

# Building an Independent State in Kurdistan

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## Building an Independent State in Kurdistan

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PESHTIWAN ALI, JUL 19 2012

**Are the four pillars of the Kurdish *de jure* independent state in the north of Iraq sufficiently developed (militarily, economically, politically and socially) or is this merely a Kurdish dream?**

*In Iraq, there is still – and I say this with a heart full of sorrow – no Iraqi people but unimaginable masses of human beings, devoid of any patriotic idea, imbued with religious traditions and absurdities, connected by no common tie, giving ear to evil, prone to anarchy, and perpetually ready to rise against any government whatever. Out of these masses we want to fashion a people which we would train, educate, and refine... The circumstances being what they are, the immenseness of the efforts needed for this (can be imagined)*

(King Faisal I, describing his burgeoning kingdom in a confidential memorandum; Spring, 2007: 1).

### INTRODUCTION

The core argument of this dissertation is to show the international community and the local population how the Kurdistan region is ready to have an independent *de jure* state. To demonstrate this, it is important to use four pillars (societal, economic, military, and political) and to relate how each pillar's past, present and future illustrate an independent Kurdistan. In the future, Kurdistan will be dissimilar from the troubled state of so-called Iraq and will be able to be responsible towards its population and the international community.

The statement at the start of this chapter comes from the first Iraqi state ruler. The creation of this ruler led to the existence of a shambolic and unrealistic state and recognition of this resulted in a prolonged and bloody episode in the modern history of Mesopotamia. In addition, during the wave of decolonization, the British Empire ironically and vehemently rejected the *uti possidetis* principles which are a politico-legal means of granting sovereignty through a process based on colonial administration boundaries. The British and French suggested to other members of the international community that in order to recognize statehood, a state has to go through a phased sovereignty to demonstrate its ability to provide for the security and welfare of its citizens, which, under the full auspices of British colonial rule, would create a state which fully fitted the description of being a quasi-state (Mayall, 1999).

However, it is not the objective of this dissertation to criticize the British foreign policy at that time. In this dissertation, the researcher will strive to examine the viability of Kurdish *de jure* independence in the sense that it can achieve full recognition and become a member of international society, its government and boundaries recognized by the international community, and achieve full active United Nations (UN) membership and be a fully sovereign state in the future. The dissertation will consider this process through four important aspects of Mesopotamian civilization: the military, politics, society and economics.

The civilization which is believed to have been the first settled community in the history of humankind started around 9000 BC in the region which is today Iraq and Iran, between the Tigris and the Euphrates rivers (Kreis, 2000). It would be impossible to give an accurate account without consideration of this and before taking the following steps in the dissertation: one is an overview of Iraqi history, especially the early processes of the creation of an Iraqi sovereign independent state, and to be aware of the fragility of the Iraqi state throughout its history and to know the misfortunes of the peoples in the Vilayet of Mosul, the majority of whom are ethnically Kurdish. This misfortune came in the form of the administration developed by the Ottoman Empire, which was the same as the old European system

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but under the indirect control of the Pope in Rome. In the early 20th century, these people enthusiastically welcomed the promise given by the international society in the Treaty of Sevres to recognize their independent sovereign statehood (Kedourie, 2004). Secondly, in the light of this Iraqi state history, remedial secession will be used to make the case for justifying independence.

For the purposes of this research, the first section is introductory and will cover the doctrine of remedial secession and how this remedial normative factor of international law applies in the Kurdish case on two points. The first is that before the conquest of the Vilayat of Mosul in the 1910s, as an administrative region it was *de facto* under the indirect control of the Ottoman Empire. The Empire had 37 similar regions, which occupied a large part of the Middle East and some parts of southeast Europe. Then, on that basis, the international community promised in the Treaty of Sevres (Articles 62, 63 and 64) that the population of the Vilayat had the right to a sovereign state. Later, the international community dishonoured the Treaty and replaced it with the Treaty of Lausanne. The Vilayat of Mosul then became linked to a newly-manufactured state, so-called Iraq (McDowell, 2004). The second point upon which this research will focus is that this newly-manufactured state neglected the well-being of the Vilayat population by not giving them their democratic right to dispute what they had been promised in the Declaration of the Kingdom of Iraq in 1932 (Kedourie, 2004). The Vilayat majority, which was ethnically Kurdish, rose up against this injustice, which led to a series of revolts by the Kurds.

From the 1920s until the 1980s, the whole population of Kurdistan was strongly suppressed and hundreds of thousands displaced, with some areas, such as Kirkuk, undergoing an Arabization process. This nation has long been neglected by international society. During 1980-1991, the suppression included two criminal acts set up by the Iraqi state: one was a crime against humanity in the chemical attacks on Kurdish villages and the other was a case of ethnic cleansing through the disappearance of 8,000 Barzanis during the Anfal (spoils of war) campaign, leading to the disappearance of 182,000 civilians. These criminal acts were again ignored by the international community (Yildiz, 2007).

Consequently, in the first Gulf War in 1991, the Kurds took the opportunity while the Iraqi state was preoccupied with a war of aggression against the international community, to rise up and liberate some of its territories. Soon after, the then Iraqi regime quashed the uprising and, as a result, more than two million civilians were displaced and fled for their lives to the borders with Iran and Turkey, leading to a major humanitarian issue for those two states (Galbraith, 2006). This time, the international community (UN Resolution 688) intervened and established a no-fly zone. This led to the current *de facto* state. Natali (2010) describes a *de facto* state as an entity established through internal sovereignty by a semi-state entity which wants greater autonomy or independent statehood; it lacks, however, external sovereignty. For the first time in Iraqi history, through a free and fair election, the people elected their representatives to the Kurdistan National Assembly, as well as the Kurdistan Regional Government (KRG) administration. Thus the Kurdistan region to some large extent has become administratively independent from Baghdad, with its own military and economy having no connections. The Kurdistan region since that time has been able to establish political and diplomatic relations with many states around the world, including the UK, France and the USA. Since the start of the War on Terror, which began after the 9/11 attacks on the US in 2001, the Kurdistan regional security apparatus has provided a pivotal role in confronting various terrorist groups in the region, and was allied with the US and the coalition army in the war against the former Ba'th Party regime for the threats and aggression it posed to international peace and security.

Internationally, however, Kurdistan is unrecognized and had no legal personality until after 2003. The removal of the Ba'th Party regime, the establishment of a new Iraqi Constitution in 2005, and the special circumstance of the *de facto* existence of Kurdistan are accorded respect and Kurdistan is, however, recognized as a federal entity of the Iraqi state and in the Iraqi Constitution. Kurdish politicians have decided to remain part of the Iraqi state while the Kurdistan region shares some of its sovereignty with Iraq for the aforementioned reasons. However, so far, some of the commitments and promises in the new Iraqi Constitution have not been met. One such Article (140) normalizes those territories which underwent the Arabization process, although it seems as if the Iraqi Government is biding its time until it can release itself under Chapter VII of the UN Charter (the Charter subjects the state to limited sovereignty because it perceives within it a threat to the peace and security of the international community, Wanniski, 1998), rebuild the Iraqi state army and stand on its own feet again. However, this time, which is not under the Sunni

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ruling elite, there will be a different leadership by the Shi'ite ruling elites (Ditz, 2011).

In addition, after the US withdrawal from Iraq, many practitioners and scholars of international relations predicted the eruption of civil war and the rise of violence in Iraq once again. Some of these predictions have turned out to be true. Consequently, one viable option left for Kurds in Iraq would be to start planning for secession under the banner of the four pillars mentioned above and to be discussed below. Before the international community again sacrifices Kurdistan for the sake of some short-term member countries' interests, Kurdistan must ultimately apply for *de jure* independence under the banner of the remedial session doctrine. At the same time, and in order to achieve a *de jure* state and have viable sovereignty for the purpose of these points, a current *de facto* state in accordance with the special circumstances of the Kurdistan region (in relation to its regional and international geo-economics, its internal and external socio-politics, and its internal and external socio-economic and geopolitical situation) must be established. Sovereignty could be earned by focusing on the four pillars as root strategies.

## Remedial secession

One may wonder: what are secession and "remedial secession"? How to justify independent statehood in the case of the Kurdistan region will be considered first. Accordingly, secession is an act to secede by minority groups from the state in order to practise self-determination (Mayall, 1990). An additional definition of secession is the formal withdrawal of a particular section of a recognized state, in which that particular section distinguishes its identity from that of the recognized state (Beran, 1984). This leads us to ask about the "remedial" part of the concept. Accordingly, under the banner of remedial secession, groups of people can claim to secede from their mother state for two reasons. First, if they had a sovereign state and, for some geopolitical or geo-economic factor, that right was taken away by international society, such as happened in the Baltic Republics. Secondly, serious human rights abuses have been committed by the mother state against the people who were a minority in a particular territory and, as a result of these abuses, there cannot, therefore, be peaceful coexistence (Buchanan, 2008).

Moreover, to illustrate further and apply the second part of the definition to the Kurdistan region, a Human Rights Watch report from July 1993 will be presented, offering a clear case with solid evidence that genocide and ethnic cleansing were committed against the Kurds in eleven subsequent systematic campaigns by the Iraqi regime in the 1980s, known as the Anfal campaigns. During these campaigns, more than 100,000 people perished and more than 5,000 were murdered through the use of chemical weapons. Therefore, there is a clear case which can be made morally and legally on the international stage. At the same time, how this can be approached politically will also be examined, e.g. a substate entity has to follow three patterns: first, building governmental and democratic institutions for the reasons of providing for the security and welfare of its citizens; second, in preventing minority repression by the new emerging substate, the majority state has to give a clear commitment to fully respect human rights and minority rights; and thirdly, it is equally important for the new substate entity to follow the patterns of regional stability which, in the case of Kurdistan, is Middle East stability (Buchanan, 2008). For the above reasons, it is suggested that the Kurdistan region should improve its political, economic, societal and military institutions in order to obtain *de jure* statehood.

## Dissertation structure and its four notions

The first chapter will consider the societal factors of the Kurdistan region and how some of the negative aspects of that society may divert an ideas-based Kurdish independence. Equally, it will consider other positive factors which have emerged since 1991, what I will call the Kurdish dawn of freedom, democracy and civic culture in Kurdistan. Thus, this chapter will demonstrate how these negative and emerging positive factors will set challenges for future *de jure* independence for Kurdistan and how the Kurdistan region could mitigate these challenges. Additionally, research will be conducted to illustrate how well this society has developed in promoting peaceful coexistence internally and regionally in the Middle East.

The second chapter is concerned with the question of economic well-being and economic independence and how this *de facto* region has survived under a double embargo: the first a UN embargo for the whole of Iraq in 1991, and the other from the former Ba'th Party regime from 1991 onwards. What is more, this chapter outlines some of the

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unresolved constitutional issues between the KRG and the Iraqi central government and how safeguarding economic growth in the Kurdistan region in the future will similarly achieve a swift transition from *de facto* position to one of *de jure* without undermining its economy. Finally, this chapter will show that this economy, with its massive natural resources and reserves such as oil and gas, has been extended and become a tool for Kurds to promote internal stability and boost external relations with the international community, as it is important to have a free market economy, especially in the oil and gas sector. This research will then outline some negative aspects of the Kurdistan economy, such as corruption and the lack of economic transparency.

The third chapter examines the military aspect of the Kurdistan region. Historically, the Iraqi military was a tool for internal suppression and a war of aggression against its neighbours, controlled by pan-Arabism in the Sunni section of the ruling elite from 1932 until 2003. In contrast, the Kurdistan region developed its own military in the form of defensive guerrilla warfare, its armed fighters known in Kurdish as the Peshmerga, in order to protect the identities and freedom of Kurdistan society and provide a democratic system for Iraq in order to prevent tyrannical regimes. However, Peshmerga history has been scarred by an internal Kurdish civil war, namely between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) in the 1990s. Until recently, the two groups each controlled their own Peshmerga, as well as different security forces. However, from 2003 onwards, the Peshmerga and the Kurdistan security forces played very positive roles in protecting Iraqi and Kurdistan regional security and, at the same time, helped to rebuild the Iraqi Army from scratch. Now the Peshmerga are a crucial part of the Iraqi defence system, although equally their role is in challenging the Iraqi central government. Above all, the question is how the past and present Kurdish security forces will set a positive path in order to meet the future security challenges of an independent *de jure* state.

The final chapter will examine the future *de jure* Kurdistan political landscape and its challenges and provide recommendations for the current challenges that the Kurdistan region faces through its present *de facto* position. Moreover, this dissertation divides the challenges into those which are internal and those which are external. The section regarding internal challenges is subdivided into two interrelated parts: the first concerns moral issues, such as human rights and women's rights; the second considers strategic issues, such as internal unity, minority rights, democracy, institutional reforms, and the elimination of corruption. The second section, which deals with external challenges, will firstly examine Kurdistan's relations with regional countries within the Middle East, especially those which have Kurdish populations such as Iran and Turkey, and, of course, Iraq as well as the Arab states and Israel. Secondly, this section of the dissertation will deal with Kurdistan's relations regarding the wider world, such as with the European Union (EU), the USA, Russia and China.

## CHAPTER ONE

### The societal background of Kurdistan

This section will argue the importance of social cohesion for a state's stability in order to provide for the security and welfare of its citizens. In Kurdistan's case, this chapter will first briefly illustrate the historical background of the Kurds and Kurdistan society to provide an idea of who the Kurds are and where they came from. This research will also touch upon two negative issues: the tribalism which may disable the notion of allegiances within a Kurdish independent state and, more importantly, how this could affect the more immediate goals of Kurdistan society. One example of this is the long dispute which exists between the Zebari tribe and the peoples who live in the Barzan areas, whereby one family from the Zebari tribe historically aligned itself with Arab nationalism in order to undermine the Kurdish Revolution, which started in the mid-1940s in the Barzan area, while the majority of the Zebari tribe remained loyal to the Kurdistan cause (Wilkileaks, 2006). The sheer influence of some tribes may erupt in a mini civil war, similar to the tribal war in the Sulaimanyia District between the Jaff and Shilanyia tribes in the 1980s. This tribal war caused a number of casualties and paralysed the effectiveness of the state law enforcement apparatus which is believed to be a fundamental part of a state's responsibility in protecting the security of its citizens.

The second negative issue touched upon in this research is violence against women in Kurdistan. As with other Third World countries, the subordination of women is part of the code of the culture and this is politically and directly involved with the paramount issues of human rights, which are another of the fundamental bases of a state's

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responsibilities to its citizens.

The final section of this chapter will examine the society as being ethnically and religiously heterogeneous. Kurdistan is not a land just of Kurds: historically, Kurds have lived with Arabs, Turkmen, Syrians and Assyrians (Christian Catholics).

## **Who are the Kurds?**

The Kurds originated from an ancient Indo-European people and are ethnically different from Arabs, Turks and Persians, the people mentioned in the Old Testament of the Bible (Anderson & Stansfield, 2004). Kurds are decedents of the Medes Empire which, in 612 BC, conquered the whole of Iran, its empire stretching to the centre of today's Anatolia from the strong Assyrian empire. This marked the beginning of the Kurdish calendar, whose current year is 2624 (Nezan, 2011). In addition, their geographical location covered the mountains between the high plateaus of the Zagros range to the Euphrates, which is the equivalent of today's modern artificial border west of Iran, north of Iraq, east of Syria and east and northeast of Turkey. Moreover, there are now believed to be 35-40 million Kurds living in the Middle East and Europe, North America, Russia and Australia. Despite not having an exact figure for the number of Kurds in Iraq, there are believed to be between 5-7 million, which is equivalent to 25% of the Iraqi population. The majority of Kurds are Sunni Muslims in Iraq but there are Shi'a Muslims as well as followers of an ancient religion called the Yezidis (followers of a syncretistic religion) or of Zoroastrianism, a religion which predates Judaism. There are also some Christians in Kurdistan (Anderson & Stansfield, 2004). Kurds live as semi-pastoral nomads and the traditional societal structure is inherently that of tribal socio-political units, at the same time as having their own distinct territorial bases. The geography of Kurdistan is a mountainous region and, therefore, integration or interaction among these tribal units is limited and, as a result, adaptation and change in these socio-political units has historically been very slow (Anderson & Stansfield, 2004). Thus, some of these tribes have originated from one family and later evolved to become different units, inevitably competing with each other for power and authority.

Kedourie (2004) has observed that the British colonial administration was unconvinced about the idea of an independent Kurdistan due to the issues of tribalism, as it was not certain that these people would sacrifice their tribal allegiances for the sake of independent state allegiances. As a result, Kurds lost the opportunity to achieve independence in the early 20th century and this legacy of tribalism has continued until today to the same extent and has had two negative effects on Kurdistan's socio-political stability. Therefore, a complete sense of nationalism by ordinary powerful Kurdish tribesmen has been grasped at a very late stage in the nation's modern history compared with other nations in the region, such as the Arabs and Turks.

The first drawback of the tribalism in Kurdistan regarding the idea of statehood has been the failure of the Kurds to perceive the idea of statehood and the civil status of citizens' identity. Kurds have not applied their identity vertically to the idea of statehood. Buzan (1991) defines this as a psychological binding that holds and mobilizes people for the state and is constructed through a series of narratives. This is what Kurds have been lacking in the past and present in order to construct a coherent narrative replacing others, such as tribalism and religion. Others, such as the Turks and Persians, have been able to translate these narratives into building an empire for the benefit of their own nations, such as the Ottoman Empire for the Turks and the Safavi for the Persians. In both cases, Islam was used as a tool to reach political goals.

For the purpose of this research, this section will only stress the tribalism point, which historically has had two negative effects. When one tribe or a single person has made the effort to attempt a revolt against suppression by the government, the Kurds have been subjected to living under the first major aggressions faced internally by the tribes. A prime example is the current issue of some of the Zebari, as this tribe has had a long and bloody feud with the Barzanis. This was particularly the case in the 1960s and 1970s, when the core founder of the Kurdistan Democratic Party, Mulla Mustafa Barzani, killed Mahmood Zebari, the head of the Zebari tribe. Since that time, some elements of this tribe have aligned themselves with Arab nationalism against any Kurdish attempt at self-determination (Wikileaks, 2006). During the Anfal campaign, the tribe played a vital role in helping the former Iraqi regime, and even today Arshed Zebari, the nephew of Muhmood Zerbari, is with the Arab nationalist coalition known as al-

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Haadba based in Mosul. As a consequence, Kurds have lost influence in this city, which is believed to be geopolitically and economically very important. This is only one tribe; there are many others which may pose a similar threat to Kurdistan interests and which illustrates how the actions of tribalism are damaging to the present and future of Kurdistan (Mazhar, 2009).

The second negative effect is related to the wars between these tribes and the effectiveness of the rule of law in protecting the security of Kurdistan citizens in the internal theatre. As mentioned above, the Zebari tribe and the peoples of the Barzan area have fought, resulting in many civilian deaths, while the Iraqi Government has been incapable of preventing them committing these atrocities against each other. Many other tribes have perpetrated similar acts, and Qasmilo (2007) outlines the feud in the Sulaimanyia area between the Jaff and Shilanyia, which resulted in a number of deaths and many villages being burned, while the government at the time did nothing to prevent this. Hence, because of the sheer power some of these tribes hold, they have a parochial structure and many of them perpetrate so-called honour killings, especially against women. However, since 1991 this issue of the conflicts between tribes has been described in more detail because of the rise of many civil societies and democratic institutions.

The next issue is that of the changing attitudes in society regarding so-called honour-based violence, especially against women. This issue has been a challenge for the KRG to defend its human rights record and provide a sense of security for half of its society in Kurdistan, because women fulfil an important role in educating children and are what I call the teachers of the other half of the population. Such violence is rooted in traditional cultural codes, while religious and tribal codes have become a tool for legitimizing these acts in society. Therefore, such honour-based violence has a doubly negative effect. One effect is that women can be accused of committing adultery and dishonouring other tribes or religious groups. One such case was that of a 17-year-old Yezidi girl called Du'a Khalil, who was brutally killed by her own family and community because she had been accused of adultery with a Muslim man. This brutal act attracted the attention of the international media, such as the BBC, the UK's main broadcast news, and created alarming issues between the Islamic community and the Yezidis at the time (Joanne, 2007). This undermined the internal unity between communities which historically in Kurdistan had had a good track record, while affecting the government's image for failing to implement the rule of law.

Secondly, and at the same time, this affects the human rights record in the Kurdistan region as a result and to a large extent may undermine the region's claims to having the right to remedial secession. It is necessary, therefore, for the current KRG administration to confront such unlawful acts vigorously and try to deal with them at the root by supporting the creation of civil communities and changing this culture to a more harmonious civic one based on respect for human rights and civil identity. Not only will this ultimately enable a peaceful society to flourish, it can also gain the respect of the international society.

Thus, the Kurdistan region is ethnically and religiously diverse, as historically the majority Kurdish Sunni Muslims have lived alongside Arabs, Shi'ites, Turkmen, Yezidis, Assyrians and Chaldeans. There is clear evidence that in post-2003 Iraq many of those communities have faced violence and brutality and Kurdistan has become a place of sanctuary for these sects, particularly in those places which share a border with the Kurdistan region. The Peshmerga and the security personnel (Asayish) have been protecting them and for this the Kurdistan region has sacrificed much of its personal security and many Peshmerga lives (Abraham, 2002). However, any claims from states in the region that an independent Kurdistan would exploit these different communities in the future are baseless and the Kurdistan regional constitution has provided full democratic and cultural rights and demonstrated practically in the present time that this *de facto* position will be guaranteed in the future (Kurdistan Regional Government Draft Constitution, 2011).

To conclude, despite some drawbacks in the Kurdistan region, such as the tribal aspects which may undermine its claim for independence, the region has a good degree of social cohesion. Therefore, in my view, although the negative aspects of the Kurdistan region must be tackled, there is enough social cohesion overall to argue in favour of *de jure* statehood.

## CHAPTER TWO

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## Can a good economy safeguard the path to secession?

The economy is believed to be one of the backbones of a state's stability. Therefore, in the context of the Kurdistan region's claims for independent statehood, the economy will play an important role in addressing this. This chapter will first outline the historical background of the economy of the Kurdistan region and its subsequent destruction between 1975 and 1991 under the former Iraqi regime. Secondly, the chapter will examine the Kurdistan region's economy in the post-1991 period and how this moved from being one of the most underdeveloped and deprived economic regions in Iraq to one of the most prosperous and thriving in the space of the 15 years from 1991 to 2005 (Natali, 2010).

In addition, the chapter will demonstrate how the Iraqi political legacy has had various long-term negative ramifications for the economy of the Kurdistan region. Further, it will state some of the outstanding issues which remain between the Kurdistan region and the Iraqi central government, such as the so-called disputed territories and the Iraqi hydrocarbon law, and consider how strategically important these are for the Kurdistan region. In conclusion, this dissertation will outline the issues of corruption that may affect the future of a *de jure* Kurdish state.

During colonial and post-colonial times, the economy of the Kurdistan region was in a devastated state because of the legacy of the Ottoman Empire and WWI, with no economic ties with the outside world, no leverage or institutional capacity, no currency (for instance, the region relied on the pound sterling and the Indian rupee), and the Kurdistan region was the centre of a battlefield involving ethnic and sectarian conflicts with foreign powers. The only hope was US President Woodrow Wilson's commitments to the rights of minority groups under his fourteen points presented to the international community. The Kurds especially received various financial promises of help from the colonial administration but Mosul soon after lost its bid for statehood and assumed an identity under that of the newly-created Iraqi state (Natali, 2010). With all the above disadvantages, the Kurdistan region at the time had a good incentive for creating food security for its population (McDowell, 2004).

Moreover, firstly, during the British mandate in Iraq of 1922-1932, there were some initiatives regarding land cultivation, especially in the tobacco industry in Iraq. For the first time, the industrial skills imported from the outside world and the Kurdistan region played a vital role. Secondly, oil played a crucial part in the history of Kurdistan in the aftermath of WWI, as it brought about a re-evaluation of the region (Kedourie, 2004). The Kurdish-populated area was found to be one of the richest oil reserves in the world, in particular the city of Kirkuk and its surroundings. As the decades passed, the production of petroleum has become the only income for the Iraqi state budget and Iraq has become one of the largest oil exporters in the world, currently producing around three million barrels per day. Despite all the above-mentioned events and re-evaluations, however, the Kurdistan region has been left isolated and underdeveloped. The new monarchy deliberately, for ideological reasons, supported a group of landowners called the *agah* when it saw the wealth of the Kurdistan region only in the hands of the *agah* and southern and middle Iraqi cities. Such cities had a majority Arab-Sunni population and economic disparities had created a divided society that was uneducated and driven by traditional sentiments. Some of these legacies have dictated the actions of Kurdistan societies until the present day (McDowell, 2004).

Furthermore, by the 1950s the re-evaluation in Iraq had put the country on a different path. With this new path and the production of petroleum, it became clear that Iraq had a future in the world's petroleum industry. Therefore, new economic doors were opened by the international community with regard to Iraq's industrial infrastructure, such as access to economic aid through the World Bank and the United Nations Development Programme (UNDP) (Natali, 2010). The second re-evaluation involved the rise of Qawmiyya (pan-Arabism) from 1958 onwards, although this came too late; the rise of pan-Arabism under the Arab Sunnis in Iraq worsened the unequal socio-economic situation in Iraq due to a series of wars with Iran. For political reasons the government did not invest in the agriculture of the Kurdistan region, while in other parts of Iraq massive reforms and investment were made in that sector (Natali, 2010). For instance, the Iraqi Government had a policy of imports and food subsidization and, as a result, agricultural production declined from 1950, at which time the Kurdistan region had produced 45% of Iraq's wheat needs, to 30% in the 1970s. Agriculture reduced further after this because of the political mayhem resulting from the rise of the Ba'ths to power, particularly Saddam Hussein, and by 1979 the Iraqi regime had entered a long and expensive war with Iran and the Kurds at the same time. This led to chronic political instability and the regime destroyed more than

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4,000 Kurdish villages. By 1988, one million people had fled to Iran and the Anfal campaign and chemical attacks had been perpetrated. That was believed to be the end of Kurdistan as a socio-economic society, particularly in terms of its agriculture. The people who did not flee were placed in massive communities in camps where the regime could control them more easily (Natali, 2010).

Thus, from the 1990s onwards Iraq and the Kurdistan region entered a phase which was a new phenomenon in the history of Iraq. As a result of the first Gulf War and the Kurdish uprising and, subsequently, the establishment of a no-fly zone to protect the area for the Kurds supported by the UK and France as well as the USA, Kurds for the first time could govern themselves with newly-elected officials through a multi-party election and run its own economy (Romano, 2006). However, by this time there was economic havoc in Iraq because soon after Iraq invaded the neighbouring country of Kuwait on 6 August 1990, economic sanctions were imposed upon Iraq by the UN. The following year the former Iraqi regime withdrew all its government institutions and cut economic ties with the Kurdistan region. As a consequence, the newly-elected KRG started from a sub-zero economy and government infrastructure and its only income was the immediate humanitarian aid from the EU and the UN until 1996, with very little gained from internal taxation (Abdul Rahman, 2012).

Dealing with a broken economy after years of a destructive war, with massive refugee movement, no self-governing experience, and internal war between the two political rivals, the KDP and PUK during 1994-1998, exacerbated the whole economic situation in the region (Natali, 2010). However, in 1995 the former US President Bill Clinton initiated the oil-for-food programme in response to arguments that average Iraqi citizens were being inordinately affected by international economic sanctions (Wanniski, 1998). The programme was administered by UN officials with the coordination of Iraqi Government officials at a time when Kurdistan region officials had a very limited role to play in the programme. Although the programme provided short-term help for the ordinary people in the region, it created a longer-term dependency regarding food (Abdul Raham, 2012) because Iraq was allowed to sell oil on the basis that to import only food and medicines would mean that the local farmers' produce would become virtually worthless. By 2001, despite the above, the Kurdistan region appeared to be far more robust than the Iraqi economy. For example, in the Kurdistan region the pre-1990s dinar, which had been the old Iraqi currency, became known as the Swiss print issue of the notes and remained stronger than the Saddam print dinar (Natali, 2010).

The post-2003 Kurdistan region achieved economic security for the first time and the Iraqi Government elected 17% of its budget to the Kurdistan region, which was around USD 11 billion annually. Part of the Iraqi Constitution allows the Kurdistan region to manage its own natural resources in coordination with the central government in Baghdad. The Kurdistan region then became directly involved in signing trade agreements with large corporations, such as Exxon Mobile for gas and oil exploration, and with Turkey, Iran and the Gulf states, thanks to the region's free market approach. The stability in the Kurdistan region has also attracted many more of the world's large businesses to move to the area to invest as a gateway to Iraq (Pfeifer, 2011). All the above have led to a rise in annual per capita income from USD 1,000 to currently USD 4,500 on average (KRG, 2012). Conversely, the Kurdistan region still faces huge challenges on numerous frontiers. The first is food security because, as mentioned above, the neglected agricultural sector, years of war, people's displacement and, subsequently, the UN oil-for-food hand-out programme have disabled the region with regard to producing its basic staples. The region has instead relied on imports from Iran and Turkey as well as other neighbouring countries, and it is highly probable that this will affect the short-term food security in the Kurdistan region in the case of its deciding to secede from Iraq (Natali et al., 2011).

The second problem for the region involves the so-called disputed territories. Article 140 of the Iraqi Constitution provides constitutional solutions for these areas following the normalization process as, after 1963, these territories went through an Arabization process and Kurds and Turkmen faced displacement and being replaced with Arabs. According to Article 140, both the Kurds and Turkmen have to be compensated and returned to their original locations, and the Arab settlers also have to return to the south and middle of Iraq to their indigenous places (Yildiz, 2007). After that, a referendum has to be held so that the indigenous peoples of the disputed territories can decide whether they want to be part of the Kurdistan region or the central government administration. The disputed territories are now believed to be the richest areas for oil and gas and currently production is around 1.5 million barrels of oil a day. The North Iraqi pipeline is based in that area, which is one third of the total Kurdistan region and some 83,000 square kilometres (around the size of Austria). Therefore, if the Kurdistan region takes any steps



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without returning these disputed territories, it is highly probable that the viability of an independent Kurdistan will be questionable (Yildiz, 2007).

Finally, there are two challenges that the KRG currently faces and which will probably affect the future of an independent Kurdistan. The first issue is the hydrocarbon law, as it is still unclear who controls the gas and oil fields in Kurdistan. The KRG has signed a number of contracts with different international companies in this regard but the Iraqi central government does not recognize them for political reasons because it believes that if the KRG gains economic leverage, this would challenge the central government's capability regarding its budget. From the other side, the Kurds believe that historically former Iraqi governments used the economy to buy military technology to use against the Kurds. Therefore, these agreements would safeguard against the misuse of Iraqi oil revenues and protect the future of the security of the Kurdistan region from the horrors of the past (Natali et al., 2011).

The Kurdistan region has experienced serious economic issues in the post-2003 era but has moved from being one of the most underdeveloped and isolated regions in Iraq to one of the most thriving and growing areas economically. However, in the same way that the majority of governments in the Middle East face corruption challenges, recent committees have been set up by the Kurdistan region's President Massoud Barzani. These committees have pointed to widespread corruption which is endemic throughout KRG institutions. At the same time, the new KRG Opposition party Gorran (Change) has been set up by Nawshirwan Mustafa, the former Iraqi President Jalal Talabani's Deputy Party Secretary (PUK). Gorran has been challenging the various committees' authority and legitimacy in its numerous articles and pieces of research and has found various kinds of corruption and party and group interests using the economy for their own political gains. This is likely to affect the image of the current *de facto* state and have long-term ramifications amongst the international community and its view of Kurdistan, as well as Kurdistan socio-economic stability (US Embassy Diplomatic Cable from WikiLeaks, 2009; Rubin, 2011).

In spite of the short-term problems and disputes both internally and with the Iraqi central government which are unresolved and which could disadvantage the region's claim for independent statehood, the long-term future of the Kurdistan economy seems largely to favour the region's claims. As such, its free market incentives and, more importantly, its energy and agriculture sectors, will help the region to tie itself to the global market. At the same time, this will of course provide the internal socio-economic stability which has been lacking, due to the fact that the region has been tied to Iraq and the Iraqi regimes have used its economy to fund unjustifiable wars against its own population and the international community.

## **CHAPTER THREE**

### **Military security through Kurdistan's modern history and the present path to secession**

The military is one of the most important state institutions and is vital in protecting its security and well-being. At the same time, however, this important institution can be misused and harm state security, especially in the case of the Kurdistan region. Iraq's military role has had an impact on the history of the region and on Iraq and it is likely that this institution will play a part in the future of Iraq and Kurdistan. In order to provide a more coherent argument, this chapter will first focus on the Kurdish military struggle in the context of the history of Iraq and the Middle East and how the survival of the national identity has been preserved through armed struggle by fighters known as the Peshmerga (which literally means those who face death) because of the repressive nature of the internal Iraqi military activities.

Secondly, the chapter will outline the pivotal role of the Peshmerga through the modern history of the Kurds in different areas of the Kurdistan region, as well as Iraq. This is because the Peshmerga are not the only guardians of the Kurdish identity and pan-Kurdish symbolism has also protected other universal values, such as democracy and human rights, and minority rights in Iraq such as those for Christians and Turkmen.

Finally, this chapter will state two main problems that to some extent have undermined the Kurdish right to reject repression through armed struggle. The first is what Mulla Mustafa Barzani, the Kurdish Revolution leader, called the Jash (meaning the "baby donkey") or Iraqi regime collaborators because the Iraqi regime has always used them as

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examples and told the international community that they are the real patriotic Iraqi Kurds. The regime did not, however, reveal the fact that it had paid the Jash large amounts of money and allowed them to carry out the indiscriminate killing of other Kurds and the robbing of Kurdish villages. The second negative aspect which faces the Peshmerga is the internal war waged primarily between the KDP and PUK (McDowell, 2004).

In the history of the Middle East, the Kurds have experienced a very long and brutal military struggle with different empires and states who have occupied their land through repressive force. The prime example of this occurred under the Ottoman Empire, when the Vilayet of Mosul had enjoyed greater semi-independence than other Vilayets of the Ottoman Empire. This struggle has its roots with the Naqshbandi Islamic scholars, whose path to the present has tried to educate the people of Kurdistan through establishing an Islamic *tariqa* (path) headed by a *shaykh* (leader). The *shaykh* has always challenged the *agah* (the landowners) to pay the peasants enough for their work and not to use them in unjustifiable ways, such as by repressing them. The Ottomans and subsequently the monarchy and the administration have collaborated more with the *agah* because they see them as landowners and easy to communicate with as taxpayers (A Barzani, 2012).

In 1931, the Kurdish Revolution leader Mulla Mustafa Barzani, whose family has very long historical roots leading the Naqshbandi path in the Barzan area with Barzani himself a scholar of the path, confronted the Iraqi Army over the repression and injustice done to the people of Barzan by the Zebari tribal leaders along with the Iraqi Administration. The revolt was silenced until the mid-1940s, when Mulla Mustafa fled to Iran to support the Kurdistan Republic in Mahabad, which was established under the auspices of the Soviet Union in 1946 and headed by Qazi Muhammad. However, Barzani joined the Republican Army general staff, and officially the Republican soldiers were called the Peshmerga, which is the first time the name appears in Kurdish history (A Barzani, 2012). However, soon after the withdrawal of the Soviets, the Iranian Shah, with the help of Britain and the US, put down the Republic and executed the majority of its leaders. Barzani, in a famous and heroic journey with 500 Peshmerga, took sanctuary in the Soviet Union until 1958 and the Iraqi Revolution against the monarchy, which was led by Abdul Karim Qasim, a pro-Soviet Iraqi Army General (McDowell, 2004).

In 1958, Barzani was welcomed by all parties, including some Arab nationalists, and with the help of the USSR started negotiating with the Qasim regime with regard to recognizing Kurdish rights. Despite at the time being willing to recognize the Kurds and Arabs as partners in Iraq and giving the Kurds the right to an autonomous region, in practice Qasim could not implement anything because this was blocked by the nationalist element in the regime (McDowell, 2004). Therefore, in 1961, Barzani and a number of tribal leaders called for revolt and an armed struggle. Two years after that, in a coup d'état, Ba'th Party army officers removed Qasim and established a government headed by the ex-army officer who had contributed to the coup against Qasim and who held very nationalist views (Davis, 2005).

Hence, in this era the Iraqi Army directly dictated Iraqi politics and started to become involved in brutal campaigns against the Peshmerga. However, the Peshmerga appeared to be much stronger than the Iraqi Army and what is noteworthy is that at the time the Peshmerga were receiving financial support from the Iranian Shah and the US (McDowell, 2004). Barzani had the wisdom to understand that in order for the Kurds to obtain self-determination, they would have to be supported by one of the two great powers, the USA or the USSR. He had previously lived in the USSR and thought that USSR foreign policy had nothing by which the Kurds could gain. With that object, therefore, the only option left was to turn to the USA. During that time, the Peshmerga gained much military ground for the Kurds until the 1970s, when the Iraqi Government was forced to make concessions to recognize Kurdish minority rights and the famous Azar Agreement (signed in March 1970) between Barzani and Saddam Hussein, who was at the time the Iraqi Vice President, and a ceasefire was called (McDowell, 2004).

In addition, the 1970 Iraqi Government's concession appeared more like a set of military and political tactics than a peace gesture. By 1974, Barzani, with financial help from the US and weapons and Peshmerga military training from Israel and Iran, was able to form 50,000 trained Peshmerga as well as 50,000 irregulars with light and medium weapons. Therefore, the Peshmerga seriously challenged the Iraqi regime but this time the regime did not make any concessions for the Kurds (McDowell, 2004; Anderson & Stansfield, 2004). For instance, the Iraqi regime offered the Iranian Shah the ceding of the Shatt-al-Arab demarcation in return for Iran stopping its support of the Kurdish

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Revolution at the Organization of the Petroleum Exporting Countries (OPEC) Conference in Algeria in March 1975. The agreement clearly had huge long-term strategic interests for Iran and accordingly, within hours, all Iranian support was withdrawn. This was a major blow for Barzani and the Kurdish leadership and a sense of betrayal was felt towards the US and the Iranian Shah by the Kurds. As a result of the agreement, the KDP leadership abandoned its fighting and all the Peshmerga had to lay down their arms. Iraq then took the opportunity of the Peshmerga's absence and systematically started to displace many Kurdish families and caused many others to flee to Iran (Galbraith, 2006).

The post-1975 period was marked by the rise of the current Iraqi President Jala Talabani, who was the left wing element of the KDP led by Mulla Mustafa Barzani, and who had also quarrelled with Barzani and the conservative faction of the KDP. As a result, Barzani exiled him to act as the KDP representative in Beirut. From there, Talabani went to Syria and, with the help of President Hafez al-Assad against the Iraqi Ba'thists, formed the PUK (Patriotic Union of Kurdistan). He was also able to unite several other Kurdish fronts and factions, such as the Komala, a clandestine Marxist-Leninist Group led by Nawshirwan Mustafa Amin, the current Gorran (Change) Movement organizer, Ali Askari, the leader of the Kurdistan Socialist Movement (KSM), and several other elite groups and individuals (Gunter, 2007). At the time, the KDP and Barzani's son, Massoud Barzani, with the help of his older brother Idris Barzani and Sami Abd al-Rahman, part of the Kurdish elite and father of the current KRG representative in the UK, Bayan Sami Abdul Rahman, tried to organize and launch a KDP provisional leadership on all fronts. They formed a small group of Peshmerga and organized guerrilla warfare once again with basic weapons, such as the AK-47, against the Iraqi Ba'th Party regime. Both Talabani and Massoud Barzani lived abroad until 1979 and Mulla Mustafa's death from cancer in the USA. At the beginning of the Iraq-Iran War in 1980, both Talabani and Barzani returned to the mountains of Kurdistan. This time, unlike Barzani's revolution, there were different Peshmerga forces and, therefore, a power struggle was inevitable between the two parties. This led to several feudal wars between 1976 and 1987 (MacDowell, 2004).

Further, the events of 1979 opened a new opportunity to confront the Iraqi regime with the help of the Islamic Republic of Iran. The Peshmerga of both parties had gained ground soon after on several fronts in the Soran area of Sulaimaniya and the Kirkuk part of Erbil. PUK forces advanced on a few occasions and entered the Kirkuk oil field and the KDP advanced from the Badinan area (McDowell, 2004). As a result, Saddam mobilized the Kurdish Jash forces under the leadership of the Ba'th Party headquarters in Northern Iraq with coordination from its air force and some of its territorials with tanks and other heavy weapons. The majority of the Iraqi forces were engaged with the Iran war and, therefore, the Iraqi regime paid Kurdish tribesmen to fight for them, such as the Zebaris and Harkis. The Jash inflicted a lot of damage on the Peshmerga forces with the Iraqi Army at the time but in 1987 the two main Kurdish parties with several other factions and political parties, such as the Islamic Party and the Assyrian Front Democratic Movement, formed the Kurdistan National Front. For the first time, Kurds were united under one umbrella to fight the brutal Ba'th Party regime in Iraq after Barzani Senior's revolution in 1975, because the regime's armed forces had increased the intensity of their brutal attacks against innocent civilians during the destructive Anfal campaign (McDowell, 2004). As a result, the Peshmerga increased their military operations against the regime and the regime lost ground on several fronts. This was an unexpectedly large blow to Saddam and in return for this humiliation the Iraqi forces used chemical weapons against the Peshmerga and civilians. As a result, the Peshmerga retreated to the border close to Iran. Saddam created buffer zones along the Iranian border and more than 4,000 villages were demolished. The absence of the Peshmerga resulted in a number of executions of Kurdish dissidents, including under-age boys, until 1991 and the first Gulf War (Devigne, 2011).

On 6 March 1991 the Kurdish uprising started in the Sulaimaniya area and the Peshmerga used strategies that would be able to mobilize the whole Kurdistan population, including the regime's back-up force, the Jash, which had turned against the regime. Within days the Peshmerga had removed the Iraqi Army and its brutal secret security forces (the al-Amn and the al-Mukhabarat) and captured a few hundred thousand members of the Iraqi Army (McDowell, 2004). For the first time, the Peshmerga were able to advance to Kirkuk and the road to Baghdad. However, soon after the UN coalition forces removed the Iraqi Army from Kuwait, the former Iraqi regime's army was able to resume some of the locations. The uprising was quashed with brutal force but the Peshmerga were still able to hold on to the majority of the land that had been liberated. The UN imposed a no-fly zone over these territories under Security Council Resolution 688 and, as a result, the regime further withdrew its institutions from Kurdistan,

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except for those in the disputed territories (Galbraith, 2006).

In the post-1991 era, the Peshmerga could safeguard Kurdistan security after the withdrawal of the Iraqi state security apparatus until 1992. After that, the Kurdistan National Front became the Kurdistan Administration and after the 1992 election the creation of the KRG led to the Peshmerga forces becoming part of the KRG defence system (McDowell, 2004).

Nevertheless, the KRG leadership was ineffective because it had not emerged as a clear winner in the election. The two main political parties and old rivals the KDP and PUK formed a 50/50 coalition government. They then quarrelled with one another and because they had a history of hostility against each other there was little trust between them. Each side held on to its forces and each set of forces was affiliated to certain party politics. Inevitably for Kurdistan, war broke out between the two parties during 1994-1998. In 1998, under the observation of the former US Secretary of State Madeleine Albright, they signed a peace agreement. Later in 2004 this became a peace strategy which has existed until today (Gunter, 2007).

Post-2003, the Peshmerga allied for the first time with coalition forces on two fronts: one was against the former Iraqi regime and the other the War on Terror fought against the al-Qaeda-affiliated Islamist group called Ansar al-Islam. After the Turkish Parliament would not allow the US Army 6th Division to attack Saddam's regime from the north of Iraq, the Peshmerga played a huge role in removing the regime forces from Mosul and Kirkuk as well as the Diyala Province (Galbraith, 2006). Thus, ultimately, after the disbanding of the Iraqi Army by the Coalition Provisional Authority (CPA), the Peshmerga played a vital role in Iraq in creating a new Iraqi Army, as three main brigades providing security for the area of the central government authority Administration close to the Kurdistan border, including guarding some Iraqi politicians and government officials in Baghdad.

Currently, the Peshmerga face challenges as there are still two main political parties and the PUK and KDP have a major amount of influence over the Peshmerga, although the forces still have not fully merged. This could, therefore, ultimately undermine Kurdistan security through its own forces, given the fact that the history of the hostilities described above has increased the level of suspicion (Nawshirwan, 2011).

The second challenge is that the Iraqi central government wants to weaken the role of the Peshmerga within the army. Prime Minister Nouri al-Maliki has removed many Iraqi Army officers who had Peshmerga or Kurdish backgrounds. This episode in Iraqi politics is not new, as the Iraqi Government has made some short-term peace and brotherhood gestures to the Kurds when it was weak and afterwards returned to its narrow Arab nationalist sentiments. It seems that Iraqi history is broken, in the way it keeps repeating itself (M Barzani, 2012).

While one front wants to weaken the role of the Kurds inside the Iraqi Army, the central government wants the KRG to reduce the number and resources of the Peshmerga. The Iraqi Constitution legally recognizes the Peshmerga as Kurdistan guards but the Iraqi Government thinks that 200,000 is too great a number for that mission, at the same time ironically trying to build a one million strong army of soldiers. Above all, the united Peshmerga forces are an essential ingredient in protecting the current *de facto* state of the Kurdistan region and its peoples (M Barzani, 2012).

Above all, the history of the Peshmerga shows them to be a moral defence force in the Kurdistan region and their existence is necessary for the region to protect its citizens' security. Through the tendency to unity shown by the Peshmerga, they have been viewed as a legitimate force for the Kurdistan region by some of the international community members. In this context, a unified Peshmerga security force is a hugely favourable argument for an independent Kurdistan, both internally and externally.

## **CHAPTER FOUR**

### **Kurdistan politics and ideas regarding Kurdistan seceding from Iraq**

Political factors, both internally and externally, are crucial in substrate entity claims for secession from a state, and the two political parts are inextricably interrelated facts in the current international political environment when

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recognizing a new state. In addition, of course, internal political stability is the bedrock of a state's existence. As a result, this chapter will first explain the current structure of the politics of the Kurdistan region in order to present a view of how the current structure of Kurdistan's regional politics has developed. For the same purpose, this chapter will also consider the internal relations within different political parties and factions and the challenges in front of Kurdistan's regional politics (Bolton & Visoka, 2010; Mooris, 2012).

Throughout the history of the Kurdistan region, two patterns of world politics have been dictating what happens in the area. First, Kurdistan's relations with Iraq and the rest of the Middle East, especially Turkey and Iran, and, for that reason, this chapter will analyse such relations at the present time and offer recommendations for the future. Second, due to its geopolitics and geo-economics, the Kurdistan region in the 21st century has become the playing ground for major power politics, its fate also reliant on this. This chapter will, therefore, consider Kurdistan's relations with the US, the EU, Russia and China.

First, before defining the Kurdistan region's political structure, this chapter will attempt to illustrate the role of the Kurds in the Iraqi political structure. Currently, the two main Kurdish political parties are in a coalition government with the Shi'ites in a united front and hold a number of important Iraqi state institutions, such as the President of Iraq, a ceremonial role held by President Jalal Talabani from the PUK, while the posts of Iraq's Deputy Prime Minister, Iraqi Foreign Affairs Minister, as well as the Deputy Iraqi Parliamentary Speaker are held by the KDP. Furthermore, the two political parties share other low-ranking ministerial positions in the Iraqi Government.

Kurdistan is a federal entity within the Iraqi state. In theory, it has a parliamentary system but in reality it appears to be more like a semi-presidential system because the President holds significant power, such as being able to veto Parliamentary Bills. Currently, Massoud Barzani is the President of the region, and the Kurdistan Regional Government is run by a coalition government which is made up of the two main political parties, the PUK and the KDP, with numerous other political parties. During a four-year term, each political party holds the position of Prime Minister for two years. This is currently held by KDP Deputy President Nechirvan Barzani, while the Speaker of the Parliament is the PUK politburo member Arslan Baez. At the same time, the main active government position is held by the Gorran (Change) Movement. Nawshirwan Mustafa Amin is the organizer of the movement, which holds 25 of the 111 seats in the Kurdistan parliament, while the two main political parties hold 60 seats. The rest of the seats are held by Islamic parties, alongside some Christian and Turkmen parties.

Since 2007, Gorran has provided ingredients which have been absent from the Kurdistan region: democracy and a UK-style Opposition, which in my view is a new phenomenon in the history of the Middle East. In the history of the Middle East, the government Opposition ground has belonged to Islamist parties and they have had very little room in which to manoeuvre and challenge their government. It is noteworthy that the predominant political view of these parties has been more liberal-secular with pro-Western views, while there are Islamist and some Communist political parties. Nonetheless, because of the current Gorran challenge and some public rallies and anger over corruption, the Kurdistan President, Massoud Barzani, has directly involved himself in confronting corruption in the Kurdistan region by setting up various committees. These committees have recently published their outcomes and have involved strategic reform avenues in order to root out elements of corruption, so that the rule of law can prevail in the Kurdistan region. On the other hand, the Opposition has been arguing about how the current Kurdistan region institutions are immature because of the legacy of a political party monopoly and having an Administration divided between the KDP and the PUK. As a result of the civil war in the 1990s, for example, they argue that civil society has been created by the two main political parties, which has caused the civil societies in the Kurdistan region to protect the interests of a particular section of their own political party, weakening the role of civil society as a result (KRG, 2009; Saeed, 2012).

In addition, there are two different Administrations in the KRG governing body: security and economy. One Administration is based in Erbil and Dohuk, which are KDP strongholds, and the other is in Sulaimaniya, a PUK stronghold. These two have not yet fully merged, despite the Kurdistan region's more mature democratic system compared with that of the rest of Iraq. The fact that there are two Administrations with accountability in government is blurred, as described by Choman Hardi, the Kurdish-British poet in a recent programme called "Something Understood" from BBC Radio 4, when she criticized the Kurds for suppressing other Kurds. This was in response to

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the torture of two of her brothers by PUK militia affiliates for criticizing the PUK security forces for taking part in the February 2011 demonstration in Sulaimaniya. The KRG have failed to hold anyone responsible for these two cases and many other human rights abuses (Hardi, 2012). Therefore, the Kurdish self-rule experiment needs to follow a real democratic path which has coherent accountability in all aspects of life under Kurdish self-rule, in order to achieve internal political stability and gain international recognition of statehood as a result. Unless this is achieved, the Kurds cannot build self-governing and accountable institutions for the Kurdistan people. The recent Kosovo experience regarding its case for independent statehood recognition tells us that international recognition is impossible in this case because the prevailing norms among the majority of the members of the international community are that the state has institutions which are insufficiently accountable to its citizens. It is not easy to convince the international community to recognize such a state as a member (Bolton & Visoka, 2010; Saeed, 2012).

Hence, the future of minorities such as Arabs, Turkmen, Christians and Yezidis is sacrosanct as part of Kurdistan's internal and external political factors, as their cultural and democratic rights are stated in the Kurdistan region's Constitution, which has to be followed precisely in practice. Numerous countries within the Middle East want to exploit the fact of Kurdistan's multi-faith and -cultural society by funding different fundamentalist organizations. As such, Islamic fundamentalist groups spread their hatred and ideology to harm this positive aspect of Kurdistan, a prime example being the recent attack on Christian and Yezidi property where bars and massage facilities were burnt down. Therefore, in as much as it is important for the Kurdistan region to consolidate its democracy, it is similarly important to confront the fundamentalists with the full force of the law. Such cases have a double effect: they destroy the fruitful relations which have existed between communities that have existed for a century and which have been built through thick and thin during the Kurdistan region's history and, at the same time, they damage the international view of Kurdistan region statehood recognition (AsiaNews, 2011).

Furthermore, the Kurdistan region recently entered into a dispute over three outstanding and unresolved constitutional issues. The first of the three issues is the Peshmerga's procurement and wages. It is the central government's duty to provide procurement and wages according to regional grades. The current Prime Minister, al-Maliki, has, however, failed to do so for clearly political reasons, as mentioned in Chapter Three. The second dispute is the implementation of Article 140 of the Iraqi Constitution over the disputed territories (M Barzani, 2012). The third issue is the hydrocarbon law. A Bill to resolve the issue has been put on hold by the al-Maliki Administration in Baghdad and this has had an economic effect on the Kurdistan region and the Iraqi economy, allowing outside energy companies to come and invest in the Iraqi energy sector which is believed to represent a vast amount of the income of the Iraqi economy.

Thus, the three aspects of the dispute between the Kurdistan region and Iraq are the military, the historically disputed territories, and the economy. Strategically, the Kurdistan region should not compromise more than what has already been contained in the Iraqi Constitution, as through these three aspects Iraqi regimes will always be able to gain and hold tyrannical power and suppress the people of the region. In addition, there are the dubious intentions of the current Iraqi Prime Minister in building different special forces and brigades and seeking advanced military technology, at the same time demanding that the KRG should reduce its security forces in the region and that the Peshmerga should be mobilized, trained and prepared for any future eventuality. These issues are highly sensitive among the ordinary people of the Kurdistan region and have to be managed very carefully because it could easily escalate tensions or, even worse, lead to civil war in these territories. This would probably lead to more violence and distortions in the economic leverage that the Kurdistan region has gained through years of peace and stability. Therefore, the Kurdistan region should consider that any steps it takes should be in accordance with the Iraqi Constitution and not disregard the Constitution of Iraq (Othman, 2011).

Nevertheless, the second aspect that affects the Kurdistan region is its relations with two very important neighbours, which have historically impacted on the political, military, economic and social aspects of the region. For instance, owing to the fact that the Kurdistan region's agriculture has needed years to rebuild in order to provide food security, this is now the main basic staple in Kurdistan. In other sectors, including construction, both Turkish and Iranian companies have played a vital role in building houses, schools, airports, etc. At the same time, Turkey has helped politically in allowing the international community to have a military base on its territory in order to protect the Kurdistan region's civilians and impose a no-fly zone. Likewise, on many occasions, Iran has helped Iraqi Kurdish

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refugees escape from the brutality of the former Iraqi regime in 1975, 1988 and 1991 (Mamshae, 2012).

However, because both Turkey and Iran have large Kurdish populations and Iraqi Kurds have sympathies with them this has sometimes meant that relations have become tense. The Kurdistan Workers' Party (PKK) and the Party of Free Life of Kurdistan, two militant political groups, have used the Kurdistan region territories to attack both countries. These parties are becoming highly problematic for the Kurdistan region because of the number of times the two countries have violated the territorial integrity of Iraq by attacking Kurdish villages close to their borders. Therefore, the region's politicians are currently advising Kurds in Iran and Turkey to enter into dialogue and resolve their issues by democratic means, especially in Turkey because it is a democratic state and wishes to become a member of the European community.

There are, therefore, strong incentives, without the use of violence, for the issues of Kurdish minority rights to be realized and it is important for the Kurdistan region to follow this path and to let these militia groups use its territory, not through violence but through dialogue. The fact is that Kurds killing Kurds is not popular among the Kurdish population in the Kurdistan region and, at the same time, it is important not to take sides in any sectarian division in Iraq between Sunnis and Shi'ites and remain neutral because the issues not only concern Iraq internally. This has a wider impact regionally between older rivalries, with the Ottomans and Safavis on one side and on the other between the Safavis and Arab nations. The Middle East is also important for the Kurdistan region in promoting more prosperous relations in all fields, whether economic, cultural and political, with Arab states in the region. This is especially the case with the Gulf states because since 2003 their large economic corporations have helped the Kurdistan region's financial sectors, which has been economically beneficial for Kurdistan as well as for the Gulf region (Sky, 2011; Mamshae, 2012).

Finally, this section is concerned with the Kurdistan region's relations with the US, the EU, Russia and China due to the enormous weight placed on the international political and legal field for state recognition. There are believed to be three elements in the region which may contribute in favour of independent statehood by gaining the admiration of the international community (Hannah, 2012). First is Kurdistan's experiment as a democratic entity, which is a good incentive for self-governing for stability in the Middle Eastern region, despite the faults described above (KRG, 2009). This can still help the whole of Iraq and other countries in the region to follow the example of the Kurdistan region because, when compared with Turkey and Israel, Kurdistan is the third democratic nation in the Middle East and this makes it compatible with EU and US foreign policy in the world as a democratic nation.

Secondly, its economy, as, in spite of its dependency for food and other economic growth on its neighbours, there is a bright future ahead for the region in its energy sector, which is believed to have a capacity of 40-50 billion barrels of oil in its reserves and 3 trillion cubic metres of natural gas. In comparison, the Kurdistan region is the ninth country in the world in both energy sectors. Moreover, its more liberal economic approaches have recently attracted many large global energy companies to invest in these sectors. At the same time, it is believed that the Kurdistan region's energy contribution to the Nabucco strategic pipeline is estimated to be around 30%. The pipeline will be built from Azerbaijan and will stretch to the middle of Europe, and has been designed to decrease the European energy reliance on Russia. This project will help the region to increase its political and diplomatic relations with numerous countries around the world, in particular those in the EU, Russia and China (Natali, 2010).

Thirdly, its humanitarian case after 1991, when more than two million Kurds fled the Kurdish cities and ran for their lives in fear of Saddam's army's response to the uprising against the regime a few months prior to the event. This opened up new humanitarian and political help from the outside world and the sympathy of the international community led to it speaking out against the regime on the atrocities committed against the Kurds even pre-1991. At the same time the international community is cooperating with the region economically, politically and militarily and, as a result, a number of humanitarian organizations have been working with the region's administration, such as the UN, UNESCO, and the UN Development Programme (UNDP). Recently, some countries, such as Sweden and the UK, have shown a willingness to recognize the 1980s Anfal campaign and gas attacks as genocide and crimes against humanity and this has led to more awareness of the Kurdish cause around the world and built public sympathy, especially amongst democratic states. In the future, this may help the Kurdistan region's claim for *de jure* independent statehood (Moore, 2006; Natali, 2010).

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Finally, the above statement is a clear demonstration of the Kurdistan region's political pillar, for it has a developed political system to the extent that it can gain internal and external support, despite some of the corruption and political mismanagement.

## CONCLUSION

In conclusion, past experience tells us that holding Iraq together is a far more dangerous and immoral thing than keeping it divided. Additionally, this state has never been fully integrated, whether the Kurds have been isolated by the Iraqi regime or by the people of the region in being distant from Iraqi mainstream Arabism. The consistent violation of the Kurdistan region's human rights has led to the conclusion that secession is the only viable conclusion for Kurdistan. However, the region has to earn its complete part in secession from being a *de facto* substate entity within the Iraqi state and transferring itself to a fully independent *de jure* state. The above statements have illustrated the context of the four pillars (political, military, economic and social) which are clear descriptions of the necessary requirements for arguing strongly for such a case. It is necessary for the present Administration to take steps to reform and improve each pillar in order to have a peaceful and prosperous Kurdistan region. To provide even greater evidence of the genuine intentions of the region's reasonable behaviour among the international community, the Administration must, at the same time, persuade the Kurdistan population and the international community that independence for Kurdistan is one of the solutions to having a peaceful Middle East.

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