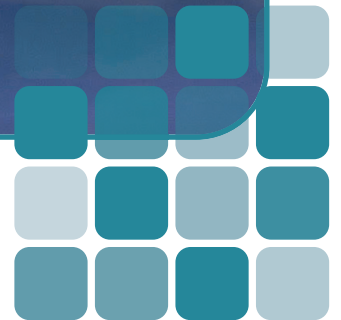


# ELECTION OF NECHIRVAN BARZANI AS THE PRESIDENT OF KRG AND ITS IMPLICATIONS



MEHMET ALACA





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### **Center for Middle Eastern Studies**

Adress : Mustafa Kemal Mah. 2128 Sk. No: 3 Çankaya, ANKARA

Phone: +90 (312) 430 26 09 Faks: +90 850 888 15 20

Email: [orsam@orsam.org.tr](mailto:orsam@orsam.org.tr)

Photos: Anadolu Agency (AA)

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## About the Author

### Mehmet Alaca

He received his bachelor's degree in the Department of International Relations from the Faculty of Political Sciences at Istanbul University and master's degree in the Department of Politics and International Relations of the Middle East at Exeter University. He wrote his master's thesis on “Iran's Shia Militia in the Middle East: The Case of Hashd al-Shaabi”. He wrote analyses for various magazines and newspapers. He worked at *Ekopolitik*, *A Haber*, and *TRT Haber*. He currently works as a Diplomatic Correspondent at Anadolu Agency. He continues his academic studies on Kurdish geopolitics, Iraq and Shiite militias in the Middle East.

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## Introduction

Prime Minister of the Iraqi Kurdistan Regional Government (KRG) and Vice President of the Kurdistan Democratic Party (KDP) Nechirvan Barzani took the vote of 68 out of 81 members of the 111-membered KRG parliament on 28 May, and ascended to the position of President which had been vacant since Masoud Barzani left office in November 2017. Five candidates, namely Umed Abdulsalam Qadir, Muhammad Heme Salih Umer, Rebwar Aziz Mustafa, and Hiwa Abdullah Xidir as well as Nechirvan Barzani, competed for the regional presidency. Working as an executive for nearly 20 years, Nechirvan Barzani was sworn in on June 10, 2019, and moved to a new stage in his political career along with the Presidential post of KRG.

Although there have been nearly 8 months since the end of the parliamentary elections held in the KRG on September 30, 2018, the government has not been established. Gathering in Erbil on 14 January as part of the government negotiations which have been continuing since November, KDP and PUK officials agreed to improve relations between the two parties, as well as relations with Baghdad, to focus on government building and to establish a joint committee for Kirkuk. Later on, KDP, led by Masoud Barzani, the PUK established by former Iraqi President Jalal Talabani and the Goran (Change) Movement founded by Nawshirwan Mustafa, who died in 2017, announced that the government

would be formed all together and agreed that Masrour Barzani was to be Prime Minister and Nechirvan Barzani President of the KRG. However, PUK, which agreed with the KDP on forming a government and on the presidency, did not attend the parliamentary session by boycotting the presidential vote.

Following the independence referendum in September 2017, the 52-year-old experienced politician Nechirvan Barzani is known to be capable of reestablishing diplomatic relations with Baghdad and other actors, but it can also be said that he will face great challenges inside. For Barzani who will have to deal with a series of matters such as the establishment of the new government, the disputed territories and the Kirkuk governor post issue, the economic crisis, the increasing PKK presence in the KRG and Sinjar, the Ministry of Justice issue in the Iraqi cabinet, the unification of the Peshmerga forces, increased corruption and nepotism, PUK's decision to boycott is among the leading ones. New crisis between KDP and PUK seems to make Barzani's job more difficult, with the possibility of deepening interrelated problems and instability in the region.

## Presidential System and the Changes of Alliances

With Nechirvan Barzani, the KRG President began to be elected by parliament instead of the popular vote of KRG electors. Furthermore, the strengthening of the hands of the relatively young leaders who use diplomatic language better in the regional politics and the replacement of PUK by Goran as bigger partner within the scope of the presidential elections after the deaths of the prominent names of KRG politics, namely Jalal Talabani and Nawshirwan Mustafa, and the resignation of Masoud Barzani, are new and unfamiliar developments for the KRG.

After two years of the collapse of the Saddam regime as a result of the US invasion of Iraq in 2003, KDP Chairman Masoud Barzani signed

“Working as an executive for nearly 20 years, Nechirvan Barzani was sworn in on June 10, 2019, and moved to a new stage in his political career along with the Presidential post of KRG.”

an agreement with Jalal Talabani, then PUK Secretary-General, with whom he was engaged in an armed conflict for a long time and started his first presidential duty by majority vote in the parliament. Along with the decision to elect the president by the people in the wake of the “strategic agreement” signed in 2004 and aimed at joint participation of KDP in the elections with PUK and the joint execution of the government and other administrative units, Barzani started his second term in 2009 with 70 percent of the vote. Although Goran’s rise in the region undermined the alliance between the two parties in the 2009 elections, Barzani’s presidency in 2013 was extended again for two years as a result of KDP-PUK alliance, despite Goran’s harsh opposition.

Despite the objections to the extension of Barzani’s mandate in 2015 by Goran which received the support of the PUK and some of the smaller parties, Barzani’s mandate was effectively extended until 2017 on grounds such as the fight against ISIS and the economic crisis. Insisting on the independence referendum on September 25, 2017, Barzani announced in October 2017 that he officially resigned his presidency after the Iraqi army and Hashd al-Shaabi forces took control of Kirkuk.

The fact that the KRG president’s powers are quite extensive contrary to the symbolic powers of the Iraqi President raises criticisms and brings about matters of dispute that the president cannot be controlled. For a long time, because of the political conflict it got engaged in against Masoud Barzani, Goran demanded that the regional president not be elected by the people but by the parliament and the regional presidential powers be restricted. After Barzani’s resignation, Goran changed its rhetoric and demanded the complete abolition of the presidency, but lost half of its votes in the elections of 30 September 2018, thus 12 out of 24 seats in the parliament, and had to make an alliance with the KDP. On the other hand, the PUK objected

on how the president would be elected instead of supporting the abolishment of the presidential system and demanded that the regional president be elected by parliament rather than by the people, while the KDP had to change its position after the elections, even though it insisted that the president be elected by the people as before.

As a matter of fact, in the 111-seated KRG parliament, KDP won 45 seats, PUK 21, Goran 12, and no party was able to win the majority of the government to form the government, forcing them to the coalition. Due to the political crisis and the lack of consensus between the parties, the presidential duty Barzani assumed the responsibility of for 12 years was temporarily transferred to the prime ministry, parliament and the justice commission until the presidential elections.

The decision to suspend the presidency was amended last May and the presidency was re-activated. Under the KRG laws and normal circumstances, the president of the region is directly elected by the people, not the parliament, and the election of the president by parliament can be seen as a promising change in the region as it emerged as a result of an unusual agreement.

On the other hand, the election of Nechirvan Barzani as President is significant in terms of ending the debates in which his uncle, Masoud Barzani, was criticized for being “illegitimate” in the last 4 years of his term. However, the fact that new President Nechirvan Barzani is equal to his predecessor in terms of having efficient powers can be expected to lead to similar criticisms in the medium term. Moreover, although Goran’s support for Barzani may increase the tension with the PUK, Goran, which advocates civilization and institutionalization more than the PUK and the KDP do, gives hope for democracy and normalization in the region as it is in the position of “determining the ruler” in the presidential elections.



## Kirkuk Conflict Between KDP and PUK

Erbil and Baghdad have been experiencing significant divergence in the disputed areas under Article 140 of the Iraqi Constitution for almost 15 years and there has been hardly any progress in this regard. The fact that the oil-rich city of Kirkuk is among the disputed areas prevents the issue from being naturally worked out between the parties.

However, the Kirkuk issue has long been one of the major causes of the tension between the KDP and the PUK. After the referendum attempt when the control of Kirkuk was transferred to the Iraqi army in October 2017 and PUK Governor Najmiddin Karim left the city, then Iraqi Prime Minister Haydar al-Abadi appointed Rakan Saeed al-Jabouri of Arab origin, Karim's assistant, as the acting Kirkuk governor.

“Although the KDP closed its offices in Kirkuk after October 16, the recent desire to return to the city indicates that the tension will increase in the region.”

While the KDP requested that an independent Kurdish candidate be elected as the governor for the agreement between the parties and the normalization of the situation in Kirkuk in the new gubernatorial race, the PUK, which won 6 seats in Kirkuk in the general elections held on May 12, 2018, claims that the governor should be elected from its own party. PUK spokesman Sadi Ahmed Pire said: “A member of our party will be the governor of Kirkuk. For 12 MPs are elected in Kirkuk, and 6 of them are from our party”. Although the KDP closed its offices in

Kirkuk after October 16, the desire to return to the city recently indicates that tension in the region will increase.

As a matter of fact, the possible motivation of the PUK to re-hang the KRG flags that it did not hang in Kirkuk for more than a year because the Iraqi forces controlled the city could be the KDP's desire to return to the city. In addition, even though Masoud Barzani and PUK Deputy Secretary-General Kosrat Rasul Ali reached an agreement during their meeting in April with the KDP on the normalization of Kirkuk as well as the KRG Presidency and its deputies, and the PUK would run a candidate for Kirkuk governorship with the consent of the KDP, Nechirvan Barzani's presidential election was boycotted by the PUK.

The boycott stemming from the failure of the KDP to support the PUK on the nomination of the Kirkuk governor indicates that the PUK has not received KDP's consent for the governor and that the tension between the two parties will escalate. In every discussion about the city, referring all the times to the words of Jalal Talabani, the PUK founder, “Kirkuk is the Jerusalem of the Kurds”, it is claimed that the PUK will not change Kirkuk to the rest of the region.

In addition, one of the main motivations in Kirkuk is that a significant portion of the KRG's income is provided by the oil extracted from the region. The tension to arise from the Kirkuk debate between KDP and PUK will strengthen the hand of the Baghdad administration and Hashd al-Shaabi, as well as opening up space for ISIS, which is still active in the region. According to the US-based Center for Strategic and International Studies, within a year after the Iraqi government announced the defeat of ISIS in 2017, there has been a decline in ISIS attacks in Iraqi cities and an increase in Kirkuk. In this context, new President Barzani needs to come up with a solution that will satisfy the parties on the Kirkuk issue.

## Economic Crisis, Corruption, and Tension Between Parties

Inter-party distrust, economic crisis, and corruption, which are directly reflected in the society in the KRG, stand out as the most important agenda items waiting for Barzani in his new post. Political, economic, administrative and geographical sharing of the region by the KDP and the PUK, that the KDP led by the Barzani family and the PUK dominated by the Talabani family have respectively turned Erbil and its surrounding, on the one hand, and Sulaymaniyah, on the other, into two separate city-states deepens the trust relationship and discomfort among the parties in the region. Moreover, violations of the law, arbitrary attitudes of the security forces, bestowing a privilege on the KDP and PUK in trials are among the major agendas of the opposition. Goran, the Kurdistan Islamic Group (Komal), the Kurdistan Islamic Union (Yekgirtu) and the New Generation Movement accused the two parties of corruption in the September 2018 parliamentary elections. In addition, despite the fact that minority groups in the KRG supported Barzani in the presidential elections, the pressure

and massacres of ISIS in particular against Christians and Yazidis living in the region aggravated Barzani's burden. As a matter of fact, the decision of the KDP to give one of its ministries to Christians and the Kurdistan Democratic Socialist Party (KDSP) is crucial for normalization and this step will help to establish the relations of all groups in the region with the administration.

Since 2014, Baghdad's budget cuts, the decline in oil prices, the disruption of investments by ISIS attacks, the influx of more than a million refugees coming to the region, the failure of the Erbil administration, which was in economic crisis due to unemployment, to pay salaries to civil servants and the austerity measures caused serious discomfort in society. KRG is currently estimated to have a debt of approximately \$20 billion.

Unemployment rate which is around 20 percent is between 30-40 percent among the youth. The region is still experiencing serious problems in providing electricity 24 hours a day. The decrease in the ISIS threat and the help of Iraq's Prime Minister Adil Abdul-Mahdi to the region in terms of the budget relieve the





region to some extent. The de facto separation of the system between the KDP and the PUK leads to a delay in economic development and service to citizens. Although it is difficult for Barzani to come up with a solution to this issue, efforts can be made to reduce the negative consequences of the de facto separation of the system.

However, according to a report published by Transparency International, corruption levels in the KRG, one of the world's most corrupt political systems, appear to be higher than those in the region, albeit lower than Iraq. As a matter of fact, even though Mele Bahtiyar, one of the leading names of PUK, who expressed his discomfort with the spread of corruption in the country by saying that “we have no justice in the region but lots of corruption”, shows the discomfort among the government stakeholders, the fight against corruption is not performed at sufficient levels. According to the KRG Integrity Commission, only 33 out of 198 corruption cases that reached the courts in 2018 were finalized.

This situation reveals the dimensions of nepotism in the region. In this respect, it seems inevitable that political and social fragility in the region will increase if Barzani does not play a serious role in building trust among the parties, economic crisis, and corruption.

## Unification of Peshmerga Forces

One of the major problems of the KRG for a long time is the inability to unite the Peshmerga forces. The fact that the KDP and PUK, which have different intelligence institutions, have approximately 150 thousand Peshmerga forces under separate administrations deepens the security weakness and political disintegration in the region. As a matter of fact, following Barzani's referendum on independence, the seizure of Kirkuk by the Iraqi army and Hashd al-Shaabi forces on October 16 after the withdrawal of the PUK peshmerga forces from Kirkuk, the oil-rich city, led by a PUK governor, showed the cost of the separation among peshmerga forces. KDP leader Masoud Barzani accused some PUK leaders including Jalal Talabani's eldest son, Bafel Talabani, who presided over a well-trained



and equipped armed group, of withdrawing peshmerga forces from Kirkuk and thus shutting their eyes to the seizure of the city; PUK officials, on the other hand, accused Barzani of trying to gather power in one hand. This reveals the importance of a national army led by a single authority.

Although a reform package aimed at uniting the forces of the Ministry of Peshmerga, the KRG's armed forces, has been recently prepared, political tensions between the two major parties slow down the process. While the consolidation and nationalization of these forces is a daunting task even for a president elected by the agreement of all parties, it seems much more difficult for Barzani, boycotted by the PUK. That Bafel Talabani who came to the forefront during the Kirkuk crisis leads PUK's military wing especially after Talabani passed away and that Lahur Talabani presides the intelligence forces would make the integration process impossible while it is already difficult under natural conditions. As a matter of fact, the aim of unifying the peshmerga forces can be realized with the common political will and consent of KDP and PUK. If Nechirvan Barzani does not intervene in this situation which often undermines even democratic institutions, the door will be opened for the renewal of tensions like the Kirkuk crisis.

### **Rising PKK presence in the KRG and Sinjar**

In addition to internal security and coherence of the KRG, the rising presence in Sinjar and KRG of the terrorist organization PKK that harms the future relations of the region with Turkey has become a hot topic that will keep Barzani busy especially in the new era. PKK, which used the excuse of ISIS targeting the Yazidis in the Sinjar district of Mosul, was deployed in the region in August 2014. Although the Erbil administration called for PKK to leave the region, it did not achieve any results. Last May, KRG Government Spokesman Sefin Dizayi

stated that PKK caused chaos in the region, and reiterated that the organization should leave Sinjar as soon as possible. It is worth mentioning that PKK rubs shoulders with Hashd al-Shaabi linked to the Iraqi president in the region where Turkey conducted cross-border operations in 2018 and calls the "Second Qandil". That PKK which has consolidated its power in the region by taking advantage of the opportunity to fight against ISIS takes its place in the political arena of the KRG and Iraq as well as its autonomy initiatives in Sinjar has been perceived as a threat to the political and social fabric in the region.

“While the closure of the Teverga Azadi (Freedom Movement) offices may be considered as a step of the PUK to improve relations with Turkey, the fact that this process is carried out by Qubad Talabani who has good relations with the Barzani family may also be linked to Nechirvan Barzani's approach towards the PKK.”

In January, two people who entered the base of the Turkish Armed Forces (TAF) during the protests towards the air attacks carried out by the TAF against PKK in the town of Sheladiz in Amedi district of Duhok were killed. Nechirvan Barzani, the then prime minister who made a statement on the subject, stated that he regretted the events that took place in Sheladiz and said, “The bombing is carried out because of PKK's presence here. Why is PKK here? To organize attacks on Turkey crossing the border from here. The use of the territory of the Kurdistan Region as a threat to the security of neighboring countries is unacceptable”, which shows the Erbil administration's discomfort with the activities of PKK in the region.

PKK is trying to open up political space in the region. Tevgera Azadi, PKK's political party in the region, participated in the Iraqi elections on May 12, 2018, with New Generation Movement of Shahsuvar Abdulvahid, one of the KRG's new opposition leaders, and received one of three MPs. At this point, it should be emphasized that the Sulaymaniyah-based NRT channel, whose employees were detained by KDP security forces during the events in Sheladiz, belongs to Abdulvahid. However, in November 2018, Qubad Talabani of the PUK, Vice President of the KRG, closed the offices of Tevgera Azadi, which was operating as a political pillar of PKK in and around Sulaymaniyah, on the grounds that it did not have a license. While the closure of Tevgera Azadi (Freedom Movement) offices may be considered as a step of PUK to improve relations with Turkey, the fact that this process is carried out by Qubad Talabani who has good relations with the Barzani family may also be linked to Nechirvan Barzani's approach towards PKK. In this context, Barzani needs to work in coordination with the Baghdad administration and Turkey with a view to both addressing the concerns of Turkey and hindering the activities of PKK for the safety of the region.

### **Nechirvan Barzani's Presidency and Government Formation Process**

PUK and Goran decided to join the government to be established under the leadership of KDP, the winner with 45 seats in the KRG elections on 30 September. While Goran signed an agreement with the KDP in February that it would be in the new government cabinet, the KDP and the PUK announced that they reached a new agreement in April. In order to let the PUK and Goran take part in the new government, the KDP made a change in the KRG presidency to make room for two vice presidents in the new process.

Positions in the cabinet were shared between the KDP, PUK, and Goran. According to the media resources in the KRG, the KDP will have

9 ministers including the Presidency of the KRG, the Prime Minister, the Deputy Speaker of the Parliament, the Head of the Department of Foreign Relations, the Government Spokesman and the Minister of Interior, the Minister of Natural Resources, the Minister of Health, the Minister of Education, the Minister of Municipalities and Tourism, the Minister of Transport and Communications, the Minister of Martyr and Anfal Affairs, Minister of Electricity, and the Minister of Endowment & Religious Affairs. Along with the Speaker of the Parliament, the Vice President of the KRG, the Deputy Prime Minister, the Tourism Commission and the Kurdistan Regions Commission, the PUK will appoint 5 Ministers from its own party and these are the Minister of Peshmerga Affairs, the Minister of Planning, the Minister of Culture and Youth, the Minister of Higher Education and Scientific Research, and the Minister of Agriculture and Water Affairs. As for Goran, together with the Vice President of KRG, the party will have five ministerial positions, including the Ministry of Finance, the Ministry of Labour and Social Affairs, the Ministry of Industry and Trade, and the Ministry of Housing and Reconstruction. Nechirvan Barzani is expected to issue decree asking Masoud Barzani's son and the head of the KDP intelligence agency Masrour Barzani in mid-June, but the process of the government formation is likely to be prolonged by the presidential crisis.

Taking any risk into account, Nechirvan Barzani needs to find a reasonable ground for consensus-building because it is not impossible for conflicts to emerge in the region if the PUK is not involved in the government.

The Kirkuk crisis that took place after the independence referendum in 2017 and the tension that escalated in the October presidential elections after the KDP failed to support PUK candidate Barham Salih reached another dimension in the regional presidential election. On the other hand, despite the general elections in Iraq in May 2018, Prime Minister Adil Abdul-Mahdi has not

been able to appoint candidates to the Interior, Defense, Justice and Education ministries in his cabinet. While the PUK asks for the election of the candidate from its own party for the Ministry of Justice, the KDP, which claims that the PUK deceived them about the Presidency, does not take a positive approach. This issue, on which the KDP and PUK cannot reconcile, is expected to face Barzani as a heavy agenda item.

As a result, Barzani, who will face several challenges such as social problems, economic crisis, and the rise of the PKK and ISIS, needs to take a more inclusive attitude in order to normalize the relations between the KDP and PUK, which have gone through a bad civil war experi-

ence in the past as Barzani may solve other internal problems through his relations with the PUK. The escalation of the tension with the PUK will hinder success for the current problems, and the escalating tension between the two parties may even lead to a formal administrative division of the region into two. In addition, the aggravation of the problems between the two parties is likely to undermine a significant portion of the region's gains over the years. From this point of view, Nechirvan Barzani should use the diplomatic language he developed with external actors in his approach to a number of internal problems and in improving relations with PUK and avoid a discriminatory political attitude.



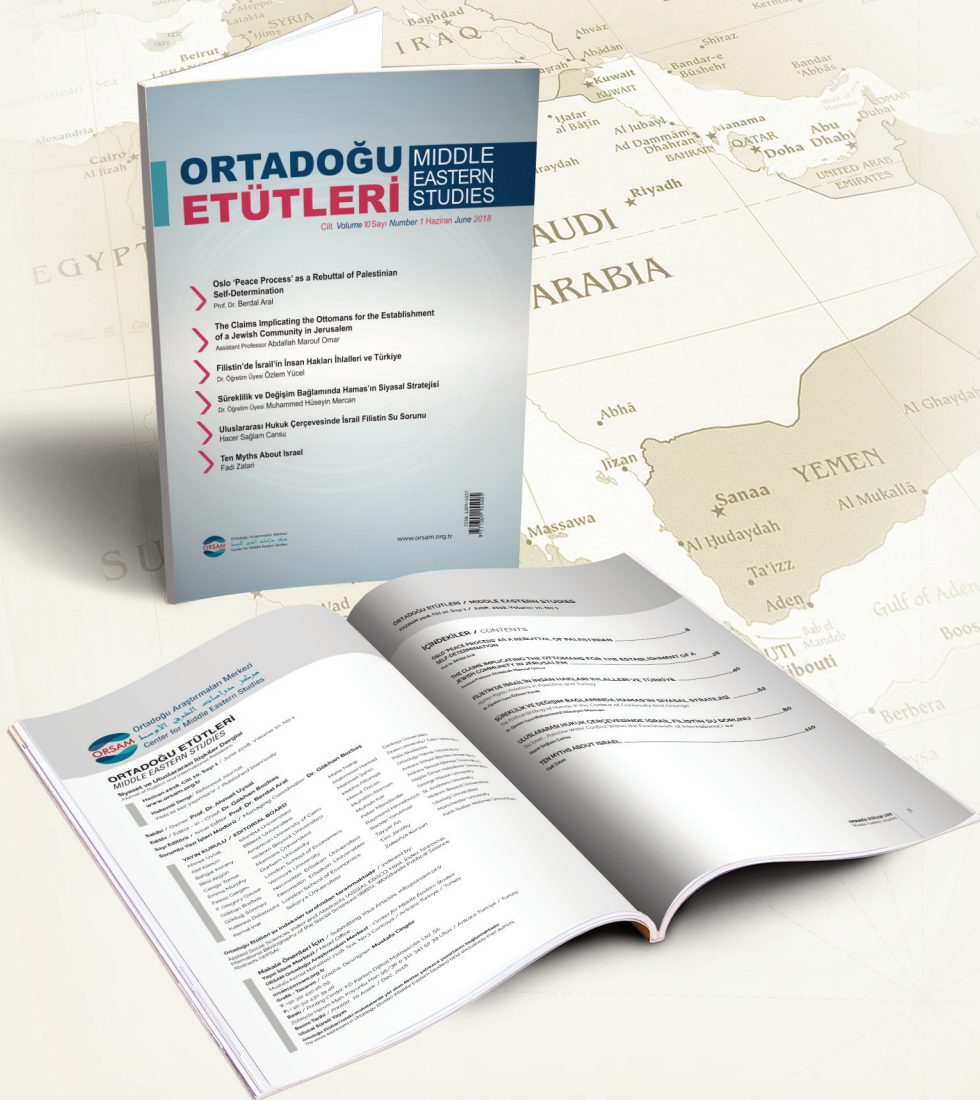






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Mustafa Kemal Mah. 2128. Sok.  
No:3 Çankaya/Ankara

+90 (312) 430 26 09  
+90 (312) 430 39 48

info@orsam.org.tr  
www.orsam.org.tr

f in t y  
orsamtr