

june 2019

Kurds of Iraq in 2019

Political situation, Security conditions and the status of the disputed territories

Observatoire du monde arabo-musulman
et du Sahel

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INTRODUCTION

On September 25, 2017, the Kurdistan Regional Government (KRG), chaired by Massoud Barzani, held a referendum on Kurdistan's independence throughout the country, including the disputed territories with Baghdad. The result left no doubt about the Kurds' desire for independence. The "yes" vote won with 92.73%¹. However, no country in the world has "officially" recognized these results, in fact, quite the contrary. The rejection of the consultation on both the regional and international scenes is categorical, which encourages the Iraqi government of Haider al-Abadi to take advantage of this rare opportunity since 2003 to strongly punish the KRG².

On September 29, 2017, air links between Iraqi Kurdistan and foreign countries were cut off on the orders of Haider al-Abadi. On October 16, 2017, Popular Mobilization Forces militias and some Iraqi army brigades entered Kirkuk without fighting. It seems that the pressure from Washington, Tehran and Baghdad on the Talabani family worked because they ordered their "peshmergas" to leave the city and deliver it to the militias of the Popular Mobilization Forces³. This was done against the will of the Kurdish Patriotic Union's political bureau which wanted to organize a "resistance" in Kirkuk. The KRG lost almost all the territories disputed with Baghdad. The fall of Kirkuk was experienced as a humiliation, by the Kurds, comparable to that

¹ For more information on the referendum, see our article Adel Bakawan, "Iraqi Kurdistan: Is independence possible?", [Revue Moyen-Orient, N°37](#), January 2018.

² On this subject, see the conference "After the referendum, what future for post-Barzani Kurdistan?", organised by IREMMO, on December 5, 2017. <http://iremno.org/rencontres/apres-referendum-avenir-kurdistan-post-barzani/>

³ This implicit agreement between Washington, Tehran, Baghdad and the Talabani family was unveiled by Lahur Sheikh Jangi Talabani, the head of the UPK's anti-terrorist brigades, who was personally involved in a very conflictual relationship against the Barzani family. He, himself, is identified by the KDP as one of the main perpetrators of the fall of Kirkuk. Press conference by Lahur Sheikh Jangi Talabani, October 23, 2017, Iraqi Kurdistan, Sulaymaniyah. We can find the entire conference on his Facebook page: <https://www.facebook.com/LahurTalabany/>

experienced by the Sunnis during the fall of Baghdad in 2003. On October 29, 2017, KRG President Massoud Barzani sent a letter of resignation to the Kurdish Parliament and renounced his power⁴. He left behind a KRG that would keep struggling for its political survival for several months, until May 2018, date of the Iraqi parliamentary elections, which will change the balance of power between Baghdad and Erbil⁵. With the departure of Haider al-Abadi and the arrival of Adel Abdel-Mahdi, the new pro-Kurdish Prime Minister, a chapter is closing.

Taking into account this transformation of the balance of power, this note will highlight the political situation of the KRG between the two elections, federal in May and regional in September 2018, which will replace Massoud Barzani as Baghdad's privileged interlocutor with countries on the regional and especially international scene. Indeed, this "patriarch" -some of whom have announced his political end in November 2017- has been coming back in force since May 2018 and is once again imposing himself on the local, national and international political scene, as the only reference of the Kurdish movement in Iraq, but also as an "Iraqi" leader now in a position of strength to preserve the deeply fragile balances of the Iraqi equation. Secondly, we will discuss the nature and functioning of the KRG political system designed and implemented by the Barzani and Talabani families. Third, we will analyze the interventions of the KRG armed forces in the disputed territories and finally, we will shed light on the highly complex relationship between the KRG and the PKK.

I – The KRG post-electoral political situation

In 2018, Iraq held two extremely important elections that would reorganize the political field, redefine political alignment, redistribute symbolic and material resources and reposition Iraq in the game of balances between the United States and the Islamic Republic of Iran.

1.1 – May 2018: Federal Elections

Following the referendum on independence which had dramatic consequences, the Kurds of Iraq, more fragmented than ever, are entering the process of federal parliamentary elections. There is no longer any traditional collaboration between

⁴ "Iraqi Kurdistan: Massoud Barzani gives up being president", *AFP*, October 29, 2019.

⁵ For more details on this phase, see Jordi Tejel's article, "Kurdistan in turmoil", *Esprit*, 2018/1 (January-February), pp. 26-29. DOI: 10.3917/espri.1801.0026.
URL: <https://www-cairn-info.ezproxy.universite-paris-saclay.fr/revue-esprit-2018-1-page-26.htm>

Barzani's Kurdish Democratic Party (KDP) and Talabani's Patriotic Union of Kurdistan (PUK). Each party unilaterally enters into the political game⁶.

The disappearance of the two historical leaders in the southern KRG, Jalal Talabani and Nawshirwan Mustafa⁷, has severely penalized the UPK and the Goran Movement (Change). On the other hand, the KDP has remarkably capitalized on the results of the referendum, notably by portraying the figure of its leader, Massoud Barzani, as a victim of an unfair regional and international system towards a people seeking for their dignity and independence.

On the evening of the announcement of the results, the "Sayyrun" coalition of Moqtada al-Sadr won 54 seats, Hadi al-Amri's coalition "Conquest" won 47 seats, the "Victory" coalition of Haider al-Abadi won 42 seats and the "Rule of Law" coalition of Nouri Maliki won 26 seats. The only coalition-free party to win 25 seats was Massoud Barzani's KDP, which he said makes it "*Iraq's leading political party*"⁸. With this unexpected result for many observers, Barzani's Erbil was once again becoming one of Iraq's major players.

Far behind the KDP, the PUK won only 18 seats, the Goran Movement 5 seats; the New Generation formation 4 seats; the Kurdistan Islamic Group 2 seats and the Kurdistan Islamic Union 2 seats. As a result, the question of the representation of the Kurdish question in Baghdad, but also in the strategic vision of regional and international countries, remains under the control of the KDP in general and Massoud Barzani in particular. It is in this context that, the day after the announcement of the results, calls from Western and regional countries, but also from Iraqi leaders were pouring down on the desk of the 73-year-old "patriarch"⁹!

1.2 – September 2018: Regional elections

The losers of the federal elections could legitimately keep a hope of getting their revenge on the KDP by preparing other attack strategies (shaping stories about the KDP's corruption, its authoritarianism, the dramatic results of the referendum led by

⁶ On the fragmentation of the Kurdish political field, see our article: Bakawan Adel, "The failure of Kurdish nationalism: fragmentation, partisanship, militarisation", *Confluences Méditerranée*, 2017/1 (N° 100), pp. 89-100. DOI: 10.3917/come.100.0089. URL: <https://www-cairn-info.ezproxy.universite-paris-saclay.fr/revue-confluences-mediterranee-2017-1-page-89.htm>

⁷ Nawshirwan Mustafa, Deputy Secretary General of the PUK, distances himself in 2009 from Jalal Talabani and formed his own Goran movement. He died on May 19, 2017 in Sulaymaniyah at the age of 73.

⁸ For more details on the constitution of the new Federal Assembly, see the Assembly's official website in several languages: <http://en.parliament.iq/>

⁹ For an overview of the history of these exchanges with Massoud Barzani, see his official website in several languages: <https://www.masoudbarzani.krd/en/index>

Barzani, etc.) for the regional parliamentary elections in Iraqi Kurdistan on September 30, 2018. The PUK, Goran, New Generation, Islamic Group and Islamic Union have used, to different degrees, the same narrative: to conquer the public, it is necessary to break the assessment of the ruling KDP.

However, the announcement of the results by the electoral commission not only disappoints the losers of the previous elections, but also causes an unprecedented shock in the political system of the KRG. By winning an overwhelming victory with 45 seats out of 111, the KDP confirmed its domination in the Kurdish political field. The PUK, without a federating leader, immersed in its internal divisions and sickened by its political bureau, won only 21 seats¹⁰!

However, this failure must be put into perspective in a highly complex Kurdish geopolitical context in Iraq. The PUK is not only a political party, but also a formation that has Peshmergas (about 60,000), anti-terrorist brigades, security apparatus and an administrative management of the southern part of the KRG. Thus, the analysis of the election on September 30th, despite its importance on several levels, must be moderated. To form the new government, now entrusted to Masrour Barzani, the son of the "patriarch" and president of the National Security Council (NSC), the KDP is forced to find compromises with the PUK, its rival who *"now looks like a boat in the middle of an ocean but without a captain"*, as the head of his political office put it¹¹.

On March 4, 2019, both parties signed an agreement to form the new government¹². Thus Nechirvan Barzani, the nephew of the "patriarch", took over the post of president of the KRG, Masrour Barzani, that of Prime Minister, and the presidency of the Parliament was held by a member of the PUK, who will probably be Mrs. Begard Talabani, a member of the Talabani family. To date, negotiations between the two parties for the formation of the government are still ongoing.

1.3 – The fall of the opposition

One of the lessons of these elections is undoubtedly the sudden collapse of the opposition parties. The Goran movement, which had 25 seats, only got 12, the New

¹⁰ For more details, see our interview given to H  l  ne Sallon on "Massoud Barzani emerges strengthened from the Kurdish legislative process", *Le Monde*, 23 October 2018
https://www.lemonde.fr/moyen-orient-irak/article/2018/10/23/massoud-barzani-sort-reinforce-des-legislatives-kurdes_5373253_1667109.html?fbclid=IwAR0sTsxANZ2llqQehZWFnrqwl-d5AtU2evTel6yA_fbzEDQPbYNsw2jE8Zs

¹¹ Interview of the author with Mala Bkhtyar, head of the PUK Political Bureau, on 27 February 2019, Paris.

¹² "Details of the agreement between the KDP and the PUK", *Rudaw*, March 4, 2019.
<http://www.rudaw.net/sorani/kurdistan/0403201918>

Generation, which hoped for 25, only got 8. The fall of Islamist movements was also noted, from 18 to 12 seats¹³. Several factors explain this erosion of the opposition.

First, between 2013 and 2018, these parties wanted to be part of the government while also remaining in the opposition. They had key ministries such as Defence and Economy, but they were making radical speeches against KRG policy. This double language has discredited them both among the pro-KRG population and among the unsatisfied KRG population.

Secondly, the integration of these opposition parties into the KRG system and their power-test has not always been a success; on the contrary, several members of these parties are involved in corruption cases, which have severely damaged their credibility¹⁴.

Finally, the opposition parties do not have sufficient material resources to compete fairly with the KDP and the PUK. These parties are financially dependent on KRG subsidies. However, the capital of the KDP is well over \$5 billion and that of the PUK well over \$2 billion¹⁵.

2 – The nature of the KRG's political system

Defining the KRG's political system through a single category such as the "democratic system" or "authoritarian system" or "patrimonial system" is a mistake, because it has different levels of functioning.

2.1 – Liberal democracy

At the very bottom of the system, we see several competing political parties, NGOs with antagonistic tendencies, free media and an open market. We can also note the organization of numerous debates on all subjects, symposiums and conferences in

¹³ See all the results on the official website of the Kurdish Parliament.
<http://www.perleman.org/Default.aspx?page=page&c=Parliament-History2018>

¹⁴ The Minister of Economy, Rebaz Hamlan, a member of the Goran Movement, will disobey his Movement when the General Directorate asks him to withdraw, like his colleagues, from his Ministry. At that moment Goran himself starts uploading documents online about his own minister's corruption. See the detailed article by Ali Hama Salih, a media figure and Chairman of Goran's list in Parliament, on the corruption of his comrade Rebaz Hamlan: "I gave dozens of Dahlan corruption files to the General Directorate, unfortunately, I was never heard", *Shanpress* magazine, September 18, 2017.
<http://www.shanpress.com/details.aspx?jimare=12558>

¹⁵ Interview of the author with Mala Bkhtyar, head of the PUK Political Bureau, on February 27, 2019, Paris.

which researchers and intellectuals from all regions of the world participate. At this level, we are undoubtedly dealing with a "liberal democracy" in its Kurdish version.

2.2 – Relative authoritarianism

On the other hand, as soon as we go up to the second floor, it has to be said that the two political offices of the KDP and the PUK strictly filter the general orientations of the system, carefully set the main strategies, brutally determine the limits not to be exceeded and intervene mercilessly as soon as they are. For example, the protest movement of December 2018 was repressed by order of the two political offices with the direct intervention of the Peshmergas¹⁶. At this level, we are close to a kind of "relative authoritarianism".

2.3 – The patrimonialism

At the top of the system, far from the base, the Barzani and Talabani families are permanently settled and have control over the entire KRG. Key positions (President of the KRG, Prime Minister, President of Parliament, President of the Counter-Terrorism Forces Directorate, Peshmergas Directorate, Ministers of Natural Resources, International Relations, Intelligence Services, etc.) are reserved for members of both families or for actors known and recognized for their historical loyalty to both families. On this floor, power is treated as a heritage and we are very close to a "heritage system", a model of the Gulf countries, where the lack of differentiation between public and private is common.

3 – The KRG and the disputed territories

The disputed territories between Erbil and Baghdad represent one of the issues on which disagreements are deep and persistent. Article 140, which is an extension of article 58 of the Interim Constitution of 2004, is the legal guarantee of the Kurds against Baghdad. To definitively regularize the status of these territories, Article 140 places the central government under a legal obligation to set up a four-step process.

The first step in this process is the "normalization" that responds to 30 years of "Arabization" of these territories by the basist regime in Iraq. The objective is to prepare the favorable conditions for the "return" of the Kurds forced to leave these

¹⁶ See our interview on the subject "In Iraq's Kurdistan, the street against the parties", *La Croix*, 20 December 2018. <https://www.la-croix.com/Monde/Moyen-Orient/Au-Kurdistan-dIrak-rue-contre-partis-2017-12-20-1200901019>

territories between 1968 and 2003, but also the departure of the Arabs who settled during the period of Arabisation. "The second stage plans to return to the 1957 administrative division, before some governorates were cut off from part of their territory to change its boundaries and thus reduce Kurdish influence in these strategic regions. Then a population census is planned, followed by a referendum in the disputed territories, so that the populations concerned can decide on their future within federal Iraq"¹⁷.

The Iraqi Constitution had even set a deadline for the implementation of these four steps, December 31, 2007 at the latest. In March 2019, the Iraqi government has not yet started the implementation of the first stage and shows no willingness to begin the normalization of these territories in order to reach the planned referendum!

3.1 – The intervention of the KRG armed forces in the disputed territories before 2014

However, between 2003 and 2014, the Kurdish armed forces were invited by the Americans and Iraqis to intervene in the face of threats from radical Sunni groups that were adopting terrorism as a weapon of war. Weakened by a range of chronic pathology, the Iraqi army relied on both American special forces and the Peshmergas to help secure and stabilize disputed territories. Thus, between 2003 and 2014, the Peshmergas and Iraqi army brigades took charge of protecting these territories through a sort of "co-management".

3.2 – The fall of Mosul and the deployment of the armed forces of the KRG

On June 10, 2014, Mosul fell into the hands of the jihadists of the Islamic State (IS). Soldiers of the tore down Iraqi army facing the IS took refuge by the thousands in Iraqi Kurdistan and asked for the protection of the KRG¹⁸. Nouri al-Maliki, the Prime Minister, himself asked the KRG to deploy the Peshmergas in the disputed territories so that they would not fall under the control of the IS. The KRG responded favorably and several thousand soldiers of the Peshmergas Special Forces, trained and armed by the Americans, crossed the KRG borders to protect areas deserted by the Iraqi army, including the city of Kirkuk. A few weeks later, for reasons still unknown, the IS, which was on the outskirts of Baghdad, changed its strategy and redirected its military forces

¹⁷ Cyril Roussel, "The unobtainable border of Iraqi Kurdistan", *Politique étrangère*, vol. summer, n° 2, 2014, pp. 63-77.

¹⁸ "In northern Iraq, the Kurdish autonomous government deploys its peshmergas", *Le Monde*, 11 June 2014. https://abonnes.lemonde.fr/international/article/2014/06/11/dans-le-nord-de-l-irak-le-gouvernement-autonome-kurde-deploie-ses-peshmergas_4435919_3210.html

towards Erbil. At that moment, the KRG entered unintendedly into this¹⁹ dirty war which would cost, according to Massoud Barzani, 60% of the KRG budget²⁰. As a result, the KRG retained full control over all disputed territories between 2014 and 2017.

3.3 – The fall of Kirkuk and the withdrawal of the KRG armed forces from the disputed territories

While Barzani's KRG, following the dramatic results of the referendum of September 25, 2017, was sinking into crisis; in Baghdad, Iraqi Prime Minister Haidar al-Abadi, thanks to his mobilization in the war against the organization of the Islamic State, had received unprecedented new international support and was making a remarkable comeback on the national, regional and international scenes. On October 16, 2017, the "Popular Mobilization" militias and the Iraqi army, with the blessing of Iran and the United States, recovered not only Kirkuk, but also "almost" all the disputed territories. However, the Americans and Iraqis would quickly understand that without the support of the Peshmergas, securing and stabilizing these territories is an "impossible task". Thus, on February 26, 2018, the Iraqi army and the American military forces stationed in the Kirkuk region called on the Peshmergas to help them clear this area of fighters from the Islamic State Organization²¹. The number of attacks described as "terrorist" by Baghdad since October 16, 2017 has continued to increase. Car bomb attacks, suicide attacks, frontal attacks, surprise attacks, there are daily deaths and injuries: the Kirkuk region, according to Iraqi government security sources, is more threatened than ever by "terrorists"²². From October 2017 to February 2018, 1,920 civilians were killed²³, the majority of them came from disputed areas. In this context, the Iraqi government has initiated a serious discussion with the KRG for a return to the "co-management" of these territories, experienced between 2003 and 2014.

¹⁹ For more details on this war, see Pierre-Jean Luizard, *Le piège Daech. The Islamic State or the Return of History*, Paris, La Découverte, 2015.

²⁰ Adel Bakawan, "The Three Generations of Jihadism in Iraqi Kurdistan", *IFRI Note*, 2017. <https://www.ifri.org/fr/publications/notes-de-lifri/trois-generations-djihadisme-kurdistan-dirak>

²¹ "Baghdad calls on peshmergas against Daech", in Arabic, *al-Hayat*, the pan-Arab daily newspaper, London, 27 February 2017.

²² "The Iraqi army can no longer provide Kirkuk's security alone", in Arabic: *Baghdad Today News*, March 9, 2018. <http://baghdadtoday.news/ar/Default.aspx>

²³ See the collective's website available in both Arabic and English. <https://www.iraqbodycount.org/database/>

4 – The Kurds between the "liberal democracy" of the KRG and the "radical democracy" of the PKK

In general, the Kurdish issue, at regional and international levels, is represented by two major actors on the Kurdish scene, namely the KRG and the PKK. Two antagonistic forces, the KRG and the PKK, Barzani and Ocalan, represent visions of the world that place Kurdish political existence differently in the current history.

4.1 – *The GRK and the PKK: two antagonistic models*

This antagonism is evident in the two models of societies and political systems that the PKK and GRK offer to the Kurds.

Marxist-Leninist, the PKK, founded by Abdullah Öcalan in 1978, adopted Kurdistan's independence as the supreme goal of an extremely violent struggle against the Turkish Republic engaged since its foundation in a twofold process, namely the "de-kurdification" of the Kurdish areas in Turkey and their "militarisation". However, since his arrest in 1999, Öcalan had distanced himself from his "pankurdist" project and adopted a policy advocating "radical democracy, peace, ecology, deterritorialized citizenship" or a "democratic confederalism", theses developed by Murray Bookchin (1921-2006), an American libertarian thinker and ecologist. Nevertheless, the 8 Kurdish political parties in Syria, grouped together in the Kurdish National Council (KNC), do not have the right to exercise their political activities in the territories managed by the "radical democracy" system of the PKK and its local branch PYD.

The "liberal democracy" model proposed by the KRG also suffers from fatal weaknesses such as patrimonialism, corruption, high doses of authoritarianism, partisanization of society and its militarization²⁴. These two visions of the world, despite their vulnerabilities, are crossing the Kurdish scene in Iraq, Syria, Turkey and Iran. Each of these two actors has considerable resources to act on the populations and to direct the Kurdish question in favor of these strategies in conjunction with the countries of the regional and international system.

²⁴ See Adel Bakawan, "Les fragilités du Kurdistan irakien", *Ramses 2018*, Paris, September 2017. <https://www.ifri.org/fr/publications/ramses/sommaires-de-ramses/ramses-2018-guerre-de-linformation-aura-t-lieu>

4.2 – **The PKK's military presence in Iraqi Kurdistan**

The PKK's military presence in Iraqi Kurdistan has been going on for some 30 years. With the "liberation" of Iraqi Kurdistan in March 1991, the PKK settled not only in the Qandil mountains, but also in large cities such as Erbil and Sulaymaniah, despite the rejection of the GRK.

This situation led the Kurds to a "fratricidal" war between the KRG and the PKK in October 1992. Since then, several military confrontations have opposed the actors, until 2003, the date of the occupation of Iraq by the United States. Established at the top of Qandil Mountain, the PKK becomes relatively invisible in Iraqi Kurdistan until the fall of Sinjar in August 2014. Between 2014 and 2018, PKK forces, with the agreement of the KRG and the international coalition, participated in the fight against the organization of the IS. On March 23, 2018, the PKK General Directorate stated that "*Sinjar and its surroundings have become safe and the Iraqi government seems ready to respond to the Yazidi demands*", and decided to "*withdraw all its troops*"²⁵.

4.3 – **From "enemy" to "adversary"**

From 2003 to 2019 the balance of power between the KRG and the PKK shows that a major transformation has taken place regarding the nature of the vision of these two antagonistic actors. It is a passage from the perception of the other as an "enemy" with whom we are in open warfare and must physically disappear from the scene, to the perception of the other as an "adversary" with whom we are in conflict and must negotiate to manage our "disagreements". This transformation in the perception of the other could prevent the Kurds from entering a "fratricidal" war in the medium term.

²⁵ "The PKK says it is withdrawing from a Yazidi fiefdom after threats from Ankara," *AFP*, March 23, 2018.

NB. According to *AFP*, on Sunday 17 March 2019, two Iraqi soldiers were killed in clashes with the Kurdistan Workers' Party (PKK). "*PKK elements attacked an army checkpoint in Nineveh province (...) two soldiers were killed and five PKK fighters wounded*," reports a statement from the Iraqi military command issued on Sunday night. These clashes broke out about 100 kilometers west of Mosul, a large city in northern Iraq, in the border area of warring Syria, where the YPG Syrian Kurdish militia is the backbone of the anti-Jihadist forces. "This is the *first time that an armed clash of this magnitude has taken place in the region*," Mohammad Khalil, mayor of Sinjar, an important locality near the place of the fighting, told *AFP*. The clashes broke out, the statement said, when "*an Iraqi soldier asked PKK members to present a passage permit obtained from the security forces to cross this checkpoint*". The reaction of Turkey, Iraq and the United States will follow in the coming days. "Two Iraqi soldiers killed in clashes with the PKK", *AFP*, March 18, 2019.

CONCLUSION

The May 2018 parliamentary elections opened a new page in the balance of power between the competing actors: Shiites, Kurds, Sunnis. At this stage, no group of actor is certain that it can impose its guardianship. The only certainty is that the political forces of the three major Iraqi communities are extremely fragmented. They are all condemned to find, at minimum, a consensus to govern together and save Iraq's front unity for the time being.

However, it must be admitted that, since the formation of the new Iraqi government, the economic situation of the KRG has improved, Kurdish officials are paid on time, investments are picking up, companies from the regional and Western countries are relocating to Kurdistan: a kind of optimism is strongly observed within Kurdish society!