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Kurdistan Regional Government

The Kurds

Those individuals who collectively could be called the Kurdish People Are split across a series of countries. Ethnic Kurdish populations exist in varying numbers in Turkey, Iran, Iraq </index.php/Iraq> and Syria. The overall size of this group is estimated to number somewhere between 20-25 million. The largest grouping resides in south-eastern Turkey, where the estimated Kurdish population is around 15 million. In Iran, there are another four to six million Kurds and, in Iraq, three to four million. However, it is only in Iraq where the ethnic Kurds currently have any significant degree of autonomy The Kurdish military forces known as peshmerga played a key role in the overthrow of the former Iraqi government.

Kurdistan

The current as well as historical strength of the nationalist impulse amongst the Kurds, generally, and those in Iraq specifically, should not be underestimated. The dream of a wider <code>Kurdish</code> nation has been an aspiration of ethnic Kurds for generations. A geographical area called Kurdistan was first noted in the 13th Century, but the Kurds have never really formed a coherent and unified state, having lived independently as tribes. Over their history, numerous foreign powers (up to and including Saddam) have used the Kurds for their own devices. This has led two ideas to become entrenched in the <code>Kurdish</code> psyche - the continual disunity arising from tribalism and a perception of perpetual foreign betrayal of <code>Kurdish</code> aspirations. These are still relevant even today when considering <code>Kurdish</code> aspirations towards statehood.

Status of the

KRG

The Iraqi constitution declares that the Republic of Iraq has a federal system made up of a decentralised capital, regions and governorates, and local administrations. The status of the

"Kurdistan Regional Government" (KRG) as an autonomous region is already defined in the document (and provides a possible model for Iraq's future). The region has its own flag and national anthem. Under the constitution, certain powers remain the exclusive preserve of the federal government; foreign policy and negotiation, national defence policy, financial and customs policies, standards, naturalization, the radio spectrum, and the mail. Various other powers and 'competences' are shared between the federal government and both the regional and provincial authorities. These include: the management of oil and gas extracted from current fields; formulating the "necessary strategic policies to develop the oil and gas wealth in a way that achieves the highest benefit to the Iraqi people"; organising customs; and formulating policy on health, the environment, and education. The two main Kurdish parties, the Kurdish Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) have united to form an alliance with several smaller parties, and the Kurdish alliance has 53 deputies in the new Baghdad parliament, while the Kurdish Islamic Union has 5. PUK-leader Jalal Talabani has been elected President of the new Iraqi administration, while KDP leader Massoud Barzani Massoud Barzani is President of the Kurdistan Regional Government.

Article 140

and the Disputed Areas

In January 2008 the UN Special Representative to Iraq, Steffan de Mistura, persuaded the Kurds to agree to extend the deadline for the Article 140 referendum to June 2008. As the new deadline approaches and prospects for a referendum remain highly unlikely, de Mistura reportedly announced in April in Arbil a three-stage plan for an alternative solution to the Kirkuk and disputed areas issue. This involves settling the status of less contested disputed areas by district level consensus. The outcome will be used as a model for dealing with the more contentious Kirkuk status, without having to stage a referendum.

Problems of

Regionalism

The constitutional privileging of regional legislation makes it more difficult for Baghdad to impose its will on regions. In the absence of a nationally-agreed hydrocarbons law, local authorities have the opportunity to strengthen de facto control. The KRG is already using its autonomous status to further its interests, passing its own Oil and Gas Law on 6 August 2007 which will enable the KRG to opt out of any future national oil contract and revenue-sharing agreements. In the absence of robust national hydrocarbons legislation, a new oil-rich region in the south could gain substantial control over its natural resources at the expense of the centre (and, therefore, provinces or regions which lack these resources). The constitution's specificity with regards to "oil and gas extracted from current fields" could also create problems over the exploration and exploitation of fields which have either not been discovered yet, or which do not yet produce oil or gas.

<u>Kurdish</u> leaders are keen supporters of federalism; whilst they will not be directly affected by the law on region formation, they are mindful of the indirect effects. The KRG currently stands alone as an autonomous region. By promoting regionalism in Arab areas of Iraq the Kurds hope to end the KRG's exceptional status, thereby cementing and even strengthening its autonomy. This, in turn, could be useful in gaining greater control over northern Iraq's oil wealth.

However, the regionalisation of predominantly Sunni provinces in central and western Iraq will depend on developing political and tribal dynamics, economic pressures, and the outcome of Article 140 and other territorial disputes. It is unclear at present how Article 140 and the region formation law will affect these disputed northern areas. Provincial boundaries may be redrawn, either formally or de facto, to take different regional solutions into account. If areas of Ninawah and Tamim

(including Kirkuk) are formally incorporated into the KRG we assume that provincial boundaries would have to be changed or some other solution devised to prevent populations regionalised within the KRG from obstructing the regionalisation of the remainder of these provinces. Provincial elections could play an important role, especially if aligned Sunni tribal movements perform well in neighbouring provinces.