ethnicities thus reported incidents to the Asayish instead of the police. Yet the Asayish was feared, especially by Arabs and Turkmen, who accused it of abusing its powers by harassing civilians and carrying out unlawful detentions.²⁴ One PUK Asayish official deflected criticism by claiming that the public had no problem with the Asayish but that statements by

²⁰ Crisis Group interviews, Jabar Yawar, peshmerga secretary general, Erbil, 2 July 2019; defence ministry official, Baghdad, July 2019.

²¹ Crisis Group interview, representative of Combined Joint Task Force – Operation Inherent Resolve, also referred to as the coalition forces, Kirkuk, April 2019.

²² "Kirkuk oil still hostage to political stalemates", *Iraq Oil Report*, 1 March 2018.

²³ Crisis Group interviews, local police, PUK and KDP Asayish officials, Erbil and Kirkuk, September 2019.

²⁴ Crisis Group interviews, Kirkuk, July 2019.

Kurdish politicians in Kirkuk reflected badly on the institution.²⁵ A former Asayish official went further, asserting that the Asayish was not an arm of the KRG but of the Kurdish parties, which were in effect using it to advance their partisan agendas.²⁶ The role of the Asayish, in particular, increased ethnic tensions at a time when ISIS was actively trying to penetrate the city's defences.

Kirkuk's Arabs and Turkmen felt increasingly insecure under Kurdish domination. The period between 2015 and September 2017 saw at least 30 assassinations in Kirkuk city, targeting Arab and Turkmen politicians and government employees, many of them in the North Oil Company.²⁷ The perpetrators remain unknown; Arab and Turkmen political representatives repeatedly asked why Kurdish law enforcement institutions failed to resolve these cases.²⁸ One of the most prominent victims was a provincial council member, Mohammed Khalil, head of the Arab bloc, who was assassinated in December 2015.²⁹

Arab residents – even those uprooted by the fight against ISIS – were also especially vulnerable to discriminatory treatment by Kurdish security forces due to suspicions or accusations of ISIS affiliation. Thousands of Arab families internally displaced within Kirkuk or arriving from other governorates flooded the city and its outskirts, creating a dire humanitarian situation.³⁰ Following a complex ISIS attack in Kirkuk city on 21 October 2016, the Kurdish governor, Najmaldin Karim, ordered the eviction of Arab residents who had been displaced both from within (Hawija district) and from outside the governorate, as well as some long-term Arab city dwellers.³¹ Security forces demolished their homes and forced families to leave the city and move into camps.³² The peshmerga also flattened several Arab villages in the Dibis and Hawija areas on the charge that they hosted insurgents.³³

Arab and Turkmen political representatives found themselves shunted aside. Turkmen and Arab provincial council members were excluded from the governorate security committee, and Arabs and Turkmen were kept out of governorate civil service positions that had been allocated to them under previous power-sharing agreements. For example, in 2009, the three communities agreed to split the main governance positions, with the Kurds holding the governorship, the Arabs the deputy governor position and the Turkmen the provincial council chairmanship. But when the Turkmen council chair was elected to parliament in 2010, the Kurdish parties replaced him with a Kurd.³⁴ Arabs also felt strongly aggrieved by the large number of Arab detainees held in the Kurdish region with no communication with their families or

²⁵ Crisis Group interview, PUK Asayish official, Kirkuk, September 2019.

²⁶ Crisis Group interview, former PUK Asayish official, Suleimaniya, September 2019.

²⁷ Crisis Group interview, international NGO representative, Erbil, September 2019.

²⁸ Crisis Group interview, Turkmen provincial council member, Kirkuk, April 2019.

²⁹ "UN Special Representative Condemns Assassination of Mohammed Khalil, Provincial Council Member of Kirkuk", UNAMI, 2 December 2015.

³⁰ Chloe Cornish, "The tragedy of Iraq's Sunnis", IRIN News, 16 September 2015.

³¹ "The Campaign for Mosul, ISIS Counterattacks in Kirkuk", Institute for the Study of War, 21 October 2016.

³² "KRG: Kurdish Forces Ejecting Arabs in Kirkuk", Human Rights Watch, 3 November 2016.

³³ "Marked with an X: Iraqi Kurdish Forces' Destruction of Villages, Homes in Conflict with ISIS", Human Rights Watch, 13 November 2016.

³⁴ Crisis Group interviews, Arab and Turkmen provincial council members, Kirkuk, March 2019.

confirmed trial dates.³⁵ One provincial council member explained that the governorate committee dealing with the cases of imprisoned Arab males was working at an agonisingly slow pace.³⁶

Despite these difficult circumstances, Kirkuk's political elite sustained its traditionally strong inter-ethnic relations, bolstered by a long history of intermarriage. The generation of politicians that had entered the post-2003 governance structure all knew each other, and many had studied together. In some cases, personal ties prevented violence in periods of political conflict. An Arab provincial council member noted,

When my [extended] family fled Hawija, I asked our Kurdish friends to let them enter the city and safety. Since [the Kurds] considered everyone from Hawija a potential Daeshi [ISIS member], they were allowing only a few people to enter. If we hadn't had good personal relations, this would not have been possible. Despite everything that has happened, we still talk to each other.³⁷

3. Post-ISIS: 2017-present

On 25 September 2017, the KRG staged a referendum on Kurdish independence in the Kurdish region and disputed territories. Pro-independence forces won an overwhelming majority.³⁸ The KRG organised the vote over loud protests from both Baghdad, which considered the exercise unconstitutional, as well as the international community, which at a minimum found its timing inappropriate and, in the case of neighbouring states Turkey and Iran, a threat to Iraq's integrity (and, by implication, their own, given their respective Kurdish populations' grievances and aspirations). Particularly controversial was the KRG's decision to stage the referendum not only in the Kurdish region's three governorates but also in the disputed territories, including Kirkuk.³⁹ PUK leaders in Kirkuk and parts of the central PUK leadership rejected Kirkuk's inclusion, which the KDP had orchestrated.⁴⁰ Even the ruling Barzani family, heirs of the KDP legacy, was internally divided over the wisdom of pro-

³⁵ Some of these detention cases go back as far as 2003. Crisis Group interview, member of investigation committee for missing persons, Baghdad, March 2019.

³⁶ Crisis Group interview, Arab provincial council member, Kirkuk, April 2019.

³⁷ Crisis Group interview, Arab provincial council member, Kirkuk, July 2019.

³⁸ No reliable figures are available. The UN refused to monitor the vote, and the KRG has not released a breakdown of the tally. Yet the Kurdish population in northern Iraq has long largely held pro-independence views.

³⁹ Although most Kurdish parties apart from the KDP rejected the idea of holding the referendum in the disputed territories, all participated in the 29 August 2017 Kirkuk provincial council vote that approved it. Arab and Turkmen parties boycotted the session, as did three of the Kirkuk Brotherhood list's non-Kurdish members. The decision passed with 23 of 41 in favour. Raya Jalabi, "Iraq's Kirkuk province to vote in Kurdish independence referendum", Reuters, 29 August 2017.

⁴⁰ The Kirkuk governor in 2017, the PUK's Najmaldin Karim, for several years did not publicly support Kirkuk's annexation by the Kurdish region, but in 2017 he threw his support to the president of the Kurdish region, the KDP's Masoud Barzani, and turned into one of the most vociferous advocates for including Kirkuk in the Kurdish independence referendum. Crisis Group interviews, Erbil, Kirkuk and Beirut, 2017.

ceeding with the poll, especially including the disputed territories, although none objected publicly.⁴¹

When the federal government saw major players, such as the U.S., EU, Iran and Turkey, support its rejection of the referendum, it used the final stage of the campaign to defeat ISIS as an opportunity to reverse Kurdish control over Kirkuk. When Baghdad failed in attempts to negotiate a peshmerga retreat with the KDP-dominated KRG, it turned to PUK factions that appeared willing to strike a deal.⁴² In a manoeuvre on 16 October, the Iraqi army, supported by the federal police and units of the paramilitary al-Hashd al-Shaabi (Popular Mobilisation), advanced on Kirkuk from Hawija, where they had just finished routing ISIS. Intermittent fighting broke out with mainly KDP units that did not retreat immediately, resulting in 70 peshmerga dead.⁴³ Facing no serious resistance, federal forces pushed onward, taking control of most of the disputed territories and restoring army positions along the entire “green line” that defines the boundary between the Kurdistan region and the rest of Iraq. The government imposed an embargo on international flights to the region and took other punitive measures against the KRG.⁴⁴

To stabilise the area, the government established the Joint Forward Command – Kirkuk (JFC-K), previously known as the Kirkuk Operations Command, soon after its forces had gained full control, appointing Major General Maan al-Saedi, head of the Counter-Terrorism Service (CTS), as overall commander.⁴⁵ From the outset, the JFC-K included the army, federal police and Hashd, as well as local police. It pointedly left out the Kurdish peshmerga and Asayish. The government also replaced the Kurdish governor, Najmaldin Karim, with his Arab deputy, Rakan Said al-Jubouri, in an acting capacity.⁴⁶

This governance and security structure has stayed in place since that date, with federal forces rotating in and out on a regular basis. The provincial council became inactive, as most members of the Kurdish-led Kirkuk Brotherhood list, the biggest group in the council with 26 of 41 seats, left the governorate when federal forces took control.⁴⁷ Scarred by memories of the Saddam regime’s Arabisation campaign, thousands of Kurdish families fled Kirkuk on 16 October, fearing that Baghdad would

⁴¹ Crisis Group interviews, PUK and KDP officials, Erbil and Kirkuk, July 2019.

⁴² A senior PUK member explained that the Abadi government sent high-level delegations to Sulaimaniya before the 16 October events. The Iraqi interior minister, Qasem al-Araji, and the commander of Iran’s Qods Force, Qassem Soleimani, met with senior PUK leaders and convinced them to withdraw from Diyala and Kirkuk. Crisis Group interview, PUK official, Baghdad, July 2019.

⁴³ Crisis Group interview, director at the peshmerga affairs ministry, Erbil, July 2019.

⁴⁴ For further measures by the Baghdad government, as well as by Iran and Turkey, see Crisis Group, *Reviving UN Mediation on Iraq’s Disputed Internal Boundaries*, op. cit.

⁴⁵ In February 2019, Prime Minister Adel Abdul-Mahdi shifted the head of the command from the CTS to the special forces 61st brigade and appointed Lieutenant General Saad Harbiye as overall commander.

⁴⁶ Michael Knights and Bilal Wahab, “Setting the Stage for Provincial Elections in Kirkuk”, Washington Institute for Near East Policy, 10 January 2018.

⁴⁷ It is mainly the council members from the KDP and Kurdistan Islamic Union who have yet to return to the governorate. Most PUK council members returned shortly after 16 October but have since refused to attend council meetings. A few independent Kurdish and Arab members of the Kirkuk Brotherhood list continued their work. Crisis Group interview, Kurdish independent provincial council member, Kirkuk, July 2019.

reimpose its administrative control by violent means. When they saw that the army restored calm, most families returned within days. But KDP party members and persons affiliated with KDP or PUK security forces remained, along with their families, in the Kurdish region.

The KDP and PUK hold starkly diverging perspectives on the situation in Kirkuk. The pro-referendum part of the KDP views PUK factions that cooperated with Baghdad in October 2017 as treasonous. Consistent with this perspective, the party has taken the approach that they will not return to Kirkuk until the situation in the city has been “normalised”, by which it means a return to the pre-ISIS arrangement in which the army patrolled outside cities and the peshmerga guarded border areas adjacent to the Kurdistan region. At that time, only law enforcement institutions were allowed inside the towns, including local police and the Asayish.⁴⁸ A KDP Asayish official said:

I have no problem working with anyone if that is my instruction. We follow our command. If we are told to return to Kirkuk peacefully and work with the federal forces, we will do so. If we are told otherwise, we will act accordingly as well.⁴⁹

By contrast, the PUK maintained its official presence in the city following the October events. PUK Asayish offices are still functioning, engaging in information sharing and referring cases under investigation to federal security forces. But the PUK considers the militarisation of Kirkuk city and the presence of multiple security forces in the governorate destabilising and would like to see the peshmerga return.⁵⁰

There are major differences between Kurds, on one hand, and Arabs and Turkmen, on the other. Many of the latter have expressed relief at the return of federal forces to Kirkuk, claiming that ISIS’s arrival in the governorate’s western parts in 2014 enabled the Kurdish parties to monopolise governance and security in the rest of Kirkuk.⁵¹ Kurdish politicians, by contrast, complain that they have been sidelined in governance and security management – the acting governor removed Kurdish representatives from the governorate security committee. Consequently, they say, local security forces have been able to bring back Arab residents to the governorate and favour their interests over those of other groups.⁵²

Kurds, Turkmen and even some Arabs have raised claims of discrimination in administration, accusing the acting governor of reversing what they see as pro-Kurdish appointments during the period of Kurdish domination and of serving the interests of his own family and tribe, the Jubour.⁵³ In instances where Kurdish representatives fled or were otherwise absent, the acting governor appointed or approved Arab

⁴⁸ Crisis Group interview, KDP politburo member, Erbil, July 2019.

⁴⁹ Crisis Group interview, KDP Asayish official of the Kirkuk branch, Erbil, September 2019.

⁵⁰ Crisis Group interview, PUK Asayish official, Kirkuk, September 2019.

⁵¹ Crisis Group interviews, Arab and Turkmen provincial council members, July 2019.

⁵² Crisis Group interviews, KDP and PUK provincial council members and MPs, Baghdad and Kirkuk, July 2019.

⁵³ Crisis Group interviews, Kurdish and Turkmen businessmen, Arab tribal leaders and provincial council members, Kirkuk, March and July 2019. The main Arab tribes in Kirkuk are the Jubour and Obeid, as well as the Hamdan.

counterparts to replace them.⁵⁴ Claims of discriminatory practices have become rife in the economic sphere as well. The governorate administration has allocated federal and international aid funds for reconstruction predominantly to Arab contractors.⁵⁵ The acting governor has ordered the eviction of some Kurdish families, mainly those residing in government-owned houses in Kirkuk's Arrafa neighbourhood, on the accusation that the previous administration had brought them into the city – meaning, they were not originally from Kirkuk.⁵⁶

B. *Baghdad Returns*

The federal government's return to Kirkuk brought significant change in day-to-day security management and complicated prospects of resolving longstanding issues. Although communal conflicts in Kirkuk mainly play out at the local political level, tensions tend to spill over into the civilian population at highly charged political moments. This problem is not unique to Kirkuk – politicisation and corruption plague all of Iraq's security institutions, which provide security selectively if at all. But in the case of Kirkuk, with its unresolved status that perpetuates ethnic competition, an environment in which multiple armed forces operate with unclear mandates only aggravates existing tensions and complicates security coordination. Furthermore, competition for turf and control over various resources among armed actors can trigger violence. This situation is compounded by endemic – and in late 2019 escalating – political unrest in Baghdad and the rest of the country, which is preventing the federal government from taking necessary steps to improve security in Kirkuk.

1. A pressure cooker of security actors

The proliferation of security actors in Kirkuk is not contributing to the governorate's stability, and possibly undermining it, while leaving gaps that ISIS elements exploit. Security actors include the Iraqi army, CTS, federal police, a gamut of Hashd groups, local police and various intelligence services linked to state institutions as well as political parties. Each force has its own mandate and its own particularities of structure and political affiliation. Among the federal forces present, only the army has a long

⁵⁴ For example, the Kurdish mayor of Dibis, Abdallah al-Salihi, fled the district before federal forces reached the town in October 2017; the acting governor replaced him with the Sunni Arab mayor of Multaqa sub-district, Hasan Abdul-Nasif, from the Jubour tribe. In Daqouq, the acting governor dismissed the PUK-appointed Kurdish mayor, Amir Khuda Karam, from his duties for supporting the referendum and for granting the Kurdistan Workers Party (PKK) – the insurgent group fighting in Turkey – permission to open offices in the district; he was replaced by the Sunni Arab mayor of the Rashad sub-district. Crisis Group interview, independent Kurdish provincial council member, Kirkuk, March 2019.

⁵⁵ Crisis Group interviews, international NGO worker, Arab and Turkmen provincial council members, Kirkuk, July 2019.

⁵⁶ No record has turned up of whether the Saddam regime had driven these particular families from Kirkuk by way of its Arabisation policies. Crisis Group interview, international NGO researcher, Erbil, July 2019.

history of official service in the governorate.⁵⁷ The CTS, an elite force tied to the prime minister as commander-in-chief of the armed forces and supervised by the National Security Council, was deployed as the front-line fighting force against ISIS in Hawija in 2017. Immediately after the 16 October events, it assumed overall command of federal forces in Kirkuk. The federal police's 5th, 6th and 14th divisions were tasked with security along governorate boundaries, in rural areas and at checkpoints on major arteries. Falling under the interior ministry, which a Shiite has headed since 2003, it is a predominantly Shiite force.

The Hashd mainly patrol non-urban areas in the governorate's western and southern parts, where ISIS insurgents still roam. Only local Hashd branches perform this role, but their political organisations – the Iran-backed Badr Organisation, Asaeb Ahl al-Haq, Kataeb Jund al-Imam and Kataeb Hezbollah – maintain offices or a small armed presence in some of the governorate's towns as well. These local branches include the predominantly Shiite Turkmen 16th and 52nd Hashd brigades affiliated with the Badr Organisation, which mainly operate in Daqouq and areas south of Kirkuk city bordering Hawija district, and the 56th brigade of the tribal Hashd in Hawija, which is Sunni Arab.⁵⁸ While these brigades' lower ranks are overwhelmingly local, their officers answer to the central Hashd committee in Baghdad.⁵⁹

This security set-up is potentially dangerous to public safety for three main reasons. The presence of military units two years after major anti-ISIS operations ceased has created an environment in which forces compete rather than cooperate with each other; the fact that these forces are predominantly Arab and Shiite in a governorate that is ethnically mixed and predominantly Sunni across ethnic groups has increased frictions; and the multiplicity of forces without an overall command structure and coordination has allegedly enabled their members to engage in highly profitable illicit activities, which further erode security.

The proliferation of security forces is hardly reassuring to civilians. Armed men are seemingly everywhere, each pair wearing different uniforms with different arm patches, sowing confusion about which force has jurisdiction where, and with responsibility for what. Moreover, when residents wish to bring a complaint against the armed men for misconduct or illegal activity, they often find that one group blames another or that all the groups say the culprits are criminals or impostors.⁶⁰

The security forces' composition is controversial, both for the civilian population and for the political parties. Kurdish residents, in particular, have a deep-seated fear of (predominantly Arab) federal forces due to their experience of oppression under the previous regime. And the (predominantly Sunni) population at large harbours fears of Shiite dominance of Iraq's post-2003 political scene. Arab, Kurdish and

⁵⁷ All army divisions fall under the command of the defence ministry, which has had successive Sunni Arab ministers since 2003, based on Iraq's informal system of allocating government positions by ethno-sectarian affiliation (*muhāsasa*).

⁵⁸ The Turkmen 52nd brigade was formed in response to Grand Ayatollah Ali al-Sistani's June 2014 fatwa calling for volunteers to counter the ISIS threat. This unit was at the forefront of several battles with ISIS in predominantly Turkmen towns in the disputed territories, such as Amerli in Diyala governorate, Tuz Khurmatu in Salah al-Din and Tal Afar in Ninewa.

⁵⁹ Crisis Group interview, Shiite Turkmen commander, Kirkuk, July 2019.

⁶⁰ Crisis Group interviews, landowners, shopkeepers, businessmen and government employees, Kirkuk, March and July 2019.

Turkmen alike, Sunni Kirkukis are suspicious of federal institutions such as the federal police and the Hashd, which are predominantly Shiite.

The proliferation of security actors without a unified command structure frequently causes coordination problems, particularly along the Arab-Kurdish fault line north of the city. The Altun Kopri checkpoint on the road between Kirkuk and Erbil is the only one jointly run by federal police and peshmerga. The U.S.-led anti-ISIS coalition has tried to bring the two forces together in operations along the border between Erbil's Makhmour district and Kirkuk's Dibis district, but by October 2019 they had conducted only one joint mission. A coalition representative attributed this lack of cooperation to distrust of federal police among peshmerga commanders, and to the head of the 14th federal police division who, he said, was unwilling to improve coordination.⁶¹ For their part, the paramilitary Hashd groups appear to have tense relations with the civilian population and other military units.

Tensions among security forces tend to flare when patrolling duties are unclear or when they seek to expand the areas under their remit. Even passing through each other's checkpoints and engaging in verbal altercations can lead to exchanges of fire and casualties. Such incidents among the CTS, federal police and Hashd occur on a near-weekly basis.⁶² There have also been attacks upon security forces by unknown perpetrators.⁶³ Federal security officials claim that the culprits are usually armed Kurdish gangs dissatisfied with the presence of federal forces in Kirkuk, with the aim of disrupting the semblance of order that federal operations provide.⁶⁴ An Asayish member acknowledged that possibility: since his primary duty is to protect the Kurdish community, he said, whenever he saw federal forces harass Kurdish residents he would retaliate with non-lethal attacks.⁶⁵

Individual commanders' conduct matters. In Hawija, residents reported that the situation for civilians improved after February 2019, when the federal police's 3rd division replaced the 6th. The 3rd turned out to be larger and more professional force, which was not involved in harassing the local population and worked hard at improving security coordination with other forces deployed in the area.⁶⁶

Corruption, which is systemic in Iraqi institutions, is likewise rife amid the competing security forces – all lacking strong command and control – in Kirkuk. For ex-

⁶¹ Crisis Group interview, U.S.-led coalition forces commander, Kirkuk, March 2019. The commander of the 14th federal police division was later replaced, but security coordination reportedly did not improve. Crisis Group interview, U.S.-led coalition forces commander, Kirkuk, September 2019.

⁶² Crisis Group interviews, CTS, local police and federal police officials, Kirkuk, March and July 2019.

⁶³ In June 2019, for example, unknown assailants fired a rocket-propelled grenade at the office of the 61st special forces brigade in Kirkuk. Crisis Group interview, 61st brigade, Kirkuk, July 2019.

⁶⁴ Crisis Group interviews, federal police and local police officials, Kirkuk, July and September 2019.

⁶⁵ Crisis Group interview, enlisted KDP member of the Asayish, Kirkuk, September 2019. He did not say whether the higher Asayish command had instructed or condoned such attacks. Crisis Group could not verify if these attacks were indeed non-lethal. The Kirkuk Asayish command disclaims any connection with this person and disavows the practice that he claims is his duty: "It is not the policy of our service to conduct neither [sic] lethal nor non-lethal attacks against the authority of Kirkuk and we condemn such actions". Crisis Group email communication, Kirkuk Asayish liaison officer, 23 July 2020.

⁶⁶ Crisis Group interviews, Arab tribal leader, mayor of Hawija, shop owners, local police commander, Hawija, March 2019.

ample, members of security forces have been implicated in oil smuggling. While the chief smugglers are local gangs, security forces become complicit by wilfully overlooking the illicit wares passing through their checkpoints or even taking a cut of the proceeds from the drivers. In some cases, security forces dispatched to stop contraband turned to smuggling themselves.⁶⁷ A federal judge in Baghdad dealing with corruption cases explained that he had seen complaints filed even against venerated CTS commanders.⁶⁸

Various Hashd factions also have allegedly established illicit revenue-generating activities, such as levying fees on gas stations and truck drivers at checkpoints. In Daqouq and Hawija, residents claim that the Hashd have set up unauthorised checkpoints.⁶⁹ A Shiite Turkmen Hashd commander, who said he had run into bogus Hashd checkpoints himself, claimed that individuals and groups were freelancing in illegal activity. He said he tolerates no such behaviour within his ranks.⁷⁰ The Hashd also stand accused of extorting shop owners for protection money. A merchant in Kirkuk city claimed that he was forced to give the equivalent of \$50 per month to a security company run by a political party, having been told that refusal to pay would render his shop unsafe at night.⁷¹ Another shop owner said this type of extortion happened when the Kurdish parties were in charge as well, but that the racketeers were gangsters whom the Asayish dismissed as small-timers (even if individual Asayish members sometimes got a share of the profits).⁷²

Further muddling the picture is the involvement of security forces, particularly the Hashd, in matters outside their bailiwick. Hashd commanders play dual military and civilian roles, also conducting political and social work. For example, the Turkmen commander of the 52nd Hashd brigade also acts as head of the Hashd's Kirkuk office, which is essentially a political outfit. The Hashd's Shiite brigades run extensive political and social campaigns through student associations and clinics offering free medical services.⁷³ In predominantly Sunni Kirkuk, people across ethnic lines share a concern about the Hashd's long-term political agenda as a Shiite institution largely supported by Iran. As a Sunni Turkmen politician noted,

Of course, as Sunni Turkmen, we are concerned about Iran's expansion through Shiite militias in Kirkuk. Shiite parties have opened many offices in Kirkuk that did not exist before the war against Daesh [ISIS].⁷⁴

In Hawija, where the local 56th Hashd brigade consists of Sunnis, the situation is idiosyncratic. The brigade commander, a Sunni Arab who fought alongside federal forces – first with the Awakening Councils a decade ago, and more recently with the Sunni Hashd – against successive insurgent groups that emerged in the district, com-

⁶⁷ "Kirkuk oil smuggling rings thrive amidst corruption", *Iraq Oil Report*, 31 January 2019.

⁶⁸ Crisis Group interview, federal judge, Baghdad, July 2019.

⁶⁹ Crisis Group interviews, local security officials, truck driver, tribal leaders, Kirkuk, Daqouq and Hawija, March and July 2019.

⁷⁰ Crisis Group interview, Shiite Turkmen commander, Kirkuk, July 2019.

⁷¹ Crisis Group interview, shop owner, Kirkuk, July 2019.

⁷² Crisis Group interview, Turkmen businessman, Kirkuk, March 2019.

⁷³ Crisis Group interviews, Hashd officials, Kirkuk, March 2019.

⁷⁴ Crisis Group interview, Sunni Turkmen politician, Kirkuk, March 2019.

plained that the central Hashd committee has discriminated against his outfit, sending it equipment inferior to what it provided to Shiite brigades.⁷⁵ This claim appears credible, and is backed by similar complaints in other governorates. The tribal Sunni Hashd units across the country have low standing within the Hashd institutional hierarchy, as their role is always specific to their locale, a limitation that is overlain by sectarian tensions.

2. The threat from a lingering insurgency

ISIS's military defeat in Hawija has not stopped residual insurgent violence from affecting the district. ISIS has perpetrated few attacks in main population centres. Instead, its activity is concentrated in rural parts of Hawija, especially areas bordering Dibis and Daqouq districts, where roadside bombs target security forces and insurgents occasionally fire mortars at villages and towns.⁷⁶ These attacks seemed to be escalating in April 2020. According to a Crisis Group analyst:

ISIS's latest attacks are still being carried out with roughly the same level of technical complexity [as in 2013-2014], by small guerrilla units operating mostly in rugged terrain running from Nineveh through Diyala, including territories disputed between Baghdad and the Kurdistan region. But those attacks have apparently become more assertive: more direct assaults on Iraqi security forces, initiated by ISIS; and more daytime attacks.⁷⁷

Hawija district remains the most vulnerable to insurgent activity for several reasons. It borders mountain ranges that ISIS guerrillas have used as safe havens and staging grounds for attacks. The terrain complicates effective coordination with security forces in adjacent areas such as Makhmour district, and Salah al-Din and Diyala governorates, each of which is dealing with its own persistent ISIS insurgency.⁷⁸ Gaps also exist in parts of Dibis and Daqouq districts, where the peshmerga used to patrol in conjunction with the army. Security officials explain that the distance between deployed forces ranges from 1 to 5km.⁷⁹

⁷⁵ He complained that he could also not draw on the governorate budget, despite the fact that the acting governor is a Sunni from the Hawija area and therefore, in theory, sympathetic to his predicament. Instead, he said, the brigade relies on local financial and weapons support. Crisis Group interview, Hussein Ali Najm, 56th Hashd brigade commander, Hawija, 31 March 2019.

⁷⁶ Crisis Group interview, local security official, Hawija, March 2019.

⁷⁷ Tweet by Sam Heller, Crisis Group analyst, @AbuJamajem, 8:09am, 23 April 2020. See also Sam Heller, "When Measuring ISIS's 'Resurgence', Use the Right Standard", Crisis Group Commentary, 13 May 2020; Zhelwan Z. Wali, "ISIS kills five Iraqi security members in Kirkuk, Diyala: government", *Rudaw*, 20 April 2020; and Crisis Group Middle East Report N°207, *Averting an ISIS Resurgence in Iraq and Syria*, 11 October 2019.

⁷⁸ Due to the spillover of ISIS activity from Hawija into Makhmour and vice versa, the security committee charged by the prime minister with mapping security gaps in the disputed territories joined Kirkuk governorate and Makhmour district into a single area of operations for military purposes. Crisis Group interview, U.S.-led coalition forces commander, Erbil, July 2019.

⁷⁹ Crisis Group interviews, army and peshmerga officials, Erbil and Kirkuk, July 2019. See also Glenn A. Fine, *Operation Inherent Resolve: Lead Inspector General Report to the United States Congress*, 1 April-30 June 2019.

In Hawija, ISIS elements terrorise rural civilians, targeting village heads (*much-tars*) and tribal leaders for kidnapping or assassination. In many cases, ISIS members are able to infiltrate areas through family ties.⁸⁰ The district council and tribal leaders are continuously asked to intervene in family disputes where family members have either fought or sided with ISIS. Hawija's mayor complained that he has received no support from either the Kirkuk or federal governments to deal with the presence of ISIS-affiliated families.⁸¹

3. Political stalemate

The security situation in Kirkuk is entangled with political disputes arising from the governorate's unresolved status. Two and a half years after the October 2017 events, the governorate still has only an acting governor. There are several reasons for the delay in appointing a governor. Prolonged government formation processes in both Baghdad and the Kurdish region have hindered progress in Kirkuk. In post-2003 Iraqi politics, it is typical for the *muhasasa* (ethno-sectarian apportionment) system to create a series of competitions for positions in the federal, provincial and local governments, with the KRG's own allocation of roles being an additional complicating factor in the Kurdish region.⁸² During the KRG cabinet formation process in 2019, the PUK pursued a package deal with the KDP covering posts in Baghdad, Erbil and also the Kirkuk governorship, but the KDP refused.⁸³ In the end, the parties went ahead with setting up a new KRG without reaching agreement on the Kirkuk governor, thus leaving the acting one in place.

The governor's post in Kirkuk is particularly sensitive because, unlike in other governorates, the governor is head of the security committee. In that capacity, he has the tools to protect and advance the interests of one group over another. Between 2003 and 2017, the Kirkuk governorship was held by a Kurd. Arab and Turkmen representatives have long argued for rotating the administration's main positions among the three communities, but the Kurdish parties have never agreed.⁸⁴ Yet, while fighting between themselves over candidates, the Kurdish parties have also listened to Arab and Turkmen demands that a Kurdish candidate should at least be politically non-

⁸⁰ Crisis Group interview, local security official, Hawija, March 2019.

⁸¹ Crisis Group interview, Hawija mayor, Hawija, March 2019. He said he was aware of only one attempt to mediate local disputes, conducted by Sanad, an Iraqi organisation, but it was not sustained. According to the mayor, approximately 70 per cent of Hawija's displaced have returned to their homes. Those who remain displaced have either postponed return because they have found work in cities or else lack the means to rebuild their houses. A smaller group cannot return due to suspected affiliation with ISIS, based on a local vetting system. In some cases, family members of ISIS fighters have been allowed to return but remain under surveillance.

⁸² For background, see Toby Dodge, "Tracing the Rise of Sectarianism in Iraq after 2003", LSE Middle East Centre Blog, 29 June 2018.

⁸³ Crisis Group interviews, KDP and PUK representatives, Erbil and Suleimaniya, July 2019.

⁸⁴ The three main positions are the governor, head of the provincial council (speaker) and deputy governor. The rotation system, by which each community would hold the respective positions for two-year periods, has been suggested in successive UNAMI-led negotiations over the years, but it invariably meets with stiff resistance from Kurdish politicians. Crisis Group interviews, Kirkuk politicians, Baghdad and Kirkuk, July 2019.

affiliated.⁸⁵ The KDP, which has less support in Kirkuk than the PUK and cannot see one of its own promoted to governor, agrees that Kurdish candidates should be unaffiliated: it views the PUK as complicit in the deal with Baghdad to take back Kirkuk in October 2017 and cannot countenance a PUK governor.⁸⁶ A former PUK politician from Kirkuk spoke of an additional challenge: the party has approached several potential candidates who have professed a lack of interest in the job. One such candidate said,

I was considered for the position, and my Arab and Turkmen colleagues encouraged me, but I cannot be the Kirkuk governor. The position requires a strong character able to please all sides. Kirkuk has become hostage to gangs in every respect: infrastructure contracts, governorate positions, oil smuggling. Everyone wants their share. Security forces and political parties are all involved, my own party [the PUK] included. You cannot succeed in such an environment if you want to work professionally.⁸⁷

The Kurdish parties could have exploited their numerical advantage in the provincial council by calling a meeting, ensuring a quorum and electing a new governor.⁸⁸ This manoeuvre, however, would have required the return of Kirkuk Brotherhood council members to Kirkuk. The Brotherhood has stayed away because the KDP continues to condition its return to Kirkuk on withdrawal of federal forces from the governorate's towns and what it calls "normalisation" of the security situation.

A PUK member accused the KDP of using the security situation as an excuse to keep its officials from returning to Kirkuk.⁸⁹ The PUK prefers to remain active in Kirkuk, even though it considers the overt presence of federal forces unnecessary and these forces' predominantly Arab composition unacceptable. The PUK member went on to explain:

Here you see the difference between the KDP and the PUK. We would never leave this area, because we have historical depth here, which the KDP does not. We have lived here for generations. Our party's base is large, and we have close relations with our Arab and Turkmen neighbours. Tell me, when was the last time that one of the Barzanis set foot here?⁹⁰

The stalemate over the governorship thus appears to result more from intra-Kurdish competition for influence than from the presence of federal forces. To break the im-

⁸⁵ Arab and Turkmen representatives have consistently expressed concern that a Kurdish governor, such as Najmaldin Karim, would be susceptible to pressure from the PUK and/or KDP. Crisis Group interviews, Arab and Turkmen MPs and provincial council members, Baghdad and Kirkuk, March and July 2019.

⁸⁶ Crisis Group interview, KDP official, Erbil 2019.

⁸⁷ Crisis Group, former PUK politician, Suleimaniya, September 2019.

⁸⁸ After mass protests erupted across Iraq, parliament voted on 28 October 2019 to dissolve all provincial councils, which means that the bodies choosing governors do not presently exist. The law is not clear on alternative means of instating governors.

⁸⁹ Crisis Group interview, PUK member, Kirkuk, July 2019.

⁹⁰ Crisis Group interview, PUK member, Kirkuk, July 2019. The Barzanis are Iraqi Kurdistan's singular ruling family, especially after the death of PUK leader Talabani, coincidentally also in October 2017.

passe, the PUK pursued a deal with Arab and Turkmen politicians without the KDP, but both communities' leaders said no. A former Turkmen provincial council member explained that excluding the KDP would be counterproductive, as it would encourage the party to spoil the political process in Kirkuk either directly or through its alliances with powers in Baghdad. As he summed it up, "If there is no peace between the PUK and KDP, there will be no peace in Kirkuk".⁹¹ Even if the deadlock endures, however, it should be possible to address at least the security situation, which is urgent and goes beyond the presence of a fully empowered governor.

⁹¹ Crisis Group interview, former Turkmen provincial council member, Kirkuk, July 2019.

III. Oil and Security in Kirkuk

Security management in Kirkuk is the focus of animated, at times informal, discussion at the local, national and international levels. Locally, political party representatives seek to balance community demands with their own aims and those of their external protectors. All three communities have ties with outside actors, be it the federal government or the KRG, but also foreign powers such as Turkey, Iran and the U.S. External loyalties interfere with each community's internal cohesion, complicating the ethnically based calculus by which local actors gauge any step forward and hindering intercommunal solutions.⁹² The complications are most evident in the absence of a security force in Kirkuk that puts equal priority on all citizens' safety.

At the national level, both Baghdad and Erbil are driven primarily by territorial concerns. For Baghdad, holding on to Kirkuk is a matter of preserving Iraq's territorial integrity. Although its oil fields do not come close in output to those in the south, which account for 80 per cent of Iraq's total production, the federal government opposes Kirkuk's annexation to the Kurdistan region, as the loss of its oil fields would weaken Iraq's overall position.⁹³ In addition, Baghdad fears that scenarios in which Kirkuk is either incorporated into the Kurdistan region or granted autonomy might cascade into other Iraqi governorates demanding similar special status.⁹⁴ For Erbil, the opposite applies. Kurdish leaders see secession without Kirkuk as yielding an economically weak independent state.

The KRG has two other immediate priorities. First is to get the region's debt-burdened economy back on its feet. Recovery would require a more sustainable revenue-sharing deal with Baghdad, long the focus of efforts by the KDP's Nechirvan Barzani (now the KRG's president) when he was KRG prime minister (2006-2009 and 2012-2019). The second is to return Kurdish security forces to Kirkuk. This goal is championed by the KDP's security-oriented side, represented by the former chancellor and current prime minister, Masrour Barzani, in contrast to his economy-oriented cousin, Nechirvan.⁹⁵

⁹² The KDP and PUK's external alliances – and dependencies – have traditionally been split between Turkey and Iran, respectively, due primarily to geographical proximity. In addition, both have relied heavily on U.S. support since the start of Operation Provide Comfort in 1991. The Arabs and Turkmen are also internally divided. The Turkmen are split along sectarian lines (parties such as the Iraqi Turkmen Front, which is predominantly Sunni or secular Shiite, rely heavily on Turkish support, while Shiite Islamist parties are linked to the Baghdad government, the Hashd and, in some cases, Iran). The Arabs, who are predominantly Sunni, are divided by tribal loyalties and between an urban minority that has lived in Kirkuk for generations and the rural majority in Hawija and parts of Dibis districts.

⁹³ Maria Lasa Aresti, *Oil and Gas Revenue Sharing in Iraq*, Natural Resources Governance Institute, July 2016.

⁹⁴ This discussion also takes place in Basra, although it is not so lively there as in Kirkuk. "Basra renews autonomy campaign", *Iraq Oil Report*, 11 April 2019. See also Reidar Visser, *Basra, the Failed Gulf State: Separatism and Nationalism in Southern Iraq* (London, 2005).

⁹⁵ Crisis Group interview, adviser to the KRG president, July 2019. Masrour Barzani is the son of the former president, Masoud Barzani, and Nechirvan is Masoud's nephew. The KRG chancellor is the head of the Kurdistan Region Security Council. This institution, established in 2011, is the coordinating body of all the region's security and intelligence agencies. Since Masrour was appointed prime minister in June 2019, no one has replaced him as chancellor.

Prospects for new agreements on Kirkuk between the federal government and the Kurdish region seemed good while Adel Abdul-Mahdi was prime minister, as he has had a long friendship with the Kurdish parties and worked closely with them as oil minister in a previous cabinet (2014-2016). The two governments had already taken steps toward rapprochement while Nechirvan Barzani was still KRG prime minister, resulting in an understanding about Baghdad's 2019 budget allocation to the KRG. Erbil committed to providing 250,000 barrels of oil per day to Iraq's State Organisation for Marketing of Oil (SOMO) from the oil fields it controlled, and Baghdad in return agreed to pay the salaries of KRG civil servants.⁹⁶ Pragmatism seemed to govern their relations, yet problems remained. Toward the end of his tenure, Abdul-Mahdi stopped the salary transfers to the region as oil prices plummeted and the KRG had not contributed its agreed share of oil production.⁹⁷

Despite differences on budget commitments, talks on security management were ongoing at the highest level when mass protests broke out in Iraq in early October 2019. At the start of the year, Abdul-Mahdi established a committee to review security gaps in the disputed territories. It included his chief of staff, Mohammed al-Hashimi, the army's Lieutenant General Abdul Amir Yarallah and then-KRG Interior Minister Karim Sinjari. The committee in turn set up six joint subcommittees to cover specific areas in the swathe of territory between Khanaqin on the Iranian border and Sinjar on the Syrian border. In June 2019, they proposed new command structures for each.⁹⁸ Simultaneously, UNAMI facilitated talks between Kirkuk provincial council members and parliamentarians to reach agreements on governance and security, among other files. Ensuring that these two tracks converge so that federal policy supports and complements local agreements will be crucial to the success of new security arrangements in Kirkuk.

On the international level, Iraq's territorial integrity is of great concern to Iran and Turkey, which struggle with secessionist demands in their respective Kurdish regions. Kirkuk is attractive – and not just for its hydrocarbon-based economy's growth potential. It is also a cornerstone of a unified Iraq, at least as long as SOMO is selling its oil abroad. In 2008, when Kurdish parties dominated Kirkuk, the KRG struck a deal with Ankara. To Baghdad's dismay, the Turkish foreign minister at the time, Ahmet Davutoğlu, agreed with the KRG to pump oil, including from the KDP-controlled Khurmala dome – part of the Kirkuk oil field – to Turkey's Mediterranean port at Ceyhan through a new KRG pipeline, thereby circumventing both the Iraqi pipeline to Ceyhan and SOMO. When ISIS arrived on the scene in 2014, it destroyed the Iraqi pipeline, at which point Baghdad had no choice but to export Kirkuk's oil through

⁹⁶ "New budget hikes spending, including windfall for KRG", *Iraq Oil Report*, 25 January 2019.

⁹⁷ "Baghdad puts KRG budget transfer in the crosshairs", *Iraq Oil Report*, 23 April 2020. A federal official argued that the KRG was taking advantage of Abdul-Mahdi's fragile compromise-based cabinet and Iraq's precarious situation due to U.S. sanctions on Iran to avoid sticking to a deal it did not like. In retaliation, lawmakers in Baghdad tried to vote to freeze payments to the KRG. The prime minister intervened to prevent parliament from tabling the proposed vote. Crisis Group interview, senior official in the prime minister's office, Baghdad, July 2019. The 2020 budget, which is awaiting a new government, may therefore turn out to be less advantageous to the Kurdish region.

⁹⁸ Crisis Group interviews, federal and regional security officials, Baghdad and Erbil, July 2019.

the KRG's pipeline. The emergence of two separate oil markets in Iraq, each with its own revenue stream, helped embolden the Kurdish region to push for independence.⁹⁹

Following the 2017 independence referendum, the Kurdish parties lost control of Kirkuk and its oil fields, except for the Khurmala dome, which remained under KDP control. In addition, Baghdad still needed the Kurdish pipeline to export Kirkuk oil to Turkey, ensuring a role for the KDP in discussions in Baghdad about the governorate. Moreover, while Iran strongly opposed the referendum and supported Prime Minister Abadi's decision to send federal troops into Kirkuk, the KDP soon took steps to repair its relationship with Tehran. Despite Tehran's longstanding closeness to the PUK, Iran and its allied major Shiite parties in Baghdad tend to view the KDP as a stronger and more reliable partner in Kurdistan. It is therefore unlikely that KDP interests will be overlooked during discussions about Kirkuk's security management, even if talks do not lead to a complete return of the peshmerga and Asayish to Kirkuk, as both Kurdish parties desire. A senior Hashd official close to Iran noted,

When you enter an agreement with the KDP, they deliver on it. The PUK is divided and you find out that one side works against the other. In a situation like this, who would you choose to deal with?¹⁰⁰

For the U.S., Iraq's domestic competition over Kirkuk is not a major concern. A U.S. diplomat explained that Washington would support any security agreement that all the governorate's political forces accepted, provided that it also had buy-in from the leaderships in Baghdad and Erbil. Washington's two top priorities are extirpation of ISIS remnants and pushback against Iranian influence. Both are best addressed through a functioning joint security structure, including Kurdish and federal forces along with a strong local component, which would remove the grey zone in which the Hashd are operating.¹⁰¹

⁹⁹ In 2013, Turkey started transferring proceeds from the sale of Iraqi oil directly to the KRG. Daniel Dombey, "Turkey agrees energy deal with Kurdish north Iraq", *Financial Times*, 13 May 2013.

¹⁰⁰ Crisis Group interview, senior Hashd official, Baghdad, July 2019.

¹⁰¹ Crisis Group interview, U.S. diplomat, Baghdad, July 2019.

IV. Options for a New Security Configuration

Two options for reform dominate the security debate in Kirkuk. The first is a joint Kurdish-federal mechanism similar to the model pioneered by U.S. General Raymond Odierno in 2009; the second would add to this model a locally recruited multi-ethnic force. These options have been under negotiation in two different tracks: talks between high-level delegations of security officials from Baghdad and Erbil, and UNAMI-led discussions that convene political representatives of Kirkuk's various communities. Both tracks started in early 2019 after Prime Minister Adel Abdul-Mahdi formed his new cabinet. Discussions stalled, however, due to mass protests in Baghdad and other parts of the country, followed by the government's resignation. Now that Prime Minister Mustafa al-Kadhimi has assumed office, short-term issues, such as the country's severe fiscal deficit, are likely to take precedence.

The second option is likely best suited for calming tensions over the long haul, but it is impossible under current conditions in Baghdad. It would require both a legal framework and substantially greater financial resources than the first option, in addition to the federal government's endorsement.

Because immediate steps are needed to address the security dysfunction in Kirkuk, Baghdad should pursue the first option now, while laying the groundwork for the second. It should deploy the army in the governorate instead of the federal police and Hashd, while agreeing on a coordination mechanism with the peshmerga. At a minimum, it should ensure that deployed commanders are professionals, as their conduct affects relations with the local population as well as the level of cooperation with other forces. It should also express support for the future establishment of a multi-ethnic local security force in Kirkuk; sending this signal would pave the way for discussions on the eventual creation of such a force once conditions in Baghdad improve.

A. *Option 1: Reviving Joint Security Management*

Co-management of security by Baghdad and Erbil has existed in various forms since the U.S. established the so-called joint security mechanisms in Diyala and Kirkuk in 2009. At a minimum, this arrangement included joint operations rooms for local coordination and intelligence sharing between the Iraqi army and the peshmerga, as well as other security actors in any given area. A more ambitious version, in place at times between 2009 and the 2011 U.S. troop withdrawal, involved joint checkpoints, patrols and operations.¹⁰² Even after the U.S. withdrawal, the peshmerga participated alongside the army in operations targeting ISIS precursors outside the boundaries of the Kurdish region (ie, inside the disputed territories), and even outside the disputed territories during the subsequent fight with ISIS, such as in the 2015 battle for Tikrit. Prior to 2014, the two forces maintained several joint checkpoints in Kirkuk along the line that demarcated the northern areas held by the peshmerga and the southern areas held by the army in a fragile continuation of the Odierno mechanism.¹⁰³

¹⁰² See Crisis Group Middle East Report N°103, *Iraq and the Kurds: Confronting Withdrawal Fears*, 28 March 2011.

¹⁰³ Crisis Group interviews, security officials, Baghdad and Erbil, March and July 2019.

One year into its tenure, the Abdul-Mahdi government took steps to return to this model. In September 2019, the prime minister issued an executive order to include a peshmerga representative in the Joint Operations Command for Iraq (JOC-I), an important move to normalise security cooperation between Baghdad and Erbil.¹⁰⁴ But while the measure may have been intended to build trust, it has yet to produce a formal roadmap on how cooperation between federal and Kurdish forces should work long-term.

As Baghdad has worked to address security issues across the country, including civil unrest in southern governorates, its other main priority has been to keep the ISIS threat at bay with any forces available; it has not allocated resources to pursuing a security equilibrium adapted to the particular conditions prevailing in Kirkuk.¹⁰⁵ A June 2019 agreement between Baghdad and Erbil to replace the federal police with the Iraqi army has yet to be implemented.¹⁰⁶

Arab and Turkmen representatives in Kirkuk, especially Sunnis, are apprehensive about future plans regarding the peshmerga presence, not least because they have been excluded from Baghdad-Erbil negotiations. They see local Kurds' interests as promoted by the KRG in Erbil, while they do not consider the Shiite Islamist-dominated government in Baghdad as representing them.¹⁰⁷

Both Arab and Turkmen leaders have rejected the idea of returning to the Odierno model that includes the peshmerga in Kirkuk's Joint Forward Command (JFC-K), as they view such a step as an entry point for Kurdish parties to eventually reassert dominion over Kirkuk. Although they say they welcome cooperation between federal and Kurdish forces along the boundary with the Kurdistan region, they reject any presence of peshmerga inside Kirkuk governorate, pointing to these forces' constitutional definition as "guards of the Kurdistan region".¹⁰⁸ From a counter-insurgency point of view, however, it makes little sense to exclude the peshmerga from the JFC-K, because these units accumulated extensive experience and intelligence in these areas when they controlled much of the governorate in 2014-2017.

There may be ways to fill the physical gaps between Kurdish and federal forces while simultaneously showing sensitivity to Arab and Turkmen concerns. For instance, to address the issue of politicised Kurdish forces, the KRG agreed to deploy only mixed KDP-PUK peshmerga units under the peshmerga affairs ministry's command, rather than any of the 70-80 strictly KDP or PUK brigades, as part of the JFC-K.¹⁰⁹ Kirkuk's Arabs and Turkmen said no, as they do not believe that any peshmerga presence could be sufficiently depoliticised.¹¹⁰ A way to overcome the lack of local Arab and Turkmen

¹⁰⁴ "Peshmerga to have representative in Iraq's joint operations command", *Bas News*, 16 September 2019.

¹⁰⁵ Crisis Group interview, official in prime minister's office, Baghdad, July 2019.

¹⁰⁶ Crisis Group interview, security official present at Baghdad-Erbil negotiations, Baghdad, July 2019. Kirkuk's small Shiite Turkmen community is linked politically to parties that form part of the ruling order in Baghdad.

¹⁰⁷ Crisis Group interviews, Arab and Turkmen parliamentarians, Baghdad, July 2019.

¹⁰⁸ Crisis Group interviews, Arab and Turkmen parliamentarians and provincial council members, Baghdad, July 2019. The peshmerga are called "guards of the Kurdistan region" in Article 121, section 5, of the Iraqi constitution.

¹⁰⁹ Crisis Group interview, KDP security official, Erbil, July 2019.

¹¹⁰ Crisis Group interviews, Arab and Turkmen parliamentarians, Baghdad, July 2019.

representation in the command of a joint army-peshmerga force may be to include an Arab and Turkmen civilian presence, as was the case in the joint security mechanism's early days, when provincial council members attended weekly meetings at Kirkuk's Joint Coordination Centre.

Baghdad should also consider limiting its military presence in urban areas where possible, especially in Kirkuk city, and placing bases and headquarters just outside the district centre, while gradually transferring security responsibilities to the local police. At the same time, however, authorities must rebuild the capacity of the local police – a long-term endeavour – as this force has suffered neglect in training, equipment and organisation, and is unable to counter the ISIS threat in cities and towns.

B. *Option 2: Supplementing Security with a Local Multi-ethnic Force*

A more ambitious – and perhaps better – option emerged in UNAMI-led talks over the past year: to form a 6,000-10,000-strong locally recruited multi-ethnic force to supplement the proposed joint army-peshmerga security mechanism. Such a force would cover the so-called second layer of security, the first being municipal police and the third being army and peshmerga patrols on the governorate's boundaries. The force would have a policing mandate with military capacity in rural areas and along inter-city roads, thus closing the gap between military control at the governorate's boundaries and law enforcement in the cities. Baghdad would fund the force through the federal budget and recruit troops only from Kirkuk governorate, allowing the force to absorb both local Hashd and peshmerga fighters. Before mass protests broke out in early October 2019, negotiators had suggested establishing such a force within 12-18 months, if parliament would approve the required budget.¹¹¹ President Barham Salih supported the proposal, but Prime Minister Abdul-Mahdi had yet to endorse it when he resigned in November.¹¹²

All sides in Kirkuk's security conundrum have largely embraced this expanded option as viable in preserving peaceful coexistence, but each side also has expressed reservations. One concerns reciprocity and sequencing. A Turkmen Hashd commander, for example, said he would disband his unit and allow the multi-ethnic force to enlist its members only if Kurdish leaders did the same.¹¹³ Another question mark concerns command and control. Arab and Turkmen leaders said they would accept such a force only if Baghdad were supervising it. The PUK has indicated that it accepts this condition, but the KDP has said that the force should come under governorate, and therefore the governor's, command; both the PUK and KDP expect the next Kirkuk governor to be a Kurd.¹¹⁴

Another point of contention concerns the force's ethnic composition. As there has been no reliable census since 1957, and each community's exact size is therefore unknown (and possibly unknowable, given intermarriage, contested definitions of what constitutes belonging to an ethnic group and other factors), it will be challenging to

¹¹¹ Crisis Group interview, Turkmen MP present at the UNAMI-led talks, Baghdad, July 2019.

¹¹² Crisis Group interview, adviser to the president, Baghdad, December 2019.

¹¹³ Crisis Group interview, Turkmen Hashd commander, Baghdad, July 2019.

¹¹⁴ Crisis Group interviews, Arab, Kurdish (PUK and KDP) and Turkmen representatives at UNAMI-led talks, Baghdad, July 2019.

find a fair formula for apportioning membership. Arab and Turkmen representatives say each of the three main communities should have an equal 32 per cent share, with the small Christian minority getting the remaining 4 per cent, in order to ensure that no two groups feel dominated by the other.¹¹⁵ The Kurdish parties reject the 32-32-32-4 distribution scheme; they say the Kurds' numerical majority in the governorate entitles them to a 40 per cent share at least.¹¹⁶ These percentages are still under negotiation.

The force's success also would lie in its command and control structure. Policy-makers have to figure out how to integrate local peshmerga and Hashd fighters into such a multi-ethnic force. A pitfall of similar endeavours has been the risk of factionalism based on ethnic and partisan loyalties; indeed, the politicised nature of most Iraqi security forces means that commanders often pursue narrow interests more than they provide security. To overcome this challenge, Baghdad and Erbil should work together to ensure that security forces in Kirkuk respond to a single command, the JFC-K. Recruits should be integrated on an individual basis. Moreover, the KRG's peshmerga affairs ministry ought to deploy only mixed units under its own command, rather than party-affiliated units such as the PUK's 70th and KDP's 80th brigade, to build trust in Kirkuk. By the same token, the federal government should withdraw any force that enjoys little public trust; in particular, it ought to replace the federal police and external Hashd paramilitaries with this locally recruited multi-ethnic force over time.

Moreover, communal leaders are not clear about how the force should be distributed geographically. Arab and Kurdish representatives suggest that units should reflect a given area's demographic composition, meaning, for example, that predominantly Arab units would manage security in Hawija. This notion poses a challenge for the force's structure that has yet to be resolved: should ethnically homogenous areas be patrolled only by units made up of co-ethnics, while mixed areas, such as Dibis, Daqouq and parts of Kirkuk, require mixed units?¹¹⁷

Furthermore, even if Baghdad were to provide the legal and financial means and assume overall command, questions would remain about who would train the force and how to structure the officer corps and ranks. Its training and structure should benefit from international support and could be folded into existing discussions of future training programs for Iraqi forces. In order not to create yet another security institution, the force's intended dual policing and military mandate, which is similar to other forces that fall under the interior ministry's remit, could be incorporated as a specific branch under the ministry, with sub-units adapted to the governorate's varying requirements. This measure would also diversify a ministry that has been dominated by the largely Shiite federal police.

There is also the issue of the Asayish's future role. For the Kurds, a return of the peshmerga should entail a return of the Asayish as well, but Arabs and Turkmen re-

¹¹⁵ Crisis Group interviews, Arab and Turkmen representatives at UNAMI-led talks, Baghdad, July 2019.

¹¹⁶ Crisis Group interviews, KDP and PUK representatives at UNAMI-led talks, Baghdad, July 2019. The ratio question is highly sensitive, and has dominated debates in Kirkuk since 2003, as any outcome would affect the allocation of all the governorate's public-sector jobs, not just those in the security services.

¹¹⁷ Crisis Group interviews, Arab and Kurdish parliamentarians, Baghdad, July 2019.

ject that scenario. Considering that the PUK de facto maintains its Asayish offices in Kirkuk, the questions of its presence and future relation to other security institutions are critical. A similar challenge would arise if the KDP Asayish were to come back to Kirkuk. It would be reasonable to expect various leaders in Kirkuk to insist that any Kurdish Asayish force be non-partisan, just as they expect from peshmerga brigades.¹¹⁸

There is no obstacle to forming a joint army-peshmerga command, should Baghdad and Erbil agree to do so. Yet a multi-ethnic force would require not only a legal and financial framework, but first and foremost Baghdad's endorsement. Although UNAMI made significant progress in developing this option together with Kirkuki leaders in 2019, the Kadhimi government has yet to articulate its policy in this regard. Kirkuk's communities agree on the broad outlines that would combine a joint command with a multi-ethnic force. Now could be a good time for Baghdad and Erbil, with international support, to develop a roadmap for establishing this force as part of larger security considerations in the disputed territories, amid resurgent ISIS activity and reassessments of international coalition forces' role.¹¹⁹

International support will be pivotal in bringing about a just and functioning new security configuration in Kirkuk. UNAMI should resume its efforts to bring all sides in Kirkuk to a final agreement that can be presented to the Kadhimi government. The UN could appoint an envoy tasked with seeing the agreement to fruition. The U.S. could back this effort through its leadership of the International Coalition to Defeat ISIS, in which capacity it has been present in Iraq since 2014.¹²⁰ It could also help formulate a new role for NATO, which is likely to take on more responsibility as coalition forces scale down. Whatever these forces' mandate will be, they should support the establishment of both a joint army-peshmerga coordination centre and a locally recruited multi-ethnic force. UNAMI and NATO countries should also exert pressure on national and local stakeholders to move away from a politicised security policy by providing security assistance and encouraging reforms that strengthen government institutions, not political parties that profess to provide security.

¹¹⁸ The peshmerga have been undergoing a KRG-led unification process for years, with mixed success. There is no corresponding reform agenda for the Asayish.

¹¹⁹ Adnan Abu Zeed, "Back to the future on US-Iraq strategic dialogue", *Al-Monitor*, 23 April 2020.

¹²⁰ The International Coalition to Defeat ISIS was established in October 2014, with over 30 partners in Iraq, including NATO and EU countries. As of late 2019, the U.S. fielded approximately 6,000 troops and EU countries 3,000. "3,000 troops from 19 EU states in Iraq. Will they stay?", *EU Observer*, 8 January 2020. Following the U.S. killing of Qassem Soleimani and Abu Mahdi al-Muhandis in January 2020, the Iraqi parliament narrowly voted to demand that the government order coalition forces to leave the country.

V. Conclusion

The challenges of recent years, including ISIS and the arrival of new security actors, has put a strain on coexistence in Kirkuk. The unstable security configuration compounds the communal tensions stemming from the area's unresolved status. Status discussions will be complex and time-consuming, but there is no reason not to work on a more immediate need now: establishing new security arrangements. To accomplish this task, the federal government and KRG will need to work together, taking local voices into account, and benefitting from international support, in a comprehensive effort.

The best possible configuration would combine joint Erbil-Baghdad security management with a locally recruited multi-ethnic force in a single arrangement. Arab and Turkmen leaders are strongly opposed to the old joint security mechanism, which they say relied too much on the peshmerga and enabled the Kurdish parties to establish a monopoly over security when the Iraqi army abandoned its positions in 2014. They do not trust Baghdad to stand by them during the next crisis. Yet excluding the Kurdish component from security management is not a viable option, either: not only would it be unfair, but it would also deprive federal forces of their Kurdish counterparts' knowledge and skills in gathering intelligence, conducting counter-insurgency and securing the governorate's boundaries.

Supplementing a joint army-peshmerga command securing governorate borders, a multi-ethnic force could address the gap between law enforcement in cities and military patrols along the boundaries. This force, which would be responsible for rural areas and primary routes connecting district centres, should replace federal forces operating in the governorate. A multi-ethnic force recruited from the governorate also would be best placed to manage communal tensions. If Baghdad and Erbil agree to create such a force, it could not only help keep Kirkuk safe but also meet local demands for fair representation while strengthening links between the governorate and both the federal and KRG capitals.

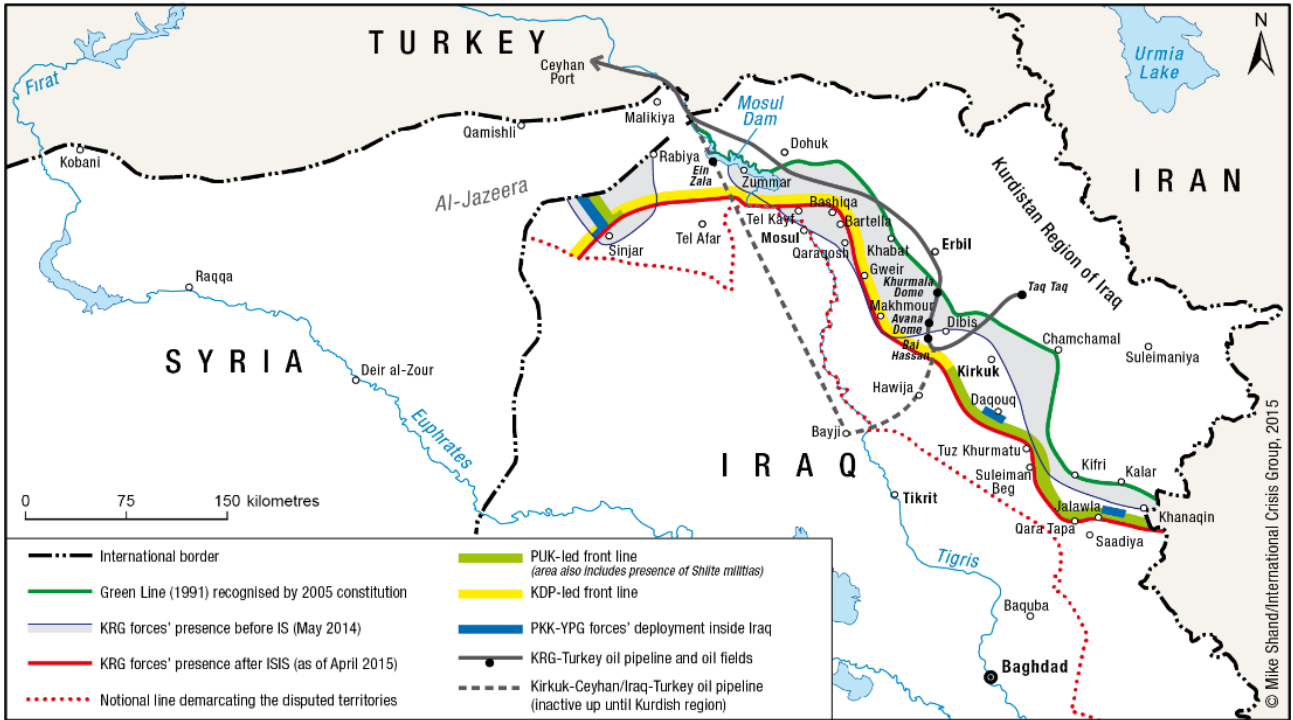
Kirkuk/Baghdad/Erbil/Brussels, 15 June 2020

Appendix A: Map of Iraq

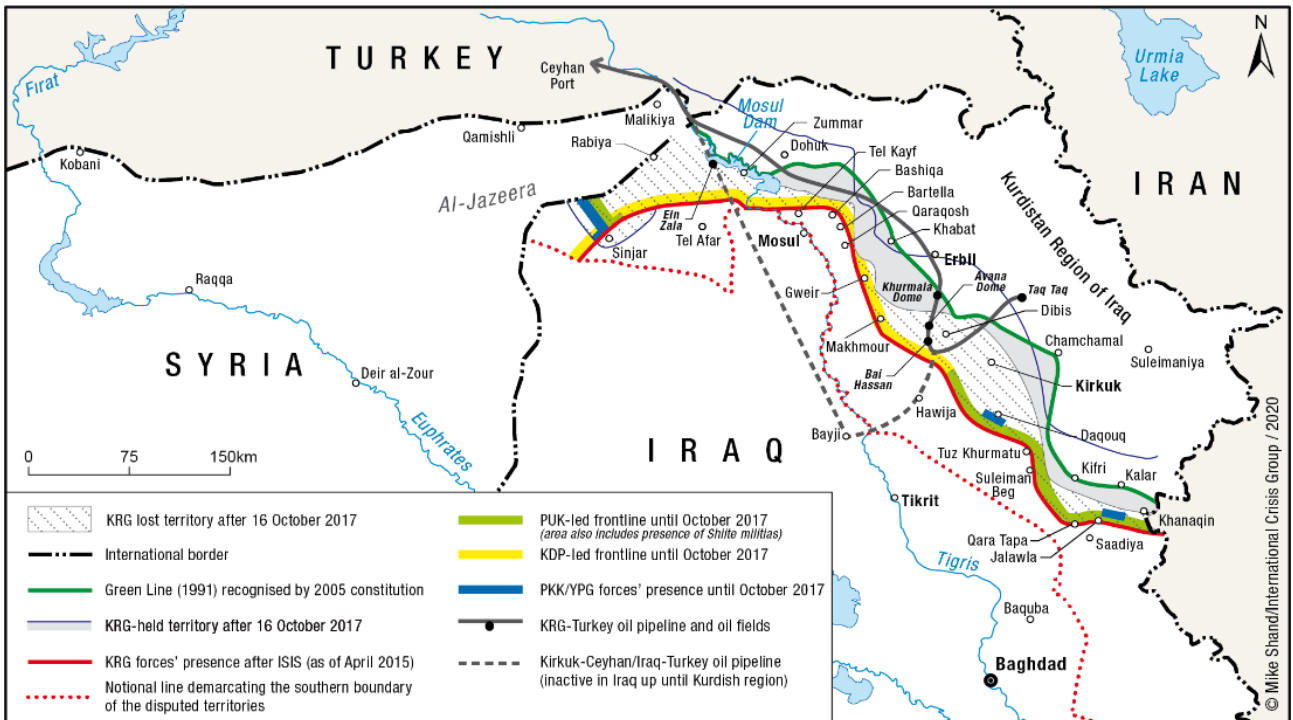


Appendix B: Iraq's Disputed Territories

Iraq's disputed territories until 16 October 2017



Iraq's disputed territories after 16 October 2017



Appendix C: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is co-chaired by President & CEO of the Fiore Group and Founder of the Radcliffe Foundation, Frank Giustra, as well as by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Addis Ababa, Bahrain, Baku, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Jerusalem, Johannesburg, Juba, Kabul, Kiev, Manila, Mexico City, Moscow, Seoul, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

Crisis Group receives financial support from a wide range of governments, foundations, and private sources. Currently Crisis Group holds relationships with the following governmental departments and agencies: Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Union Emergency Trust Fund for Africa, European Union Instrument contributing to Stability and Peace, Finnish Ministry of Foreign Affairs, French Development Agency, French Ministry of Europe and Foreign Affairs, Global Affairs Canada, Iceland Ministry for Foreign Affairs, Irish Department of Foreign Affairs and Trade, the Principality of Liechtenstein Ministry of Foreign Affairs, Luxembourg Ministry of Foreign and European Affairs, Norwegian Ministry of Foreign Affairs, Qatar Ministry of Foreign Affairs, Swedish Ministry of Foreign Affairs, Swiss Federal Department of Foreign Affairs, UK Department for International Development, and the World Bank.

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June 2020

Appendix D: Reports and Briefings on the Middle East and North Africa since 2017

Special Reports and Briefings

Counter-terrorism Pitfalls: What the U.S. Fight against ISIS and al-Qaeda Should Avoid, Special Report N°3, 22 March 2017.

Council of Despair? The Fragmentation of UN Diplomacy, Special Briefing N°1, 30 April 2019.

Seven Opportunities for the UN in 2019-2020, Special Briefing N°2, 12 September 2019.

Seven Priorities for the New EU High Representative, Special Briefing N°3, 12 December 2019.

COVID-19 and Conflict: Seven Trends to Watch, Special Briefing N°4, 24 March 2020 (also available in French and Spanish).

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Israel, Hizbollah and Iran: Preventing Another War in Syria, Middle East Report N°182, 8 February 2018 (also available in Arabic).

Averting War in Gaza, Middle East Briefing N°60, 20 July 2018 (also available in Arabic).

Rebuilding the Gaza Ceasefire, Middle East Report N°191, 16 November 2018 (also available in Arabic).

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Reversing Israel's Deepening Annexation of Occupied East Jerusalem, Middle East Report N°202, 12 June 2019.

The Gaza Strip and COVID-19: Preparing for the Worst, Middle East Briefing N°75, 1 April 2020 (also available in Arabic).

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Hizbollah's Syria Conundrum, Middle East Report N°175, 14 March 2017 (also available in Arabic and Farsi).

Fighting ISIS: The Road to and beyond Raqqa, Middle East Briefing N°53, 28 April 2017 (also available in Arabic).

The PKK's Fateful Choice in Northern Syria, Middle East Report N°176, 4 May 2017 (also available in Arabic).

Oil and Borders: How to Fix Iraq's Kurdish Crisis, Middle East Briefing N°55, 17 October 2017 (also available in Arabic).

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How to Cope with Iraq's Summer Brushfire, Middle East Briefing N°61, 31 July 2018.

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Prospects for a Deal to Stabilise Syria's North East, Middle East Report N°190, 5 September 2018 (also available in Arabic).

Reviving UN Mediation on Iraq's Disputed Internal Boundaries, Middle East Report N°194, 14 December 2018 (also available in Arabic).

Avoiding a Free-for-all in Syria's North East, Middle East Briefing N°66, 21 December 2018 (also available in Arabic).

Lessons from the Syrian State's Return to the South, Middle East Report N°196, 25 February 2019.

The Best of Bad Options for Syria's Idlib, Middle East Report N°197, 14 March 2019 (also available in Arabic).

After Iraqi Kurdistan's Thwarted Independence Bid, Middle East Report N°199, 27 March 2019 (also available in Arabic and Kurdish).

Squaring the Circles in Syria's North East, Middle East Report N°204, 31 July 2019 (also available in Arabic).

Iraq: Evading the Gathering Storm, Middle East Briefing N°70, 29 August 2019 (also available in Arabic).

Averting an ISIS Resurgence in Iraq and Syria, Middle East Report N°207, 11 October 2019 (also available in Arabic).

Women and Children First: Repatriating the Westerners Affiliated with ISIS, Middle East Report N°208, 18 November 2019.

Ways out of Europe's Syria Reconstruction Conundrum, Middle East Report N°209, 25 November 2019 (also available in Arabic and Russian).

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