The Kurds as parties to and victims of conflicts in Iraq

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Abstract

After decades of fighting and suffering, the Kurds in Iraq have achieved far-reaching self-rule. Looking at the history of conflicts and alliances between the Kurds and their counterparts inside Iraq and beyond its borders, the authors find that the region faces an uncertain future because major issues like the future status of Kirkuk remain unsolved. A federal and democratic Iraq offers a rare opportunity for a peaceful settlement of the Kurdish question in Iraq – and for national reconciliation. While certain groups and currents in Iraq and the wider Arab world have to overcome the notion that federalism equals partition, the Kurds can only dispel fears about their drive for independence if they fully reintegrate into Iraq and show greater commitment to democratic reforms in the Kurdistan Region.

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"This is the other Iraq", says a promotion TV spot regularly broadcast on Al Arrabiyeh TV, "The people of Iraqi Kurdistan invite you to discover their peaceful region, a place that has practised democracy for over a decade, a place where universities, markets, cafés and fairgrounds buzz with progress and prosperity and where people are already sowing the seeds of a brighter future."[1]

A regional government

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,[2] 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 the Kurdistan Democratic Party (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 the Patriotic Union of Kurdistan (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.

… with growing problems

The dominant forces of post-Saddam Iraq have accepted the current status quo of Kurdish self-rule. 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.

While the central government of Iraq is still working on finalizing a hydrocarbon law on the use and sharing out of Iraq's major source of income, the Kurdistan Regional Government has itself passed an "Oil and Gas Law" for the development and exploitation of its own hydrocarbon resources.

From another viewpoint, today's reality looks less reassuring. The Kurdistan Alliance, formed by the PUK, the KDP and smaller Kurdish parties for the 2005 elections, is part of the coalition government in Baghdad, which has not made any substantial progress on crucial issues such as national reconciliation and the improvement of security. The "Kurdish achievements" are not at all consensual: main Sunni Arab, Arab nationalist and Sunni Arab Islamist forces, and some Shiite Islamist currents such as the Sadr movement, as well as neighbouring states and mainstream Arab public opinion, perceive federalism as a threat to Iraq's unity and are suspicious about the dominant role played by the Kurds in Baghdad. In addition, the Kurdish parties, leaders and armed units are probably

1   See the website of this promotion campaign: www.theotheriraq.org (last visited 22 November 2007); and Rajiv Chandrasekaran, "Kurds cultivating their own bonds with US", *Washington Post*, 23 April 2007.
2   Kurdistan Region (Iqlim Kurdistan) is the official name under the 2005 constitution. Under the Baath government, it was the Kurdish Autonomous Region (Mantiqat Kurdistan lil-Hukm al-dhati).

the closest allies of the US-led Coalition forces in Iraq. This makes them vulnerable to any change of strategy by the United States. Issues considered as achievements by the Kurds are being questioned in the course of a review of US strategy on Iraq. Furthermore, the declared intent of the Kurdish parties to push through the "constitutional road map" for Kirkuk has antagonized Sunni Arab political forces, Turkmen and Christian communities and neighbouring Turkey.

The semi-independent development of the Kurdistan Region and the fact that it attracts students, intellectuals and workers from Kurdish areas of the adjacent states, but also opposition parties and armed groups such as the Kurdistan Workers Party (PKK) from Turkey, have been observed with suspicion by those states. Relations with Ankara have deteriorated, and in October 2007 the Turkish army massed a large military force on its south-eastern border. While the two main Kurdish parties, the KDP and PUK, have officially unified under one regional government, after a bitter internal conflict from 1994 to 1998 and years of a frosty coexistence of two one-party administrations in Arbil (KDP) and Sulaimaniya (PUK), issues such as the reunification of the security services remain unsolved.

Even though the Kurdish leaders have committed themselves to Iraqi unity under the current conditions, they insist on "a right to dream" of Kurdish independence.[3] Among the Kurdish population this vision is at least very popular, if not dominant.

Today, the Kurds are united and relatively homogenously represented. Still, the Kurdish community is religiously and linguistically diverse and the Kurdish identity has existed alongside, overlapped with or even contradicted other identities. The main and minor Kurdish parties have different political and ideological roots and perspectives, represent different interest groups and have at times even fought against each other. Quite a number of Kurds represent, and are represented in, political currents other than the Kurdish nationalist one: Mohsen Abdel Hamid, the former general secretary of the Iraqi Islamic Party, is a Kurd, as is Ali Baban, an independent Kurd who joined the Sunni block and became Minister of Planning. Kurdish tribes and individuals have sided for a variety of reasons with the central government during different periods of conflict. There are divergent or even conflicting claims concerning the identity of heterodox minorities such as the Shabak or Yezidis: they are considered to be Kurds by Kurdish nationalists but were registered as Arabs by the former government in Baghdad, while representatives of those communities claim a separate identity.[4]

3   Masud Barzani in Amman: "The dream of a Kurdish state is a legitimate right … and will become reality", *al-Hayat*, London, 22 March 2007.
4   Martin van Bruinessen, "Iraq: Kurdish challenges", in Walter Poesch (ed.), *Looking into Iraq*, Institute for Security Studies, European Union, Paris, 2005, pp. 45–72.

Iraq and the Kurds – a difficult history

"Autonomy for Kurdistan – democracy for Iraq"

Kurdish tribes rebelling against central rule, as well as urban Kurdish nationalists, have played a role in Iraq since it emerged from the Ottoman Empire after the First World War. The Kurdistan Democratic Party, founded in 1945, united these two elements with a fairly progressive nationalist agenda, following the role model of other national liberation movements after the Second World War. It became one of the opposition forces against the British-backed Iraqi monarchy, together with the National Democratic Party of Kamel al-Chaderchi and the Iraqi Communist Party, two political forces with a somewhat "Iraqi" agenda, as well as pan-Arab forces such as the Baath Party and the Nasserists. The KDP's programmatic slogan, "Autonomy for Kurdistan, democracy for Iraq", was coined during that period with the sense of renouncing the idea of an independent state (which nevertheless remained a long-term strategic goal), thus consenting to be part of Iraq and allying with other Iraqi groups for a more pluralistic and democratic order.

To further their cause, Kurdish intellectuals developed the idea of a "symbiosis" between Arab and Kurdish nationalism by drawing a parallel between the (pan-)Arab nation, of which the Iraqi Arabs are part, and the greater Kurdish nation (i.e., the Kurds of Turkey, Iran, Syria and Iraq), to which the Iraqi Kurds belong; while conscious of belonging to two larger nations, these two peoples share a common country and state which cannot be claimed entirely for either of those two nations.[5]

Military conflicts before the 1975 Algiers Agreement

The overthrow of the monarchy by the free officers led by Abd al-Karim Qasim in July 1958 was followed by the triumphal return to Baghdad from Soviet exile of the Kurdish leader Mustafa Barzani. A new constitution was drawn up for the now Republic of Iraq that confirmed the partnership of the Arab and Kurdish peoples, and other minorities, in one nation-state. The Kurdish movement first allied with, and later broke away from, Qasim, and it first concluded a ceasefire with, and then bitterly fought against, the first Baath regime in 1963. During the latter's reign the military conflict escalated, with increased attacks on Kurdish civilians, air raids and forced expulsion of Kurdish citizens. When the Baath Party took power for a second time in 1968, it avoided a protracted military conflict with the Kurds, and instead negotiated with Barzani's KDP. The two sides agreed on 11 March 1970 on a memorandum that stipulated the creation from all areas with a Kurdish majority of an autonomous region, compensation for war damage and a reversal of

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5   This approach can be found in the statements and writings of the KDP in the 1960s and 1970s, well documented in Ferhad Ibrahim, *Die kurdische Nationalbewegung*, Berlin, 1983. The most prominent proponent of the symbiosis of Kurdish and Arab nationalism has been Jalal Talabani.

displacement. For Kirkuk, it provided for a census and referendum to decide if that area would be attached to the Autonomous Region.

The implementation of the 1970 memorandum failed. When the government unilaterally drew up an autonomy law in 1974 that fell short of Kurdish expectations, the fighting resumed. Under the specific conditions of regional conflict and the Cold War (interference of the United States, Iran and Israel on the one hand, and the USSR on the other) it turned into full-scale war, with air raids on civilian districts and tens of thousands of civilians fleeing to remote mountainous areas. The 1975 Algiers Agreement brought the war to an end and the Kurdish movement, deprived of Iran's support, was defeated.[6] The Revolutionary Command Council in Baghdad began to implement its version of autonomy. A legislative and executive council with limited powers took office in Arbil, while the central government's security services and the ruling party kept a tight control over the population. The Autonomous Region was limited to Dohuk, Arbil and Sulaimaniya provinces, while disputed areas such as Kirkuk and Khanaqin were subjected to a policy of "Arabization". Along the borders with Iran and Turkey, villages were destroyed and inhabitants forcibly relocated either to southern Iraq or to government-controlled settlements in the Autonomous Region.

The Iran–Iraq War

Talabani's newly founded PUK and the rival KDP resumed guerrilla activities in the late 1970s.[7] Under the impact of the Iran–Iraq War (1980–8) and the temporary alliance of the Iraqi Kurdish parties with Teheran, Baghdad embarked on brutal repression and forcible resettlement campaigns in the rural areas.[8] These intensified after the breakdown of new negotiations between the central government and the PUK in early 1984, and culminated in the 1988 Anfal campaign. Massive Iraqi armed and security forces took control of major areas that had been declared "forbidden zones" in 1987 and arrested all the inhabitants there, including women and children. At least 50,000, if not 100,000, persons perished either during the operations – partly conducted with chemical weapons – or in mass executions, or due to harsh conditions in detention camps.[9] The most extensive acts of destruction took place in Tamim (Kirkuk) province. By the end of the 1980s, thousands of villages had been destroyed and hundreds of thousands

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6 Under the Algiers Agreement, Iraq made concessions to Iran concerning the border demarcation between the two countries in the Shatt al Arab, while Iran ended its support for the Iraqi Kurds.

7 On the inception and development of the PUK see Andrea Fischer-Tahir, *Wir gaben viele Märtyrer: Widerstand und kollektive Identitätsbildung in Irakisch-Kurdistan*, vol. 7, Beiträge zur Kurdologie, Münster, 2003.

8 For an account of this period see Martin van Bruinessen, "The Kurds between Iran and Iraq", *MERIP Middle East Report*, no. 141, July–August 1986, pp. 14–27.

9 "*Anfal*" means spoils of war, and is the title of the eighth sura of the Qur'an. On the Anfal campaign, see Medico international, *Die Linien eines Völkermordes*, Frankfurt, 1990; Human Rights Watch, *Iraq's Crime of Genocide: The Anfal Campaign against the Kurds*, New York, 1993 / New Haven, 1995. Kurdish sources speak of some 182,000 victims.

of Kurds were massed together in government-controlled resettlement camps near the major cities. Eight years of war left a long-lasting and at times underestimated impact on all social and political players in Iran and Iraq. The Kurdish parties, defeated and pushed back to hideouts in the mountains, had to face the disastrous results of almost a decade of fighting. Except for the chemical weapons attack on Halabja in March 1988, the systematic destruction and persecution by the Iraqi government passed almost unnoticed by the international community; only human rights groups demanded that the government be held accountable. Nor had the Teheran government come to the rescue of its Iraqi-Kurdish allies when Baghdad launched its counter-insurgency campaign. Furthermore, that alliance, according to Kurdish critics and Iraqi opposition observers, had compromised the ethics and practice of the leaders and fighters. Iraqi government propaganda had portrayed the Kurdish parties, if not the Kurds as such, as "traitors" and "collaborators with the enemy". During the Anfal campaign, this took on a connotation of religious excommunication (*takfir*).[10] Such propaganda, and the fact that the PUK and KDP had sided with Iran, had a considerable impact on the Iraqi population. A whole generation grew up immersed in the discourse of Iraqi heroism vs. the "treason and sabotage" of the opposition groups. Kurdistan was dropped from the official name of the "Autonomous Region", which was henceforth referred to as "the beloved North" (*al-shimal al-habib*), while the Anfal operations were officially commemorated.[11]

In the mainstream and official Arab media, with the exception of Syria (at the time allied with Iran and opposed to the Baghdad government), the end of the war in 1988 was depicted in line with the official Iraqi version. The Anfal operations or the chemical weapons attack on Halabja were not reported. After Iraq's invasion of Kuwait, during the build-up to the 1991 Gulf War and during the war itself, there was again a widespread feeling of solidarity with Iraq that in many cases left little space for differentiation or critical questions as to the internal situation in Iraq.

The uprising after the 1991 Gulf War and the "safe haven"

A few days after the 28 February 1991 ceasefire that ended the war waged by the US-led Coalition for the liberation of Kuwait, a popular uprising erupted in southern and northern Iraq. The Gulf War allies stood by inactive when Iraqi forces and special units loyal to the government in Baghdad brutally crushed the uprising. Hundreds of thousands of Iraqis fled to the northern and eastern borders with Turkey and Iran; an estimated 20,000 lost their lives in the mountains and minefields. The Gulf War allies created a "safe haven" and the UN Security Council, in Resolution 688, gave the green light to humanitarian intervention in

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10 See e.g. Declaration 3087 of the General Command of the Iraqi Army, *al-Thawra*, 20 March 1988.
11 E.g. "Al-Anfal put an end to the collaboration of those who (…) rendered service to the foreigner", *Al-Iraq* newspaper, Baghdad, 18 March 1993.

aid of the fleeing Kurds.[12] The Kurdish parties gradually took control of Dohuk, Arbil and Sulaimaniya – and had to cope not only with the current disaster but also with the consequences of the destruction of villages and forced displacement of the 1980s.[13]

One of the first decisions of the emerging Kurdish administration was to pardon the Kurdish tribal units and individuals that had sided with the government – even during the Anfal campaign. In 1992, parliamentary elections were held, and in October the same year the Regional Parliament in Arbil voted for a ground-breaking resolution: federalism, instead of failed autonomy, as the solution to the Kurdish question in Iraq. During the first years of de facto self-rule an inexperienced Kurdish government, weakened by the one-party-rule mentality of the KDP and PUK, was trying to manage the humanitarian crisis and respond to the demands of international humanitarian agencies. In 1994 a local quarrel on land rights quickly escalated into a bitter conflict between the KDP and the PUK.

This rivalry that dates back to the 1960s left its imprint on Iraqi-Kurdish reality and the wider Iraqi scene for several decades. After a split in the KDP leadership in 1964, the faction led by Ibrahim Ahmed and Jalal Talabani sided for a short period with Baghdad against the Barzani-dominated KDP. In the latter half of the 1970s, the KDP attempted to suppress militarily the efforts of the newly created PUK to restart partisan activities in the (KDP-dominated) Bahdinan region. In the early 1980s KDP–PUK rivalry led to the emergence of two competing fronts of Iraqi opposition groups.[14]

In the inter-Kurdish civil war that broke out in 1994, each of the two parties sided with neighbouring countries in order to defeat its adversary. In 1996 the KDP even called for military support from the Iraqi government to expel the PUK from Arbil. An estimated 3,000 people, both fighters and civilians, lost their lives and tens of thousands were displaced.

Following the 1996 oil-for-food agreement between the United Nations and the Iraqi government, the two Kurdish administrations in Arbil and Sulaimaniya became efficient subcontractors for rehabilitation and infrastructure projects financed by the United Nations.

In 1998 the KDP and PUK ended their conflict and started to cohabit in a "cold peace" relationship, but did not manage either to reunite their two administrations or to repatriate the thousands of citizens displaced during the fighting. In autumn 2002 there were still heavily armed checkpoints in the no-man's-land between the two areas of influence. Although on a much smaller scale, another confrontation emerged, this time between the PUK and a radical Islamist group called Ansar al-Islam that had established its base in the mountainous area near Halabja on the border with Iran. It consisted of radical Islamists who had split off from other Islamist groups in Kurdistan, and of Kurdish and Arab

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12 UN Doc. SC/RES 688/1991, 5 April 1991.
13 See Ralf Bäcker and Ronald Ofteringer, "Republic of Statelessness. Three years of humanitarian intervention in Iraqi Kurdistan", *Middle East Report* 187/188, March–June 1994, pp. 40–5.
14 See Ahmed Hissou, "Jeder mit jedem gegen jeden: Die irakische Opposition", *INAMO*, 21 January 1999.

Afghanistan ''veterans''. At that time PUK leaders claimed that Ansar al-Islam was getting support not only from Iran but also from Baghdad.

According to Sami Zubaida, the early years of the republic, when Iraq was probably not democratic but was at least pluralist, offered a real opportunity to solve by means of autonomy what he calls the ethnic problem and to allow all Iraqi communities to integrate into national life via citizenship. Social realities changed considerably during decades of one-party rule, repression, wars and sanctions. The Kurds started to look for solutions beyond autonomy, and for international protection. The opposition was divided and in exile, while government-controlled Iraq, progressively crippled by the sanctions, lived through a further phase of social disintegration. ''Within Arab Iraq, the regime systematically undermined communities' integration as citizens, pushing Iraqis towards communalism.''[15]

The present Iraq war

The build-up to the war…

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 proposed by Kanaan Makiya. This exiled liberal, 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.

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15 Sami Zubaida, ''Communalism and thwarted aspirations of citizenship'', in *Middle East Report* 237, Winter 2005, pp. 8–11.

… and efforts for a new beginning

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.

One particular battle took place on the border with Iran, where the combined power of US air strikes and Kurdish ground forces defeated Ansar al-Islam, a Kurdish Sunni Islamist group promoting a radical interpretation of Islam and jihad.[16] When Turkey refused to allow the use of its territory, US plans to open a northern front did not materialize and the US army presence in the north remained limited to some thousand paratroopers. The KDP and PUK took advantage of the power vacuum in northern Iraq by sending their fighters to Mosul and Kirkuk, but eventually agreed to withdraw their forces, in order to foster their battlefield alliance with the United States.

At the political level the Kurdish and the other former opposition leaders were initially less successful. According to Jalal Talabani, they were invited by Lieutenant General Jay Garner, the first US administrator after the fall of Baghdad,[17] to form a government to decide how to run the country and what to do with its assets. The former opposition failed to agree on a joint formula at short notice,[18] and when Paul Bremer suddenly replaced Garner, this opportunity was lost. Instead, Bremer created the Governing Council, with its members chosen according to sectarian and ethnic criteria. [19] He dissolved the security apparatus and the Iraqi army, banned the Baath Party and embarked on a programme of de-Baathification. Controversial though these decisions were, both within and outside Iraq, they were not seriously questioned at that time by the former opposition groups represented in the Governing Council.

In the ensuing process the Kurds emerged as key players in the new Iraq. The Shiite parties still had to adapt after returning from a long exile, and were challenged by the emerging movement of the young radical cleric Muqtada Sadr. The Sunni Arabs who had dominated Iraq's government since the British mandate had to grapple with the loss of power. Meanwhile the Kurds managed to retain high-ranking positions in the ministries and government bodies, the newly established intelligence and security apparatus, and in particular the army. The KDP and PUK nonetheless continued to insist jealously that each side must get an even share. After a while the two parties managed to set partisan interests aside. United, Talabani and Barzani were able to secure some major gains in the

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16 This onslaught on Ansar al-Islam probably contributed to the spread of jihadist cells to other areas of Iraq and the emergence of resistance groups such as Ansar al-Sunna and the radical militant Tawhid – later Al Qaeda – organization led by Abu Musab al-Zarqawi. According to Kurdish officials, even before the war Zarqawi had already played a role in channelling Arab fighters through Iran to the Ansar al-Islam mountain bases.

17 Garner was not a newcomer to Iraq. He had already served in the Kurdish north after the 1991 Gulf War. See ''General reverses his role'', *San Francisco Chronicle*, 26 February 2003.

18 Jalal Talabani to Chris Kutschera, *Middle East Magazine*, May 2005.

19 The Governing Council was composed of thirteen Shiite Arabs, five Sunni Arabs, five Kurds, one Turkmen and one Christian. See *BBC News*, ''Iraq moves towards self-rule'', 13 July 2003.

negotiations on the "Transitional Administrative Law" (TAL) that entered into force in March 2004. Kurdish was recognized as one of the two official languages of Iraq, and it was agreed that "[t]he system of government shall be republican, federal, democratic, and pluralistic, and powers shall be shared between the federal government and the regional governments, governorates, municipalities, and local administrations."[20] The Kurdistan Regional Government[21] (KRG) in Dohuk, Arbil and Sulaimaniya was officially recognized, and retained control over its police forces and internal security – a decision whereby the *peshmerga* units of the KDP and PUK officially became part of Iraq's security forces.[22] This full-scale recognition was later confirmed in the constitution, which came into effect after the referendum of 15 October 2005.

Building a federal state, dreaming of independence …

In May 2006, after several months of internal quarrelling, the KDP and PUK finally reunified their two separate administrations under the Kurdistan Regional Government (KRG). With its forty-two ministers and ministers of state, the KRG mirrors the government of Baghdad, including a "Minister for Natural Resources" who de facto acts as the regional oil minister. To render the political achievements sustainable, it made considerable efforts to attract foreign investors to the Kurdistan Region and gave particular attention to the region's oil wealth. In August 2007 it adopted an oil-and-gas law, and so far twenty production-sharing agreements with small international oil and gas companies have been signed. There are plans to raise the output from just a few thousand barrels per day to one million in about five years.[23] This move has been highly controversial. It preceded a federal oil law by which Baghdad will set general guidelines for the central and local governments relating to the oil sector and foreign investment; in addition, a projected revenue-sharing law that will eventually define the local governments' degree of autonomy vis-à-vis Baghdad has not yet reached parliament. Moreover, oil experts in Iraq have strongly opposed production-sharing agreements as concluded by the KRG and preferred by international oil companies. Nationalists argue that these contracts are tantamount to a sell-out of Iraq's national wealth, while Kurdish representatives claim that they are the best means of utilizing these valuable resources for the good of the people of Iraq.[24] Iraq's Oil Minister Hussein Shahristani has repeatedly said that all deals signed by the KRG since February

20 Law of Administration for the State of Iraq for the Transitional Period (TAL), Ch. 1, Art. 4, available at http://www.cpa-iraq.org/government/TAL.html (last visited 22 November 2007); the TAL came into effect on 8 March 2004.
21 See the website of the Kurdish Regional Government, available at www.krg.org (last visited 22 November 2007).
22 TAL, above note 20, Ch. 8, Arts. 53, 54.
23 The Kurdish Regional Government published a final draft oil law, model contract and exploration blocks on 29 June 2007, available at www.krg.org (last visited 22 November 2007).
24 Nechirvan Barzani, "Taking the lead on Iraqi oil", *Wall Street Journal*, 6 October 2007.

2007 were illegal.[25] Both sides refer to relevant articles of the constitution, which are in fact contradictory and leave room for different interpretations. The oil law of the Kurdistan National Assembly[26] has again raised suspicions that the Kurds are preparing for secession. A similar crisis had occurred in 2006, when Barzani gave the order to remove the Iraqi flag, until then displayed together with the Kurdish flag, from public buildings.[27]

After fifteen years of self-rule, and with decades of conflict and persecution within living memory, ordinary Kurds hardly consider themselves Iraqis. A whole generation does not speak Arabic at all. For them, Iraq is a distant place, and they refer first and foremost to their Kurdishness.

When the first free elections were held in Iraq on 30 January 2005, a grass-roots 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, Masud Barzani stated that ''an independent Kurdish state will become true at the right time''.[28] Despite such public statements, Kurdish decision-makers admit, and are well aware, that an independent state is not a realistic option.

Deficiencies of governance

Many ordinary Kurds complain about poor electricity, water shortages, wide-spread corruption and cronyism. Western and local businesspeople have complained that representatives of the two parties demand substantial shares in contracts which in turn are handed down to party-affiliated companies. While the big cities are booming, the rural areas are stagnating, and thousands of Anfal victims are still living in despair. The Kurdistan Region is receiving 17 per cent of Iraq's oil revenue (about US$5 billion in 2007), but has not done much to create new jobs. Ahead of the 2005 elections, the KDP and PUK had offered thousands of jobs in their respective governments. This fostered patronage and has created an

25 See, e.g., ''KRG responds to Dr Shahristani's threats to international oil companies'', available at http://www.krg.org/articles/?smap=02010100&lngnr=12&rnr=223 (last visited 22 November 2007).
26 The Kurdistan Oil and Gas Law was approved by the Kurdistan National Assembly, the Region's parliament, on 6 August 2007. The law entered into force on the assent of President Masoud Barzani on 9 August. Available at http://www.krg.org/articles/?lngnr=12&rnr=107&smap=04030000 (last visited 22 November 2007).
27 Barzani took this decision after the members of the Baker/Hamilton Commission, in their search for a new US strategy to deal with the crisis in Iraq, visited Baghdad but not Arbil.
28 NTV-MSNBC, ''A Kurdish state inevitable: Barzani'', 3 February 2005, available at http://www.ntvmsnbc.com/news/307946.asp (last visited 20 January 2008).

additional burden for an already not very effective administration. Today, the public sector employs some 80 per cent of the workforce, but access is regulated by the patronage system of the two parties.

The relative security in the region controlled by the Kurdish Regional Government has its price: there are party offices in each neighbourhood, and the KDP and PUK run women's and students' unions along one-party lines that act as informants on discontent, while non-governmental organizations find it hard to keep going. Although several independent and semi-independent newspapers and online news sites have emerged over recent years and provide critical coverage, the media are still dominated by the two major parties. A Committee to Protect Journalists (CPJ) mission to Arbil and Sulaimaniya in October and November 2007 found a growing number of physical attacks on the press, arbitrary detentions of reporters by security forces and use of the courts to harass journalists.[29]

While the state security service (*al-amn al-'am*, or *asayish* in Kurdish) has been dissolved in the rest of Iraq, it is still in place in the Kurdistan Region. According to a recent Human Rights Watch report, the *asayish* has detained hundreds of suspects without trial and often for years, most of whom were allegedly tortured and ill-treated.[30] Almost ten years after the PUK and KDP signed their peace accord, no major steps have yet been taken to depoliticize the security apparatus. Each of the two runs its own army units, *peshmerga, asayish* and police forces. This led to the odd situation that the Iraqi Ministry of Defence and the Americans, when they requested Kurdish troops for the Baghdad security plan, had to deal with the KDP and the PUK, although such units are officially part of the Iraqi army. The reunification of the Finance Ministry is also still in limbo. The party coalition in the Regional Government has an overwhelming majority of more than 80 per cent, but parliament members have complained that they have little or no influence in the decision-making. Political leaders admit that the widespread dissatisfaction has to be addressed, in particular as they fear the rise of the moderate Islamists of the Kurdistan Islamic Union, which is intensively campaigning against corruption and nepotism. Within the dominant parties, internal rifts and power struggles have become apparent, and some leaders have acknowledged that they need to develop the government's capacities, fight corruption, loosen their grip on power and pave the way for more civil liberties. [31] Moreover, the currently static but unresolved conflict between the KDP and PUK still looms. It has been contained through a complicated power-sharing mechanism that brought Talabani as the first Kurd ever to the presidency in Baghdad, while Barzani became president of the Kurdistan Region. Any change in

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29 "In Iraqi Kurdistan, CPJ delegation highlights press freedom concerns", 5 November 2007, available at http://www.cpj.org/news/2007/mideast/iraq05nov07na.html (last visited 22 November 2007).
30 "Caught in the whirlwind: torture and denial of due process by Kurdish security", *Human Rights Watch*, Vol. 19, New York, July 2007.
31 Within the PUK this has led to a split between Talabani's faction and the reformist wing around Nawshirwan Mustafa, deputy secretary-general for many years. Together with Mohammed Tofiq, the PUK's chief diplomat for more than twenty years, Mustafa resigned in early 2007.

this arrangement could have grave consequences both for the reunified Kurdish government and for the balance of power in the Iraqi capital.

Dealing with the other main groups in Iraq

Kurdish leaders such as Jalal Talabani and Masud Barzani, but also other veterans such as Mahmud Osman, had been in contact since the 1960s with other opposition groups, as well as with high-ranking officials and officers of the Baath government. After the war and during the political process that followed, new forces emerged; new alliances were struck, fell apart and gave way to new and at times surprising constellations. Even before the fall of the regime it was clear that the "natural allies" of the Kurds – non-confessional and secular political groups such as the Iraqi Communist Party, which used to be represented in all Iraqi communities, and exile liberal groups – were no longer or never had been dominant forces on the Iraqi scene. This was confirmed when the Communist Party joined the electoral bloc of Interim Prime Minister Ayad Allawi, which gained no more than 8 per cent of the votes in the December 2005 parliamentary elections.

Alliance with the Shiite bloc

In the declaration issued by the Iraqi opposition meeting in London in December 2002, there was already reference to the majority status of the Shiite population – for which the Islamist Shiite parties in exile claimed representation. The Kurds bought into this, and supported the Shiite groups' demand for the office of prime minister. Soon after, they found themselves estranged in inter-Shiite rivalries. Kurdish leaders had not expected the movement of Muqtada Sadr to sustain and gain influence. The PUK had strong links with the Supreme Council for Islamic Revolution in Iraq (SCIRI) – both had been allies of Tehran during the Iran–Iraq War – and therefore supported the candidacy of the Council's Adel Abdelmehdi as prime minister. This was a strategic alliance of mutual interest, as the Supreme Council supported Kurdish self-rule within a federal framework to rally support for its quest to create a Shiite "super region" in southern and southern-central Iraq as part of the federalism scheme.

As the SCIRI – renamed in 2007 the Islamic Supreme Council of Iraq (ISCI) – failed to muster a majority for its candidate within the Shiite alliance, the Kurds at first unwillingly accepted Ibrahim Jaafari from the Da'wa Party. When Jaafari lost Washington's backing and did not fulfil their expectations regarding Kirkuk, the Kurds withdrew their support, effectively participating in behind-the-scene manoeuvring that prevented him from gaining a second term and instead propelled Nuri al-Maliki, another senior Da'wa official, into office. The Sadr movement, for its part, differs from the older Shiite Islamist parties like SCIRI/ISCI and Da'wa not only in its sharp anti-occupation rhetoric, but also in its Arab nationalist discourse in which Kurdish demands and federalism are viewed with suspicion.

Striking a balance with Arab nationalism

Arab nationalism, particularly its Baath version, was on the one hand the main addressee, and on the other hand the main adversary, of the Kurdish movement in Iraq in its search for recognition. From the various periods of negotiations the current Kurdish leadership and the Baath government establishment knew each other well. Even at government level diverse standpoints were adopted, ranging from a certain degree of acceptance and pragmatism to extreme hatred and destructive intent, as represented by Ali Hassan al-Majid, the architect of the Anfal campaign. Some former foes became allies, such as Wafiq al-Samara'i, former head of military intelligence in Baghdad, who was a member of the negotiating team that met with Kurdish leaders after the failed uprising in March 1991. Al-Samara'i defected in 1995, went into exile and later became security advisor to President Talabani.

After the fall of the Baath government and the start of the occupation by the US-led Coalition, the "resistance" or "Sunni insurgency" came into being. The insurgent groups, even those that attracted a number of members and officers from the former armed and security forces, almost exclusively adopted (different brands of) extremist Islamism as their ideology.[32] At least some of these groups, or parts of them, systematically targeted civilians by means of suicide attacks and car and truck bombs, and depicted those taking part in the political process as "traitors" and "collaborators". Furthermore, the Iraqi branch of Al Qaeda practised the "excommunication" (*takfir*) of entire communities, be they Shiites, Kurds or Yezidis. One of the most violent attacks targeted the headquarters of the KDP and PUK in Arbil in February 2004 and left scores of victims, among them high-ranking officials of the two parties.

Conversely, a number of Arab nationalist and moderate Sunni Islamist groups – either pre-2003 opposition groups such as the Iraqi Islamic Party or more recent ones, such as the Congress of the People of Iraq led by Adnan al-Dulaimi, who officially also heads the Tawafuq (Concordence) Front – were participating in the political process or at least manoeuvring on the sidelines. Depending on the current state of the political process, relations between the Kurdish parties and those representing the Sunni community were tense at times and less so at others. One particularly critical moment came during the constitutional process, which according to Sunni Arab critics was hijacked by a coalition between the Kurdish and the Shiite blocs.

The Association of Muslim Scholars (ASM),[33] an important public voice in support of the insurgency, has adopted an aggressive anti-occupation discourse that resonates extensively in the wider Arab world. The mainstream ASM has refused any kind of national dialogue with the forces represented in the

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32 For more details see International Crisis Group, "In their own words: reading the Iraqi insurgency", *Middle East Report 50*, 16 February 2006.
33 See Roel Meijer, "The Association of Muslim Scholars in Iraq", *Middle East Report 237*, Winter 2005, available at http://www.merip.org/mer/mer237/meijer.html (last visited 22 November 2007).

government, pending the departure of the foreign troops. Although there is no breakthrough in terms of national reconciliation between those involved in the political process and the insurgents, at least some progress has been made. The Sunni Vice-President Tariq al-Hashemi of the Iraqi Islamic Party has announced a "National Contract" of 25 principles, in which he explicitly recognized the special status of the Kurdistan Region. He further called for a "reasonable and agreed-upon amount of federalism or decentralization in the administration of the provinces".[34]

All eyes on Kirkuk

For the Kurdish movement the lowland areas of Kirkuk, Khanaqin and Tuz Khurmatu, as well as the northern and eastern parts of Ninive (Mosul) province, Sinjar and Sheikhan, are historically parts of Kurdistan. The population there is mixed and the history of those areas is, as usual, complex, so that the Kurdish claims stand against those of local Arabs, Arab nationalists and representatives of the Turkmen and Assyrian communities.[35] Kirkuk has been at the heart of the conflict between the Kurds and the central government. The Baath Party in particular, during its long rule from 1968 to 2003, embarked on a systematic policy of deportation, resettlement, modification of administrative boundaries and discrimination and persecution vis-à-vis not only the Kurdish but also the Turkmen and Assyrian populations. As the former second in command of the PUK put it, Kirkuk has a highly symbolic value too, since all struggles and negotiations with Baghdad eventually failed because the government did not even accept a compromise.[36]

The delayed referendum

After the fall of the regime, the KDP and the PUK not only took de facto control of the city and other disputed areas but also used all their weight and bargaining power to press for a "Kurdistani" solution. These efforts resulted in Article 58 of the Transitional Administration Law,[37] which was eventually included in Article 140 of the 2005 constitution and foresees specific measures to reverse the former

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34 The Islamic Party's 25-point project to "unify the vision" of Iraqi leaders, called "The Iraqi National Contract" and made public on 25 September 2007. See Reuters, "Iraq: Sunni party drafts new political principles", *Reuters*, 26 September 2007; "National pact launched by Islamic party", *Voices of Iraq*, 26 September 2007.

35 For the history of the various communities, and the diverging claims, see Bruinessen, above note 4, and the related reports of the International Crisis Group, in particular "Iraq and the Kurds: Resolving the Kirkuk crisis", *Middle East Report 64*, 19 April 2007, available at http://www.crisisgroup.org/home/index.cfm?l=1&id=4782 (last visited 22 November 2007).

36 Nawshirwan Mustafa, "Again 140", *Rozhname*, 9 October 2007 (in Kurdish). According to the author, Saddam Hussein had offered the Kurds full recognition of their government in the 1990s if they would give up their claim to Kirkuk.

37 See above note 20.

regime's policy of Arabization, especially in Kirkuk.[38] Like the 11 March 1970 memorandum, Article 140 of the constitution provides for a referendum – with the option of integrating Kirkuk into the Kurdistan Region if it turns out to be an area with a Kurdish majority. While Kurdish leaders adamantly repeat that Kirkuk has been a ''Kurdish city'' throughout history, Turkmen representatives call Kirkuk the ''original homeland'' of Iraq's Turkmen minority. Although the local Arab and Turkmen communities in the Kirkuk area acknowledge that Kirkuk's Kurds suffered most under the previous regime, they insist that the region is neither Arab nor Kurdish, and therefore should not become part of the Kurdistan Region. The Turkmen and Arab communities largely boycotted both the national and the provincial elections in December 2005. This was one reason for their marginalization not only in the decision-making process, but also in the local administration. The governor, the head of the provincial council, the chief of the local army division and the heads of the different police departments are all Kurds from either the PUK or the KDP.[39] In the opinion of the other communities, they are abusing their power.[40] On the other hand, armed insurgent groups of former-regime loyalist and radical Islamist leanings have carried out a series of car-bomb and suicide attacks in the Kirkuk region, targeting residential areas, marketplaces, security forces and Kurdish party installations and taking a high toll of civilian casualties.

Tension mounted further when the Kurds started to push for the referendum to be held before the end of 2007. The atmosphere cooled down when the Maliki government recently agreed to pay compensation to Arab citizens who had been displaced by the Baath government and took concrete steps to return them to their home regions. By the end of 2007, about 20,000 Arabs had signed up for resettlement in their places of origin. The Arab bloc ended its boycott and returned to the provincial council after reaching an agreement with the Kurds that gives them high-ranking positions in the local government and provides for an even distribution of government jobs among Kurds, Arabs and Turkmen.[41] In addition, the Kurds agreed to postpone the referendum for at least six months. And probably even more importantly, the Kurdish parties gave up their opposition to a UN involvement in this thorny issue, consenting to a process whereby the implementation of Article 140 would be facilitated with the technical assistance of the UN Assistance Mission for Iraq (UNAMI).[42] With its oil wealth and its mixed population, the new elite often call Kirkuk an ''Iraq in miniature''. Whether the city will become a symbol of success for the ''New Iraq'' – or a symbol

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38   For details of Article 140 and its implications, see *Middle East Report 64*, above note 35.
39   ''Verhärtung der ethnisch-politischen Fronten in Kirkuk'', *Neue Zürcher Zeitung*, 20 February 2007.
40   ''Kurdish officials sanction abductions in Kirkuk'', *Washington Post*, 15 June 2005.
41   ''Bewegung im politischen Seilziehen um Kirkuk'', *Neue Zürcher Zeitung*, 10 December 2007. In an interview on 29 October 2007 with Sharq al-Awsat, Jalal Talabani said that he envisages a bi-communal status for Kirkuk, like the Belgian capital Brussels.
42   UNAMI, ''Implementation of Article 140: Deadline of 31 December 2007'', press release UNAMI/57/2007, 15 December 2007; available at http://www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-79YPQH?OpenDocument (last visited 22 November 2007).

of failure – depends on the political leaders' ability to find a practicable formula allowing all communities to coexist in peace.

Uneasy relations with Turkey and Iran

The 2003 US-led war on Iraq turned the regional balance of power upside down and deeply affected the attitudes and politics of the neighbouring states and the wider Arab world, although probably not with the "domino effect" intended by the war's architects. One of the elements of change was the fact that the Kurds and the Shiite majority, marginalized for decades, have become the dominant factions in Iraq.

Suspicious relations with Ankara

The relationship between Turkey and the Iraqi Kurds has never been easy, but it has developed considerably since 1991. Ankara helped to ensure the protection of the Kurds in 1991 by allowing the allied forces to use its Incirlik air base to protect the "safe haven". The KDP and the PUK were permitted to open liaison offices in Ankara. At the same time, Turkey remained wary of the Iraqi Kurds, suspecting them of being inclined towards independence and showing too much tolerance for the outlawed Kurdistan Workers Party (PKK). Since 1991 the Turkish military has intervened repeatedly in the Kurdish region, at times with tens of thousands of troops.[43] After an offensive in 1997 in which KDP fighters supported the Turkish army, the latter established three permanent bases in Dohuk governorate that are currently manned by some 1,500 soldiers. Over time, Turkey has built up and maintained relations with the Kurdish region. Turkish companies are heavily involved in construction and trade, as well as in the oil sector. Thousands of workers, mainly from impoverished south-eastern Turkey, have found jobs there. A ceasefire announced by the PKK in 1999 and the easing of cultural restrictions against the Kurds in Turkey were further conducive to a change of atmosphere.

Since 2003, when Turkey's parliament refused the US army access to Turkish territory, Ankara has effectively lost some of its influence on developments in Iraq. With US troops present in Iraq, the Kurds have become more confident in their relationship with their strong northern neighbour. However, Ankara's red lines are clear: an inclusion of Kirkuk in the Kurdistan Region, perceived as a decisive step towards independence, would not be tolerated. In summer 2007, events took yet another turn. When the PKK staged several attacks against Turkish army units north of the border, Ankara's army threatened to intervene in Iraq.

Kurdish leaders in Arbil saw this as a political manoeuvre of the secularist Turkish army against the moderate Islamist Prime Minister Recep Tayyip

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43 Ankara legitimated its action with a "hot-pursuit agreement" signed with Baghdad in the early 1980s, under which it had sent troops into Iraqi Kurdistan as early as 1983.

Erdogan, but also as a response to Kurdish demands for implementation of the constitutional road map in Kirkuk. Inflammatory rhetoric on both sides added fuel to the fire. Turkish media outlets called Barzani a "tribal chief", while representatives of the KDP made indirect threats of an uprising in the mainly Kurdish south-east of Turkey in response to a possible Turkish military attack. Tensions reached an unprecedented level in October 2007, when Turkey sent tens of thousands of soldiers to the border and ultimately demanded that both the Iraqi authorities and the United States take concrete measures against the PKK. Barzani urged a diplomatic solution and direct talks, but as Ankara had never recognized the Kurdistan Regional Government, it insisted on dealing with Baghdad only. For the KDP leader the PKK was a mere pretext for Ankara to challenge the prosperity and freedom enjoyed by the Iraqi Kurds. He warned that an incursion would mean war. Both the Bush administration and Barzani's regional government had to give in to Turkish pressure, at least for the time being. Washington agreed with Ankara to deliver intelligence on PKK movements at the border, and the KDP and PUK enforced restrictions on the PKK's supply lines. When Turkey bombed suspected PKK positions across the border in December 2007, the response from Washington, Baghdad and Arbil to this violation of Iraq's sovereignty was muted. However, given the internal constellation in Turkey – with the tensions between the army and the government – and Ankara's red lines for Kirkuk, the issue is far from being resolved.

Cautious relations with Teheran

Although Iran faces a similar Kurdish insurgency, led by the PJAK (Parti Jiyani Azadi Kurdistan, Party for a Free Life in Kurdistan), an offshoot of the PKK, Teheran did not side with Ankara in the autumn 2007 crisis but instead urged Ankara to find a peaceful solution. Iran's Foreign Minister and his Syrian counterpart both pledged help to defuse the crisis.[44] Again in contrast to Ankara, the government in Teheran has recognized the Kurdistan Regional Government and in November 2007 even opened consulates in Arbil and Sulaimaniya. There are several reasons for this difference of attitude and approach.

Iraqi Kurdish parties have had links with Iran for several decades, extending from the support of the Shah for Mustafa Barzani, the father of today's KDP leader, to the war alliance between the PUK, the KDP and Teheran in the 1980s. During the KDP–PUK conflict in the 1990s, Iran alternately backed the KDP, the PUK and radical Islamists. Teheran has been a main supporter of the Shia-dominated government in Baghdad – often at odds with the Americans, who have accused Iran of providing weapons and training to Shiite militias. The Iranians in turn have regularly demanded a timetable for the withdrawal of US troops. When US troops captured seven Iranians in Arbil and Sulaimaniya in 2007, Kurdish leaders in Arbil and Baghdad supported Teheran's version that the

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44 "Syria and Iran pledge help to defuse Turkey-Iraqi crisis", *Agence France-Presse*, 29 October 2007.

Iranians were diplomats, not members of the elite Quds Force, as the US military claimed.[45]

The relationship between the Kurdistan Regional Government and Teheran remains difficult. Like Turkey, Iran has regularly shelled border areas where the PKK and PJAK have their main bases, and neither country wants a Kurdish state to emerge on its doorstep. Still, Iran shows more flexibility than Turkey on issues such as Kirkuk. Teheran recently demanded the delay in holding the referendum, but not its cancellation. As the Shia-dominated government in Baghdad depends heavily on its Kurdish supporters, Iran keeps a cautious eye on its neighbours in the Kurdistan Region.

Conclusions: federalism and democracy, or independence?

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.

In Iraq and in the wider Arab world, federalism has often been equated with sectarianism and partition. 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.[46]

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.

The Kurds can and do have a role to play in overcoming sectarianism and preparing the ground for national reconciliation. There are already signs of a reshaping of the political landscape in Iraq and the emergence of alliances across ethno-sectarian lines, as shown by the above-mentioned 25-point memorandum of the Iraqi Islamic Party (IIP) and the December 2007 memorandum of

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45 Two of the five Iranians detained on 11 January were released on 9 November 2007. *Neue Zürcher Zeitung*, 10 November 2007.
46 Faleh Abdul-Jabar, interview with Youssef Hijazi, 2006, available at www.Qantara.de (last visited 22 December 2007).

understanding between the IIP, the PUK and the KDP. These definitely give cause for hope.

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? The two major parties are sending conflicting signals: on the one hand, flexibility, as shown by postponing the Kirkuk referendum; on the other, the Kurdistan Regional Government's unilateral implementation of oil and gas laws and contracts. Given the ''virtual independence'' of the Region for more than fifteen years past, these deals are seen as a major step towards making independence a reality, and have thus again increased suspicion inside and outside Iraq.

Real opportunities for a peaceful settlement of the Kurdish question have been rare – this is definitely 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.

To prevent the recurrence of past frictions and conflict, the KDP and the PUK need to settle their rivalries and to overcome their respective one-party structures.

Many Kurds do not see their region as the shining example of democracy that is being proclaimed in KRG-sponsored TV spots. Only genuine reform of the administration and the security services can address the growing dissatisfaction. Good governance in Arbil would also have its impact in Baghdad, and would help considerably in writing this new chapter of Iraq's history.