

The Day After The Independence Referendum in the Kurdistan Region of Iraq

Muhanad Seloom

Abstract: The Iraqi Kurdistan region independence referendum represents a turning point in Iraq's modern history. For the first time since its foundation in 1921, Iraq's territorial integrity is at stake. The federal government in Baghdad will do its best to prevent the breakup of Iraq into ethno-sectarian states. Equally, the creation of an independent Kurdish state poses a serious challenge to Iran and Turkey, where millions of ethnic Kurds live. This brief evaluates what may happen in the aftermath of the referendum endorsing the independence of the Iraqi Kurdistan region

There were many reasons behind the decision by the Kurdistan Regional Government (KRG) to hold an independence referendum on September 25, 2017, and experts have discussed the underlying causes leading to the referendum in more detail.¹ The KRG has already held its independence referendum, yet the Kurdish leadership recognises that independence from Iraq will not happen in the near future. Kirkuk and other disputed territories raise complicated ethno-religious issues which might need years to resolve. Most ethno-religious minorities in the disputed territories are concerned by the fact that they have to choose between the Iraqi government and the Kurdistan Regional Government.² It is not clear what guarantees the KRG is prepared to offer in terms of securing the rights of the Turkmen, Arab, Shabak, Yezidi, and Christian minorities living in the disputed territories. Minorities in the Kurdistan region fear that Kurdish political parties are using them for political gains as "the referendum was designed to take place without input from the KRI minorities and their political opinions were not solicited."³ Consequently, Assyrian, Armenian, and Turkmen groups together submitted 50 demands to the High Committee of the Referendum asking for the protection of their religious and ethnic rights in the new to-be-declared state and minorities' rights to self-governance in their own areas.⁴

The President of the KRG, Massoud Barzani, delivered a speech on the eve of the referendum in which both the Iraqi and Kurdistan region's flags were clearly displayed.⁵ It is striking that the president realises that the referendum's positive outcome does not mean the immediate separation of the Kurdistan region from Iraq and that the KRG constitutionally remains

It is not clear what guarantees the KRG is prepared to offer in terms of securing the rights of the Turkmen, Arab, Shabak, Yezidi, and Christian minorities living in the disputed territories

under the sovereign authority of the Iraqi federal government. Equally, the President has mentioned in several interviews that the KRG is open to considering any viable alternative to the independence referendum.⁶ The referendum's positive outcome will most likely be used to pressure the central government in Baghdad to grant the KRG more powers, including the administration of Kirkuk and other disputed territories, control of KRG airspace and border crossings, and powers for the exploration and management of natural resources.

The political standoff between Baghdad and the KRG has been building up ever since the referendum was held. There are different speculations about the trajectory of the current crisis. This paper proposes three scenarios for what could happen after the KRG's independence referendum:

Assyrian, Armenian, and Turkmen groups together submitted 50 demands to the High Committee of the Referendum asking for the protection of their religious and ethnic rights in the new to-be-declared state and minorities' rights to self-governance in their own areas

First Scenario: Political Standoff

The first scenario, which is developing at the moment, could result in a political standoff between the Iraqi federal government in Baghdad and the KRG in Erbil. The Iraqi government has already begun administrative sanctions in response to the KRG's decision to hold the independence referendum. On the eve of the referendum, the Iraqi government exercised its sovereign powers over the country's territory, ordering

the KRG to hand over its airports and border crossings with Iran, Turkey, and Syria. Furthermore, the Iraqi central government in Baghdad imposed a ban on air travel to Iraqi Kurdistan in retaliation for the independence vote, a move which has drawn widespread opposition from many other regional and international governments.⁷ Additionally, the Iraqi government intends to suspend, dismiss, and possibly prosecute Kurdish officials in the Iraqi government who voted in the independence referendum.⁸ The Iraqi government is also to issue a ban on all oil companies under contract with the KRG from working in the disputed territories; and intends to put pressure on foreign investors to stop buying the KRG's oil. However, the Iraqi government has not been very successful in its countermeasures so far. Reportedly, Russia's Rosneft has already begun making new deals with the KRG regarding an investment in gas pipelines on its territory.⁹ Additionally, Chevron drilled its first exploration well last September 2017 in Iraqi Kurdistan after a two-year break which signals confidence in the area despite an international row over the independence referendum plan.¹⁰ The combined effect of the Iraqi government's measures against the KRG certainly pose the danger of a political standoff between Baghdad and Erbil which, unless a settlement is reached, could potentially delay the Iraqi parliamentary elections scheduled to be held in April 2018.

Equally, regional and international stakeholders will influence the development and trajectory of the crisis between the federal government in Baghdad and the KRG in Erbil. The Turkish government has threatened to impose political and economic sanctions against the KRG in response to the independence referendum. Furthermore, the Turkish media has quoted Turkish senior officials threatening military action against the KRG if the Turkmen minority in Kirkuk and other disputed areas is targeted as a



The combined effect of the Iraqi government's measures against the KRG certainly pose the danger of a political standoff between Baghdad and Erbil which, unless a settlement is reached, could potentially delay the Iraqi parliamentary elections scheduled to be held in April 2018

result of the referendum.¹¹ However, it is unlikely that the Turkish government would militarily intervene in Iraq at this stage as it has been very cautious about the nature and scale of military interventions outside its borders.¹²

At the same time, Iran has threatened to impose political and economic sanctions against the KRG in response to the independence referendum.¹³ If Turkey and Iran decide to impose political and economic sanctions against the KRG, the chances of holding constructive dialogue between Baghdad and the KRG will decrease significantly, because the KRG would accuse Baghdad of orchestrating an economic and political blockade against the Kurdish people.

It is important to remember that Iran, Baghdad, and Turkey have different priorities, rendering the Turkish-Iranian-Iraqi alliance against the KRG overrated. Taking into account these countries' past records and their different and often conflicting priorities, sustaining the current coordination will inevitably be difficult. The Turkish government's economic ties with the KRG are significant; therefore, the Turkish government will not give up on its existing lucrative relationship with the KRG easily. While Iran has major economic ties with the KRG, its relationship with Baghdad is strategically more important. It is also significant to note the historical rivalry between Turkey and Iran. The two countries compete over influence in the region and particularly in the Kurdistan Region of Iraq. This competition might inhibit the willingness of either party to ruin

its relationship with the KRG. Iran, Turkey, and Baghdad also have different priorities when it comes to the PKK, PIJAK, economic interests, and other issues. It is unlikely that the current alliance between Turkey, Iran, and Baghdad against the KRG will stand the test of the coming months.¹⁴

Second Scenario: Strategic Prudence

While waiting for the tempest stirred up by the referendum to pass, Baghdad might practice strategic prudence by confining its response to aggressive political rhetoric and limited administrative sanctions – taking advantage of the regional and international support for Iraq's territorial integrity. In practical terms, any administrative action political or economic sanction imposed by Baghdad would not bring Kurdistan to a standstill. Moreover, in these circumstances, major military action is not foreseen.

This second scenario would also give the President Barzani enough time to use the referendum result to address internal political issues ahead of the parliamentary and presidential elections set for November 2017. It is important to mention that prior to the crisis with Baghdad over the current independence referendum, there was a political stalemate in the region over the presidency of the region. Barzani's term expired on the August 20, 2015, during the war against ISIS.¹⁵ Disagreement among different Kurdish political parties over the powers of the KRG presidency led to a political deadlock which paralysed the region's parliament and led to the dismissal of several KRG ministers, most of them from the opposition Goran Party. The ethno-nationalistic momentum created by the referendum allowed the region's parliament to convene for the first time in two years on September 15, 2017 in order to approve the independence referendum. The parliament approved the referendum by a majority vote of 65 out of 68 members. It is worthwhile



to mention that only 68 MPs attended the parliamentary session out of 111 members in total.¹⁶ The KRG will almost certainly seek to use the referendum result as the basis for a new political accord to unite its major political parties. Once a united Kurdish front is created, the KRG will be ready for dialogue with the federal government in Baghdad.

The post-referendum political atmosphere in Kurdistan is mostly shaped by ethno-nationalist sentiment. However, Kurdish populist political parties such as Goran and Komel view the leadership role of President Barzani's party, the KDP, in the independence referendum and subsequent possible negotiations with suspicion. At the same time, Barzani has created a new Independence Committee to oversee the process, development, and negotiations over independence. Hero Talabani, from Goran and the PUK, refused to join the committee over fears that the KDP will use this committee to consolidate its grip over power.¹⁷

It is speculated that Baghdad's strategic prudence will last between two to three months while internal and external initiatives to defuse the crisis are brokered. At this junction, regional and international stakeholders could play an important role in facilitating dialogue to resolve outstanding administrative and financial issues between Baghdad and Erbil.

Third Scenario: Armed Confrontation

The worst-case scenario is a military confrontation in the disputed territories between Arab and Turkmen security forces on the one side and Kurdish security forces on the other. These forces include Hashd al-Sha'bi, Hashd al-A'sha'ri, the Iraqi Army, and other paramilitary groups, who may end up fighting the KRG's Peshmerga and possibly PKK forces. This third scenario could be triggered if Baghdad sends security forces to regain control of Kirkuk and other disputed

Several Al-Hashd commanders have already made threats against the KRG, promising to drive Kurdish security forces out of the disputed territories. Al-Qais al-Khaza'li, commander of Asa'ib Ahl al-Haq militia (AAH) has threatened to use force to retake Kirkuk, stating that "Kirkuk is Iraqi."

territories. It is unlikely that the Iraqi government, at this stage, will send security forces to Kirkuk or other disputed territories. However, the Iraqi Security Forces (ISF) do not consist solely of conventional military forces. Al-Hashd al-Sha'bi paramilitaries (militias) are now part of the ISF. These paramilitary groups have different allegiances depending on their religious beliefs, sectarian identity, political affiliations, and sources of financial support. Several Al-Hashd commanders have already made threats against the KRG, promising to drive Kurdish security forces out of the disputed territories.¹⁸ Al-Qais al-Khaza'li, commander of Asa'ib Ahl al-Haq militia (AAH) has threatened to use force to retake Kirkuk, stating that "Kirkuk is Iraqi."¹⁹ Militias such as AAH are linked to Iran in terms of religious and financial support, and it is not clear whether Iran has authorised these militias to threaten the KRG with military action. There were reports of limited clashes before and during the referendum between certain Hashd elements and Kurdish security forces.²⁰ If the number of isolated clashes and provocations between paramilitary groups and Kurdish forces increase after the referendum, there is the possibility that these clashes could develop into ethnic violence in the disputed territories. The United States and other members of the Coalition will almost certainly end up playing a bigger role in stabilizing Iraq, through direct intervention, if ethno-religious violence breaks out in the disputed territories. It is important to remember that ISIL terrorists are still active in Iraq, controlling several cities and towns in Anbar, Nineveh, and other provinces.



The Trajectory of the Crisis

Any future resolution of the current crisis between the federal government in Baghdad and the KRG would include two major components: a road map to resolve the issue of disputed territories and an agreement on the devolution of powers. The disputed territories can be divided into two categories: Kirkuk province and parts of other provinces which the KRG claims are historically Kurdish areas. Kirkuk will be the thorniest issue to settle, due to its ethno-religious diversity, its symbolic importance for both Kurds and Turkmen, and its vast natural resources of oil and gas.

Drawing on past standoffs between Baghdad and Erbil and the statements of government officials in Baghdad and Erbil, it is likely that the federal government in Baghdad will be open to discussing the transfer of the administration of Kirkuk and other disputed territories to the KRG, if in turn Kurdish negotiators are willing to compromise on the devolution of power

Drawing on past standoffs between Baghdad and Erbil and the statements of government officials²¹ in Baghdad and Erbil, it is likely that the federal government in Baghdad will be open to discussing the transfer of the administration of Kirkuk and other disputed territories to the KRG, if in turn Kurdish negotiators are willing to compromise on the devolution of power.²² The federal government in Baghdad wants to keep Iraq united and consolidate its sovereign power in the hands of the central government. If the KRG is willing to compromise on its powers over the exploration, management, and revenues of natural resources such as oil and gas, the control of border-crossings, and other administrative powers, it is predicted that the federal government in Baghdad might consider transferring [partially or

fully] the administration of Kirkuk and/or other disputed territories to the KRG.

Conclusion

The independence referendum in the Kurdistan region of Iraq is a landmark in Kurdish history. The positive result represents victory to many ethno-nationalist Kurds across the world. However, the referendum was not solely driven by the Kurds' quest for statehood; rather, there are other internal political and economic drivers behind it. On the one hand, the KRG will do its best to increase the amount of territory under its administration while maintaining as much autonomy as possible. Baghdad, on the other hand, will do its best to maintain Iraq's territorial integrity without compromising the federal government's monopoly over its sovereign powers.

The Kurdistan Regional Government seeks not only to increase its territorial reach, but also seeks more power over its territory, airspace, and resources, away from the watchful eye of Baghdad. However, it is unlikely that the KRG will get both more territory and more powers at the same time, unless the KRG is willing to negotiate the co-administration of Kirkuk, and the exploration for and financial revenues of natural resources – most notably oil and gas. These issues are expected to be negotiated between Baghdad and Erbil, assisted by arbitrators.

The Kurdistan Regional Government seeks not only to increase its territorial reach, but also seeks more power over its territory, airspace, and resources, away from the watchful eye of Baghdad. However, it is unlikely that the KRG will get both more territory and more powers at the same time, unless the KRG is willing to negotiate the co-administration of Kirkuk, and the exploration for and financial revenues of natural resources – most notably oil and gas



The role of the United States government and other players is likely to be limited to the facilitation of dialogue between Baghdad and Erbil. However, the United States government will most likely play a bigger role in stabilizing Iraq if ethnic violence breaks out in the disputed territories. The war with ISIS is not over yet, despite impressive victories achieved by both the Iraqi and Coalition forces. Cities such as Rawa and Al-Qa'im are still under ISIS's control. Any local chaos caused by ethno-religious violence would help ISIS recover from its fresh defeats. While the danger of military confrontation between the Iraqi and the Kurdish security forces is ever-present, it is unlikely that Baghdad will use military force to resolve the current crisis.

Both Baghdad and Erbil will continue to raise the levels of their demands and use pressure tactics ahead of the expected negotiations over the final outcome

To conclude, the crisis between the federal government in Baghdad and the KRG is taking two different trajectories at the moment: firstly, Baghdad is increasingly focused on pressuring Erbil by imposing administrative and economic sanctions. Secondly, local and international initiatives have been launched to broker a dialogue between the two parties. Both Baghdad and Erbil will continue to raise the levels of their demands and use pressure tactics ahead of the expected negotiations over the final outcome.



Endnotes

- 1- Badawi, Tamer (2017): The Kurdish independence Referendum: Drivers & Implications. <<http://sharqforum.org/2017/09/21/the-kurdish-independence-referendum-drivers-implications/>>
- 2- Rosen, Kenneth (2017): An Ominous Future for Kurdistan's Minorities. <https://www.theatlantic.com/international/archive/2017/09/kurdistan-referendum-iraq-isis-turkey-saddam-hussein/540939/>
- 3- Babri, Saad (2017): Why Kurdish referendum is unlikely to end Iraqi minorities' dilemma. <<http://english.alarabiya.net/en/perspective/features/2017/09/26/Why-Kurdish-referendum-is-unlikely-to-end-Iraqi-minorities-dilemma.html> >
- 4- Babri, Saad (2017): Why Kurdish referendum is unlikely to end Iraqi minorities' dilemma. <<http://english.alarabiya.net/en/perspective/features/2017/09/26/Why-Kurdish-referendum-is-unlikely-to-end-Iraqi-minorities-dilemma.html> >
- 5- Barzani, Massoud (2017): <https://www.youtube.com/watch?v=YSJsTdy7lYc> >
- 6- Okuducu, Idris (2017): Kurd chief open to 'alternate arrangement' with Baghdad. <<http://aa.com.tr/en/middle-east/kurd-chief-open-to-alternate-arrangement-with-baghdad/914417?amp=1> >
- 7- Chmaytelli, Maher and Karadeniz, Tulay (2017): Last flight departs as Iraq imposes ban for Kurdish independence vote. <https://www.reuters.com/article/us-mideast-crisis-kurds-referendum/last-flight-departs-as-iraq-imposes-ban-for-kurdish-independence-vote-idUSKCN1C4113>
- 8- Rudaw (2017): Iraq takes new measures against Kurdistan, puts officials on trial for referendum. <<http://www.rudaw.net/english/middleeast/iraq/09102017> >
- 9- Zhdannikov, Dmitry (2017): Russia's Rosneft clinches gas pipeline deal with Iraq's Kurdistan. <https://www.reuters.com/article/us-kurdistan-rosneft/russias-rosneft-clinches-gas-pipeline-deal-with-iraqs-kurdistan-idUSKCN1BT0MQ> >
- 10- Zhdannikov, Dmitry and Bouso, Ron (2017): Chevron drills oil well in Iraqi Kurdish area after two-year gap: sources. <https://www.reuters.com/article/us-chevron-exploration/chevron-drills-oil-well-in-iraqi-kurdish-area-after-two-year-gap-sources-idUSKCN1BV1UG> >
- 11- McKernan, Bethan (2017): Kurdistan referendum: Erdogan says Iraqi Kurds risk 'ethnic war' and threatens military response to vote. <<http://www.independent.co.uk/news/world/middle-east/kurdistan-referendum-kurdish-turkey-military-recep-tayyip-erdogan-iraq-kurds-krq-independence-a7967566.html> >
- 12- Gursel, Kadri (2016): Turkey faces decision over boots on the ground in Syria. <https://www.al-monitor.com/pulse/originals/2016/09/turkey-syria-fsa-fails-in-euphrates-shield.html> >
- 13- Reuters (2017): Turkey, Iran, Iraq consider counter-measures over Kurdish referendum. <https://www.reuters.com/article/us-mideast-crisis-kurds-referendum-minis/turkey-iran-iraq-consider-counter-measures-over-kurdish-referendum-idUSKCN1BW1EA> >
- 14- Tastekin, Fehim (2017): Turkey, Iran, Iraq in shaky alignment against Iraqi Kurdistan. <https://www.al-monitor.com/pulse/originals/2017/09/turkey-iran-iraq-alignment-against-iraqi-kurdistan.html> >
- 15- Coles, Isabel (2015): Political crisis escalates in Iraq's Kurdistan region. <<http://www.reuters.com/article/us-iraq-kurds/political-crisis-escalates-in-iraqs-kurdistan-region-idUSKCN0S6oHX20151012> >
- 16- Rudaw (2017): Kurdistan parliament approves independence referendum on Sept 25. <<http://www.rudaw.net/english/kurdistan/15092017> >
- 17- Rudaw (2017): Gorran refuses to join referendum committee as others ponder timeline. <<http://www.rudaw.net/english/kurdistan/24042017> >
- 18- K24 (2017): **بيبعشلا دىشلا قىبور، جولاى يلعزلا: دعب نانسىروك قىمجالمل لللقىسلا** <<http://www.kurdistan24.net/ar/news/3a1113a5-boed-44b4-8cbb-57de5d3d4e07> >
- 19- Al-Khaza'li, Qais (2017): **داعىسا نلعى يلعزلا: كوكر ك قىقار ن اعافد لائقلا** <<https://www.youtube.com/watch?v=N9glBYyW3Lg> >
- 20- Radio Free Europe (2017): Violence In Kirkuk Ahead Of Planned Kurdish Referendum Vote. <https://www.rferl.org/a/iraq-kirkuk-clashes-/28744118.html> >
- 21- Abadi, Haider (2017): PM calls for 'dialogue, dialogue, dialogue' with Erbil in carrot and stick speech. <<http://www.rudaw.net/english/>



middleeast/iraq/130920171 >

22- Rudaw (2017): President Barzani and Iraqi speaker Jabouri agree to dialogue with open agenda. <<http://www.rudaw.net/english/middleeast/iraq/08102017>>

ABOUT THE AUTHOR

Muhanad Seloom is an independent analyst and academic researcher into ethno-sectarian conflicts. He is also the co-founder of the Iraqi Research Network (IRN), a non-profit research centre based in London. From 2007 to date, his research has focused on ethno-sectarian conflicts in the Middle East, including the Kurdish issue and the Shia-Sunni schism.

ABOUT ALSHARQ FORUM

The Sharq Forum is an independent international network whose mission is to undertake impartial research and develop long-term strategies to ensure the political development, social justice and economic prosperity of the people of Al-Sharq. The Forum does this through promoting the ideals of democratic participation, an informed citizenry, multi-stakeholder dialogue, social justice, and public-spirited research.

Address: Istanbul Vizyon Park A1 Plaza Floor:6

No:68 Postal Code: 34197

Bahçelievler/ Istanbul / Turkey

Telephone: +902126031815

Fax: +902126031665

Email: info@sharqforum.org

sharqforum.org



الشارق
منتدى
ALSHARQ FORUM

