

The Future of the Iraqi Kurds

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Abstract: *The future of Iraq as a nation state is in question as never before. If its three main communities cannot find an effective formula for political cohabitation then the country may face partition (whether formal or otherwise) with unpredictable consequences for the wider region. Indeed, with ISIL [2] terrorists occupying the west and centre of the country, it may be more accurate to say that Iraq is already broken, and that the question now is whether it can yet be stitched back into a functioning whole. The clock is ticking. Key to Iraq's future will be the policies and actions of the Kurdistan Regional Government (KRG). The Kurdistan Region is the best governed—and least dysfunctional—part of Iraq, with a developing democratic culture and relatively stable economy. It is professionally and effectively defended by its national guard, the Peshmerga, and is a haven of tolerance in a wider region where extremism and instability are on the rise. It has responded with great generosity to the sudden influx of hundreds of thousands of displaced Iraqis and Syrians, of different ethnicities and religions, seeking sanctuary there. There can be no solution to Iraq's current troubles unless the governments in Baghdad and in Erbil (the Region's capital) work together to overcome mutual suspicion and acrimony. The qualities make the Kurdistan Region vital for Iraq's future. Kurds have been living in northern Iraq since ancient times, as they have been in the neighbouring, mainly mountainous parts of Iran, Syria and Turkey that together comprise Kurdistan, [3] a territory with no formal boundaries or official status, sometimes described as the largest stateless nation in the world. Kurds might thus be described as one of the indigenous peoples of Iraq. [4]. Discussion about Kurdish independence both inside and outside Kurdistan too often remains limited to the moral argument: Do the Kurds deserve independence? Is it not their right? It may be, but that is not what this monograph is about. Whether or not the Kurds win independence is ultimately a question for the Kurds. What the current debate misses, however, is that, if the Kurds achieve their national aspiration, it will not be the end of the story but rather its beginning. Seldom, however, does this discussion occur in Kurdistan, let alone in the West. Even basic questions remain unanswered: what do the Kurds want? Ask almost any Kurd in Iraq, Syria, Turkey, or Iran, and they will say they want their own state. But their leaders recognize that's easier said than done. Some use nationalism as a cover to distract from other issues. Others have proposed creative solutions, such as a confederation of autonomous regions across existing nation-states. Seldom, however, do Kurds address the question about whether freedom means just one Kurdistan or several. In this study we will analyse the question of Iraqi Kurds on word, and we will deal with it as follow;*

Keywords: Iraqi Kurds, Kurdistan Regional Government

1. Who Are the Kurds?

The literature on Kurds is mainly composed of in depth historical analyses of the Kurds and histories of the development of Kurdish national identity and Kurdish nationalism. The Kurds have been a distinct ethnic group in the Middle East for almost two millennia. They have been part of much larger empires serving as loyal, and occasionally rebellious, subjects. They have also led some of the most formidable military formations: every Kurd proudly recounts that Salah ad-Din, the conqueror of Jerusalem and Richard the Lion-Hearted's nemesis, was Kurdish. The Kurds' primary concern in the waning days of the Ottoman Empire as wars exacted their toll was how to avoid the taxman and the sultan's insatiable need for fresh conscripts. Otherwise, content to be neglected by the Sublime Porte (the Ottoman court), the Kurds were just co-equal members of a Muslim community. It was only in response to nationalist stirrings in Europe, Istanbul, and elsewhere that the first attempts at building ethnic consciousness emerged. They were also distressed by the efforts of Young Turks to reconstitute the Empire's remnants as a Turkic-centered entity. [5]

The Kurds live in a region called Kurdistan "country of the Kurds", which appeared on maps prior to World War I. Much of the region consists of areas in the central and northern Zagros Mountains, the eastern two-thirds of the Taurus and Pontus Mountains, and the northern half of the Amanus Mountains. The 230,000 square miles that make up Kurdistan are stretched across the countries of Turkey,

Syria, Iraq, and Iran. Kurds are the fourth largest ethnic group in the Middle East, but they have no modern nation of their own. Throughout this century and earlier, Kurds have fought to regain control over their ancestral territories. They want to be a respected nation among nations. The Kurdish independence fighters are called peshmerga (those who face death). As in every conflict the world over, the Kurdish civilians suffer most from the Kurdish struggle for self-determination. The Kurds are today the largest stateless territorial nation in the world. Kurdistan extends from the Caucasus to the Mediterranean Sea and from there to the Gulf. Others Kurds are distributed in such countries as Armenia, Germany, Sweden, France, and the United States. There are almost 800 separate tribes in Kurdistan. One can often identify the tribe from which a Kurd comes by his or her last name. [6] Almost any visitor to Kurdistan will hear Kurds quip that they are "the largest people without a state." Indeed, they are. None of the countries in which the bulk of Kurds live—Turkey, Iran, Iraq, and Syria—have had a real and apolitical census in decades, and most have had a habit of disempowering Kurds, if not outright denying the existence of Kurdish identity. Yet the existence of more than 40 million Kurds in the Middle East is increasingly a fact that no country can ignore. Indeed, if all of Kurdistan's constituent parts were to become independent together, the resultant country would have a larger population than Poland, Canada, or Australia and larger in area than Bangladesh, Bulgaria, or Austria.

Historically, the Kurds are an Indo-European ethnic group, like the Persians, and are bound together by different

cultural and linguistic factors. In fact, they have their own language, which comes from the same family as the Iranian languages, also of Indo-European origin. Due to the cultural diversity of the Kurdish landscape, even the language is not only one, but consists of two main groups, Kurmanji and Sorani, and several dialects. [7]

2. Kurds in Iraq Before 2003

Since the birth of Iraq, here have emerged all the flaws of a system based on the political calculations of Great Britain. At the end of World War I London wanted to extend its area of influence to the future state of Iraq and did not hesitate to place within it the regions of southern Kurdistan, with their epicenter in Mosul, because of their energy wealth. Even then, though, it was clear that Iraqi Kurds would be integrated with great difficulty into a state system composed primarily of Arabs. Moreover, in Iraqi Kurdistan, between 1918 and the first half of the twenties there had been one of the first real experiences of Kurdish self-government, under the leadership of Shaykh Mahmud, an influential tribal leader whose power center was in the town of Sulaymaniyah. [8]

Within Iraq, Kurds make up around one fifth of the overall population: some 6 million Iraqis are thought to identify as Kurdish, making them one of the three most significant components (alongside Sunni and Shia Arabs) of the mosaic of communities that, since 1921, have made up the Iraqi state. Most Iraqi Kurds are Sunni, some are Shia, and a minority follow indigenous Kurdish religions such as Yezidism. Non-Kurdish minorities living in Iraqi Kurdistan include the Assyrians, a Christian community with roots in northern Iraq just as deep as those of the Kurds, and the Turcomans, a mainly Muslim community (both Shia and Sunni) descended from a nomadic people culturally related to the Turks. Kurds, Turcomans, Assyrians and Arabs mingle on Iraqi Kurdistan's southern border with the rest of Iraq. [9]

After a military coup in Iraq in July 14, 1958 led by Abdul Karim Qasim, a clan leader named Mustafa Barzani saw an opening for the Kurds and returned from exile to establish his own political party, the Kurdistan Democratic Party (KDP), which was granted legal status in 1960. Soon afterward, Qasim attempted to turn *Baradost* and *Zebari* tribes against Barzani. In June 1961, Barzani led his first revolt against the Iraqi government with the aim of securing Kurdish autonomy. Qasim's government was not able to subdue the insurrection. The Ba'athist coup against Qasim in February 8, 1963 resulted from his inability to deal with the Kurds forcefully. A ceasefire with the Kurds in 1964 caused a split among Kurdish radicals and traditional forces led by Barzani.

Barzani agreed to the ceasefire and expelled the radicals from the party. Seizing the opportunity of a crack in Kurdish unity, the central government in Baghdad moved against the Kurds militarily once again. This campaign failed in 1966, when Barzani's forces defeated the Iraqi Army near Rawanduz. Subsequently, the government in Baghdad issued a 12-point peace program. The program was not implemented, however, because of a bloodless coup by the

military in July 17, 1968 which installed the Ba'athist general Ahmad Hassan al-Bakr. The new regime began a fresh campaign to end the Kurdish insurrection, however the campaign was stalled in 1969 as an internal power struggle in Baghdad and tensions with Iran began to mount. Relenting to Soviet pressure to come to terms with Barzani, the al-Bakr government entered into a broadened peace plan providing for greater Kurdish autonomy within Iraq. The plan also granted Kurds representation in government bodies. [10]

In March 1970, the Iraqi government and the Kurdish leadership signed an autonomy agreement, granting broader freedom for Kurds and allowing Kurdish participation in the government, [11] and establishment of the Kurdistan region. The autonomy agreement between the Kurdish opposition and the Iraqi government, following years of heavy fighting [12].

Simultaneously, the Iraqi government embarked on an Arabization program in the oil rich regions of Kirkuk and Khanaqin of Iraqi Kurdistan. Importing and resettling Sunni Arabs into the region became a priority for the government in Baghdad. In 1974, the government began a new offensive against the Kurds, pushing them closer to the border with Iran. Iraq negotiated with Iran to end Iranian support for the Iraqi Kurds in exchange for the settlement of border territory in Iran's favor [13]. The 1974 agreement, however, failed to be implemented and northern Iraq plunged into another round of bloody conflict between the Kurds and the government of Iraq. The 1975 Algiers Agreement between Iraq and Iran withdrew Iranian support for the Kurds, the United States was also withdrawn and their revolt collapsed. [14]

Frustrated at the lack of progress on nationalist issues, Jalal Talabani, one of the disgruntled members of Barzani's politburo, left with his supporters in 1975 to form the Patriotic Union of Kurdistan (PUK). The PUK's initial purpose was to resume the armed struggle against Baghdad for Kurdish independence. Military success brought about three-fourths of Iraqi Kurdistan under PUK influence. The renewed clashes between Kurdish guerrillas and Iraqi troops. To punish the Kurds, government leveled 600 Kurdish villages and forcibly removed 200,000 Kurds to other parts of the country in what was the beginning of a massive internal Kurdish diaspora [15].

During the regime of Saddam Hussein (1979- 2003), under whom Kurds suffered several waves of repression, they were again supported by Iran during the war between Iraq and Iran in the eighties. It was also because of their role as a fifth column of Iran between 1986 and 1988, that Saddam Hussein decided to "punish" them with killings, summary deportations and the destruction of villages: the so-called "al-Anfal campaign", which caused the death of at least 150,000 people. Part of this operation was the episode in which the Iraqi army used chemical weapons in the town of Halabja, killing about 5,000 Kurds [16].

The Kurdish Spring of 1991 marked a watershed in Kurdistan's history of struggle for a better future. Suppressed from its onset by the Iraqi army, under the

protection of the international community and internationally supervised establishment of the no-fly zone the uprising eventually initiated the transition of the region to democracy and free market economy [17]. Iraqi Kurdistan exists today in a *de facto* sense, but struggles to exist in a *de jure* sense. The area itself became essentially independent of Saddam's regime after the 1991 uprising. The U.S.-British-French enforced —no fly zone established in the wake of the first Gulf War, Iraq's Kurds were able to go about their own business unencumbered by Baghdad's retention of nominal and geographic sovereignty [18]. Saddam's reaction was to withdraw all government services from the zone, north of the so-called "Green Line", and to impose a blockade, in the expectation that resistance would soon collapse. The resistance would instead outlast the regime. Iraqi Kurdistan's two dominant forces, the Kurdistan Democratic Party (KDP) of Massoud Barzani and the Patriotic Union of Kurdistan (PUK) of Jalal Talabani buried their differences to organise elections for a new "Kurdistan Regional Government" (KRG) and to make plans for enduring the blockade and providing basic public services [19]. The first elections in the region were held in May 1992, establishing a Kurdish parliament which in turn created the Kurdish Regional Government (KRG). For the next 12 years, the region survived, despite food, energy and electricity shortages, and even a collapse in relations between the PUK and KDP in the mid-90s that led to civil war and to parallel governments in the Region's two main cities.

Disunity among Kurds exists within the nation-state elements as well. In Iraqi Kurdistan, the fault-line is political, not religious. Indeed, the overwhelming majority of Kurds are nominally Sunni Muslim. The two main political parties Massoud Barzani's Democratic Party of Kurdistan (KDP) and Jalal Talabani's Patriotic Union of Kurdistan (PUK) that fought so bitterly in the mid-1990s reached a mutual accommodation to divide their geographic control of Iraqi Kurdistan. PUK headquarters is located in Sulaimaniyah and KDP headquarters is located in Erbil. The parties also control security within their own zones and their respective external borders. This is particularly beneficial to the KDP because the surcharge they are able to collect on cross-border trade between Turkey and Iraqi Kurdistan is substantial [20].

From 1994-1998, the KDP, and the PUK, fought a bloody war for power over northern Iraq. The KDP controlled the northern portion of Iraqi Kurdistan, with its political base in Erbil, while the PUK controlled the southern portion, based out of Sulaymaniyah. However, after a U.S.-brokered deal in September 1998 that brought both parties together, the factions began focusing on developing their respective portions of the Kurdish economy and opening cross-border links with their Kurdish cousins in Iran and Turkey [21].

When in 2002 the Bush administration's war option vis-à-vis Iraq became more and more evident, the KDP and PUK leaders were walking a fine line between general support for regime change, and abstention from open approval for a military intervention but participation in the bargaining behind the scenes. Much as the Kurds wished to get rid of Saddam Hussein's regime, they mistrusted the Arab nationalist and Islamist opposition groups, which had always

opted for a unitary, centralist state. From a Kurdish perspective, the regime was at least temporarily contained, and there was a risk that without clear guarantees a new government would again challenge the existing status quo. The degree of sensitivity became clear at the opposition conference in London in December 2002, when the Kurds snubbed a federalism scheme, an advocate of the recognition of Kurdish rights, had presented a model close to the German one, based on the eighteen Iraqi provinces. This was not enough for the Kurds, who envisaged two federal states in Iraq – one Arab and the other Kurdish, the latter comprising the northern provinces and the disputed territories. The London meeting was an antecedent of all the conflicts that flared later during the post-war constitutional process. The foundation for ethno-sectarian representation was also laid there: the members of the follow-up committee were carefully chosen by ethnic and religious affiliation, and only to a lesser extent by political orientation. During the war the Kurdish leadership maintained a neutral profile, while Kurdish forces were clandestinely serving the US troops as guides in areas such as Kirkuk, Mosul and even Baghdad [22]. The Kurds finally united and seized an opportunity to secure a firm legal status for their *de facto* state within a federal Iraqi state in the aftermath of the Iraq War.

3. Kurds in Iraq After 2003

With the occupation of Baghdad by U.S. forces on April 9, 2003, the Iraqi army was all but completely defeated. The combined *peshmerga*-U.S. assault from March 21 to April 12, 2003 defeated 13 Iraqi divisions, prevented Iraqi forces from reinforcing their southern defenses, captured strategic airfields throughout northern Iraq, and diminished the ability of the Ansar al-Islam terrorist group. The Kurdish *peshmerga*, assisted by the U.S. military, were finally able to defeat the Iraqi military and topple its oppressive leadership. The rule of Saddam Husain and the Baath party was over. The fighting spirit of the *peshmerga* had succeeded in forcing a new chapter in Kurdish history – yet another era of attempted power sharing between Arabs and Kurds [23].

The 2003 Iraq war solidified the Kurds' international visibility. The United States, had to rely extensively on Kurdish paramilitaries to maintain order in the north. The Kurds were the only ones to regard the U.S. occupation of Iraq as liberation. The Kurdish-controlled areas became Iraq's most stable and prosperous regions. Kurds also took an active political role in Baghdad. In 2005, one of the two Kurdish leaders, Jalal Talabani, the head of (PUK), assumed the presidency of Iraq and proved an able politician in building consensus in Baghdad. The other, Massoud Barzani, head of (KDP), assumed the mantle of president of the KRG [24]. The new Iraqi constitution, adopted by a national referendum on 15 October 2005, recognizes Kurdistan as a federal region with its own institutions (regional government, parliament, presidency and internal security forces) in the framework of a to-be-created federal order. For the lowland areas with a mixed population, such as oil-rich Kirkuk, disputed for decades and subjected to forced demographic changes, the Kurdish parties have succeeded in inserting a formula in the constitution (normalization process, a census and ultimately a

referendum) that opens the way to integrating these areas into the Kurdistan Region. [25]

Prior to the negotiation and adoption of the 2005 —permanent Iraqi constitution, an interim constitution was negotiated and adopted under the auspices of the Coalition Provisional Authority (CPA) that governed Iraq in the aftermath of the U.S.-led invasion and occupation of the country. Known as the Transitional Administrative Law (TAL), this interim constitution formed the basis of the permanent constitution to such an extent that there was very little room for maneuver between the two iterations.

The Kurdish factions were united during the TAL negotiations, and consequently dealt from a position of strength. Thus, while his staff was left to contend with the Arab factions, Ambassador L. Paul Bremer, head of the CPA, went to Erbil to negotiate directly with the Kurds. This parallel track opened a key avenue of power to the Kurds, of which they wasted no time taking advantage. Not only did the Kurds have Ambassador Bremer on their home turf, but those identified as accompanying him had little expertise in constitutional or federalism issues. [26]

As for the Kurds, they received a bit of an insurance policy by way of Article 141 in the Iraqi constitution, which protects the laws of Kurdistan and carries forward existing laws in the Kurdistan region, thereby protecting most pre-2005 Kurdish legislation from being steamrolled by the federal constitution. [27]

After decades of internal and regional conflict, the large-scale destruction and persecution of the Kurdish population, and periods of bitter infighting between rival factions, it seems that the Kurds are today more at ease and have more influence and power than ever before in modern Iraq. The Kurdistan Region, consisting of Arbil, Dohuk and Sulaimaniya provinces and adjacent areas, enjoys far-reaching self-rule under a regional government and a powerful president, the leader of (KDP) Masud Barzani. The armed units of the two main Kurdish parties, the peshmerga, are a considerable military force with an estimated strength of 70,000 to 120,000 men. Barzani's long-time rival and current ally, Jalal Talabani, the leader of (PUK), was elected in 2005 as Iraq's first post-war president – a post much less powerful than that of his predecessor, but still a position of more than symbolic importance. Representatives of the KDP and PUK hold senior government posts in Baghdad, among others the Ministry of Foreign Affairs and that of Deputy Prime Minister. [28]

When the first free elections were held in Iraq on 30 January 2005, a grassroots initiative organized – with the blessing of the political parties – a referendum in the Kurdish areas asking voters whether they want the region to remain a part of Iraq or to become independent. Almost 2 million people, or about 98 per cent of the participants, voted in favour of independence. The referendum was unofficial and irregularities were widespread (even children were allowed to cast ballots), but the results reflect a sentiment which can be felt in all parts of Iraq where Kurds are in the majority. For the KDP and PUK, the referendum was welcome insofar as it demonstrated to their partners in Baghdad what

direction things could take if the federalism scheme fails. A few days after the referendum, Maasud Barzani stated that “an independent Kurdish state will become true at the right time” [29]. Despite such public statements, Kurdish decision-makers admit, and are well aware, that an independent state is not a realistic option.

Unlike most of the rest of Iraq, between 2005 and 2014 the KRI maintained a good level of security and enjoyed strong economic growth and development; this included progress in signing and implementing oil and gas exploration and development deals with international companies. However, there were a number of intractable disputes between Baghdad and Erbil during this period, of which the vague constitutional provisions regarding the hydrocarbon sector and revenue-sharing were amongst the most important.

In 2008, the KRG allocated a crisis budget of \$120 million when drought threatened the KRI, in particular for the Sulaymaniyah and Halabjah Governorates. With the completion of the Daryan Dam in Iran, both the Sulaymaniyah and Halabjah Governorates will be heavily affected by decreased water flows. In the near future, seasonal flooding of the rivers in spring, a naturally occurring phenomena, will not continue because the Daryan Dam will divert water that would otherwise flow to the KRI. According to statistics, more than 3,200 hectares of agricultural land in the areas of Halabjah, Sayyid Sadiq and Darbandikhan will be lost if water flows from Iran further decrease other small dams have been built by Iran on rivers that flow into to the Darbandikhan Dam in the KRI. With the completion of the Daryan Dam, the cities and villages of Halabjah, Sirwan, Said Sadiq and Darbandikhan will not only face water crises in the agricultural, hydroelectric power and fishing sectors, but also when it comes to drinking water. The KRG's Minister of Agriculture and Water Resources, Abdul-Satar Majid, has also emphasized the significant impact the completion of the Daryan Dam will have on the KRI, because the water of the Sirwan River is utilized within the KRI for many purposes including drinking, hydropower, agriculture and fishing. [30]

Tensions between Kurdistan and the federal Iraqi government mounted through 2011–12 on the issues of power sharing, oil production, and territorial control. In 2012, the Iraqi government ordered the KRG to transfer its powers over their military forces (the Peshmerga) to the federal government. Relations became further strained by the formation of a new command centre – Dijla (Tigris) Operations Command - for Iraqi forces to operate in a disputed area over which both Baghdad and the KRG claimed jurisdiction. The fate of Kirkuk was supposed to be determined by a referendum (covered by Article 140 of the Constitution) which was originally supposed to have been held in 2007. No date has been set for the vote on the future of this disputed area that is claimed by Iraqi Arabs, Kurds, Turkomans, and other minority groups. None of the sides involved really wished the referendum to take place: Baghdad did not wish to lose control of Kirkuk, the Kurds were not entirely sure of their support in the city (and the KDP did not wish to weaken its position by acquiring a predominantly pro-PUK city), and Turkey exerted pressure

to protect Turkmen populations in the area and to prevent the KRG acquiring a large revenue source. [31]

Territorial disputes have been the most obvious points of contention between Baghdad and Erbil since 2003, with both the KRG and the Iraqi central government claiming the oil-rich city of Kirkuk and many other areas along a 300-mile boundary between the KRI and central government-controlled territories that stretches from Syria in the west to Iran in the east. [32]

Maneuvering in the post-Saddam political struggles, Iraqi Kurds won the argument with their rivals over redrawing provincial boundaries to reverse decades of ethnic cleansing and gerrymandering at their expense. Baghdad also agreed to their demand for a referendum on Kirkuk's fate, which, they have argued, represents the Kurds' Jerusalem. Article 140 of Iraq's constitution, enacted in 2005, provided that a referendum on Kirkuk would be held no later than December 31, 2007. However, the referendum has been delayed for lack of necessary preparations. The KRG faces opposition from Arabs and Turkish-speaking Turkmen and from neighboring countries, especially Turkey. The dispute centers on the potential for Kurdish independence and also on who will control the oil. Many Iraqis, as well as neighboring states, do not want the city of Kirkuk and its adjacent oil fields, the second largest oil producing region of Iraq, to be incorporated into the KRG. They worry that oil wealth and autonomy would create further momentum for independence. Despite the United Nations (UN) mediation effort led by Special Representative for Iraq Staffan de Mistura, who heads UNAMI, the UN Assistance Mission for Iraq, tensions are simmering in Kirkuk. Turkey has often stated that Kurdish control of Kirkuk constitutes a redline that may trigger its intervention [33].

The Kurdish gambit to reclaim Kirkuk included identifying it as part of the region of Iraqi Kurdistan in Article 2 of the Kurdish constitution. This does not directly contravene the Iraqi constitution, which calls in Article 140 for a referendum in Kirkuk—to determine the will of their citizens. But it is, nevertheless, at least hopeful and at most provocative depending upon one's point of view [34].

There are two unresolved matters that are clearly very important to the Kurdish leadership and whose resolution will go a long way toward stabilizing Iraq—oil legislation, particularly the status of oil exploration contracts already underway in the KRG, and the final status of Kirkuk. In the eyes of the Kurdish leadership, both are vital to the autonomy and development of the KRG, and as a result, they have been maximalist on both counts. The first major challenge to the future of Kurdistan stems from the controversy over Iraq's hydrocarbon law. Despite months of wrangling, the central Iraqi government has yet to enact national legislation. Contrary to popular belief, this law is less about how Iraq's oil revenues will be apportioned—this has already been defined in previous negotiations (although these agreements still need to be codified into law). Instead, it concerns contracting for the future development of Iraq's oil resources. The hydrocarbon issue may seem small compared to the larger challenges facing Iraq; but the hydrocarbon law has become a key battle within the much

bigger struggle over the powers of the central government versus those of the provinces and regions. For this reason, a law specifying who gets to negotiate and contract future oil development deals has significance well beyond the practicalities it is meant to address.

Indeed, one of the main problems in (KRG), as well as the heterogeneity of the Kurdish population itself. Which lives mostly in four different countries: Turkey, Iraq, Syria and Iran. In each of the individual contexts in which they live, the Kurds have different priorities and agendas that often even conflict with each other. This means that it is impossible to speak about a single Kurdistan, but rather of several Kurdistan(s) [35]. Political power in the KRI, as well as command of the Peshmerga, has largely been split between the (KDP) led by Kurdish president Masoud Barzani, and the (PUK), led by former Iraqi president Jalal Talabani until he suffered a stroke in December 2012. In 2009, the Movement for Change (Gorran), led by Talabani's former deputy Nawshirwan Mustafa, split off from the PUK; Gorran campaigned against corruption and nepotism in the two established parties and attracted sizeable support which made it, on some measures, the region's second-largest party. In general, the KDP is more tribal and conservative, and has its base in the governorates of Erbil and Dohuk, while the PUK is more urban and socialist-oriented and is centred in the southern KRI in the Sulaymaniyah governorate, as well as in Kirkuk. However, the Kirkuk governor, Najmaldin Karim, though part of the PUK, has established an independent power base of his own. There are also a number of smaller Islamist parties. [36]

While the KDP-PUK struggle for influence is ongoing, the emergence of a PUK-rival party known as Gorran has disrupted the political status quo in the Kurdistan Region. This PUK splinter group, whose name means "change" in Kurdish, emerged on the KRG's political scene in 2009 and has since challenged the balance of power between the KDP and the PUK. Gorran is particularly popular in the province of Sulaymaniyah and with Kurdistan residents age 25 and below, who make up 60 percent of the KRG's population. The party has taken a strong anti-corruption stance, and its willingness to criticize the patronage system in Kurdish politics has contributed to its growing popularity. In the September 2013 elections, Gorran won more seats than the PUK in the Kurdistan Parliament, winning 24 seats to the PUK's 18. [37]

At the beginning of 2014, ISIS started to increase its influence in Iraq but the initial attacks it carried out against Iraqi security forces took place in the Al-Anbar governorate. Having established a stronghold there by capturing the cities of Ramadi and Fallujah in the first half of 2014, it then started to move north and northeast into the Nineveh and Kirkuk governorates and increasingly targeted the Kurdish controlled or populated territories. In the subsequent weeks, it further expanded the territory it held and on August 1, 2014, it began its Kurdish campaign in which it captured territory, including the towns of Zumar and Sinjar. (25)

When the Islamic State (ISIS) occupied Mosul and attacked the Kurdistan Region, Kurdish forces developed a three-part

strategy to halt their advance, roll them back, and ultimately defeat them. Through the efforts of Peshmerga units with the aid of U.S. and coalition forces, Kurdish forces are currently rolling back ISIS in Iraq and have reclaimed 27,000 square kilometers; 1,603 Peshmerga have been killed in this effort and over 8,000 have been wounded. The Peshmerga and the Security Council of the Kurdistan Region under the leadership of Mr. Barzani have played a crucial role in defeating ISIS [38]. Since the end of August 2014, the *peshmerga* forces have recaptured the territory they lost. The capture of Mosul dam in August 2014 was one of the highlights of the *peshmerga* forces' advance against ISIS, which was achieved as a result of an intense U.S. air campaign against ISIS targets and with the support of the Iraqi Army.

In December 2014, the KRG and the federal government in Baghdad under Prime Minister Al 'Abadi reached agreement for the KRG to receive 17 per cent of the federal budget (minus allowed federal deductions); this amounted to about \$1.1 billion per month, plus additional payments for supporting the Peshmerga military. In return for this, the KRG was to export 550 kbpd of oil through its pipeline system consisting of 250 kbpd of 'Kurdish' oil, and 300 kbpd of oil produced from Kirkuk and surrounding fields which were operated by North Oil Company. By this point, the federal Kirkuk-Ceyhan pipeline was entirely inoperable due to the activities of ISIS, and Baghdad's only option for exporting Kirkuk crude was to use the connection to the KRG's new pipeline. In addition, the Kurdish Peshmerga forces had taken physical control of most of the fields around Kirkuk to deny them to ISIS.

The KRG gaining control over Kirkuk and its surrounding oil fields in 2014 was a major victory from the perspective of Iraq's Kurds. For Baghdad, losing control over Kirkuk and its oil was an embarrassment and revealed the Iraqi Army's inability to defend the country from the onslaught of ISIS. The central government protests the continuing Kurdish administration of Kirkuk. It is unlikely to abandon its claims over the oil-rich province, as well as other disputed territories seized by the KRG in 2014. If the KRG separates from Iraq, how the control over Kirkuk is resolved will be crucial in determining whether Kurdish independence leads to conflict with Baghdad [39].

However, the deal never operated close to the agreed parameters. The KRG did not export the agreed quantities of oil, claiming, with some justification, that it was ramping up production and the 550 kbpd figure should be taken as an average over the course of the year. However, it was also exporting some of its oil independently, outside the remit of the agreement. At the same time, Baghdad, which was suffering a severe liquidity squeeze due to the falling price of oil and the war against ISIS, failed to make its agreed payments in full. It paid \$200 million in January, and about \$2 billion in total by June. Baghdad, for its part, blamed the Kurdish failure to export the agreed amounts. In the broader picture, federal Iraq, running a deficit that is likely to approach 20 per cent of GDP in 2016, seems unlikely further to expand its debts to fund a region that may well become independent and certainly is unlikely to make any contribution to repaying those debts [40].

While acknowledging governance and economic mistakes, one can see that the economic situation was worsened by three main factors: the Iraqi government's February 2014 decision to cut Kurdistan's budget, the dramatic drop in oil prices, and the impact of accommodating 1.8 million internally displaced persons (IDPs) and refugees. If oil prices were \$67 per barrel, the government of Kurdistan would have \$1.3 billion in revenues a month, enough to cover its expenses. Additionally, while it receives some support for 300,000 refugees, there is little international support for IDPs, and this hurts local host communities. Among other complications, refugees and IDPs require medical services that are in high demand by wounded Peshmerga, forcing some soldiers to travel to Turkey for treatment [41].

In October 2015, amid protests that the KDP claimed Gorran orchestrated, Prime Minister Nechirvan Barzani, a KDP leader, removed Gorran's leaders from the cabinet and KDP security forces blocked Youssef Muhammad, a Gorran leader and the parliamentary speaker, from entering Erbil. Many of the protesters at that time were civil servants demanding that the government resume distributing salaries, while others were expressing their opposition to President Masoud Barzani's decision to serve a third term despite constitutional limitations on doing so. Since Gorran was unseated in Erbil, Gorran's leaders have entered into a political agreement with the PUK. The agreement calls for the PUK and Gorran to run on the same ballot in the next elections, which could upend the PUK-KDP alliance that has been in place for decades. Given the KRG's quickly changing political environment, however, the continued rapprochement between Gorran and the PUK is anything but certain [42].

The *peshmerga* forces made further gains in the Nineveh governorate throughout 2015 but progress was more gradual and cautious. On 13 November 2015, the town of Sinjar was captured jointly by the *peshmerga* forces, PKK guerrillas and local Yazidi defence forces. Subsequently the *peshmerga* forces began to push back ISIS further in other parts of Nineveh and in early February 2016, they captured 5 villages from ISIS in the Nineveh governorate [43].

4. Kurds Referendum

On September 25, 2017 a referendum will be held on the future of the Kurdistan region of Iraq. The vote will decide whether autonomous Kurdistan should disengage from Iraq and become an independent state or remain within the Iraqi state. The referendum will be the Iraqi Kurds' first concrete step towards the realization of the more than century-long dream of an independent Kurdish state. [44]

The president of the Kurdistan Regional Government (KRG), Masoud Barzani, declared that there is no turning back from holding the Kurdish independence referendum which is scheduled to take place on September 25, 2017. KRG officials, however, emphasize that the referendum results would not be binding, and therefore, they would avoid a unilateral declaration of independence without reaching an agreement with Baghdad [45]. The (KRG) announcement that it would hold a referendum on

independence on September 25 this year has revived the Kurdish issue in Iraq amidst ongoing anti-ISIS operations. Despite opposition from many Iraqi figures as well as regional and international players, the KRG have insisted that they will persist with the plan. The region has suffered from severe political and economic crises over the last couple of years, and the independence referendum is being used as a means to unify society. Bringing up the referendum now, even if it is eventually postponed, could be a useful tactic for extracting political and economic concessions from Baghdad in the context of a difficult financial position. Sooner or later, however, the fate of the Kurds in Iraq will bring the political future of the country into the balance. No-one believes that the possible referendum will settle the issue instantly on September 25, but if it takes place it will certainly represent another important milestone on the road towards possible independence. [46]

Among the Iraqi Kurds, no group directly opposes the KRG's right to hold a referendum on independence. The declaration that the independence referendum would be held came from Masoud Barzani, the current president of the KRG. It is thought that he wants to play a historic role in achieving independence before the end of his tenure. He believes that there will never be a perfect time for independence and he wants to die under the flag of an independent state. His party, the (KDP) is in control of several bureaucratic structures in the region and he has widespread support among the KRG population. His party is also the leading force behind the idea of a referendum.

But there are criticisms of Barzani in terms of power-sharing within the regional government, and his not allowing the return of the speaker of the parliament to Erbil or the election of a new president of the region. It might be said that his call for a referendum is a pragmatic move, designed to distract attention from everyday problems and improve the negotiating position of the Kurds within the federal Iraqi government over the allocation of resources, especially oil revenue. His term as president expired on August 19, 2015, but the Kurdistan Consultative Council decided that Barzani may stay in office for two more years. The criticisms of the speaker of the parliament, Yousif Mohammed Sadiq from Goran, led the KDP-controlled Peshmerga to bar him from entering Erbil. Current economic problems and allegations of corruption also damage Barzani's position. Some say that the independence referendum is also a way of playing the nationalism card to unify the society behind a common aim and overcome some of the criticisms rather than solving the political problems of the region. PUK representatives also refer to the right to an independence referendum but questions its timing and the way it has been handled by the KRG administration so far. [47]

In technical and financial terms, the KRG does not seem ready to hold such a referendum. Despite all of these criticisms and objections, Barzani and other officials have reiterated that they will continue with the proposed referendum [48]. The independence referendum, therefore, is a strategic move to reap the political advantage of the military success on the ground. As the referendum is non-binding and does not necessarily mean a total break from

Baghdad, it may well serve Kurdish goals to gain concessions from the central government. According to the Kurdish electoral commission, around 3,650,000 voters who are living in "Kurdistan areas outside the administration of the Kurdistan region" are eligible to participate in the referendum [49]

In addition to these arguments, however, there are some signals from other Kurdish figures that they may agree to postpone the referendum if certain conditions are guaranteed. Accordingly, if a future referendum is guaranteed by the U.S. and international institutions, the budgetary share of KRG is paid by the Iraqi central government and Article 140 of the constitution is implemented, then the proposed referendum may be postponed for some time. In the light of all of these arguments for and against the proposed referendum, neither side seems likely to budge. The current KRG presidency aims to benefit from the unifying impact of the idea of independence, whereas their domestic rivals in the KRG aim to use the referendum issue to resuscitate the regional parliament [50]. The Kurds are about to take a giant step toward making possible an independent homeland by becoming an exporter of Iraqi oil and gas on their own in defiance of the central government in Baghdad. The move, also strongly opposed by the United States, depends on crucial logistical, economic, and financial support from neighboring Turkey, which has decided to forge an energy alliance with Kurdistan even at the risk of encouraging its breakaway from the rest of Iraq. [51]

In Baghdad, we see nearly a unified stance against an independence referendum. Different Shia-dominated parties reject this idea. Prime Minister Abadi was against it but more diplomatic in its tone. [52] Although the central government opposes further Kurdish autonomy and independence, and despite Baghdad still maintaining some levers of power in the KRG, But it is poorly positioned to prevent the emergence of a Kurdish state. The Iraqi government is paralyzed by sectarian rivalries and undermined by corruption and inefficiency. Baghdad's ability to fund critical services—including payments due to the KRG under an established (but often breached) 17 percent revenue sharing formula—is undermined by the drop in global oil prices affecting export revenue obtained by both Baghdad and Erbil. [53]

The central government's reaction to the establishment of an independent Kurdistan and the tools Baghdad has available to either undermine or facilitate Kurdish over eighty would vary depending on how independence is achieved. The central government could see this unilateral action as an affront to Iraqi sovereignty and as a serious challenge to Baghdad's ability to keep the rest of the country united. Consequently, Baghdad is likely to react strongly. It could use different measures within its grasp to punish the Kurds for resisting the central government's authority, make independence as painful and unsuccessful as possible, undermine the economic viability of the new state, and alter the Kurds' cost-benefit analysis of independence. The first steps Baghdad could take would be to end any possibility of monthly revenue-sharing payments under the guise of the 2004 17 percent arrangement. Without revenue sharing, the

KRG has been unable to meet its financial obligations; consequently, oil companies have become more reluctant to invest in the Kurdistan Region, and those already there have scaled back their activities. [54]

The economic impact on the Kurds of losing their share of federal revenues would be similar to what was described previously, but the origin of this economic pressure would be Baghdad's failure to maintain a functioning government rather than a Kurdish unilateral decision to declare independence. If the Iraqi state collapsed, the ensuing chaos would likely isolate the Kurds from the rest of Iraq anyway, thus preventing Baghdad from purposefully using its own leverage to prevent or punish Kurdish independence. Baghdad may be likely to use its limited military resources to seek to regain or retain control of areas within its grasp, if it is even capable of doing so. The probability of Baghdad having any resources available to challenge the Kurds is low, and the odds that a military effort against the KRG would succeed are slim. [55]

Alternatively, if Baghdad no longer had any way to prevent Kurdish independence, the need to mitigate the consequences of the emergence of a Kurdish state could force Baghdad into negotiations it otherwise would oppose. This could happen if the KRG developed a prosperous oil industry that made the Kurdistan Region financially independent of Baghdad and if the pesh merga forces were to improve their capabilities to such an extent that the KRG could provide for all its security needs without outside assistance, including defending the border with ISIS. If this situation emerged in northern Iraq, Baghdad would be unable to use financial or military leverage to prevent Kurdish secession and might be willing to negotiate a separation that mitigated the impact on Baghdad. [56]

5. Conclusions

From the early days of the Iraqi republic until today's "American Iraq", the Kurds have consistently had to deal with three main issues: the relationship with Arab Iraq and the wider Arab world, and particularly the political currents upholding broader identities (pan-Arabism and Islamism); relations with Turkey and to a lesser extent Iran; and issues of democracy and governance. Iraq's identity, its diversity and its relations with its neighbours have been crucial issues and a source of divergence between political and ideological currents throughout modern Iraq's history. But after decades of covert and overt ethnic and sectarian discrimination, they have become the foundation both of the ethno sectarian power-sharing and of the conflicts in post-2003 Iraq. The Kurdish leadership has sought to prevent a repetition of past atrocities like the Anfal campaign by means of constitutional guarantees for a federal system designed to safeguard the de facto status of their region and its existing structure and balance of power. Yet other voices, such as Iraqi researcher Faleh Jabbar, have argued in favour of a federal solution to the Kurdish demands and a kind of "administrative federalism" to overcome past negligence, but against a Shiite "super region" in the south. [57]

There is a need to overcome the worn-out patterns of suspicion and the rhetoric of "unity", and to acknowledge

the failure of past approaches. If Iraq's main groups agree on a concrete model preserving Kurdish rights within a federal framework and on a "road map" for Kirkuk, the Kurds will eventually have to make an all-important decision: do they want to reintegrate into Iraq and be reconciled with the other groups in a democratic and constitutional framework, or do they want their region to become independent?

Iraq's central government has opposed Kurdish autonomy and independence for years, leading to significant political tensions between the Kurds and the Arab-led government in Baghdad. There is a fundamental conflict of interest between the central government and the KRG: Baghdad sees Kurdish autonomy and independence as undermining its power and sovereignty, while the KRG's quest for independence makes any Iraqi involvement in Kurdish affairs unwanted. This irreconcilable difference underscores the contentious political disputes between Erbil and Baghdad and has defined Baghdad-Kurdish relations for a century. Kurdish independence resulting from a negotiated separation would be the most beneficial to both Baghdad and Erbil, but the possibility of this hypothetical scenario becoming a reality requires a drastic change in the central government's calculus as to what is in Iraq's national interests.

Erbil must consider several factors when deliberating the costs and benefits of becoming independent in the near future. Establishing a sovereign nation is difficult and would be even more challenging if the Kurds faced opposition from the rest of Iraq. Mitigating the adverse consequences and blowback would be a primary concern. Because of this, the Kurds are most likely to seek a separation from Iraq through a negotiated settlement or by fleeing a collapsing or failed state. [58]

Real opportunities for a peaceful settlement of the Kurdish question have been rare – this is definitively a new one, and it should not be forfeited. Any serious move towards Kurdish independence would trigger armed conflict on several fronts and would mean hardship and renewed suffering for all sides. It is in everyone's interest, including that of the Kurds, to make the most of the present opportunity. A failure would be risky not only for Iraq, but also for the crucial relationship with Turkey and Iran. The Kurdistan Region could become the scene of another round of conflict, in particular if the tensions between the United States and Iran were to turn into open confrontation.

The Iraqi Kurds have their wish for independence. Despite most of the feared consequences having already occurred, Western states refuse to consider statehood for the Iraqi Kurds on the grounds that it would threaten the internal cohesion of Iraq and boost Kurdish autonomy movements in neighbouring states. At the same time, a series of factors feeds the desire for independence: closer diplomatic and military ties between Erbil and the West created by the fighting against ISIS; close economic cooperation between the Iraqi Kurds and Turkey; Another factor favouring statehood is the ongoing failure of Baghdad and Erbil to reach a final agreement on disputed areas claimed by both (including Kirkuk) and the sharing of oil and gas reserves. Other factors mitigate against moving towards statehood. [59]

Finally, Washington's decision regarding Kurdistan's independence is no longer separable from the changing course of Iranian policy under the Trump Administration. Regarding American interests in the Gulf region, an independent Kurdistan may have little more to offer than the current status quo, while this involves too many risks. That Baghdad will be further pushed into Iran's orbit is a serious matter in itself that will result in serious complications. Washington may play a positive role in brokering a deal among parties. A priority for US strategic interests is the long-term stability of Iraqi Kurdistan, which is now plagued with deep mistrust, increasing frustration among the youth, and serious financial struggles. A working parliament and functioning democracy may better serve Kurdish unity than a referendum that aims to dismiss the opposition's demands. [60]

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- [2] The area of 'Kurdistan' covers about 190 000 km2 in Turkey, 125 000 km2 in Iran, 78 736 km2 in Iraq (including disputed territories), and 12 000 km2 in Syria. There are about 5 million Kurds in Iraq (not all of whom live in the KRI) and the population of the KRI (stated by the KRG at 5.2 million) also includes non-Kurds as well as refugees and internally displaced people. Iran has 5–7.9 million Kurds, Turkey 12 million (or possibly up to 22.5 million), and Syria 2–2.5 million. Robin Mills, *Under the Mountains: Kurdish Oil and Regional Politics*, Oxford Institute for Energy Studies, 2016,p 2.
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