Minority Representation and Reserved Legislative Seats in Iraqi Kurdistan

Farhad Hassan Abdullah1 and Hawre Hasan Hama1

Abstract

Ethnic and religious minorities have played a significant role in the long history of Kurdistan. At an official level, their political position was significantly strengthened with the advent of autonomy for the Kurdistan Region in northern Iraq in 1992. Most importantly, a quota system was established that reserved seats for several minority groups in the Kurdistan Parliament, often cited as an example of tolerance for diversity and respect for minority rights. Nevertheless, there is a lack of empirical research examining how ethnic and religious quotas affect democratic stability, quality of representation, and opportunities to represent authentic interests within the Kurdistan Regional Government (KRG). The politicians who occupy the reserved seats have come under criticism for merely supporting the policy programs of the dominant Kurdish parties, which deprives ethnic and religious minority groups of authentic representation and exposes the minority parties to allegations that they are politically exploited. This article analyzes the dynamics of minority political participation in Iraqi Kurdistan, how representation has been affected by the dominance of the ruling parties, and factors that guide the behavior of minority politicians while serving in quota-allocated positions. It also examines the effects of reserving seats through the quota system on the political behavior of minority groups. To these ends, this article focuses on parliamentary quotas and their impact on democratic stability, decision-making, and the empowerment of minority groups in the Kurdistan Region.

Keywords

Ethnic–religious minorities, quota system, reserved seats, parliaments, political participation, Iraqi Kurdistan, Kurdish Regional Government (KRG)

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Introduction

Over 30 countries currently reserve legislative seats for minority groups (Htun, 2004; King & Marian, 2012), whether based on race, nationality, religion, language, caste, age, or ability. According to Mona Krook and Zetterberg (2014), this method establishes a minimum level of group representation, providing stronger assurances of representation than similarly intentioned gender quotas. The main distinction between examples of minority-reserved seats is that they tend to have one of two goals. The first is “protection,” which involves providing seats to groups constituting a relatively small contingent within the population, including indigenous peoples, members of minority religions and nationalities, and caste-based groups. The object is almost always to compensate for past repression. The second goal is “power-sharing,” which involves distributing most or all seats in a legislature among different groups, as defined by ethnicity, religion, or language. The aim in these cases is to guarantee democratic stability in a divided society (Krook & O’Brien, 2010).

According to Muriaas and Wang (2012, p. 316), reserved minority seats or quotas are prone to be exploited by those in power, with several notable examples to be gleaned from African countries. For instance, an analysis of the 2006 election results in Uganda demonstrates that those who filled the reserved seats favored the ruling party at all levels of governance. Additionally, as a result of the reserved seat system, the incumbent National Resistance Movement Party received 3 percent more seats in the legislature than would have been the case without the system. Other existing literature on minority-reserved seats has focused upon issues including: the relationship between reserved seats filled through competitive elections, political parties, and substantive minority representation (Zuber, 2015); the wider impact of electoral quotas (Krook & Zetterberg, 2014); and the validity of the claim to the protection and recognition offered by a reserved place. The political consequences of the broad allocation of reserved seats among many small ethnic minorities have also been examined (King & Marian, 2012).

The minority-reserved seat system has been established in Iraqi Kurdistan for several minority groups since 1992. From the onset of the formal political process in the Kurdistan Region, ethnic and religious minorities have been internally divided over whether to engage with its political institutions and processes. When the idea was being debated in 1992, Christian communities in Kurdistan decided that they would be part of the Kurdish National Assembly and accept reserved seats. In contrast, the Turkmen parties initially rejected offers of reserved seats in the legislature under external pressure from Ankara, which did not wish to grant any legitimacy to the new Kurdish-dominated institutions in northern Iraq. While Turkmen participation in the political process began in 2009, this former attitude continues to influence the political behavior and decision-making of the Turkmen parties in the region.

Except for the Kurdistan Democratic Party (KDP), one of the dominant parties in the region, the Kurdish parties tend to be critical of ethnic quotas. In 2008, the parliamentary bloc of the Popular Union of Kurdistan (PUK), the main rival of the KDP, proposed an increase in the number of minority-reserved seats from 5 to 11.
However, the reserved seats quickly became part of the KDP’s political agenda, partly because the majority of the minority populations are located within the KDP’s established geographic zone of influence in the Erbil and Duhok governorates, while the PUK had introduced a law for increasing minority seats in the Kurdistan Parliament in 2008 (Ziad Jabar Mohammed, personal communication, May 23, 2020). As a result, parties including the PUK, Kurdistan Islamic Group (KIG), Kurdistan Islamic Union (KIU), Change Movement (known as Gorran), and others have criticized the quota system in the Kurdistan Parliament as a built-in way for the KDP to exploit the system for its political interests.

Some critics have argued that some of the minority candidates for the legislature have been KDP members and have served in formal KDP structures. By placing their loyalists in the quota seats, these critics argue, the KDP gains an unfair advantage and can prevent legislative action by other parties. This has created distrust between the minority representatives and the majority of the political parties in the parliament. There have thus been several unsuccessful attempts to amend the quota system, despite general agreement that minority group rights and representation are important. This tension highlights a serious obstacle to authentic minority representation and exposes a serious flaw in the democratic process in the Kurdistan Region.

In contrast, the minorities in the Iraqi parliament have independent representation without being associated to any political party. The 329 seats in the Iraqi Council of Representatives are distributed across the country’s 18 provinces and allocated according to relative population. The capital Baghdad is given 69 seats, Nineveh 31, Basra 25, Dhi Qar 19, Sulaimaniya 18, Babil 17, Erbil 15, Anbar 15, and Diyala 14. Kirkuk, Najaf, and Salahuddin have 12 seats each, and Dohuk, Diwaniya, Karbala, and Wasit have 11 each. The least populous provinces, Maysan and Muthanna, have 10 and 7 seats, respectively (Al-Dulaimi, 2018). Ethno-religious minorities in Iraq protect their representation by making up 3 percent of all seats in the parliament, organized according to a quota system. In total, only nine seats are allocated to the ethno-religious minorities under the Electoral Law of 2018, which gives Christians five seats, including one each in the provinces of Baghdad, Dohuk, Nineveh, Erbil, and Kirkuk, and sets aside one seat each to the Yazidi, Shabak, Sabeen, and Faili communities (Aziz, 2020).

In contrast, the total number of seats given to ethno-religious minorities in the Kurdistan Region is 11 out of a total of 111 seats. Because the electoral law of the Kurdistan region, which was issued in 1992, considers the region as a single constituency for the reserved seats, they are not specifically allocated to any of the region’s provinces. This has facilitated their exploitation by the dominant ruling party in order to advance the latter’s own political agenda. Most minority populations, mainly the Christians and Turkmens, live in the KDP-controlled zone in Erbil and Dohuk provinces. As a result, the KDP has close links to many ethno-minority candidates and works to support them during election campaigns and the voting process to ensure that the party in effect controls those 11 seats (Mamand, 2019). This has concerned not only the PUK and other opposition parties in the region but also the minority populations themselves, with some refusing to recognize the politicians elected to the reserved seats as authentic representatives of their communities.
The main question this research seeks to answer is: How have the minority-reserved seats been exploited by the ruling parties in Iraqi Kurdistan, specifically the KDP, for their political advantage? The article also explores the background to ethno-religious minorities’ political participation in the Kurdistan Region and discusses the main implications of the exploitation of minorities’ votes and representation of the democratic political process. Furthermore, the article highlights the possible means to achieve reform in the highly politicized minority representation in the Kurdistan Region of Iraq and presents the results of dozens of interviews conducted by the authors with members of both the Kurdistan and Iraqi parliaments.

**Methodology**

This research used qualitative elite interviews, which provide an adaptable technique ideal for answering the research questions. While preparing for these interviews, topics and subtopics for discussion were identified, rather than specific questions being formulated. During the interview process, specific questions would emerge during the exploration of these topics and subtopics. This gave the interviewer more freedom to explore the issues, rather than attempting to preempt them. The researchers decided not to interview voters from minority communities, partly because there is no separate minority voter register in the region, and it is not always easy to identify minority voters. Instead, we decided to focus on ethnic and religious minority and nonminority parliamentarians in both the Iraqi Council of Representatives and the Kurdistan Parliament, “elites” in the sense that they were party members, politicians, or officials of various minorities’ political parties who had access to decision-making processes. The participants were further selected based on their party affiliation and ethnic and religious identities.

Thirteen interviews were conducted with members of either parliament. The interviewees were chosen because of the importance of their roles within their parties and proximity to political power, and opposition and minority parties’ decision-making processes. Participants were asked to comment on: the process and justification of adopting the minority representation system in the Kurdistan Regional Government (KRG); both the positive and negative effects of ethnic and religious quotas, including the influence on the democratic values and stability of the region, their party’s decision-making process, and its interethnic relations; and the causes of the violation of minorities’ representation and votes, and the steps that may be taken to release minorities from the trap of the dominant parties, particularly the KDP.

The following is the full list of interviewees with their political affiliations and positions. First, five minority politicians were chosen: Muna Kahveci, from the Turkmen Reform Party, has since 2018 been the second deputy speaker of the Kurdistan Parliament; Waheda Yako is a member of the Assyrian–Chaldean Syriac Bloc in the Kurdistan Parliament; Majid Osman is the chairman of the Erbil Turkmen Faction in the Kurdistan Parliament; Majid Osman is another Turkmen politician in Erbil; and Aydin Maruf is a member of the Politburo and
former member of parliament (MP) of the Iraqi Turkmen Front, head of the Kurdistan Turkmen Movement office, and Minister of State in the current KRG Council of Ministers.

The other seven interviewees were selected from the nonminority blocs, mainly of the Kurdistan Region’s ruling parties, the PUK and KDP, and opposition lists, particularly from the Islamist parties and the Change Movement. These parties have been in dispute over minorities’ political participation and the proportion of seats reserved for minorities in the Kurdistan Parliament. Rewaz Fayaq is a member of the PUK Leadership Council, and is also a current speaker of the Kurdistan Parliament; Abbas Fatah is a PUK lawmaker and the deputy head of the Committee of Legislation in the Kurdistan Parliament; Ziad Jabar Mohammed is a member of the PUK bloc and the head of the finance committee in the Kurdistan Parliament; Salar Mahmoud is a former PUK parliamentarian and is a current adviser of Iraqi President Barham Salih; Faxradin Qadir is a member of the KIG leadership council and the former general secretary of the Kurdistan Parliament; Abu Bakr Haladni is a member of the KIU and the KIU bloc in the Kurdistan Parliament; Latif Sheikh Mustafa is a legal expert and retired judge, and was an Iraqi MP for Gorran; Abdullah Mala Nuri is a prominent Gorran leader and former Gorran lawmaker in the Kurdistan Parliament; and Rabun Maroof is the former head of the New Generation Movement caucus in the Iraqi parliament and the current head of the Future Group in the Iraqi parliament.

The interviews were conducted in December 2018 and January 2019. All respondents agreed to be recorded during their interviews and have their names mentioned in the resulting publications, including the present article. The entire interview process with each participant took between 30 minutes and 1 hour. The recordings were transcribed and directly quoted where appropriate. The research also draws on interviews with officials from the main minority parties that have been published in the Kurdish media.

Background: Minorities in the Kurdistan Region

In 1991, after a popular uprising known as the “Raparin Intifada” against the Iraqi regime under Saddam Hussein, the Kurdistan Region was established as an autonomous area under the supervision and protection of the international community. During a 15-day period, the Kurdish Peshmerga forces attempted to liberate all the areas claimed by the Kurdish population, including the city of Kirkuk and the surrounding region, but counterattacks led to Iraqi forces regaining areas in the north of the country, causing widespread displacement. This encouraged the international community, mainly the United States and European countries, to prevent a possible genocide.

At the European Community summit held on April 8, 1991, German Chancellor Helmut Kohl told reporters that Iraq was “on its way to a genocide” (Rubin, 2003). The United States and France declared a “no-fly zone” above the 36th parallel to guarantee the safety of the people living in northern Iraq (Ismael & Ismael, 2015), backed up by United Nations Security Council Resolution 688.
Some US officials were initially lukewarm to the idea of the creation of a safe zone, but only the Iraqi government strongly opposed the move. Iraq’s United Nations (UN) ambassador, Abdul Amir Anbari, declared that there was no need for the international community to impose a no-fly zone, since “the whole of Iraq is a safe haven to everyone” (Rubin, 2003). Safe from immediate reprisal, the PUK and KDP, which had until then been proscribed underground organizations, stepped into the political vacuum left by the absence of the forces of the Ba’athist regime. This provided the basis for de facto autonomy in the Kurdistan Region of Iraq, and the establishment of semi-democratic, formal institutions there.

In the years that followed, Iraqi Kurds in the KRG have demonstrated that they can be responsible state builders, and have achieved greater levels of democracy, stability, and social reform than many other countries. By and large, ethnic and religious minorities were treated well once Kurdistan gained autonomy in 1991, and were represented in both KDP- and PUK-led governments (Gunter, 1996). Both parties stressed that they were “Kurdistani,” rather than “Kurdish”—that is, they claimed to propagate an inclusive political identity based on the geographic region, rather than one formulated exclusively around Kurdish ethnic nationalism—and the KRG developed a bill of rights that protects ethnic and religious minorities (Requejo & Badia, 2012).

Despite administrative shortcomings, a double siege on the region before 2003 in the form of an internal siege by the Ba’athist regime, and the international embargo imposed by the UN on Iraq, Kurdistan’s political authorities decided to hold general elections. The main objective was to establish institutions to ensure the provision of public services and meet citizens’ basic needs. In May 1992, the various Kurdish parties held truly democratic elections, a rarity in the region. The KDP won 45 percent of the votes, while the rival PUK took 44 percent (Gunter, 1996). There was a 7 percent threshold for parties to receive seats in the legislature according to Law No. 1 (1992) (An Act for the National Assembly of Kurdistan – Iraq) (Kurdistan Parliament, 1992), meaning only the KDP and PUK won seats. They agreed to divide the seats equally (Ghareeb & Dougherty, 2004), forming a united government based on equal power-sharing (van Wilgenburg & Fumerton, 2015).

The ethno-religious minorities also entered the parliament with reserved seats. The practice of seat reservation has long existed. The recognition and desire for some degree of descriptive representation is not new, nor is it a construct unencumbered by past misuse. In the mid-twentieth century, many colonially administered territories reserved seats for indigenous groups either as a transitional mechanism or, less subtly, as a sop to effectively keep them out of power (Handley & Grofman, 2008). It was in this manner that Kurdistan’s political parties and leaders formally included ethno-religious minorities in the region’s official political system. In the years after 1992, two distinct periods can be identified which involved differing representative experiences for minority groups.

The first period of representation for ethnic and religious minorities was rooted in the first parliamentary election of 1992. The major Kurdish parties had joined forces to establish what was known as the Kurdish Front, which agreed that the minorities should be represented. This was later formalized in an act for the National Assembly of Kurdistan, which read: “Each party, groups or minorities
such as Turkmen, Arabs, Assyrians and others have the opportunity to create their own electoral list” (Kurdistan Parliament, 1992). In practical terms, the law reserved five seats for the minorities in the parliament, in effect bypassing the 7 percent threshold otherwise needed to obtain a seat (Kurdistan Parliament, 1992). Only the Christian political parties agreed to be part of the process, and after that election, the reserved seats were divided between the Assyrian Democratic Movement and Kurdistan Christian Unity according to the proportion of the votes won by those two parties.

Despite the sincere and enthusiastic efforts of the Kurdistan Front to persuade other ethnic groups to play a part in the region’s first democratic elections, things did not go according to plan. In the 1990s, parties representing Kurdistan’s Turkmen community decided to abstain from the process, primarily because of pressure from the Turkish government (Jüde, 2017). Turkey was extremely wary of the appearance of a Kurdish de facto autonomous region on its borders and explicitly opposed the Kurdish declaration of a federal state in Iraq (Petrosian, 2003).

Turkey was concerned that the KRG might serve as a pole of attraction for Turkey’s own restive Kurds, or that it might become emboldened enough to lend them direct support in their struggle against the Turkish state. Ultimately, the KRG could garner international sympathy for wider Kurdish national self-determination, possibly leading to Turkey’s loss of territorial control in its majority-Kurdish southeastern region. Ankara has long feared that a fully independent and sovereign Kurdish state could emerge by design or accident, threatening not only Turkish territorial integrity but also an unraveling of the region’s political boundaries (Park, 2004). Throughout the 1990s, the Turkish government maintained a cordial relationship with Baghdad, which Ankara did not want to upset, given the importance of trade and cooperative efforts with Iraq to restrain the Kurdish militant group the Kurdistan Workers’ Party, which operated on the Turkey–Iraq border. This somewhat mitigated the effects of the international embargo which had been placed on Iraq.

Table 1. Kurdish Parliamentary and Presidential Election Results, 1992

<table>
<thead>
<tr>
<th>Party</th>
<th>% Vote</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kurdistan Democratic Party</td>
<td>45.3</td>
<td>51</td>
</tr>
<tr>
<td>Patriotic Union of Kurdistan</td>
<td>43.8</td>
<td>49</td>
</tr>
<tr>
<td>Islamic Movement of Kurdistan</td>
<td>5.1</td>
<td>–</td>
</tr>
<tr>
<td>Kurdistan Socialist Party</td>
<td>2.6</td>
<td>–</td>
</tr>
<tr>
<td>Iraqi Communist Party</td>
<td>2.2</td>
<td>–</td>
</tr>
<tr>
<td>Kurdistan People’s Democratic Party</td>
<td>1.0</td>
<td>–</td>
</tr>
<tr>
<td>Independent Democrats</td>
<td>Negligible</td>
<td>–</td>
</tr>
<tr>
<td>Reserved for minorities (total)</td>
<td>–</td>
<td>5</td>
</tr>
<tr>
<td>Assyrian Democratic Movement</td>
<td>–</td>
<td>4</td>
</tr>
<tr>
<td>Kurdistan Christian Unity</td>
<td>–</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Ghareeb and Dougherty (2004).
The Turkish government cultivated its ties with Iraqi Turkmen communities regardless of their religious affiliations, supporting both Shia and Sunni Turkmen. The Turkish government believed that the Turkmen policy of general quiescence to Saddam Hussein’s regime had left them in bad stead with the larger and more militant Kurdish population. The US-enforced no-fly zone protected Kurds and allowed them to develop political and economic power, which they believed came largely at the expense of the Turkmen and Arab populations in the region (Cuthell, 2007). For these reasons, Iraqi Turkmen decided not to engage in activities that might lend legitimacy to the KRG.

The Turkish state applied pressure on the Turkmen community in a variety of ways. Soon after the creation of the security zone, under the pretense of providing humanitarian aid to Iraqi Turkmen, Ankara opened the Red Crescent mission in Erbil, the capital of the Kurdistan Region, which effectively served as a consulate. A 1998 Agence France Presse report noted that “[w]hile western specialists estimate their population at about 200,000–300,000, Turkmens in Iraqi” (Refworld, 2002), with the majority in Kirkuk, were outside the Kurdistan Region’s political borders. However, in an attempt to secure humanitarian aid from the Red Crescent, desperately needed in the early years of the KRG, many ethnic Kurds registered themselves as Turkmens, a move welcomed by the Turkish authorities, because it statistically increased the number of Turkmens living in the Kurdistan Region (Hassan, 2018). Additionally, a number of new Turkmen settlements appeared around Erbil (Petrosian, 2003). Despite the close relations between the countries, Iraq accused Turkey of encouraging the “Turkmenisation” of Erbil and the adjoining regions, and Arabic-language newspapers ran stories warning about Ankara’s influence over the Turkmen population.

Immediately after the creation of the Kurdish security zone in Iraqi Kurdistan, however, two Turkmen parties, the Turkmen Brotherhood Association and the Iraqi National Turkmen Party (Iraq Milli Turkmen Partisi), were formed to advocate for the interests of the Turkmen population in Kurdistan. While not wanting to have them to give legitimacy to the KRG, Ankara encouraged the formation of these parties to increase its influence over the Turkmen community in Iraq. Under Turkish pressure, these parties, speaking for the Turkmen minority, refused to recognize the KRG’s draft constitution, mainly because of its identification of the Turkmen as a minority within the Kurdistan Region and the inclusion of Kirkuk, an oil-rich city disputed between the KRG and Baghdad, as part of the KRG’s territory. Turkey hoped that the Turkmens’ abstention from this decision, in particular, and the KRG’s political process, in general, would deny the new Kurdish entity legitimacy, making it appear ethnically exclusive, without the participation of one of its major minorities.

Beyond the Turkish government’s influence, the Turkmen parties had other reasons for not participating in the formal institutions of the KRG. Unlike the Assyrian–Chaldean Christians, Turkmens did not have representatives in the Iraqi Kurdistan Front, the umbrella organization of opposition parties in Kurdistan, before the 1991 uprising against the Iraqi government. Furthermore, they were concerned that if the parties participated in the elections, the Ba’athist regime would retaliate against the majority of Iraqi Turkmens who lived in areas controlled by Baghdad (Petrosian, 2003).
In the mid-1990s, the most influential Turkmen party became the Iraqi Turkmen Front, founded in 1995 when six Turkmen parties came together to form a coalition. Turkey actively encouraged Turkmen parties to join the Front, and, as a result, the KDP viewed it as a vehicle for Turkish interference in Kurdish affairs. The KDP’s newspaper Brayati stated in October 2002: “The so-called Turkmen Front group, which is acting as an emissary for Turkey, has damaged Turkey’s interests in this Region” (BBC, 2003). However, shortly before the collapse of Saddam’s regime, many Turkmen parties and political organizations were operating outside the Turkmen Front. In 2002, the Iraqi Turkmen Union Party (ITUP) was formed, maintaining neutrality between Turkish-sponsored and domestic Turkmen opposition groups. It also recognized the KRG as the legitimate authority in northern Iraq and rejected the establishment of an independent Turkmen militia (Strakes, 2009).

The ITUP leader Sayfaddin Damirci summarized the competing trends within Turkmen politics, stating,

The Turkmen parties have two approaches: one is to rely on the foreign factor [i.e., Turkish influence], and the second on the internal factor. Our party interacts with society [in the Kurdish Region]; our brothers rely upon the foreign factor. This situation prevents us from finding a united strategy. (Petrosian, 2003)

The Turkmen National Association was established at the beginning of November 2002, encompassing several smaller Turkmen parties; it acted as a platform for the accommodation and integration of the Turkmen community into the structures of the KRG, in contrast to the abstentionist Turkmen Front (BBC, 2003).

During the first phase of Kurdish autonomy in northern Iraq, Christian parties became involved in the KRG’s institutions, but, by and large, Turkmen parties did not. During the second phase, political changes in the Kurdistan Region saw Turkmen parties become more involved in the politics of the KRG. Fighting between the dominant KDP and the PUK broke out in 1994 and continued until 1998, leading to the division of the region into two separate administrations: that based in Erbil under the KDP and the Sulaymaniyah administration under the PUK. After September 1998, with the signing of the Washington Agreement to cease the fighting, the two parties took steps toward unifying the administrations.

While democratization had begun in the 1990s, there was a great deal of disunity between the major Kurdish parties; however, particularly in the years following the US invasion of Iraq in 2003, the parties were able to work together. Participating in two elections in 2005 with a unified list, the parties promised Kurdistan’s voters they would work to complete the process of unification after the elections. In that spirit, the Kurdistan Parliament amended the laws regarding minority representation to encourage all communities in Kurdistan to enter into political participation. In 2009, the Kurdistan Parliament issued Law No. 2 (2009) (An Act for the Fourth Amendment of the Kurdistan Region – Iraq Elections Law for the Kurdistan National Assembly), which increased the number of reserved seats for ethnic and religious minorities and introduced a quota mandating that at least 30 percent of MPs be women. Specifically, the parliament added five seats
for Turkmen parties and one seat for a representative of the Armenian community, in addition to the five already reserved for Christian parties (Kurdistan Parliament, 2009). As part of this change, the Turkmen parties decided to become active in the formal political process. In large part, this was because the Turkmens no longer had to consider the threat of the Ba’athist regime and because relations between Erbil and Ankara had warmed over the previous years.

The push to increase the number of seats for ethnic and religious minorities came largely from the PUK during the third session of parliament in 2009 when the party occupied the position of deputy speaker of parliament. Nevertheless, the PUK has since become increasingly critical of the seat reservation system, because of what it argues is its exploitation by the KDP, an allegation explored later in this article. The practice of reserving seats has also caused anxiety among other religious minorities, especially almost 500,000 Yazidis in Iraq, because (Salloum, 2013) they argue that it could undermine the principle of equality between religious groups. Yazidis have seen themselves as an ethnic minority in Iraq and even in KRI. For them, reserving seats in the parliament is as important as providing participation opportunities to other religious minorities, mainly the Christians. Other critics believe that it could lead to minorities’ political exploitation and thus create a negative social impression of the participation of ethnic minorities in the political process. As such, some voices have been raised advocating the elimination of the reserved seats.

Obstacles to the Real Representation of Minorities in Kurdistan

Ethnic and religious minorities are represented at higher levels than elsewhere in Iraq Kurdistan in terms of legislative representation. Moreover, their property and land are protected by law in Article 4 and Article 5 of Law No. 5 (2015), which enshrines both positive and negative minority rights in the Kurdistan Region (Kurdistan Parliament, 2005). Nevertheless, it is important to examine how meaningful minorities’ political representation is in practical terms. Close analysis reveals several severe obstacles to the realization of authentic representation of minority interests.

First and foremost, the bulk of the ethnic and religious minority communities which have a presence in the Kurdistan Region live outside of the Kurdistan Region; those that do live within the region’s three governorates only total a few hundred thousand. As long as their numbers inside the region remain this small, they must rely on the quota system to ensure that they receive any representation in the legislature. They have agreed to such a structure because they operate from a relative weakness compared with the much larger ethnic Kurdish community; within the parliament, they must confront the overwhelming dominance of the main Kurdish parties. Their deputies do not directly compete with other candidates for their seats, and they only require a few hundred votes to become MPs. Therefore, they often have fragile public legitimacy compared to their counterparts in the mainstream Kurdish political parties, who win thousands, and in some cases
even over hundreds of thousands, of votes in the course of entering parliament (Rabun Maroof, personal communication, 18 December 2018).

This may create the impression among nonminority politicians and voters that the minority representatives often merely represent themselves, rather than any constituency. This can be seen in the attitude of some Kurdish MPs after the September 2018 parliamentary election, when they raised concerns about the legitimacy of the minority members and sitting alongside members who had only received a few hundred votes. Other opposition and PUK parliamentarians might have shared these sentiments, directly affecting the policies and attitudes of most of the Kurdish parties toward minorities’ political representation. If, in future, they form a parliamentary majority—for instance, the PUK in coalition with the smaller parties—they may take steps toward substantially reforming or ending the quota system for the region’s ethnic and religious minorities. Some minority parliamentarians may consent to this, should certain other conditions be met. The Turkmen Reform Party’s Muna Kahveci agreed in principle to the removal of the quota system if the territories disputed between Baghdad and Erbil could be decisively included in the Kurdistan Region, because most of the ethno-religious minority populations reside in these areas, and the minority vote would be substantially strengthened, doing away with part of the need for the quota (Muna Kahveci, personal communication, December 3, 2018).

Second, minorities have had negative experiences with the dominant Kurdish parties in the past, particularly during the 1990s. The KDP and the PUK have dominated politics in the Kurdistan Region; thus, minority communities have also been divided along these partisan lines to a certain degree. There is a geographical component, with minorities in the PUK-dominated Sulaymaniyah region tending to support that party, while their counterparts in Duhok and Erbil support the KDP. For instance, the Christian community in Koya has been under PUK influence, while the KDP has largely controlled the Turkmen, Christian (Assyrian–Chaldean and Armenian), and Shabak communities further north and west. It cannot be expected that the parliamentary representatives of ethno-religious minorities in Erbil and Duhok will raise their voices against the KDP’s policies.

A clear example of this can be provided. On August 20, 2015, the presidential term of Masoud Barzani was officially supposed to expire, providing an opportunity for the Kurdistan Parliament to amend the presidency law so that the legislature would elect a new president. The PUK, Gorran, KIU, and KIG proposed plans to that effect; however, the KDP rejected all of them. The KDP’s decision used its influence over the minorities’ representatives to boycott the parliamentary sessions, preventing the passage of amendments to the presidency law (Rabun Maroof, personal communication, 18 December 2018). As a result, Barzani remained president for 2 more years without any legal basis (Hivaykurd, 2015). In May 2017, Gorran and the PUK signed a comprehensive political agreement which proposed several political reforms to the KRG as well as the two parties’ unification. They went so far as to create a leadership committee to meet with the other political parties and explain their agreement. The KDP immediately refused to recognize the agreement or receive the joint leadership committee, saying it would receive representatives of each party individually. Some Turkmen parties
welcomed the agreement and wished to receive the joint committee, but they canceled their meetings after being pressured to do so by the KDP (Abbas Fatah, personal communication, October 13, 2018).

This state of affairs does not only extend to the KDP and the minority representatives in the Kurdistan Parliament. The single Christian member of the Provincial Council of Sulaymaniyah is considered close to the bloc of the PUK, the dominant Kurdish party in the governorate. In 2013, a dispute arose between Gorran and the PUK over the position of Sulaymaniyah’s governor. Gorran, which at the time was the province’s largest party, felt that it should hold the position; however, the PUK prevented Gorran’s nominee from taking office and maneuvered the Provincial Council into electing a PUK candidate. During this dispute, the Christian representative sided with the PUK (Abubakr Haladny, personal communication, October 12, 2018). The father of the Christian representative was previously killed while serving in a PUK-affiliated Peshmerga unit and has a martyr’s status as a result (Abbas Fatah, personal communication, October 13, 2018). Thus, the minority representatives have been influenced directly or indirectly by the policies of the dominant parties and cannot act independently of the party machines of the larger Kurdish parties, particularly the KDP (Rabun Maroof, personal communication, 18 December 2018).

Third, for the reserved minority seats, the electoral system treats the entire Kurdistan Region as a single voting district or constituency (BBC, 2013) and uses a closed list system (Katzman, 2009). In the 2005 and 2009 elections, there was a closed list in which each party published a list of candidates for each area. On polling day, the ballot paper simply listed the parties, with voters marking the party that they supported. In this system, a party receives seats roughly in proportion to its vote total, the MPs being chosen by the party. As a result, in two elections, voters casting ballots for the minority parties effectively did not know who their representatives would be. This was seen as beneficial to the minority parties but was not especially democratic.

Nor were the mainstream Kurdish parties much better off. In the 2005 parliamentary election, the KDP selected two Yazidi candidates for the joint Kurdistani Bloc, in which PUK and KDP candidates ran on the same list. While both the Yazidi candidates won seats, they had no independence to go against the will of the dominant Kurdish parties, since they were part of the KDP’s party organization (Kurdistan Parliament, 2019). While this is an example of minority participation, it reinforced Kurdish party control over the minority communities. Even after the electoral system was changed to a semi-open system in which the voters select both a list and an individual candidate within a list, the KDP nominated some supposedly “independent” candidates for parliament who nevertheless came from within its organs and owed their seats to KDP support (Latif Sheikh Mustafa, personal communication, November 20, 2018). Therefore, the claim has been made that minority candidates have been representative of the dominant political parties rather than their own communities.

On a related note, the single-constituency electoral system has done political harm to Kurdistan since the 1990s. Some minority candidates can easily win seats, especially in the KDP-controlled areas, but others such as the Christians in
Koya and Turkmens in Kfri in the PUK-controlled zone have not won seats. This is because the bulk of minorities are located in the KDP zone, and the KDP can easily send its Peshmerga and Zeravani forces to vote for the minority candidates and secure seats for them in the parliament (Rewaz Fayaq, personal communication, November 12, 2018). Thus, the electoral system has been a significant obstacle to the proper representation of minorities in the political process; to end this misrepresentation, reform to the electoral system is necessary.

Fourth, many of the candidates nominated by the minority political parties have previous affiliations with the dominant Kurdish parties, especially the KDP. As mentioned earlier, the KDP nominated two Yazidis for the joint Kurdistan Bloc in 2005, who were members of the KDP. Before 2009, when Turkmen parties officially began running for reserved seats, four Turkmens had served in the parliament (Kurdistan Parliament, 2019). While they formally identified as political independents, all came from Erbil and were supported by the KDP; they were effectively KDP MPs, rather than true independents or representatives of Turkmen interests (Abbas Fatah, personal communication, October 13, 2018).

Moreover, the PUK’s Rewaz Fayaq told the authors that during the 2013–2018 parliamentary session, one of the members of the Assyrian–Chaldean Syriac Bloc in the Kurdistan Region Parliament was a member of the KDP branch office “Leq (a KDP office in the town center)” in Duhok (Rewaz Fayaq, personal communication, November 12, 2018) while simultaneously occupying a reserved seat. Additionally, the KIG’s Faxradin Qadir told the authors that in the September 2018 election, “2,500 Zeravani Peshmerga, affiliated to the KRG, voted for a Turkmen candidate” (Qadir Faxradin, personal communication, November 26, 2018). In the same election, Gorran alleged that the KDP had engaged in fraud by telling “the commanders of Zeravani, the commander of the Halgurd Brigade, the commanders of the environmental police, and the traffic police in Soran town, to vote for the minority lists and candidates in the election” (KNN, 2018). Gorran also claimed that the KDP had influenced the order of the candidates on the minority lists so that its preferred candidates would be elected.

The Kurdish journalist Hemn Mamand in Erbil said that the Zeravani forces voted for the current Second Deputy Speaker of the Kurdistan Parliament Muna Kahveci, who is from the Turkmen minority, after she visited the Zeravani headquarters in early March 2019 (Millet Press, 2019). All this significantly tightened the KDP’s grip on the parliament. Former Gorran MP Abdullah Mala Nuri stated that “Parliament is now the home of the KDP” (Abdullah Mala Nuri, personal communication, November 26, 2018), and Ismael Namiq, head of Gorran’s legal department, has stated that democracy is under threat in Kurdistan, citing the fact that the KDP controls the Speaker’s office, in addition to possessing 45 seats (Millet Press, 2019b). Both these criticisms refer to the fact that Speaker Vala Fared is a member of the KDP, as is First Deputy Speaker Hemin Hawrami (Rudaw, 2019).

One of the most important committees in the parliament is the legal committee; according to the parliamentary procedure, each bloc with at least five seats has the right to have one member in the committee. Following the 2018 election, the KDP was able to prevent the Kurdistan Islamic Union from having a member in the
committee, instead allocating the seat to a Turkmen MP (Hawlati, 2019). This also effectively raises the question of whether this Turkmen MP, and the minority representatives, more generally, can operate with an independent voice.

Fifth, the bulk of the minorities in Iraq are located in the provinces of Kirkuk, Salah Al-Din, and Nineveh, and in Diyala, an area disputed between the KRG and the Iraqi Federal Government in Baghdad. Without the return of the disputed areas to KRG control, the size of the ethnic and religious minorities in the Kurdistan Region will remain proportionally much smaller than the number of reserved seats in the parliament. During the interviews, the authors found that the minorities’ representatives believed that their seats are just an act of charity to them, which has affected their role and position in the political process. Kahveci told the authors that “one of the obstacles to minorities’ having real representation in Parliament is the existence of the disputed territories outside the KRG’s control.” She insisted that if those areas formally became part of the KRG, the minority communities would have no further need for the quota system and would support its abolition (Muna Kahveci, personal communication, December 3, 2018).

This is important, since no political party in the Kurdistan Region has thrived without a geographic stronghold. Without the numerical power of their followers in the disputed territories,¹ the minority parties have been unable to exert significant pressure upon the authorities through public mobilization. Remaining as a marginal, dominated caucus in the parliament without a significant constituency behind them has hindered the true development of the minority political parties.

Sixth, some minority representatives have been influenced by external and regional powers’ agendas, especially Turkey (Rewaz Fayaq, personal communication, November 12, 2018). According to some Turkmen MPs, there is clear Turkish intervention in Turkmen affairs in the Kurdistan Region, mostly for its interests, continuing today, as well as historically, as discussed earlier (Majid Osman, 2018). While the dominant political parties have marginalized minority communities in the region for many years, if they ask for support from external powers to advance their interests, they are accused of disloyalty. This affects minorities’ attitudes toward Kurdish political developments. For instance, the Turkmen Front in Kirkuk and Erbil did not support the 2017 independence referendum (Tastekin, 2017) and called for the cancellation of the result (Hivaykurd, 2017). The Turkish government often justifies its interventions in the Kurdistan Region on the pretext of protecting minorities (Cuthell, 2007).

Furthermore, Iraq’s Turkmen community has largely supported Turkey’s “Operation Olive Branch” in Syria’s northern Afrin district, taken against the autonomous Kurdish area that has emerged in the district. “Iraq’s Turkmen, as always, stand with the Turkish Republic […] we are well aware that this operation targets terrorist organizations in Afrin and not local residents or our Kurdish brothers,” Iraqi Turkmen Front lawmaker Aydin Maruf has stated (Baghdad Post, 2018). These comments caused outrage in the Kurdistan Region, with some activists filing lawsuits against him and calling for his removal from office. Therefore, regional powers’ support for some ethnic minorities in the region has increased pressure on their representatives, affecting their participation and representation in the political process.
Seventh, not all the minority communities vote for minority party lists, instead preferring to support one Kurdish party or another. According to Turkmen MPs, few Turkmen voters vote for Turkmen candidates to the Kurdistan Parliament, because there are also Turkmens within the KDP, the PUK, Gorran, and the Islamic parties whose views they prefer (Aydin Maruf, personal communication, December 16, 2018). Moreover, the perception exists among many voters that the minority representatives do not work for their communities but stand for election only to advance their self-interests. Turkmen MP Majid Osman believes that over 80 percent of individuals who have nominated themselves to be minorities’ representatives are not qualified and are inexperienced, which means they do not get even their own votes without other [other political parties, mainly KDP] support, and that they work for their interests. As a result, the minorities are angry at their representatives, and a huge gap has grown between them. (Majid Osman, personal communication, December 10, 2018)

As this indicates, many minority voters have a somewhat sophisticated understanding of who can deliver benefits to their community.

Implications of the Quota System

In some ways, the quota system has provided a chance for greater integration of the ethno-religious minorities of the Kurdistan Region. It would be inaccurate to say that minorities are entirely marginalized or have no representation at all in the legislative process. Nevertheless, the quota system has many undesirable implications for the policy process in the Kurdistan Region for minority communities.

First may be listed the exploitation of minority participation in the Kurdistan Region. As mentioned earlier, minority voters are exploited by the dominant Kurdish parties and their representatives who have the support of, and, in critical instances, are voted to support, the KDP. One instance among many is the earlier-described example of when, in August 2015, 10 minority representatives in Erbil and Dohuk were key to Barzani’s illegal extension of his presidential term until 2017. Moreover, during the government formation process after the 2018 election, the KDP claimed to possess 56 seats in the parliament, indicating that it considers that it controls the 11 minority-reserved seats in addition to the 45 seats won by its candidates, according to KDP member Hoshyar Zebari (Zebari, 2019). On March 28, 2019, the combined 68 MPs of the KDP, the minority parties, and Gorran introduced a draft law, “Proposal to Activate the Presidency of the Kurdistan Region - Iraq and Amend the Method of Electing the President until the Ratification of the Constitution,” to the Kurdistan Parliament (Rudaw, 2019), without the support of the PUK, KIG, KIU, and the New Generation Movement.

A recent case of the exploitation of minority representation by the KDP involved a parliamentary vote on lifting immunity from an opposition MP. On May 7, 2020, the Kurdistan Parliament voted to lift the immunity of the KIG
member Soran Omar Saeed after he directed an allegation of corruption charges against the head of the KRG, Masrour Barzani. To achieve this, the KDP relied on the support from the 11 minority representatives, as well as the 45 members of the KDP, and one deputy from the Kurdistan Socialist Party. Only with the participation of the minority representatives could the vote proceed as quorate, as 53 MPs from all the other blocs, including the PUK, Gorran, KIU, KIG, the New Generation Movement, and independents, boycotted the session. This abuse of power is revealed even more clearly when it is considered that the 11 minority MPs had received 23,165 votes (IHERC, 2020), whereas Saeed alone had received 42,459 votes. Through using the 11 minority MPs, the KDP demonstrated it could pass any law it desired, or punish anyone speaking out against its corruption and mismanagement, and marginalize the other parties, particularly the PUK (Aydin Maruf, personal communication, December 16, 2018). The minorities are a fundamental part of the KDP’s political strategy and have been used to advance its agenda.

Second, the quota system in Iraqi Kurdistan is necessarily selective about which ethnic and religious minority groups it gives seats to, specifically Christians (Assyrian and Chaldean) and Turkmens. Other groups such as the Yazidis, Kaka’I, and Sabaean–Mandaean are excluded and are not provided with any reserved representation. Some of these groups are Kurdish-speaking, but they may consider themselves to be religiously and/or ethnically distinct from most Kurds. The Yazidis have become increasingly critical of the KRG after the failure of the Peshmerga to protect Sinjar from attack by the Islamic State terrorist group in 2014, since, at that time, the KDP’s forces were responsible for protecting the area (Reuters, 2014). In contrast to the situation existing in the Kurdistan Parliament, the Yazidis have benefited from the quota seats in the Iraqi Council of Representatives in Baghdad. According to the PUK’s Rewaz Fayaq, the KDP attempted to allocate some seats for the Yazidis in 2013, but the other political parties were not supportive because they believed that the KDP would once again abuse these seats to serve its own interests.

Third, quotas arguably go against the principle of equality that is enshrined in the Iraqi Constitution. In the Kurdistan Region, the number of reserved seats in the parliament exceeds the relative numbers of minorities in the general population. During the September 2018 election, the Independent High Elections and Referendum Commission found that minority parties were able to secure 11 seats with only 14,657 votes. The religious minority of Assyrian–Chaldean Christians received five seats on the strength of 7,213 votes, the Turkmen ethnic minority won five seats with 6,829 votes, and the Armenian community’s one reserved seat was decided based on just 615 votes cast in total, with the winning candidate receiving 346 votes (Rudaw, 2018). In contrast, the KIU was allocated five seats after receiving 30,659 votes, the KIG was allocated seven seats after winning 83,090 votes, and the New Generation Movement was allocated eight seats after winning 115,726 votes. Together, the minority parties have only one seat fewer than the third strongest political party in the parliament, Gorran. In the 2018 election, Gorran was allocated 12 seats after winning 136,350 votes, nearly 10
times the number of voters who participated in the semi-open list system for minorities (Rudaw, 2018).

**Solutions and Conclusion**

Minority-reserved seats have been exploited by the major parties of Iraqi Kurdistan, especially the KDP, for their political advantage, and at the cost of democratic process in the region. At first glance, the political participation of minorities since 1992 seems to have been motivated by the incentive of power-sharing; however, continuing discrimination against these groups and exploitation of their participation and representation by the dominant groups in the political process have been concerns for many. This is shown in the KDP’s interference in minorities’ political participation and representation, especially in nominating candidates on behalf of minorities and imposing its own minority community party members on the minority parties to secure a stronger position in the legislature. Our research concludes that the exploitation of minorities’ representation and participation by the Kurdish dominant political parties, specifically in Erbil and Duhok, has affected democracy in the region and had several implications for the polity. The article finds several obstacles to the real representation of minorities in the parliament, resulting from legal, political, and even external factors.

Based on the results of the interviews, several scenarios may be presented to develop prospects for the real representation and participation of minorities. While reserving seats for ethnic and religious minorities was initially necessary to ensure the participation of those communities in the political institutions of the KRG, in the intervening years, there have been several impediments that have undermined the ability of minority representatives to play a substantive role in the political process. To that end, several ways have been suggested to improve minority representation, several of which were mentioned by MPs interviewed by the authors. These include the following solutions.

*Separate minority voter registers:* Establishing separate registers for minorities and Kurds would make it more difficult for the Kurdish parties, in general, and for the KDP, in particular, to have their members and supporters tactically vote for minority parties. Special voting centers with local and international observers could be established for election day to cater to minority voters (Aydin Maruf, personal communication, December 16, 2018). New Zealand’s system of guaranteed Maori representation in the parliament may serve as a practical example here. For many years, Maori candidates were placed on separate voter registers and voted for in four exclusively Maori districts. However, this raised the problem of whether particular individuals should be placed on Maori or general voter registers, and the additional issue that many Maoris preferred not to be singled out for this special treatment. To alleviate these problems, it was decided that the special Maori seats would be retained but registration on the Maori register would be optional (Lijphart, 2007).
Creation of national parties: With the creation of truly national parties that do not have a political program based on Kurdish ethnic nationalism, these parties would operate based on civic values and citizenship, rather than ethnic and religious identities, and be open to all groups and communities in the region (Aydin Maruf, personal communication, December 16, 2018). Apart from this, there might still be quotas for minorities, but this would be an intraparty matter, similar to the establishment of quotas for women on party lists (Latif Sheikh Mustafa, personal communication, November 20, 2018). While this could pose a danger that minority communities’ interests might still be ignored by majority group party members, parties would have more of an incentive to compete for minority votes and, therefore, pay attention to their interests.

Reduction in the number of reserved seats: Some have argued that positive discrimination is necessary in the early stages of developing a democratic political culture, and also that the number of reserved seats should be more in proportion to the actual population of minority communities in the Kurdistan Region. Reducing the reserved seats from 11 to 5 would bring the number more in line with the demographics of the region. Moreover, the seats could be reorganized and redistributed among all ethnic and religious minorities, including those who have been marginalized for decades, said Abbas Fatah, an MP in the Kurdistan Parliament (Abbas Fatah, personal communication, October 13, 2018). Counterintuitively, reducing the number of reserved seats could lead to stronger representation on behalf of the minority communities, as their representatives would be less subjected to the dominant parties’ pressure, as detailed earlier.

Change in electoral law to establish multiple electoral constituencies: According to some MPs from Kurdish political parties, the quota system has created a huge change in the political balance in the Kurdistan Region since 2005, requiring a change to the electoral law. Fayaq informed the authors that the PUK might create a list for Christians in Koya and Turkmen in Kfri and win several seats by ensuring these candidates receive 4,000–5,000 votes (Rewaz Fayaq, personal communication, November 12, 2018). However, doing so might merely change which Kurdish party is best able to tactically exploit minority seats, rather than ensuring authentic representation of minority interests (Abubakr Haladny, personal communication, October 12, 2018).

Creation of advisory councils for minority groups: In the recently emerged democracies in Eastern Europe, a number of models have emerged that address these countries’ diverse populations. Romania, Serbia, Bosnia, and Croatia have all created special councils for minorities in their parliaments. These advisory bodies were established to influence legislation and monitor its implementation for minority groups. While there are clear cultural and social differences between the Kurdistan Region and Eastern European countries, such a model based on democratic principles could be adapted, with modifications, to ensure adequate minority representation within Kurdistan’s legislative and executive bodies. For instance, a council for ethnic minorities could be established to represent Turkmens, Arabs, Assyrians, Chaldeans, and Armenians, and a council for religious minorities to represent Yezidis, Christians, Kaka’is, Zoroastrians, Sabaean–Mandaeans, and Baha’is.
Creation of the “West Lothian” solution: Under this option, minority representatives would be restricted to voting only on those matters related to minority rights. In other words, they would have a specific mandate and would not be exploited by other parties on a routine basis (Rewaz Fayaq, personal communication, November 12, 2018). This may be considered as a not-fully-democratic approach to deal with minorities but is nonetheless a possible scenario to prevent the exploitation of minorities’ votes and representation. The minorities’ deputies must provide representation for their own ethnic and religious communities but would not have the right to vote for certain bills and legislatures that would not have a direct impact on these communities.

Creation of a civil constitution outlining the rights and duties of all groups and addressing minorities’ rights on the principle of citizenship: Ensuring that minority groups are treated in accordance with international law will help protect their rights and give their representatives the genuine opportunity to work for their communities (Salar Mahmoud, personal communication, December 18, 2018). The misuse of political representation, and the threatening of minorities to adopt a dominant party’s agenda, can be considered as a breach of a state’s international obligations that affirm universal commitment to ensuring minorities’ rights in the region.

Reform of the Independent High Elections and Referendum Commission in the Kurdistan Region: Salar Mahmoud, a former Kurdistan MP and current advisor to the Iraqi President Barham Ahmed Salih, stated that the commission’s partisan composition hinders the impartial application of electoral decisions. He said that he participated in the writing of the region’s electoral law but did not vote for it because of its flaws (Salar Mahmoud, personal communication, December 18, 2018). Therefore, establishing a genuinely impartial electoral commission may prevent fraud and abuse of the minority list system.

Increase in minority representation in the government and legislative leadership: This could include giving minority representatives positions such as deputy president, deputy prime minister, and deputy speaker of parliament (Waheda Yako, personal communication, December 23, 2018). This could eliminate the psychological sensation of marginalization and provide a greater chance to minority representatives to play a real and independent role. To demonstrate their goodwill and commitment to the democratic rights of minorities, the ruling parties have regularly appointed members of ethnic and religious minorities to ministerial positions without portfolio, but this was done for symbolic reasons, without taking into account the individual ministers’ professional competence or leadership qualities (MERI, 2015). The KRG’s cabinets have so far failed to assign any specific ministerial positions to minority representatives. Faxradin Qadir told the authors that merely increasing minorities’ presence in the political process, without assigning their representatives any power or responsibility, has no impact. It has the same effect as assigning those positions to KDP MPs or ministers.

Implementation of Article 140 of the Iraqi Constitution and incorporating the disputed areas into the Kurdistan Region: This would incorporate more ethnic and religious minorities into the region, increasing the proportion of their
population relative to the Kurdish majority. This would provide minority MPs with more respect and influence, and may ultimately render the reserved seats unnecessary as more minority representatives become elected to the general body of parliamentarians.

In sum, perhaps amending the electoral law to establish multiple electoral constituencies and separate minority voter registers will be an ideal solution to prevent misuse and exploitation of the minorities’ representation in the Kurdistan Parliament by the KDP. The number of reserved seats for minorities in the Kurdistan Parliament should be changed to one that would not be a case for changing the balance in the parliament in favor of the KDP. Reducing the number of minority quota seats will prevent any further misuse of minority representation by the ruling party.

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Note

1. Iraq’s constitution contains the term “disputed territories” but does not define it. Likewise, media reporting on the disputed areas tend to describe an undifferentiated 300-mile-long swath of territory from the Iranian to the Syrian border, with oil-rich Kirkuk at its center. Iraqi actors themselves often mythologize the contested land, with the Kurds describing Kirkuk, the geographic and strategic epicenter of the dispute, as “our Jerusalem.”

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