

THE EXPANSIONIST STRATEGY OF IKRG AND THE FLAG CRISIS IN KIRKUK

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The “expansionist strategy” followed by the Iraqi Kurdish Regional Government (IKRG) increasingly in particular after 2003 has been gained currency again in recent days due to the flag crisis in Kirkuk. This strategy is previously seen in the military course of action followed by IKRG in the examples of Sinjar and Tuz Khurmatu and more recently in Mosul operation. The reflections of this strategy in the field are appeared more visibly in Kirkuk. The decision of flying IKRG flag on official institutions in Kirkuk get reactions from the international organizations, the regional countries, and the local ethnic groups and the central government is appeared as the last ring so far in the context of the reflections of this strategy in the field. When the IKRG independence referendum announced to be in September 2017 and the legal, political and military disputes on “the disputed territories” are evaluated, the issues such as the development of the “expansionist strategy”, its recent reflections in the field, and its possible impacts on the context of Iraq, the region and the struggle against DAESH are of great importance. This study prepared with this understanding refers to the important reflections of the “expansionist strategy” in the past, discusses the recent developments in the context of Kirkuk and draws attention to the prospective reflections of the IKRG’s “expansionist strategy”.

The “expansionist strategy” by the Iraqi Kurdish Regional Government (IKRG), which attracted attention with the events in Tuz Khurmatu and Sinjar in the second half of 2015, and the acceleration of this strategy through the struggle against DAESH reached its peak with the flag crisis in Kirkuk. Within the scope of the struggle against DAESH, Kurds enjoyed some achievements especially in the post-2014 era by the help of the coalition forces in the US pioneer has taken control over many areas where DAESH withdraw in northern Iraq. When considered together with other disputed regions such as Kirkuk, the deployment of Peshmerga in the regions where DAESH withdrew or abandoned by the Iraqi army is very important in terms of the future of the region and Iraq. This study will focus on Sinjar and Tuz Khurmatu as the two important examples of the expansionist strategy of the IKRG at first. Then, it focuses on Kirkuk, which is one of the most important pillars of this strategy and the developments in Kirkuk in 2017.

Afterwards, an assessment of what the IKRG’s “ expansionist strategy” means for Iraq and the region and what risks it has for the future will be presented.

Sinjar and IKRG’s Expansionist Strategy

One of the most important pillars of the expansionist strategy of the IKRG has been the process in Sinjar. The IKRG forces has taken back Sinjar district of Mosul from DAESH with the operation supported by the US-led coalition forces and 12,000 Peshmerga in November 2015 and has taken control of 150 km² area. They also recaptured the road known as the Telescope road between Mosul and Sinjar and has taken back the field dominance from the DAESH. IKRG President Masoud Barzani issued a congratulatory message after the operation and thanked the coalition forces who supported the forces of the Peshmerga who participated in the operation and stated that hereafter IKRG will run the construction of the Sinjar. In continuation of this explanation, he signaled that

the steps will be taken towards Sinjar's participation in IKRG by giving effort to gain Sinjar's provincial status. Sinjar, which can be seen as a step towards the Kurdish control over a part of Mosul, is of strategic importance to IKRG because of the geographical position that can be considered as a neighbor to the Syrian Kurds. The importance of Mosul and Kirkuk for the IKRG in terms of the idea of an independent Kurdish state in the mid-long term can be assessed by considering both their economic role due to hydrocarbon resources and their psychological and political motivation provider role due to the historical perception which regards the Hamrin Mountains as a future Kurdish state's boundary. It is also necessary to read the Sinjar move in this context. Indeed, the Peshmerga forces halted their offensive after controlling the peripheral areas pre-determined around Mosul where the future oil exploration prospects are high. Such an approach implies the tendency to opportunistically

striving for the target boundaries.

Tuz Khurmatu and IKRG's Expansionist Strategy

Tuz Khurmatu, which is linked to Kirkuk until the 1970s and is connected to SalahadDin province which was formed in 1976 and that the majority of its population -approximately 150,000- is formed by Turkmens became a current issue again, after the clashes between the Peshmerga forces and al-Hashd al-Shaabi in November 2015. The scope of conflict has expanded rapidly and deepened the conflict between Peshmerga and al-Hashd al-Shaabi. Although the conflicts halted as a result of the negotiations between the parties, the tension in the district is still present. Tuz Khurmatu is strategically important for IKRG as the main transit point of the Kirkuk- Baghdad route and since it is located at the actual border line between IKRG and the central government. Because of this position -as a reflection of the expanding strategic line of the IKRG- the

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Kurdish population and Kurdish military power have regularly been increased after 2003. Oil reserves, which are an important focus point for Kirkuk, are an important reason for the developments in Tuz Khurmatu because of the reserves in Hamrin Mountains. By considering the strategic importance for IKRG of controlling the regions in Jalawla, Karatepe and Kifri lines where the Iraqi Army had retreated as a result of DAESH's attacks and the role that Tuz Khurmatu plays in order to surround Kirkuk, the reason why the Kurdish administration gives importance to Tuz Khurmatu can be better understood.

At this point, especially the presence of Al-Hashd al-Shaabi

around Khanaqin, Jalawla and Kirkuk and this power's possibility of going into a broader combat with Peshmerga is one of the most important dynamics that will play a role in the future of Tuz Khurmatu. Taking into consideration the serious Turkmen existence within al-Hasd al-Shaabi in the region, there is also a possibility that the events in Tuz Khurmatu may rush up a Kurdish-Turkmen conflict with a wider impact area. At this point, it is possible to anticipate the resurgence of conflict dynamics in areas such as Kirkuk with a deep-rooted historical rivalry is existent and stands out as a major focal point of ethnic, political, military and administrative tensions after 2003. The statute of al-Hashd al-Shaabi

as an autonomous army responsible to the Iraqi prime minister could also influence a possible IKRG-central government conflict by adding a third dimension. As a result, Tuz Khurmatu, which has a very important strategic position, has serious potential also in terms of conflict and instability in at least three contexts. Therefore, the Tuz Khurmatu section of the expansionist strategy of the IKRG bears serious risks not only for the central government, the Turkmen, or al-Hashd al-Shaabi, but also for the IKRG.

So far two reflections of the expansion-oriented strategic design were discussed, namely Tuz Khurmatu and Sinjar. A key component of this strategic design is Kirkuk with rich oil reserves, frequent statements about the its “Kurdish identity” and referred to as “Jerusalem of Kurds” by Jalal Talabani. The future of Kirkuk, which is one of the most important places in “disputed regions” as expressed in the Iraqi Constitution, is also directly affected by this strategic plan.

Kirkuk

Kirkuk is one of the most prominent among “the disputed regions” together with Mosul because of the Peshmerga’s very presence, the Kurdish population and its location neighboring IKRG’s Erbil and Sulaymaniyah.

In addition, Kirkuk has a very important place both in Iraq and at the regional level in general since it stands out as an embodiment of the ethnic and sectarian diversity in Iraq at micro level. Kirkuk is a city that has always caused both ethnic and humanitarian controversies because of both the amendments in its geographical boundaries and Arabization policy which reached its peak in the 1980s under Saddam regime and then rapidly increasing Kurdish immigration and Kurdishization. Changing demographics in favor of the Arabs by applying Arabization policy and renaming it as al-Ta‘mim in 1976 is an important turning point with regard to the city today. In the process of just before and after this policy, Turkmen’s land acquisition

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was restricted, Turkmen leaders often faced with repression, even executions, and families were forced to relocate. The number of the cases related to the seizure of lands and properties and the enforcement of non-Arab residents to register their ethnic identities as Arab were quite high.

Moreover, Kirkuk is a very important economic center, with having about 6 percent of the Iraqi oil, potentially 9 percent, and with the possibility of having an oil reserve equal to total IKRG oil reserves by

itself and with the potential to account for 40 percent of the current production of Iraqi oil. These oil reserves have unsurprisingly been a key reason for forced demographic changes following increasing prosperity of the city starting from 1927 when reserves were discovered following the foundation of the North Petroleum Company.

The changes in the geographical boundaries of the city, the past censuses, the presence of different ethnic groups in Kirkuk in the center and/or in the periphery, and the



tangible changes in these numbers are the main topics of research on Kirkuk.

According to the 1957 census, Kurds hold 48%, Arabs 28% and Turkmen 21.5%. However, in the city center, this figures change engendering another list as Turkmen, Kurds and Arabs.

In this center-periphery difference, the elements of bureaucrats, soldiers etc. who had settled in the region during the Ottoman period and the continuing presence of their families has also played a role.

In 1977, these figures were presented as 218,000 Arabs, 184,000 Kurds and 80,000 Turkmen.

The Iraqi general population census carried out in 1987 has only counted the country's population and it is announced as being 16 million. The pressure to define themselves by the Arab ethnicity, which is already applied to the Turkmen before this census, clearly shows that a healthy outcome of the proportion of ethnic groups could not be obtained. In these figures,

it is possible to see the effect of the Arabization process, although it is not possible to know precisely the numerical reflection of it. It is estimated that the Iraqi population today is close to 38 million.

Legal Dimension of the Question of Kirkuk

In terms of the future of Kirkuk, some legal arrangements have a particular importance. The first of these is the Article 58 of the Provisional Administrative Law, which forms the basis of administrative law during the transition period. This article foresees the normalization of the situation in Kirkuk including the displaced people and the seizure of land and property and then conducting a census and referendum. This article was integrated into the 140th article of the permanent constitution which was approved by a referendum in Iraq in 2005. Although it is foreseen that the referendum in Kirkuk will be conduct until 31th December 2007, no progress has been made yet and the article has remained inactive. Although the

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question of missing the deadline regarding the Article 140 persists, the idea of determining the future and administrative status of Kirkuk by referendum stands at the table. Even though the assigned date for the referendum has passed, the Kurds still have the idea that the law protects its validity because it is still in the constitution. The Arabs and Turkmens in Kirkuk, on the other hand, believe that the law has lost its validity since the assigned date has passed. Under these circumstances, the option of holding a referendum on the issue by skipping the previous steps will be a one-sided process that would seriously undermine Kirkuk's ethnic diversity and the possibility of coexistence. This poses a threat to the provision of security and peace in Kirkuk in the long term. Another legal arrangement related to Kirkuk takes part in the law of local elections which is established in 2008. 4th sub-article of Article 122 of the Iraqi Constitution foresees the election of the provincial council to be held within the scope of a law which will be enacted in the future. In this respect, the law

regulating the elections of provincial, district and sub-district parliamentary elections which held in 2009, was enacted in 2008 and a special chapter on Kirkuk was added to the law. In Article 24 of the 2008 local election law had foreseen equal division of authority among the Turkmen, Kurdish and Arabs as the three main elements and the creation of a commission with the participation of Christians and right after holding the local elections. However, the law has been met by the veto of Iraqi President and has been rearranged as the 23rd Article due to the political nature of the veto. This article is reduced to 3 basic articles in 2013 as a result of the partial abrogation:

- (1) Kirkuk Provincial Assembly elections will be held right after mentioned commission files its report to the parliament.
- (2) Duties of the current Provincial Assembly members and Kirkuk's situation will continue in the same way until the election is held.
- (3) If the commission cannot file the report, the parliament will enact a special law for the election of the

Kirkuk Provincial Assembly, if the parliament cannot enact this law, the Presidency, the Prime Minister and the Chairmanship of the Parliament will designate the required conditions for the election with the help of the international community through the United Nations committee. Although this commission has been created, due to the disagreements, it does not work and Kirkuk City Council elections have not been held until today.

Another legal point about the situation in Kirkuk is the concept of normalization which is considered within the scope of Article 140, and the examination of the headlines to be given and/or have already been endeavored and will endeavor in the future toward being given. In the scope of land and property disputes, in the center of Kirkuk and in the districts of Tuz Khurmatu, Dibis, Dakuk (Tavuk) more than 56,000 petitions have been filed by only Turkmens. The first expropriation in Kirkuk took place in Rijabele, Tercil, Turkishan, Yahyavo, Leylan, Sari Tepe Sagir, Sari Tepe Kebir, Karalu,

Tokmaklu, Yarimca, Karadere, Meri, Kuskayi, Kovan, Çokmaga and Karadere settlements with the 369 numbered Decision which signed by the Iraqi President Ahmed Hasan al-Bakhr in 1975. The land expropriated in the mentioned areas was parceled by the state and distributed to the Arab population brought to these settlements. Specific to Kirkuk, the personal property lands expropriated by the state with decisions no. 336, 369, 398 and 1381 in 1975; decision no. 53 in 1976; decision no. 222 in 1977; decision no. 974 in 1978; decision no. 1554 in 1980; decisions no.12, 126, 181 1391 and 183 in 1981; decisions no.730 and 1081 in 1984; decision no. 117 in 2000 and decision no. 137 in 2001. Land and property disputes which are direct reflection of the Arabization especially in oil-rich regions in Iraq by the Ba'ath, acts as a key stumbling bloc in terms of Kirkuk's future and normalization efforts. On the other hand, there are question marks on whether the Kurdish population that settled in Kirkuk after 2003 is the people forced to leave Kirkuk

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as a result of the Arabization, a doubt arises on the possibility of systematic Kurdishization. The demands of Kurds and Turkmen who were displaced between 1975-2003 from the Arab population replaced them and growing wider land and housing needs due to the increase in the returned population in the meantime made the challenge even more complicated. Considering the problems caused by deficiencies related to the basic legal system of the country such as the slowness of the decision-making mechanism, the process of sending the decisions to the center for appeal and non-implementation of decisions are also added to

this picture, how complex the solution of the subject is obvious. However, it can be said that normalization in Kirkuk is one of the important issues for a comprehensive solution. If the normalization cannot be made actual, and the system which has a fair decision making and the implementation mechanisms cannot be established, it is possible to raise the tension again in mid-long term for every conclusion to be reached in Kirkuk.

Some important milestones that has potentiality to cause an increase in this tension and following the 2014 summer will be presented in the following sections.



IKRG, Kirkuk and Post - 2014 Developments

For the Kurdish government which gradually strengthened its autonomy after 1991, Kirkuk is one of the most important targets both as a symbol and in terms of realpolitik. From a symbolic point of view, Jalal Talabani's definition of Kirkuk as "Jerusalem of Kurds" reveals the loaded meaning attached to the city. Similarly, Masoud Barzani stated that Kirkuk's significance is "being a sea of oil" for others and "to be in a sea of their own blood" for the Kurds. In both discourses, it is possible to see that Kirkuk is almost seen as a blessed target city for the Kurds and two prominent Kurdish political which had a past experience of bloody clashes with each other. In the flag crisis of 2017 which will be mentioned later, support of all the Kurdish parties to the decision of Governor Najmaldin Karim who flew the flag of IKRG, reveals that this understanding plays a unifying role among all political parties. Kirkuk is not only a symbolic target; but also has the potential to become one

of the most important economic bases of a possible independent Kurdish state in the mid-long term. The Kurds, which increased political and military power over years in northern Iraq, strengthened their presence in Kirkuk as a population with the post-2003 immigration. Especially after the developments such as the impact of the struggle against DAESH and the escape of the Iraqi army leaving some positions, including Kirkuk, the presence of Peshmerga in Kirkuk has become more visible after June 2014. The following maps will provide insight into the rapidly developing progression of the Peshmerga, immediately following the DAESH's northern Iraqi invasion in 2014, and its reflections on the field dominance including Kirkuk, Mosul, Tuz Khurmatu and Sinjar.

In addition to the majority established in the Kirkuk Provincial Assembly, this military superiority on the field strengthens the hand of the IKRG administration who has a desire to see Kirkuk eventually join the IKRG. From the

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perspective of the Iraqi central government, this picture and IKRG's pursuit is a serious concern. However, the current conditions in the field reveal a fait accompli that the Iraqi government has not the power to challenge effectively, and the "flag crisis" of March 2017 has also showed the point this fait accompli reached within three years from 2014 to 2017.

In short, the future of Kirkuk is one of the most important questions and perhaps the most important one that we encounter within the context of the expansionist strategy of the IKRG. In this context, dealing with the legal dimension of the issue, current political actors in Kirkuk, voting rates and possible scenarios will be needed.

Capturing Oil Fields and the Flag Crisis of 2017

The administrative confusion resurfaced in Kirkuk at the beginning of March 2017, along with IKRG controlled the oil wells under the control of the North Oil Company because "the Iraqi government failed to fulfil its commitments to Kirkuk and people of Kirkuk were not benefiting from the oil revenue of Kirkuk". Also, the decision of Governor Najmaldin Karim to raise the IKRG flag to the official buildings in Kirkuk and which was sent to the Provincial Assembly on March 17 causing the peak point of the tension. The governor's decision was strongly condemned by the Arab and Turkmen population of Kirkuk and the reaction

also caused demonstrations by Turkmen and raising the Turkmen flag on various parts of the city. On May 17, at the United Turkmen Meeting in Baghdad, special status requests for Kirkuk were also presented by Turkmen leaders. The fact that this meeting was held under the chairmanship of the Leader of Iraqi Parliament and with the coordination of the UNAMI indicates that demands of Turkmen succeeded in attracting a broad audience and supported by it, especially on the Kirkuk issue. On the other hand, the Iraqi Parliament decided to ban raising the IKRG flag in official buildings by stating that the decision was a violation of the Constitution. Stating that the Parliament's decision was not legally binding, Kerim said he would stand firm. The UN Iraqi Aid Mission (UNAMI) also expressed concern about the decision and described the decision as a unilateral step putting the harmony and coexistence in city, and thus both the struggle with the DAESH and the post-DAESH process at risk. From Turkey's side, both the Presidential Spokesman

Ibrahim Kalin and the Ministry of Foreign Affairs Spokesman Hüseyin Müftüoğlu stated that such a unilateral move would seriously harm the coexistence of the entities living together in Kirkuk. President Recep Tayyip Erdoğan stated that the Kirkuk administration will pay a heavy price if the decision is not revoked as soon as possible. On the other hand, another important regional actor, Iran's Foreign Ministry spokesman Bahram Qassemi, stated that the decision was illegal, violating the constitution and could escalate tension in the region.

This move by Najmaldin Karim, defying criticisms coming from many important actors can be regarded as the next step in the journey started with waves of migration after 2003 and continued with military control after the summer of 2014. It is also clear that this move points to that IKRG's ultimate goal of having Kirkuk. However, it can be evaluated that Karim has actually been struggling to strengthen his position against the claims of authoritarianism towards him and the

This move which Najmaldin Karim tried to fly in the face of many important actors is actually the last circle that started with waves of migration after 2003 and continues to control the security of the field after the summer of 2014.



actors challenging him within PUK, and he tries to gain some points to the PUK before the “independence referendum”. It should be noted here that, in June 2017, it is announced that the referendum on independence will be held on 25 September 2017. Such a move, however, can have in quite significant consequences for Arbil as much as Baghdad. In the political crisis about Barzani’s presidency, with Karim’s move PUK can provide fresh blood via Kirkuk and on the other hand, through the support of KDP to this decision for both political and historical reasons the relations between Turkey and KDP will be damaged. It is not possible for KDP to oppose such a move

in the current political atmosphere which also includes the upcoming referendum on independence, as it is a case that the Kurdish political parties in Iraq have expressed their consensus on after the “flag crisis”. It is possible that this *fait accompli* in the field, both increases the tension between the elements in Kirkuk, and would pose threats that could spread to Iraq as a whole. Moreover, it is possible that the already low-intensity tension among the parties militarily engaged because of adverse interests in the context of Mosul operation may come to a point where there is no point of return. In addition, such a move which is capable of harming relations between IKRG and

both Turkey and Iran. Especially considering the role of these two actors in the sustainability of IKRG's economy, whether it is a wise move for IKRG which struggles with political and economic troubles, is open to debate. In addition, such moves could seriously damage some important goals, such as the prevention of Iraq's dissolution, finding common grounds and having a solid culture of peaceful coexistence that must be established rapidly in the post-DAESH Iraq. Therefore, it is possible that every crisis regarding Kirkuk will have significant negative impacts on issues such as Iraq's current situation and stability as well as the fight against DAESH, the post-DAESH challenges, the regional risks posed by the stakes of regional actors and their joint struggle with terrorism. Therefore, all the concerned entities need to adopt a consensus-based approach that takes into account the local and regional dynamics and aiming at long-term coexistence and stability not only for Kirkuk but also Iraq as a whole.

Conclusion

IKRG's "expansionist strategy" can be considered to be a quite risky strategy in the period when domestic political and economic issues and the fight against the DAESH are on the agenda. In addition, such an attitude may further exacerbate the troubled relations between the Iraqi central government and the IKRG on the post-DAESH period. This complicated picture poses the risk of raising new conflict areas between al-Hasd al-Shaabi and Peshmerga. On the regional level, Iran and Turkey are also uncomfortable with IKRG's "expansionist strategy" and the frequent references to the referendum of independence of which date is lately set. Considering the significance of these two largest economic partners for IKRG's survival in the long run, it can be seen that their irritation might endanger IKRG's regional stance. It is also possible that the IKRG, facing these two actors' reaction might experience the difficulties in the struggle against DAESH and due to the regional instability

It is hard to say that it is a rational step to take unilaterally such a decision which will be able to trigger already tense ethnic and sectarian tensions in Iraq and may threaten not only Kirkuk but all Iraq and the region depending on the attitudes of regional actors and try to continue despite of the reactions of both Iraqi Parliament and UNAMI as well as Turkey and Iran.

even to a greater extent. It is hard to say that it is a rational step to take such a decision unilaterally which can trigger already tense ethnic and sectarian tensions in Iraq and threaten not only Kirkuk but the whole country and the region depending on the attitudes of regional actors, defying the criticisms by the Iraqi Parliament, UNAMI as well as Turkey and Iran.

This move, considering the troubled relationship between al-Hasd al-Shaabi and Peshmerga and the conflicts of interest

between the Iraqi Army, al-Hasd al-Shaabi and Peshmerga during the Mosul operation, seriously threatens the possibility of peaceful coexistence in Iraq in spite of ethnic and sectarian differences in the post-DAESH period. Therefore, the rationality of the “expansionist strategy” of the IKRG, which is also exemplified in the “flag crisis” in Kirkuk is highly questionable in terms of its timing, the dangers it poses, possible negative impacts which could affect all actors, and the future risks.

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