

Vote by Iraqi Kurds Adds to Tensions

The Kurds, a long-suffering ethnic group in the Mideast, have long sought an independent state – and Iraqi Kurdish areas will vote in a referendum that is adding to the region’s tensions, as Joe Lauria reports from Erbil, Iraq.

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Global Research, October 04, 2017

[Consortiumnews](#) 24 September 2017

Region: [Middle East & North Africa](#)

Theme: [History](#), [Law and Justice](#)

In-depth Report: [IRAQ REPORT](#)

Fireworks are already exploding here in Erbil as Iraqi Kurds rally in football stadiums and drive down thoroughfares, horns blaring and Kurdish flags flying, as though they are already a sovereign state as they gear up for an independence referendum from Iraq on Monday that is setting off political fireworks in the region.

It is a foregone conclusion that the independence vote will receive at least 90 percent support. It is also certain that the vote will not immediately change the legal status of the Iraqi Kurdish region from the semi-autonomy it already enjoys. But the possible overreaction of Baghdad and its neighbors to the vote has injected fear and uncertainty about what happens after Monday.

Longtime Iraqi Kurdish leader Masoud Barzani has made it clear that a vote for independence does not mean an automatic declaration of independence, though many Kurds I’ve spoken to believe that after Monday Kurdistan will become sovereign. Instead Barzani has said he will use the referendum results as leverage in negotiations with the central government in Baghdad in the hope it eventually leads to Kurdish statehood.

“If it needs time, one year or at the latest two years, we can solve all the problems within these two years. And then we can say ‘goodbye’ in a friendly way,” Barzani said on Wednesday.

Nevertheless, Baghdad and the Turkish government in Ankara have issued threats. Military intervention would be an extraordinary step, though, leaving the disputed city of Kirkuk as the most likely place where violence may erupt.

U.S. Opposed to Vote

The United States, which has been a strong ally of the Iraqi Kurds, has publicly opposed the referendum. Along with Europe, Washington says the timing threatens the Baghdad-Erbil alliance against ISIS, which hasn’t been totally crushed in Iraq.

The U.S. is playing hardball with the Kurds to get them to cancel the vote. The State Department on Thursday [said](#),

“The United States urges Iraqi Kurdish leaders to accept the alternative, which is a serious and sustained dialogue with the central government, facilitated by

the United States and United Nations, and other partners, on all matters of concern, including the future of the Baghdad-Erbil relationship.”

The U.S. pointedly said it would not back talks if the vote took place.

“If this referendum is conducted, it is highly unlikely that there will be negotiations with Baghdad, and the above international offer of support for negotiations will be foreclosed,” the State Department said.

After meetings in Baghdad and Erbil two weeks ago, Brett McGurk, the U.S. special envoy to the Global Coalition to Defeat ISIS, called the referendum “ill-advised,” “ill-timed,” and lacking “international legitimacy.”

Despite those statements and although there is no evidence, many people here in Erbil believe the U.S. is secretly backing the referendum and wants to break up Iraq.

Turkey Threatens Military Action



Turkish President Recep Tayyip Erdogan at the U.N. General Assembly on Sept. 20, 2016. (UN Photo)

In his address to the U.N. General Assembly on Tuesday, Turkish President Recep Tayyip Erdogan threatened to close the border with Iraqi Kurdistan, through which the Kurds sell 550,000 barrels of oil a day, illegally according to Baghdad, and depend on more than a billion dollars a years in food and other imports.

“We call on Iraqi Kurdish regional government to abort their referendum,” Erdogan said. “Ignoring Turkey can deprive the KRG [Kurdish Regional Government] of the opportunities they currently enjoy.”

Such a move would anger Turkish businesses dependent on trade with the Iraqi Kurds, however.

On Friday, the Turkish national security council issued a direct threat to Erbil.

“The illegitimacy of the referendum announced by the KRG ... directly threatens Turkey’s national security ... a grave mistake that threatens Iraq’s

political unity and territorial integrity as well as peace, security and stability of the region,” it said in a statement.

On Saturday, the Turkish parliament extended a mandate for Turkish troop deployments to Syria and Iraq. The Turkish military has been conducting exercises near the Iraq border.

Erkan Akcay, a Turkish MP, [said](#),

“With this motion we say categorically that we’re not joking about suddenly coming at night, or not playing games, and we can afford anything at all for the survival of Turkey.” He added: “The pirate referendum which is illegal and unacceptable should be cancelled before it is too late.”

Baghdad Incensed



Iraqi Prime Minister Haidar al-Abadi.

The Iraqi Supreme Court has declared the referendum unconstitutional. Earlier this month Iraqi Prime Minister Haider al-Abadi warned he would send tanks to Erbil, a threat he later withdrew. At the U.N. General Assembly on Saturday, Iraqi Foreign Minister Ibrahim al-Eshaiker al-Jaafari said,

“We reject the referendum which is trying to force Iraq to make decisions to keep unity.”

The disputes between Erbil and Baghdad are complex, but the two biggest problems are oil and disputed territories. Baghdad has withheld federal money from Erbil because it is independently selling oil at a discount through Turkey rather than through the central government.

The even bigger concerns are territories that both Baghdad and Erbil claim as theirs, especially the disputed city of Kirkuk. Perhaps the most brazen aspect of Barzani’s referendum is that he extended it to the areas under dispute.

Kirkuk has a complicated demographic history, allowing Kurds, Turkmen and Arabs to claim it as their own. The al-Tikriti family was the main Arab family in Kirkuk in the Seventeenth Century. A Kurdish tribe made it their capital in the Eighteenth Century. Turkmen have been present since the Eleventh Century, and became the majority as the Ottomans moved in more Turkmen in the early Twentieth Century.

By the Treaty of Ankara, registered with the League of Nations in 1926, Kirkuk became a part of the [Kingdom of Iraq](#). Until the 1930s, Kirkuk was a largely Turkmen town, but after oil was discovered there was an influx of Arab and Kurdish workers. According to the 1957 census, the last one taken, Kirkuk city was 37,63 percent [Iraqi Turkmen](#); 33.26 percent [Kurdish](#); with [Arabs](#) and [Assyrians](#) making up less than 23 percent of its population

A short-lived 1970 autonomy agreement with the Kurds was ended in 1974 when a new law excluded Kurdish enclaves from oil-rich areas and the city's boundaries were redrawn to create an Arab majority. From 1991 – the time of the first Gulf War – to the U.S. invasion of Iraq in 2003, about 500,000 Kurds were expelled from Kirkuk and surrounding towns, according to Human Rights Watch. Arab families were settled in their place.

More were expelled after the 1991 Kurdish uprising against Saddam Hussein. After the 2003 invasion, thousands of displaced Kurds moved into Kirkuk. In 2014, when ISIS attacked the city and Iraqi National Army troops fled, the Kurdish peshmerga took control.

There has been no census taken since 1957, creating confusion about the city's current demography. A planned referendum in 2007 for the people of Kirkuk to decide whether they wanted to belong to Baghdad or Erbil has never been held.

Barzani's decision to include Kirkuk and other disputed areas in the referendum has incensed Baghdad. Last week, the central government dismissed the Kurdish governor of Kirkuk governorate, but he refused to step down.

Iran's Interests



Hassan Rouhani, President of the Islamic Republic of Iran, addresses the general debate of the General Assembly's seventy-first session. 22 September 2016 (UN Photo)

Turkmen, who were once the majority, are vehemently opposed to Kurdish independence and are expected to boycott the vote. The leader of a Shia militia warned earlier this month that his group had a green light from its backers in Teheran to attack Kirkuk.

The Imam Ali Division's spokesman Ayoub Faleh [said](#) the city would be attacked if it became part of a Kurdish state.

"Kirkuk belongs to Iraq," Faleh said. "We would by no means give up on Kirkuk

even if this were to cause major bloodshed.”

Hadi al-Amiri, secretary-general of the Badr Organization, an Iraqi party close to Iran, said the organization would also fight.

“We will resort to arms if we [as Iraqis] establish a federal system on an ethnic or sectarian basis,” Amiri said in a [Sept. 4 interview](#) with the Kurdish channel Rudaw.

Ali Shamkhani, the head of Iran’s Supreme National Security Council, said this month there would be “implications” if the Kurds leave Iraq.

“The republic of Iran has opened its legitimate border gates on the premise of the consent of the federal government of the Iraqi state. If such an event [referendum] happens, these border gates from the perspective of the Islamic Republic of Iran would lose its legitimacy,” Shamkhani told Iranian state news agency IRIB.

At the request of the Baghdad government, Iran on Sunday [closed](#) its air space for all flights originating from Iraqi Kurdistan. It remains to be seen if Ankara and Baghdad follow suit, which would cut off land-locked Iraqi Kurdistan from the outside world.

Russia has maintained a low public profile on the Iraqi Kurdish question. Russians officials have said they prefer Iraq to remain united but that independence was a legitimate aspiration. As the Kurds will not declare independence immediately, the attention being focused on it by the U.S., Turkey, Iran and Baghdad has only ratcheted up tensions. But will it lead to military conflict?

Chances of Military Intervention

The foreign ministers of Turkey, Iraq and Iran met last week in New York on the sidelines of the U.N. General Assembly and said they would coordinate their response to the referendum.

Turkey and Iran’s greatest concern is the effect the referendum may have on its own Kurdish populations. For more than a year Turkey has been engaged in renewed warfare against Turkish Kurdish rebels. Iran periodically crushes uprisings in its Kurdish areas. Neither country would gain from diverting resources to Iraqi Kurdistan away from their own Kurdish populations.



Kurdish leader Masoud Barzani.
(U.S. government photo)

Barzani said at a press conference on Sunday that Iraqi Kurds “support peaceful solution in those countries but we do not support violence to settle the Kurdish question in those countries.”

Though I’ve heard fear here of Iranian military intervention, such a move would hand a perfect casus belli to the United States and Israel to attack Iran, something Teheran certainly does not want to provoke.

A joint military operation of Turkey, Iran and the Iraqi National Army might gain some victories, though the peshmerga are hardened fighters, who would be motivated by self-defense. Also political will and resources would surely be tested in all three capitals if a long-term occupation were attempted against a Kurdish insurgency.

Turkey this week returned troops to Syria to put down Syrian Kurdish aspirations there. As the irredentist Turkish President Erdogan himself has questioned the post-World I settlement that gave Iraq the Ottoman’s Mosul Vilayet, which included Kurdish areas and Kirkuk, military adventurism on his part cannot be ruled out.

But military intervention is unrealistic. The Prime Minister of the Kurdish region, Nechirvan Barzani, said last week:

“I do not see any military attack at all on the Kurdistan Region. It is impossible to happen. Military threats against what? Against the referendum? I do not foresee that at all. Even if they take other measures, as allegedly they are going to do, but military option is impossible.”

“Turkey is free to do whatever it wants to do within its own boundaries. So is Iran,” said Barzani, a nephew of the president. “But if it is expected that they will come and use military means against a referendum being held in Kurdistan – it is impossible. They will not do such things, because it is not in their interest.”

What Makes a State?

Do the Iraqi Kurds have a legal argument for statehood? The Montevideo Convention of 1933 laid out the requirements for statehood in customary international law.

“The state as a person of international law should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with the other states.”
“The political existence of the state is independent of recognition by the other states,” the Convention says. The Kurds of Iraq qualify on all four points.

But there is another theory of statehood going back to the Fourteenth Century and affirmed by the 1815 Congress of Vienna, namely that a sovereign state depends on recognition by other states. So far only one nation has declared it would recognize Kurdish independence from Iraq: Israel.

“(Israel) supports the legitimate efforts of the Kurdish people to achieve their own state,” said Israel Prime Minister Benjamin Netanyahu on Sept. 13.

The motive can be seen in Israel’s longstanding defensive position to weaken Arab states surrounding them. (I’ve learned from a source close to Barzani that Saudi Arabia and the United Arab Emirates privately support the referendum, but neither country has said so publicly.)

The Palestinians meet the same legal requirements of a state and in addition have more than 130 nations recognizing Palestinian statehood. The U.N. in 2012 granted Palestine Observer State status. Like the Kurds, however, the Palestinians face political and not legal obstacles. The opposition of Israel, which occupies its lands, and the United States, has so far made Palestinian statehood politically impossible.

Dream of Long-Suffering Kurds

The borders drawn by the secret 1916 Sykes-Picot agreement, divided Kurds inside the borders of Turkey, Syria, Iraq and Iran. In the 1920 Treaty of Sevres between Britain and France and the defeated Ottomans, the Kurds were promised a future state in northern Iraq. Based on that, in 1922 Sheikh Mahmud Barzinji declared a Kurdish Kingdom, but it was crushed by two years of British aerial bombardment.

During those two years, in the 1923 Treaty of Lausanne Britain and France withdrew their promise to the Kurds and turned Kurdish areas over to Baghdad. Except for Barzinji’s short-lived Kurdish Kingdom and the Mahabad Republic in northern Iran in 1946, which lasted only a year before the Iranian government executed its leaders, Kurds have never had their own state.



A young Kurdish supporter for independence from Iraq, Erbil, Iraq, Sept. 22, 2017. (Photo credit: Joe Lauria)

The 1958 Iraqi Constitution declared that “the Arabs and Kurds are associated in this nation.” But that ended five years later when the Baath Party came to power. To weaken the Baath’s links with Moscow, the U.S., Israel and Iran supplied Iraqi Kurds to rebel against Baghdad in 1972. This lasted for three years until Iran and Iraq settled their differences in the Algiers agreement, [backed](#) by Henry Kissinger, then Secretary of State. That suddenly cut off Iran’s support for the Iraqi Kurds, and allowed years of repression from Baghdad to culminate in the massacre by Saddam Hussein of as many as 5,000 Kurdish civilians with poison gas in Halabja in 1988.

Kurdish uprisings in the neighboring nations have been likewise crushed over the decades. Turkey has fought a 30-year war against a Kurdish insurgency demanding independence. Iran has periodically cracked down on its Kurdish population.

In 2004, the Syrian government [put down](#) Kurdish protests. Syrian Kurds have gained a measure autonomy from Damascus since joining the fight against ISIS, but aspirations for a Syrian autonomous state in a proposed Syrian federation still faces government opposition and will likely be resolved one way or the other once the six-year-old Syrian war ends.

Iraqi Kurdish Autonomy

Since the U.S. attack on Iraq in 1991, the Kurdish population of roughly 8.4 million in the north has enjoyed a large measure of autonomy from Baghdad.

At the end of the first Gulf War, President George H.W. Bush called for the Shia in the south and the Kurds of the north to rebel against Saddam Hussein. They did but Bush did not back up his words with military support, and both were slaughtered. Kurds rushed to the mountains towards Turkey, where they were trapped when Ankara closed the border. The U.S. then led a no-fly zone in the north and south, which protected the Kurds and gave them a measure of autonomy from Baghdad.

The Kurdish Regional Government now has its own flag, its own government ministries, its own army, its own parliament (which met for the first time in two years last week to approve the referendum), and issues its own visas to foreign visitors. But Kurds here still carry Iraqi passports and deal in Iraqi dinars and U.S. dollars. The fight against ISIS and the drop in oil prices hit this region hard, with government workers going months without being paid.

Economic infrastructure for a modern state is lacking. There is no rail service and the first stretch of a highway was opened only this year within the city of Erbil. It does not link with other Kurdish cities. There is no national Kurdish museum in Erbil.

In 2005, the Kurds held a referendum, which passed with 98.8 percent favoring independence from Iraq. Kirkuk also voted 98.8 percent in favor. Nothing came of the referendum however.

In January 2016 Barzani, who was born in 1946 in the short-lived Mahabad Republic, declared that the Sykes-Picot era was over and called for a referendum, which he postponed until ISIS was defeated. Mosul was liberated this summer, opening the way for the vote.

Given the large degree of autonomy this region enjoys and the negative consequences that can come from holding the vote Monday, there appears to be little material benefit that can come from the referendum. The idea of Kurdistan as a U.N. observer state is far-fetched.

But the Kurdish decision is beyond the realm of pragmatism. It may seem a flight of dangerous romanticism to outsiders. But to the long-suffering Kurds, who have been mistreated by their neighbors for decades, if not centuries, there appears to be no choice.

“We are ready to pay any price for our independence,” Barzani told the press conference on Sunday.

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