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KIRKUK, OR IRAQ'S "GORDIAN KNOT"

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There is a date that could be conventionally considered the starting point of the Kirkuk issue. It is 11 March 1970, when the Kurds and the Iraqi government - after nine years of conflict - signed the "1970 Peace Accord". The agreement granted autonomy to Iraq's Kurdish governorates and, with regard to areas disputed due to mixed Arab-Kurdish populations, provided for a census and a plebiscite. However, the two parties soon started to quarrel over Kirkuk, the census was postponed, the Baathist regime began to "Arabise" the region and four years later the war broke out again.

It was only after more than thirty years that the fall of the ra'is offered a new chance to settle the issue. The new Constitution of 2005, drafted and approved with consistent Kurdish support, in its article 140 has a specific reference to Kirkuk. The constitutional roadmap foresees the return of those displaced by the Baathist regime, the relocation of those settled by Saddam's "Arabisation" policies, a

census to be held in disputed territories and, finally, a referendum on whether Kirkuk residents want to be part of Iraq or the Kurdish autonomous region. In 2005 the first provincial elections of free Iraq also took place; in Kirkuk, the Kurdish coalition won the majority with 26 seats, while Turkmens got 9 seats and Sunni Arabs 6 seats.

However, after these positive steps, the situation froze. On the one hand, Art. 140 was expected to enter into force in 2007 but was never implemented due to its political and securitarian implications. On the other, the 2005 provincial elections were the first, but also the last, to be held in Kirkuk province, due to high inter-communal tensions. Any other attempt to solve Kirkuk's conundrum, such as establishing power-sharing formulas based on pro-rata quotas, had a limited outcome; as a matter of fact, after 2009 the issue was mainly dependent on the relations between the Kurdistan Regional Government (KRG) President and the Iraqi Prime Minister. However, local governance was granted for a

decade by a pragmatic solution whereby the Kurds selected the governor, the Turkmens the head of the council and the Arabs the deputy governor.

Thus, the situation was locked in a kind of “institutional limbo”, till the summer of 2014, when the collapse of the Iraqi Army during the Islamic State (IS) offensive allowed Kurds to take control of large swaths of disputed territories, including the province of Kirkuk with its oil fields.

However, the Kurdish dream to control Kirkuk was doomed to fail when Massud Barzani decided to forge ahead with the 25 September referendum for Kurdish independence. It was a hollow victory since the referendum met fierce opposition not only from Baghdad but also from Ankara, Washington and Tehran. Moreover, internal rivalries between the Kurdish parties, weakened by economic crisis and corruption, permitted the unthinkable to happen; on October 16, federal forces entered the city and surrounding areas, while peshmerga were retreating.

Actually, the Patriotic Union of Kurdistan (PUK), the main Kurdish stakeholder in Kirkuk, is accused of having cut a deal with Tehran and Baghdad, exchanging control of the city for political and economic benefits in order to strengthen its position vis-à-vis the Kurdistan Democratic Party (KDP). As a matter of fact, Baghdad played, and is still playing, a divide et impera game with Kurdish parties, exploiting their internecine feuds, particularly to weaken the main autonomist Kurdish force, the KDP.

For Iraqi Prime Minister al-Abadi, already victorious against IS, this was a striking victory to be exploited in the forthcoming parliament elections. Actually, the seizure of Kirkuk by Baghdad created a new strategic balance of

power between the federal and the Kurdish regional governments: the federal government now controls Kurdish border points, airports and, above all, KRG finances. Moreover, Kirkuk's oilfields – except for Khurmala – are now in the hands of the Iraqi government, which is implementing plans to exploit them on its own, while the last general budget law approved reduced the share of allocations for KRG from 17% to 12.5%. Finally, Baghdad plans to provide KRG employees with direct payments, bypassing the KRG and PUK, clearly de-legitimising the two parties.

From Baghdad's point of view, it is not only a question of settling old scores. On the one hand, the federal government is basing relations with KRG on financial dependency in order to avoid any further Kurdish centrifugal project; on the other hand al-Abadi – in view of the elections – is garnering support from the Arab nationalist electorate.

Therefore, the Prime Minister is tightening the federal grip on Kirkuk. As a matter of fact, al-Abadi immediately appointed as governor Rakan al Juburi, a Sunni Arab, replacing the Kurdish Najmaldin Karim.

Juburi is already accused by Kurds of launching a new wave of Arabisation. Moreover, the provincial council has been unable to work properly since last October, due to a boycott by the Kurdish members, who are the majority. The federal government also replaced the security committee, chaired by the previous governor, and established the Kirkuk Operations Command, led by Maj. Gen. Ali Fadhil Omran, a Badr Organisation member. In any case, security remains a serious concern. Remnants of IS are active in the Hamrin Mountains, reaching the southwest of the city, while the presence of Hashd al-Shaabi units (also known as Popular Mobi-

lisation Units) in the province ignite tensions with Sunni and Kurds.

The problem is that Baghdad needs Kurdish forces in order to provide security and stability in the triangle of Kirkuk, Tikrit and Diyala; while the Hashd oppose the return of Kurdish forces, the federal government is more realistic. Therefore, a Joint Kurdish-Iraqi Force Security Mechanism, in place in the disputed areas since 2014, probably shall be replicated; basically, the idea is to set up a Joint Center in Kirkuk, but Erbil and Baghdad disagree about the role of Asayesh (Kurdish security forces). In any case, the return of peshmerga to Kirkuk could happen only after the elections.

Actually, the May 12 elections may have a watershed effect. Currently, among the thirteen parliamentary seats allocated to Kirkuk, 6 are held by the PUK, 2 by the KDP, 2 by the Turkmen List and 2 by different Arab movements, while one is reserved to the Christians.

Such a situation will change, since Kurdish parties are divided¹ and the KDP decided to boycott elections in all the disputed areas, undermining the weight of the Kurds. Arabs and Turkmen of Kirkuk also appear divided; the Sunnis split, joining the lists of al-Abadi and Allawi, while two Shia Muslim members of the Turkmen bloc quit and formed their own list.

Vote predictions for Kirkuk foresee a weakening of traditional Kurdish parties like KDP and PUK, following a loss of voters' trust, the departure of many Kurds due to security concerns and the return of Arabs. As a matter of fact, expected is an overall downsizing of

the Kurdish presence in parliament; in spite of that, the elections shall open a precious window of opportunity for the Kurdish parties, since their support may be vital to providing the majority needed for a PM position. To retain the premiership, in the post-electoral phase al-Abadi is expected to make political concessions; currently, he doesn't have a large political base inside parliament and needs to forge alliances to maintain the premiership and form a government. Therefore, budget allocations and key positions in the administration of Kirkuk may be a bargaining chip or part of a post-election political agreement with Kurdish parties, who are waiting for the post-electoral phase to play their cards right.

However, elections are expected to produce a fragmented panorama not only for the Kurds but also for the Shia and the Sunnis; therefore, the fate of Kirkuk is dependent on the unknowns of the interlocking alliances that will govern the country.

Besides upcoming parliamentary elections, two other dynamics will have a decisive impact not only on the disputed areas but also on Erbil-Baghdad relations.

The first is the influence of regional players. It will manipulate not only the Kurdish-Arab relations but also the internal dynamics of each group.

The US is playing the role of mediator between the KRG and the federal government; the cornerstone of American policy is the constitution and implementation of its Art. 140. On the other side, there is Iran, which is apparently playing a divisive role, strengthening its relations with the PUK while preserving its influence in Arab Iraq through links with the Hashd al-Shaabi and several Iraqi Shia parties. Then there is Turkey, which, after the Kurdish refer-

¹ KDP and PUK agreed to run as a single list al Salam Kurdistan, as in the past; their competitor is the list Nishtiman, gathering several opposition parties as the Coalition for Democracy and Justice, led by Barham Salih, the Gorran and Komal

endum and the fall of the Islamic State, is adjusting its policy toward the KRG; in addition, in Kirkuk, Ankara seems to be supporting the Turkmen Front's request to transform the province into an independent region, as is possible under the Iraqi constitution.

The second dynamic that will heavily affect Erbil-Baghdad relations are the provincial elections, planned for next December 22. The last provincial elections in the governorate were in 2005. The elections will be held under the new provincial election law, which provides for a power-sharing system; the largest winning bloc shall appoint the governor, while the two runner-up blocs will select his two deputies. The new law also addresses the delicate issue of relations with the federal government, stating that the constitution and the law have precedence over the governorate's council, parliament and the federal

government. These elections offer a chance to reduce tensions, but the vote is likely to be polarised along ethno-sectarian lines; thus, the risk is that the provincial elections will be considered an ethnic census of the population.

To sum up, the issue of Kirkuk is still the centre of gravity of relations between Erbil and Baghdad. Currently, on the one hand, the federal government is exploiting Kurdish weakness in order to hold the high ground in the negotiation that will start after the elections. On the other, Kurdish parties hope to obtain concessions in the post-election phase; however, in order to aspire to play the role of kingmakers, they desperately need what they currently lack, *yekîti* (unity). Luckily, Baghdad and Erbil have a common ground, the constitution, which is a good starting point for negotiations.