

Iraq parliament enacts partial provincial election law

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After more than three months of factional negotiations and under intense pressure from Washington, the Iraqi parliament finally passed the necessary legislation on September 24 to hold elections in 14 of Iraq's 18 provinces. The elections, which were supposed to have taken place by October 1, will now occur some time before January 31.

The legislation passed only because it excluded the oil-rich province of Tamim, commonly referred to as Kirkuk, the provincial capital city. Kurdish parties aspire to bring Kirkuk under the autonomous Kurdish Regional Government (KRG) in northern Iraq, whereas Arab and ethnic Turkomen parties want the city to remain under the jurisdiction of the central Baghdad government. A referendum to decide the issue, which is a constitutional stipulation, should have been held by December 31, 2007 but has been repeatedly delayed. As much as 40 percent of Iraq's oil production comes from the Kirkuk fields.

Sections of the Kurdish establishment, ambitious for a greater share of oil revenues, are increasingly impatient and have threatened to unilaterally declare Kirkuk part of the KRG. Arab and Turkomen parties have matched Kurdish rhetoric with their own threats to take up arms to stop Kirkuk's annexation by the KRG. Calls have been made for the deployment of Iraqi government troops into the city to protect the non-Kurdish population from the large Kurdish *peshmerga* military force.

The initial provincial election law, drawn up by US officials and the government of Prime Minister Nouri al-Maliki, sought to end tensions in the city through a system of ethnic power-sharing. It stipulated that the Kirkuk government would have ethnic quotas, giving each of the three main factions-Kurd, Arab and Turkomen-32 percent of representatives. When it was put to the vote in July, Kurdish legislators, whose parties would be turned into a political minority in Kirkuk despite Kurds being a numerical majority of the population, stormed out of the parliament in protest.

Just 127 of the 275-member assembly approved the legislation. Within 24 hours, the Iraqi president, Kurdish leader Jalal Talabani, used his veto power to kill the law and

force the parliament to draw up and debate a new one. A UN team consisting of 15 lawyers, diplomats and historians, was asked to formulate a solution.

The new election law-the product of UN recommendations and unanimously supported in the Iraqi parliament-simply defers the inevitable confrontation over the city's future. No election will take place in either Kirkuk or the three provinces that make up the Kurdish region. Instead, the parliament has established a committee consisting of two Kurds, two Arabs, two Turkomen and one Assyrian Christian to prepare a recommendation by the end of March on how to proceed. Until then, Kirkuk will remain under the control of a Kurdish-dominated provincial authority.

At the heart of the dispute over Kirkuk is which layer of the Iraqi ruling elite that has collaborated with the US occupation-Kurdish nationalist or the Baghdad-centred Arab factions-will have jurisdiction over the northern oil fields.

The question has also emerged in the dispute over the so-called hydrocarbon law--legislation governing the entry of foreign oil conglomerates into the state-owned Iraqi oil industry and the division of revenues between the federal government and the Kurdish region. At present, negotiations are in limbo due to the refusal of the Kurdish parties to agree to the insistence of some Arab factions that only Baghdad should have the power to sign contracts.

The KRG claims the power to grant production rights in the areas under its rule without the approval of the Iraqi oil ministry. Over the past several years, it has signed contracts with 20 companies to explore and drill 15 small oilfields--despite bitter disagreement in Baghdad. If Kirkuk were incorporated into its territory, there is no reason to doubt that the KRG would extend this policy over the far richer oilfields surrounding the city.

These conflicts contain the seeds of a civil war between the Kurdish north and the Iraqi government. The tensions will only sharpen if global financial turbulence and recession leads to a sharp fall in world demand for oil and a corresponding drop in Iraq oil exports, which provide over 90 percent of the Iraqi government and KRG budget

revenues.

In the past several months, tensions have deepened over Maliki's attempt to assert Baghdad's authority over Kirkuk and other areas in the north, which, while not legally part of the KRG, are nevertheless firmly under the control of the Kurdish *peshmerga* and the Kurdish nationalist parties.

The initial July version of the election law, which was rejected, demanded that Kurdish forces withdraw from Kirkuk and allow government troops from the predominantly Shiite Arab-populated south to replace them. Last month, Iraqi troops attempted to enter the district of Khanaqin, an area of Diyala province that borders the KRG and, like Kirkuk, is claimed by the Kurdish nationalists as part of their "homeland". After a standoff with *peshmerga*, Maliki ultimately ordered his forces to back down.

The depth of Kurdish nationalist distrust of the central government was highlighted by the announcement last month that Baghdad was making a bid to purchase 36 F-16 fighters from the US. Kurdish representatives in the Iraqi parliament demanded that the Bush administration first get an explicit guarantee that such air power would not be used to attack the Kurdish region.

Rivalry over Kirkuk is only one of the potential flash points created by the US occupation, which has promoted sectarian and ethnic divisions in order to consolidate Iraq as an American client-state in the Middle East. Sharp tensions continue between the Shiite fundamentalist parties elevated to power by the US and the Sunni ruling stratum that held sway under the previous regime of Saddam Hussein.

In order to crush Sunni resistance to the occupation, the US military tacitly supported a sectarian civil war throughout 2006 and 2007, in which hundreds of thousands of Sunnis were killed or driven from their homes by the Shiite-dominated security forces and Shiite fundamentalist militias. The reign of terror was a major factor in the decision by various Sunni leaders and tribal chiefs to enter into alliances with the US occupation—the so-called Awakening movement. Essentially, the Sunni establishment agreed to end attacks on US forces in exchange for protection from the Iraqi army, police and associated death squads. More than 100,000 Sunni fighters enlisted in US-paid militias, which became known as the "Sons of Iraq".

An Awakening force of over 20,000 in the western province of Anbar has been incorporated into the province's police force and Iraqi army units in the area. Last month, Maliki's Shiite-dominated government reluctantly agreed to take over paying some 54,000 of the Sunni militiamen in Baghdad as of October 1. Tensions nevertheless continue to simmer. As many as 650 Awakening leaders have been detained over the past two months in the capital and the province of Diyala on allegations of being involved in

insurgent operations.

The future prospects of the Sunni Awakening are bleak. Only a select layer of the movement, mostly the upper echelon, is being offered any form of economic certainty. The Iraqi government has offered to enlist just 20 percent of its members into the army or police. The rest have been promised unspecified civilian jobs that may never materialise under conditions where the unemployment and underemployment rate stands at 55 percent.

The treatment of the Sunni fighters can only exacerbate resentment among the broader Sunni population toward the US-backed Shiite regime. Sunni voters overwhelmingly boycotted the last provincial elections. This time, representatives of the Awakening may well be voted into government in four majority Sunni provinces, Anbar, Nineveh, Salahaddin and Diyala, giving them a power base independent of the US military and the Baghdad government.

The potential for a fracturing of the country is being aggravated by the policy of the largest Shiite party, the Islamic Supreme Council of Iraq (ISCI), to merge the nine majority Shiite provinces in the south into a region with the same autonomous powers as the KRG. The effective collapse of the Shiite movement led by cleric Moqtada al-Sadr, which opposed regionalism, has left the ISCI confident it can win the provincial elections and jurisdiction over the main oilfields and largest untapped reserves.

While rarely mentioned either in Iraq or internationally, the country's extreme social tensions also have the potential to shatter the current relative stability of the US occupation. While the upper classes exploit ethnic and sectarian politics to manoeuvre for power and privilege, millions of Iraqis from all backgrounds are living without regular incomes, guaranteed power, functioning sewerage systems or adequate health care, and without hope that the situation will improve.

Any global economic downturn will inevitably deepen the social divide, setting the stage for volatile eruptions of political discontent and opposition against both the US presence and all the factions of the Iraqi elite.



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