

**[YOUR UNIVERSITY LOGO]**

**A DELIBERATIVE FORUM ON THE FUTURE GOVERNANCE OF KIRKUK**

## [University] [Venue]

[Date] 2016

**NOTES FOR PARTICIPANTS**

**Introduction**

Kirkuk is an oil-rich city. It is also known throughout the region for its distinctive ethnic, linguistic, religious and cultural diversity. The city’s ethnic and religious groups lived peacefully together for centuries. Today, however, control of Kirkuk is hotly contested by its ethnic groups on one hand, and the central government in Baghdad and the Kurdistan regional government (KRG) on the other. In particular, *the question of how the city should be governed* has remained unsettled. This dispute is a threat to peace in Kirkuk and to stability in the country as a whole.

The purpose of this deliberative forum is to give you the opportunity to discuss the options for governing Kirkuk in a safe and constructive environment. We want to know what you think and we hope this information booklet will help guide your deliberations. At the end of your deliberations, we would kindly ask you to fill out the same questionnaire that you took on initial contact.

**The Situation in Kirkuk**

The situation is Kirkuk is complex, so let us start with some factual information.

**Demographics**

Discussing population statistics for Kirkuk is a sensitive affair, particularly in the absence of comprehensive census data. Nevertheless, in 2011 the UN estimated the total population of Kirkuk to be in excess of 900,000 people.[[1]](#footnote-1)

Estimating the size of each ethnic group is particularly tricky. However, electoral results do give us some indication. Three provincial elections (2005, 2009 and 2013) have been conducted in Iraq, though Kirkuk only participated in the 2005 elections. In that election, the Kurds won 26 out of 41 seats (about 63% of the seats), Turkmen won 9 (about 22%), and Arabs won 6 (about 15%) (though the low turnout of Sunni Arabs should be noted).

Provincial elections results in Kirkuk, January 2005

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| |  | | --- | | **Parties** | | **Votes** | **Seats** |
| List of Kurdistan Brotherhood | 237,303 | 26 |
| |  | | --- | | Iraqi Turkmen Front | | 73,791 | 8 |
| Iraqi Republican Group (Sunni Arab) | 43,635 | 5 |
| The Islamic Turkoman Coalition | 12,678 | 1 |
| National Iraq Union (Sunni Arab) | 12,329 | 1 |

**Economics**

In theory, Kirkuk is one of the richest cities of the world. The Kirkuk oil field is the second-largest oilfield in the country, containing 20%of Iraq’s proven oil reserves. The Kirkuk field’s production is predicted to peak at just over 500,000 barrels per day around 2025 before trailing off to fewer than 200,000 barrels per day in 2050. However, in spite of the presence of large amounts of oil, Kirkuk governorate has experienced little economic benefit from its presence.

Financially, Kirkuk has institutional linkages to both Baghdad and the KRG and depends on both of them to pay its public servants and to reconstruct the city. Since 2006, Baghdad has used the Accelerated Reconstruction and Development (ARD) mechanism to transfer block grants from the federal budget to the provinces. The aim has been to facilitate short-term projects in parallel with the longer-term budget initiatives carried out by the ministries. The KRG, on the other hand, has been involved in the province and provides financial support to develop various projects. For example, according to one report, of a total of about 1,390 schools across Kirkuk province, 460 of them were funded by KRG in which their curriculums and teaching are entirely Kurdish. This means that both Baghdad and KRG rather than Kirkuk Provincial Council (KPC) are more influential when it comes to appointing public employees. Due to both falling oil prices and rising Iraqi military expenditure because of fighting against ISIS, Kirkuk has faced a financial crisis. The ARDP fund has been suspended by the central government since August 2014. Nevertheless, to meet its financial needs, the KPC currently depends on both Baghdad and the KRG.

**The legal situation**

The population of Kirkuk has shifted considerably as a result of the policies of various Iraqi regimes, which has in turn led to tensions between Kirkuk’s ethnic groups. Article 58 of the 2004 Transitional Administrative Law (TAL) was intended to deal with this tension and ‘normalise’ the situation. The law outlines a number of steps including the return of displaced people, the recovery of their properties and homes, and the reversal of border alterations.

In 2005, the new Iraqi Constitution was adopted and ratified. Article 140 replaced the TAL’s Article 58 and includes provision for a census and a referendum on the constitutional status of Kirkuk. Both the wording and the timing of the referendum remain under negotiation. Potentially, however, it may result in one of three options, as we will now outline.

**THE OPTIONS**

There are three major options for governing Kirkuk which are constitutionally plausible:

(1) A governorate under the authority of the central government

(2) Becoming an autonomous region

(3) Joining the Kurdistan region.

**Option 1: A governorate under the authority of the central government**

Under this option, the existing arrangements for governing Kirkuk would be maintained (the status quo option). That is, the governorate would ultimately remain under the control of Baghdad. However, the Provincial Council of Kirkuk would maintain certain powers, including the power to develop policies and pass laws, to approve local security plans, to select the symbols for the governorate, and to collect taxes, duties and fees. Moreover, with regard to the powers shared between the Federal Government and the Provincial Council, priority would continue to be given to laws made by the Council in case of dispute.

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| **Advantages** | **Disadvantages** |
| No new government institutions would need to be created and agreed. | Kirkuk would remain under the control of the Federal Government. |
| Kirkuk would still be entitled to an equitable share of national revenues. | Kirkuk will not have full control over the levy of taxes or over monetary and fiscal policy more generally. |

**Option 2: Becoming and autonomous region**

Under this option, Kirkuk would enjoy more executive and legislative powers than as a governorate. As an autonomous region, it would enjoy the rights of a federal region rather than mere decentralisation. The 2005 constitution lists the competencies that the federal and regional authorities are to share together. These include: managing customs, electric energy sources and distribution, environment, general development and planning, public health, education and internal water resources (Article 114, constitution of Iraq). Priority is given to the regional law over federal law in case of any dispute.

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| **Advantages** | **Disadvantages** |
| It would allow Kirkuk to exercise greater control over its own internal affairs. | New institutions would be required that might be difficult to design and to agree. |
| It would reduce the desire for secession. | It might cause a domino effect in regard to other governorates. |

**Option 3: Joining the Kurdistan region**

Under this option, Kirkuk would remain a governorate, but would become part of the Kurdish federal region. As a governorate under Erbil, the Provincial Council of Kirkuk would have roughly the same powers as it does today under Bagdad. Ultimately, however, it would be answerable to Erbil (just as, today, it is ultimately answerable to Bagdad).

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| **Advantages** | **Disadvantages** |
| No new government institutions would need to be created and agreed. | It would change the balance between the centre and the periphery |
| It would redress the historical grievances of the Kurds. | Arabs and Turkmen would become minorities inside the Kurdistan Region. |

1. Inter-agency Information and Analysis Unit: Kirkuk Governorate Profile. <http://www.kurdipedia.org/documents/87932/0001.PDF>. [↑](#footnote-ref-1)