



Hacettepe University Graduate School Of Social Sciences
Department of International Relations

Geopolitics of Kirkuk and it's Impact on the Future of Iraq

Weldan ABDULWAHAB

Master's Thesis

Ankara, 2017

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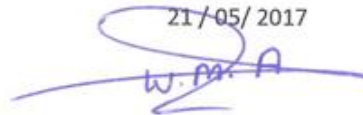
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Bu çalışmadaki bütün bilgi ve belgeleri akademik kurallar çerçevesinde elde ettiğimi, görsel, işitsel ve yazılı tüm bilgi ve sonuçları bilimsel ahlak kurallarına uygun olarak sunduğumu, kullandığım verilerde herhangi bir tahrifat yapmadığımı, yararlandığım kaynaklara bilimsel normlara uygun olarak atıfta bulunduğumu, tezimin kaynak gösterilen durumlar dışında özgün olduğunu, Yrd. Doç. Dr. Özlen ÇELEBİ danışmanlığında tarafımdan üretildiğini ve Hacettepe Üniversitesi Sosyal Bilimler Enstitüsü Tez Yazım Yönergesine göre yazıldığını beyan ederim.



(İmza)

Öğrencinin Ünvanı (varsa). Adı SOYADI

Weldan ABDULWAHAB

Dedicated to my beloved family

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ABSTRACT

Abdulwahab, Weldan. *Geopolitics of Kirkuk and it's Impact on the Future of Iraq*, Master's Thesis, Ankara, 2017.

Iraq is a country that has been continuously generating headlines in the world media since its occupation by the United States in 2003. The country has been battered by internal conflict with both, ethnic and sectarian dimensions. One of the most disputed areas in Iraq is the northern province of Kirkuk. It has been a hotbed of political and nationalistic strife between Kurds, Arabs and Turkmens since 2003, the time when the power balance in the governorate shifted on the side of the Kurds to the detriment of the others. This, among many other problems, is one of the main reasons for instability in the country and region as well. As long as the Kurdish authorities advantage of petroleum revenues unilaterally, the conflict may prolong and even have the potential to inflame the whole region by involving major regional powers like Turkey and Iran because of its threat to the their territorial integrity. The only feasible solution to avoid such a dangerous conflict is for Kurds and Iraqi Government to stay loyal to the unity of Iraq and behave in accordance with the Iraqi Constitution. This thesis will narrate and analyze the history of the disputes in the country with a focus on Kirkuk, their reasons, major players, their future implications, and propose recommendations to resolve the conflict and make Iraq a stable and functioning country for the benefit of Iraqis and the region.

Key Words

Kirkuk, Iraqi Central Government, Kurdish Politics, Oil, ISIS

ÖZET

Abdulwahab, Weldon. *Geopolitics of Kirkuk and it's Impact on the Future of Iraq*, Yüksek Lisans, Ankara, 2017.

Irak, Birleşik Devletler tarafından 2003'teki işgalinden itibaren dünya medyasında devamlı gazete başlıklarına konu olan bir ülkedir. Ülke, hem etnik, hem de mezhepsel açılardan iç karışıklıkla zarar görmüştür. Kerkük'ün kuzey bölgesi, büyük petrol rezervlerine sahip olmasından dolayı, Irak'taki en ihtilafli bölgelerden biri olmuştur. Diğer unsurların aleyhine olarak, güç dengesinin Kürtlerin tarafına kaydığı 2003 tarihinden bu yana bölge, Kürtler, Araplar ve Türkmenler arasında siyasi ve milliyetçi mücadelenin mecrası olmuştur. Birçok sebebin arasında, bu güç kayması, ülkede ve bölgedeki istikrarsızlığın ana sebeplerinden biri olmuştur. Kürtler petrol gelirlerine hükmetmeye devam ettikçe, ihtilaf sürecektir ve Türkiye ve İran gibi ülkelerin toprak bütünlüklerine bir tehdit oluşturması sebebiyle, bu önemli bölgesel güçleri de içine alacak bir şekilde, tüm bölgeyi alevlendirme potansiyelini taşımaktadır. Böylesine tehlikeli bir ihtilaftan kaçınmanın tek uygulanabilir çözümü ise, Kürtlerin ve Irak Hükümeti'nin farklılıklarını bir kenara koyup Irak'ın bütünlüğüne bağlı kalmaları ve Irak Anayasası'na saygı duymalarıdır. Bu tez çalışması, Kerkük üzerine odaklanarak, ülkedeki ihtilafların tarihini, sebeplerini, önemli oyuncularını, gelecekteki sonuçlarını anlatacak ve analiz edecek; Iraklıların ve bölgenin iyiliği için, ihtilafın çözülmesine ve Irak'ın istikrarlı, işleyen bir ülke olmasının sağlanmasına yönelik öneriler sunacaktır.

Anahtar Sözcükler

Kerkük, Kürt Politikaları, Irak Merkezi Hükümeti, DAESH, Petrol

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ABBREVIATIONS

APOC	Anglo-Persian Oil Company
ADM	Assyrian Democratic Movement
AQI	Al-Qaeda in Iraq
CPA	Coalition Provision Authority
DNO	Norwegian oil and gas operator
ISI	Islamic State of Iraq
ISIS	Islamic State of Iraq and Syria
ISIL	Islamic State of Iraq and Levant
IPC	Iraqi Petroleum Company
ICP	Iraqi Communist Party
ITF	Iraqi Turkmen Front
IIG	Iraqi Interim Government
IGC	Iraqi Governing Council
IPCC	Iraqi Property Claims
ITP	Independent Turkmen Party
ING	Iraqi National Gathering
ITM	Islamic Turkmen Movement
IRA	Iraqi Republican Assembly
INDF	Iraqi National Dialogue Front
IAF	Iraqi Accord Front
ISCI	Islamic Supreme Council of Iraq

ISF	Iraqi Security Forces
KDP	Kurdistan Democratic Party
KBL	Kirkuk Brotherhood List
KRG	Kurdistan Regional Government
NTP	National Turkmen Party
NRL	National Rafidain List
PUK	Patriotic Union of Kurdistan
PSA	Production Sharing Agreement
PYD	Democratic Union Party
PMU	Popular Mobilization Units
SOFs	Special Operation Forces
SCIRI	Supreme Council for the Islamic Revolution of Iraq
SOFA	Status of Force Agreement
TPC	Turkish Petroleum Company
TAL	Transitional Administrative Law
TP	Turkmenli Party
UIA	United Iraqi Alliance
WWI	First World War

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INTRODUCTION

Iraq is a strategically important country for both, the region of Middle East, and the world in general because of its huge amounts of proven oil reserves. In addition, it is a mixture of different ethnicities and religious sects, making it very volatile country. These two factors are the main reasons for the turmoil in Middle East since 1991. Iraq is a collection of different ethnicities and religious, mainly Arabs, Kurds, Turkmens, and also a minority of Christians and Jews. These communities became empowered or weakened based on their religious or ethnic identities. Basically, Arabism became a dominant nationhood with the Sunni elites who had absolute power in the country since 1970s. Besides, the discovery of oil fields in the northern part, in particular Kirkuk, has established a new dynamic into the interethnic balance. As a result, in addition to southern oil fields, Kirkuk became the main source of Iraq's economy with a strategic importance on international politics. Kirkuk's oil industry did not only generate financial revenues, but it also had to be secured from the regional and internal threats.

To secure the oil of Kirkuk, the former Iraqi president Saddam Hussein started a policy that aimed to settle Arabs in Kirkuk in 1970s-1980s. This policy was called Arabization and resulted in displacing and weakening Turkmens, Kurds, and Christians from the province, while at the same time refilling it with Arabs. The demand of each ethnic group over Kirkuk's oil and the central government's concern over Kirkuk's security caused an increase in violence among the three ethnic groups. Kirkuk has become one of the main symbols of the country's infinite problems, and its impact on the Iraqi national security is still a major obstacle on the path for more political stability.

After removal of Saddam Hussain in 2003, a new era started for the region, with new conflicts and interferences from both regional and international powers. Despite the attempts of American Occupational Authority to protect the region's stability, ethnic conflicts over oil revenues happened from time to time, sometimes threatening full blown war between Iraqi Central Government (ICG) in Baghdad and the Kurdish Regional Government (KRG), with Khanaqin being one of the most famous among such incidents. Even though Americans were able to avoid such clashes by using a carrot-and-stick policy on both sides, the situation changed dramatically after they withdrew from the country in 2011, and the main obstacle for conflict went together with last the US Army soldier to cross the border with Kuwait.

Regarding Kirkuk, it can be noticed that the main source of conflict has been the policy of sharing the oil revenues and the status of the city itself, since both sides have been reluctant to sit and solve these issues, mostly because no one wants to lose Kirkuk and its precious oil reserves. As a result, Kurds took unilateral decisions and started to grant contracts to international oil companies and kept the revenues for themselves. These actions angered the ICG and forced them to take legal action against companies working for the Kurds, but to no effect. The crisis has grown ever since, sometimes leading even to direct military confrontation and parliamentary boycott by the Kurds.

As the tensions raised, in 2013 with the intensification of Syrian civil war, a new major player entered the game, the Islamic State of Iraq and Syria, also known as ISIS or ISIL, which threatened both KRG and ICG. The ISIS Blitz of 2014 where they seized most of western and part of northern Iraq was a turning point for the country. The Iraqi Army in north collapsed, and as a result, the KRG took advantage and moved on to take Kirkuk and the surrounding areas. However, the Kurdish paramilitary forces called Peshmerga were unable to stop ISIS onslaught and American Military interfered by carrying out airstrikes on militants positions.

Since then, ISIS onslaught has been stopped and rolled back, but their blitz has created a lot of tension between ICG and KRG. After the defeat of ISIS, what will happen to Kirkuk, especially after the entrance of both Turkey, (firstly directly by opening a military camp in Bashiqa, and after pulling out, indirectly, mostly concerned with PKK in Sinjar and surrounding areas) and Iran in the war. Will KRG and ICG be able to resettle their differences and form a unified Iraq once again? What if this fails, will the Shia Militias and Peshamrga fight each other, and what is more, if Kurds attempt to form an independent state, will Turkey and Iran interfere to stop it or sit and watch idle on the sides? Since the consequences for the region are severe, solving the status of Kirkuk is of utmost importance.

The aim of this thesis is to prove that as long as the Kurdish authorities keep to dominate the oil revenues of Kirkuk to establish their own independent Kurdish state in the future, the conflict may prolong and even have the potential to inflame the whole region by involving major regional powers like Turkey and Iran because of its threat to their territorial integrity. In order to avoid such a severe situation in the future, some suggestions for the players involved are given in order to settle their disputes and create a stable Iraq, and as a consequence a stable Middle East. To do this, we have relayed on many sources, especially history and policy books, as well as articles written on the subject matter.

Some of these books include documents of the US military accounts in Iraq, written by the two brilliant military correspondents Bernard Trainor and Michael Gordon: “Cobra II” (2007) which covers in detail the history of invasion of Iraq, and “The Endgame” (2012), which covers the details of occupation of the country. After describing in detail the operation “Iraqi Freedom” and deeply analyzing what went wrong with the US occupation of Iraq, these veteran analysts of Middle East establish the theory that mismanagement and ignorance of the region on the side of US forces, as well as corruption of Iraqi leaders, Iran’s meddling in Iraq’s internal politics through the Shia blocks and corruption of Kurds led to establishment of al-Qaeda in the country and region wide. The result of this was the creation of Islamic State of Iraq (ISI) the parental organization of Islamic State in Iraq and Syria (ISIS).

Secondary historical sources include an extremely important book, James Barr’s “A Line in the Sand” (2015), a brilliant account of the partition of Iraq and Syria according to the famous Sykes-Picot Agreement. There has also been a heavy reliance on western news sources, since local sources are often unreliable and biased, each busy promoting the interests of their sides and blackmailing their opponents.

The thesis is divided into three main parts: Kirkuk before US invasion, during US occupation, and after US pull-out from the country. It starts with the geographic location and disputed demographics of Kirkuk, then goes on to give a detailed historical account since the beginning of the twentieth century when oil was discovered in the region. A very detailed account of Arabization is provided, since it is the most important factor contributing to ethnic strife in the city. Displacement of Kurds and Turkmens, relocation of Arabs, changing of Kirkuk administrative map and the war with Kurds are accounted fully. Then a detailed history of Iraqi policies that heavily affected Kirkuk after 2003 US invasion is given. Starting with the Local Governing Councils, parliamentary elections of 2005, 2010 and 2014, failure to uphold article 51 for the status of Kirkuk, raise and fall of Kurds in Iraqi politics as well as the wrong policies that led to clashes between ICG and KRG are analyzed. Given the fact that Kirkuk is extremely rich in oil, a description of its oil administration, export, revenues and contract is also given. The clashes with ICG as a result of independent action on oil exploration and the final fallout with Maliki government and its implication are also analyzed. A brief history of ISIS rise after the Arab Spring is also provided, since ISIS was the single most important factor for the current mess in the region. Creation of International Coalition against ISIS to halt their advance and recapture of lost territory, direct and indirect entrance of Iran and Turkey

into the war, and the current tension between KRG and ICG regarding Kirkuk are also deeply analyzed.

Last but not least, some suggestions are formulated for all the players involved in the conflict. In this thesis, we propose that Kurds have only one viable option to keep some of their privileges in Iraq, and that is to integrate themselves within the politics of Iraqi state with Kirkuk gaining a special status of autonomy from ICG and KRG, and its administrative powers be equally shared among Kirkukis themselves. ICG should also become the government of all Iraqis and not just the Shias. Turkey and Iran should also be diplomatically involved to ensure the territorial integrity and stability of Iraq, since they have so much at stake. If these players fail to reach compromise, the country will be in chaos, there will be more bloodshed, and ISIS even after being defeated will return again since they use the current grievances of Sunni Arabs, projecting themselves as their only protectors from greedy Kurds and bloodthirsty Shia Militias.

CHAPTER 1

A BRIEF HISTORY OF KIRKUK

1.1. The Geographical Location and Demographical Structure of Krikuk

Kirkuk is a city in northern Iraq that had historically been important for its geographical location, protected by a barrier of mountains from potential invaders from the southern plains. However, since the beginning of the twentieth century, it gained economic prominence. It is located on the Mesopotamian plain bordered by Zagros Mountains to the northeast, Little Zab river to the northwest, and Diyala river to the southeast. On the southwest side it is surrounded by Jabal Hamrin mountain range, which also serves as a border between the city and the arid desert plains of the south. It is approximately 250 kilometers from Baghdad, the capital city of Iraq (Map 1). The northeastern highlands of Iraq start from the southern border of Kirkuk and extend far to Turkish and Iranian borders. This region was historically supplied with water from Tigris River, and as a result was a suitable land for agriculture. The current city of Kirkuk is estimated to have been built nearly five millennia ago by Assyrians who gave it the name Arraba or Arafa.¹

One of the issues hotly debated regarding Kirkuk is that of the city's demographics. Since the beginning of the century before the Lausanne Agreement, efforts to conduct an unbiased census have all failed because the city is inhabited by Kurds, Turkmen, Arabs and Assyrians, and there is a competition among the former three groups about the matter of dominating the city's demographics. According to some Iraqi officials, Kirkuk's population varies between 1.3 and 1.6 million inhabitants, making it the fifth largest city in Iraq, but all of these numbers should be taken with a grain of salt.²

¹ Liam Anderson and Gareth Stansfield, *Crisis in Kirkuk: The Ethnopolitics of Conflict and Compromise*, University of Pennsylvania Press, Philadelphia, 2009, P.13.

² Steven Lee Myers, "Politics Delay on Iraqi Census", *New York Times*, 6 December 2010, <<http://www.nytimes.com/2010/12/07/world/middleeast/07iraq.html>> [06.12.2016]



Map 1. An Administrative Map of Iraq. It shows the main provinces and their capitals as well as the main cities. Adapted from Central Intelligence Agency (CIA) map, available at <https://www.cia.gov/library/publications/resources/cia-maps-publications/map-downloads/Iraq_Physiography.jpg/image.jpg>

Yet, according to information provided by United Nation Mission in Iraq, the real population of Kirkuk is 902.000 inhabitants. As mentioned before, the first census of Kirkuk was performed in 1923 in accordance with the request of the League of Nations to settle the territorial between Turkey and Great Britain regarding Mosul and Kirkuk. As a result, Iraqi, Turkish and British sides presented their own findings about the demographics of the city, and as it is shown in table 1, but the variations between them are huge. This should not come as a surprise given the fact that Turks wanted the region to be part of the Turkish Republic. On the other side, Iraqi and British sides wanted the region to be included in the newly-formed Iraqi state, so they diminished the number of Turkmen inhabitants and increased that of the other ethnicities. Since the discovery of the

oil in the region, the controversy over the real population and its demographic distribution has been continuing unabated because of the economic importance of the region for all the sides.³

Table 1. The Number of Residents of Mosul Wilayat.

Nationality/Religion	Turkish statistics in 1923	Estimates by British officers in 1921	Enumeration by the Government of Iraq (1922-24)
Kurds	263,830 (39.2 %)	427,720 (54.5 %)	520,007 (64.9 %)
Arabs	43,210 (6.4%)	185,763 (23.7 %)	166,941 (20.8 %)
Turks	146,960 (21.8 %)	65,895 (8.4 %)	38,652 (4.8 %)
Christians and Jews	31,000 (4.6 %)	62,225 (7.9 %) 16,865 (2.1 %)	61,336 (7.7 %) 11,897 (1.5 %)
Yazidis	18,000 (2.7 %)	30,000 (3.8 %)	26,257 (3.3 %)
Total settled population	503,000 (74.7 %)	-----	-----
Nomads	170,000 (25.3 %)	-----	-----
Total population	673,000	785,468	801,000

Source: The information provided in the table is adapted from Martin van Bruinessen, "Iraq: Kurdish challenges", *Institute for Security Studies*, Paris, 14 Feb. 2005.

This controversy grew bigger after the US invasion of the country in 2003 when the city and its surrounding areas fell under the control of Kurdish Pashmarga who immediately started a process of ethnic cleansing by displacing Arabs, preventing the return of displaced Turkmens, and resettling thousands of Kurds from other regions of Kurdish areas in order to create a Kurdish-majority governorate. This increasing influx of Kurds is seen by Arabs and Turkmens as an attempt of Kurdish politicians to influence the outcome of a future referendum about the fate of the city. Kurdish authorities are encouraging by means of financial aid, and sometimes threats, Kurds from other areas of northern Iraq such as Erbil and Sulaimaniyah to resettle in Kirkuk. As a result, in recent years, the demographics of the city have been changed drastically in favor of Kurdish

³ Martin van Bruinessen, "Iraq: Kurdish challenges", *Institute for Security Studies*, Paris, 14 Feb. 2005, pp. 45-72.

majority, and a process of Kurdification is running at high speed. This is seen as a threat to their identity by the other ethnicities. However, on the sight of the Kurds, this is the “normalization” of the city and its return back to its origins before the politics of Arabization.⁴

1.2. Kirkuk in the 20th Century Before the Iraqi State

At the beginning of the 20th century, Kirkuk as well as Mosul were a backyard of the Ottoman Empire. However, their status changed drastically during the second world war, exactly in 1916. With the entrance of Ottomans in World War I on the side of Germans, England and France made an agreement to divide the territory of the Ottoman Empire once the war was over. According to what came to be known as Sykes-Picot Agreement (shown in map 2), Mosul and the north-western part of Kirkuk would go to France, while Kirkuk and its southern part to England.⁵

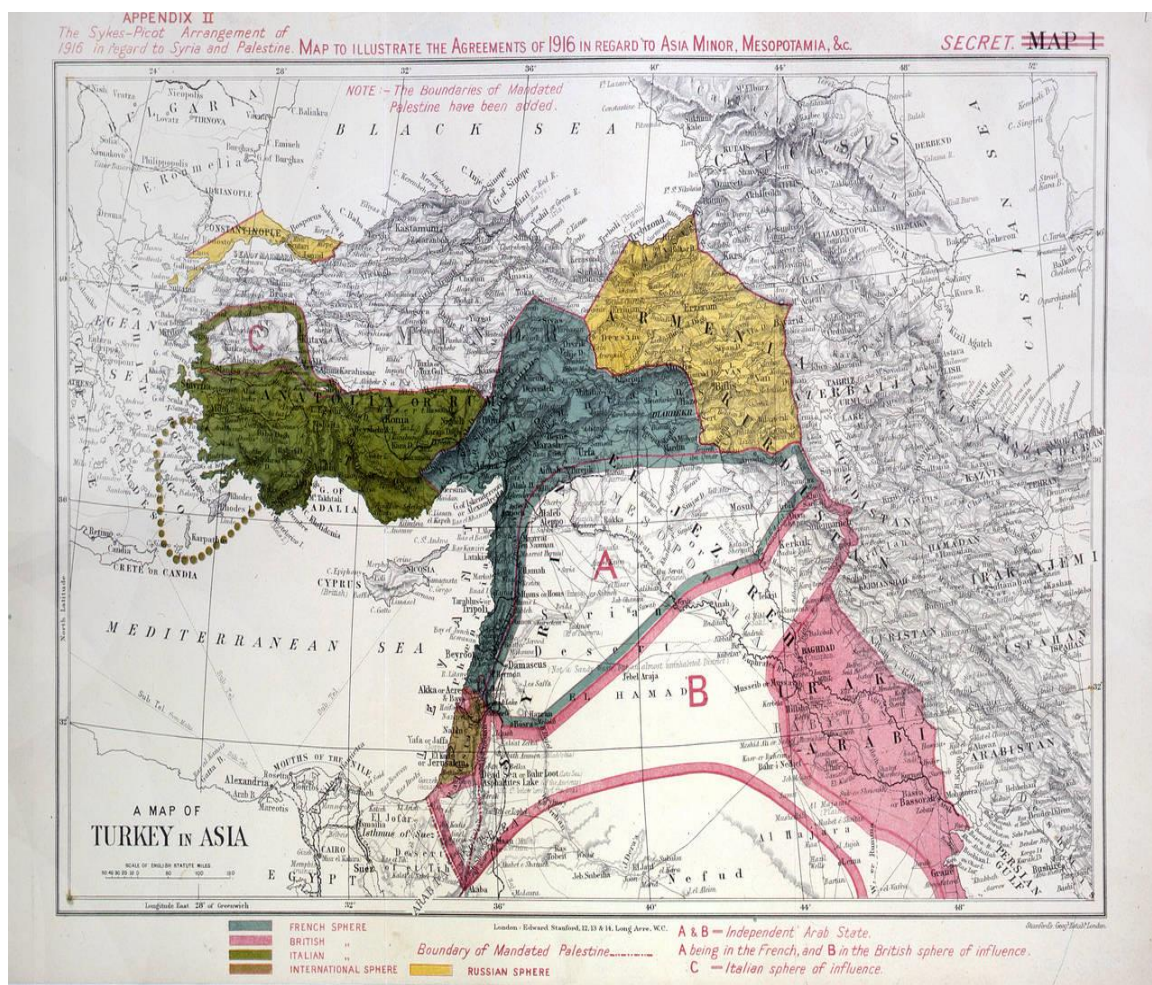
However, the contents of the agreement were changed in 1917 after the English learned about the immense petroleum reserves of the region. In 1911 Winston Churchill changed the Imperial Navy from coal-dependent to oil-dependent because of the advantages offered by the late. This made Great Britain heavily dependent on American Oil to run its military and trade operations. England invested a lot on searching oil and their efforts paid back when they hit oil in Persia and in 1909 created the Anglo-Persian Oil Company (APOC). The only company that had drilling rights in Northern Iraq was the Turkish Petroleum Company (TPC), which was owned by Americans.⁶ In 1916 American engineers estimated that two giant oil fields were lying under the crust of Northern Iraq, an important piece of information learned by Britain through a spy network. As a result, the British requested France to change the Sykes-Picot Agreement by offering France a passage to the sea through the port of Tartus in Syria. After the agreement between the French Premier Clemenceau and Lloyd George, his British counterpart, present-day Northern Iraq came under British influence, while Syria and surroundings came under

⁴ Metin Turcan, “Today Stems from Yesterday: A Kirkuk-Centric Analysis of Central Periphery Relationship of Baghdad and Iraqi Kurds”, *Uluslararası Hukuk ve Politika*, Vol.7, No. 25, 2011, pp. 87-120.

⁵ Arbella Herutha Bet-Shlimon, *Kirkuk, 1918-1968: Oil and the Politics of Identity in an Iraqi City*, Harvard University, Published PhD Thesis, 2010, p.70-71.

⁶ William R. Polk, *Understanding Iraq: The Whole Sweep of Iraqi History, from Genghis Khans Mongols to the Ottoman Turks to the British Mandate to the American*, HarperCollins, New York, 2005, p.50 -55. Print.

French influence (see map 2).⁷



Map 2. The Sykes-Picot Agreement. Signed in 1916 between the English Sir Mark Sykes and the French François Georges-Picot, divided the territory of the Ottoman Empire into Russian (yellow), Italian (green), French (blue) and British (pink) Zones of Influence. Adopted from Yaroslav Trofimov, “Would New Borders mean Less Conflict in the Middle East ?”, *The Wall Street Journal*, 10 April 2015.

After the defeat of the Ottomans and signing of the Mudros Armistice in 30 October 1918, Ottoman territory was divided according to the “revised” Sykes-Picot Agreement. During the Turkish War of Independence in 1920s, Kirkuk, Erbil, Sulaymaniyah, Mosul and surrounding areas of Northern Iraq were claimed by Turks, but England didn't give them up. During the Lausanne Conference in 1922-23, the Turks finally gave up on their

⁷ James Barr, *A Line in the Sand: Britain, France, and the Struggle for the Mastery for the Middle East*, Simon & Schuster, 2011, p. 20-30.

claims and these cities were incorporated in the newly-formes Iraqi State.⁸

1.3. Kirkuk Before the Reign of Saddam Hussein

Before and after the creation of the Iraqi State, the economy of Kirkuk was based on local trade such as cereals, spices, pulses, dates, animals and vegetables brought to the local market by Turkmen and Kurdish villagers. There was no industry and no oil trade, except for some drilling carried out by the TPC in the vicinity of the region. The residents of the region were in peace and there were no nationalistic ideas as would happen later. The fate of the city would however change forever in 1927 when TPC hit on oil in what is called Baba Gurgur well. The gushing was so big that it killed two workers and threatened the surrounding villages until it was sealed by the company's workers. Given the importance of oil for the industrialized world and its high demand, especially after World War II, conflict exploded in the area between the different ethnicities for the control of the wells and selling rights.⁹

In 1958, Brigadier Abd al-Kareem Kassim seized power in Baghdad and ousted the monarchy. He was an Iraqi nationalist brought to power by Arabs, mostly from the Sunni sect.¹⁰ As a result, the realtions between Kurds and Baghdad deteriorated rapidly, leading to the Kurdish Revolution in 1961 under the leadership of Mullah Mustafa Barzani. Despite some victories at the beginning, Kurds could not reach any of their goals, and at the end of 1963, Brigadier Qassim was overthrown by another military coup, this time led by General Ahmad Hassan al-Bakr. He was another Iraqi nationalist with stronger Baathist tendencies who, from being a hope for the Kurds, turned out to be a complete disilusionment.¹¹

⁸ Margert Macmillian, *Peacemaker: the Paris Peace conference of 1919 and its Attempt to End War*, Murray, London, 2003, p. 430-40.

⁹ Ferruh Demirmen, "Oil in Iraq: The Byzantine Beginning (Part I: the quest for oil)", *Global Policy Forum*, 25 April 2003, <<https://www.globalpolicy.org/component/content/article/185/40548.html>> [05.11.2016]

¹⁰ "The Iraqi Revolution of 1958", *Association for Diplomatic Studies and Training*, 10 Feb. 2016, <<http://adst.org/2014/07/the-iraqi-revolution-of-1958/>> [07.12.2016]

¹¹ Polk, *op. cit.*, p.110.

1.4. The Politics of Arabization

Seeing the danger of the Kurds, the Iraqi government started to Arabicize the Governorate of Kirkuk by bringing in Arab tribes from different parts of Iraq as well as by detaching certain districts from the governorate. The Arabization process can be divided into five periods.¹²

1.4.1. First Period (1925-1962)

This period starts with the advent of oil in the region. After discovering the first giant oilfield in Kirkuk in 1929, Iraqi government started to get concerned for the fate of the region since it was in a predominantly Turkmen area. So in 1925, the government changed the name of TPC into Iraqi Petroleum Company (IPC). In order to staff the company with workers, the government brought Arabs from the tribes of Obaid and Jubur who settled in Hawija. The first exports of oil started between 1934 and 1935 and it was sent via pipeline to the port of Haifa and Tripoli.¹³ The exact number of new settlers is not known, but some sources claim to be near a thousand Arab families. After Qassim came to power, he entered into an alliance with the Iraqi Communist Party (ICP) in order to gain more credibility in Northern Iraq where communists had a strong presence.¹⁴

To please the Kurds, he even allowed the return of Mullah Mustafa Barzani back to Iraq who was the leader of Kurdistan Democratic Party (KDP). This move gave the Kurds some strength and they seized the opportunity to place Marouf Barzinji as the governor of Kirkuk, a move that worried the Turkmen community who until recently had been the masters of the city since the time of the Ottomans.¹⁵ In the same year, during the celebration for the commemoration of revolution, conflict broke between Kurds and Turkmens in the city and continued for three days. Kurds started to target the Iraqi Turkmen. At the end of the third day, army units sent from Baghdad interfered and ended the dispute. However, it left a scar between the two communities as more than 70 people

¹² Anderson and Stansfield, *op. cit.*, p.24-30.

¹³ Mahboob Alam, *Iraqi Foreign Policy since Revolution*, Mittal Publication, second Edition, New Delhi, 1995, p. 144.

¹⁴ Marion Farouk-Sluglett and Peter Sluglett, *Iraq since 1958: From Revolution to Dictatorship*, I. B. Tauris, Third Edition, London, p.70-2.

¹⁵ Hanna Batatu. *The Old Social Classes and the Revolutionary Movements of Iraq: A Study of Iraq's Old Landed and Commercial Classes and of its Communists, Ba`thists and Free Officers*, Saqi books, 2004, p.913.

died and more than a hundred were injured. Both sides created with their own version and accused the other of starting the dispute. After 1959, many Turkmen did not feel safe in the city and started to leave. The professional class of Turkmen and Kurds was transferred to other parts of Iraq with the excuse of the high demand for such professionals in other provinces.¹⁶

1.4.2. The Second Period of Arabization (1963-68)

After the return of Mustafa Barzani, many of his followers who were trained and fought in Iran and then had to escape to Azerbaijan after the destruction of the Republic of Mahaband, an attempt to create an independent Kurdish State in Iran, followed him in Iraq. As stated above, Barzani started the Kurdish Revolution in 1961 and had initial success in the mountainous regions against the Iraqi Army. However the overthrow of Qassim, partly as a result of those defeats brought to power the more determined General Ahmed Hassan al-Bakr.¹⁷ He could unite the Arabs under his rule and replaced many incompatible generals in Iraqi Army. During al- Bakar's rule, several districts of Kirkuk were emptied of their Turkmen and Kurdish inhabitants and replaced by Arabs brought from several parts of South and Central Iraq, such as Qajar plains in the south of Erbil and Qara Tepe plain in the south of Kifri. Turkmen workers working in IPC were transferred to the south in Basra, street names of the province were changed with Arab ones, and security zones with Arab soldiers were established around the oil pipes and facilities, to protect them from potential sabotaging actions of Kurdish guerillas.¹⁸

¹⁶ Ersat Hurmuzlu, *The Turkmen Reality in Iraq*, Kirkuk Vekfi, Istanbul, 2009, p.98.

¹⁷ Gareth Stansfield, *Iraq: People, History, Politics*, Polity, Cambridge, 2007, p.93.

¹⁸ Anderson and Stansfield, *op.cit.*, p.35.

1.4.3. The Third Period of Arabization (1968-74).

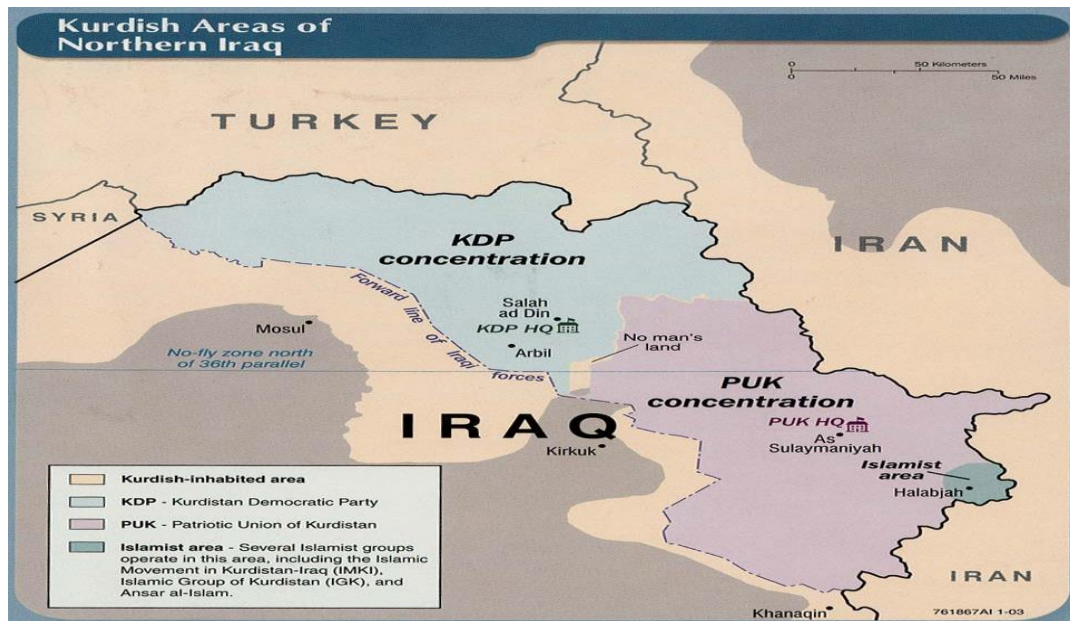
After 1968 al-Bakr further consolidated his power on the Baath party and as a result he had a freer hand to carry out his project of Arabization in the Kurdish and Turkmen areas. Even though Kurdish Guerillas were defeated in the cities, they continued their sabotage activities from the mountains. Finally, Bakr agreed to make peace with them and sent the second most important man of the regime, Saddam Hussein on a face-to-face meeting with Barzani to ask for his demands.¹⁹ Even though they agreed on certain points, Kirkuk still was a contested issue. Finally a plebiscite was agreed to be held in the region to determine the areas of Kurdish majority. However in 1970 an agreement was signed between the Iraqi government and the Kurdish separatists called “The March Agreement” according to which Kurds secured an autonomous region without including all the areas they claimed, including Kirkuk (Map 3).²⁰ According to the terms, Kurds could use Kurdish language in schools, would receive development funds from the central government, were to be recognized as one of the two Iraqi nationalities besides Arabs. They would also be able to choose their officials among their people to be represented in governmental positions.²¹ Above all, they would have the portfolio of the vice-president in Baghdad. However, some of these promises were not kept, and in addition, the government pushed its Arabization program even further by bringing more Arabs from the rest of Iraq and giving them land in the newly-built districts in Kirkuk. On the other hand, many Kurds and Turkmens families were paid to leave the area and emigrate either to the Kurdish region or to other parts of Iraq. In addition the government brought more military forces and built garrisons around the area.²²

¹⁹ David McDowall, *A Modern History of the Kurds*, I.B. Tauris, London, 1996. p.327.

²⁰ Anderson and Stansfield, *op.cit.*, p.36-9.

²¹ *Ibid.*, p.37.

²² Human Rights Watch (HRW), “Claims in Conflict: Reversing Ethnic Cleansing in Northern Iraq”, *Human Rights Watch Report*, 16,4 (E), 2004, p.1-3,
< <https://www.hrw.org/reports/2004/iraq0804/iraq0804.pdf>>[07.07.2016]



Map 3. Iraqi–Kurdish Autonomy Agreement of 1970. The map shows the region named as Autonomous Iraqi Kurdistan in 1970. As it is obvious from the map, Kirkuk was left out of the region. Adapted from Pinterest (2003) Map of Kurdish area in Northern of Iraq, available at <<https://www.pinterest.com/pin/574349758700666973/>>

This led to big disagreements between the two sides and negotiations collapsed. In 1974, Iraqi Government announced the “Law for Autonomous Kurdish Region” in Iraq, refusing to give Kirkuk and many other areas to the Kurds.²³ As a result, Barzani rebelled once again and the clashes between Iraqi Army and Kurdish militias resumed. Kurds were backed by Iran on the other side of the border, but after Iraqi government started negotiations with the Shah and signed the “Algeirs Agreement”, Iran broke the relations with Kurds and left them at the mercy of the Baath regime forces. They were routed and Barzani fled the country to never return alive once again.²⁴

1.4.4. The Fourth Period of Arabization (1975-87)

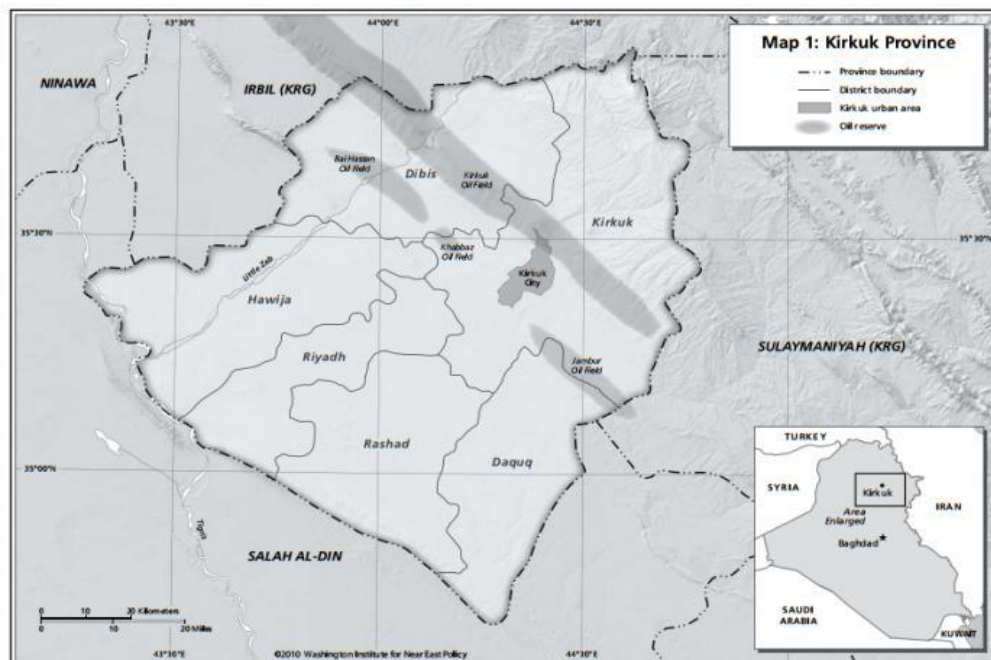
To ensure that Arabs would be a majority in Kirkuk, Iraqi government removed many districts that were highly populated with Turkmens and Kurds from the governorate in 1975. They removed Chamchamal and Kalar and attached them to the Governorate of Sulaymaniya. They also removed Kifri and attached it to the Governorate of Diyala.

²³ “Iraqi Kurdistan Profile – Timeline”, *BBC News*, 01 Aug. 2015. <<http://www.bbc.com/news/world-middle-east-15467672>> [06.09.2016].

²⁴ Karwan Salih Waisy, “The Algeria Agreement of March 1975 Implications in the Middle East”, Naional Univeristy, *Published Master Thesis*, Malaysia February 2015, p. 62, <<http://www.ijird.com/index.php/ijird/article/viewFile/60189/47105>> [05.08.2016]

These detachments coupled with the addition of Hawija and Riyadh in 1961 significantly changed the demography of the province.²⁵ Tuz Khurmatu was part of Kirkuk but it was transferred to the province of Salahuddin in 1976. Its population was around 150,000 mostly from the Turkmen ethnicity.²⁶

On the other hand, the migration of Arab families from the rest of the country, especially from the south continued unabated. Many of them were nomads and came because the government was providing shelter and grazing land for livestock, while some others were forced to move. According to Human Rights Watch, nearly 250,000 people were displaced.²⁷ The area of the province was decreased significantly from approximately 20,000 km² in 1950 to 9679 km² to date as shown in map 4. Most of the districts removed from the province were populated by Turkmen and Kurds.



Map 4. Districts of the Province of Kirkuk. The map shows the districts of Kirkuk Province since the changes that happened in 1975. Adapted from Michael Knights and Ahmed Ali, “Kirkuk in Transition: Building Trust in Northern Iraq”, *Washington Institute for Near East Policy*, 2010, available at

<<http://www.washingtoninstitute.org/uploads/Documents/pubs/PolicyFocus102.pdf>>

²⁵ Anderson & Stansfield, *op.cit.*, p. 40.

²⁶ Hasan Kanbolat, “Political Balance Changing in Favor of Kurds, Shiites in Iraq”, *ORSAM*, 4 Jul 2013,

<<http://www.orsam.org.tr/index.php/Content/Analiz/4977?s=su%7Cenglish>>[09.08.2016]

²⁷ Human Rights Watch, “Iraq’s Crime of Genocide: The Anfal Campaign against the Kurds”, *Human Rights Watch*, New York, 1 May 1994, p. 1,

<<https://www.hrw.org/report/1994/05/01/iraqs-crime-genocide-anfal-campaign-against-kurds>>[04.05.2016]

1.4.5. The Final Phase of Arabization (1987-2003)

Things turned from bad to worse in 1987 when Ali Hasan al-Majid better known as “Chemical Ali” because he deployed chemical weapons against his enemies in Halabja became the leader of Baath Party for the Northern Iraq.²⁸ In 1991, during the Allies counterattack in Kuwait, a spontaneous uprising occurred in the north as well as in the Shiite south. The Kurds together with Turkmens quickly captured Kirkuk, but they were forced to withdraw after the Iraqi Army regrouped and recaptured the city. Seeing the imminence of another possible massacre, the United States formed two non-fly zones to the north and south.²⁹ Following this, Saddam continued with his policy of Arabization, displacing Kurds and Turkmens and replacing them with Arabs as well as building new Arab settlements in the region. According to HRW, as many as 120.000 people were displaced from 1991 to 2003, but these numbers are difficult to be verified due to lack of documentation and polarization of the issue.³⁰ The tables 2 and 3 give a summary of the population of Kirkuk according to their nationality.

As can be observed from the tables, the number of Kurds is almost halved, Turkmens reduced by 66% and Arabs almost tripled. These drastic demographic changes created a mess after the 2003 US-led invasion of the country. Many Arabs were either forced to leave or left themselves from fear of Kurdish revenge.³¹ However this was not the case for Turkmens, who did not have political or military backing for returning to their areas, as will be explained in the coming chapters.

²⁸ Michael J. Kelly, *Ghosts of Halabja: Saddam Hussein and Kurdish Genocide*, Praeger Security International, London, 2008, p.20.

²⁹ Larry Everest, *Oil, Power & Empire: Iraq and the US Global Agenda*, Common Courage Press, New York, 2004, p.112-3.

³⁰ Human Rights Watch, “Iraq: Forcible Expulsion of its Ethnic Minorities”, *Human Rights Watch*, New York, Vol. 15, No. 3 (E), March 2003, p.2,

<<https://www.hrw.org/reports/2003/iraq0303/Kirkuk0303.pdf> >[12.10.2016].

³¹ Bruinessen, “Iraq: Kurdish ...”, *op.cit.*, pp. 45-72.

Table 2: The Official General Census of 1957 for Kirkuk Governorate

Mother tongue	City of Kirkuk	Rest of Province	Total	Percentage of total population.
Arabic	27,127	82,493	109,620	28.2 %
Kurdish	40,047	147,546	187,593	48.2 %
Turkish	45,306	38,065	83,371	21.4 %
Syriac	1,509	96	1,605	0.4 %
Hebrew	101	22	123	0.03 %
Total	120,402	268,437	388,829	

Source: The information provided in the table is adapted from Martin van Bruinessen, "Iraq: Kurdish challenges", *Institute for Security Studies*, Paris, 14 Feb. 2005.

Table 3. Comparison between 1957, 1977 and 1997 Censuses

	1957 Census	Percentage	1977 Census	Percentage	1997 Census	Percentage
Kurds	187,593	48%	184,187	38%	155,861	21%
Arabs	109,620	28%	218,755	45%	544,596	72%
Turkmens	83,371	21%	80,347	17%	50,099	7%
Total	388,829		483,977		752,745	

Source: The information provided in the table is adapted from Safak OĞUZ, "Turkmens: Victims of Arabization and Kurdification Policies in Kirkuk", *Akademik Bakis*, Vol. 9, No. 16, p.174.

1.6.Kirkuk's Oil Industry before the Fall of Saddam

As stated before, Kirkuk's oil started to be commercialized in 1936. From that time on it increased the production to almost one third of the total Iraqi output. However Iraqi regime was over-pumping the crude from the city because of fear of losing it to the Kurds. In 1990 production was 250.000 bbl/d and it kept increasing over the years until the US invasion of 2003, reaching its peak at 500.000 bbl/d.³² Most of it was smuggled through Syria and Turkey to the international markets in order to avoid the quotas imposed by UN in accordance with the "Food for Oil Program". This led to a decrease in the oil quality and there were fears that the oil field was damaged forever, but later research showed them to be unaffected. In addition to the active oilfields, Kirkuk had also a number of undeveloped fields which would be explored after the US occupation and would be one of the major areas of conflict between ICG and KRG as will be explained in more details in chapter 3.³³

³² "Iraq: Country Analysis Brief", *Energy Information Administration (EIA)*, 8 June 2008, p.3-4, <<https://www.hsdl.org/?view&did=455442>> [02.12.2016]

³³ Kenneth Katzman, "Iraq: Oil-For- Food Program, International Sanctions, and Illicit Trade", *Report for Congress*, p.2-12, <<https://www.hsdl.org/?view&did=738989>> [13.10.2016]

CHAPTER 2

KIRKUK AFTER THE US OCCUPATION

2.1. US Occupation of Kirkuk

The invasion of Northern Iraq was done by means of American Special Forces embedded within Peshmarga units. This was a deviation from the initial plan, according to which the American Fourth Infantry Division with 62.000 troops would enter through the border of Turkey because such a request was rejected by the Turkish Parliament.³⁴ As a result, the 173rd Airborne Brigade was allowed to pass through Turkey with a few thousand Special Operation Forces (SOFs) after intense negotiations and lucrative promises from the side of Americans for Investments in Northern Iraq. In what came to be known as “Operation Viking Hammer” on 21st of March, a barrage of Tomahawk Cruise Missiles were launched on the camps of Ansar Al-Islam, a Taliban-like group concentrated in Halabja.³⁵ On 23rd of March, PUK fighters launched their attack on Ansar al-Islam’s stronghold backed by US airstrikes and embedded SOFs and captured the area quickly. Then, the combined US and Pashmarga forces quickly broke through the lines of Iraqi defenses and by 9th of April they entered Kirkuk and pushed further south towards Diyala and Salahadin.³⁶ The operational plans for the invasion of Iraq are summarized in map 5.

Before the operation, Kurdish spies had already informed the Kurdish population to leave their houses’ outer gates slightly open while the Arabs, Turkmens and Assyrians knew nothing about it. When US SOFs and Kurdish Pashmarga entered the city, all homes with open gates were not touched, while the rest were broken into, looted and those of people involved in Baath Party were even burned down. Pashmarga also looted public governmental offices and NOCs, and burned all documents and registers with important information about the inhabitants of the city. This chaos went on for days, and it is not clear to what extent looting and pillaging of non-Kurdish property went on. After some days, Pashmarga and the newly brought Kurdish police units which set up checkpoints

³⁴ Richard Boudreaux and Amberin Zaman, “ Turkey Rejects U.S. Troop Deployment”, *Los Angeles Times*, 2 March 2003, <<http://articles.latimes.com/2003/mar/02/world/fg-iraq2>> [02.11.2016]

³⁵ Leigh Neville, *Special Forces in Iraq*, Osprey Publishing, Britain, 2008, p. 12.

³⁶ “U.S. reinforcements arrive in Kirkuk”, *CNN News*, 11 April 2003, <<http://edition.cnn.com/2003/WORLD/meast/04/10/sprj.irq.kirkuk/>> [12.11.2016]

around and within the city in order to bring order to the area.³⁷



Map 5. Major Combat Operations of Operation Iraqi Freedom. Map Adopted from US Army (2004). *On Point - The United States Army in Operation Iraqi Freedom*, available at <<http://www.globalsecurity.org/military/library/report/2004/onpoint/ch-4.htm#173abn>>

As soon as some sort of stability was brought into the governorate, US administrators started to pass certain powers to the locals. For this, they followed the successful model of Major General David Petraeus in Mosul. They appointed a Council of 156 voting members, 39 representatives from each ethnic group, as well as 144 “independent” delegates forming a body of a total 300 delegates. According to the model, the 156 delegates would elect 6 representatives, and the other 6 representatives would be elected by the independents, forming a governing body of 12 representatives in total.³⁸

However, the close cooperation of US troops with the Kurdish Pashmarga gave the latter a lot of power and opened the doors for conspiracies among the other ethnic groups. The

³⁷ Michael R. Gordon and Bernard E. Trainer, *Cobra II: The Inside Story of the Invasion and Occupation of Iraq*, Vintage Books, New York, 2007, p.397-8.

³⁸ Anderson and Standsfield, *op. cit.*, p.98-99

situation went as far as threats of ground invasion from the Turkish side with the excuse of protecting its Turkmen brethren from the hegemony of Kurds. Americans were able to stop Turks from a possible intervention in the region by assuring them to uphold the rights of the Turkmen. As the occupiers were trying hard to make the Council work, Kurdish Pashmarga started to arrest non-Kurdish members and harass them by raiding their homes, not allowing them to enter the city, and accusing them of being ex-Baathists. As a result, the pace of arresting and harassing Arabs increased even further.³⁹

Because of the deteriorating situation, the representatives of Arabs withdrew from the post, causing the first failure of Americans in the region, and the initial steps towards the insurgency that was to follow soon. However this was not the case in Mosul, and many researchers are of the opinion such successful local Councils were the reason of the initial American success in pacifying the Province of Ninawa but failed to pacify the rest. Such Local Councils were the only effective government in the Sunni areas during the peaceful period of 2003-2004.⁴⁰

After Arab representatives run out of the Council, only four parties were left: The Patriotic Union of Kurdistan (PUK) under the leadership of Jalal Talabani, The Democratic Party of Kurdistan (DPK) under the leadership of Masoud Barzani, The Iraqi Turkmen Front (ITF) which served as an umbrella organization of many other minor political parties representing different agendas and sects of Turkmen, and the Assyrian Democratic Movement (ADM), which was supported mostly by the Assyrians in diaspora.

On 24 May 2003 the remaining members of the Council chose Abdul Rahman Mustafa, a Kurd as the mayor of Kirkuk, Kemal Yaychli of ITF as a Turkmen deputy mayor and Ismail Hadidi who was an independent Arab candidate as second deputy Mayor. They were later assassinated by an unknown group, but fingers were immediately pointed towards the Kurds. They also chose three assistants to the Mayor, one Kurd (Hasib Rozbayani) to be the head of resettlement and displacement issues, one Turkmen (Irfan Kirkuki) to be in charge of de-Baathification, and one Assyrian (Sargon Lazar) to deal with governing affairs.⁴¹

Apparently the Council seemed homogenous, but in reality it was pro-Kurd. For example Kirkuki, even though he was a Turkmen, he had strong connections to PUK, and as a

³⁹ Anderson and Stansfield, *op.cit.*, p.98-99.

⁴⁰ Gordon and Trainor, *op.cit.*, p.124.

⁴¹ Sandra Jontz, "Kirkuk Council Elects Kurd to Be Mayor", *Stars and Stripes*, 28 May 2003, <https://www.stripes.com/news/kirkuk-council-elects-kurd-to-be-mayor-1.6058#.WQo2uWMpo_U> [03.12.2016]

result he was not accepted by ITF. Same case was with Hadidi, who despite being an Arab, was a strong supporter of de-Arabization of Kirkuk and returning of people who were displaced through the years. This gave the Kurds an advantage over the other opponents and as a result, the funding given to the region was distributed mostly to Kurdish political parties. These initial failures to negotiate and share the power evenly among the council members led to the failure of the Council and the usurpation of power by the Kurdish parties who used the funds to win more supporters, leaving the infrastructure of the governorate to degrade even more and people suffer in poverty. The main reason for the failure is that each ethnic group pretended to have more right than the rest in the region. Below, we will shortly explain the claims of each group and their justifications.⁴²

2.1.1. The Kurdish Claims

Kurds have continuously been claiming that their link with the region goes back for almost eight millennia. Currently this ethnicity is spread in four different countries: Iran, Iraq, Syria and Turkey with a total population of nearly 35 million. Their first claim for statehood started during the First World War, especially after the fall of the Ottomans, but the Great Powers, especially Great Britain did not consider their aspiration for statehood.⁴³ Their nationalism kept rising as time passed, especially during their short-lived experimentation with the Republic of Mahabad and subsequent defeat in the hands of Persian Army. They continued their struggle in Iraq where they succeeded to create the Kurdish Region in Iraq, whereas their attempts in Turkey and Syria collapsed totally, and they did not get what they expected.

When compared with the other groups, Kurds are apparently more organized and united among themselves. They have a long experience in organizing their affairs and creating a strong military force with the help of the U.S. which sees them as the most effective partner in the region. However, clashes between their two main political parties leading to almost full-blown civil war after 1991 should not be forgotten.⁴⁴

The first major political success for the Kurds, even if they did not get everything they

⁴² Anderson and Stansfield, *op.cit.*, p.100-1.

⁴³ Robert W. Olson, "The Kurdish Question and Turkey's Toward Syria, Iran, Russia and Iraq Since the Gulf War" in *The Kurdish Nationalist Movement in 1990s: Its Impact on Turkey and the Middle East*, Robert W. Olson, the University Press of Kentucky, 30 November 1996, p.84.85,

⁴⁴ William Eagleton, *The Kurdish Republic of 1946*, Oxford University Press, London, 1963.

wanted, was the creation of the Autonomous Region. Then in 1991 they announced the creation of Kurdistan Regional Government (KRG). They also have only two major political parties, namely KDP and PUK, each of which have Erbil and Sulaymaniya as their main bases, while Kirkuk has historically been mostly under the PUK of Talabani. It seems that the main reasons for the Kurds “obsession” with Kirkuk is the symbolic status it has had since the beginning of the twentieth century, and of course its immense oil resources including both the developed and undeveloped oil fields.⁴⁵ Many researchers think that the seizure of Kirkuk will give the KRG enough resources to build its dream state and join the rest of the Kurdistan region spread into the other three countries, finally realizing the “Kurdish Dream”, but given the balance of powers in the region and the struggle especially between Talabani and Barzani, the state idea seems not far-fetched at least for the near future.⁴⁶

Kurds see the Arabs and Turkmens as intruders who have seized their historical homeland. Their claims are further strengthened by the suffering, especially in the hands of Saddam Hussein’s regime since 1980s until the US occupation of 2003. This gives them, according to their claims, the “legitimacy” to dominate the other ethnicities in the city. However, since 2003, from being the “victims”, Kurds have started to act as aggressors, sometimes even surpassing the atrocities of Saddam.⁴⁷

2.1.2. The Arabs’ Claims

Contrary to what many people are used to thinking, not all Arabs of Kirkuk were introduced in the region during the Arabization periods. The Arab population of Kirkuk area can be divided into three categories: the original Arabs, the relocated Arabs from the Sunni areas, and the relocated Arabs from the Shite south. The original Arabs include the tribes of Obaid, Hadid and Jubur, which were settled in the area since the eighteenth century. They used to be herders in the areas around Kirkuk and were settled in Hawija. These people have a historical claim to the region, and given their strong nationalistic views, they recognize Kirkuk as part of Iraq that belongs to all Iraqis without any

⁴⁵ Martin van Bruinessen, “Kurdish Identities and Kurdish Nationalisms in the Early Twenty-First Century / Yüzyılda Kürt Kimlikleri ve Kürt Milliyetçilikleri”, *Yüzyılda Milliyetçilik: Teori ve Siyaset*, Istanbul, 2016, pp.349-373.

⁴⁶ Luke Harding and Fazel Hawramy, “Kurds Hope Oil Boom Will Fuel Prosperous Independent Future”, *The Guardian*, Erbil, 14 July, 2014, <<https://www.theguardian.com/world/2014/jul/14/kurdish-technocrats-discuss-kurdistan-oil-wealth>>[13.09.2016]

⁴⁷ Anderson and Stansfield, *op.cit.*, p.71-78.

discrimination based on ethnicity.⁴⁸

The second group includes the new settlers from the Sunni areas which are mostly members of the above-mentioned tribes, but who came after the 1930's oil boom and especially during the second phase of Arabization. The third group makes the issues even more complicated as they are from the Shite South, and most of them actually left their lands and property during the US invasion in 2003 out of fear of Kurdish repercussions. However, after the situation was settled they tried to return to their old property but no chance was given. The last two groups claim to be part of Kirkuk because they were forcefully displaced from their original places and brought to the north by force. As a result they have suffered at the hands of the regime no less than the Kurds and Turkmens.⁴⁹ Their other strong claim is that since Iraq belongs to all Iraqis, as citizens of that country they have every legal right to move within its borders. The Shite minority has also found strong backing by the Shite Iraqi Nationalist Muqtada al-Sadr who claims that this region belongs to Iraqi Government and must be part of it at any cost.⁵⁰

2.1.3. The Turkmens' Claims

The strongest claims are those of the Turkmen minority. They see themselves as the victims of both, the hegemony of Arabs and Kurds. Their origins goes back to the days of the Umayyad Dynasty, when a number of Turkman people were brought to the region from central Asia to be used as soldiers in the army of Ubaydullah Ziyad, the Governor of Iraq. However, the migration of Turks in large numbers to the region started during the Abbasid Caliphate, especially during the second period of that state. Turkmens were mostly settled in Erbil, Tal Afar, Mandali and Kirkuk, as these were on the major trade roads of the time. During the second Crusade, the Turkmen Atabeg of Mosul, Nureddin Mahmoud Zengi further strengthened the reign of Turkmens after his victory against the Principality of Edessa. Later the region fell under the rule of Ottoman Turks.⁵¹

They have been the privileged group in Kirkuk since the time of the Ottomans when they used to rule the city and be the majority inside the city of Kirkuk. They claim to have a

⁴⁸ Nouri Talabany, *Arabization of the Kirkuk Region*, Uppsala, 2001, p.30.

⁴⁹ Middle East and Human Rights Watch, *Iraq's Crime of Genocide: The Anfal Campaign Against Kurds*, Human Rights Watch, 1994, p.28.

⁵⁰ Anderson and Stansfield, *op.cit.*, p. 82.

⁵¹ Michael Plain, *Iraq: The Ancient Sites & Iraqi Kurdistan*, Geoff Hann and Karen Dabrowska, Second Edition, August 2015, p.15.

population of more than three million inside Iraq, distributed in major urban areas such as Mosul, Tal Afar, Tuz Khurmato, Kirkuk and even Diyala down to the border of Iran (Map 6).⁵²

This territory is called Turkmeneli by the locals and Turcomania in the West. Turkmens claim to have been persecuted by all the Iraqi regimes since the founding of the state till the US occupation of 2003, and afterwards by the Kurds who did not give them the right to return to the land from which they were displaced.⁵³ Their claim of being more than three million people is disputed by western sources put their number to less than 5% rather than the 9% of the Iraqi population.⁵⁴

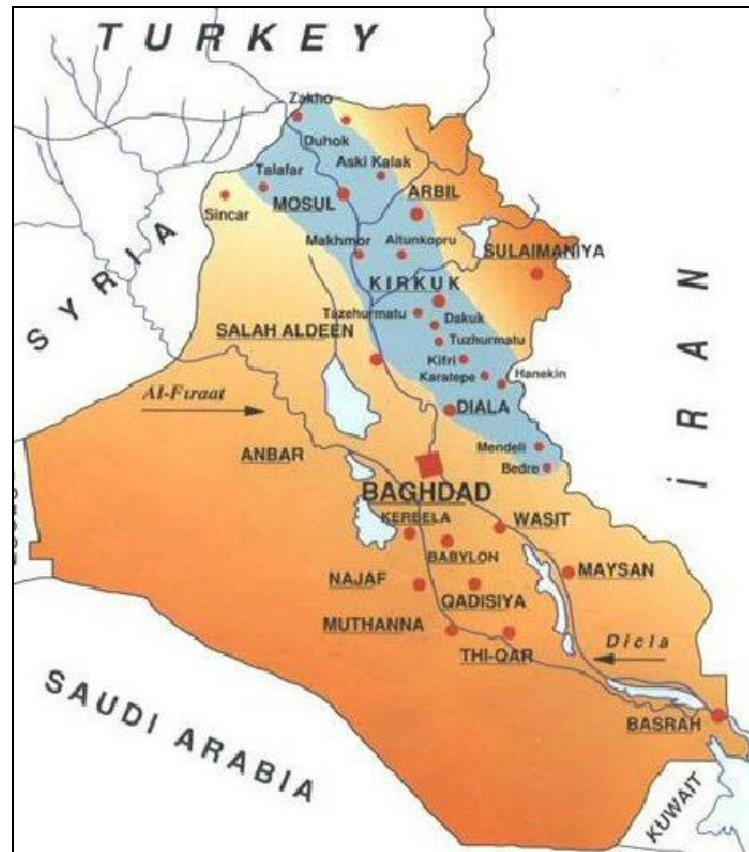
One main problem of the Turkmen is its lack of unity. There are many groups within them, such as Sunni and Shia Turkmens, as well as those that have very strong ties to Ankara and those who do not. Even though they are not united under one umbrella, almost all Turkmens bring in their narrative the massacres committed against them, especially the one on 1924 where fighting broke out between them and Kurds as explained before. Then followed the hard years of deportations and assassinations of their party leaders. The Shite Turkmens had to suffer even more because of their links to the Shia Dawa party's clandestine activities in Iraq. At the same time, they were forced to change their identities during the Arabization periods into Arabs and their culture and language was censured by the regime. After 2003 they claim that a wave of Kurdification followed that of Arabization, so they were not able to get their aspirations back. A surprising thing is that the majority of Turkmens are located in Erbil, the capital of the Kurdish Regional Government, and they actually lay claim to be the founders of the city themselves, an argument disputed by the Assyrians.⁵⁵

⁵² Ibrahim M. Al-Shawi, *A Glimpse of Iraq: The Country, the People and Occupation*, Lulu, 2006, p.47-8.

⁵³ Mofak Salman, "Turkmen, Kurds and the Capital City of Turkmeneli." *Turkish Forum English*, 01 Jan. 2014, <<https://www.turkishnews.com/en/content/2008/11/22/turkmen-kurds-and-the-capital-city-of-turkmeneli/>>[22.10.2016]

⁵⁴ H. Tarik Oguzlu, "The Turkomans of Iraq as a Factor in Turkish Foreign Policy: Socia-Political and Demographic Perspective", *Foreign Policy Institute*, Ankara, 2001, p. 9, <<http://www.foreignpolicy.org.tr/documents/books/turkomans.pdf>> [26.10.2016]

⁵⁵ Andersen & Standsfield, *op. cit.*, p. 68.



Map 6. Turkmeneli Region of Iraq. The region is shown in blue color stretching from Turkey to the border of Iran. Map adopted from Europe Turkmen Friendship, available at <<https://merryabla64.wordpress.com/map-of-turkmeneli/>>

In contrast to the Kurds, Turkmens have many parties which do not seem to give priority to the interests of their people over those of the party itself. They started with the Islamic Turkmen Front (ITF) which at first served as an umbrella organization, but soon broke into factions, some of them leaning towards the Kurds, some towards Baghdad, some towards Turkey, and others into Shiite and Sunni. This disunity was the main reason for the Turkmens' loss in National Elections of 2005.

2.2. Provisional Government of Iraq

As soon as the major combat operations were over, US President George W. Bush made his famous “Mission Accomplished” speech on May 1, 2003 on the deck of USS Abraham Lincoln off the coast of San Diego.⁵⁶ Soon after that, President Bush sent his Viceroy to Baghdad, Paul Bremer III to manage the country until a stable Iraqi government was formed to rule the country, and then the US army would withdraw, leaving the administration of Iraq to the free will of its people. Bremer took the position under the condition of having a lot of freedom to make decision himself while consulting with president Bush and his National Security Team. As soon as he took over, Bremer took many decisions, the most important of which were the disbanding of the Iraqi Army, de-Baathification program, and transformation of Iraqi economy into a free market one.⁵⁷ These would have severe consequences in the years to come and many accuse Bremer and his ignorance of the Iraqi politics and social fabric, especially his disregard for the tribes as the main reason of the Insurgency that was to follow soon.

Bremer expanded the already formed Council of Seven (G7) into twenty five in a bid to make it more representative of the religious and ethnic composition of the country. Their composition was thirteen Shia Arabs, five Sunni Arabs, five Kurds, one Turkmen and one Assyrian Christian. This council then formed the Iraqi Interim Government (IIG).⁵⁸ The majority of governmental portfolios went to the Supreme Council for the Islamic Revolution of Iraq (SCIRI), an umbrella organization formed mostly by the Shia exiles returned from Iran after the overthrow of Saddam. This organization represented the Shiite religious majority of the country

Sunni Arabs were the first to withdraw in protest for de-Baathification and their sidelining by the new Coalition Provision Authority (CPA). Turkmen followed suit because CPA did not take into account their claims of making up 10-15% of Iraqi population and also because Bremer chose Songhul Chapouk to be the representative of Turkmen community, a woman who had no standing with ITF. The main reason of her nomination was her previous position as the leader of Iraqi Women Organization, and as a result, it served well Bremer’s moto of “a new Iraq”. Chapouk was seen by ITF mostly

⁵⁶ Seth Cline, “The Other Symbol of George W. Bush's Legacy”, *U.S. News*, 1 May 2013, <<https://www.usnews.com/news/blogs/press-past/2013/05/01/the-other-symbol-of-george-w-bushs-legacy>>[09.11.2016]

⁵⁷ James P. Peiffner, “US Blunder in Iraq: De-Baathification and Disbanding Army”, *Routledge, Intelligence and National Security*, Vol. 25, No. 1, pp.76-85, February 2010, <<http://pfiffner.gmu.edu/files/pdfs/Articles/CPA%20Orders,%20Iraq%20PDF.pdf>> [22.12.2016]

⁵⁸ Polk, *op.cit.*, p.180.

as a pro-American who was not qualified to represent their interests, and soon she was also rejected by the Shia Turkmen community.⁵⁹As a result of these disagreements, independent Turkmen got only two positions, that of the ministry of Housing and Construction given to Bayan Jabr who was actually affiliated with SCIRI, and the ministry of Science and Technology given to ITF's Rashad Omar.⁶⁰ On the other hand, Kurds got many portfolios, such as one of the two vice presidents, Deputy Prime Minister for National Security, and the most important one, the Ministry of Foreign Affairs.

These events did not pass without incidents in Kirkuk Province. The first inter-ethnic incidents started to appear in the area mostly because of conspiracy theories run by each side against the other. In one case, some Kurds attacked a Shia Turkmen shrine and one person was killed. The next day, Turkmen went out to demonstrate and in the ensuing chaos, about seven Turkmen and three Kurds were killed. The incident became a national "show" when the Turkmen were and passed through Baghdad on their way to the Shia shrine of Najaf. Their bodies were displayed in the stadium, a gesture that angered the Shia crowds, especially the followers of al-Sadr in Sadr City. This propelled Sadr to send one of his representatives in the city to organize the anti-US and anti-Kurdish resistance with the excuse of protecting their Shia brethren.⁶¹

On the other hand, the Kurdish Pashmarga was busy expelling Arabs from the area of Khanaqin, a town in the province of Diyala but claimed to be part of Kurdish area (see Map 3). In one such instance they displaced more than 600 Arab families comprising about four thousand people. The same thing was done in the surrounding villages and the Arab homes were immediately occupied by Kurds coming from KRG.⁶² To make the matters worse, US military started to rely heavily on Kurds for both, the security of cities and that of oil infrastructure. This frustrated Arabs and Turkmen, who started to see Americans as the facilitators of the ethnic cleansing done by Kurds in the broad daylight. However, this was the result of the long US-Kurdish alliance built since 1991, as well as the suspicion on Arabs who were seen as ex-Baathists and part of the increasing insurgency.⁶³

⁵⁹ Anderson and Stansfield, *op. cit.*, p. 102-3.

⁶⁰ Ilene R. Prusher, "New Step toward Iraqi Self-rule, The Christian Science Monitor", *The Christian Science Monitor*, 2 September 2003, <<http://www.csmonitor.com/2003/0902/p06s01-woiq.html>>[23.09.2016]

⁶¹ Anderson and Standsfield, *op.cit.*,p. 104.

⁶² Human Rights Watch, "Claims in Conflict: Reversing Ethnic Cleansing in Northern Iraq", *Human Rights Watch*, Vol. 16, No. 4(E), August 2013, p.35, <<https://www.hrw.org/reports/2004/iraq0804/iraq0804.pdf>>[15.10.2016]

⁶³ Anderson and Standsfield, *op.cit.*, p.107-8.

2.3. Baghdad's Transitional Administrative Law

One of the most important steps of the IIG on its way to solve the disputes of ethnicities in Northern Iraq was what came to be known as Transitional Administrative Law (TAL) in March of 2004. This served as an interim constitution until the upcoming parliamentary elections and the approval of the permanent constitution of Iraq after the creation of the first democratically elected parliament. The most important article of TAL as related to Kirkuk and its inhabitants was Article 58, which can be found in its full form in Appendix A. According to this article, a governmental body called Iraqi Property Claims Commission (IPCC) would be formed, which would deal with the injustices caused by the process of Arabization. This commission would take the cases of people displaced by the previous regime and resettle them back to their place of origin. If it was not possible due to any reason, these people would receive compensation for the damage or a piece of land near the area of their previous residence. A special emphasis was put on the status of Kirkuk in section C of Article 58, according to which, the issue of Kirkuk would be solved by a general census after the permanent constitution had been approved.⁶⁴ In addition to that, Kurds also got what came to be known as “Kurdish Veto” right from Article 61 Section C which states “The general referendum will be successful and the draft constitution ratified if a majority of the voters in Iraq approve and if two-thirds of the voters in three or more governorates do not reject it”. This section gave Kurds a powerful weapon in their hands to protect their gains and ask for more in the future.⁶⁵

One of the side effects of Section C of Article 58 was the demand it created for changing the demographics of the region. Seeing the danger, ITF requested for the census to be held immediately, but it was rejected. In order to guarantee their victory in the coming census, Kurds started to bring more and more Kurds displaced from the region before, this time at an even quicker pace than before. The arrivals were to such an extent that they had to stay in tents and in the stadium for lack of shelter. On the other hand, displacement of Arabs and prevention of Turkmens from returning to their ex-properties continued in any form possible. The headquarters of ITF were also ransacked by Kurdish “gangs”. This prompted more than 250 tribal chiefs among the Arabs to hold a rally in

⁶⁴ Haywa Ridha, “The Elephant At The Negotiating Table As Kurds and Iraqis Reach Oil Deal”, *Niqash*, Vol. 19, Issue. 1, March 2010, pp. 15-25, <<http://www.niqash.org/en/articles/politics/3593/>>[04.12.2016]

⁶⁵ The Kurdish veto was strongly rejected by Shi'i clerical leader in Najaf which was the main reason behind derailed the signing of the document, for details, See Ali A. Allawi, *The occupation of Iraq: Winning the War, Losing the Peace*, Yale University Press, p.222-24.

order to oppose the incorporation of Kirkuk into KRG. After that, Turkmen and Arab representatives in the local council stormed out of a meeting in protest to Kurdish domination and as a result all council activities were temporarily suspended. The situation seemed to be getting out of control, so US forces imposed a curfew to the city. These actions served to further fuel the insurgency in the city and the surrounding areas as well as excluding the Arabs and Turkmens from the future of the governorate.

IPCC was finally approved by CPA in January 2004, but its statute was finalized only on June of the same year. The first problem with TAL was the language used, since Kurds interpreted it Arabs who were introduced in Kirkuk territory as part of Arabization “had to” return, while Arabs understood it as “may be” resettled. Another issue was the funding by CPA, a symbolic sum of 180 million dollars. Meanwhile, expulsion of the Arabs from the area continued unabated. According to CPA data, as many as one hundred thousand Arabs were displaced from the areas and transferred to internally displaced camps in Diyala province.⁶⁶ On the other hand, as many as seventy thousands Kurds had been resettled in Kirkuk up to that time. As the process dragged on, many Kurds and Turkmen returnees became frustrated with the slow proceedings of IPCC and as a result started to settle their disputes by means of violence and fighting in villages and towns outside the city. Adding fuel to the fire, the first suicide bombing occurred in Kirkuk, killing ten people and wounding 45 others. This created even more suspicion between the ethnicities, and given that Kurds handled the sector of counterterrorism, they used their position to assassinate, abduct and threaten the leaders of their foes, especially Turkmens.⁶⁷

2.4. Provincial Elections of 2005

These elections were of historical importance for Iraq as they constituted the first democratic elections in the country’s history. It was a test against the claims of the growing insurgency which called for a general boycott as well as a test of US achievement and the willingness of Iraqis to stand on their feet and move the country towards progress. The sad thing is that they failed miserably in all the three tests: Most of the Sunnis boycotted the elections, either because they were not happy as a minority after acting for a long time as masters of Iraq, or because of fear of repercussions from the

⁶⁶ Anderson and Stansfield, *op. cit.*, p.153-6.

⁶⁷ *Ibid.*, p.118.

insurgents. This was the first blow to the whole process.⁶⁸ Time also proved that the US project of building a democratic Iraq also failed. As for the Iraqis, they did not think about the common good of the country but they were mostly busy securing a place in city councils and governorates for their selfish interests.

In order to maximize the gains in these elections and avoid rivalry between the Kurds, the two major Kurdish parties, KDP and PUK, among others created a united front called Kirkuk Brotherhood List (KBL). This was an umbrella organization for Kirkuk made up of 12 Kurdish parties in addition to some minor Turkmen parties and independent contestants who had common interests with the Kurds. On the other hand, Turkmen failed to create such a union and as a result they came up with four major parties: The National Turkmen Party, The Independent Turkmen Party, Turkmenli Party, and Islamic Turkmen Movement in addition to other minor ones. Assyrians also were represented by two parties: Assyrian Democratic Movement (ADM) and National Raifdain List (NRL). Among the Arabs, only two parties took part in the elections: Iraqi National Gathering (ING) and Iraqi Republican Assembly (IRA).⁶⁹

Elections run calmly in the Shia regions and KRG, while few polling stations were opened in Sunni areas due to the fear of bombings and repercussions by insurgents. In Kirkuk the situation was calm and without major incidents. However in Hawija, most of the Arabs could not vote because polling stations were closed.⁷⁰ Another hotly debated issue was the status of more than 100.000 new Kurdish returnees. They were all allowed to vote, while Turkmen and even Christians were prevented from voting by different means. The final results of the voting for Kirkuk were as shown in Table 4 After the results came out, accusation for fraud and manipulations started immediately, all of them directed against Kurds.⁷¹

⁶⁸ Michael Howard, "Main Sunni Party Pulls Out of Iraqi Election", *The Guardian*, Guardian News and Media, 27 Dec. 2004, <<https://www.theguardian.com/world/2004/dec/28/iraq.michaelhoward>> [25.11.2016]

⁶⁹ Anderson and Stansfield, *op.cit.*, p.121-23.

⁷⁰ "Free and Fair Elections, a Fable", *HighBeam Research*, Kurdish Life/Kurdish Library, 2005, <<https://www.highbeam.com>> [12.10.2016]

⁷¹ "Iraqi Turkmen Document Details Kurdish Election Rigging in Iraq", *AINA News*, Assyrian International New Agency, 6 Feb. 2005, <<http://www.aina.org/news/20050206115345.htm>>[11.09.2016]

Table 4. January 2005 Provincial Election Results

Party	Votes	Percentage	Seats
Kirkuk Brotherhood List (KBL)	237,303	59.1%	26
Iraqi Turkoman Front	737,91	18.4%	8
Iraqi Republican Group	43,635	10.8%	5
The Islamic Turkoman Coalition	12,678	3.1%	1
National Iraq Union	12,329	3.1%	1
Others	17,751	4.4%	0
Total Valid Ballots	400,892		41

Source: The Information provided in this table is adapted from adapted from Michael Knights and Eamon McCarthy, "Provincial Politics in Iraq: Fragmentation or New Awakening?", *The Washington Institute for Near East Policy*, April 2008, p.81.

When the election results are analyzed, the first striking fact is the low number of votes and seats given to the Turkmens. The two parties of Turkmens could secure only 9 places in the assembly at a time when most of the Arab parties had boycotted the elections and many people didn't vote because of fear. Despite that, still Arabs could secure six seats in the Council. Turkmens could not secure any seat in provinces of Ninawa and Diyala. On the other hand, Kurds secured a clear majority while Assyrian could not get any seats. This agitated Turkmens who claimed to be 10-15% of the total population, but who won only 1% of the votes nationwide. Christians were also disillusioned because they did not win any seat in Kirkuk council despite their claims of having the necessary popular support.⁷²

This great loss had consequences for Turkmens both inside Iraq and outside as well. In Iraq they lost the chance to have a majority in what they called "Turkmeneli" region, and as a result could not impose their will. Internationally they lost the trust of the Turks because they saw ITF as an incompetent party which failed to earn the trust of their people. Many Turkmens had voted for the Kurdish parties instead of their brethren. This

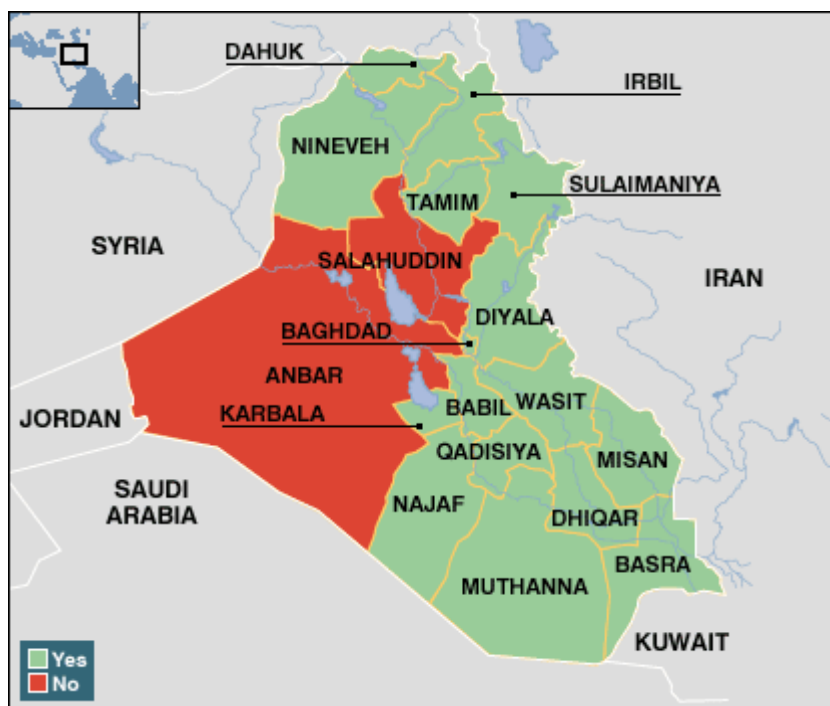
⁷² "Irak Seçimlerinde Yaşanan Türkmen Mağlubiyeti"nin Arka Yüzü", *TASAM*, 14 December 2006, <http://www.tasam.org/trTR/Icerik/204/irak_secimlerinde_yasanan_turkmen_maglubiyetinin_arka_yuzu> [23.11.2016]

made Ankara change its stance by abandoning ITF and mending relations with KRG. These tensions led to further fragmentations within the Turkmen community, such as the breaking of the party's Erbil branch from the main one in April of 2005.⁷³

Pulling out of the Sunni Arabs from provincial elections opened the way for the Kurds to become majority in Kirkuk and Ninawa, as well as gaining a strong presence in Diyala and Salahadin. In Kirkuk, KBL won twenty six representatives, twenty of them being Kurds, and the other six being among Arabs, Turkmens and Assyrians affiliated with Kurdish parties. Despite the last-minute attempts by the Arabs and Turkmens to share the positions in proportion to the population, Kurd pushed for their own agenda, and as a result they won the position of the governor and president of the Council, while letting the deputy governor and presidential assistant to the other minorities. As a result, Arabs and Turkmens left the council, so the elected governing council had no legitimacy outside the areas of the Kurds. Meanwhile the infrastructure of the city was deteriorating further as a result of lack of funding by CPA.⁷⁴

After this stage was completed, all the political parties geared up for the upcoming Constitutional Referendum. On 15 October of 2005, polls were prepared for a popular vote on the country's new constitution prepared by the Iraqi Governing Council (IGC) which would determine the future of the country and hopefully give a final blow to the growing insurgency. From the very beginning the Sunni block campaigned for a "NO" vote and later they were joined by ITF after their failure to remove the "Kurdish Veto" from the draft, while the Shia Arabs and Kurds pushed hard for "YES". The results were heavily in favor of "YES" as shown from Map 7.

⁷³ "Iraqi Shias Win election Victory", *BBC Middle East*, 2005,
<http://news.bbc.co.uk/2/hi/middle_east/4630518.stm> [03.12.2016]



Map 7. Constitutional Referendum Results. Except for Anbar and Salahadin, the rest of the provinces voted in favor of the new Constitution, Ninawa was contested at 50%. Map adapted from “Iraq voters back new constitution”, *BBC Middle East*, 2005, available at <http://news.bbc.co.uk/2/hi/middle_east/4374822.stm>

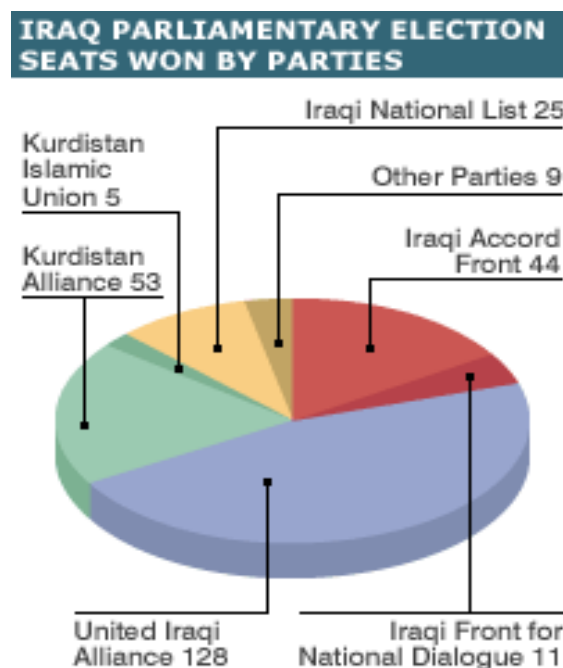
In Kirkuk, the “NO” vote was close to 60%, meaning that approximately 80.000 votes for “NO” had come from either Arabs or Turkmens in the region. As a result, Kurds felt threatened about the future of Kirkuk in case of the upcoming census after the Parliamentary elections at the end of the year. This led them to conclude that the only way to get a clear majority was to speed their plans of introducing the displaced Kurds back to the city as soon as possible and displacing the Arabs either willingly or by force. According to the US military estimates, as many as 350.000 Kurds were relocated to Kirkuk by the end of 2005.⁷⁵

⁷⁵ Edward Wrong, "Kurds Are Flocking to Kirkuk, Laying Claim to Land and Oil." *The New York Times*, 29 Dec. 2005, <http://www.nytimes.com/2005/12/29/world/middleeast/kurds-are-flocking-to-kirkuk-laying-claim-to-land-and-oil.html?_r=0>[15.01.2017]

2.5. Parliamentary Elections and Iraqi Government of 2005

The Parliamentary Elections held on 15 December 2005 were an even bigger test than the provincial elections of January of the same year. They would choose the first “Democratically Elected Government” in the history of the country. They had two major differences from January elections: The most important one was the Sunni participation with two main blocks, that of Iraqi Accord Front (IAF) and Iraqi National Dialogue Front (INDF). This was expected to have implication on the number of representatives elected among the Kurds and Turkmen. The other difference was the heavy involvement of both foreign and native observers to make sure the process was as fair as possible. Despite the threats of repercussions from the insurgency, the voting turnout was 86%, and what is of great importance, no major incidents were recorded on that day (Figure 1).⁷⁶

Figure 1. Iraqi Parliamentary Election 2005



Source: Figure adapted from “Iraqi Shias Win election Victory”, *BBC Middle East*, 2005. Available at < http://news.bbc.co.uk/2/hi/middle_east/4630518.stm>

The most disappointing results were for ITF: They could gain only 11% of the votes in Kirkuk, 0.2% in Erbil, 1% in Diyala and no vote in Neinewa because they did not run their own candidate. The Shia Turkmen front won 3.4% in Kirkuk, but they participated on the side of United Iraqi Alliance (UIA), the major Shia block from the south. It was a

⁷⁶ John Pike, "December 2005 Parliamentary Elections", *Global Security*, 9 July 2011, <<http://www.globalsecurity.org/military/world/iraq/election-2005.htm>> [12.01.2017]

bigger blow for the Turkmens than the January elections, and this most probably as a result of the Sunni participation who could secure more than 20% of the votes nationally. The results were certified by the United Nations and entered the country's history.⁷⁷

The next challenge was to form the new government, and the most likely candidate seemed to be Prime Minister Ibrahim al-Jafari from al-Dawa party who was supported by the powerful Shiia blocks of Al-Sadr against SCIRI. However Kurds did not like him due to his failure to implement IPCC injunctions and they had the veto. As the negotiations on Jafari failed, all sides agreed to choose Nuri al-Maliki as the next Prime Minister. The portfolios were mostly allocated according to each party's votes in the election. Kurds were allocated six portfolios, the most important of which were that of Deputy Prime Minister and Ministry of Foreign Affairs. They also retained the post of President again given to Jalal Talabani.⁷⁸ Sunni Arabs had the same number of portfolios, the most important of which were two Deputy Prime Ministers and Defense Minister, while Turkmens got only one portfolio, the ministry of Sports given to the Turkmens participating with the UIA while ITF did not get any.⁷⁹

As soon as al-Maliki came to power he promised to uphold Article 140 (see appendix A) of the Iraqi Constitution which was a guarantee to uphold Article 58 about the status of Kirkuk as well as adding the critical date of 31 December 2007 for its completion. It was based on a three step process, namely normalization of the situation by solving the issue of displaced people as was promised by IPCC; upholding the census which would determine the majority in the city, and finally the popular referendum which would settle the status of Kirkuk once and for all.⁸⁰

2.6. Failure to Uphold Article 140

Despite the promises of al-Maliki to uphold Article 140, the process went on very slowly. Another council was formed to supervise the implementation of the first phase called "The Article 140 Committee", a mixture from all ethnic groups. The main obstacle at the beginning was the lack of funding and corruption. The process was so slow that by mid-

⁷⁷ Anderson and Stansfield, *op.cit.*, p.142-143.

⁷⁸ Kenneth Katzman, "Iraq: Elections and New Government" *CRS Report for Congress*, 11 May 2005, p.4-5, <<http://www.bits.de/public/documents/iraq/3-seite/CRS-IraqEelctions1105005.pdf>> [15.01.2016]

⁷⁹ Anderson and Stansfield, *op.cit.*, p.144.

⁸⁰ Brendan O'Leary and David Bateman, "Article 140: Iraq's Constitution, Kirkuk and the Disputed Territories", *The Conference at Rayburn House*, Washington DC, 2008.

November 2007, out of 36.000 compensation requests submitted by Arabs and Kurds, only 1.000 had been processed.⁸¹

Another important factor was the growing opposition to it, which brought together the Arabs and Turkmens despite their sectarian disputes. Elections of 2005 brought to power a clear Arab majority in the Parliament, and all of them opposed the implementation of Article 140. The Sunni block was concerned about the fate of the Arabs in the region, while the Shiias, especially the block of al-Sadr were concerned for the fate of Shia Turkmens. The Nationalistic Block of Allawi were also opposed on the grounds of their nationalist agenda while the majority Shiite block were concerned about the oil revenues of the region. At the same time, regional countries were opposed too, especially Turkey, Syria and Iran who were concerned for the fate of their own Kurdish population in the case of Iraq's break up.⁸²

The third important obstacle was the wording of the article itself. The main problem was the deadline, and given the chaotic situation of the country in 2006-7, it was very difficult to implement it. Another issue was the text itself, which was interpreted differently by Kurds and Arabs. Kurds were concerned for other areas they claimed to be part of Kurdish region in Iraq, especially Diyala and part of Ninawa, as they would be forced to give up on them if the article was accepted. They also wanted to reattach the districts of Chamchamal, Kalar, and Kifri that were removed in 1975 and attached to Sulaymaniya. This created friction even between Kurds themselves since Kirkuk was disputed between KDP and PUK, whereas Sulaymaniya was the De Facto capital of PUK.⁸³

The other issue was the absence of a "plan B" in case the article was not implemented within the specified deadline. Seeing that the implementation of Article 140 was heading nowhere, Kurds started to take the matters in their hands and hastened the pace of ethnic cleansing by resettling of the Kurds to the zones from which Arabs were forcibly removed. In addition to that, Kurds also started to sign agreements with oil companies independently from Baghdad Central Government. All these factors, as well as other minor ones led to the collapse of the implementation of Article 140. Maliki was not trusting the Kurds, so he let the date pass and the fate of the deal was sealed forever.⁸⁴

Even if this agreement failed and there was continuous tension between the sides, they participated in the government together and had an agreement according to which oil

⁸¹ Anderson and Stansfield, *op.cit.*, p.160-1.

⁸² *Ibid*, p.178-80.

⁸³ *Ibid*, p.180-81.

⁸⁴ *Ibid.*, p.162-3.

revenues would be shared fairly among the different communities. In addition, the oil of Kirkuk was all processed in the plants of Baiji Oil Refinery and part of it was transported via pipeline to Basra while the other part to Ceyhan port of Turkey. They also worked together when it came to security and counterinsurgency despite their mistrust to each other. This calm environment, especially after the US surge in 2007-8 was disrupted after the last US troops left Iraq as part of the Status of Force Agreement (SOFA) on December 18, 2011.⁸⁵

2.7. Parliamentary Elections of 2010

An important event that had big consequences for the future of Iraq were the parliamentary elections of 2010. As in the previous elections, these ones were not without incidents and bomb blasts. However, the most important factor was the big participations of the Sunnis, which was the main factor in the winning of the secular party of Ayad Allawi's Al-Iraqiyah. He was able to secure 91 seats while his major contestant Prime Minister Nuri al-Maliki's State of Law Coalition won 89 seats. The popular vote was 2,851,823 to 2,797,624 votes in favor of Iraqiyah Party.⁸⁶ The results jubilated especially the Sunnis who were suspicious of the sectarian policies of Nuri al-Maliki. However, Maliki did not give up without a fight, and he released a statement announcing that he would not recognize the results, and immediately appealed to the Federal Court which decided in his favor. Allawi's party was an umbrella organization from all sections of society, including Shia, Sunni, Kurds and Turkmens. Appealing to the order of de-Baathification, the Federal Court canceled the candidacy of dozens of members from Allawi's party. Maliki also used his connection within the intelligence and with the help of Iran and backing of Federal Court, was finally allowed to form the government.⁸⁷

According to US sources, the real engineer of Maliki's victory was the shadowy figure of the leader of Iran's Quds force, a clandestine branch of Iranian Revolutionary Guard Corps (IRCGs), responsible for its foreign operations, very little known that time but very popular in the present, especially during the recapture of Tikrit, Ramadi and Fallujah

⁸⁵ Gordon *et al.*, *op.cit.*, p. 675-80.

⁸⁶ Timothy Willam and Rod Nordland, "Allawi Victory in Iraq Sets Up Period of Uncertainty", *The New York Times*, 26 Mar. 2010, <http://www.nytimes.com/2010/03/27/world/middleeast/27iraq.html?pagewanted=all&_r=0>[06.12.2016]

⁸⁷ Rod Nordland, "Maliki Contests the Result of Iraq Vote", *The New York Times*, 27 March 2010, <<http://www.nytimes.com/2010/03/28/world/middleeast/28iraq.html>>[08.12.2016]

from ISIS. That man was Qasim Sulaimani, the one who convinced Sadr, the Iraqi nationalist suspicious of Iran to back al-Maliki in exchange for some key governmental policies. On the other hand, on direct orders from Iran, Sulaimani convinced al-Maliki to give the position of President of Iraq to the Kurdish Jalal Talabani. Then he proposed al-Maliki to disband the Iraqi National Security Service, which was under the control of Americans and create a parallel organization under his direct control. The final condition was to expel all US forces from Iraq within a period of two years.⁸⁸

Even though Americans were furious to the fraud because they intercepted the transcripts of the meeting, and some even called it a Coup on the side of Maliki, at the end they reluctantly accepted the results so as not to agitate the Shia militias and avoid any possible revenge attacks from the side of Iran through their proxies on the coalition forces. As a result, the Shia majority came once again to power, and with Maliki, always suspicious of the Sunnis and Kurds, a sectarian struggle started in Iraq that would have severe consequences two years later. One of the greatest mistakes Maliki did was to neglect the Popular Awakening Groups (Sahwat al-Iraqiya), or as they were called “The Sons of Iraq” (Abna al-Iraq). Because of this neglect, thousands of Sunnis who turned their weapons against Al-Qaeda and were the major factor for the strategic defeat of the group in 2008, were once again left jobless, their salaries were cut, and moreover their houses were raided on suspicion of being connected to Al-Qaeda. These actions affected the perception of the Sunnis for the Iraqi Government and alienated them from ICG. Some of them were forced to leave the country due to intense pressure from Shia militias and ISI. Others continued to live in Iraq, but always uncertain about their future. However, another group decided that the only hope for their future was to join ISI, which had started to regroup itself in the deserts of Anbar after the US withdrawal.⁸⁹

⁸⁸ Dexter Filkins, “What We Left Behind: an Increasingly Authoritarian Leader, a Return of Sectarian Violence, and a Nation Worried For Its Future”, *The New Yorkers*, 28 April 2014, <<http://www.newyorker.com/magazine/2014/04/28/what-we-left-behind>> [09.12.2016]

⁸⁹ Michael R. Gordon and Bernard E. Trainor, *The Endgame: The Inside Story of the Struggle for Iraq, from George W. Bush to Barak Obama*, Vintage Books, First Edition, New York, 2012, p.561-574.

CHAPTER 3

KIRKUK AFTER THE US WITHDRAWAL

3.1. Tensions between KRG and ICG Regarding Oil

As soon as US troops pulled out of Iraq, tensions between ICG and KRG broke out. Many researchers blame the sectarian policies of the Prime Minister Nuri al-Maliki for this, but there are other reasons as well. Since the US lost all its influence in the country according to SOFA terms, they just kept the embassy in Baghdad while keeping a certain military presence in KRG, mostly to train the Pashmarga against Sunni insurgency, especially Ansar al-Islam as the threat of Al-Qaeda in Iraq (AQI) or known differently as ISI, was reduced significantly after the surge of 2008. As a result they could not play the strategy of carrot and stick they used to do before to force ICG and KRG to sit on the negotiating table and come to terms.⁹⁰

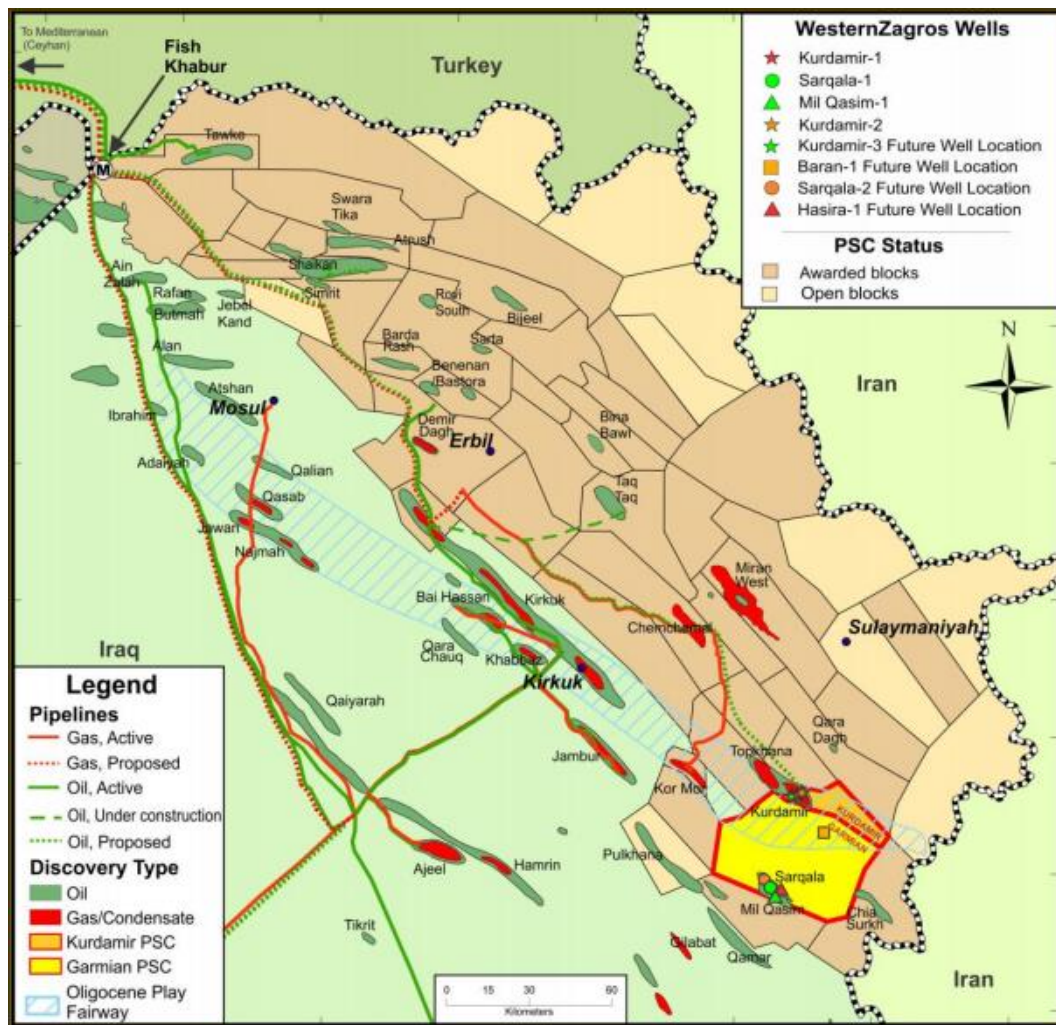
Given the increased investment in KRG, especially by Turkish companies, Kurds grew more assertive and started to sell oil without consulting the Central Government.⁹¹ On the other hand, ICG also started to cut funding to KRG, on which the latter was heavily dependent to pay its administrative staff and Pashmarga. These tensions sometimes led to sporadic clashes between Iraqi Army and Pashmarga, but they never escalated. As it will be shown below, the main factor was the sharing of oil from Kirkuk's oilfields.⁹²

Oil is at the heart of the present world's economy and an indispensable commodity for every country on earth. Given the strategic location of Kirkuk over huge oil reserves (Map 8), it is not a surprise that oil access has been at the center of the Kurdish independence movement in northern Iraq since the time of its founder, Mullah Mustafa Barzani.

⁹⁰ Brand Friedman and Uzi Rabi, "Sectarianism and War in Iraq and Syria", *Foreign Policy Research Institute*, 5 January 2017, p.1-2, <<http://www.fpri.org/article/2017/01/sectarianism-war-iraq-syria>> [22.3.2017]

⁹¹ Anjli Rawal and David Sheppard, "Kurds Defy Iraq to Establish Own Oil Sales", *Financial Times*, 23 Aug. 2015, <<https://www.ft.com/content/aeae33e4-45ae-11e5-af2f-4d6e0e5eda22>> [03.02.2017]

⁹² Alex Danilovich, *Iraqi Federalism and the Kurds: Learning to Live Together*, Routledge, London and New York, 2003, p.133.



Map 8. The major Oilfields of Northern Iraq. Adapted from Robin Mills, “Under the Mountains – Kurdish Oil and Regional Politics”, *The Oxford Institute for Energy Studies*, Jan. 2016, available at <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2016/02/Kurdish-Oil-and-Regional-Politics-WPM-63.pdf>

In order to gain the sympathy of US, he even declared that if Kurds took control of Kirkuk, he would sell the oil exclusively to US, but that plan failed in his lifetime.⁹³ After the defeat of Saddam by the international coalition in 1991 and creation of no-fly zone over northern Iraq, Kurds felt safer from Saddam’s army and increased their efforts for independence. One of the first steps towards that goal was the creation of KRG national oil company, called Kurdoil, which due to lack of expertise and equipment never became operational. The only way for Kurds to get revenues from oil was to act as a transit route

⁹³ Aaron Latham, “What was Kissinger Afraid of in the Pike Papers”, *New York Magazine*, 4 October 1976, p.58.

for smuggling Saddam's oil through their area to Turkey after UN sanctions.⁹⁴

Tensions between ICG and KRG started immediately after the US occupation, and especially during the drafting of the country's constitution. On the process, Kurds pressured the Commission to include the now famous article 112, according to which the federal government in cooperation with the governorates producing oil will undertake the "management of oil and gas extracted from *present* fields..." and distribute the revenues according to the population on all parts of the country.⁹⁵ The word "present" was included intentionally by the Kurdish lawmakers and no one on the other side of the negotiation table paid attention to it at the moment. However, this term came to haunt the ICG latter when Kurds started to take unilateral action in contracting potential fields to foreign companies without the consent of ICG, reasoning that the word "present" implied only to the already functional fields and not the potential ones to be explored in the future.⁹⁶

Another point of contention was about the KRG region itself, where it's autonomous government created its own regional hydrocarbon legislation without the consent of ICG. The reason for that, according to KRG, were their unsuccessful attempts to come to agreement with the Maliki government especially regarding the Production Sharing Agreement (PSA) which is a contract between investors and the government about the former's rights to "prospection, exploration and extraction" of underground resources such as minerals and oil from a specific area for a certain period of time as agreed in the contract. This was further compounded by the rights to contract oilfields in disputed territories in northern Iraq, such as areas surrounding Kirkuk, Ninawa and Salahadin provinces.⁹⁷

The final result of these three disagreements was the withdraw of KRG from negotiations with ICG in 2007,⁹⁸ and immediately after that, Kurdistan Parliament passed a new Petroleum Law for KRG region, which was ratified as Hydrocarbon Law in 2009.⁹⁹ This

⁹⁴ Bilal A. Wahab, "Iraq and KRG Energy Politics: Actors, Challenges and Opportunities", *The Institute of Regional and International Studies*, May 2014, p.10.

⁹⁵ The Constitution of Iraq, *The official Webiste of the President of Iraq*, <<http://presidency.iq/EN/default.aspx>> [09.10.2016]

⁹⁶ Sean Kane, "Iraq's Oil Politics", *Peaceworks*, United States Institute of Peace Publication, No. 64, January 2010, p.6.

⁹⁷ Yaniv Voller, "Kurdish Oil Politics in Iraq: Contested Sovereignty and Unilateralism", *Middle East Policy*, Vol. 20, Issue.1, 2013, pp. 68–82.

⁹⁸ "Oil and Gas Law of the Kurdistan Region-Iraq", *The official Web-site of Kurdish Regional Government Ministry of Natural Resoruces*, <http://cabinet.gov.krd/uploads/documents/Kurdistan%20Oil%20and%20Gas%20Law%20English_2007_09_06_h14m0s42.pdf> [09.12.2016].

⁹⁹ Michael J. Kelly, "The Kurdish Regional Constitution within the Framework of the Iraqi Federal Constitution: A Struggle for Sovereignty, Oil, Ethnic Identity, and the Prospects for a Reserve Supremacy Clause", *Penn State Law Review*, No.3, 2010, p. 748-749.

law gave KRG a free hand to contract oil with any international company at their will without the need to consult ICG. However, it should be noted that KRG had signed PSAs even before the toppling of Saddam Hussain. The first one was with a the Turkish company called Genel Enerji, which signed a production contract for the Taq-Taq oilfield in 2002. In 2005 Addax, a Swiss company also moved to the same field and started to produce crude oil in 2008. A Norwegian company called DNO signed another contract for Tawke field and in 2006 they discovered oil in it. Their production started in 2008 and increased in 2009. These were all small companies, and after the breaking with ICG, Kurds seized the chance to invite big foreign companies to come to KRG region and sign contracts. Since these contracts were against ICG's will, major companies were hesitant at the beginning, but with the large leverages offered by the Kurds, no one wanted to lose their part of the treat.¹⁰⁰

Kurds were aware of their need for international recognition of their cause, and by going against the ICG, they knew the reaction of western government would be negative. To secure international backing for their unilateral actions in the region, Barzani undertook a tour to Europe where he spoke to the EU parliament and stressed that ICG was not sharing the revenues properly and were actually using the revenues to undermine the Kurdish cause.¹⁰¹ The major breakthrough for the Kurds came in October 2011 when they signed a PSA with the American giant ExxonMobil. This contract was significant for two reasons: first, by giving concessions to a major American company, Kurds were winning more sympathy from the US government, and second, it would open the door for other big companies to follow suit. This deal was also very controversial because, out of the six exploration blocks, two were in the disputed part of Kirkuk, and ExxonMobil acknowledged the contract more than one year after the US army had pulled out of Iraq.¹⁰²

These unilateral agreements infuriated Baghdad, uniting the Sunni and Shia Arab lawmakers as well as religious organizations in condemning the Kurds' moves. In 2008, Arab lawmakers signed a joint statement expressing concerns about the acts undertaken

¹⁰⁰ "Oil For Soil: Toward a Grand Bargain on Iraq and the Kurds", *Middle East Report*, 28 October 2008, p. 16,

<http://www.genocidewatch.org/images/Iraq_08_10_28_Oil_for_Soil_Toward_a_Grand_Bargain_on_Iraq_and_the_Kurds.pdf> [06.12.2016]

¹⁰¹ Luke Baker, "Iraq's Kurds Will Hold on to Oil Revenues-Barzani", *Reuters*, 10 November 2009,

<<http://www.reuters.com/article/idUSLA726993>> [22.12.2016].

¹⁰² Robin Mills, "Under the Mountains: Kurdish Oil and Regional Politics", *The Oxford Institute for Energy Studies*, Jan. 2016, p.11-12, <<https://www.oxfordenergy.org/wpcms/wp-content/uploads/2016/02/Kurdish-Oil-and-Regional-Politics-WPM-63.pdf>> [09.12.2016]

by KRG without consulting the central government. Many analysts expressed their worries that such acts could awaken once again the Iraqi nationalism and create further complications in a fractured society.¹⁰³ After these, the Oil Minister, Hussain al-Shahristani revoked the memoranda of understanding between ICG and companies that had signed PSAs with KRG, and threatened to take legal actions against them in international courts.¹⁰⁴ Political tensions also spell into military confrontation in the disputed areas of Northern Iraq. One such famous incident was the siege of Khanaqin in Diyala Governorate by Iraqi Security Forces. Such skirmishes between ISF and Pashmarga lasted for almost one year but never led to full-scale conflict, partly due to the pressure of US forces still stationed in the country.¹⁰⁵

Reaction to KRG's Hydrocarbon Law was not limited to ICG only. Ankara also became extremely worried due of its fears of Kurds' intentions of using oil revenues for independence purposes. Immediately after the ratification, Turkish Energy and Natural Resources Minister Hilmi Guler met with Shahristani in Baghdad and discussed a joint project to transport Iraqi oil through Turkey to international markets.¹⁰⁶ Turks also used their diplomacy to bring in Iran and Syria in attempts to prevent KRG from overriding the will of ICG by putting sanctions on KRG's oil transportations to international markets.¹⁰⁷

However, KRG had a long history of investment deals with Turkish Government in energy sectors as well as basic food items. Immediately after the reaction of Ankara, Kurds expressed their will to work closely with Ankara to fight PKK in northern Iraq in an attempt to both recognize Turkey's influence in the region, and also remove Ankara's fear of a Kurdish State in Northern Iraq. They also promised Ankara a lot of leverage in oil transport and other investments in the region, so Turks softened their tones against KRG's actions.¹⁰⁸

To counter the diplomatic pressure, the KRG's Natural Resources Minister Ashti Hawrami played the card of Article 112 of Iraqi Constitution by pointing out once again

¹⁰³ "Iraqi Kurds: AMS Anti-Oil Law is Politics", *UPI Energy*, 9 August 2007, <<http://www.upi.com/Energy-News/2007/08/09/Iraqi-Kurd-AMS-anti-oil-law-is-politics/57341186698844/>> [26.12.2016]

¹⁰⁴ Voller, *op. cit.*, pp. 68-82.

¹⁰⁵ Brian Katulis, "Standoff in Khanaqin", *Center for American Progress*, 29 August 2008, <<https://www.americanprogress.org/issues/security/news/2008/08/29/4794/standoff-in-khanaqin/>> [09.12.2016]

¹⁰⁶ "Iraqi President Says He wants Strategic Partnership with Turkey", *Asharq Al-Awsat*, 8 March 2008, <<http://english.aawsat.com/theaawsat/news-middle-east/iraqi-president-says-he-wants-strategic-partnership-with-turkey>> [09.23.2016]

¹⁰⁷ Justin Dargin, "Securing the Peace: The Battle over Ethnicity and Energy in Modern Iraq", *The Dubai Initiative Working Paper*, June 2009, p.7.

¹⁰⁸ Voller, *op. cit.*, pp. 68-82.

that KRG had a contract with ICG only for the fields operating before ratification of KRG's Hydrocarbon Law, not for the new fields contracted to foreign companies after that. He also emphasized that KRG had many economic issues itself and they did not want the progress of KRG's economy to be paralyzed by the political situation in Baghdad. Finally, he cited article 115 of the constitution according to which local governorates are responsible for supervising the extraction of oil, and interpreted it as local field managers were answerable to local authorities, meaning that KRG's field managers were not answerable to Baghdad, but KRG only.¹⁰⁹

Following ExxonMobil deal, other large oil companies poured into the region. Among them were TAQA of Abu Dhabi, Chevron, Gazprom and Total. These companies brought not only expertise and more investment, but also political backing from the countries of their origin. By the end of 2012, KRG had licensed almost all the region to different companies, sometimes including even disputed territories in the provinces of Kirkuk and Diyala.¹¹⁰

Not being able to work through diplomatic pressure, Baghdad responded by blacklisting companies that signed PSA's with KRG, and as a result putting a total embargo on KRG's oil transport to international markets. However in 2013 KRG started to transport its crude to Turkey via a newly constructed pipeline, in this way bypassing ICG. Even though Baghdad sued the major buyers of Kurdish oil, KRG used various ways to bypass the legal action, especially by transporting oil through Israel, a country with which Iraq had no diplomatic relations, and as a result could not take legal action against. The deal with Israelis was of great benefits for the Kurds who wanted to diversity their diplomatic connections. The scheme was so ingenious that in 2015, Ashti Hawrami claimed that Kurdish oil was sold to more than ten countries.¹¹¹

Most analysts claim that the main aim behind KRG's oil deals is to gain sufficient revenues in order to create an independent Kurdish state in northern Iraq. However, there is no official comment on the side of the Kurds regarding these allegations.¹¹² They simply claim that they do not receive enough money from the Central Government to pay the administration and Pashmarga, especially in the present state of insecurity in Iraq. On the Iraqi side, experts think that the main concern of ICG is to force KRG to share the

¹⁰⁹ *Ibid.*

¹¹⁰ Production Sharing Contracts, *The official Web-site of KRG Ministry of Natural Resources*, <<http://cabinet.gov.krd/p/p.aspx?l=12&p=1>> [08.01.2017]

¹¹¹ Mills, *op.cit.*, p. 12-13.

¹¹² Alexander Dawoody, "The Kurdish Quest for Autonomy and Iraq's Statehood", *Journal of Asian and African Studies*, No. 41, 2006, p.488; Kenneth Katzman, "The Kurds in Post-Saddam Iraq", *Report for Congress*, Congressional Research Services, 2010, p. 10-11.

immense potential oil revenues with them, and also prevent any possible attempt of secession made possible by such revenues. The growing rift is the direct or indirect result of economic and political greed on both sides of the conflict which may lead to civil war. However, Voller question the readiness of Kurds for independence given their geographical location, the anger that would be caused on Turkey and Iran, and especially their economic dependency on Turkey, for both basics and especially transportation of oil on international markets given the landlocked geographical position of KRG. Moreover, supervision of oil reserves in Northern Iraq by ICG and abiding by the Constitution are important conditions set by the international community, the support of which is indispensable for the Kurds.¹¹³

Turcan assures that economic issues such as the share of the revenues from oil and natural gas are hotly debated between Baghdad and Erbil. The economic status of Kirkuk, which is situated at the middle of Northern Iraq and holds a big percentage of the natural oil reserves, cannot be dismissed. It contains vast amounts of valuable natural resources which involved parties want to control, and also determines a big percentage of the bills to be implemented on Iraqi Hydrocarbon sector. One barrel of oil is cheaper to drill in Kirkuk, which is between \$4 and \$5 as compared to inland regions where it reaches stratospheric values between \$40 and \$45.¹¹⁴ This is due to the close distance of the oil reserves to the surface, making it easy to extract, and hence maximizing the profit. Oil exploration is among the most profitable fields in the region. Both ICG and KRG would benefit more in revenues reaching billions of dollars if the production of oil is increased in these fields. The economic benefit would be vast and with such big amounts in oil revenues, projects in developments of infrastructure would be undertaken. Thus, Kirkuk benefits the Iraqi government and the global market. Due to this huge revenue collection, both Baghdad and Erbil want to have a bigger share of the revenues which leads to disputes between them.¹¹⁵

The years 2011-12 however, turned out to be full of surprises. The first was the beginning of Arab Spring where protests against dictatorial regimes swept through the region and soon turned into bloody confrontations. The second was the plummeting of oil prices in international markets which badly hurt the countries depending on oil for their revenues, among them KRG and ICG. The last and most deadly one was the appearance of Islamic State of Iraq and Syria (ISIS) which threatened not only the oil of Northern Iraq, but the

¹¹³ Vollar, *op.cit.*, pp. 68-82.

¹¹⁴ Turcan, *op.cit.*, pp. 87-120.

¹¹⁵ Kenneth Katzman and Alfred B. Prados, "The Kurds in Post-Saddam Iraq", *CRS Report for Congress*, 7 Nov. 2007, p.7, <<http://www.fas.org/sgp/crs/mideast/RS22079.pdf>> [07.12.2016]

very existence of KRG and ICG themselves.¹¹⁶

3.2. The Blitz of ISIS in Northern Iraq

As explained before, Hawija is part of Kirkuk Governorate with an Arab Majority. Given the momentum of the Arab Spring and its initial success in Tunisia and Egypt, Arabs in Hawija set up camp to protest against the government in Baghdad that was ignoring them since a long time. They were also protesting against the Kurds that controlled the Governorate of Kirkuk and their discriminatory policies against Arab minority. This prompted Nuri al-Maliki to give them an ultimatum to dis-ensemble the camp and leave the region, otherwise they would face consequences. He accused the protestors of being infiltrated by Islamic State of Iraq (ISI) militants and carrying the Jihadists agenda. As a result the town was set under curfew and surrounded by Iraqi Security Forces (ISF).¹¹⁷

Soon the situation escalated and 42 civilians were killed on 23 April 2013 as a result of entrance of ISF by force to destroy the camp. Soon, many Sunni lawmakers and Ministers resigned from Iraqi parliament in protest against the heavy hand of Maliki against unarmed protestors. However, the incident could not be isolated, and soon violent Sunni protests erupted in Anbar Province and other Sunni areas where people took up arms and ousted ISF from their cities, starting what they called the “Sunni Revolution” against the Shia Government.¹¹⁸ The situation was further agitated when Nuri al-Maliki gave a press conference and claimed that “today, the sons of Hussain (nephew of Prophet Muhammed and the most revered figure in Shia Islam) are fighting against the sons of Yazid (The Umayyad Caliph who ordered the killing of Hussain in Karbala)”.¹¹⁹

The militants of ISI who refilled their ranks with ex-militants after a successful campaign of “demolition of the walls” where they opened some of the most secured prisons of Iraq and released hundreds of very experienced fighters, immediately took advantage of the situation and started bombings and raids against ISF. This prompted the Kurds to move their Peshmarga into the surroundings areas of Kirkuk supposedly to protect their

¹¹⁶ Erin Banco, “Falling Oil Prices Are Hurting Iraq’s Fight Against ISIS, Threatening Stability”, *International Business Times*, 1 June 2015, <<http://www.ibtimes.com/falling-oil-prices-are-hurting-iraqs-fight-against-isis-threatening-stability-1774890>> [09.11.2016]

¹¹⁷ “Iraqi Sunni Protest Clashers in Hawija Leaves Many Dead”, *BBC News*, 23 Apr. 2013.

¹¹⁸ Priyank Boghani, “In Their Own Words: Sunnis on their Treatment in Maliki’s Iraq”, *Frontline*, 28 April 2014, <<http://www.pbs.org/wgbh/frontline/article/in-their-own-words-sunnis-on-their-treatment-in-malikis-iraq/>> [27.12.2016]

¹¹⁹ Abada Al-Sayd, “Maliki: the Battle is continuing between the Sons of Hussian and Sons of Yazid”, *Al-Mugtama Magazine*, 16 June 2014.

brethren against ISI. Frictions ensued between ISF and Pashmarga, leading even to clashes between them, in certain regions of northern Iraq.¹²⁰

In June 2014, ISIS seized the city of Mosul, Iraq's third largest, and advanced rapidly through the surrounding territories. Following the Mosul campaign, there was no confrontation between ISIS and the Peshmerga through their artificial border, and there was a feeling like the ISIS militants would not dare to fight "those who seek death", as Pashmarga means in Kurdish language. Advances of ISIS in the region prompted Kurds to move and seize the city of Kirkuk for the first time since their US withdrawal.¹²¹ To the surprise of all, in August ISIS undertook a wide offensive around Mosul and overran the city of Sinjar, the center of the Yezidi religious group. Galvanized by the quick collapse of Pashmarga, they moved further north and threatened to attack Erbil, until US air strikes assisted KRG in retaking most of the lost territory. Post-battle analysis showed that the lightly armed Peshmerga had lost their combat edge during the years of peace, and their military performance was heavily affected by the division of command between the PUK and KDP.¹²² In order to continue the flow of oil and money in the region, KRG began the process of connecting the Avana Dome of the Kirkuk field to Khurmala and transport more oil to Turkey. However, oil was a commodity that ISIS was aiming too, and the militants set their eyes on the northern oilfields by capturing them one by one.

In November 2014, it was reported by Rudaw, the Kurdish news agency that after days of fighting, the newly secured Ain Zalah field which has a production capacity of around 2 kbpd was being connected by pipeline into the Kurdish export system. Later, Kurds moved on to secure Butmah and Safaiya oilfields in north-west Mosul. Even though they are small compared to Kirkuk's giant fields, they served two purposes: the first was to increase the revenues of KRG who were desperate for more liquidity, and second to deny them to ISIS, which given the intensity of the war was in great need of money made through oil smuggling.¹²³

The insurrection of ISIS had major political and military consequences across the region.

¹²⁰ Bassam Francis, "Tensions High Following Iraqi Army – Peshmerga Clashes", *Al-Monitor*, 19 November 2012, <<http://www.al-monitor.com/pulse/politics/2012/11/iraqi-kurdish-army-clashes-end-but-tensions-remain-high.html>>

¹²¹ Fazel Hawramy and Peter Beaumont, "Iraqi Kurdish forces take Kirkuk as Isis Sets its Sights on Baghdad", *The Guardian*, 11 June 2014, <<https://www.theguardian.com/world/2014/jun/12/iraqi-isis-kirkuk-baghdad-kurdish-government>> [05.12.2016]

¹²² Johnlee Varghese, "ISIS Tactical Advances toward Erbil Forced Obama to Order US Airstrikes?", *International Business Times*, 8 Aug. 2014, <<http://www.ibtimes.co.in/isis-tactical-advances-towards-erbil-forced-obama-order-us-airstrikes-606414>> [05/01/2017]

¹²³ "KRG: Oilfields Takeover was to Secure them from Iraqi Sabotage", *Rudaw*, 11 July 2014, <<http://www.rudaw.net/english/kurdistan/110720141>> [05/12/2016]

It sent psychological shocks throughout Middle East by declaring the Caliphate, a concept dead for almost a hundred years in the Muslim World. In terms of economic effects on the Kurdish oil industry, the militants' seizure of the Baiji refinery, Iraq's largest, caused severe shortages of refined oil products, especially gasoline and diesel throughout both, Kurdish region and all of northern Iraq. This shortage made Kurds aware of their vulnerability and they started to take measures to solve the problem. Being afraid of surprise raids, oil companies operating in the region also withdrew most of their expatriate staff for security reasons, though many of them returned later after the region was recaptured by Pashmarga, but operations near frontline were halted for the foreseeable future. Wells of the small Khabbaz field which lies in south-east part of Kirkuk were constantly attacked by ISIS cutting more than 20 kbpd of oil production. After the field was recaptured with the help of embedded US Special forces, its production was restarted but at 11 kbpd.¹²⁴

Fighting against ISIS, in addition to war cost on men and materiel, caused also a huge influx of refugees, especially among Christians and Yazidis, all of whom sought refugee in KRG region. According to a study conducted by World Bank, the cost of refugees in and internally displaced people in Iraq is as high as 1.4 billion dollars.¹²⁵ A big portion of this burden fell on KRG, which was already under budgetary strains due to corruption and especially falling oil prices. This perilous situation made it even more urgent for the KRG to think of a reliable oil export route to increase its revenues for paying its administration and especially the military as some soldiers had been fighting in the frontlines for months without receiving their salaries. Given the high cost of dealing with the refugees and constantly fighting ISIS, gave the KRG the justification it needed to not pay the ICG the promised quotas as well as to smuggle more oil through Turkey to the international markets. Being totally in charge of Kirkuk and all its oil fields gave Kurds huge profits, because in addition to the fields they had been operating for a long time, abandonment of Kirkuk by ISF gave them the freedom to control the two largest fields in the region, that of Avanah and Bai Hassan, increasing the output and freeing a lot of extra crude for export outside the region.¹²⁶

ISIS and other groups operating in the area had a long history of oil smuggling and

¹²⁴ Gareth Stansfield, "The Islamic State, The Kurdistan Region and The Future of Iraq: Assessing UK Policy Options", *John Wiley & Sons*, Vol. 90, No. 6, 16 Oct. 2014, p.1329-1350.

¹²⁵ Sibel Kulaksiz, "Kurdistan Regional Government (KRG): Economic and Social Impact Assessment of the Syrian Conflict and Isis Insurgency", *The World Bank*, No: 143, Mar. 2015, <<http://documents.worldbank.org/curated/en/778561468112752424/text/949540BRI0Box3011000KNnowledge0notes.txt>> [05.12.2016]

¹²⁶ Mills, *op.cit.*, p.36-37.

extortion, especially from the Baiji refinery to fund their operations and activities. This was happening even when the area was officially under the control of Iraqi Government and US troops were present in the area.¹²⁷ However, after expansion of ISIS in north-western Iraq and the neighboring Syria, the group captured many oil and gas fields. They used traditional smuggling routes used by traders since the time of Saddam Hussein, where a big part of the network was made by Kurds who were using trucks to smuggle oil to Turkey, Iran, or even KRG and refine it locally.¹²⁸

3.3. Attempts of Reconciliation with Central Government

When the country went to parliamentary elections in 2014, there was very little Sunni participation in elections and Maliki's State of Law party won the majority.¹²⁹ Despite Maliki's attempts to be given the role as the new head of government, he was not accepted by Kurds and the few Sunnis who took parliamentary seats. With the pressure of Americans and interference of Sistani, finally Maliki gave up and another member of State of Law Party, Haidar al-Abadi, became the new Prime Minister. Abadi was an acceptable figure for all sides given his less sectarian and more nationalistic approach to Iraqi politics.¹³⁰

The new Oil Minister, Dr. Adel Abdel Mehdi, has also adopted a more friendly approach towards the Kurds as compared to the former Oil Minister Hussain al-Shahristani. However, given the mistrust among the sides, there was still not a long-term resolution with KRG regarding the sharing of oil. But things changed after the assault of ISIS: Faced with an existential threat, extreme US and Iranian pressure for national unity, falling of oil prices in the international markets, high war costs and a desperate state for more liquidity in their markets, both sides sat and struck a preliminary deal of understanding in November 2014, according to which they would sit and decide on a fair share of oil

¹²⁷ Fazel Hawrany and Luke Harding, "Inside Islamic State's oil empire: how captured oilfields fuel Isis insurgency", *The Guardian*, 19 November 2014, <<https://www.theguardian.com/world/2014/nov/19/-sp-islamic-state-oil-empire-iraq-isis>> [25.11.2016].

¹²⁸ South Front, "ISIS, Oil Smuggling in Syria and Iraq. Can it be Prevented?", *Global Research*, 2 Feb. , 2016, <<http://www.globalresearch.ca/isis-oil-smuggling-in-syria-and-iraq-can-it-be-prevented/5505193>> [09.12.2016]

¹²⁹ "Iraq Elections: Maliki's State of Law Wins Most Seats", *BBC News*, 19 May 2014, <<http://www.bbc.com/news/world-middle-east-27474518>> [12.12.2016]

¹³⁰ "Iraq President Asks Abadi to Succeed PM Nouri Maliki", *BBC News*, 11 August 2014, <<http://www.bbc.com/news/world-middle-east-28739975>> [12.12.2016]

revenues. This moment was hailed as historic and was hoped to be the first in a chain of breakthroughs to settle the disputes and reverse the damage done by Maliki government in the past.¹³¹

Finally, in December 2014, KRG and ICG under Prime Minister Abadi struck a long-awaited deal for sharing the oil revenues. According to the new deal, KRG would receive 17% of the federal budget, a total amount of 1.1 billion dollars per month. In addition, ICG would provide them with additional funding to support Pashmarga on its war against ISIS. As a return KRG was supposed to export 550 kbpd of oil through its pipeline system. Of it, 250 kbpd would be ‘Kurdish’ oil, and the other 300 kbpd would be oil produced in Kirkuk and its surrounding fields which would be operated by the North Oil Company. However, by that time, the strategic Kirkuk–Ceyhan pipeline was entirely shut down because ISIS was still active in the area, forcing Baghdad to export all its oil to Turkey through KRG’s pipeline system, rather than the federal one, making it prone to stealing on the way.¹³²

Despite its promising aura, the deal never became operable even close to the points agreed by both sides. From one side, KRG never exported the quantities it was supposed to with the excuse of increasing the production for the moment to avoid possible economic crisis in the future, and that the expected quantity of 550 kbpd was not to be provided every day, but as an average over a whole year. In addition, they continued to export more oil without the consent of ICG to the detriment of the agreement. Seeing the behavior of the Kurds and given its precarious economic situation due to the war on ISIS and falling oil prices, Baghdad also did not pay the Kurds the promised monthly amount of money. With such behavior by both sides, the agreement was understood to be dead even if none of them declared it to be so.¹³³

As it always happens, both sides accused each other of failing to fulfill the terms and therefore destroying the agreement. ICG blamed the Kurds for failing to export the agreed amounts of oil, while Kurds blamed Baghdad for not paying them the promised monthly budget, and as a result, forcing them to export oil independently and keep the revenues for themselves.

Even though the agreement raised many hopes for both Iraqis and the international community, it had many problems: firstly, both sides did not define the status of oilfields

¹³¹ Alexander Whitcomb, “Iraq Oil Minister Negotiates With Kurdish Leaders”, *Rudaw*, 13 November, 2014, <<http://www.rudaw.net/english/middleeast/iraq/13112014>> [05.12.2016]

¹³² “Iraq Parliament Agrees on 17 Percent Budget Share for KRG”, *Rudaw*, 16 December 2015, <<http://www.rudaw.net/english/kurdistan/161220153>> [07.12.2016]

¹³³ Mills, *op. cit.*, p.39

located in Kirkuk, with the most important being Avana and Bai Hassan. Did they belong to Kurds exclusively and therefore were to be included in the 250 kbpd “Kurdish oil”, or were they to be under North Oil Company? Second, Kurds interpreted the target export as a yearly average, rather than monthly, so they did not start exporting from January onwards, blaming the bad economic situation of the region and their high demand for revenues at that moment. Another important point was that Baghdad claimed that budget transfers to KRG should be based on their economic state, and as a result they were prone to change according to the financial situation of ICG.¹³⁴ On the other hand, Baghdad is facing long hours of energy shortages, adding here the war on ISIS and thousands of killed and wounded soldiers for whom the government must take care. In addition, Sadr and his supporters hold demonstrations in Baghdad, protesting against corruption and shortage of services. All these factors have put ICG in a very difficult situation and unable to deal with its financial problems.

As expected, KRG was selling all the oil of Kirkuk independently from Baghdad government and keeping all the revenues for itself. It was exporting its oil through Turkey to the international markets and none of its oil exports were conducted through Iraq’s Federal Oil Ministry. On October, The KRG’s Deputy Prime Minister Qubad Talabani, declared that KRG would not sell its oil via Iraq’s Federal Oil Ministry, but it did not mean that KRG was not open for a new deal which would give Kurds better terms. Kurds calculated that selling the oil independently from ICG would be very beneficial for their economy, with Natural Resources Minister Hawrami stating that in exchange for exporting 525 kbpd, traders had promised to pay more than 850 million dollars per month. That meant that a barrel would cost 52–54 dollars, something that turned out to be wrong due to the low oil prices in the market. In addition to this, Kurdish oil is sold at a lower price because of legal issues and insecurity in the region. As a result, KRG is accumulating debt to oil traders, and the only way to repay it is to increase oil shipments even more in the future to keep liquidity coming into the region.¹³⁵

¹³⁴ *Ibid.*, p.31-41.

¹³⁵ Salah Nasrawi, “Oil and Kurdish Independence”, *Al-Ahram Weekly*, 17 Dec. 2014, <<http://weekly.ahram.org.eg/News/7933.aspx>> [13.01.2017]

3.4. Assembling the International Coalition Against ISIS

Between 3rd and 4th August rumors prevailed as the Islamic State made further rapid advances across Nineveh, with the Kurds losing control of the Mosul Dam area. The populous Christian town of Qaraqosh fell to the Islamic State, shortly followed by the oil-producing town of Ain Zaleh, and the border town of Rabia was divided between the Islamic State on the one hand, and the Syrian Kurdish PYD on the other.¹³⁶

While attention was focused on the fighting in Nineveh governorate, Islamic State fighters moved against villages around the town of Gwer - a town located not in Nineveh but in Erbil governorate and very much in 'traditional' KRG-controlled territory. Further to the south, still in Erbil, the Islamic State also occupied the large district town of Makhmour, coming even closer to the Kurds' capital.¹³⁷

It was at this moment that the international community became aware of the danger posed by the Islamic State not only to areas south of the Region, but to the Kurdistan Region itself. With the opening of a second front in Erbil, the Kurdish Pashmerga were dangerously overstretched, and the presence of the Islamic State in the governorate suddenly made the population of the Kurdish capital aware that what had happened in Mosul could easily happen them.¹³⁸

Very quickly, residents of Erbil began to make moves to leave the city, causing traffic jams on the roads to Shaqlawa and Koya and even to Kirkuk. Far from seeming invincible and "those seeking death" as they were known, Pashmerga were seen as failures and unable to hold their defense lines even in their most heavily protected regions, and as a result, the morale of Kurds was beginning to weaken.¹³⁹

It was at this very dark moment for the Kurds that the Obama administration announced, that it would sanction military action against the Islamic State. On the evening of 7

¹³⁶ Cameron Glenn, "Timeline: Rise and Spread of the Islamic State", *Wilson Center*, 5 July 2016, <<https://www.wilsoncenter.org/article/timeline-rise-and-spread-the-islamic-state>> [12.11.2016]

¹³⁷ Scott Atran, "On the Front Line Against ISIS: Who Fights, Who Doesn't, and Why", *The Daily Beast*, 30 Jan. 2017, <<http://www.thedailybeast.com/articles/2016/04/19/on-the-front-line-against-isis-who-fights-who-doesn-t-and-why>>[24.03.2017]

¹³⁸ Tallha Abdulrazaq and Gareth Stansfield, "The Day After: What to Expect in post-Islamic State Mosul", *The Rusi Journal*, Vol. 161, Issue. 3, pp.14-20, 25 May 2016, <<http://www.tandfonline.com/doi/full/10.1080/03071847.2016.1184013>> [09.12.2016]

¹³⁹ Richard Spencer, "Humiliated Kurdish Leaders Order Counter-Strike Against Advancing Islamic State Fighters", *The Telegraph*, Telegraph Media Group, 04 August 2014, <<http://www.telegraph.co.uk/news/worldnews/middleeast/iraq/11012030/Humiliated-Kurdish-leaders-order-counter-strike-against-advancing-Islamic-State-fighters.html>>[09.23.2016]

August, a heavy air attack against ISIS at Gwer and Makhmour took place, accompanied by an artillery bombardment from the Pashmerga. With other Kurdish militias entering northern Iraq to fight the Islamic State, the momentum shifted in favour of the Kurds and their allies. So the Kurds survived their near-death experience, although it left the Kurdish leadership, Peshmerga and Kurdish society at large traumatized and uncertain as to what the future might be, whether the Islamic State remains or is defeated, and whether Kurdistan stays in Iraq or secedes.¹⁴⁰ The furthest territory gained by ISIS before the airstrikes began is shown in Map 9.



Map 9. Territory controlled by ISIS on the eve of US airstrikes in Iraq. Figure adapted from PPD Staff (2014). First Wave of U.S. Airstrikes in Syria Now Hitting ISIS Targets, available at <<https://www.peoplespunditdaily.com/news/world/2014/09/22/first-wave-u-s-airstrikes-syria-now-hitting-isis-targets/>>

3.5. Unleashing the Shia Militias

Since the rise of Islamic State and the fall of Mosul in late 2014 and its expansion in Anbar province in early 2015 much has changed in Iraq. The Iraqi government, backed by the international coalition through airstrikes, training and weapons, has managed to retake several Iraqi cities and towns, but at the cost of total destruction of major cities

¹⁴⁰Abdulrazaq and Stansfield, *op.cit.*, pp.14.20.

such as Ramadi, Fallujah, and currently Mosul, as well as creating a force that has a distinctly sectarian identity. Direct support has been provided by Iran in the form of weapons, funding, training and military personnel to create and train various Shia militias. These organizations, expanded and empowered by Ayatollah Ali Al-Sistani's fatwa that led to the creation of the Hashd Al-Sha'abi (Popular Mobilization Units - PMU), have limited the ISIS's opportunities to further advance and threaten Baghdad or other Shia majority cities, but in so doing they have exacerbated the sectarian and ethnic divisions that now are running deep in Iraq's society and political life. It is also very important to understand the significant impact of Western airstrikes on ISIS positions, for without them, neither the Shia militia nor the Iraqi Security Forces (ISF) would have managed to make any headway against ISIS in their battles in Tikrit, Baiji, Ramadi, Fallujah and currently in Mosul.¹⁴¹

A similar picture can be seen in the northern Iraq as well: without support from Western air forces, the Kurdish Peshmerga forces seems like they had no chance against ISIS advancing forces to even protect their position, not to mention here advancing against them. Until now, the most complex battle has been that of Mosul, because of the city's enormous size, complexity of its urban environment, and the determination of ISIS to hold the city as their leader has made clear, "till the last man". ISIS had also had a long time to prepare for this battle, and the losses on ISF seem catastrophic, not to mention the almost total destruction of the city.¹⁴²

Given the recent polarization of Iraqi society, a looming question is: what can the international community expect in a day when ISIS is defeated and ISF enter Mosul, a Sunni bastion that has always been suspicious of Baghdad Government. Is it even possible to surgically remove an organization from a city in which it has had more than two years (not to mention here the periods since US occupations and deterioration of Iraq after that) to deepen its roots into the socio-political fabric of the and the surrounding area ruled through tribal alliances and networks? What do Iraqis in Mosul think about ISIS, and what are their thoughts on the recapture of their city by the central government in Baghdad? Would they view this as "liberation" or just another "normal" transition from one repressive regime to another, as it has happened in Iraq since a long time? How could the Iraqi government assure the people of Mosul that the recapture of their city would benefit them?

As the battle is entering its eighth month with ISIS still holding the old city of Mosul

¹⁴¹ Abdulrazaq and Stansfield, *op.cit.*, p.14-20.

¹⁴² *Ibidi.*

where tanks and heavy equipment cannot enter due to the narrow streets, these questions are still not answered. Thousands of Maslawis are in refugee camps and atrocities committed by the Shia militias are everywhere in the media. In addition to that, civilian casualties from US bombing have reached thousands, with the most famous incident of Jadida neighborhood, where between 150-250 people were killed in a wave of airstrikes.¹⁴³

A very important question related to Kirkuk and the whole Kurdish zone is also the position of Pashmarga after the expulsion of ISIS from Mosul. Will the Kurdish Militiamen withdraw and accept the ISF to take over Kirkuk. This is further compounded by the current image of ISF as simple mercenaries of Iranian government wearing national Iraqi Army uniforms.

3.6. Iran's and Turkey's Foreign Policies Towards Iraq

To further compound the situation, Iran has been heavily involved in the Iraq's war against ISIS. Some of the most powerful Shia militias, such as Hashd al-Shabi, Asaib Ahl al-Haqq, Hezbollah and Imam Ali Brigades all answer directly to Qasem Sulaymani, who in turn is Ayatollah Khamenei's man in Baghdad. Their atrocities are famous in the areas retaken from ISIS and their attitude towards Kurds is very negative. Some of their figures have even threatened to exterminate the Pashamarga after they are finished with ISIS. Many people in Iraq actually believe that the Iraqi government is under control of the Iranian Government.

According to the official narrative heavy Iranian involvement in Iraq is for some reasons: The first one is establishment of security in the new Iraq with the aim of eliminating any re-emergence of the Iraq of 80s, which was an existential threat to Iran, and also any threat from the Sunni insurrection and prevention of Al-Qaeda from taking over in the Sunni areas. The second reason is the economic and cultural. Given Iraq's extensive oil fields and its need for investment, this is seen as a very valuable opportunity for Iranian companies to invest in the country. As for the cultural side, given that Iraq is a Shia-majority country, it is not surprising the interest of Iran on it. Another reason is the

¹⁴³ Martin Chulov and Emma Graham-Harrison, "Iraq Suspends Mosul Offensive after Coalition Airstrike Atrocity", *The Guardian*, 25 March 2017, <<https://www.theguardian.com/world/2017/mar/25/iraq-suspends-mosul-offensive-after-coalition-airstrike-atrocity>>[15.04.2017]

territorial integrity of the country and prevention of any possible secession of the Kurds because Iran holds a substantial number of Kurds within its borders. The last one is the presence of US soldiers in the country, which despite the good relations built during the Obama administration, are always seen suspiciously by Iran. The tension have raised after the presidency of Trump, who has raised the tone against Iran, threatening to abolish the Nuclear Deal signed between two countries according to which Iran would destroy its nuclear program in exchange for removal of economic sanctions and giving a greater role in the region.¹⁴⁴

However, given Iran's policy since the establishment of the Islamic Revolution, all are seeing its involvement in Iraq as a means of extending its influence by means of Shia militias from Yemen to Palestine and making Iran the dominant player in the region. Given the number of Shia militias in Iraq directly answering to Iran, and also its involvement in the Syrian civil war with heavy sectarian slogans, these suspicions are not far-fetched, and many people in Trump administration as well as the governments in Gulf countries including Israel, which see Iran as an existential threat, are calling for a return of the sanctions against the Islamic Republic.¹⁴⁵

Turkey also has many interests in Iraq, the most important one being Iraqi Petroleum, Turkmens and KRG. According to Turkey's Foreign Ministry, Iraq is Turkey's the third largest exporting partner. The most important commodity is oil, where part of Northern Iraqi oil, especially Kirkuk and Mosul is transported via pipeline to Turkey's Ceylan port, and then to international markets. Turkmens have also been a contested issue between the two countries, with Turkey asking for better representation and integration of their brethren in Iraqi Government. However, the most important issue seems to be the territorial integrity of Iraq, with Turkey fearing a possible secession of KRG and creation of an independent Kurdish state in northern Iraq. This would have huge consequences for Turkey given the millions of Kurds living in Turkish territory and their later insurrection.¹⁴⁶

¹⁴⁴ Kayhan Bargezar, "Iran's Foreign Policy Toward Iraq and Syria", *Turkish Policy Quarterly*, Vol.8, No. 2, p. 77-78, <http://turkishpolicy.com/files/articlepdf/iran-foreign-policy-towards-iraq-and-syria-summer-2007_en_8170.pdf> [09.03.2017].

¹⁴⁵ John Irish and Andrea Shalla, "Saudi Arabia, Israel Present De Facto United Front Against Iran", *Reuters*, 19 Feb. 2017, <<http://www.reuters.com/article/us-mideast-crisis-iran-idUSKBN15Y09R>>[01.04.2017].

¹⁴⁶ Birce Bora, "Analysis: What Is Turkey Trying to Achieve in Iraq?", *Al Jazeera News*, 13 October 2016, <<http://www.aljazeera.com/news/2016/10/analysis-turkey-achieve-iraq-161013032856045.html>> [03.01.2017]

To achieve these aims, Turkey also had a military contingent in the Kurdish zone of Bashiqa. The intention Turkey was said to be the protection of the Sunni population against the possible atrocities by Shia militias, and also to protect its Turkmen minority in the region around Mosul and Kirkuk. However, the real aims of the Turkish government were suspected to be two-fold: To prevent the formation of a Kurdish state in northern Iraq, which could then join with the Syrian counterpart, and at the same time to get lucrative oil and gas deals from KRG after expulsion of ISIS. After long discussion and assurances from the Iraqi government that it would not allow Sinjar to become a base for PKK, Turkey withdrew its forces from Bashiqa, ending in this way its military involvement in the country.

3.7. The Kurdish Flag Incident in Kirkuk

Emboldened by their success against ISIS with the help of US airstrikes and outcry of the international media for the Kurdish cause, on 14 March 2017, Najmaldin Karim, the current Governor of Kirkuk forwarded instructions to the Provincial Council to raise the Kurdish Flag besides the Iraqi one in all governmental buildings.¹⁴⁷ This action sent a fury of diplomatic responses from Turkey and ICG. Turkish Foreign Minister Mevlut Cavusoglu immediately condemned the act. It was followed by Turkish PM Binali Yildirim,¹⁴⁸ while Turkish President Recep Tayyip Erdogan was very harsh by ordering the Kurds to “Bring the flag down immediately”.¹⁴⁹ On the other side, Iraqi Parliament convened on a session where Kurdish MPs were not present and asked the Kurds to fold the flag back.¹⁵⁰ Despite these, Kurds did not comply and the flag is still flying on Kirkuk’s governmental buildings to this day.

¹⁴⁷ Habib Hürmüzlü, “Flag Crisis in Kirkuk”, *Orsam*, Ankara, 30 March 2017, <<http://www.orsam.org.tr/index.php/Content/Analiz/5090?c=orsam%7Cenglish>> [05/04/2017]

¹⁴⁸ “Turkey Finds Kirkuk Flag Decision, Referendum for Annexation Unacceptable”, *Daily Sabah*, 5 April 2017, <<https://www.dailysabah.com/diplomacy/2017/04/06/turkey-finds-kirkuk-flag-decision-referendum-for-annexation-unacceptable>> [25/04/2014]

¹⁴⁹ “Turkey’s Erdogan Calls on Iraqi Kurds to Lower Kurdish Flag in Kirkuk”, *Reuters*, Thomson Reuters, 04 Apr. 2017, <<http://www.reuters.com/article/us-mideast-crisis-turkey-erdogan-idUSKBN1761PP>> [25/04/2017]

¹⁵⁰ “Iraq’s Parliament Bans Kurdish Flag in Kirkuk”, *Al Jazeera News*, 01 Apr. 2017, <<http://www.aljazeera.com/news/2017/04/iraq-parliament-bans-kurdish-flag-kirkuk-170401211858056.html>> [25/04/2017]

3.8. The Future Government of Kirkuk

As soon as the war on ISIS is finished, one of the hottest issues between ICG and KRG will be the status of Kirkuk because it was taken over by Pashmarga as explained above. Kirkuk is a prize that none of the sides wants to lose, and given the high sectarian tensions present in Iraq, an easy settlement will be difficult. However pressure from US and regional players such as Iran and Turkey which have high stakes in Iraq can force the two sides into dialogue.¹⁵¹ During the years before ISIS invasion of the Sunni areas, many Iraqis proposed a special status for Kirkuk where the city would have its own governing council somehow independent from both KRG and ICG. The province would be governed by Kirkukis themselves but under the jurisdiction of Iraqi Constitution while its natural resources would be divided equally among the communities. This is generally the view of Assyrians, Sunnis and Turkmens who have a lot to lose if Kirkuk is seized by KRG and who at the same time do not have good relations with Baghdad government.¹⁵²

By looking at the different players, we can envisage four different scenarios for Kirkuk:

- a) It will stay inside KRG
- b) It will stay inside KRG but under a special status
- c) It will be under ICG control
- d) It will be under ICG control but under a special status.

Scenario “a” is what the Kurds want or reasons explained in chapter 1. Kirkuk is a precious prize they cannot afford to lose, but on the other side they are heavily dependent on ICG for funding to pay their military forces and administrative staff, as well as under pressure from regional countries due to the fear of a possible Iraqi breakup. If we rank the preferences of the Kurds from the most preferred to the least, it would be clearly seen that the order would be a, b, d and c as shown in the below chart.

When it comes to Arabs, even though some researchers claim that their preferences would be c, d, b and a, it is highly unlikely at the moment for Sunni Arabs in the region to prefer ICG given the high sectarian tensions and fear of Shia militias. The mistrust of Sunnis towards Iraqi Government is very high, to an extent that many would prefer even ISIS to them. There is another section that now prefers Kurds more than ICG because

¹⁵¹ Richard Hall, “What Happens in Kirkuk Could Determine the Future of Iraq”, *Global Post*, February 2015,

<<https://www.pri.org/stories/what-happens-kirkuk-could-determine-future-iraq>>[25.12.2016]

¹⁵² Anderson and Stansfield, *op.cit.*, p.189-90.

KRG is nationalistic but not sectarian. It should not be forgotten that there is also a minority of Shia Arabs in Kirkuk, and their preferences are clearly for Kirkuk to be under included in ICG with no special status. However, if we judge generally by the number of Arabs and their sectarian orientation, we could conclude that their preferences would most likely be d, b, c, a.¹⁵³

Last but not least, the preferences of Turkmen would also be diverse because they depend on political as well as sectarian orientation. Given the high tensions between the groups since the creation of Iraqi state and especially after the US occupation, it is most likely that they would prefer Kirkuk to be outside KRG. From the two options outside KRG, given their rhetoric of being the major community inside Kirkuk city, obviously they would prefer the city to have a special status under which they can get higher governmental position in key administrative and security areas. The second best option is for Kirkuk to be under ICG control because a good portion of Turkemns are Shia and therefore have very good relation, especially with the block of Muqtada al-Sadr. Even though they are not happy with their marginalization by Iraqi Government, they see the latter as a better option as compared to Kurds. The next option for Turkmens is for Kirkuk to have special status within KRG, this for reasons explained above. The least preferred option is for Kirkuk to be included within KRG, where Turkmens fear for their future.¹⁵⁴ To summarize, Turkmens preferences would be d, c, b, a.

3.9. Kirkuk in Future

The four possible suggestions for solving the problem of Kirkuk are based on the assumptions that ISIS will be strategically defeated and will not be able to rise once again. It also assumes that Arabs, both, Shia and Sunni, Turkmens, Assyrians and Kurds will put aside their animosities and greed and think for the common good. There are few analysts who think this might be the case, but many others do not believe the region will ever be the same as it was before 2014 ISIS blitz.

The other threat comes from Shia nationalists who claim that after ISIS the next war with the Kurds because they have usurped Kirkuk which belongs to Iraqis. These voices come from powerful people such as Muqtada al-Sadr and Ammar al-Hakim, the leader of the majority block of Islamic Supreme Council of Iraq (ISCI), a modified group of SCIRI.

¹⁵³ *Ibid.*, p.192-203.

¹⁵⁴ *Ibid.*

The same slogans are seen in social media and from time to time skirmished between Iraqi army and Pashmarga have occurred in Diyala and Salahadin. Until now they have been isolated, most probably because ISIS poses an existential threat to both sides, but after ISIS is gone it is difficult to imagine both sides make a peaceful settlement with Kurds leaving Kirkuk, and Diyala and parts of Ninawa that they have captured from ISIS with catastrophic losses on their army.¹⁵⁵ To avoid this mess, the following recommendations have been formulated for the major players in Iraqi conflict.

3.10. Recommendations For The Future of Kirkuk

As can be seen from the chapters in this study, Kirkuk is of immense importance for many layers. It is very important for the Kurds, both as symbolic by being called the “Jerusalem of Kurdistan”, and especially economic for its immense oil wealth.¹⁵⁶ It is also very important for ICG because of its oil wealth and the Arabs living in the area for hundreds of years. The city is important to Turkmens too, because they had been the masters of it until mid-20th century. However, the importance of the governorate doesn't end within Iraq. It is important for Iran and Turkey and Syria, even though the latter is embroiled in a civil war and has no political power at the moment to be involved in regional disputes. It is in these countries highest interest for Iraq to be a unified country and Kurds be part of it. They cannot afford to tolerate an independent Kurdish State in the region given the large number of Kurds inside their borders.¹⁵⁷

Given these, we are recommending some important points for the governorate to avoid possible future conflicts that may inflame the whole region. ICG and KRG should set their differences aside and give up on their greed for the sake of Iraqis. Seeking a solution, will allow all the people of Kirkuk to co-exist in peace as they used to near a century ago. As shown before, the best solution is to give the governorate of Kirkuk a kind of autonomous status within the Iraqi Government and let its people run their affairs.

After the US invasion, history showed that equal power-sharing is the best option, where

¹⁵⁵ Mustafa Saadoun, "Will Post-IS Iraq Witness 'clear Conflicts' between Armed Forces?", *Al-Monitor*, 22 July 2016, <<http://www.al-monitor.com/pulse/originals/2016/07/iraq-peshmerga-shiite-sunni.html#ixzz4Twg1SjsQ>> [29.12.2016]

¹⁵⁶ Lydia Khalil, “Stability in Iraqi Kurdistan: Reality or Marge?”, *Saban Center at the Brookings Institution*, No.2, June 2009, p.16.

¹⁵⁷ Şafak OĞUZ, “Turkmens: Victims of Arabization and Kurdification Policies in Kirkuk”, *Akademik Bakis*, Vol. 9, No. 16, pp.167-186.

representatives from all four ethnic groups can form a Governing Council that will serve the interests of all. Turkmens as well as Sunni Arabs should be allowed to return to the properties they were forced to live and have their own political groups. For Turkmens to achieve this representation, they should form a united front for all Turkmens without discrimination between Sunni, Shia or secular. They should also be more independent from Turkey and rely on their power to solve their problems.¹⁵⁸

Apart from politics, oil should also be shared equally between all the groups. Since Kirkuk has immense oil reserves, Iraqi Constitution should be respected for oil revenue distribution, and within that distribution, a certain percentage should be given only to Kirkuk to develop its battered infrastructure and pay back the damage done to different ethnicities so that ties can be mended and old enmities resolved. Kirkuk should also be opened for all Iraqis, not only Kurds, Turkmens or Arabs who have been living in the city. In a normal country, citizens have the right to move freely to any region they want seeking economic opportunities and a better life for themselves and their children. If Iraq is ever going to be a functional country, its citizens should be allowed to settle anywhere they wish.¹⁵⁹

Given Iraq's tribal character, for the near future the only functional governing bodies are local councils, and their decisions must be respected. However, they should be under strict supervision to avoid rampant corruption and favoritism that is endemic in the country. To avoid any possible bias, monitoring can be done by well-respected international organization, with UN being the most suitable.¹⁶⁰ To summarize, the three most important provisions would be as follows:

- Cancellation of the constitutionally-mandated referendum for the status of Kirkuk as given the recent demographic changes, it would increase the grunges between the involved parties even more and be a reason for future conflict.
- Giving Kirkuk the status of a stand-alone federal region, a special autonomy under control of neither KRG nor ICG, but run by Kirkukis according to Iraqi Constitution provisions.

¹⁵⁸ Anderson and Stansfield, *op.cit.*, p.239-40.

¹⁵⁹ Hussin Awny, *Kirkuk Province*, Kirkuk, 2008, p. 13-15.

¹⁶⁰ "Iraq And The Kurds: Resolving The Kirkuk Crisis", *Middle East Report*, International Crisis Group, N°64, 19 April 2007, <<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Iraq%20ICG%20report%2019%20Apr%2007.pdf>>[06.12.2016]

- Equal power-sharing between the four ethnicities as was done by US in 2003.

If these three points are upheld, it is hoped that in the near future Kirkukis will not see each other as Kurds, Arabs, Turkmen or Assyrians, but people whose loyalty belongs to a modern country which gives them full rights and opportunities for a better life. This is the only way to remove the threat of religious and ethnic extremism and set the region on the path of development and stability.

3.10.1. Suggestion for the Central Government of Iraq

Given the bad reputation of ICG among the Kurds, Sunni Arabs and Turkmen, it would be very effective for the government to extend the hand of reconciliation to all these groups, decrease the role of sectarian Shia militias within ISF, and decrease the role of Iran within Iraqi politics.¹⁶¹ Further, given the UN's good reputation among Iraqis from their previous mission, ISG should invite the UN Security Council to appoint a special envoy to Iraq with the following duties:

- Find a feasible solution for the status of Kirkuk and other Kurdish-claimed areas that will make everyone content.
- Use a certain percentage of oil revenues for funds to pay the damage done to the inhabitants of the governorate through all these years of conflict.
- The most important to monitor the involved parties compliance with these provisions and avoid corruption.
- Either compensate or help people who were forcibly displaced from their areas since the period of Arabization.
- Establish a functioning mechanism for settling property disputes after the mess created for more than 50 years.

¹⁶¹ *Ibid.*

3.10.2. Suggestions for the Kurdish Regional Government

If KRG want peace and prosperity in the region, they need to relinquish some of their aspiration in the governorate. Since 2003 they have been committing a typical ethnic cleansing in the region by displacing Arabs, preventing Turkmens from returning to their areas, and bringing more Kurds from other KRG regions.¹⁶² It would be in their interest to follow the following suggestions:

- They need to psychologically prepare their public for the day when they will claim Kirkuk will not be incorporated in KRG, and all these years of struggle had been a mistake. Kirkuk belongs to Iraqis and not to a certain ethnic group.
- Give up their governing position in Kirkuk that they have been keeping since 2003 and give it to the proposed equal-representing Kirkuk Council.
- Give up on their referendum claims and keep the KRG region within the Iraqi State.
- Give up their greed for oil and be open to sharing the revenues in accordance with the provisions of Iraqi Constitution.

3.10.3. Suggestions for Turkey, Iran and United States

Since Iran and Turkey have a sizable Kurdish population, they are extremely concerned with the situation of Northern Iraq due to fear of an independent Kurdish State. In order to avoid future conflict that may embroil the whole region, these countries should cooperate and use their whole energies in keeping a stable and united Iraq.¹⁶³ For this reason, among others they should:

- Give unconditional support to an autonomous status of Kirkuk within the Iraqi State by using all the diplomatic and economic levers at their disposal.
- Encourage Iraqi leaders from both sides to create transparent political bodies

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

to solve the current glitch and give priority to their people over personal, sectarian, and party interests.

- Turkey can also convince KRG to sit on the negotiating table given the strong economic ties that are going on since after the first gulf war.
- Iran should give up on its Shia militias within Iraq, especially Shia Turkmen in northern Iraq.
- United States can use both diplomatic and economic sanctions to enforce the above policies in the regions. Given the dependency of Kurds as well as ICG on US economic and military help, US is the most powerful broker that can make both sides give up their claims and think about stability of the country and the interest of their people.

CHAPTER 4

CONCLUSION

It is difficult to write about the region of Middle East because there are more rumors and conspiracy theories than truth and quality information. Another problem is that there are many sides in conflict with each other and each side is busy in blackmailing the other, producing forged evidence and using the media to spread rumors widely. Also the number of independent analysts in the region is very low, and majority writes in obscure blogs and online portals in Arabic, making access to their views difficult.

In this study, an overview of the historical evolution of Kirkuk was presented from antiquity to the present time. Keeping in pace with the maxim “You cannot understand the present unless you know the past”, it was written in the most comprehensive way possible, highlighting historical moments that are still affecting the region to the present day, like the roots of the Kurds, introduction of Turkmens and Arabs, Sykes-Picot agreement, finding oil, and the most dramatic one being Arabization of the regions under various regimes since the formation of the Iraqi state.

There are few dramatic moments in the history of the region: The first one was ignoring the Kurds and Turkmens after the collapse of the Ottoman Empire, therefore not giving them their rights.¹⁶⁴ The second one was the probability of Oil fields in the region in 1916 and the drilling of Baba Gurgur in 1927. This even changed the image of the city forever, turning it from a backyard of new Iraqi state to its center of attention. Then came the period of Arabization as a result of oil fields, with the most dramatic ones during the reign of Saddam Hussein reaching the peak with Anfal Campaign at the end of 80’s and after the defeat of Iraqis by the International Coalition in Kuwait. These were all black years for the Kurds and Turkmens who were marginalized and displaced from their region.

The tables turned in 2003 when US Army invaded Iraq. Kurds had built a strong relation with US after the First Gulf War and they fought as partners to oust the Iraqi Army from Northern Iraq. Kurds seized the opportunity to occupy most of the zones they claimed to belong to KRG, including Kirkuk. They became major players in the politics of Iraq by

¹⁶⁴ Macmillan, *op.cit.*, p.495.

being the second major power after the Shia Block of SCIRI. In addition they took the post of President who had the veto power over the Parliament as well as the Foreign Ministry. In the first elections they got a strong majority in their claimed region mostly because Sunni Arabs did not vote. On the other hand Turkmens did not realize any of their goals and were clearly defeated. As soon as PDK and PUK came to power they used their power to displace Arabs, abuse Turkmens rights and relocate Kurds to the region, changing the demography of the region.

On 2005 the Permanent Iraqi Constitution was drafted and voted on a referendum. Three articles in the constitution were of major importance to the status of Kirkuk as to whether it would stay as part of Iraqi Government or it would become part of KRG. According to these articles, first there would be a normalization process for which a IPCC commission was created to compensate and resettle the displaced people from all the communities in Kirkuk. The second phase would be a general census to determine the demographics of the region, and the last step would be a referendum. In 2005 Parliamentary Election Kurds again got many seats in Parliament, however this time the Sunni Arabs joined the election too and as a result they got almost the same percentage of votes as the Kurds. As for Turkmens, their defeat was even worse than the provincial elections and they lost any leverage on the country's government. The newly formed Maliki government was enthusiastic to solve the status of Kirkuk given the importance of the province as a result of its oil and gas reserves. However the opposition from nationalist Arabs especially the party of Allawi as well as the Sunni and parts of Shia blocks blocked the process. Adding here the lack of funding, corruption and lack of stability, forced displacement of Arabs by Kurdish Pashmarga as well as mistrust caused the process to fail and by the end of 2007 not even normalization step was completed.

This led to the breakdown of negotiations between the Central Government and KRG. As a result Kurds started to take unilateral actions by inviting even bigger oil companies such as ExxonMobil and Gas Prom to KRG and Kirkuk and signing contracts with them especially after the US pulled out of Iraq in accordance to SOFA agreement between the two countries as well as the regional governments. The central Government retaliated by blocking the refining and transportation of KRG oil to the port of Basra. They also started to sue the oil companies for carrying illegal transport of Iraqi oil to international markets. Kurds however found ways to avoid this ban by building a pipeline to Turkey as well as transporting oil to Israel with whom Iraqi Government had no diplomatic relations, and then the international markets. At the end Iraqi Government blocked the money from KRG leading to escalations of tension. This sometimes led to skirmishes between the

Iraqi Army and Kurdish Pashmarga in Ninawa around the Mosul Dam.

In 2014 another major player entered the region. Embroiled by the Syrian civil war and after a successful campaign of opening the prisons and executing their enemies in special forces-style raids, ISIS swept through Northern Iraq, threatening both KRG and Iraqi Government. They succeeded to capture many oil fields and districts of Kirkuk, threatening Erbil. This forced the Americans to interfere by airstrikes as well as providing logistics to both Kurds and Iraqis in a bid to reverse ISIS gains and destroy the group. From then on, an international coalition of nearly 68 states has been formed bombing the positions of ISIS daily and helping the Kurds, Iraqis, Yazidis, Assyrians and Turkmens to regain their cities. The campaign has been “successful” so far but it has left behind ruined cities, destroyed oil infrastructure and a country sharply divided on sectarian as well as nationalistic lines.

When ISIS was carrying its blitz, the units of Iraqi Army collapsed and withdrew, so the Kurds seized the chance to enter Kirkuk. With the help of US airstrikes they regained the lost districts and town of the province and this has created tensions between them and Iraqi Government which relies heavily on Shia militias on its war against ISIS. Both governments reached an agreement after the appointment of Haidar al-Abadi about the shares of oil revenues and creating a united front against ISIS. However the Shia militias are mostly under the command of Iran, not Iraqi Government and as a result tensions between Iraqi Army and Pashmarga have occurred frequently especially in Diyala, Salahadin and recently in Ninawa. Kurds have also seized the moment to displace hundreds of Arab families from villages and towns, as well as Kirkuk itself, by using the excuse of security and accusing them of being ISIS sleeper cells. Turkmen shia militias mostly have also joined the Iraqi military in the war against ISIS and tensions have occurred from time to time with Krudish Peshmerga.

Analyzing the history and oil potential of the province it is obvious that Kirkuk is a major prize that no one would be happy to lose. Four different statuses were analyzed for the province, namely part of KRG, part of KRG but with a special status, part of Iraqi Government, and part of Iraqi Government but with a special status. The preferences of each of city’s ethnicities were analyzed and prioritized. However given the dynamics of the region and involvement of Iran and Turkey, it is difficult to envisage any peaceful solution in the near future.

Finally, we tried to make some projections about the future of Kirkuk after ISIS defeat by Iraqi Army and Kurdish Pashmarga backed by the international coalition, Iran and

Turkey. Despite the hope of many analysts that a post-ISIS Iraq will become a peaceful place, its future is very uncertain. Even if ISIS is defeated forever, all these years of ethnic cleansing, sectarian and nationalistic war, would make the mending of ties between these divergent groups very difficult. The Iraqi Government would demand Kurds to get out of Kirkuk and other areas they have recaptured and a possible second civil war is not far-fetched. Signals of tension between Pashmarga and Iraqi Army mostly composed of Shia militias are frequent sometimes with skirmishes breaking out in Diyala, Slahadin and Ninawa. If the common enemy which is an existential threat is gone, it is difficult to imagine these heavily armed groups mostly out of control of any government to sit down and negotiate.

Another major problem is the significant decline of oil prize in international markets and the turning of many countries to clean energy. The costs of war has been huge for both Iraq and KRG, they will continue to increase even further. A negotiation of the oil quota between the two governments would be difficult given their need for money. KRG is in the brink of collapse with thousands of workers and soldiers going unpaid. The same thing is for Iraq. Another danger is the punitive special forces-like attacks of ISIS to the oil infrastructure which is already very old. Those who claim that solving the status of Kirkuk will solve the issue of Iraq and the region widely seem to be short-sighted. Iraq is embroiled in a nationalist and sectarian war which is spreading in the region from Yemen to Syria. It is really difficult to imagine an Iraq return to its pre-2011 status in the near future.

In order to avoid this gloomy future, we have formulated some suggestions about ICG, KRG, Turkmen, Turkey, Iran and USA. The most important of these is the status of Kirkuk as an autonomous governorate ruled by Kirkukis themselves in accordance to Iraqi Constitution. Both KRG and ICG should not lay claim to the city, but sit on the discussion table, share the oil revenues in accordance to Constitution, and call for international organizations to mediate between them. They should put the interests of the people ahead of their own, and give Iraqis the future they deserve. They should mend the ties between ethnic and sectarian groups, and make Arabs, Kurds, Turkmen, Assyrians, Shias and Sunnis feel Iraqis and have their allegiance to their country, not their tribes and sects.

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APPENDIX 1

ARTICLES 58, 121, and 140

In this appendix, the three most important articles of Iraqi Constitution are shown in full form. Their implication on Kirkuk were explained in chapter two and three.

Article 58

(A) The Iraqi Transitional Government, and especially the Iraqi Property Claims Commission and other relevant bodies, shall act expeditiously to take measures to remedy the injustice caused by the previous regime's practices in altering the demographic character of certain regions, including Kirkuk, by deporting and expelling individuals from their places of residence, forcing migration in and out of the region, settling individuals alien to the region, depriving the inhabitants of work, and correcting nationality. To remedy this injustice, the Iraqi Transitional Government shall take the following steps:

(1) With regard to residents who were deported, expelled, or who emigrated; it shall, in accordance with the statute of the Iraqi Property Claims Commission and other measures within the law, within a reasonable period of time, restore the residents to their homes and property, or, where this is unfeasible, shall provide just compensation.

(2) With regard to the individuals newly introduced to specific regions and territories, it shall act in accordance with Article 10 of the Iraqi Property Claims Commission statute to ensure that such individuals may be resettled, may receive compensation from the state, may receive new land from the state near their residence in the governorate from which they came, or may receive compensation for the cost of moving to such areas.

(3) With regard to persons deprived of employment or other means of support in order to force migration out of their regions and territories, it shall promote new employment opportunities in the regions and territories.

(4) With regard to nationality correction, it shall repeal all relevant decrees and shall permit affected persons the right to determine their own national identity and ethnic affiliation free from coercion and duress.

(B) The previous regime also manipulated and changed administrative boundaries for political ends. The Presidency Council of the Iraqi Transitional Government shall make recommendations to the National Assembly on remedying these unjust changes in the permanent constitution. In the event the Presidency Council is unable to agree unanimously on a set of recommendations, it shall unanimously appoint a neutral arbitrator to examine the issue and make recommendations. In the event the Presidency Council is unable to agree on an arbitrator, it shall request the Secretary General of the United Nations to appoint a distinguished international person to be the arbitrator.

(C) The permanent resolution of disputed territories, including Kirkuk, shall be deferred until after these measures are completed, a fair and transparent census has been conducted and the permanent constitution has been ratified. This resolution shall be consistent with the principle of justice, taking into account the will of the people of those territories.

Article 61

(A) The National Assembly shall write the draft of the permanent constitution by no later than 15 August 2005.

(B) The draft permanent constitution shall be presented to the Iraqi people for approval in a general referendum to be held no later than 15 October 2005. In the period leading up to the referendum, the draft constitution shall be published and widely distributed to encourage a public debate about it among the people.

(C) The general referendum will be successful and the draft constitution ratified if a majority of the voters in Iraq approve and if two-thirds of the voters in three or more governorates do not reject it.

(D) If the permanent constitution is approved in the referendum, elections for a permanent government shall be held no later than 15 December 2005 and the new government shall assume office no later than 31 December 2005.

(E) If the referendum rejects the draft permanent constitution, the National Assembly shall be dissolved. Elections for a new National Assembly shall be held no later than 15 December 2005. The new National Assembly and new Iraqi Transitional Government shall then assume office no later than 31 December 2005, and shall continue to operate under this Law, except that the final deadlines for preparing a new draft may be changed to make it possible to draft a permanent constitution within a period not to exceed one

year. The new National Assembly shall be entrusted with writing another draft permanent constitution.

(F) If necessary, the president of the National Assembly, with the agreement of a majority of the members' votes, may certify to the Presidency Council no later than 1 August 2005 that there is a need for additional time to complete the writing of the draft constitution. The Presidency Council shall then extend the deadline for writing the draft constitution for only six months. This deadline may not be extended again.

(G) If the National Assembly does not complete writing the draft permanent constitution by 15 August 2005 and does not request extension of the deadline in Article 61(F) above, the provisions of Article 61(E), above, shall be applied.

Article 140

First: The executive authority shall undertake the necessary steps to complete the implementation of the requirements of all subparagraphs of Article 58 of the Transitional Administrative Law. Second: The responsibility placed upon the executive branch of the Iraqi Transitional Government stipulated in Article 58 of the Transitional Administrative Law shall extend and continue to the executive authority elected in accordance with this 1 Constitution, provided that it accomplishes completely (normalization and census and concludes with a referendum in Kirkuk and other disputed territories to determine the will of their citizens), by a date not to exceed the 31st of December 2007.

APPENDIX 2



**HACETTEPE UNIVERSITY
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My thesis work related to the title/topic above:

1. Does not perform experimentation on animals or people.
2. Does not necessitate the use of biological material (blood, urine, biological fluids and samples, etc.).
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4. Is not based on observational and descriptive research (survey, measures/scales, data scanning, system-model development).

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16/05/2017
W. M. F.

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APPENDIX 3



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APPROVED.

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26/04/2017

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