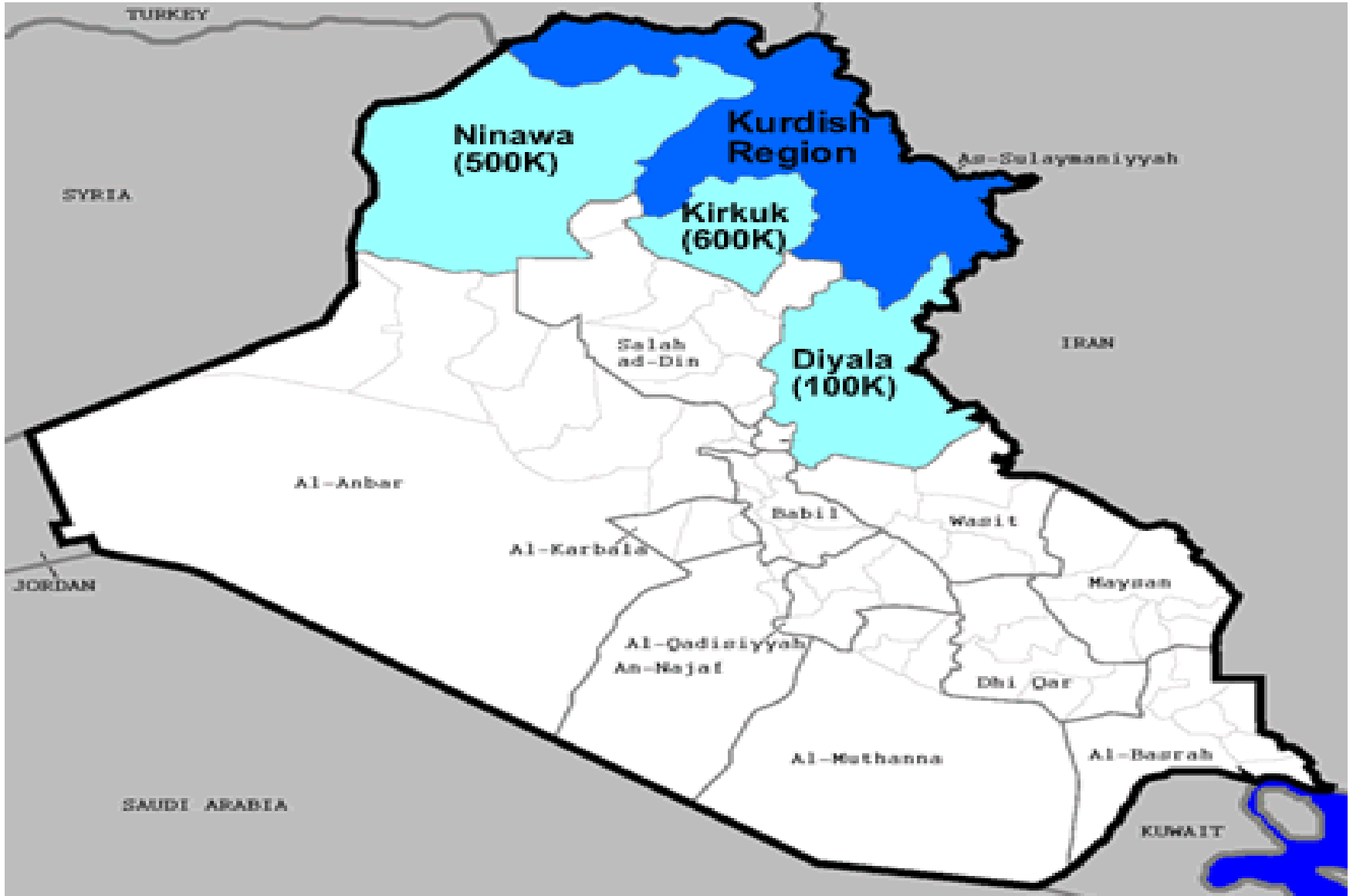


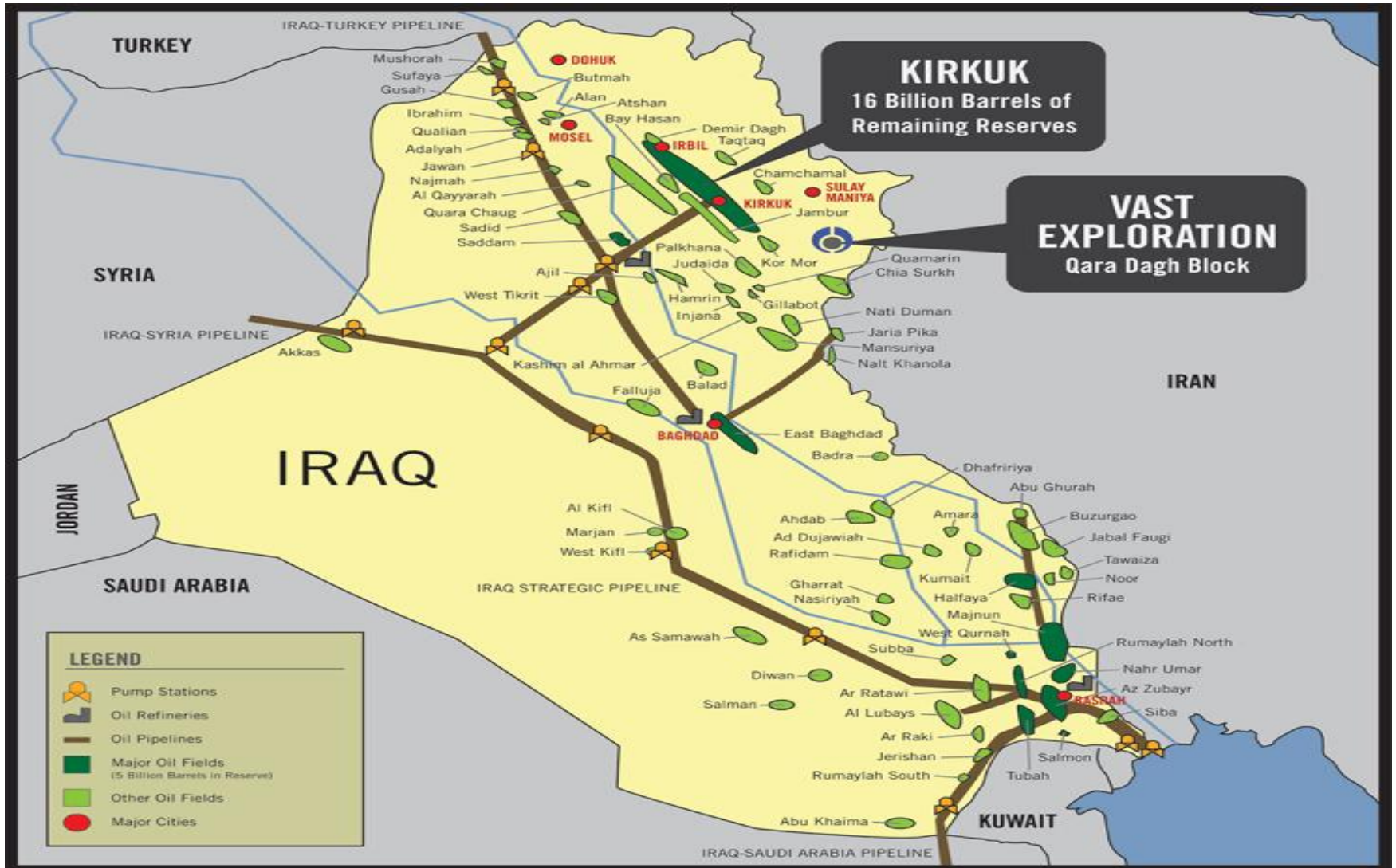
Governing (in) Kirkuk

Self-governance, Power Sharing, and
the Constitutional Future of Iraq

Kirkuk—Kurdistan—Iraq



Hydrocarbon Resources



Demographics

- Total population: 900,000 (UN estimate)
- Three major ethnic groups
 - Kurds: 50%+
 - Arabs: 35%
 - Turkmen: 12%
- Small minorities of other groups, including Chaldo-Assyrians

Problematic Past...

- Arabisation:
 - ‘re-districting’ of Kirkuk (i.e., the detachment of several districts from Kirkuk governorate)
 - expulsion of Kurds and, to a lesser extent, Turkomen
 - settlement of Arabs, primarily Shia’ from the south
- Acts of Genocide:
 - Anfal campaign (Feb.—Sept. 1988)
 - Crushing of Kurdish revolt in March 1991

...and Problematic Present

- Normalisation:
 - Article 58 of the Transitional Administrative Law of 2004 (TAL): the “Iraqi Transitional Government ... shall act expeditiously to take measures to remedy the injustice caused by the previous regime’s practices in altering the demographic character of certain regions, including Kirkuk, by deporting and expelling individuals from their places of residence, forcing migration in and out of the region, settling individuals alien to the region...”

Competing Demands

- Kurds
 - See Kirkuk as an inalienable part of the historic and geographic Kurdish region
 - Demand referendum on the future status of the province (according to Article 140 of the 2005 constitution of Iraq)
- Arabs
 - Resist ‘normalisation’
 - Oppose Kirkuk joining the Kurdistan region
- Turkomen
 - Are wary of domination from either Baghdad or Erbil
 - Advocated strong Kirkuk region with power-sharing arrangements

The Shifting Balance of Power

- Increasingly reliance, and dependence, upon patrons outside Kirkuk
 - Kurds → Erbil
 - Arabs → Baghdad
 - Turkomen → Ankara
- Local alliance of Arabs and Turkomen
- Kurdish factionalisation
- Waning US support for Kurds

Options for Kirkuk (1)

- Under the current constitution (2005)
 - governorate under the control of the central government
 - as a free-standing region or part of a region with another one or more governorates
 - part of the Kurdistan Region

Options for Kirkuk (2)

- The UNAMI Report on Disputed Territories (2009)
 - Clarification of Art. 140 (eligibility and voter registration, boundaries of the ‘referendum area’, referendum question)
 - Fixing Kirkuk’s status as a governorate
 - “Dual Nexus” (jurisdiction over Kirkuk shared by the KRG and the central government)
 - Special status

Options for Kirkuk (3)

- Substantiating UNAMI's "special status" option
 - Interim solution (but not *status quo*)
 - Proper local power-sharing arrangements (not just distributing jobs)
 - Substantive, legally entrenched competences
 - Clarification of final status process

A possible win—win—win—win?

- For **Baghdad**: Kirkuk remains under central control, albeit with enhanced competences
- For **Erbil**: Future option of Kirkuk joining the Kurdistan Region remains; important bargaining chip with the central government; relationship with Turkey remains intact
- For **Ankara**: Kirkuk remains outside Kurdistan region; Turkomen are constitutionally protected and participate in local power-sharing
- For **Kirkuk**: gain of real powers independent of Ankara, Baghdad and Erbil; higher quality of democracy and democratic participation

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