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KURDISTAN’S REFERENDUM: THE WITHDRAWAL OF THE KURDISH FORCES IN KIRKUK

HAWRE HASAN HAMA AND FARHAD HASSAN ABDULLA

Hawre Hasan Hama is a lecturer at the University of Sulaimani, College of Political Science, also and visiting lecturer at Ishik University, International Relations and Diplomacy department. Email Address: hawre.faraj@univsul.edu.iq

Farhad Hassan Abdulla is a lecturer at the University of Sulaimani, College of Political Science

Introduction

On the night of October 16, 2017, Iraqi military units operating in coordination with the Popular Mobilisation Forces (PMF) attacked the city of Kirkuk. The town had been in the hands of the Iraqi Kurdish Peshmerga since 2014, when the Iraqi national army forces failed to protect the city from advancing Islamic State terrorists.¹ In the face of advancing Iraqi troops and PMF, most of the troops affiliated with the dominant Kurdish party in the area, the Patriotic Union of Kurdistan (PUK), retreated without engaging in a major clash.²

Afterwards, two competing narratives emerged. On the one hand, a number of prominent officials described the PUK withdrawal as a national betrayal. Masoud Barzani, who was President of the Kurdistan Region at the time, released a statement following the withdrawal claiming that members of a specific political party unilaterally aided the Iraqi advance on Kirkuk. He said that “some people from a certain political party (PUK) had unilaterally paved the way for such an attack whose result was the withdrawal of the Peshmerga forces from Kirkuk.”³ Others argued that the retreat was militarily prudent and prevented needless bloodshed. While it is politically advantageous to create binary narratives, the question that needs to be answered is whether it was it

essential for the forces of the PUK to defend Kirkuk and the disputed territories at all? To find a balanced answer, this article, based on interviews with the Kurdish authorities and military commanders, will critically examine both the KDP and the PUK's answers and see how the different narratives stand in the face of this evidence. The article also discusses the consequences of the retreat from Kirkuk and how the events immediately after the referendum deepened divisions in Kurdish politics.

Independence Referendum: Regional and International Environment

The Kurdistan Region consists of the three northern governorates of the Republic of Iraq. It is home to nearly six million Kurds, Turkmen, Arabs, and various religious and ethnic minorities. However, Kurds also lay claim to a number of ethnically mixed districts outside the boundaries of those governorates, particularly in Nineveh, Saladin, Kirkuk, and Diyala provinces to the south and west. These are popularly known as the "disputed areas." Under Article 140 of the Iraqi constitution, control of these areas would be decided after taking a census of the local population, which would then be followed by a referendum. The original intention was that this process would take place before December 31, 2007. However, the Iraqi government has not yet implemented the process outlined in the constitution. Compounding the problem of the disputed area is that, at the time of the Kurdistan independence referendum, those areas were under the military control of Kurdish Peshmerga forces. In 2014, the Iraqi government had ceded large swathes of territory to Islamic State (ISIS). Over the following three years, as the so-called caliphate suffered military setbacks, Kurdish forces extended their control over the disputed areas as they fought back against the militants.

On September 25, 2017, the Kurdistan Regional Government (KRG) unilaterally held a referendum on the question of whether to declare independence from Iraq. The election was conducted in the three governorates of the Kurdistan Region, as well as the disputed areas. 92% of Iraqi Kurds supported secession. However, the vote was strongly opposed by Turkmen and Arab groups in Kirkuk, and the Iraqi government in Baghdad was concerned for reasons of territorial integrity and oil resources, that the referendum would consolidate Kurdish control over the disputed areas that had been retaken from ISIS. Iraqi Prime Minister Haidar al-Abadi said that his country was ready to intervene

militarily if the referendum caused violence or destabilised the country in an interview with the Associated Press, saying that “he would resort to force if necessary to protect our population”.⁴ The Iraqi parliament also voted to reject the Kurdish Independence Referendum, and approved a motion which stated “This referendum lacks a constitutional basis and thus it is considered unconstitutional,” without specifying what measures the central government would take.⁵ The Supreme Federal Court of Iraq, which is the highest judicial authority in the country, issued a mandate to stop the proceedings of the referendum, asserting that both holding the referendum and whatever result came to pass were both unconstitutional. The ruling came nearly two months after the vote, and will have a bearing on any future moves towards independence launched by the KRG.

At a party level, most of the Iraqi parties, especially the ones representing Iraq's majority Shi'ites, warned the Kurds that, if they went forward with the referendum, it would give them the justification that they needed to launch an offensive to retake the disputed areas. For example, Qais al-Khazali, the head of the Iran-funded Asa'ib Ahl al-Haq militia, told a meeting of PUK members of parliament said that “on the night of [September 25, 2017], he did not sleep and spent the whole night in prayer to God for the Kurds not to delay their referendum, so that we will have the justification to attack Kirkuk”⁶, which is what subsequently happened.

Barzani might have had three motivations for holding the referendum in the Kurdistan Region and the disputed territories. To begin with, at a personal level, Barzani had his own motivation for ensuring that a referendum took place and that it would be held in the disputed areas. For Barzani, the achievement would enable him to continue not only as a legitimate president, but also as a nationalist leader. His legitimacy was increasingly coming into question prior to 2017, with his authority based on shaky legal grounds. In August 2015, Barzani's term expired, but he refused to step down from his position and, on October 12, 2015, his security forces prevented the Speaker of the Kurdistan Parliament Yusuf Muhammad from entering Erbil to hold a session on whether to amend the presidential law. Following this incident, Gorran Movement ministers were expelled from the government by the KDP and were replaced with KDP members. While Barzani was still in power, the legitimacy of his power was increasingly viewed as illegitimate. The success of the referendum process in Kirkuk and the protection of the province was intended to entrench both the KDP power and its

leader in the Kurdistan Region against its rivals, enabling a resolution of his constitutional predicament that suited the KDP.⁷ Next, from the party perspective, many viewed Barzani and the KDP's push for the vote as a means to consolidate domestic power at the expense of their political opponents. Finally, at the national level, Barzani viewed the period of late-2017 as an appropriate moment to exchange international goodwill for increased sovereignty, and to solidify Kurdish territorial gains made from fighting the Islamic State.

The Situation of Kirkuk before the Referendum

Kirkuk, the largest city in the disputed territories, is often described as "Little Iraq" as it reflects the country's diverse communities and tensions between them. The city's population is a mix of Kurd, Arab, and Turkmen, each ascribing special significance to the city: the Kurds call it the "Kurdish Jerusalem", Arabs claim that it is "a small Iraq" and an Arab city, and Turkmen view it as the capital of the Turkmen, their prospective homeland.⁸

While ethnic tensions in the city have a long history, the decision by Kurdish authorities to include the oil-rich province in the independence referendum sparked renewed tensions. The fact that Peshmerga had come to control the disputed areas during the fight against ISIS allowed Kurdish leader Masoud Barzani to controversially and unilaterally claim in July 2014 that "Article 140 of the constitution has been implemented and completed for us."⁹ He added that the Kurds had been patient for more than a decade, waiting for Baghdad to address the issue and that a resolution did not seem to be forthcoming. From Baghdad's perspective, if Kirkuk remained under Kurdish control for an indefinite period, it would strengthen KRG at the expense of the central Iraqi state that had been weakened and embarrassed by ISIS's offensive that summer.

Compounding the issue of historic ethnic tensions is the fact that parts of the disputed areas are extraordinarily rich in oil and natural gas. Kirkuk, for instance, has a great economic importance; it is famous for oil production and includes about 40% of Iraq's oil in six oil fields, the largest being in the city of Kirkuk itself. Its oil is exported through the northern oil pipeline to the Turkish port of Ceyhan. It also contains 70% natural gas produced by Iraq. For decades, successive Arab-led governments in Baghdad sought to control the area's oil wealth and

downplay its identity as a centre of Turkmen and Kurdish culture. From the 1960s until the Ba'ath Regime's fall, the government resorted to ever more extreme methods of violence and ethnic displacement (Arabization). The Iraqi government has sought to control Kirkuk's oil wealth since the nation's inception in 1925, and successive Arab-led governments downplayed Kirkuk's identity as a centre of Kurdish culture.¹⁰

According to Shwan Daoudi, Iraqi MP of Kirkuk for the PUK, during the period when the Peshmerga was in control of the disputed areas, there is a great deal of evidence that the Kurdish political parties, mainly the PUK and the KDP, treated the Arab and Turkmen populations with hostility and marginalised their voices. For more than four years, Kurds had controlled the security apparatus and municipal administration, and did so without the input of and at the expense of the other ethnic groups.¹¹ In November 2016, Amnesty International released a damning report claiming that Kurdish forces had carried out a wave of attacks against the local Arab population, demolishing their homes and expelling hundreds of people from the city, in apparent revenge for an attack carried out by the Islamic State on October 21, 2016.¹² Human Rights Watch also investigated the allegations and confirmed that the Kurdish authorities had expelled Arab residents and displaced persons. It reported incidents where, after expelling ISIS militants from villages in the province, that houses of some local residents were set on fire and others were destroyed using heavy equipment by the Peshmerga and other Kurdish groups.¹³

The Kurds ruled Kirkuk using the logic of opportunism. On August 25, 2017, Najmiddin Karim, the Kurdish Governor of Kirkuk province, officially called on the Provincial Council to vote in favour of holding a referendum in the city. In a session boycotted by Turkmen and Arab members, Kirkuk's provincial council approved the governorate's participation in the independence referendum of the Kurdistan region.¹⁴ In response, Turkmen political parties in Kirkuk urged the people of the city to boycott the vote and said that they would not recognise the result,¹⁵ insisting that the referendum violated the Iraqi constitution and warning that the move could develop into a sectarian war. Similarly, the city's Arabs viewed the decision to hold the Kurdish independence referendum in the city at all as an illegitimate move to preemptively decide Kirkuk's future.¹⁶ Taken as a whole, the Kurdish approach to governance in the disputed areas before the referendum had inflamed pre-existing tensions with people who would be directly impacted by the decision.

While local ethnic minorities were opposed to secession, there was no consensus of opinion among Kurds on the referendum either, especially in terms of whether the referendum should extend to the disputed areas. The Kurdistan Parliament in Erbil had been forcibly dissolved in 2015, but convened a few days in advance of the momentous occasion of the vote. Forty-three members of parliament from the Gorran Movement, Komal Group, and the PUK, most of whom hailed from Sulaymaniyah governorate, refused to participate in what they considered to be an illegal session with the sole purpose of legitimising an “unlawful referendum” and boycotted the meeting. Meanwhile, the PUK Politburo and office in Kirkuk held back from the decision to hold the referendum in the city, which was significant because of the local strength of the party in the province; before the referendum, they held six parliamentary seats out of a total of 13 seats allocated to the province. Many within the party had cautioned against the vote, saying that adequate legal frameworks or administrative plans had not been produced beforehand. On September 14, the local party Malband, or office, put out a statement saying: “we have decided not to be part of the referendum and reject holding it in the city” and called for dialogue between the various groups in the city. However, the first Deputy Secretary-General of the PUK, Kosrat Rasul, and his faction within the party were successful in making sure that the referendum would be held in the city.

In the aftermath of the referendum and the loss of the city Shwan Daoudi, Rebwar Taha, Iraqi MPs of Kirkuk for PUK and Aso Mamand, leader of the PUK in Kirkuk blamed politicians, such as Masoud Barzani, Kosrat Rasul, and Najmiddin Karim, for ignoring local concerns and imposing a compulsory decision on Kirkuk without adequately anticipating the reaction that it would produce. For instance, the member of political bureau and leader of the Patriotic Union of Kurdistan in Kirkuk Aso Mamand said that: “I was promised by Masoud Barzani, Nechirvan Barzani, Kosrat Rasul, Mala Bakhtiar, and Najmiddin Karim that they would exclude Kirkuk from participation in the referendum, but they lied to me”.¹⁷ As reflected by the results of the vote, the decision to hold the referendum was popular among ordinary Kurds in Kirkuk, but the public cannot always calculate costs and benefits accurately, especially after being inculcated by nationalist discourse. The leaders and organs of the PUK in Kirkuk realised the high-level of risk that they were incurring by unilaterally holding the referendum in the city, but they were ultimately powerless to prevent it because of the strength of party voices elsewhere in the party.

Kurdish Partisan Forces and the Role of Partisan and Personal Loyalties

In analysing the criticisms levelled at the PUK in the aftermath of the withdrawal from Kirkuk, it is critical to understand the partisan divide of the Kurdish forces, and how this characteristic ensures that any military manoeuvre will elicit a partisan reaction.

The Peshmerga has its historical antecedents in the armed groups associated with the two main parties in Iraqi Kurdistan, the KDP and PUK, who themselves were founded as resistance movements against the Iraqi state. Under the current Iraqi constitution and the Kurdistan Region's own laws, all Kurdish forces must be officially subordinated to the control of the KRG Presidency Council and the Ministry of Peshmerga Affairs. Theoretically, this would result in a unified, non-partisan force that acts as the regional guard force. In practice, however, the two parties control the affairs in the zones where they are dominant without much interference, with the KDP running affairs in Duhok and Erbil provinces and the PUK in Sulaimaniyah and Halabja. Nowhere is this division more clear than in the command and control structures of the Peshmerga. Currently, there are fourteen brigades that amount to roughly 40,000 Peshmerga personnel which are under the control of the Ministry of Peshmerga Affairs. However, the ruling duopoly has around three times as many Peshmerga under their direct control and, moreover, it wields considerable influence over the ministry-affiliated units as well. The KDP's 80 Brigade is the best funded and equipped force in that party's zone of control in the northwest, while the PUK 70 Brigade plays the same role in the southeast.¹⁸

As will be discussed later, it is this divide that ultimately precipitates the political controversy of whether the PUK's Peshmerga units should have withdrawn from Kirkuk. Even to interested partisans, a divided regional guard force presents obvious political and command and control challenges and, as a result, there have been a number of efforts to unify the Kurdish forces. After waging separate guerrilla wars against the Iraqi regime in the 1970s and 1980s, the two sides formally agreed in 1992 to unite their separate forces and subordinate them under the authority of a dedicated Ministry of Peshmerga Affairs. The eruption of a bloody Kurdish civil war in 1994 paralysed the unification process for several years. The process ostensibly resumed in 1998, but little has been accomplished beyond one or two symbolic gestures.

Any tactical or strategic decision can be criticised on military grounds, but the personal loyalties and party divides in the Kurdish Peshmerga ensure that any decision will necessarily have a partisan or political element to it. The best example of this before the PUK's withdrawal from Kirkuk was the retreat of forces loyal to the KDP Sinjar city on August 3, 2014, which allowed the Islamic State to commit genocide against the Yazidi people. This decision was made without informing the Minister of Peshmerga Affairs. Mustafa Saed Kader, who has said that he was not notified of the withdrawal in advance. "I knew what any regular person would find out from the media," recalled Mustafa Qadir during an interview.¹⁹ Halo Penjweni, a member of PUK leadership council and the supervisor of the Nineveh Branch for the party, said that the KDP's forces made that decision completely on its own and did not ask for support from PUK units.²⁰ These statements by PUK officials stand as preface for similar statements made by KDP and other pro-independence politicians three years later.

The Iraqi Attack on Kirkuk and its Aftermath

Once the KRG had gone forward with the independence referendum, Baghdad announced that they would redeploy their forces to areas that had been under Iraqi control before the rise of ISIS in June 2014, giving the Kurdish forces an ultimatum either to withdraw or be attacked. On October 12, the Shi'a paramilitary PMF began demanding that the Peshmerga vacate all military bases in Kirkuk province within two hours of the announcement.²¹ In the same day, a column of Iraqi regular army, Special Forces, and PMF units affiliated with Grand Ayatollah Ali al-Sistani advanced northwards toward the Kurdish frontline in Kirkuk city. Local Peshmerga reportedly came very close to firing on the column, but a last-minute intervention in the form of a phone call from a PUK faction to Iraqi Prime Minister Haider al-Abadi prevented any bloodshed at that juncture.

In the call, the faction asked for forty-eight hours to confer internally and with the KDP about how to proceed. Jaafar Sheikh Mustafa, commander of PUK's 70 Brigade, said during a press conference on October 13:

we departed from some points that we cannot defend, after taking orders from the General Command of Peshmerga forces to pull out from those points. However, we have studied the plans for fighting too and the Peshmerga forces are in some strong points that can keep Kirkuk safe.

In the same press conference, Wasta Rasool, a PUK Peshmerga commander in southern Kirkuk said: “we will remain in our positions and ready to fight ... we hope that they will come ... I only tell them that we hope they will come”. Similarly, Hemn Hawrami a senior assistant to Masoud Barzani and KDP Leadership Council member “vowed the Peshmerga would defend their positions, thousands of heavily armed Peshmerga units are now completely in their positions around Kirkuk, their order is to defend at any cost.”²²

The following day, while Peshmerga commanders claimed that the Iraqi forces were preparing to attack the Peshmerga-controlled areas with foreign encouragement and backing, they also promised to defend the city. For instance, Rasool told Kurdish media that: “Big masses of forces, with big fire [weapons], does not mean good will, or send a good gesture. This force has been deployed and they have said themselves, they say so in public, that we want to enter Kirkuk”. Similarly, Jaafar said that “we do not want war, but if they attack, we will defend ourselves and you will see who will be defeated”. Similarly, Kamal Kirkuki said that: “as Peshmerga we announced that if they come toward our frontlines we will break their nose and defeat them ... if they do dare, they will come; we will teach them a lesson never had been taught that lesson”. Despite these defiant notes, it appears that preparations were also being made by some units for a retreat, with one Peshmerga officer in southwest Kirkuk later saying that his unit began to withdraw on 14 October after receiving orders to from a superior.²³ With Kurdish and Iraqi forces engaged in a tense standoff south of Kirkuk city, Kurdish officials held a meeting in the town of Dukan on 15 October. The KDP and PUK officially rejected Iraqi demands to nullify the results of the referendum and warned that use of military force by Baghdad to take over the disputed areas would not resolve disagreements between Erbil and Baghdad.

Iraqi forces attacked the Kurdish lines south and west of Kirkuk city starting at midnight on Sunday, 16 October 2017. In addition to Iraqi regular army units, the U.S.-trained Counter Terrorism Service and Iranian-backed PMF participated in the offensive, which reinforced the sense of many Kurds that they stood opposed to the rest of the world in fighting for their rights.²⁴ Armed civilians took to the streets of Kirkuk, vowing to defend their land. When Iraqi forces entered the city of Kirkuk, Prime Minister Haider al-Abadi ordered Iraqi forces to remove Kurdish flags that they encountered in the disputed areas and leave only Iraqi ones. The PUK and Kirkuk MP Shawan Daoudi said a battle plan had not been developed by Kurdish leaders because, even as late as the Dukan

meeting, they did not take Iraqi warnings and threats seriously and believed that the Iraqi government was bluffing.²⁵

Once Iraqi forces had solidified their hold on Kirkuk and the other disputed areas in the days following 16 October 2017, Kurdish officials started trading the blame for the loss of the disputed areas. Masoud Barzani issued a statement that predictably criticised members of the PUK, saying that their actions “unilaterally paved the way for the attack”. Within the PUK, serious divisions within the party’s ranks were laid bare.

Similarly, Najmiddin Karim, former governor of Kirkuk, said that: “Iran finally found the division within the PUK and convinced the largest faction of PUK to withdraw from the area without fighting”.²⁶ Kosrat Rasul, the PUK leader who had ensured that the referendum would be held in Kirkuk, fiercely denounced those in his own party who had ordered the withdrawal of the Peshmerga. Others, like General Ayub Youssef, took issue with the fact that there was little cooperation between the PUK and the KDP.²⁷ Mustafa Saed Kader claimed that: “if we had a united Kurdish force, instead of partisan forces, we would have better performance against the Iraqi armed forces”.²⁸ The most serious charges, however, were that there had been collusion between PUK leaders and Iraqi and Iranian officials to avoid a fight. According to Najmiddin Karim on October 15, some PUK commanders including Wasta Rasul and General Mariwan, a Peshmerga commander of PUK forces met with Iranian representative Aqa Eiqbal-Pur and PMF leader Hadi Al-Ameri to negotiate a unilateral withdrawal of PUK Peshmerga.²⁹ PUK members of parliament denied this, insisting that no agreement was reached because of opposition from some parties.

Najmiddin Karim states that in the aftermath of the battle, Kurdish influence in the city was significantly eroded, despite the fact that ethnic Kurds still made up a large part of the population. Ethnic Arabs, who had fled the city either during the ISIS offensive or during the period of Kurdish rule, returned to Kirkuk again after the events of 16 October. Some Kurdish leaders lamented that the capture of Kirkuk by the central government forced many Kurds to leave and enabled some Arab families to appropriate Kurdish properties and agricultural fields. Shwan Daoudi said that, at an administrative level, many of the Kurdish officials who had held offices in the city before the referendum were removed and replaced by non-Kurds. As a result, the loss of Kirkuk and the disputed areas was a severe political and military blow to the

Kurds and ensured that the independence referendum had well and truly failed to produce the intended outcome. Counterintuitively, it laid bare critical divisions at the precise moment that Kurds might have appeared to be most united, after an overwhelming decisive vote for independence.

“The PUK should have Defended Kirkuk and not Withdrawn”

Of the two narratives that have developed in the aftermath of October 16, the argument that the PUK should have strongly defended Kirkuk and the disputed areas is advanced most often by those who also said that the Kurds were right to hold the referendum in Kirkuk. Supporters of this line of thinking tend to argue that some members of the PUK betrayed the Kurdish nation by colluding with foreign powers to undermine the results of the referendum. Holders of this view also tend to believe that the loss of Kirkuk and the disputed territories was the primary reason why the result of the Kurdish independence referendum was not respected; had the Peshmerga stood and successfully defended the city, Baghdad and foreign governments would have been forced to recognise Kurdish independence. Advocates of this viewpoint believe that the international community would not have tolerated the slaughter of a Kurdish population by the Iraqi central government or neighbouring states, precipitating an international intervention like in Kobane 2014 or Operation Provide Comfort in 1991.

Additionally, supporters of a staunch defence of Kirkuk argue that international powers, in particular the United States, would have seen fighting between Erbil and Baghdad as an intolerable distraction from the fight against Islamic State and would have sided with the Kurds. Among the proponents of this narrative are Najmiddin Karim of the PUK and Masoud Barzani of the KDP, both of whom were strong supporters of the referendum despite being from rival parties.

Even before the referendum had occurred, Karim had argued that: “if the Peshmerga forces fought for twenty-four hours, the situation would change and the United States would interfere”.³⁰ In response to the debacle, Barzani decided to resign.³¹ This argument rests first and foremost on the explicit right of Kurds to Kirkuk, but also on the ironic turn that the hoped for intervention by foreign powers was insidious rather than heroic.

While it is understandable why some Kurdish leaders made this argument, its premise does not hold up because of several delusional

misinterpretations. First, the United States has long supported a unified Iraq and has prioritised other regional considerations above the political desires of its Kurdish allies, as White House spokesperson Sarah Huckabee Sanders said quite explicitly on September 25, 2017: “We hope for a unified Iraq to annihilate ISIS and certainly a unified Iraq to push back on Iran”.³² Trump himself announced on 16 October 2017 that the United States “[chooses] to be neutral in the dispute between Erbil and Baghdad. [It ...] also chooses not to take sides in the clashes between the two sides”.³³

Moreover, according to Masoud Barzani, the Iraqi Army offensive into the disputed areas was approved by the United States and the United Kingdom, saying: “We do believe that the Iraqi plan has the US approval to enter Kirkuk and other Kurdish-held areas” and that “the operation to take over Kirkuk was led by the Iranians with the knowledge of U.S. and British officials”.³⁴ Thus, the Kurdish leaders were wrong in their calculation of expecting US military support. Second, had the United States engaged militarily in the dispute, their interests would have dictated that it side with the Iraqi government, rather than the Kurds, given the regional and economic role played by Baghdad and, in doing so, would have reaffirmed the status quo.

While it is unusual to find the US and Iran on the same side of an issue, the latter also opposed Kurdish secessionism, describing the referendum as a red line. The second Iranian representative (Deputy Chief of Mission) in Iraq, Aqa Mzgaian, visited former governor of Kirkuk Najmiddin Karim in the city and insisted that the Kurds must not hold a referendum, but that Karim should seek a deadline to implement the Article 140 of constitution. Similarly, Shwan Daoudi said what was happening in Kirkuk and Afrin followed an understanding between Ankara and Tehran. Iran’s belief that an Independent Kurdistan would be a western orientated ‘second Israel’ and, therefore, a direct security threat against Iran meant that Iran would have been ready to use all means necessary to prevent such an outcome. In the same manner as Iran, Turkey also opposed the Kurdish referendum.

Turkey, with the largest Kurdish minority in the region, has been battling the Kurdistan Workers’ Party (PKK) in its southeast since 1984. It warned that the referendum on self-determination in Iraqi Kurdistan posed a national security threat to Turkey, and threatened the Kurds that Turkey would take any necessary steps to prevent independence. Turkish President Recep Tayyip Erdogan in a press conference stated

that Kurdish independence was unacceptable to his country and that this was a “matter of survival.”

The largest opposition party in Turkey, Ozturk Yilmaz, called on Ankara to give Barzani 24 hours to abandon his plans for a referendum on Kurdish independence or face military, political or economic repercussions. Yilmaz also claimed that the referendum on the secession of Kurdistan from Iraq would seriously destabilise the region and could lead to civil war.

Had the United States backed the poll results and supported the Kurdish move then another war would undoubtedly have taken hold in the region and one that was not in the interests of the West. In short, regional and international forces, such as Russia, China, and the European Union, were against the referendum and hence, any intervention by them would have been to restore stability in Iraq via the re-establishment of the status quo.

However, the counterargument has been advanced that the Kurds would not need foreign support to declare an independent state or to retain control over Kirkuk and the other disputed territories. In other words, advocates of this position argue that if the Kurdish forces fight the Iraqi forces for long enough, then the United States would step in and mediate a halt to the fighting, providing an opportunity for the Kurdish forces to retain de-facto control over the disputed areas.³⁵

Another common reason to defend Kirkuk offered by KDP supporters is that the Peshmerga forces could have defended the disputed territories and Kirkuk because of the Peshmerga's high morale, not to mention the great bravery it showed on the same ground during the campaign against ISIS. Aras Shex Jangi, however, claimed that “throughout the fight against ISIS the Peshmerga forces could not confront the terrorists independently. Once the air forces of the international coalition had bombed the terrorist fighters, the Peshmerga forces then [went] to the area to control the area.”³⁶ Similarly, Peshmerga commander Lywa Ayub said: “they informed their Kurdish leaders that they could fight against Iraqi security forces only for two days, no more.” KDP advocates counter by citing isolated examples of successful resistance, especially by KDP units around Pirde (Altun Kupri), which they argue could have been emulated elsewhere had it not been for the alleged political deal brokered by the PUK. For instance, KDP-affiliated news outlet Rudaw reported a statement by the Kurdistan Regions Security Council saying that a Peshmerga unit in Pirde had destroyed “one US Abrams tank and a dozen armored vehicles used by Iraqi Security Forces and Hashd al-Shaabi North of Kirkuk.”³⁷

“The Patriotic Union of Kurdistan was Right to Withdraw and not make a Stand in Kirkuk”

The contrasting narrative is that the PUK was right, from a military standpoint, to withdraw from Kirkuk in the face of overwhelming odds and to avoid unnecessary bloodshed. Furthermore, supporters of this line of thinking believe that there is a non-military path forward in the future. Many of the supporters of this narrative were opposed to holding the referendum in the disputed areas in the first place. Aso Mamand, leader of the Patriotic Union of Kurdistan in Kirkuk, later said:

we cannot fight against a state that we are a part of: its president is Kurdish, we [also did not want] to be the cause of the destruction of the city that we have fought for over decades and paid a lot of sacrifice including thousands of martyrs to control in the first place.³⁸

Even though he fought against Iraqi forces on 16 October, Ayub Youssef, the major general of Kosrat Rasoul's protection brigades, has also advanced this argument, saying that “withdrawal by PUK was a good and logical decision, because we share in and are a part of this country and [fighting] that state is an unconstitutional action. Still we could withdraw in a very organised way and not let our Peshmerga be killed”.³⁹ Those who advance this narrative mostly focus on arguments of military practicability, rather than aspirational theories that rely on an ultimately delusional assumption about the likelihood of intervention.

First, from a numbers standpoint, the Iraqi and Shi'ite militia forces outnumbered the Kurdish Peshmerga forces and, had the Kurdish troops engaged the advancing Iraqi forces who were far better armed, the result would have almost certainly been the fall of Kirkuk with the defenders suffering many casualties. Iraqi forces and PMF together were estimated to include nearly 40,000 fighters, who were well-trained and equipped with modern weapons that they had received from foreign governments to fight ISIS. Furthermore, their morale was high, given their recent victories against Islamic State. In contrast, Peshmerga forces had only few of the brigade soldiers in the field and were ill-equipped compared with the Iraqi forces. Ayub Youssef declared that he had officially warned the Kurdish leadership that they could fight for nearly two weeks, which, in his estimation was not sufficient time to allow for an intervention and why he believed that coming to an agreement with the Iraqi government was the best choice. Another estimate of how long the Peshmerga could hold out, according to Shwan Daoudi, was only two

days. As it was, during two hours fighting with the Iraqi forces, the Peshmerga suffered 87 dead, which would have almost certainly been higher if the PUK had decided to make a prolonged stand.

Taking the intra-Kurdish political balance into consideration, PUK decision makers believed that a defence of the city would result in heavy casualties for the armed forces affiliated with the party and lead to an imbalance with the already more numerous KDP-affiliated forces. According to Rebwar Taha, the reality for the PUK was that Kirkuk fell into the party's sphere of influence and its soldiers would be the ones fighting and dying to defend it, while the KDP forces would have been spared the heaviest fighting. Additionally, defending the city of Kirkuk from the advancing Iraqi army and the Shi'ite militias would have come with an undesired humanitarian cost. Urban fighting often results in heavy casualties for attackers, defenders, and the civilian population alike. By deciding to make a withdrawal, PUK leaders likely prevented heavy civilian losses, in addition to those of their own forces. The retreat of the Peshmerga from Kirkuk likely also prevented an outbreak of ethnic violence between Kurds and Shi'ite Arabs. Aso Mamand, for instance, has claimed that:

There was a possibility of sectarian civil war, especially once the people of different ethnicities came out from their home and chanting against each other. Hence, the probability of a clash between Kurds and Turkmen, Kurds and Arabs was higher than at any other time.

To that end, the PUK can credibly claim that its decision to withdraw prevented unnecessary bloodshed.

The loss of Kurdish military control over the city of Kirkuk does not necessarily mean that Kirkuk is irrecoverably lost, as it remains a constitutionally-designated "disputed area".⁴⁰ In fact, the US is currently working to normalise the status of Kirkuk to its pre-2014 state, by insisting that Kurdish forces be allowed to return to the city, according to Peshmerga 70th unit commander Shiekh Jaafar Sheikh Mustapha.⁴¹ In sum, the Kurds practically lost those areas to the federal government of Iraq, but constitutionally those areas are still disputed territories and their status should be resolved by constitutional means.

Moreover, it was likely that some within the PUK did not view the Iraqi forces as a foreign force. Saadi Ahmed Pira, the spokesman for PUK, countered accusations of national betrayal by pointing out that the KDP had

invited Iraqi government tanks into Erbil on August 31, 1996, at a time both Kurdish parties were actively agitating for the collapse of the Iraqi government. He further made the argument that the Kurds

are stakeholders in this Iraqi government. We [as Iraqi Kurds] hold the post of Iraqi President, hold numerous ministerial portfolios and control parliamentary seats in the country. Iraq's Foreign Minister is a Kurd, and a KDP member, the chief of staff of the Iraqi Army is Kurdish and from KDP.

He went further, saying that "after the Iraqi attack on Kirkuk all of the Kurdish parties except for the KDP returned to Kirkuk to campaign and competed in the 2018 Iraqi national elections". To that end, supporters of this narrative believe that there is still the possibility that the Kirkuk issue can still be resolved through non-military means.

For KDP advocates, however, the aforementioned reasons are merely justifications made by the same PUK leaders who, in their view, sold-out Kirkuk. They believe that these justifications do not change the fact that a group from the PUK made what they see as a back-room agreement with the Iraqi forces and PMF to hand over Kirkuk.⁴²

Consequences of the Withdrawal of Kurdish Forces from the Disputed Territories without Confrontation

The loss of Kirkuk has had several important consequences. First, Kurdish forces, in losing military control of Iraq's disputed areas, lost any administrative control that they had held in Kirkuk and elsewhere. The federal government restored its authority over Kirkuk's oil fields, with the KRG thus losing more than 50% of its oil revenue. Practically, the KRG and the Peshmerga now face an acute financial dilemma in the short term. In response, the KRG drastically cut the salaries of public employees, including security personnel. As many civil servants were already struggling to make ends meet, this is likely to cause further social unrest. This means that the KRG must either bow to demands from Baghdad to bring the Peshmerga under central government control as a quid pro quo for financial support, or that the KRG must itself initiate substantial downsizing.⁴³

Second, it has led to the weakening of Erbil's political and military standing within Iraq. The central government views the Kurds as having come out of the referendum as politically wounded, and is currently handling

administrative issues according to that point of view. The Iraqi government is no longer dealing with the Kurdistan Region's issues on the basis of the constitution, but in ways that are most immediately advantageous to itself.

Third, the withdrawal of the Kurdish forces from the disputed areas has translated into the loss of internal support for the main Kurdish parties by the Kurdish polity and by the residents of the disputed territories. For instance, the people of Kirkuk expected to have their own country after the independence referendum, but "they are living under a semi-military rule and facing an Arabization campaign".⁴⁴

Fourth, trust between the KDP and PUK is probably at its lowest point since the Kurdish civil war and the subsequent Washington accords of the 1990s. The loss of Kirkuk has had an impact on the PUK-KDP ties, because the KDP did not expect the PUK forces would pull out without coordination between both sides. Ayub Youssef said that the PUK's relationship with the KDP was damaged because

they [the PUK] did not fight for Kirkuk. Kamal Kirkuki commander of the Peshmerga on the west Kirkuk front had 5,000 troops in his front, [but] they did not shoot a single bullet and left the area without fighting. If the KDP Peshmerga did not evacuate our backyard, the Iraqi forces could not have entered the city from our front.

The PUK commanders, mainly those who close to the Kosrat Rasoul faction who fought against Iraqi forces on 16 October not only blame their political leadership for ordering the withdrawal of Peshmerga forces in an unorganised way, but they also blame the KDP for betraying them by withdrawing their forces and evacuating the western Kirkuk battle front without informing the PUK. As a result, the political relationship between the two parties lacks mutual trust and there is little prospect that it will be resurrected in the current climate.

Conclusion

The fall of Kirkuk shows that there is a need for a unified armed force in the Kurdistan Region of Iraq. The current military arrangement, in which each party controls a separate and distinct army, is a serious threat to the security, and the territorial integrity of the Kurdistan Region, as each force can move forces independently of the other and without the other's knowledge. The PUK's decision to withdraw forces from

Kirkuk on 16 October 2017 in the face of an Iraqi central government assault was a rational military decision, in that it prevented a bloody clash that would have come with a hefty financial and human cost and would most likely have ended in a defeat for the Peshmerga forces. However, the divided military of the Kurdistan Region meant that in the aftermath, that decision became completely a partisan issue. For the KDP, the fall of Kirkuk cannot be described as anything but a betrayal. If the Kurdish Peshmerga does not unite under a national military force, then it is likely that the deep partisan divide in the Kurdistan Region will persist. This will certainly weaken the KRG's position vis-à-vis Baghdad.

However, it should be said that relations between the Iraqi state and the KRG have nearly become normalised following the loss of the disputed areas, with the latter working to soothe the Iraqi government and neighbouring states. The silence of the international community towards the Iraqi attack on the disputed areas forced the Kurds to return to Baghdad and peacefully struggle within the context of the Iraqi constitution to achieve its constitutional goals, rather than attempting secession.

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