

# **IRAQ'S NEW BATTLEFRONT: THE STRUGGLE OVER NINEWA**

Middle East Report N°90 – 28 September 2009

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY AND RECOMMENDATIONS</b> .....	<b>i</b>
<b>I. INTRODUCTION: A FRONTIER SOCIETY</b> .....	<b>1</b>
<b>II. LOSING NINEWA (2003-2009)</b> .....	<b>4</b>
<b>III. POLITICAL RESHUFFLING</b> .....	<b>8</b>
A. THE SIGNIFICANCE OF AL-HADBAA’S TRIUMPH .....	9
B. THE DANGERS OF GOVERNMENTAL PARALYSIS .....	12
<b>IV. DISPUTED TERRITORIES</b> .....	<b>16</b>
A. THE TERRITORIAL STAKES.....	16
B. A BROADER POLITICAL TUG OF WAR .....	20
<b>V. MANIPULATING MINORITIES</b> .....	<b>23</b>
A. THE CHRISTIANS OF THE NINEWA PLAIN.....	24
1. A fragmented community .....	24
2. Increased vulnerability.....	25
3. Between Baghdad and the Kurdistan regional government.....	27
B. THE YAZIDIS.....	30
1. Origins and beliefs .....	30
2. Location and social organisation.....	30
3. Ethnic and religious dynamics .....	32
C. THE TURKOMANS .....	33
D. THE SHABAKS.....	34
<b>VI. OUTLINE OF A POSSIBLE DEAL</b> .....	<b>37</b>
<b>VII. CONCLUSION</b> .....	<b>41</b>
<b>APPENDICES</b>	
A. MAP OF IRAQ.....	42
B. MAP OF DISTRICTS IN NINEWA GOVERNORATE .....	43
C. ABOUT THE INTERNATIONAL CRISIS GROUP .....	44
D. CRISIS GROUP REPORTS AND BRIEFINGS ON THE MIDDLE EAST AND NORTH AFRICA SINCE 2006 ..	45
E. CRISIS GROUP BOARD OF TRUSTEES.....	47

## IRAQ'S NEW BATTLEFRONT: THE STRUGGLE OVER NINEWA

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

Violence in much of Iraq is at lower levels than in years past but, in Ninewa, the carnage continues. In August and September 2009, large-scale, horrific attacks targeting minority communities took scores of lives. Arabs and Kurds are locked in a political deadlock. The bloodshed and institutional paralysis are symptoms of the country's shifting battle lines: from an essentially Sunni versus Shiite sectarian struggle, mainly centred in the capital, to a predominantly Arab against Kurdish ethnic fight playing out along an extended axis of friction. It will be near-impossible to resolve the crisis without tackling outstanding nationwide political issues. But Ninewa cannot wait. Urgent interim steps are needed to achieve equitable local power sharing and joint security patrols between Arabs and Kurds in disputed districts, as well as to ensure better minority protection. All this requires a continued and active U.S. role. Washington might be on its way out, but its hands will be full even as it heads for the exit.

For Arabs and Kurds, the real prize remains Kirkuk, where emotions run highest and oil reserves are richest. But, precisely because of these stakes, Kirkuk also is where much national and international attention has turned and efforts undertaken to, if not resolve the conflict, at least freeze it. Not so in Ninewa, where local factors have brought the dispute to a head and which has become the focal point of the ethnic battle.

Ethnic relations in Ninewa have a chequered history. The struggle between Arab and Kurdish nationalisms has been especially acute, notably in the capital, Mosul, home to deeply rooted Arabist feelings. The Kurds have paid a heavy price. The state has made aggressive attempts to contain or suppress their national aspirations. The Baathist regime in particular engaged in forced displacement and discriminatory resource distribution. Kurds saw a chance for redress in 2003 and seized it, launching an offensive to rewind the clock and undo the effect of past practices. This too had a cost. Operating largely in an ad hoc manner, without due process and by dint of force, they took control of several districts, including many towns and villages, seeking to incorporate them into the Kurdistan region

and, largely thanks to the Sunni Arab boycott of the 2005 provincial elections, they established political dominance in the governorate.

At the same time, Ninewa proved fertile ground for a Sunni-based insurgency, fuelled by the governorate's strong Arabist, military and (Sunni) religious tradition and propelled by growing anti-Kurdish and anti-Shiite resentment. Groups taking up arms against U.S. troops and Kurdish fighters exploited the long, often unguarded Syrian border and a history of cross-border trade, while finding ready recruits among former officers, Baathists and an increasingly destitute youth to impose their rule over predominantly Sunni Arab areas. From 2003 to 2008, Ninewa appeared caught between Kurdish dominance and Sunni insurgents.

Gradually, the political landscape shifted. Insurgents – especially the more Islamist – overplayed their hand; U.S. and Iraqi forces re-energised efforts to stabilise Ninewa; and Prime Minister Nouri al-Maliki sought to push back Kurdish territorial advances. Perhaps most importantly, Sunni Arab leaders entered the political fray, coalescing around a resolutely nationalist, anti-Kurdish platform.

The 31 January 2009 provincial elections brought the new phase in the Arab-Kurdish tug-of-war to a head. Four years earlier, Sunni Arabs had boycotted the polls, viewing the entire political process as illegitimate. They were not about to repeat the mistake. United around the al-Hadbaa National List (Qaemat al-Hadbaa al-Wataniya), they triumphed, waging a campaign focused on two key points: Ninewa's Arab identity and the inviolability of the Baathist-era de facto boundary line that has separated the governorate from Kurdistan since October 1991. The elections were a demographic corrective. Kurdish parties won roughly a third of council seats under the banner of the Ninewa Brotherhood List (Qaemat Ninewa al-Mutaakhiya); this was as they had anticipated given their population share. But though they accepted their significant electoral decline, they feared al-Hadbaa's virulently anti-Kurdish rhetoric, resented its efforts to diminish Kurdish military, admin-

istrative and cultural influence and insisted on sharing power. When al-Hadbaa rejected this demand, they boycotted the provincial council.

The resulting local government paralysis, coupled with al-Hadbaa's decision to reassert provincial government rule over disputed territories heretofore under Kurdish control, has led to an alarming rise in tensions. Conflict chiefly has occurred where Arabs and Kurds vie for administrative control and where Iraq's army and Kurdish peshmergas face off across an increasingly tense divide. On several occasions, these forces have come perilously close to head-on collision. Further contributing to the governorate's growing instability and tinderbox quality is the vast array of official and unofficial armed groups: the national army and police; the Kurdistan regional government's (KRG) security forces (peshmerga) and security police (asaesh); what remains of Sunni Arab insurgent groups; and tribal militias.

Caught between Arabs and Kurds are ethnic and religious minorities in whom the central government has evinced little interest. While Ninewa is majority Arab with a strong Kurdish minority, it also counts a number of smaller groups – Christians, Yazidis, Turkomans and Shabaks – that may comprise a mere 10 per cent of the population but are concentrated in disputed borderlands between Kurdistan and Arab Iraq. They have suffered a disproportionate share of the hardship caused by war, occupation and intercommunal violence and fight today for survival. At times co-opted, at others threatened by one of the camps, they have become vulnerable pawns in a contest that often sees them as little more than fodder. In August and September 2009, four bombings took over 100 lives and left many hundreds more wounded. For minorities, these have been among the deadliest of months.

There have been signs of late that the federal government and its Kurdish counterparts, with U.S. help and pressure, are seeking to address the problem. But dangers remain high, especially as U.S. military disengagement has begun, with unpredictable consequences on various actors' calculations and the overall balance of forces. Although significantly diminished, insurgent groups also remain active. They could decide to focus on anti-Kurdish attacks or step up violence against minority groups in disputed territories in hopes of prompting greater unrest and encouraging Arab-Kurdish recrimination.

Any successful effort to defuse the crisis needs to be two-tracked. As Crisis Group has repeatedly argued, Iraq's fundamental and festering problem concerns the allocation of power, land and resources. With national elections approaching in early 2010, it is hard to imagine the federal government, KRG or any domestic party

engaging in politically costly compromise, however urgent the need. At the governorate level, however, steps could be more realistic. Arabs and Kurds should agree on an interim arrangement that gives the latter a legitimate share of power while allowing the former to govern; Kurdish military and police forces should be formally incorporated into federal army units and Ninewa's security police, respectively, under joint command and with joint patrolling. Minority groups should be given far greater protection and subjected to far fewer attempts at manipulation. The idea, floated by some U.S. officials, of temporarily inserting American soldiers in joint army-peshmerga patrols is interesting and not only because it might produce immediate benefits. It would also send a message about Washington's longer-term commitment that would be no less indispensable.

## RECOMMENDATIONS

### **To the al-Hadbaa List and the Ninewa Brotherhood List:**

1. Negotiate a compromise deal including the following key elements:
  - a) recognition of Ninewa's 19 March 2003 boundaries until such time as the status of the disputed territories may be altered by constitutional means;
  - b) a local power-sharing arrangement pursuant to which the Brotherhood List would receive at least one leadership position, such as council president or deputy governor; and a share of other key positions in local government;
  - c) integration of peshmerga units into federal army units to be deployed in rural parts of disputed areas, together with incorporation of Kurdish security police (asaesh) and intelligence (parastin) into Ninewa's security agencies in urban parts of disputed areas;
  - d) appointment of Kurdish commanders to top positions in these security forces, alongside non-Kurdish commanders;
  - e) security coordination in disputed districts, including via joint army/peshmerga patrols and checkpoints in rural areas and joint asaesh/amm (Ninewa's security police) checkpoints and patrols in urban areas;
  - f) local recruitment into Ninewa's security forces and especially integration of minority group members in security forces deployed in disputed territories; and



## IRAQ'S NEW BATTLEFRONT: THE STRUGGLE OVER NINEWA

### I. INTRODUCTION: A FRONTIER SOCIETY

Located at the northern edge of Arab Iraq and wedged between Iraqi Kurdistan, Turkey and Syria, Ninewa governorate and its capital, Mosul, boast a rich history and diverse society. The governorate, parts of which are irrigated by the Tigris and Greater Zab rivers, is home to a multiplicity of overlapping and at times deeply antagonistic ethnic and religious identities, each of which is subject to powerful local and clan loyalties.

Mosul is the country's third largest city, after Baghdad and Basra, and has served as a capital or commercial hub to important regional empires, most recently during Ottoman rule.<sup>1</sup> Conquered in the sixteenth century, it became one of that empire's major provincial centres, providing it with administrative, military and religious elites. Its residents were culturally and economically tied to a broader region stretching from what is now Syria to the Caucasus. Its merchant and learned families built strong ties to counterparts in the Arab provinces and played an important role in defending Sunni orthodoxy against the Shiite Safavid Empire (modern-day Iran). Located at the crossroads of commercial routes linking today's Iran, Turkey and Syria, Mosul was shaped by myriad transnational influences that persist to this day.<sup>2</sup> It enjoyed more intimate commercial, family and cultural ties to Aleppo, for instance, than to Baghdad.

For reasons of both history and geography, Ninewa long has been a frontier society, tucked between Kurdish mountains and desert-like plains that begin just south of Mosul and extend to the Gulf. As one observer

put it many decades ago, in a way it "is no longer Iraq and not yet Kurdistan".<sup>3</sup> In addition to its ethnic, religious and linguistic variety, it encompasses an array of lifestyles – urban, peasant and nomadic.

More broadly, Ninewa's past, its landscape and its complex demography explain its tortuous integration into the Iraqi state.<sup>4</sup> On the eve of World War I, what was then known as the "Vilayet of Mosul" comprised, besides Mosul city and its tribal and rural hinterland, the current governorates of Dohuk, Erbil, Kirkuk and Suleimaniya. Pursuant to the 1916 Sykes-Picot agreement, it originally was promised to France – and would thus have become part of Syria. However, in 1918 it came under British occupation and, in 1920, when London was granted a mandate over the former Mesopotamia, it chose to include the oil-rich Vilayet of Mosul within the boundaries of the newly established Iraqi state. The matter was further complicated by the August 1920 Treaty of Sèvres between the Allies and representatives of the vanquished Ottoman empire that defined the area as part of the "autonomous Kurdish region". Turkey objected to the loss of this predominantly Arab province, and the issue was only resolved

<sup>3</sup>Thierry Lefebvre, "Le vilayet de Mossoul", *Annales de Géographie*, vol. 36, no. 199 (1927), pp. 76-81.

<sup>4</sup>The population of the Vilayet of Mosul, which initially comprised a good part of Kurdistan, had a majority Kurdish population at the Iraqi state's birth. See Ofra Bengio, "Iraqi Kurds: Hour of Power?", *Middle East Quarterly*, vol. X, no. 3 (Summer 2003), pp. 39-48. Current population numbers for Ninewa, which excludes most of Kurdistan, are unreliable and must await a national population census, which was scheduled to take place on 24 October 2009 but has been delayed, apparently for a year, because of the unstable situation in Kirkuk and Ninewa. Clearly, the Kurds are a minority, though possibly still a third of the population. Mosul city, especially its east bank, has long been home to a sizeable Kurdish population, which, like its counterpart in Baghdad, has largely been integrated into the general population. The local U.S. provincial reconstruction team has estimated its size at 50,000-100,000, although figures are highly unreliable, and there are reports of a significant Kurdish exodus. Crisis Group interview, Erbil, 10 April 2009.

<sup>1</sup>Prior to Baathist rule, Ninewa governorate was known as Mosul, its Ottoman name. In the early 1970s the Baathist regime changed it to Ninewa, which had been the capital of erstwhile Assyrian empire, in order to highlight Iraq's Mesopotamian heritage. This report refers to the governorate as Ninewa and to its capital as Mosul.

<sup>2</sup>See James Denselow, "Mosul, the Jazira region and the Syrian-Iraqi borderlands", in Reidar Visser and Gareth Stansfield (eds.), *An Iraq of its Regions: Cornerstones of a Federal Democracy?* (New York, 2008).

in 1926, after the League of Nations ruled in favour of its incorporation into modern Iraq.<sup>5</sup>

The province's complex past sparked a multilayered conflict involving oil resources, Kurdish aspirations to statehood, integration into the Iraqi state and latent Turkish irredentism. For over eight decades, these factors have continued to affect its political stability.

The era of European colonialism proved disruptive in several respects. The imposition of state boundaries, identity cards and national currencies fundamentally upset what had been an essentially merchant and agricultural economy. Urban merchants, peasants from the Ninewa plain and nomads living between Iraq and Syria all saw their lifestyles turned upside down within a few decades due to the establishment of a nation-state and the emergence of an oil industry in northern Iraq.

Despite these costly changes, Mosul's most prominent families, in line with Ottoman-era practices, continued to furnish many military and civilian cadres to the central government and held fast to a specific, local identity. Whereas Baghdad and Basra were characterised by cosmopolitanism and secular outlooks, Mosul's urban merchant and political elites evinced social conservatism, a dominant Sunni form of religiosity and a powerful sense of Arabism amid ethnic and religious diversity.<sup>6</sup> The city prides itself on being "Arabism's historic sanctuary" in Iraq.<sup>7</sup> In the deeply fragmented Ninewa governorate, Mosul stands out as not merely a blend of competing identities, but also a city that has been able to produce its own cohesive, deeply rooted urban elites – in contrast, for example, to Baghdad – defined by a strong, specific identity and retaining traditional ties to

the rural hinterland. These elites adopted a low profile during Saddam Hussein's rule and have taken time to reassert themselves, but the potential always existed and was most clearly and recently manifested in the 2009 provincial elections.

Atheel al-Nujayfi, Ninewa's current governor and head of the al-Hadbaa National List goes further, arguing:

Every time there was an attempt to distance Iraq from the Arab world, Mosul reacted. It happened after the 1958 revolution, and it is occurring today.<sup>8</sup> Our victory [in the January 2009 provincial elections] is a reaction against Kurdish domination since 2003. It also is a strong affirmation of our governorate's Arab identity.<sup>9</sup>

There is another side to this Arabist narrative. Indeed, since the creation of modern Iraq, Mosul's powerful Arab identity has been echoed, de facto, by state policies designed to contain or suppress Kurdish national aspirations. The post-1968 Baath regime in particular carried ethnic domination to an extreme; its Arabisation (*ta'rib*) policy entailed forced displacement of Kurdish residents, relocation of Arab tribes on Kurdish or Yazidi land, and discriminatory allocation of water and land resources, as well as cooptation of subservient Kurdish tribes. A by-product of these policies has been to pit two narratives against one another, the local Arabist against the Kurdish, with Kurds tending to view today's Arabs as an extension of a hated regime – notwithstanding the fact that the regime occasionally took action against Mosul's Arab elites as well.

When the opportunity arose after 2003, Kurdish parties launched their own offensive, which Arabs refer to as *takrid* (Kurdicisation) and Kurds call "normalisation", an effort to reverse the effects of Arabisation and further their objective of establishing meaningful security for both the region and Kurdish populations outside the

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<sup>5</sup> As compensation, Turkey was awarded a share of the province's oil revenues for 25 years. Even so, Ankara did not fully relinquish its territorial aspirations. After the 1991 Gulf War, several of its prominent leaders raised the possibility of Turkish control over Mosul and Kirkuk. See Åsa Lundgren, "Defending through Violation: Ankara's Contradictory Strategies over the Turkish-Iraqi Border", in I. Brandell (ed.), *State Frontiers: Borders and Boundaries in the Middle East* (London, 2006).

<sup>6</sup> Residents of Mosul boast a specific urban identity recognisable by their distinct accent. At times, they can exhibit a feeling of superiority. A Mosul student put it as follows: "City dwellers and the older Sunni Arab Mosul families can be arrogant vis-à-vis other communities, in particular those originating from outside the city. On the university campus, relations between Mosul-born students and those they consider 'foreigners' – Arab tribespeople from outside the city or members of minority groups from other parts of the country – often are tense". Crisis Group interview, Mosul university student, Mosul, 5 April 2009.

<sup>7</sup> Crisis Group interview, Kheir al-Din Haseeb, director, Centre for Arab Unity Studies, Beirut, 2 March 2009.

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<sup>8</sup> A significant proportion of army officers hailed from Mosul. Among them were many Arab nationalists and "free officers" who felt marginalised by the leader of the 1958 revolution, General Abd-al-Karim Qasem. Fearing a communist takeover, several of them, led by Colonel Abd-al-Wahab al-Shawwaf, attempted a coup in 1959. Qasem responded by mobilising his communist allies as well as non-Arab and non-Muslim minority groups in what soon took on the appearance of an ideological struggle between pan-Arabists and "Iraq-ists". For several days, Mosul (and other cities such as Kirkuk) witnessed violent fighting between Baathists and communists. See Hanna Batutu, *The Old Social Classes and the Revolutionary Movements of Iraq: A Study of Iraq's Old Landed and Commercial Classes and of its Communists, Ba'athists, and Free Officers* (New Jersey, 1978), pp. 860-899.

<sup>9</sup> Crisis Group interview, Mosul, 5 April 2009.

region. First, they focused on disputed territories whose administrative boundaries the Baath regime had manipulated and whose Kurdish population it had partly expelled or (notably during the 1988 Anfal campaign) massacred. Since 2003, the Kurdistan regional government (KRG) thus has encouraged displaced Kurds to return to these areas, using a combination of incentives and administrative measures.

Kurdish parties and their paramilitary forces have also resorted to military means. In Ninewa, the peshmergas seized control of several districts, comprising many towns and villages, to establish a new de facto boundary between a thus-expanded Kurdistan region and the rest of Iraq. In effect, they sought to replace the Green Line that between the two Gulf wars divided Iraqi Kurdistan from Saddam Hussein's forces in the rest of Iraq with a new line of control that the U.S. military refers to as the "trigger" line, reflecting a tense standoff between adversaries.<sup>10</sup>

Secondly, the KRG has waged a political fight for legal steps, most particularly Article 140 of the 2005 constitution, that, if fully implemented, would restore Kurdish rights (normalisation) and possibly incorporate Kirkuk and other disputed territories into the Kurdistan region via a referendum. While many people displaced as part of Arabisation, especially Kurds, have returned to their original lands, the KRG has failed to make significant headway in its drive to change the status of these areas, running up against determined resistance from both the federal government (which pays lip service to Article 140) and local actors opposed to the Kurds' ambitions.<sup>11</sup>

Thirdly, the Kurdistan Democratic Party (KDP), headquartered in Erbil and led by the Kurdistan region president, Masoud Barzani, took advantage of the post-2003 political vacuum to entrench itself throughout Ninewa's governing institutions. This was greatly facilitated by the January 2005 provincial elections that Sunni Arabs boycotted.<sup>12</sup> The Kurdish coalition, the Kurdistan Nationalist Democratic List (al-Qa'ima al-Wataniya al-Dimuqratiya al-Kurdistaniya), won 31 of 41 governorate council seats, while its Shiite ally, the Supreme Council for the Islamic Revolution in Iraq

(SCIRI),<sup>13</sup> which appealed to the governorate's Shiite minority (chiefly Turkomans and Shabaks), took five. The Iraqi Islamic Party, a Sunni Arab party that defied the boycott, won two.<sup>14</sup> Hundreds of Kurds were subsequently named by the KDP to local administrative positions. More significantly, the peshmergas intensified their efforts to reverse the effects of Saddam's Arabisation campaign and expand their territorial domain.<sup>15</sup>

The Kurds' endeavour was, in part, a legitimate attempt to obtain redress for the previous regime's crimes. But it was carried out in a largely ad-hoc manner, without due process and by force, prompting enduring resentment among Ninewa's Arab population (as well as some minority groups). This hardened the Arabist narrative and persuaded many Arabs that the Kurds' objective was to expand westward to Syria and, ultimately, secede.

One result was al-Hadbaa's January 2009 electoral success with a platform centred on pushing Kurdish peshmergas and authorities back across the Green Line. Thus Ninewa has become the focus of the latest phase of the Arab-Kurdish conflict, threatening major violence.

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<sup>10</sup> See Crisis Group Middle East Report N°88, *Iraq and the Kurds: Trouble along the Trigger Line*, 8 July 2009.

<sup>11</sup> See Crisis Group Middle East Reports N°80, *Oil for Soil: Toward a Grand Bargain on Iraq and the Kurds*, 28 October 2008, and N°64, *Iraq and the Kurds: Resolving the Kirkuk Crisis*, 19 April 2007.

<sup>12</sup> In the 2005 elections, only 14 per cent of eligible voters went to the polls. See Crisis Group Middle East Report N°82, *Iraq's Provincial Elections: The Stakes*, 27 January 2009, p. 2.

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<sup>13</sup> SCIRI renamed itself the Islamic Supreme Council of Iraq (ISCI, Al-Majlis al-'Aala al-Islami al-Iraqi) in May 2007. See Crisis Group Middle East Report N°70, *Shiite Politics in Iraq: The Role of the Supreme Council*, 15 November 2007.

<sup>14</sup> A coalition of Arab tribes won two seats while the (Christian) Assyrian Democratic Movement, running under the Patriotic Two-Rivers List, won one.

<sup>15</sup> For previous Crisis Group reporting on this issue, see Middle East Reports N°56, *Iraq and the Kurds: The Brewing Battle over Kirkuk*, 18 July 2006; *Resolving the Kirkuk Crisis*, op. cit.; *Oil for Soil*, op. cit.; and *Trouble along the Trigger Line*, op. cit.

## II. LOSING NINEWA (2003-2009)

In the aftermath of the 2003 war, Ninewa underwent a spectacular evolution from an area of relative calm,<sup>16</sup> seemingly resigned to the new order, to a stronghold of resistance against, first, the occupation and then Kurdish hegemony. In the process, the governorate suffered huge losses: its economy was paralysed, and a large portion of its population either took refuge in neighbouring countries (chiefly Syria) or was internally displaced.<sup>17</sup> It likewise experienced severe capital flight and brain drain, as Christians, Kurds and Arab entrepreneurs as well as professionals moved, principally to the Kurdistan region (Erbil and Dohuk). To this day, the scale of destruction in Mosul city is striking, and many who stayed behind continue to live in fear.

On 11 April 2003, Iraq's Mosul-based 5th army corps surrendered to U.S. forces without a fight. Then-Major-General David Petraeus, head of the 101st airborne division, entered Mosul from the south, while Kurdish peshmerga forces crossed the Green Line from the north and east. For a brief period, the city experienced a fate not unlike that of other major cities, with widespread chaos, revenge killings and looting.

Arabs place the blame squarely on the Kurds. According to General Muhammad Kheiri, who was in charge of Mosul's police force from June 2003 to November 2004:

The Kurds organised the governorate's systematic looting. They imposed their authority on the Arab population, indiscriminately treating them as Saddam loyalists with Kurdish blood on their hands. They pillaged and set fire to government buildings, ran off

with civilian and military infrastructure and sold it to Iran and turned all Baath party offices into their own militia's buildings.<sup>18</sup>

Others point to the Kurdish troops' alleged arrogance as a catalyst for long-term Arab ill-feelings. In the words of an Arab anthropologist at Mosul University:

Mosul is an Arab city. There can be no doubt about it. What happened during the uncertain and troubled period following Saddam Hussein's fall was the fault of politicians seeking to bolster their legitimacy and accumulate material assets. The Kurdistan Democratic Party made a terrible mistake in 2003, when it sought to dominate through brute force. Mosul residents bore no hostility toward the Kurds, who could have gained popular support had they managed the situation wisely rather than treat us as war loot. The peshmergas humiliated us at checkpoints; they spoke to us exclusively in Kurdish and treated us as terrorists.<sup>19</sup>

As it were, Arab residents grew increasingly hostile toward the Kurds in general and the KDP in particular, which, after 2003, became the governorate's most influential actor. Unlike its rival, the Patriotic Union of Kurdistan (PUK), for whom Ninewa appeared too distant from its geographic centre of gravity in Suleimaniya, the KDP invested heavily in the governorate's administrative and security branches.<sup>20</sup> To this end, it sought to appoint one of its Sunni Arab allies, Mishan al-Jubouri, governor of Ninewa.<sup>21</sup> The move, locally interpreted as an external imposition, prompted strong opposition from Mosul residents and officials that led him to drop his bid.<sup>22</sup> That is when the U.S. military intervened; Petraeus summoned the governorate's most prominent figures and, after a series of discussions,

<sup>16</sup> Describing the governorate in 2003, residents invoked the Arabic expression *dajaja bayda* ("white chicken") – meaning one who is innocent and naïve – and argued that this would protect Ninewa from the threats afflicting the rest of the country. Crisis Group interviews, Ninewa, April 2009.

<sup>17</sup> According to the International Organization for Migration (IOM), 16 per cent of Ninewa's inhabitants have left the governorate since February 2006. Ninewa also has the highest rate of internally displaced within a governorate's borders. See "Kirkuk, Ninewa and Salah al-Din: Governorate Profiles – Post-2006 IDP Needs Assessments", IOM, December 2008 ([www.iom-iraq.net/Library/idp\\_gov\\_profiles/2008/Governorate\\_Profiles\\_Kirkuk\\_Ninewa\\_Salah\\_Al-Din\\_Dec08.pdf](http://www.iom-iraq.net/Library/idp_gov_profiles/2008/Governorate_Profiles_Kirkuk_Ninewa_Salah_Al-Din_Dec08.pdf)). Among Ninewa's internally displaced, 37.2 per cent were Christians from the Ninewa plain; 27.4 per cent Arabs mainly from Al-Baaj district and 19.6 per cent Turkomans from Sinjar and Tel Afar, which have experienced several bouts of violence since 2003. "Ninewa. Governorate Profile Sept. 2009", IOM IDP and Returnee Assessment ([www.iom-iraq.net/Library/idp\\_gov\\_profiles/2009/Governorate%20Profiles%20-%20Ninewa.pdf](http://www.iom-iraq.net/Library/idp_gov_profiles/2009/Governorate%20Profiles%20-%20Ninewa.pdf)).

<sup>18</sup> Crisis Group interview, Amman, 22 March 2009.

<sup>19</sup> He added: "In fact, it is not a conflict between our two peoples but rather between our respective political leaderships. Mosul boasts an undeniable history of inter-communal coexistence, a history of cultural exchanges and mutual interests". Crisis Group interview, Mosul, April 2009.

<sup>20</sup> The KDP historically dominated the Badinan region, which abuts Ninewa. Kurds of this area speak Kurmanji, a major Kurdish dialect. By contrast, the PUK has been historically stronger in the Suleimaniya area, where Kurds speak Surani.

<sup>21</sup> Al-Jubouri is a former Baathist who defected to Syria in the late 1980s. He was active in the exiled opposition in the 1990s and grew close to KDP leader Masoud Barzani.

<sup>22</sup> After his failure in Mosul, al-Jubouri was appointed head of a civilian protection force charged with guarding oil installations in Kirkuk and Salah al-Din governorates in 2004. He was elected to the national assembly in 2005 but gradually moved toward open support for the armed opposition. His parliamentary immunity was lifted after he was accused of embezzling public funds, and he again sought refuge in Syria.

named a 28-member provincial council that, in contrast with those in many other parts of the country, stood out as relatively balanced and inclusive.<sup>23</sup> Its members in turn elected Sultan al-Basso, a former army general, as governor, while Khasro Goran, the KDP's chief Ninewa representative, became his deputy.

Petraeus's political experiment, which lasted from April 2003 to February 2004, proved a noteworthy success, unlike the far more haphazard steps taken by the U.S. in much of the rest of the country.<sup>24</sup> His strategy rested on several core principles: prudent use of military force; swift rebuilding of security forces, notably the local police; restoration of public services and infrastructure (e.g., university and municipal functions); and funding of numerous economic projects. Mosul's former police chief said:

It was an excellent experience. General Petraeus put together the provincial council by seeking a balance between Arabs and Kurds, while ensuring fair representation of minority groups. He injected dollars into the local economy, restored commerce with Syria and, above all, provided the police with necessary equipment. He helped us bring police back into the streets by creating five battalions, two of which were based in the city of Mosul and the others throughout the governorate. Mosul's police academy, which had once trained all police officers in northern Iraq, was reactivated. Petraeus also sought to contain the role of the peshmergas, for example by redefining their responsibilities as border and forest patrol.<sup>25</sup>

Still, along with the praise, Arab residents expressed apprehension. Quite soon, they came to see the U.S. as Kurdish allies, blaming it for the Kurds' gradual assertion of control. With the February 2004 withdrawal of the 101st airborne division and the decrease of its forces stationed in the north, the U.S. called upon the Kurds – who had taken up positions beyond the Green Line in what later became known as disputed territories<sup>26</sup> – to provide security in the governorate more generally. They used their close ties to the U.S. to ensure

that Iraqi army units they dominated were dispatched to the areas they coveted.<sup>27</sup> According to a Kurdish commander, by late 2004 some 80 per cent of troops stationed in Ninewa were Kurds.<sup>28</sup>

In turn, this accelerated the process by which the KDP asserted dominion over local government. In Arab eyes, the occupation's Coalition Provisional Authority was guilty of several misdeeds: conspiring to boost Kurdish influence, leading the governor – accused of being a Baathist – to resign in March 2004 and bolstering his Kurdish deputy's role.<sup>29</sup> Ninewa's Arab population lost what trust it had in local government and in the U.S. and offered an increasingly permissive environment for a burgeoning insurgency.

In mid-2004, the second governor, Usama Kashmula (also a Sunni Arab), was assassinated,<sup>30</sup> and Arab governing council members stepped down to protest what they claimed to be Kurdish hegemony. This marked the derailment of the local political process and the onset of Ninewa's tragic descent into violence.

In Mosul, several Sunni Arab groups took up arms against U.S. troops, peshmergas (dressed as either peshmerga fighters or Iraqi army soldiers) and local police. They found ready recruits among former officers and Baath-

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<sup>27</sup> After 2003, peshmerga fighters and Kurds who had served in Saddam Hussein's military became the most effective and disciplined members of the new army created by the U.S. almost from scratch after it dismantled the former armed forces. U.S. military personnel typically praised Kurdish troops serving in the federal army, lauding their loyalty and relatively advanced fighting capabilities. While some U.S. diplomats at times expressed concern over disproportionate Kurdish presence among army units in disputed territories, their military counterparts tended to favour Kurds on the grounds that they were more trustworthy and professional and served as valuable advisers in a thoroughly unfamiliar political and security environment. Crisis Group interviews, U.S. and other Western diplomats and officials, Washington, Baghdad, Erbil and Amman, 2007-2009.

<sup>28</sup> The claim was made by General Natheer Issam, commander of the 2nd division stationed in Mosul. See Maria L. Fantappiè, *Armée irakienne: histoire d'un tour de passe-passe entre Bagdad et le Kurdistan*, Mémoire de l'Institut d'Etudes Politiques de Paris, 25 June 2009, p. 92.

<sup>29</sup> See Daniel Gonzales et al., "Networked Forces in Stability Operations. 101st Airborne Division, 3/2 and 1/25 Stryker Brigades in Northern Iraq", National Defense Research Institute, RAND (2007), p. 102, [www.rand.org/pubs/monographs/2007/RAND\\_MG593.pdf](http://www.rand.org/pubs/monographs/2007/RAND_MG593.pdf).

<sup>30</sup> See Rory McCarthy, "Gunmen kill Mosul governor", *The Guardian*, 15 July 2004. Usama Kashmula was replaced by his cousin, Durayd Kashmula, who remained governor until the January 2009 provincial elections but never emerged from the shadow of his deputy, Khasro Goran, Ninewa's principal power broker.

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<sup>23</sup> For details, see Crisis Group Middle East Report N°33, *Iraq: Can Local Governance Save Central Government?*, 27 October 2004, p. 7.

<sup>24</sup> See, for example, *The New York Times*, 4 September 2004.

<sup>25</sup> Crisis Group interview, Gen. Muhammad Kheiri, Amman, 22 March 2009.

<sup>26</sup> The May 2003 peshmerga deployment agreement is contained in a document that was first cited in Crisis Group Report, *Trouble along the Trigger Line*, op. cit., p. 11, fn. 59. The peshmergas assumed their new assignment on 11 November 2004 following an agreement among Iraqi Prime Minister Iyad Allawi, Masoud Barzani, the local U.S. military commander and the Ninewa governor.

ists, Ninewa's destitute youth, notably from the al-Karameh neighbourhood, and home-grown Islamists (practicing both Sufism, a heterodox brand of Islam with deep roots in Mosul, and Salafism, a fundamentalist line of thought that gained traction in Ninewa during the 1990s), as well as foreign volunteers seeking martyrdom.<sup>31</sup> Some financed their operations by extorting money from shopkeepers and entrepreneurs, forcing many (Kurds and Christians, but also Sunni Arabs) to shut down and flee to Syria or the Kurdistan region.

An Arab resident said:

By Ramadan [November] 2004, Ninewa had fallen for a second time – in this instance to the mujahidin and their Islamic State [al-Qaeda in Iraq]. Police forces abandoned their weapons and deserted their posts. The mujahideen appointed their own policy chief and began killing peshmergas and others they branded as traitors to Islam. The insurgents included foreign fighters, notably from Saudi Arabia. In order to save their lives, former police officers would go to mosques and repent. Throughout this period, the Americans were nowhere to be seen; they had left the city and taken refuge in their bases.<sup>32</sup>

Al-Qaeda in Iraq consolidated its presence in the area, particularly after its fighters were forced to retreat from Falluja, where they had been routed by U.S. forces in November 2004. In September 2005, counter-insurgency operations against Tel Afar, another Jihadi stronghold, reportedly had similar effects.<sup>33</sup> The impact of a new set of U.S. tactics that came to be known as the “surge” and swept the governorates of Anbar and Baghdad in 2007, further concentrated al-Qaeda in northern Iraq,<sup>34</sup> where it found a particularly propitious environment.

Other factors explain the insurgency's relative success in Ninewa. The governorate's border with Syria is difficult to seal, notably because of the area's long tradition of cross-border trade, much of it illicit and handled by extensive tribal networks. Its strong military tradition also played a part. Many residents had served in the army, whose 2003 disbandment created a large pool of disaffected former soldiers with the skills – and in some cases the motivation – to join insurgent groups. Ninewa's deeply-rooted religious tradition likewise

prepared the ground for the insurgency. A local leader of the Iraqi Islamic Party<sup>35</sup> said:

Religion historically has played a central role in Ninewa, as have mosques and religious figures more generally. This helped the resistance earn the Arab population's respect, all the more so since most of its attacks targeted Americans. Arab elites, both urban and tribal, essentially gave the insurgency free rein to operate against the American-Kurdish alliance.<sup>36</sup>

Successive Iraqi governments – Iyad Allawi's interim affair (June 2004-May 2005) and Ibrahim Jaafari's transitional one (May 2005-June 2006)<sup>37</sup> – sought to reassert control over Ninewa in ways that further entrenched the armed opposition. The recourse to interior ministry commandos such as the Wolf Brigade (*Liwaa al-Dheeb*), viewed locally as an essentially sectarian force targeting Sunni Arabs, was particularly damaging. A former police officer commented:

Baghdad sent the [Wolf] Brigade, which tried to take things over. The fighting was extremely violent. This almost exclusively Shiite force used brutal means, resorting to torture to extract confessions and undertaking massive, indiscriminate arrests for the sole purpose of receiving compensation from the Americans, who paid them based on the number of detainees.<sup>38</sup>

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<sup>31</sup> For background on the insurgency, see Crisis Group Middle East Report N°74, *Iraq after the Surge I: The New Sunni Landscape*, 30 April 2008.

<sup>32</sup> Crisis Group interview, a resident, Mosul, 3 April 2009.

<sup>33</sup> Crisis Group email communication with a Mosul resident, 13 March 2008.

<sup>34</sup> Crisis Group Report, *Iraq after the Surge I*, op. cit., pp. 8-9.

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<sup>35</sup> The Iraqi Islamic Party is an Islamist Sunni party established in 1960. Like Shiite Islamist parties, it enjoyed a head start in 2003, having previously existed partly in exile and partly as a semi-underground movement, the Muslim Brotherhood. As the Sunni Arab heartland turned toward insurgency, the Iraqi Islamic Party was the sole Sunni political party willing to play by the rules of the new political game, at least until the December 2005 parliamentary elections. As a result, it punched above its weight in the January 2005 elections for lack of opposition. In the December elections, it ran as part of a coalition of Sunni Islamists, the Iraqi Consensus Front (*Jabhat al-Tawafuq al-Iraqiya*), commonly known as *Tawafuq*. The core of its support lies in urban centres. In Ninewa, it received 6.7 per cent of the vote in the January 2009 elections, which translated into three seats on the 37-seat provincial council.

<sup>36</sup> Crisis Group interview, Muhammad Iqbal, deputy head of the Iraqi Islamic Party's Mosul branch, Erbil, 3 April 2009.

<sup>37</sup> In June 2004, the Coalition Provisional Authority appointed Iyad Allawi head of the interim government that took over from direct CPA rule. The January 2005 elections produced a constituent assembly and a transitional government headed by Ibrahim Jaafari, which took office in May 2005. Following the December 2005 legislative elections, Nouri al-Maliki became prime minister in June 2006.

<sup>38</sup> Crisis Group interview, former police officer, Mosul, April 2009.

Baghdad also deployed the army's second and third divisions, units in which Kurds were heavily represented at both the leadership and rank-and-file levels.<sup>39</sup> Such security cooperation involving the U.S., the KRG and a Shiite-dominated Iraqi government fanned Sunni Arab resentment, further stoking the cycle of insurgency and counter-insurgency. And as predominantly Sunni Arab armed groups asserted control over parts of Ninewa, Kurds made inroads in others.

Arabs and Kurds hold drastically different versions of events. Ninewa's Arab residents accuse the Kurds of heinous crimes during the period when they ran local government (2005-2009), including murders, violent attacks and forced expulsion.<sup>40</sup> Kurds deny these allegations and argue that the Sunni Arab leadership's impotence compelled them to take charge. Further, they point out that U.S. forces and, in 2006, the Baghdad government sought their assistance to make up for their own lack of troops and to help restore order in Ninewa. A KRG official said:

The peshmergas liberated Mosul. We backed the American troops even though we could have controlled the entire governorate on our own. Thereafter, the U.S. asked us to help them fight al-Qaeda in Iraq. Were it not for our sacrifices, the terrorists would have triumphed and taken over the province.<sup>41</sup>

Khasro Goran, officially Ninewa's deputy governor but in reality the strongman throughout this period, offered the Kurdish view of events:

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<sup>39</sup> See Patrick Cockburn, "Kurds and Sunnis Vie for Control of Mosul", *Counterpunch*, 27 September 2006.

<sup>40</sup> According to Sheikh Barez Muneef Feisal of the Shammar tribe, "the Kurds killed important Ninewa personalities, academics as well as tribal chiefs who had sought to defend Ninewa's Arab identity. My brother was among their victims. He aspired to a united Iraq and had formed a tribal force to patrol the Syrian border and impose order. Our most educated residents, including doctors, were compelled to flee. Kurds used to come to Mosul for medical treatment. Now we have been dispossessed of some of our most vital human resources. Our city has become a ghost town". Crisis Group interview, Amman, 22 March 2009.

<sup>41</sup> Crisis Group interview, Falah Mustafa Bakir, chief of the foreign relations office attached to the KRG prime ministry, Erbil, 1 April 2009. General Muhammad Kheiri replied: "The Kurds misled the Americans, convincing them that we all were sympathetic to al-Qaeda. That's how they managed to Kurdicise Ninewa's police force. The Kurds turned each and every argument between a Kurd and an Arab into a chapter in the international war against terrorism". Crisis Group interview, Amman, 22 March 2009.

I am not an executioner, as Arabs claim. I did my job under extremely difficult circumstances, and it is all too easy to blame us for the disorder and violence experienced by the governorate while absolving the terrorists. We had to take matters into our hands because Arab leadership was wholly lacking. My job as an elected official included protecting the wishes and interests of Kurdish residents, who gave me their vote. Whereas Kurds once were expelled and had their properties confiscated as part of Arabisation, after 2003 they became the targets of attacks supposedly committed in the name of resisting the occupation. I had a constitutional obligation to protect them and restore their rights.<sup>42</sup>

As a result of these competing dynamics, both Ninewa governorate and the city of Mosul were divided in two. Abutting Kurdistan, the east bank of the Tigris and its rural hinterland fell under full Kurdish control, whereas Sunni Arab insurgents gradually took over the west bank. A Mosul sociologist described the situation:

The left [east] bank leads directly to the plain and to the Erbil highway; it was, therefore, easy for the peshmergas to assume control as early as 2003. Moreover, most of the city's minorities – whether Kurdish or Turkoman – reside in that part of the city. Since the 1960s, the rural exodus as well as fighting between Baghdad and the Kurdish guerrillas led many Kurdish families from Erbil and Dohuk to seek refuge in Mosul. The left bank also is more modern; it is home to Mosul University and to several neighbourhoods that were built during the urbanisation effort of the 1970s. In contrast, the right [west] bank encompasses the city's more traditional neighbourhoods and is heavily Sunni Arab. Its hostility toward the Kurds hindered their efforts to establish a presence.<sup>43</sup>

It is precisely in these poorer, predominantly Arab neighbourhoods of the city's west bank that the anti-U.S. and anti-Kurdish insurgency found fertile ground. They soon became the primary battleground in Mosul between insurgents and military forces deployed to defeat them.

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<sup>42</sup> Crisis Group interview, Khasro Goran, Erbil, 2 April 2009.

<sup>43</sup> Crisis Group interview, Hassan al-Shammam, Mosul University, 5 April 2009.

### III. POLITICAL RESHUFFLING

In 2004-2007 the insurgency raged largely uncontrolled, despite U.S. and Iraqi army operations. The surge that began in 2007 and played itself out mostly in Baghdad and Anbar Province had a dual, contradictory impact in Ninewa. As said, the emergence of “awakening councils” – tribal groups funded and equipped by the U.S. to fight the insurgency in general and al-Qaeda in particular – helped push insurgents out of central Iraq, shifting them northward and fuelling violence in Ninewa, Kirkuk, Diyala and Salah al-Din. While U.S. troops deployed in and around Mosul were drawn away to contribute to these operations, U.S. efforts to establish tribally-based vigilantes in Ninewa were resisted by the Kurds, who viewed them as a threat to their control over disputed territories and provincial institutions. These councils were effectively established only in restricted areas, notably Sunni Arab districts such as Qayyara, Rabia and Baaj.<sup>44</sup>

At the same time, the near-defeat of al-Qaeda in Iraq as well as other insurgent groups in the capital and the rest of the country made it possible to bolster the effectiveness and credibility of state institutions, including security forces; it also encouraged the Sunni Arab community at large to refocus energies on politics and reach out to the central government. From January 2008 onwards, Prime Minister Maliki prepared a series of security operations aimed at retaking control of Mosul, culminating in the May 2008 operation known as “Mother of Two Springs” (*amaliyat Um al-Rabeeayn*).<sup>45</sup> Backed by U.S. battalions, Iraqi forces targeted al-Qaeda in Iraq’s networks and arms depots, arresting several hundred suspected insurgents in the governorate. The government simultaneously launched a civilian program of infrastructure reconstruction.<sup>46</sup> The outcome was mixed: many residents were grateful; the level of violence dropped but has remained higher than in the rest of the country; and armed groups appear to have carefully

avoided face-to-face combat, opting instead for isolated attacks and targeted killings.

The central government’s determination to reassert authority in the north helped reshape Ninewa’s political and security landscape, mostly at the Kurds’ expense. Prime Minister Maliki, who particularly as of mid-2008 sought to shore up his power and nationalist credentials, took aim at Kurdish territorial ambitions. As a result, and though there was little love lost between a Shiite-dominated central government and Ninewa’s Sunni Arab groups, they found common ground in an anti-Kurdish agenda.<sup>47</sup>

The balance of power between insurgent groups also shifted. The more Islamist-oriented, chiefly al-Qaeda in Iraq, suffered political and material setbacks even as the Baathist wing – which previously had served principally as a recruiting pool and communications network – began to revive.<sup>48</sup> As Ninewa’s Sunni Arabs, determined to counter what they saw as Kurdish hegemony, participated in droves in the January 2009 provincial elections, political space gradually opened. In turn, Baathists, operating as a political rather than paramilitary force, altered their approach. Adopting a more pragmatic stance in hopes of regaining a foothold, they indirectly backed al-Hadbaa (as Baathist personalities joined the list and as it reportedly backed a truce during the campaign and on election day). Relations between al-Qaeda militants and other strands within the insurgency consequently remain ambiguous and conflict-ridden. A Ninewa security official observed:

Today, the non-jihadi groups have superior logistics, know the ground better and, most of all, have more effective networks and intelligence gathering capacity. They undoubtedly have become the governorate’s most significant clandestine organisation. For its part, al-Qaeda in Iraq possesses a reservoir of potential suicide bombers. The relationship between these two groups fluctuates: sometimes they cooperate and co-

<sup>44</sup> Crisis Group Report, *Iraq’s Provincial Elections*, op. cit., p. 3.

<sup>45</sup> Military operations in Ninewa were delayed due to the Maliki government’s decision to dispatch forces to Basra in April 2008 and the ensuing ammunition shortage. Security operations were carried out in Ninewa in May and October 2008. In February 2009, the government launched a third security operation (Operation New Hope) to increase its presence in certain areas outside of Mosul. U.S. forces played a significant role in all three operations.

<sup>46</sup> In 2008, the government allotted an additional \$100 million to Ninewa; however, disbursement has been hampered by bureaucratic obstacles. The fall in oil prices and ensuing downward adjustment in the overall federal budget further undercut the government’s efforts. See Section VI below for further detail on Ninewa’s budget.

<sup>47</sup> Maliki sent military forces into three sub-districts of Khanaqin in Diyala governorate in August 2008 in what was the first of several initiatives aimed at rolling back the KRG’s hold over disputed territories. See Crisis Group Reports, *Oil for Soil* and *Trouble along the Trigger Line*, both op. cit.

<sup>48</sup> According to Usama Al-Nujayfi, Atheel’s brother and parliament member, “Al-Qaeda is weak right now, very weak. Most of its leaders, according to security reports, have left Iraq. The war is in Afghanistan and Pakistan; Iraq is a secondary front for al-Qaeda. If the Iraqi government and the armed groups are going to hold talks and solve problems, al-Qaeda won’t be able to keep up in Iraq”, Crisis Group interview, Baghdad, 26 July 2009.

ordinate their actions, at other times they fight each other.<sup>49</sup>

Al-Hadbaa was one outcome of these overlapping developments. Virtually all of Ninewa's Arab political forces – the Iraqi Islamic Party aside – came together around a resolutely nationalist, anti-Kurdish platform. Al-Hadbaa, a highly heterogeneous coalition that began to take shape in 2007, emerged as its most effective vehicle principally because it successfully blended this nationalistic agenda with a deep-seated local – i.e., Sunni, Arab and Mosul-based – identity.<sup>50</sup> In contrast, more alien political actors – even those with a strongly nationalistic or Islamist outlook – never were able to take root in Ninewa.<sup>51</sup>

Beyond that, al-Hadbaa served the (temporary) interests of an array of social forces. In essence, it was built around a somewhat fragile alliance between Mosul and its tribal hinterland, encompassing social classes intent on reasserting their former dominance over the governorate: urban commercial elites – symbolised by the Nujayfi brothers, Atheel and Usama – as well as tribal chieftains – Arabs (e.g., the Shammar tribe), Kurds who opposed Masoud Barzani or had long been Arabised (e.g., the Zeibari and Jarjariya tribes) and Turkomans. The tribes saw it as a means to recover some political representation; for Baathists and former army officers, it was a useful front to help stage a comeback by stealth; business elites, forced out by al-Qaeda, viewed it as an ally.

At the same time, some minority groups that had gravitated toward the Kurds as a result of Sunni Arab weakness and disunity reverted to more traditional alliances by joining. Likewise, it was backed by the Maliki government, the Bush administration,<sup>52</sup> several Arab coun-

tries and Turkey, all of whom wished to one degree or another to establish a new Arab-Kurdish balance.

## A. THE SIGNIFICANCE OF AL-HADBAA'S TRIUMPH

The January 2009 provincial elections marked a watershed in Sunni Arab political representation. This was most evident in Ninewa, where the community faced the full range of challenges with which it had been confronted since Saddam Hussein's ouster: how to reintegrate Baathist political, military and administrative personnel into mainstream institutions; whether and how the armed insurgency – or parts of it – could turn into legitimate political actors; the threat posed by al-Qaeda in Iraq; the role of tribal groups; and managing relations with both a largely Shiite centre in Baghdad and powerful Kurdish parties.

Mosul's Sunni Arab political elites gradually and painstakingly sought to rebuild their strength. Atheel al-Nujayfi, a prime mover behind this effort as leader of al-Hadbaa, said,

Mosul's [Arab] political forces initially rejected both the U.S. occupation and the political process. That view was shared by the Islamist current, various armed groups and Arab nationalists. But one has to understand that we took that stance in part because we simply were not ready – in terms of organisation or resources – to enter the political arena. None of our political parties possessed any infrastructure on the ground, arguably with the exception of the Iraqi Islamic Party, which had some supporters in Mosul and could count on the mosques. Today, we are recovering terrain that we lost to al-Qaeda in Iraq and Kurdish parties, both of whom led the governorate toward a cycle of violence and chaos. We gradually understood that we had to work at the local level, because every region faces its own specific problems. In Basra, the main issue concerns relations between Arabs and Persians, but here in Mosul it is between Arabs and Kurds.<sup>53</sup>

Al-Hadbaa's outlook combined three core perspectives: backing for a strong central state against separatist tendencies; unease about the nature of the Iraqi state's current rulers, sectarianism and unwillingness to share power and resources; and restoration of Arab rights allegedly usurped by the Kurds. Nationwide, it clamoured for the rehabilitation of former army officers, an issue of particular urgency given their large numbers in Ninewa and

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<sup>49</sup> Crisis Group interview, 8 September 2009.

<sup>50</sup> The two Nujayfi brothers, who led the establishment of the coalition, originally were called Najafi. In 2005-2006, they changed their names partly in order to underscore their local, Arab and Sunni identity and avoid the impression that they originated from the Shiite holy city of Najaf.

<sup>51</sup> Iyad Allawi sought to establish a political presence in Ninewa but he remained a marginal figure despite several advantages. According to Adnan al-Janabi, a spokesperson for the Iraqiya List, Allawi's movement, "it was not possible for Allawi to absorb a political force such as al-Hadbaa because it enjoys a powerful local identity which presents an insuperable obstacle to large national political forces". Crisis Group interview, Beirut, 26 March 2009.

<sup>52</sup> According to U.S. officials, Washington was intent on restoring some balance between Arabs and Kurds in northern Iraq and, chiefly, on promoting the emergence of a Sunni Arab political force that could play the institutional game. Crisis Group interviews, U.S. officials, Ninewa, April 2009.

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<sup>53</sup> Crisis Group interview, Atheel al-Nujayfi, Mosul, 5 April 2009.

how many remained unemployed. At the local level, it argued for restoration of the status quo ante – the territorial situation that prevailed prior to 2003 – and insisted on a reduction of Kurdish military, administrative and cultural influence throughout the governorate. Specifically, it demanded that any Arabs detained by the KRG be turned over to central state authorities<sup>54</sup> and that public school teachers cease using Kurdish in classrooms.<sup>55</sup>

Al-Hadbaa's overwhelming triumph in the provincial elections validated this strategy. Given the high turnout (60 per cent) and the number of votes cast for his list (262,500), the new governor, Atheel al-Nujayfi, could claim to be one of Iraq's most successful politicians; nationwide, he received more votes than any other candidate.<sup>56</sup> Al-Hadbaa received 48.4 per cent of the vote,

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<sup>54</sup> Kurdish officials dismiss this demand, alleging that virtually no such detainees exist. Khasro Goran said, "in November 2004, the Americans transferred their detainees from Mosul to Dohuk because of worsening security conditions. The Iraqi army followed suit, mainly as a cost-cutting measure. We have since released most of the prisoners. In February 2009, after a meeting between Masoud Barzani and several Arab tribal chiefs, we released the last remaining Arab prisoners in Kurdistan. If they have proof to the contrary, let them provide us with it and with lists of prisoners instead of hurling vague and unsubstantiated accusations". Crisis Group interview, Erbil, 2 April 2009.

<sup>55</sup> The KRG pays the salaries of most teachers who work in disputed territories, having transferred them there from the Kurdistan region in April 2003 in order to fill the administrative vacuum and cater to the needs of returning Kurds. Many such teachers and administrators keep their primary residence in the Kurdistan region, commuting to work on either a daily or weekly basis. Arabs view this as another instance of Kurdicisation (*takrid*), while Kurds claim they simply are addressing local needs. Kurdish officials take particular offence at any attempt to suppress Kurdish, which is recognised as one of Iraq's two official languages in the 2005 constitution. Falah Mustafa Bakir, chief of the foreign relations office attached to the KRG prime ministry, said, "don't forget that Kurds who were forced to flee in 1991 were educated in Kurdish schools within the autonomous region; today, when they are returning to their original residence, they want to continue educating their children in Kurdish, because it's the only language they know. You can't suddenly impose Arabic. We suggested to the education ministry in Baghdad that teachers paid by the KRG teach night-time classes in Kurdish in the disputed territories. They refused. Today, the KRG pays some 5,000 teachers throughout Ninewa. We don't compel anyone to study in our language. In fact, Ninewa's education directorate has stopped funding the schools in the disputed territories". Crisis Group interview, Erbil, 1 April 2009.

<sup>56</sup> Although there were some allegations of fraud, U.S. officials stationed in the area downplayed its impact. There is little dispute that al-Nujayfi was the clear winner. "On the whole, there was little fraud despite some irregularities. For exam-

ple, in Sheikhan, 25,000 voters had been illegally added to the rolls by the KDP". Crisis Group interview, U.S. official working with the Ninewa provincial reconstruction team, Erbil, 10 April 2009. Crisis Group is not in a position to independently verify this claim.

the Kurdish-led coalition (the Ninewa Brotherhood list) 25.5 per cent and the Iraqi Islamic Party, which had worked closely with the outgoing Kurdish-dominated local government, 6.7 per cent.<sup>57</sup>

This victory reflected demographic realities and to that extent was hardly unexpected. Still, the party's virulently anti-Kurdish rhetoric raised fears among Kurdish residents, who saw its leaders and followers as Baathist offspring duplicating the former rulers' Arab chauvinism. The link between the party, former Baathists and Sunni Arab insurgents is a matter of some controversy. For Khasro Goran,

Al-Hadbaa is backed by both the Baathists and al-Qaeda in Iraq. Atheel al-Nujayfi frequently meets abroad with Baathist leaders. The only things that bind this coalition together are their hatred of Kurds, their chauvinism and their authoritarianism. They still carry Saddam Hussein's banner. Whenever they mention the dictator's name, they invoke God's forgiveness and mercy upon him. They don't believe in democracy and want to send us back to the mountains because, in their eyes, we are not equals but traitors.<sup>58</sup>

Al-Nujayfi rejects the accusation:

We are not Baathists. We represent a new generation of politicians who emerged after the occupation and have no ties with those who live in exile. We espouse a moderate, pragmatic worldview and are able to enjoy good relations with Baathists in order to encourage national reconciliation. We know we can't return to the status quo ante and that we have to find

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<sup>57</sup> Al-Hadbaa benefited from the discredit that had befallen the Iraqi Islamic Party, a result of its controversial alliance with the Kurdish leadership in both Ninewa and Baghdad. The Iraqi Islamic Party's deputy head in Mosul said, "Al-Hadbaa echoed our agenda almost word for word, but our Mosul constituents rejected our alliance with the Kurds. People forget that the alliance principally was aimed at consolidating the role of Sunni Arabs in the political institutions in Baghdad. They forget that the alliance led to the dispatch of Kurdish troops from the north to Baghdad to protect Sunnis from the genocide perpetrated by Shiite militias. But today the growing polarisation between Arabs and Kurds has left us no choice but to back al-Hadbaa. The struggle means we must first and foremost defend our national identity [as Arabs]". Crisis Group interview, Muhammad Iqbal, Erbil, 3 April 2009. See also *al-Hayat*, 27 February 2009.

<sup>58</sup> Crisis Group interview, Khasro Goran, Erbil, 2 April 2009.

ways to deal with those who, today, dominate Iraq. If people want accountability for past crimes, then everyone will have to pay, because there is not a single political actor whose hands are not sullied with the blood of Iraqi victims.<sup>59</sup>

As noted above, there is little doubt that Baathist elements backed al-Hadbaa's coalition, however discreetly. They had no choice: as they acknowledge, and despite their relative revival, they were significantly weakened in Mosul, where they lack credible leadership.<sup>60</sup> All in all, the insurgency's strength by then largely had been sapped.<sup>61</sup> Kheir al-Din Haseeb, a historical figure in the Iraqi Baath who has directed the Centre for Arab Unity Studies in Beirut since the beginning of the 1970s, explained the insurgency's weakening as follows: "Armed groups began to face a shortage of funds; the often disproportionate violence perpetrated by certain groups cost them popular support; and more effective operations by U.S. troops, the Iraqi army and tribal forces known as Awakening Councils started to take their toll".<sup>62</sup>

As a result, several armed groups, far more inclined to compromise than they had been in their heyday, began seeking a way out. Rather than demand the political system's wholesale overhaul – their clear and consistent goal since 2003 – a number of their leaders put forward concrete, tangible demands, chiefly related to the status of prisoners and disappeared. Their main objective became paving a way for their safe political rehabilitation in advance of the U.S. disengagement and avoiding isolation in a confrontation with the Shiite-dominated government in Baghdad. A Baath member said:

Al-Hadbaa was not our list, but we backed it. Prior to the elections, we were in touch with Atheel al-Nujayfi, and we informed him of the conditions for our support. The future local government would have to reintegrate our members into the governorate's security and administrative apparatus and create an armed brigade led by former officers known for their integrity and competence. All key components of the resistance endorsed this agreement, and we proposed names for these various positions, especially in the security sector.<sup>63</sup>

The campaign's largely peaceful character and the absence of violence on election day tend to confirm the insurgency's acquiescence in a truce and implicit backing of the Sunni Arabs' electoral strategy.<sup>64</sup>

Al-Hadbaa's emergence had an unmistakable social significance as well. Its top leadership – principally Atheel and his brother Usama, a parliament member – is rooted in Mosul's urban class, whose economic interests were harmed by the insurgency; by the same token, the coalition adheres to free-market principles and strongly backs the private sector, reflecting the concerns of the city's dominant social classes.<sup>65</sup> There also is an anti-tribal component, albeit nuanced and ambivalent. Al-Hadbaa's urban constituents are wary of any sign of tribal resurgence, as Atheel al-Nujayfi suggested:

Tribes undoubtedly have a huge political and military weight. But one cannot be both a tribal chief and a politician, not to mention a statesman. The two roles

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<sup>59</sup> Crisis Group interview, Atheel al-Nujayfi, Mosul, 5 April 2009.

<sup>60</sup> A senior Baath official with close ties to the wider insurgency, said, "in truth, the Baathists who remained in Mosul have a bad reputation, and many of them are corrupt. As for former military officers, many have played a role in the resistance since 2003 and therefore cannot come out into the open until national reconciliation occurs, and former army officers are rehabilitated. That said, Baathism as an ideology remains popular at the street level in Mosul". Crisis Group interview, 15 April 2009. Pan-Arabism and support for a strong central state continue to be mobilising themes among Mosul's Arab political and intellectual elites.

<sup>61</sup> According to a U.S. officer, "the majority of armed attacks are aimed at the police in Mosul. In 2008, we saw an average of 65 such attacks a day; that number dropped to ten a day by the beginning of 2009". Crisis Group interview, Erbil, 10 April 2009.

<sup>62</sup> Crisis Group interview, Kheir al-Din Haseeb, Beirut, 2 March 2009. For an analysis of the emergence of the awakening councils, see Crisis Group Report, *Iraq after the Surge I*, op. cit.

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<sup>63</sup> Crisis Group interview, Baathist cadre and former Mosul University professor, Damascus, April 2009.

<sup>64</sup> Another former senior Ninewa police official added: "Atheel al-Nujayfi never explicitly condemned terrorism. He deliberately has remained vague in order to maintain good relations with several armed groups". Crisis Group telephone interview, 11 July 2009. U.S. officials appear to share this assessment: "Atheel al-Nujayfi's approach toward the [U.S.-led] coalition is ambivalent. He doesn't like us, and we know it, but this does not prevent him from maintaining close contacts with us. He has not expressly condemned attacks that targeted our forces, lest he come across as lacking solidarity with the insurgency". Crisis Group interview, U.S. official with the Ninewa provincial reconstruction team, Erbil, 10 April 2009.

<sup>65</sup> Usama al-Nujayfi served as industry minister in 2004-2005 under Iyad Allawi's interim government. He oversaw privatisation of several large public enterprises, including Mosul's cement factory. He then was elected to parliament as a member of Allawi's Iraqiya List. Today, he is al-Hadbaa's principal liaison with the central government in Baghdad and an outspoken parliament member. The al-Nujayfis hail from a family of large landowners and entrepreneurs. During the Baathist era, they shied away from any overt political role, focusing instead on their economic affairs even as they remained on good terms with the regime.

are fundamentally incompatible because the tribal chief only represents narrow interests and can hardly broaden his base beyond his tribe.<sup>66</sup>

That said, tribes constitute a significant component of al-Hadbaa's coalition, which could not have won without their support. While Nujayfi was the undisputed winner with 262,539 votes, compared with the highest-polling tribal candidate, who received fewer than 20,000, tribal candidates won twelve of al-Hadbaa's nineteen seats. These included the Shammar, Jubour and Zeibari, a Kurdish tribe with a history of rivalry with Masoud Barzani.<sup>67</sup> The Shammar's presence is heaviest in western Ninewa and stretches across the Syrian border. Traditionally divided and fractious, the tribe currently appears to be coalescing around Abdullah Hmeidi Ajeel al-Yawar, a young chief whose fortunes owe much to U.S. political and financial backing. He, like other U.S.-supported figures, used the support to build clientelist networks. The U.S. viewed the Shammar as particularly important because they could help prevent infiltration of foreign fighters from Syria while joining in efforts to contain Iranian influence. Well before the surge, the U.S. subcontracted protection of Ninewa's vital infrastructure – including oil pipelines and the al-Jazeera water pump station – to the Shammar.

Nujayfi could not have won the elections without the support of Abdullah Hmeidi and other groups outside Mosul's merchant and technocrat base; in turn, Ninewa tribes needed an urban figure such as Nujayfi to help

them regain a central political role.<sup>68</sup> Today, several of these groups have a place in local government. One of Nujayfi's deputy governors is Abdullah Hmeidi's younger brother Feisal Hmeidi Ajeel Al-Yawar; the council presidency is held by Jabr al-Abdraba, a member of the Jubour tribe; his deputy is Dildar Zeibari, a Kurd.

Al-Hadbaa's rise also had a regional dimension. The Nujayfi brothers built strong personal and economic ties to Jordanian and Syrian elites. Likewise, they cultivated ties to Turkey, whose leaders had been investing heavily in Ninewa for reasons both political (to contain the Kurds) and commercial.<sup>69</sup>

## **B. THE DANGERS OF GOVERNMENTAL PARALYSIS**

From a purely electoral standpoint, al-Hadbaa's victory was sweeping. With nineteen of the provincial council's 37 seats, it achieved an absolute majority (a feat replicated only by Nouri al-Maliki's State of Law coalition in Basra). Of the three seats allocated to minority groups (Yazidis, Shabaks and Christians), parties representing the former two joined the governing coalition;<sup>70</sup> only the winning Christian party, the Patriotic Ishtar

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<sup>66</sup> Crisis Group interview, Atheel al-Nujayfi, Mosul, 5 April 2009.

<sup>67</sup> Dildar Zeibari, head of the Kurdistan Justice and Freedom Party, represented the Zeibari. He described himself as "the representative of an Iraqi Kurdish and patriotic current. Our presence helps moderate Arab anger toward the Kurdish people. I used to be an officer in the Iraqi army, and my father was killed in battle during the Iran-Iraq war in 1984. My family has impeccable credentials and shares the military tradition that held sway among the Kurdish aristocracy from the first days of the modern Iraqi state". Crisis Group interview, Mosul, 8 April 2009. Arabised members of other tribes from the Ninewa plain, such as the Surchi, Harki, Sheikhiya and Jarjariya, also threw in their lot with al-Hadbaa, just as they had supported Saddam Hussein's regime. Irshad Zeibari, Dildar's uncle and former adviser to Saddam, said, "after 2003 we tried to reconcile with the Barzanis and put an end to the cycle of vengeance between our families, but those people only understand the language of brute force. They assassinated dozens of our relatives in Mosul, and I escaped only thanks to the help of the Shammar. Today it is clear that we will never reach an understanding with Masoud Barzani. We have our own historical and tribal legitimacy, which is in no way inferior to his clan's". Crisis Group interview, Amman, 24 March 2009.

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<sup>68</sup> A provincial council member highlighted the tribes' predicament: "Abdullah Hmeidi [a Shammar chief] is isolated. He lives with his army of servants in his marble palace of al-Algana in Rabi'a sub-district. He needs to get out and make his way to Mosul to hear what the people who voted for him have to say. His arrogance and insistence that all politicians visit him at home are exasperating his followers. He refuses to meet with weighty political actors such as the Baathists and moderate Islamists, who exert their influence through the mosques. The tribe will have to become politically mature if it does not want to become a thing of the past the moment U.S. funds dry up". Crisis Group telephone interview, provincial council member, Mosul, 25 July 2009.

<sup>69</sup> Tellingly, in 2006 Turkey inaugurated a consulate on Mosul's predominantly Arab west bank. Besides supporting the Iraqi Turkoman Front (which joined ranks with al-Hadbaa), it dispatched a commercial team in May 2009 (*Aswat al-Iraq*, 10 May 2009) and has provided humanitarian assistance, for example by evacuating Mosul residents who were wounded during large-scale bombings in the Zanjilli neighbourhood and transporting them to Turkey in February 2008. Turkish officials maintain regular contacts with Mosul's Arab politicians. Immediately after becoming governor, Atheel al-Nujayfi travelled to Turkey, where he was received by high-ranking officials. See *Iraqyoon*, 18 September 2009, [www.iraqyoon.net/index.php?action=news&id=915](http://www.iraqyoon.net/index.php?action=news&id=915).

<sup>70</sup> The winning Yazidi party was the Yazidi Movement for Reform and Progress with 54.8 per cent of the Yazidi vote. The winning Shabak party was the Independent Shabak list with 69 per cent.

List, struck a deal with the Ninewa Brotherhood List, the Kurdish coalition that won twelve seats.<sup>71</sup>

But al-Hadbaa found it difficult to translate its triumph into effective political control over the governorate as a whole. As divisions surfaced and competition raged, it took several weeks to form a new local government. By the council's second session in late April 2009, the Kurds withdrew in protest against al-Hadbaa's refusal to grant them a share of government posts, to which they felt entitled. Kurds denounced this as a violation of the principles of consensus (*tawafuq*) and power sharing (*taqasem al-sulta*) that had been applied in the federal government and areas such as Kirkuk.<sup>72</sup> Local officials in disputed territories under KRG control, including Sinjar, Sheikhan and Makhmour districts, announced they would ignore council decisions and threatened to seek incorporation into the Kurdistan region.

At present, sixteen of the Ninewa governorate's 30 administrative sub-units disregard local government orders. Mohsen al-Saadoun, a parliamentarian from Ninewa for the Kurdistan Alliance (the Kurdish coalition at the national level), said, "nobody can compel the Kurdish-majority districts and sub-districts of Ninewa to obey an Arab majority that does not represent them. If al-Hadbaa continues to seek a monopoly on power and to exclude our elected representatives, we can invoke Article 20-2 of the Law for Provinces Not Organized into Regions to disband Ninewa's provincial council".<sup>73</sup>

There have been several attempts to mediate between al-Hadbaa and the Ninewa Brotherhood list. In late April, Prime Minister Maliki summoned their representatives to Baghdad,<sup>74</sup> Christopher Hill, the U.S. ambassador, travelled to Mosul for meetings with all relevant parties in early June,<sup>75</sup> and several Iraqi parliamentary delegations followed suit.<sup>76</sup> As discussed below, and despite some signs of progress, the two sides remain apart, and the rhetorical battle has shown little sign of abating. Atheel al-Nujayfi has firmly rejected Kurdish demands for the vice-governorship or council presidency

and accused the principal Kurdish representative, Khasro Goran, of engaging in criminal behaviour when he acted as vice-governor in 2005-2009.<sup>77</sup> Goran replied: "Nujayfi has a complex vis-à-vis the Kurds, when in fact we are not asking for anything more than the principle of consensus – which applies in Baghdad and should apply in Mosul. His intransigence stems from the support he receives from dark and illegal forces that are spreading terror in the governorate, such as the Baath".<sup>78</sup>

The result has been paralysis and the emergence of separate de facto jurisdictions with separate administrative arrangements, one for Arabs, the other for Kurds, physically divided by a line dotted with peshmerga-manned checkpoints; Ninewa government officials are unable to visit the governorate's sixteen disputed districts for even basic technical missions.

The security situation is equally fragile and increasingly explosive. As events in the first half of August confirmed, Ninewa has become a primary locus of violence, the origins and responsibility of which are often murky, always contested. For Kurdish leaders,

Al-Hadbaa's local government is the principal culprit. Atheel al-Nujayfi continues to describe terrorists as "resistance fighters", treats people elected on the Ninewa Brotherhood List as subordinates and is overly permissive toward those seeking to restore totalitarian and chauvinistic rule.<sup>79</sup>

Abd al-Rahim Jassim, a Sunni Arab and head of the Ninewa provincial council's security committee, points to Kurdish culpability:

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<sup>71</sup> Strikingly, eight of the Brotherhood's twelve seats were won by Yazidis, a non-Muslim minority discussed in Section V.

<sup>72</sup> See *Niqash*, 27 April 2009.

<sup>73</sup> Crisis Group interview, Mohsen al-Saadoun, 13 August 2009. Under the article, one third of a provincial council's members can request its dissolution by the Iraqi parliament if the council has committed a gross violation of its duties, violated the law or constitution or if one third of its members lose their membership conditions. It takes an absolute parliamentary majority to disband the council.

<sup>74</sup> See *al-Hayat*, 28 April 2009.

<sup>75</sup> See *al-Hayat*, 2 June 2009.

<sup>76</sup> These included Sadristes as well as members of ISCI, the Islamic Supreme Council of Iraq.

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<sup>77</sup> Al-Hadbaa has resisted demands for power sharing on grounds that, as the majority, it is entitled to form the government. To that end, it cites Article 7(1) of the 2008 Provincial Powers Law: "Election of the council's president and deputy by the absolute majority of the council members at the council's first session upon the governor's invitation and within fifteen days from the date of ratification of election results".

<sup>78</sup> Crisis Group interview, 4 September 2009. An Iraqi Islamist Party representative said, "the Nujayfi brothers have staked out extremist positions, rejecting power-sharing out of fear of losing support of the Arab street. Electoral calculations linked to the 2010 parliamentary elections are at play and risk freezing the situation. The Nujayfis want to become the new pillar of Sunni Arab representation throughout Iraq. To that end, they have forged an alliance with Prime Minister Maliki. Both get something out of it: Maliki can use it to rebut accusations that he is a sectarian Shiite; the Nujayfis can use it to get his support against the Kurds". Crisis Group telephone interview, 9 September 2009.

<sup>79</sup> Crisis Group interview, Mohsen al-Saadoun, 13 August 2009.

Al-Qaeda in Iraq certainly remains active in the governorate. But the cars and trucks that were used in the August attacks came from Kurdistan and transited through the Ninewa plain, which is under full peshmerga control. The Kurds have one goal: to paralyse local government. They also want to fuel tensions between Sunnis and Shiites in order to trigger greater instability. It is no coincidence that the perpetrators targeted villages predominantly inhabited by minority groups.<sup>80</sup>

The presence of multiple armed groups (the Iraqi army; national and local police forces, the peshmergas and various insurgents); multilayered ethnic and religious conflicts; complex political calculations; and accusations by all sides have made the recent upsurge in violence extremely difficult to decipher. The national army is, itself, part of the problem. Two if its divisions are deployed in Ninewa, but their effectiveness – and ability to take over from coalition forces – is in doubt. Ethnic and political tensions run high.

Since 2004, these divisions were majority Kurdish, causing considerable Sunni Arab displeasure. In 2008 the government began to replace Kurdish with Arab officers. It dispatched majority-Kurdish brigades outside the governorate, alleging they needed to train. While Kurds naturally were displeased, Sunni Arabs complain that the 3rd division remains under Kurdish control.<sup>81</sup> The government's move alienated officers from the former Iraqi army, many of whom hailed from Ninewa, believe they should have been recalled and were, instead, barred by Baghdad.<sup>82</sup>

Some police improvements came with the government's dispatch to West Mosul of well-trained battalions that are predominantly composed of Shiites from Baghdad and the south. However, the local force is the weakest link in the security chain and is largely perceived as corrupt by the population.

Adding to the confusion is the presence of armed Kurdish forces in Ninewa's disputed territories, blocking access to both the national army and provincial government representatives such as the governor. Defending

the existence of this parallel military, a peshmerga commander said:

The peshmergas and asaesh [the KRG's internal security police] are not foreign invaders. Rather, they are legitimate members of Iraq's security apparatus and, as such, are fully entitled to play their part in Ninewa's stabilisation. Their duty is to protect our people from terrorism. Baghdad should be grateful for the work we perform in Ninewa and the rest of the country. Kurds protect the Iraqi parliament in Baghdad; why are they accepted in the Green Zone but not in Ninewa, where many Kurds live? We are partners, and we will either build this country together or destroy it together.<sup>83</sup>

Although significantly diminished, insurgent groups also remain active, partly fuelled by the asaesh, whose presence and activities in disputed areas provide fertile ground for recruits. These groups could decide to shift their priority to anti-Kurdish attacks or attacks against minority groups in disputed territories in an effort to trigger greater instability and encourage Arab-Kurdish recrimination; a former senior Republican Guard commander under the Baathist regime averred that various groups, al-Qaeda in Iraq included, would seize the opportunity to step up operations on behalf of a so-called Arab cause.<sup>84</sup> Alternatively, insurgent groups could morph into essentially criminal gangs, as several already have.

Moreover, although the *sahwat* (awakening) phenomenon has been of limited magnitude in Ninewa, several tribes nonetheless received U.S. financial and logistical support that they used to establish their own militias. One of the most prominent cases is that of the Shammar, whose armed militia is several thousand strong and helps provide security in several key areas, including both oil pipelines that cross through the governorate on their way to the Turkish and Syrian borders.<sup>85</sup>

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<sup>80</sup> Crisis Group telephone interview, 13 August 2009.

<sup>81</sup> Speaking on al-Hadbaa's behalf, Abd al-Rahim Jassim said, "Baghdad did indeed Arabise the 2nd division. But the 3rd division – and chiefly its military intelligence service – remains dominated by the Kurds. This division is deployed in the tensest areas, in the west of the governorate and along the Syrian border, which are inhabited by Arab tribes and by minority groups such as the Yazidis and Turkomans. We asked Baghdad to alter the 3rd division's composition, but nothing was done". Crisis Group interview, 13 August 2009.

<sup>82</sup> Ibid.

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<sup>83</sup> Crisis Group interview, General Aziz Weysi, peshmerga commander, Erbil, 14 August 2009.

<sup>84</sup> Raad al-Hamdani, a senior Republican Guard commander under the Baathist regime currently in exile, said, "as long as the Kurdish threat weighs on Ninewa and its Arab identity, the insurgency will have a *raison d'être*. The spirit of revenge still lives very strongly among Arabs and Kurds in this part of Iraq". Crisis Group interview, Amman, 31 July 2009.

<sup>85</sup> For his part, al-Maliki sought to set up so-called Isnaad councils in Ninewa, tribal councils that would support the government. However, this effort – plagued by funding shortage and tribal reluctance to openly side with the central government for fear of insurgent retaliation – never led to an effective, organised force capable of backing regular troops.

The proliferation of armed groups and, in the case of official or semi-official forces (the national army and the peshmergas) the absence of adequate coordination, unquestionably contribute to Ninewa's overall insecurity and help make it one of the country's most dangerous governorates. Many doubt the Maliki government's ability to assert control and stabilise the situation.<sup>86</sup> Overall, the fragile and volatile security situation coupled with growing Arab-Kurdish tensions could provide fertile ground for various actors to foment instability. As reconstruction lags, the more destitute sectors of the population also may resort to violence for economic reasons.

Two conclusions suggest themselves. First, U.S. mediation, backed by military force if necessary, remains critical to stability. U.S. diplomats have been actively mediating between al-Hadbaa and the Brotherhood List, and while troops have played no meaningful role in keeping the peace in the disputed territories where the most devastating attacks have occurred, Lt. General Raymond Odierno, commander of U.S. forces in Iraq, has proposed inserting them into joint Iraqi army-peshmerga patrols throughout the disputed territories as a confidence-building measure.<sup>87</sup> In the eyes of many Iraqis, U.S. troops remain the only element capable of maintaining security and quickly inserting themselves between Arabs and Kurds should the need arise.

Secondly, there is a pressing need to overcome the political paralysis in Ninewa and focus on crucial challenges – healing the Arab-Kurdish rift at the local level,

which will require backing from Baghdad and Erbil; protecting Ninewa's small ethnic and religious minorities; and creating jobs, chiefly in the agricultural sector, the governorate's most important. Unlike in other governorates, there has been virtually no economic reconstruction, though infrastructure has been devastated, and the agricultural sector has suffered mightily from water shortage and an obsolete irrigation system. Moreover, due to the security situation and the central government's distrust of the former Kurdish-dominated local government, budget allocations to Ninewa for 2006-2008 have yet to be disbursed.

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<sup>86</sup> A former Ninewa police chief painted a highly negative (and likely exaggerated) picture of Maliki's performance: "Compared with the massive security operations launched against the Sadrists in Baghdad and Basra, Operation Mother of Two Springs [*amaliyat Um al-Rabeeayn*] in Ninewa did not achieve its stated objectives. It was poorly prepared and insufficiently supported with personnel and materiel. It was a cosmetic operation that aimed to convince the public that Maliki was a statesman who could transcend ethnic and sectarian divisions". Crisis Group interview, former Ninewa police chief, 30 July 2009.

<sup>87</sup> After the 30 June 2009 withdrawal from Iraq's cities, Lt. General Raymond Odierno, commander of U.S. forces in Iraq, defended his proposal to insert U.S. troops in joint army-peshmerga patrols in disputed territories by saying that "they'd (Arabs and Kurds) all feel more comfortable with us there (in the north). ... It won't be full-on if we do it. It will just be to build confidence, then we will slowly pull ourselves out.... It's a recognition of where we think the bigger problem areas are". He began discussions with the KRG and Iraqi government regarding possible deployment of U.S. troops along the length of the "trigger line" separating Arabs and Kurds, but at the time of publication these had not yet yielded results. See *Los Angeles Times*, 18 August 2009. For a discussion, see below.

## IV. DISPUTED TERRITORIES

### A. THE TERRITORIAL STAKES

Due to its vast oil reserves (some 13 per cent of Iraq's total), emotional resonance among Kurds and highly diverse population, Kirkuk has become the crucible of the Arab-Kurdish dispute, attracting much Iraqi and international attention.<sup>88</sup> Yet, the territorial conflict extends far beyond. To varying degrees but often violently, Arabs and Kurds are fighting over land spread over four other governorates, Wasit, Diyala, Salah al-Din and Ninewa.<sup>89</sup>

Crisis Group wrote in an earlier report:

The Kirkuk conundrum reflects the broader question of the Kurdistan region's internal boundary with the rest of Iraq. For twelve and a half years, this border – also known as the Green Line – was the ceasefire line created unilaterally by retreating Iraqi forces in October 1991. It was erased in April 2003, when Kurdish peshmerga fighters crossed into Iraqi-held terrain during the U.S. war. They have exercised control in these areas with U.S. approval since then and helped the U.S. fight insurgent groups. ... However, the Kurds also claim these areas as majority-Kurdish and historically part of Kurdistan, and in reality their presence should be seen as a bid to reclaim them by establishing facts on the ground in advance of a law-based resolution of their status.<sup>90</sup>

In Ninewa as elsewhere, the borders between the Kurdistan region and the rest of Iraq are at stake. The 2004 interim constitution (Transitional Administrative Law, TAL) and, subsequently, the 2005 permanent constitution sought to freeze the situation until a long-term resolution was found. They recognised KRG jurisdiction exclusively over territories it had administered until the 2003 war.<sup>91</sup> Both texts refer to “disputed territories” in addition to Kirkuk to designate areas claimed

by the two parties but fail to define them or offer any workable criteria for their ultimate dispensation. Ever since, Arabs and Kurds have engaged in a tug-of-war, invoking different historical narratives and demographic data to buttress their cases.

In the occupation's aftermath, peshmerga forces moved into what later became known as disputed territories and began exercising de facto control. However, these territories lie outside the area controlled by the KRG before 19 March 2003. Therefore, pursuant to Article 53(A) of the 2005 constitution, they do not form part of the Kurdistan region's de jure boundary, at least until the disputed territories' legal status is changed.

The struggle between the two nationalisms has been particularly intense in Ninewa, where an aggressive and centralising form of Arabism enjoys strong cultural roots and regards with suspicion post-Baathist notions of federalism or binationalism. Tensions between Ninewa's Sunni Arab and Kurdish political leaders further intensified in the wake of the 2009 provincial elections, as both sides staked out increasingly hardline and uncompromising positions.

After their electoral defeat and subsequent exclusion from senior government positions, Kurds became more vocal, redoubling efforts to assert their right to large swaths of Ninewa. The KRG claims as majority-Kurdish and historically part of Kurdistan six of the governorate's nine districts,<sup>92</sup> either wholly or in part.<sup>93</sup> In the

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<sup>92</sup> Some also include Makhmour as one of Ninewa's districts, and indeed Makhmour was administered by Ninewa between 1991 and 2003. However, this was only because Iraqi forces withdrawing from the north in October 1991 stopped at a line (subsequently known as the Green Line) that left it under their control. Historically, Makhmour is a district of Erbil governorate.

<sup>93</sup> The draft Kurdish constitution, passed by the Kurdistan regional parliament on 22 June 2009, places the following parts of Ninewa inside the Kurdistan region: the districts of Aqri, Sheikhan, Sinjar, Tel Afar, Tel Kayf and Qaraqosh (also known as Hamdaniya), and the sub-districts of Zummar (in Tel Afar district), Bashiqa (in Mosul district) and Eski Kalak (in Qaraqosh district). The KRG postponed a popular referendum on the constitution, originally scheduled to coincide with parliamentary and presidential elections on 25 July 2009, following strong U.S. pressure. The Maliki government and neighbouring states such as Turkey had pressed Washington to intervene, while Kurdish opposition parties (which took umbrage at the centralisation of power in the presidency rather than at the territorial question) also protested the constitution. Al-Hadbaa's Kurdish allies support preserving the territorial status quo that existed prior to 19 March 2003 and accuse the KRG of exploiting its territorial claims for internal political purposes: “The Kurdish political leadership is using nationalism as a means of dominating Kurdish society. Both the KDP

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<sup>88</sup> See Crisis Group Reports, *Resolving the Kirkuk Crisis* and *The Brewing Battle over Kirkuk*, both op. cit.

<sup>89</sup> See Crisis Group Report, *Oil for Soil*, op. cit.

<sup>90</sup> See Crisis Group Report, *Trouble along the Trigger Line*, op. cit.

<sup>91</sup> Article 53(A) of the Transitional Administrative Law states: “The Kurdistan Regional Government is recognised as the official government of the territories that were administered by that government on 19 March 2003 in the governorates of Dohuk, Arbil, Sulaimaniya, Kirkuk, Diyala and Neneveh”. Article 143 of the constitution states: “The Transitional Administrative Law for Iraq shall be annulled along with its Annex upon the formation of the new government, except for the provisions contained in its Article 53(A) and Article 58”.

west, along the Syrian border, it asserts its right to a portion of the majority-Turkoman district of Tel Afar as well as to the entirety of Sinjar (to which it wishes to attach the sub-district of al-Qahtaniya that, since 1977, belongs to the adjacent al-Baaj district).<sup>94</sup> In the north, it seeks control over the districts of Tel Kayf and Aqri (the latter having been under KRG control since 1991). In the east, it demands incorporation of areas in the Ninewa plain (*sahl naynawa*), most notably Sheikhan and Hamdaniya/Qaraqosh districts, large portions of which (Baadhra, Atroush, Qasrouq, Eski Kalak) lie inside the Green Line and thus have been under KRG control since 1991, as well as Bashiqa, a sub-district of Mosul.<sup>95</sup>

All these areas, as well as Tel Kayf, have a heavy concentration of ethnic and religious minorities – Christians, Shabaks and Yazidis. They currently are under the KRG's de jure or de facto control and are separated from government-controlled Iraq by the so-called trigger line.

In defining their approach to Ninewa, and even as they establish new realities on the ground, Kurdish authorities invoke Article 140 of the constitution, which lays out a process for rolling back Arabisation and organising a census and referendum to determine the status of

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and the PUK manipulate our people's legitimate nationalism to silence all critics. Anyone who dares question their policy is accused of treason as they claim to be the sole protectors of the national interest. Without the territorial issue, they would lack all legitimacy and people would focus on their disastrous and corrupt management. It is so easy for politicians to convince their people that the other – the Arab – is to blame for all their hardships". Crisis Group interview, Dildar Zeibari, Kurdistan Freedom and Justice Party, Mosul, 8 April 2009.

<sup>94</sup> Sinjar is a mountainous area whose residents are predominantly Yazidi, a religious minority that the KRG claims is ethnically Kurdish. A U.S. official with the Ninewa provincial reconstruction team said that Kurdish claims over Sinjar are such that it risked becoming "Ninewa's Kirkuk". Crisis Group interview, Erbil, 10 April 2009. In August 2007, after several suicide attacks in Qahtaniya (which, on one particularly bloody day, caused 400 deaths among Yazidis), the then-predominantly Kurdish provincial council decided that this sub-district would become part of Sinjar as a way of placing it within the Kurdistan region and therefore under Kurdish protection once the status of disputed territories was settled.

<sup>95</sup> Although the KRG does not dispute Mosul's Arab identity, it lays claim to Bashiqa sub-district, which connects the city to the Kurdistan region and is home to minority groups as well as Kurds and Arabs. Regarding Mosul, a KRG official said, "we never have claimed that Mosul was a Kurdish city, unlike Kirkuk. Many Kurds live there despite being subject to persecution and assassination, but Mosul has a powerful Arab identity". Crisis Group interview, Falah Mustafa Bakir, chief of the foreign relations office attached to the KRG prime ministry, Erbil, 1 April 2009.

disputed territories. General Aziz Weysi, commander of the KRG's border guards (*zeravani*), said:

We do not wish to resolve our differences with the Arabs by force. In our eyes, the Iraqi constitution remains the best way to address the problem. But we will only withdraw from disputed territories if Article 140 is fully implemented and if we lose the referendum. Time is running out and many deadlines have been violated. We need to get out of this interim situation, which could cause significant damage.<sup>96</sup>

To those who claim that the Green Line is sacrosanct or refer to current demographic realities, Kurdish authorities point to the Baathist regime's violent Arabisation campaign and insist on the need to rectify injustices. This requires broadening their federal region to make it coincide with areas that – rightly or wrongly – they believe are majority-Kurdish or historically part of Kurdistan. A KRG official explained:

For 35 years, Arabs forced us to flee our villages and destroyed our agricultural lands. Today, it is only fair for us to retake our land. You have to understand it: it is not a question of human rights but of justice and compensation. If, later on, Iraq were to stabilise, the Arabs could develop agriculture in areas of the country under their control.<sup>97</sup>

As for the Green Line, KRG officials dismiss it as a historical anomaly, a temporary demarcation reflecting the 1991-2003 balance of power between government forces and peshmergas.<sup>98</sup>

Ninewa's Sunni Arabs see things in a starkly different light. They adamantly defend the territorial status quo that prevailed prior to 19 March 2003 and condemn Kurdish efforts to challenge it; al-Hadbaa made this a central plank of its electoral platform. Atheel Al-Nujayfi explained that the KRG's borders must be the Green Line:

In 1991 [during the uprising against Saddam Hussein's regime], the Kurds took over all areas inhabited by their people. The Green Line is the border they deserve. But since 2003, they have gone beyond that and laid claim to regions that are not Kurdish-inhabited.<sup>99</sup>

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<sup>96</sup> Crisis Group interview, Erbil, 7 April 2009.

<sup>97</sup> Crisis Group interview, KRG official, Erbil, 11 April 2009.

<sup>98</sup> See Crisis Group Report, *Trouble along the Trigger Line*, op. cit.

<sup>99</sup> Statements such as this are experienced as both painful and unjust by Kurds, many of whom were driven from their homes as part of Arabisation. Although these practices span the period of post-1958 republican rule, the Baath regime made special efforts after 1991 to settle Arabs in areas that now lie

To advance their goal, they are creating facts on the ground while relying on a powerful propaganda machine as well as on Western sympathy.<sup>100</sup>

The constitution notwithstanding, Sunni Arabs take the view that there are no disputed territories in Ninewa. Yahya Mahjoub, an Iraqi Islamic Party leader and provincial council member, explained that “in the wake of the 1991 Kurdish uprising and during discussions between the KDP and PUK on the one hand and Saddam Hussein’s regime on the other, the Kurds expressed no territorial demand in Ninewa. Their only interest was Kirkuk”.<sup>101</sup> Others go further, accusing the Kurds of seeking to “engage in the kind of ethnic cleansing and territorial expansionism that destroyed the former Yugoslavia”.<sup>102</sup> Rather than “disputed territories”, Kurdish allies of al-Hadbaa use the term “coexistence territories”. Irshad Zeibari said:

Ninewa is a microcosm of Iraq. All of the nation’s component parts are represented and they always lived harmoniously. We need to speak of coexistence under a single Iraqi roof. If one were to extend the Kurds’ rationale to its logical conclusion, the largest disputed territory would be Baghdad, where over a million Kurds currently reside. Their nationalism leads to a dead end. Ninewa has natural borders that need to be respected. In most of the areas the Kurds claim as their own, it is impossible to physically separate an Arab from a Kurdish village; there is too much commingling and too great an economic dependence on Mosul.<sup>103</sup>

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inside the disputed territories and that had a significant Kurdish population before 1991. If in 2003 these areas had no Kurds, it was because they had been forcibly expelled.

<sup>100</sup> Crisis Group interview, Mosul, 5 April 2009.

<sup>101</sup> Crisis Group interview, Yahya Mahjoub, Erbil, 3 April 2009. Adalat Salih, an adviser at the KRG ministry for extra-regional affairs (i.e., disputed territories), claimed that “during the 1991-1992 negotiations, Saddam was ready to cede most of the disputed territories in Ninewa, but not Kirkuk, which remained the biggest prize”. Crisis Group interview, Erbil, 2 April 2009. It is doubtful, however, that Saddam was prepared to give up any territory to the Kurds.

<sup>102</sup> Crisis Group interview, General Khidr Ilyas, Amman, 22 March 2009. Ilyas originally hails from Ninewa and belongs to the Patriotic and National Forces Movement. Gevara Zia of the Assyrian Democratic Movement (ADM) was equally assertive in rejecting the notion of disputed territories as applied to Ninewa. “To invoke that notion is to restrict the conflict to one between Arabs and Kurds, and this denies our existence and aspirations. Many of these territories are Christian rather than Arab or Kurdish”. Crisis Group interview, Qaraqosh, April 2009.

<sup>103</sup> Crisis Group interview, Irshad Zeibari, Kurdistan Freedom and Justice Party, Amman, 22 March 2009.

After the referendum deadline stipulated in Article 140 expired at the end of 2007 without any progress, the UN Assistance Mission in Iraq (UNAMI) charted an alternative path, one that remained consistent with the constitution, however. In the next year, it undertook a thorough investigation of the disputed territories’ history – demographic, administrative, military and otherwise – as a basis for assisting the federal government and the KRG find a mutually agreeable boundary between the Kurdistan region and the rest of Iraq, to be established via negotiations.<sup>104</sup>

With regard to Ninewa, UNAMI offered ideas on two of the apparently least problematic districts in June 2008.<sup>105</sup> It suggested that Aqri be formally attached to the KRG; majority-Kurdish, it was separated from Dohuk governorate in 1980, before being taken by the Kurds in the 1991 uprising; it has been administered by the KRG ever since. UNAMI’s proposal was to give this reality de jure recognition and accept Dohuk’s (and thus implicitly the KRG’s) formal jurisdiction.<sup>106</sup> UNAMI made a similar suggestion with regard to Hamdaniya/Qaraqosh, but in reverse: it should stay outside the Kurdistan region and, therefore, under Ninewa’s jurisdiction, as it had been in 1991-2003 (and indeed since the founding of the Iraqi state).

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<sup>104</sup> Under the terms of UN Security Council Resolution 1770 (August 2007), UNAMI was charged with assisting the government of Iraq and the council of representatives in addressing the internal boundaries question. In effect, however, it has assisted both the federal government and the Kurdistan regional government in finding a solution.

<sup>105</sup> “UNAMI presents first analysis to GOI to help resolve ... disputed internal boundaries”, UN News Centre, 5 June 2008, at [www.un.org/apps/news/story.asp?NewsID=26930&Cr=iraq&Cr1=unami](http://www.un.org/apps/news/story.asp?NewsID=26930&Cr=iraq&Cr1=unami). The online version does not include the discussion of the four districts and future steps. See also Crisis Group Report, *Oil for Soil*, op. cit., pp. 7-11. The June 2008 UNAMI analysis was originally meant to be phase one of a three-phase project, with the second and third covering the remainder of the disputed territories. UNAMI subsequently changed its mind, however, in part because of responses to its initial analysis, and proceeded to complete its entire study of all the disputed territories, including the four initial districts. It presented the full study to Iraqi stakeholders in April 2009.

<sup>106</sup> While Aqri has been administered by Dohuk governorate since 1991, it formally belongs to Ninewa governorate; UNAMI’s view was that its administration should be transferred formally to Dohuk, a belated procedure of no material impact, a simple codification of existing reality. The KRG has challenged the contention that Aqri is disputed territory and dismisses UNAMI’s proposal as an empty gesture and hardly a concession to the Kurds. Crisis Group interviews, KRG officials, Erbil, October 2008.

Moreover, UNAMI addressed the situation in a third district, Makhmour. Although historically part of Erbil, Ninewa Arabs feel strongly about its belonging to Ninewa, given Ninewa's de facto administration in 1991-2003 and its considerable Arab population. UNAMI suggested that Makhmour revert to Erbil's administration but that its majority-Arab sub-district of Qaraj be placed under the administrative control of one of the neighbouring governorates.<sup>107</sup>

In April 2009, UNAMI presented a detailed study of all disputed territories to Iraqi stakeholders. It included the four initial districts but was even more oblique in its recommendations for the other eleven, suggesting merely a number of confidence-building measures in each district that the federal government and the KRG could take regardless of any future changes in administrative status under Article 140. These in turn could help the two sides implement a political process aimed at resolving the status question. The study thus retreated from the recommendations on Aqri and Hamdaniya, even though it implicitly suggested it would make more sense for historical, administrative, demographic, political and current-reality (security control) reasons for Aqri and Makhmour to remain under the KRG's control and Hamdaniya under Ninewa's.

Both sides officially reacted in predictable ways. Al-Hadbaa, together with all of Ninewa's Arab parliamentarians in Baghdad, rejected the June 2008 proposals.<sup>108</sup> The April 2009 report met with a similar fate. Usama al-Nujayfi, a Ninewa parliamentarian and brother of the governor, summed up the prevailing Sunni Arab perspective:

The report wasn't neutral; it was very bad. It exacerbated the problems without giving solutions. The report adopted the Kurds' point of view and legitimised their control over some of the disputed areas and opened the door to disputes over areas that weren't part of the original disputed areas. It portrayed the relation between Baghdad and Erbil as that between two states. This report reflected badly on the UN and its role in Iraq. We presented our rejection of this report via a statement signed by 37 parliament members, which I sent to the UN special envoy. And I told them that this report should not be adopted as a UN document, because it is one of the elements that keep the conflict going.<sup>109</sup>

Kurdish leaders have sounded equally critical and insist on a particular interpretation of the constitution that favours Kurdish interests.<sup>110</sup>

Tensions along the trigger line have escalated since al-Hadbaa's electoral victory. For example, on 8 May 2009, Governor Atheel al-Nujayfi, escorted by a caravan of heavily armed four-by-fours, tried to enter Bashiqa, a mixed town of Chaldo-Assyrian Christians and Yazidi Kurds north east of Mosul. He was blocked at the first checkpoint outside Mosul by Kurdish peshmergas with apparent shoot-to-kill orders and forced to return.<sup>111</sup> A similar incident involving the Ninewa police chief in the Makhmour area occurred a few days later, followed by various attempts by governorate officials to visit areas such as Zummar and Sheikhan.

Local Kurdish officials in the disputed territories have threatened to formally separate from Ninewa's administration. In late August, a Ninewa Brotherhood List spokesperson, Darman Haji, said that if mediation between Arab and Kurdish politicians failed, Ninewa's Kurds would establish an autonomous administration in areas under KRG control.<sup>112</sup> They would do so by having local councils express their desire to be governed by the KRG, turning a de facto situation into a de jure one (however questionable its constitutional basis). Ninewa's Arab leadership has anticipated such a threat. In April, al-Nujayfi contended that because any change in administrative borders would touch directly on matters of national sovereignty, it "must be decided in Baghdad by the central government and Iraqi parliament rather than in Ninewa [for example, by a local council], where decisions are subject to [Kurdish] military pressure".<sup>113</sup> This dispute is still playing itself out.

That said, there are indications of possible compromise. While Arab politicians' rhetoric continues to sound unbending, in private some appear more pragmatic, assert-

<sup>107</sup> The fourth district discussed by UNAMI was Mandali in Diyala governorate.

<sup>108</sup> See "MPs from the disputed territories accuse De Mistura of pro-Kurdish bias", *Iraq Alaam*, 20 July 2008 ([www.iraqalaan.com](http://www.iraqalaan.com)).

<sup>109</sup> Crisis Group interview, Baghdad, 26 July 2009.

<sup>110</sup> In July 2009, Masoud Barzani declared that "regrettably, the recommendations of the United Nations are unrealistic" and insisted that "we will not accept from the United Nations or anyone else to come to us with alternatives to Article 140". Quoted in *The New York Times*, 29 July 2009. What is at stake, however, is less Article 140 than its interpretation, especially of the referendum that is mentioned as the mechanism to decide the status of the disputed territories. UNAMI has suggested a "confirmatory" (yes/no) referendum following a negotiated consensus-based solution rather than – the Kurds' interpretation – asking residents what the status should be based on uncertain and hotly contested demographics. See Crisis Group Report, *Trouble along the Trigger Line*, op. cit., p. 8, fn. 46.

<sup>111</sup> *The New York Times*, 13 May 2009.

<sup>112</sup> Quoted on the Sbey.com website, 27 August 2009.

<sup>113</sup> Crisis Group interview, Mosul, 5 April 2009.

ing that the time of ethnic domination is past and that they have little appetite for administering Kurdish-majority areas such as Aqri and Makhmour.<sup>114</sup> Likewise, a KRG official, hinted at a grand bargain under which the KRG would obtain some, albeit not all, the disputed territories:

Of course, for now we want all the constitution and nothing but the constitution. But we are aware of the fact that, over four years after its adoption, the document still has not resolved our problems and is unlikely ever to be honestly implemented. The only solution will be political rather than technical; otherwise Article 140 already would have been implemented. Our conflict with the central government is not only about disputed territories, but also about oil, the budget and the peshmergas. Even within the disputed territories, one must separate the sociological situation – which reflects a reality of coexistence and interdependence between Arabs and Kurds – from the political situation, in which both parties are at odds on fundamental issues that go far beyond Ninewa and its residents.<sup>115</sup>

Concerned about rising tensions in Ninewa, Kirkuk and Diyala, Lt. General Odierno, as noted, declared on 17 August that he had proposed placing U.S. troops alongside Iraqi army soldiers and Kurdish peshmergas in disputed areas to conduct joint operations with a view to encouraging communication, cooperation and coordination between the two adversaries and thus lessening chances of violent conflict. “Al Qaeda is exploiting these fissures you are seeing between Arabs and the Kurds in Nineveh Province and the KRG. What we’re trying to do is close that fissure. ... Once they get used to working with each other, it becomes very easy”.<sup>116</sup>

## **B. A BROADER POLITICAL TUG OF WAR**

Behind the territorial dispute opposing Arabs and Kurds in Ninewa lie wider Iraqi conflicts regarding the post-2003 role and fate of various minority groups (Sunni, Kurdish, Turkomans and others). These have centred on shares of national resources and political power as well as guarantees vis-à-vis the Shiite majority.

The constitutional spat that has opposed Prime Minister Maliki to Kurdish leaders since September 2008 provides an apt illustration. Maliki, buoyed by military and political successes, criticised excessive reliance on con-

sensus, called for more traditional majority rule in order to overcome institutional paralysis, touted the virtues of a strong central state and criticised clientelism as well as *muhasasa*, the unwritten post-2003 rule that allocates positions proportionately along ethnic and confessional lines.<sup>117</sup>

Kurdish officials, from Masoud Barzani to President Jalal Talabani, reacted sharply, arguing that in highly heterogeneous societies such as Iraq, only a consensual democracy could protect plural interests. As they saw it, the constitution, formation of a coalition government, carefully balanced distribution of powers and the requirement that certain decisions be taken by a two-thirds parliamentary vote were the best guarantees against a restoration of dictatorship.

In Ninewa, the debate played out in complex ways. Sunni Arab politicians were torn. On the one hand, they are grateful for the prime minister’s political and military backing, notably his support for al-Hadbaa’s and its allies’ right to form a local government after their January 2009 electoral victory. But suspicion of Baghdad never is far from the surface. In the fight against Kurds, Sunni Arabs have benefited from Shiite support; but memories of their recent struggle against the Shiites in Baghdad remain vivid and fear of its potential revival acute. A Sunni Arab politician put it as follows:

When facing the Kurds, Mosul’s Arabs had no choice but to rely on the central government to restore a balance of power. But we know that al-Maliki is using Mosul not for our benefit but in order to redefine and reduce the Kurds’ role in state institutions and Baghdad. That’s what explains the prime minister’s ambivalence: he took robust steps against the Kurds in Khanaqin and Kirkuk but then took a step back, avoiding a direct confrontation.<sup>118</sup> His oil minister is equally of two minds regarding the validity of the KRG’s oil contracts with foreign companies. In Ninewa, today’s conflict is between Sunni Arabs and Kurds under the watchful eye of a Shiite prime minister. For us, the question is what share of the national pie will be granted to Sunni Arabs.<sup>119</sup>

<sup>114</sup> Crisis Group informal discussions with Arab politicians in Mosul, April 2009.

<sup>115</sup> Crisis Group interview, Adalat Salih, op. cit.

<sup>116</sup> Quoted in *The New York Times*, 18 August 2009. The proposal awaits approval by Prime Minister Maliki.

<sup>117</sup> See Crisis Group Report, *Trouble along the Trigger Line*, op. cit., pp. 1-3.

<sup>118</sup> In August 2008 Iraqi forces pushed into three mixed-population sub-districts of Khanaqin (Jalawla, Saadiya and Qara Tepe) in Diyala governorate, forcing out the peshmergas and putting pressure on Khanaqin itself, which is a majority-Kurdish town. See *ibid*, p. 12.

<sup>119</sup> Adnan al-Janabi is a Sunni-Arab politician from central Iraq. His alleged links with the insurgency forced him out of Iraq; officially, he belongs to Iyad Allawi’s Iraqiya List, which enjoys close relations to the Nujayfi brothers. Al-Janabi also

Maliki is not the only one seeking to take advantage of this triangular relationship between Sunni Arabs, Shiites and Kurds. Ninewa's Sunni Arab political leaders, as represented by al-Hadbaa, have not only recovered from the confusion caused by the Baathist regime's ouster but also learned lessons from the political process that has been in place ever since. Adopting a realistic, pragmatic approach, they have sought to make use of growing Arab-Kurdish ethnic polarisation. A former Iraqi army officer from Mosul explained:

In Ninewa as elsewhere, Sunni Arab leaders are touting the need for a strong central state in exchange for Shiite promises of a political quid pro quo. They are using the fight against Kurdish hegemony, in part, to challenge some of the founding principles of the political process. What really matters to them is how the national project is defined and how resources will be divided between Sunnis and Shiites. Likewise, Maliki is less interested in taking power away from the Kurds than he is in emerging as the strong man in Baghdad, notably vis-à-vis his own Shiite rivals. We will be patient. But we will insist on strong payback in exchange for supporting the central government.<sup>120</sup>

In this spirit, many Arabs in Mosul hope that Baghdad will back the establishment of an exclusively local Iraqi army division – meaning one staffed exclusively by Sunni Arabs from Ninewa – to secure the governorate.<sup>121</sup> Some go further, at least in private. Their proclaimed adherence to a strong, united, non-sectarian state aside, they argue that should relations with the central government sour, Mosul should push its own version of regionalism, based on its powerful insular identity and historic tensions not only with Kurds but with Baghdad as well. A leader of the Iraqi Islamic Party said:

For us, the question is how sincere and reliable the centre is. Ninewa's demographic and economic weight is just as important as Kurdistan's and yet we remain politically under-represented. We could legitimately claim to become a region (*iqlim*) for administrative and political purposes.<sup>122</sup> If the U.S.

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heads the Beirut-based Iraq Centre for Research and Studies. Crisis Group interview, Beirut, 26 March 2009.

<sup>120</sup> Crisis Group interview, former army officer, Mosul, 4 April 2009.

<sup>121</sup> See *Aswat al-Iraq*, 9 July 2009.

<sup>122</sup> According to Article 119 of the Iraqi constitution: "One or more governorates shall have the right to organise into a region based on a request to be voted on in a referendum submitted in one of the following two methods: First: A request by one third of the council members of each governorate intending to form a region. Second: A request by one tenth of the voters in each of the governorates intending to form a region".

withdraws and we must face Shiite hegemony on our own, federalism might become a more attractive option in Ninewa. If Maliki continues to act like a tyrant and seeks to appoint Shiites to all important positions in Ninewa – including leadership of the municipality, education or the cement factory – there inevitably will be a negative reaction on the part of Ninewa's citizens.<sup>123</sup>

Kurds – fearful that their political gains remain fragile and reversible – harbour even greater suspicions toward Baghdad. KRG official Falah Mustafa Bakir told Crisis Group:

When you have been bitten by a snake once, you can no longer be trustful. Each and every Arab soldier in the Iraqi army potentially threatens our national security, because this is the army that destroyed our people in the past. Their names might have changed but not their mindset. We will never allow the Arabs to play the game of majority and minority with us, because we simply will reject dictatorship. If they want to revise the constitution in order to diminish our rights, we will use our veto power. There are six million of us in Iraq, and if one is to add one million Turkomans and Christians, we no longer are a minority.<sup>124</sup> Iraq is an artificial state, and from now on, Arabs must accept there is another vast nation that shares this country with them. I am first and foremost a Kurd and only then an Iraqi. My loyalty will exclusively be with my community as long as Maliki claims that Iraq is a Moslem Arab country.<sup>125</sup>

The Kurds' push to expand their territorial jurisdiction can only be understood with this background in mind. Beyond its highly symbolic value, it is a critical means of preservation and protection in light of pre-2003 events and especially given uncertainties provoked by both the prospect of a U.S. military withdrawal and Maliki's more pronounced centralising tendencies.<sup>126</sup>

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<sup>123</sup> Crisis Group interview, Mohammad Iqbal, deputy head of the Ninewa branch of the Iraqi Islamic Party, Erbil, 3 April 2009.

<sup>124</sup> The figure of six million seems greatly exaggerated. A national census initially scheduled for October 2009 was postponed until the second half of 2010 out of fear it might stir up tensions in Kirkuk and Ninewa. See Reuters, 16 August 2009.

<sup>125</sup> Crisis Group interview, Falah Mustafa Bakir, chief of the foreign relations office attached to the KRG prime ministry, Erbil, 1 April 2009.

<sup>126</sup> Some Sunni Arabs draw a distinction between the two branches of the Kurdish leadership in this regard: "Among Barzani loyalists [KDP], fear and hostility toward Arabs is deep-seated and structural. Theirs is a vindictive and uncompromising nationalism that can only be dealt with forcefully. Jalal Talabani and the PUK are different. We can resolve our

In this context, the territorial battle over Ninewa partly reflects an effort to reduce the Kurdistan region's geographic isolation and expand its economic resources. In the words of an UNAMI official, "the Kurds want to control the border region with Syria and territories inhabited by ethnic and religious minorities, because their aim is to ensure their putative state will be viable in economic and security terms in the event they split from Iraq or achieve some kind of independence".<sup>127</sup> The territorial dispute in this sense is a proxy for a fight over oil, water and arable land, as well as broader security and geostrategic advantages.

Oil and gas reserves have been found in disputed districts of Ninewa, although KRG officials may be exaggerating their scope. According to a Kurdish official, "the desert and the bordering region to Syria are above all oil and gas areas. Some 400 wells are awaiting exploitation. Oil revenues from Sinjar potentially could exceed Kirkuk's. Makhmour also is rich in resources".<sup>128</sup> Oil experts suggest little is known with certainty; the area remains largely unexplored, and the latest oil field discoveries took place in the early 1960s.<sup>129</sup> As a result, some of the Kurds' opponents are convinced that the KRG essentially is using the issue of disputed territories in Ninewa as a bargaining chip for future concessions on Kirkuk's far more significant oil reserves. Kurdish officials have intimated as much.<sup>130</sup>

Water is another critical resource, with much of the focus being on the Mosul dam on the Tigris River, which is of high value to both the Baghdad government and the KRG.<sup>131</sup> The Jazeera region, the fertile plain that reaches across both sides of the Iraqi-Syrian border and produces much of the two countries' wheat,<sup>132</sup> depends heavily on irrigation flowing from the Mosul dam, as does Kurdistan's water-deprived agricultural sector.<sup>133</sup> On 28 May 2009, the conflict came to a head as Baghdad sought to wrest control of the dam from Kurdish peshmergas who had secured it in 2003-2004. The Kurds refused to leave, and an uneasy compromise eventually was struck pursuant to which both sides maintained their armed presence.<sup>134</sup> What appears to be increasingly severe periods of drought may turn the water issue, which has had limited import to date, into a major source of contention in the future.

Sunni Arabs and their Christian allies believe the KRG is eyeing the Ninewa plain and its rich agricultural potential as a means of bolstering its economic viability. Ninewa's Arab politicians depict Kurdish claims over Tel Afar, with its heavy Turkoman population, and Sinjar as a ploy for another passageway between the KRG and Syria. Given the KRG's virtually total economic dependence on imports, such a link could provide an important safety valve in the event borders with Turkey or Iran were shut.<sup>135</sup> The Ninewa plain would serve under this view as a buffer zone between Arabs and

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differences through dialogue and partnership as opposed to confrontation". Crisis Group interview, Adnan al-Janabi, Iraq Centre for Research and Studies, spokesman for the Iraqiya List, Beirut, 26 March 2009.

<sup>127</sup> Crisis Group interview, Amman, March 2009.

<sup>128</sup> Crisis Group interview, Adalat Salih, adviser to the KRG ministry for extra-regional affairs, Erbil, 1 April 2009.

<sup>129</sup> According to Thamer al-Uqaili, a petroleum engineer and former Iraqi oil ministry official, "early in the 1960s, several discoveries were made by the Iraqi Petroleum Company south, south west and north west of Mosul. Recently, the Kurds have published a map of Kurdistan which includes areas containing several (undeveloped) oil fields. The truth is that we don't know much about the importance of oil fields in this area". Crisis Group email communication, 9 June 2009.

<sup>130</sup> The KRG's maximalist demand for all territories that it claims historically had a Kurdish majority arguably is part of a bargaining strategy for securing Kirkuk at the expense of districts in which the Kurds are much less than the majority. As a Kurdish member of the council of representatives put it, "Kirkuk is a pressing issue for Kurdish politicians of both parties. It has more far-reaching results than demands on the other disputed territories. We rather exaggerate the latter so as to gain leverage for negotiations on Kirkuk". Crisis Group interview, a Kurdistan Alliance member of the council of representatives, Amman, March 2008. Kosrat Rasoul Ali, vice-president of the Kurdistan region, said as much when he declared in response to UNAMI's June 2008 proposal, and after

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asserting that Kurds form the majority in both Hamdaniya and Mandali, "let them [the Arabs/Turkomans] take Hamdaniya and Mandali. Kirkuk is the issue". Crisis Group interview, Suleimaniya, 23 June 2008.

<sup>131</sup> The dam, once called the "Saddam dam" (*sad Saddam*), was completed in 1986 and was designed to preserve rain water. After 2003, the U.S. army corps of engineers has repeatedly warned against its possible collapse, saying it could flood the entire downstream area – notably the city of Mosul. The Iraqi government has downplayed the risk. See "Iraqi dam seen in danger of deadly collapse", *The Washington Post*, 30 October 2007.

<sup>132</sup> The region received the name al-Jazeera, meaning "the island" in Arabic, due to its location between the Tigris (al-Dijla) and Euphrates (al-Furat) as they flow from Turkey through Syria to Iraq.

<sup>133</sup> According to a U.S. official attached to the provincial reconstruction team in Erbil, "Kurdistan's land is of good quality, but its agricultural potential will remain untapped as long as irrigation remains underdeveloped. In Dohuk, half the governorate has access to water only three hours a day". Crisis Group interview, Erbil, 1 April 2009.

<sup>134</sup> See *Iraqiyoun*, 28 May 2009.

<sup>135</sup> "Among all of Kurdistan's neighbours, Syria arguably is the least hostile to Iraqi Kurds. Damascus has old ties to Masoud Barzani and Jalal Talabani, having backed them against Saddam Hussein". Crisis Group interview, UNAMI official, Amman, 23 March 2009.

Kurds, enabling the latter to better protect their territory. In response, the KRG claims that in the post-2003 security and political vacuum, it had to send its forces and administrators into the disputed territories to secure vital infrastructure from insurgents, keep government institutions running and protect Kurds and minority groups.<sup>136</sup>

Given the inability of either side to prevail, the fight between Kurds and Arabs over Ninewa's territories has turned into one for the allegiance of the numerous ethnic and religious minorities who live there. In Ninewa at least, the term "disputed minorities" appears as befitting as "disputed territories" to characterise the conflict.

## V. MANIPULATING MINORITIES

Inherent in the Ninewa conflict is the issue of how minorities fit in Iraq's new order and will be protected. Because the assumption that has governed policy-making since 2003 has been of an Iraq divided between Sunnis, Shiites and Kurds, this generally has been overlooked. Notwithstanding guarantees in both the constitution<sup>137</sup> and 2008 electoral law (which provides for minority quotas in Baghdad, Ninewa and Basra governorates),<sup>138</sup> the central government has shown little interest in the fate of minority groups. Although they constitute a mere 10 per cent of the overall population,<sup>139</sup> they have suffered a disproportionate share of the damage caused by the war, occupation and sectarian violence and comprise some 20 per cent of Iraq's internally displaced.<sup>140</sup> For the most part located in the north, they could – and in some respects have – become principal pawns in, and victims of, the increasingly volatile Arab-Kurdish conflict.

The struggle has centred on several minority groups that have a strong presence in Ninewa's disputed territories. Mosul city is surrounded by pockets of Christians, Yazidis and Shabaks. The Kurdish leadership claims the latter two groups as ethnic Kurds, whose presence they invoke to buttress their territorial aspirations. Moreover, the territorial struggle also involves Tel Afar district, which separates Yazidi Sinjar from Mosul. The Kurds do not claim Tel Afar, only its subdistrict of Zummar. The district has a predominantly Turkoman population, however, with consequences for Turkoman relations with Arabs and Kurds and a potential role for Turkey as their external patron and protector.

The complex and varied geographic landscape (including in some cases differences within minority groups depending on whether its members hail from mountainous areas or the plain) has made it easier for Arab and

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<sup>137</sup> The constitution enshrines the principles of non-discrimination (Article 16) and community self-governance on personal status matters (Article 41). It also guarantees freedom of religion (Article 2) and the right to teach in one's original language (Article 4) while providing certain administrative and political rights to "nationalities" (such as the Turkomans, Chaldeans or Assyrians) in regions where they constitute a majority (Article 125).

<sup>138</sup> See Crisis Group Report, *Iraq's Provincial Elections*, op. cit., pp. 11-12.

<sup>139</sup> See Preti Taneja, "Assimilation, Exodus, Eradication: Iraq's Minority Communities since 2003", Minority Rights Group International, 2007.

<sup>140</sup> Mokhtar Lamani, "Minorities in Iraq: The Other Victims", Centre for International Governance Innovation, Ontario, January 2009, p. 4.

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<sup>136</sup> Crisis Group interviews, KRG officials, Erbil and Suleimaniya, 2003-2009.

Kurdish politicians to manipulate and co-opt minority groups. Traditionally, they have tended to use state – and in particular oil – resources to establish and lubricate patron-client relations, purchase loyalty and punish dissent. A civil society activist dubbed this an “oil-for-ethnicity program”.<sup>141</sup> The process has provoked serious divisions among minorities, including in some cases the crumbling of their leadership, affecting the groups’ sense of loyalty and identity.

Outside actors aiming to undermine Ninewa politics for their own gain – whether al-Qaeda or other insurgent groups – have exploited inter and intracommunal divisions by sending suicide bombers into towns and villages inhabited by minority groups, hoping that reciprocal recriminations will lead to escalating tensions and open conflict between Ninewa’s government and the KRG, both of which claim to be protecting minorities.<sup>142</sup> This is rendering a tense situation in the Ninewa plain in particular highly explosive.

## A. THE CHRISTIANS OF THE NINEWA PLAIN

### 1. A fragmented community

Although the Iraqi Christian exodus has deep roots, it significantly accelerated after the 2003 war.<sup>143</sup> The largest and most influential diasporas currently reside in the U.S., UK, Australia and New Zealand. They tend to employ various political means to alert world opinion to their plight and that of their co-religionists still in Iraq, while deploying their considerable financial resources to influence the latter’s political outlook (i.e.,

whether to support or oppose the KRG) and their decisions to leave or stay.<sup>144</sup>

Dwindling numbers aside, Iraqi Christians also are extremely diverse and divided, a result of Eastern Christianity’s labyrinthine history and several schisms. In the fifth century, some Eastern Christians chose to follow the Patriarch of Constantinople, Nestorius (381-451), whom Rome had accused of heresy. He took refuge in Mesopotamia, where the Assyrians embraced his creed, remained independent from Rome and came to be known as Nestorians. Another schism occurred in the sixteenth century, after most Assyrians pledged loyalty to Rome and established the Chaldean Catholic Church.<sup>145</sup>

In later years, deepening European influence – including the opening of consular offices, missionary activities notably from the Dominican order,<sup>146</sup> waves of migration and border modifications following the fall of the Ottoman Empire – further enriched Iraqi Christianity. Today, Iraq recognises some fourteen Christian sub-groups. Two thirds belong to the Chaldean Catholic Church, the rest being divided between the Syriac (both Catholic and Orthodox) and Assyrian churches. A number of smaller churches also exist (Armenian, Latin, Protestant, etc.), each with a few thousand followers.

The Christians’ presence in Ninewa pre-dates Islam; most reside in villages in the Ninewa plain (Hamdaniya and Tel Kayf districts), an area rich in churches and monasteries. Historically, Christians formed small communities specialising in rain-fed agriculture; their skill was well known throughout Iraq. Their economy was highly dependent on Mosul’s merchant class, which helped purchase and sell their crops. Christians also have deep roots in Mosul city, chiefly on its west bank, in the neighbourhoods of al-Saah, Hosh al-Khan, al-

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<sup>141</sup> Crisis Group interview, Mesroun Aswad, Turkoman lawyer and human rights activist, Beirut, 24 April 2009.

<sup>142</sup> Al-Qaeda in Iraq used this tactic with notable success in 2003-2005, when it sent suicide bombers into Shiite crowds and mosques, eventually triggering an indiscriminate response from the Shiite-dominated Baghdad government against Sunni Arabs, which in turn led to civil war. See Crisis Group Middle East Report N°52, *The Next Iraqi War? Sectarianism and Civil Conflict*, 27 February 2006.

<sup>143</sup> Although some estimates put the number of Christians in Iraq at over half a million, the data is unreliable and most likely exaggerated. They numbered 156,000, 200,000 and 250,000 in the 1947, 1957 and 1965 censuses respectively. If one is to assume they continued to grow at a similar rate, the population would have reached at most 350,000 in 1980. See Peter Harling, *Baghdad chrétienne à l’heure du Baath*, unpublished study (2000). In addition, the Christian community experienced a significant exodus during the era of sanctions (1990-2003) and as a result of endemic violence after 2003.

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<sup>144</sup> Diaspora groups have funded political parties in Iraq and, perhaps most importantly, used the internet to amplify their political views. Several internet sites reflect the sharp, often vitriolic battles within the Christian community. On Assyrians living in the UK, see Madawi al-Rasheed, *Iraqi Assyrian Christians in London: The Construction of Ethnicity* (London, 1998); on Chaldeans, see Yasmeen S. Hanoosh, “The Politics of Minority: Chaldeans Between Iraq and America”, PhD dissertation, University of Michigan, 2008.

<sup>145</sup> Since 2003, the Church has been led by the Patriarch of Babylon, Emmanuel III Karim Delli, who resides in Baghdad as well as in Ein Kawa (Erbil). U.S.-based evangelical churches encouraged Mgr. Delli to transfer the church to their country, but he refused, arguing this would signify the symbolic end of Chaldeans in Iraq. Crisis Group interview, Chaldean priest, Qaraqosh, 5 April 2009.

<sup>146</sup> The Dominican Order sent its first missionaries to Iraq around 1750. The initial missionaries were Italian, but the French were most active, particularly in Mosul where their presence remains significant to this day.

Qalaa, Maydan and Hay Arabi, where they once formed an integral part of the urban economy. There likewise is a relatively small Assyrian community in Sinjar.<sup>147</sup>

## 2. Increased vulnerability

Today, the dominant feeling among Iraq's Christians is of growing fear and insecurity. Lacking a tradition of autonomous armed groups or attachment to powerful tribes on which they could count for protection, they are largely defenceless.<sup>148</sup> As sectarian violence grew precipitously in 2006-2007, some were forced into seclusion, choosing to live in relative isolation and concealing any confessional sign. Because many Christians worked for U.S. forces – possibly due to the fact that Christians were trusted and that a number of them had superior English-language skills – they were considered traitors and targeted by insurgents.<sup>149</sup> In Father Najeeb Mikhael's words,

Most Iraqis consider Christians first and foremost as foreigners, that is as Westerners, but also as collaborators who help U.S. forces in their efforts to colonise our country. In 2006, my church [in al-Saah] was partially destroyed by a grenade at a time when U.S. soldiers and officers were praying inside. Shortly prior to that, the imam of the adjacent al-Safar mosque incited against us, enjoining his followers not to purchase our goods, because, sooner or later, we would flee and leave our belongings behind. He considered it merely a matter of time before Muslims

could seize our homes. The U.S. military did us no favour by showing partiality toward Christians in recruiting people to work on their bases or by using our Churches for religious services. Ultimately, I had to ask them not to set foot in my church in order to protect my parishioners.<sup>150</sup>

Christians also suffered from the rise of more radical forms of Islam and their increasing influence over public life.<sup>151</sup> According to witnesses, some women were forced to don a veil, particularly at Mosul's university campus; predominantly Christian alcohol vendors have been killed;<sup>152</sup> and Christians living in insurgent-controlled territory have had to pay the tax (*jizya*) owed by non-Muslims in exchange for protection. Father Mikhael said:

From time to time, the mujahidin came to our church and threatened us. Sometimes, they used their machine guns just outside the church. Monsignor Faraj Rahho [the Chaldean archbishop of Mosul until his death in 2008] was able to deal with them, partly because they included several notorious Mosul Baathists with whom he had enjoyed good relations in the past. On several occasions, he paid them substantial sums of money on the basis of *jizya* in order to ensure peaceful relations.<sup>153</sup>

Christians also report that some of their Mosul co-religionists were forced to marry jihadist leaders, a claim that may say more about the degree to which the community has been traumatised than about what actually occurred.<sup>154</sup>

In 2008, two events profoundly shocked Ninewa's Christian community. On 29 February, Monsignor Rahho was kidnapped by armed men outside his church. His body was found buried near Mosul two weeks later. The murder – which remains unresolved – had an enormous emotional impact, as he was the highest ranking Christian

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<sup>147</sup> The Assyrian community is composed chiefly of urban merchants. They once served as intermediaries between Yazidi peasants (see below) and Mosul's economic elite. Politically and socially, they enjoyed intimate ties to Yazidi tribes in the Sinjari mountains. As a result, some Assyrians joined with Yazidi tribal confederations. See Nelida Fuccaro, "Yazidis tribes, religion and state in early modern Iraq", in Faleh A. Jabar and Hosham Dawod, *Tribes and Power. Nationalism and Ethnicity in the Middle East* (London, 2002), pp. 184-210.

<sup>148</sup> Crisis Group interview, Father Suhayl Qasha of the Syriac Catholic Church, a historian specialising in Iraq's Christians, Beirut, 16 February 2009.

<sup>149</sup> In a way, history was repeating itself. Under the British mandate, members of the Assyrian Church had been recruited to form part of an adjunct military force known as the Levies. They were renowned for their fighting ability, in particular their successful crushing of Arab and Kurdish tribal revolts. In 1933, mounting anti-colonial sentiment and the growing political role of Iraq's young army led to the massacre of an estimated 1,000 Assyrians by General Bakr Sidqi's troops in the village of Sumeil in what is now Dohuk governorate. See David Omissi, "Britain, the Assyrians and the Iraq Levies, 1919-1932", *Journal of Imperial and Commonwealth History*, vol. 17 (1989); and Sami Zubaida, "Contested Nations: Iraq and the Assyrians", *Nations and Nationalism*, vol. 6, no. 3 (2000), pp. 363-382.

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<sup>150</sup> Crisis Group interview, Paris, 5 May 2009.

<sup>151</sup> In 2005, Muslim outrage over the Danish cartoon affair prompted attacks against Iraqi churches and the killing of Christians. In Mosul, Christian university students were harassed and brutally assaulted by classmates. Crisis Group interviews, Mosul university students, 5-9 April 2009. Several fatwas calling for the expulsion of "crusaders" from the land of Islam also made their way to Mosul's mosques. Similar reactions followed Pope Benedict XVI's controversial September 2006 speech in Ratisbonne.

<sup>152</sup> See Preti Taneja, "Assimilation, Exodus, Eradication: Iraq's Minority Communities since 2003", op. cit.

<sup>153</sup> Crisis Group interview, Father Najeeb Mikhael, Paris, 5 May 2009.

<sup>154</sup> Crisis Group interviews, Christian families, Qaraqosh, April 2009.

victim of sectarian violence. Accusations were quick to fly, an index of deep intercommunal suspicion. Despite earlier instances of insurgent attacks on Christians, some were quick to point fingers at the Kurds. Gevara Zia, a former Ninewa provincial council member and member of the Assyrian Democratic Movement's central committee, said:

Most Christians are convinced that the Kurds killed Monsignor Faraj Rahho. The fact is, he was kidnapped on Mosul's Left [east] Bank, which is under complete Kurdish control. Even the Iraqi army, which has been significantly bolstered in recent times, doesn't dare enter that part of the city.<sup>155</sup>

In slightly less definitive terms, the archbishop's family say they believe he was killed "because he fervently defended Iraq's unity and the central government's prerogatives vis-à-vis Kurdish expansionist aims. Besides, al-Qaeda usually throws its victims in garbage cans or on the side of the road. They don't take the time to bury them, as was the case with Monsignor's body".<sup>156</sup> Rejecting the accusations out of hand and eager to maintain their reputation as protectors of religious minorities, particularly among Western audiences,<sup>157</sup> Kurdish authorities ordered an investigation and subsequently made several arrests, though their reports have failed to convince the family. The central government likewise initiated an inquiry, in part to pre-empt accusations that it disregards the fate of minorities.

In the run-up to the provincial elections, a second incident reminded the Christians of their vulnerability. In October 2008, a series of attacks targeting Mosul's Christian residents triggered an exodus, first toward Kurdish-controlled towns and villages in the plain and later out-

side Iraq.<sup>158</sup> These occurred over several days, principally in the city's east bank; groups of armed masked men reportedly drove around, threatening to kill families if they did not depart and randomly murdering about a dozen people.<sup>159</sup> Panicked Christian families are said to have given their keys to Muslim neighbours before fleeing; some 2,000 families (an estimated 11,000 persons) left their homes, moving in with relatives in the Kurdistan region or parts of Ninewa claimed by the Kurds.<sup>160</sup> The events are mired in uncertainty, regarding, for example, whether the masked men spoke Arabic or Kurdish. Reflecting intra communal divisions, some Christians accused Kurdish parties,<sup>161</sup> while others blamed Arab insurgents,<sup>162</sup> many remained silent, seeking safety through anonymity.

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<sup>158</sup> The Lebanese branch of the Catholic non-governmental organisation Caritas which provides assistance to the most vulnerable around the world, especially refugees and internally displaced, noted a sharp rise in the number of Christian refugees, almost all from Ninewa governorate. "In June, Caritas-Lebanon managed roughly 28 Christian families from Iraq; in October, 42 and in December 50. The average family size is four or five. These refugees generally cited persecution in Mosul". Crisis Group interview, Isabelle Saadé, deputy manager, Caritas-Lebanon, Beirut, 4 March 2009. France's consul-general in Erbil noted the same trend: "In October 2008, we were inundated with visa demands or asylum requests emanating from Christians. They all claimed to be persecuted by 'Arabs' although it wasn't quite clear who these Arabs were or on what basis they were persecuting them". Crisis Group interview, Frédéric Tissot, Erbil, 2 April 2009.

<sup>159</sup> See Annie Laurent, "Les chrétiens, nouveaux martyrs d'Orient", *Valeurs actuelles*, 6 October 2009.

<sup>160</sup> "Forced from Their Homes: Mosul Emergency Response Action Report, October 8-27, 2008", International Medical Corps, 28 October 2008, at [www.imcworldwide.org](http://www.imcworldwide.org).

<sup>161</sup> For example, one of the displaced claimed that, once they reached the Ninewa plain, they were met by truckloads of humanitarian goods. "Everyone was there to help us, as if they all knew we were arriving. There were KDP members and representatives of both pro- and anti-Kurdish Christian political parties. It was not hard to imagine who was behind our forced exodus". Crisis Group interview, family member who fled and spent several days in Qaraqosh, Mosul, 4 April 2009.

<sup>162</sup> A Chaldo-Assyrian leader implicitly blamed both sides by placing the campaign within the context of the larger conflict over disputed territories: "We have become victims of the Arab-Kurdish conflict. The Kurds want to add Sinjar, Tel Afar, Tel Kayf, Hamdaniya, Sheikhan and other areas to their region by having one third of Ninewa's 37 council members vote in favour of a referendum on the status of disputed territories. Obsessed by this threat, Arab nationalists suspect that Ninewa's minorities will ally themselves with the Kurds". Crisis Group interview, Yonadam Kanna, member of the council of representatives, leader of the Assyrian Democratic Movement and head of the Al-Rafidain List, Baghdad, 6 November 2008.

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<sup>155</sup> Crisis Group interview, Qaraqosh, 5 April 2009.

<sup>156</sup> Crisis Group interview, Ghazi Rahho, Monsignor Rahho's cousin and official family spokesperson, Amman, 22 March 2009.

<sup>157</sup> Since Kurdistan's first legislative elections in 1992, KRG officials claim they provide fair representation to and respect cultural and linguistic rights of ethnic and religious minorities in their territory. "We are ahead of Arabs in this regard; our democratic experience is far older and is based on a culture of tolerance and diversity. The proof is that we did not massacre Arab soldiers who surrendered in 1991 or minority groups who lived on our soil, even if they were hostile toward us". Crisis Group interview, Falah Mustafa Bakir, chief of the foreign relations office attached to the KRG prime ministry, Erbil, 1 April 2009. Ninewa's governor takes a different view: "The Kurds' most important weapon is their powerful propaganda machine. It has allowed them to present themselves as sole defenders of minority groups and to portray Arabs as bloodthirsty, intolerant nationalists". Crisis Group interview, Atheel al-Nujayfi, Mosul, 5 April 2009.

Politicians of various stripes used the event to advance their agenda. The Maliki government, seeking to present itself as guardian of Iraq's unity and diversity on the eve of provincial elections, dispatched additional police to defend Christian neighbourhoods; it also set up a commission of inquiry, though it has yet to release the conclusions submitted in March 2009.<sup>163</sup> Al-Hadbaa, along with Christian parties hostile to the Kurds, also invoked the events for electoral purposes, alleging they reflected a Kurdish ploy to entice Mosul's Christian population to seek the protection of the Kurdish parties and vote for them.<sup>164</sup> Kurdish leaders in turn accused Arabs and others associated with al-Qaeda in Iraq of spreading terror in the Christian community to sow intercommunal tensions. KRG Prime Minister Nechirvan Barzani said, "the terrorists have recruited support from a mix of ethnic and religious groups in an effort to sow doubt, fear and tension among the people of Mosul. This is a classic terrorist tactic".<sup>165</sup>

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<sup>163</sup> Ghazi Rahho called on Maliki "not to bury the affair and to immediately publish the commission's report. Today, everything can be bought in Iraq so I was personally able to get a copy. It concludes that the Kurds were responsible. It's not enough for the prime minister to simply use our tragedy as leverage in his tug-of-war with the Kurds". Crisis Group interview, Amman, 22 March 2009. Crisis Group was unable to independently verify these allegations.

<sup>164</sup> See Atheel al-Nujayfi in *'Iraqiyoun*, October 2008, on www.iraqyoon.net. Usama al-Nujayfi, a member of the council of representatives, said "we have concrete evidence and proof that Kurdish militias were behind the fleeing of more than 1,400 Christians from Mosul". Deutsche Presse-Agentur, 14 October 2008. (If Nujayfi has this evidence, he has not disclosed it.) The Assyrian Democratic Movement's representative in Qaraqosh said, "when the Christians went toward the plain, in particular toward Tel Kayf, they were stopped at Kurdish checkpoints. There, they were asked to present their ration and identity cards, which were photocopied. One can only imagine the kind of electoral fraud to which such practices can give rise. This is just another instance of a more general Kurdish policy aimed at gathering us in areas under their control in order to present themselves as our protectors. As a result, there are far more Christians today in Kurdistan than in Baghdad, Basra and Ninewa combined". Crisis Group interview, Gevara Zia, Qaraqosh, 5 April 2009.

<sup>165</sup> Barzani further defined "the terrorists" by stating: "The city of Mosul has today become a safe haven for many terrorist organisations and some lingering members of the former Ba'ath regime. The so called 'Islamist State', for example, has become an umbrella association under which all these terrorists operate. It is true that most of the members are Arabs, but the groups consist of Turkomans and Kurds too". "Prime Minister Nechirvan Barzani speaks to KRG.org about the attacks on the Iraqi Christian community", Kurdistan Regional Government, 5 November 2008, at www.krg.org. He also stated: "It is not in our interest to force Christians out of Mosul, because in Mosul Kurds and Christians are allies. Without Chris-

With mounting insecurity and fearful of a further deterioration of their situation amid their countrymen's broad indifference, Christians have been drawn to more extreme views. Some take refuge in nostalgia for the Baathist regime:

We should give the former regime its due: Saddam Hussein did for the Christians what no other Arab leader has done. He ensured coexistence among all Iraqi groups beneath a common national roof. He managed to suppress communal resentments and intolerance. We all were Iraqis, whether willingly or under duress. Today, Christians are caught between Kurdish territorial aspirations and al-Qaeda's fanaticism.<sup>166</sup>

Others harbour the dream of living in seclusion, isolated from both Arabs and Kurds. A Christian intellectual said:

We live on a land of extremism and intolerance among communities. This is the legacy of history. [Arab] Muslims at best treat us as lepers and only care about us to the extent it affects their battle with the Kurds. And, historically, our relationship with the Kurds has been bloody. All they want is our land. From 1961 onwards, they have sought to expand their territory at our expense. They moved into our villages, claiming they were forced to do so due to their fight against the Arabs, but the real reason lies elsewhere. It has to do with demographic and socio-economic pressure and their quest for better land. They came to our homes, dislodged Christian families and made them move as far as al-Anbar, Diwaniya or Basra.<sup>167</sup>

### **3. Between Baghdad and the Kurdistan regional government**

Anxiety and insecurity also have exacerbated intra-Christian divisions, primarily between Chaldeans and Assyrians<sup>168</sup> but also within each group. There are several reasons, including the growing role of the diaspora – which, as mentioned, has tended to magnify intracomunal differences – and of European and U.S. churches.<sup>169</sup>

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tians, our votes in Mosul will decrease, and in the provincial council we will get fewer seats". Peyamner News Agency, 30 November 2008.

<sup>166</sup> Crisis Group interview, Father Suhayl Qasha, Beirut, 16 February 2009.

<sup>167</sup> Crisis Group interview, Mosul, 5 April 2009.

<sup>168</sup> "Assyrians continue to consider Chaldeans as traitors, even though the Chaldeans' rallying to Rome took place over five centuries ago". Crisis Group interview, Ephrem-Isa Yousif, intellectual and historian affiliated with the Assyrian-Chaldean-Syriac Institute, Paris, 15 May 2009.

<sup>169</sup> Since the early 1990s, evangelical churches have intensified their missionary activities in Iraqi Kurdistan, benefiting from KRG tolerance toward minorities under their control.

But the principal cause emanates from competing efforts by Arab and Kurdish authorities to pressure Christians, whether clerics or politicians, into taking sides in the Arab-Kurdish conflict.

Well-organised and benefiting from diaspora financial support, the first important Assyrian political party, the Assyrian Democratic Movement (ADM), emerged in 1979. It soon established a presence in Kurdistan and within Iraqi exiled opposition ranks. It helped politicise the community, while strengthening the notion of a specific Assyrian ethnicity.<sup>170</sup> After 2003, it came to dominate the Christian political scene; its secretary-general, Yonadam Kanna, was the only Christian appointed to the Interim Governing Council.<sup>171</sup>

Over time, the ADM confronted two challenges. First, Chaldeans kept their distance, rejecting the "Chaldo-Assyrian" label that political leaders began employing after 2003.<sup>172</sup> An historian commented:

The ADM would like all Christians to be considered Assyrian. But Chaldeans, who in turn claimed that their own prestigious history goes back to Nebuchadnezzar and the Kingdom of Babylon, have a different perception and different interests.<sup>173</sup>

Their own principal party, the Chaldean Democratic Union, was founded with KRG help after 2003. Breaking with the Chaldean community's traditional stance, it called for incorporation of Ninewa's Christian popu-

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After the 2003 war and occupation, they increased distribution of humanitarian assistance to displaced Iraqi families and funded church renovations in Kurdistan and the Ninewa plain. Crisis Group interview, Chaldean priest, Qaraqosh, 5 April 2009.

<sup>170</sup>With the nineteenth century rise of nationalisms within the Ottoman Empire, Assyrians sought to change their status from religious minority (*millet*) to nation; after their forced resettlement in Iraq in the early twentieth century, their intellectuals and ideologues claimed descent from the (pre-Christian) Assyrian empire to lend historical legitimacy to their demand.

<sup>171</sup>This body functioned between July 2003 and June 2004; its members were appointed by the Coalition Provisional Authority according to the principle of proportional representation of all ethnic and religious components (*muhasasa*). See Crisis Group Middle East Report N°17, *Governing Iraq*, 25 August 2003. Kanna was elected to the national parliament in January 2005.

<sup>172</sup>Although the 2004 Transitional Administrative Law, Iraq's interim constitution, used the term "Chaldo-Assyrian", for example in Article 53, the 2005 constitution, whose Article 125 lists the main components of Iraqi society, treats the two groups separately.

<sup>173</sup>Crisis Group interview, Ephrem-Isa Yousif, intellectual and historian affiliated with the Assyrian-Chaldean-Syriac Institute, Paris, 15 May 2009.

lation into the Kurdistan region,<sup>174</sup> a position the ADM expressly rejects. As the Democratic Union sees it, minority rights are more likely to be secured within the KRG than in violence-wracked Iraq.

The ADM's second, more serious problem originates in Kurdistan. Sarkis Aghajan, an Assyrian who served as the KRG's economy and finance minister from 1999 to April 2009, eclipsed both the ADM and the Chaldean Democratic Union, emerging as the foremost regional Christian political actor. In 2007, he created the Assyrian Syriac Chaldean Popular Council, which brought together several Christian parties and associations hostile to the ADM. With Kurdish support, it has championed self-determination for Christians residing in the Ninewa plain, but with a clear understanding that a Christian entity would exist under KRG tutelage and protection in what are KRG-controlled disputed territories. A sympathiser said, "Mosul discriminates against us. We want to govern ourselves. We cannot live in Muslim villages, and we don't want foreigners to live in our regions. Iraq is a federation and that must be respected".<sup>175</sup>

What precisely is meant by self-determination is unclear. Christian critics, notably the ADM, dismiss the claim as a mere cover for Kurdish expansionist aims. Gevara Zia, a former Ninewa provincial council member and former ADM central committee member, asserted:

Kurds see the Ninewa plain as a strategic space, with both significant agricultural potential and the ability to serve as a buffer between them and the Arabs. That's why they want to forcefully Kurdicise it, establishing irreversible facts on the ground. The self-determination they pretend to support is the same as Saddam's: it is purely formal.<sup>176</sup>

Instead, the ADM advocates administrative autonomy at the local level under the central government's authority, based on Article 125 of the constitution.<sup>177</sup> Many Arabs

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<sup>174</sup>The party is headed by Ablahad Efram, who was elected to the national parliament in 2005 on the Kurdish coalition list led by the KDP and PUK.

<sup>175</sup>Crisis Group interview, Istifo Jammel Habash, editor in chief of *'Ayyan*, a magazine published by the Council of Qaraqosh notables, a political and social gathering supported by Sarkis Aghajan, Qaraqosh, 4 April 2009.

<sup>176</sup>Crisis Group interview, Gevara Zia, Qaraqosh, 5 April 2009.

<sup>177</sup>Article 125 states: "The constitution shall guarantee the administrative, political, cultural and educational rights of the various national groups, such as Turkomans, Chaldeans, Assyrians and all other constituent groups, and this shall be regulated by law". Zia argues that "any other solution is impracticable. There is widespread demographic overlap in the Ninewa plain. Between two Christian villages one often finds villages belonging to other communities. As a Christian, I have no in-

express a fear similar to the ADM's, that self-determination is a tactical ploy under which Christians – co-opted by the Kurds – at some point will demand integration into the KRG.

There is little doubt that the KRG's largesse, along with the greater prosperity and security enjoyed by Christians within its territory (notably in Ein Kawa, a former village now a suburb of Erbil), have made self-determination more attractive to many Christians desperate for a powerful protector. This largely explains Sarkis Aghajan's political rise. Indeed, signs of his munificence – and of KRG investment – abound in towns and villages that dot the Ninewa plain: refurbished churches, new housing (dubbed "Sarkis apartments" by the local population), aid distribution (e.g., kitchen utensils, food) and financial assistance to the needy and displaced families. New sports clubs and cultural associations provide organised structures for Christian youths. An armed self-defence militia, "the Churches' Guardians", is deployed at the entrance of many of the villages and around churches, checking identities and searching cars.<sup>178</sup> According to some reports, Aghajan pays approximately 1,000 militiamen.<sup>179</sup>

Aghajan's followers have used other means to enlist members of the Ninewa-plain Christian community, notably by founding several "councils of notables". These often act as proto-states, providing constituency services such as supplemental schooling and medical care and playing a role in the appointment of civil servants and police at both the local and national levels by providing lists of candidates who are then endorsed by Kurdish parties. They also intervene on behalf of individuals who suffered under the Baath regime (for example, from land confiscation), demanding compensation from the central government. This patronage system has yielded remarkable electoral results: in January 2009, the list presented by the Chaldean Syriac Assyrian Popular Council, the Patriotic Ishtar List,<sup>180</sup> won the designated Christian seat in Ninewa with 66.1 per cent of the vote.<sup>181</sup>

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tention of expelling them or bringing them under my control". Crisis Group interview, Qaraqosh, 5 April 2009.

<sup>178</sup> Major General Aziz Weyssi, commander of the peshmergas in Ninewa, said, "the KRG helps the Christians defend themselves from terrorism. We helped them establish small armed self-defence groups. The only long-term solution which can provide Christians with the kind of safety and stability they enjoy in Kurdistan is self-determination". Crisis Group interview, Erbil, 7 April 2009.

<sup>179</sup> Crisis Group interview, Christian residents of Karamles, Bartella, April 2009.

<sup>180</sup> Ishtar was the goddess of love and fertility in the Babylonian pantheon. The ADM suffered a resounding defeat in the January 2009 provincial elections. It lost not only in Ninewa,

But in Ninewa's complex ethnic politics not even this success was unambiguous. The victor, Saad Tannios, who had forcefully campaigned on behalf of "Christian self-determination in all of their historic regions",<sup>182</sup> swiftly moderated his stance upon entering office. At the provincial council's first meeting, he sided with the strongest party, al-Hadbaa and its Sunni Arab constituency. He has since been forced in effect into seclusion.<sup>183</sup> Indeed, al-Hadbaa's impressive triumph has prompted some rethinking and repositioning among Christians – several of whom figured prominently in the Baathist regime. Sarkis Aghajan's disappearance from public view for several months<sup>184</sup> added to the confusion and weakened the KRG's position in the disputed territories.

All this underscores the degree to which efforts to co-opt minorities are fragile and reversible, hostage to the shifting balance of power in the emerging political order. This partially reflects a failure of the minority groups' leaders themselves, whose loyalties too often appear to be determined primarily by the purse that has purchased them and who readily switch camps as power and money dictate, while claiming to do so to protect their group and advance its interests in a complex com-

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but also in Baghdad (also to Ishtar) and Basra (to the Chaldean Democratic Union).

<sup>181</sup> The calculation of minority quota seats itself became a battle in the months preceding the elections. When the council of representatives passed the provincial elections law in September 2008, it left out the article on quotas, having been unable to reach agreement. UNAMI subsequently proposed that lawmakers set aside seven minority seats in Ninewa. However, the council agreed to three. This may have reflected Arab fears that the KRG, which controls the areas in which most minorities live, would be able to dominate seats and bring them to the Ninewa Brotherhood List's side, thus potentially outpacing al-Hadbaa. For an analysis by an anti-KRG Assyrian, see Fred Aprim, "The Iraqi provincial elections law and the terror against the Assyrians in Mosul", Assyrian International News Agency, 4 November 2008, [www.aina.org](http://www.aina.org).

<sup>182</sup> See the interview granted by Saad Tannios in January 2009 at <http://karemlashymi.com/forum/showthread.php?p=174579>.

<sup>183</sup> Since then, Saad Tannios no longer sits on the provincial council. According to Dildar Zeibari, who was elected on the al-Hadbaa list, "he voted for our list [in the confidence vote during the provincial council's first session] but later was threatened by the Kurdish militia. We gave him a leave of absence". Crisis Group interview, 17 May 2009. Were he to resign, he would be replaced by the ADM candidate, who came in second.

<sup>184</sup> Aghajan disappeared from public view in October 2008, at the height of the anti-Christian attacks in Mosul, and subsequently was replaced as KRG minister. Rumours about his assassination circulated until March 2009, when he reappeared in Rome at the Iraqi ambassador's side to welcome a KRG delegation headed by Masoud Barzani which had come to meet the pope. He resurfaced in Erbil on the eve of elections in the Kurdistan region on 25 July 2009.

munal and sectarian mosaic. But it also reflects their constituents' own ambivalence and confusion given the dangerous and vulnerable situation in which they live. Many are torn between wanting effective representation by a leadership that is adept at playing power games and wishing to lie low and to play down identity politics while playing up their less risky cultural and religious identities through rites, rituals and celebrations. As much as leadership shortcomings, this uncertainty (which with the exception of hardcore, chiefly diaspora-based Assyrian nationalists is largely shared) helps explain Christian behaviour.

## B. THE YAZIDIS

### 1. Origins and beliefs

Much about the Yazidis remains secretive and enigmatic. Their denomination itself is a matter of some controversy. Historically known in Arabic as "Yazidiya", they have opted since the early 1990s for the slightly different term "Ezidiya" that subsequently was adopted in the 2005 Iraqi constitution.<sup>185</sup> The disputed terminology is a throwback to competing narratives surrounding the group's ethnic and religious identity. The former name is a reference to Yazid Ibn Muawiya (642-683), the Umayyad caliph renowned for having fought against Shiism and having killed Imam Hussein in the battle of Karbala. After his fall, a cult-like devotion developed around him; several centuries later, his followers, ensconced in northern Iraq, set up their own religious system and hierarchical social order. According to this account, Yazidis form part of a prestigious Arabic-Islamic lineage.

In contrast, Ezidiya (deriving from *ezd*, which means God or Supreme Being in Kurdish) ties the group to the Kurds' pre-Islamic, original religion. It emphasises its roots in ancient Zoroastrian beliefs and, it follows, in the Indo-Persian – as opposed to Arab – civilisation.

The battle over historical narrative rages on, with several competing (and at times highly implausible) versions of the Yazidis' origins.<sup>186</sup> As one expert put it, this hetero-

geneous community is an "original by-product of the encounter of different cultural/religious themes which permeated the fragmented society of northern Iraq".<sup>187</sup> Its belief system appears to borrow from Christianity, Judaism, Gnosticism and Manichaeism, as well as Islam; its rich history makes it near-impossible to determine each religion's share, all the more so since the Yazidis rely essentially on an oral culture to transmit their faith.

### 2. Location and social organisation

Yazidis are concentrated in northern Iraq where, according to the UN High Commissioner for Refugees, some 550,000 reside.<sup>188</sup> Two thirds live in the mountainous region of Sinjar, where they historically sought refuge from persecution. Most of the remaining third are in Sheikhan district, which is both the community's headquarters and its spiritual centre.<sup>189</sup> A small number are spread across other disputed territories, including Bashiqa and several additional towns and villages in the Ninewa plain.

Yazidi society centres on its faith, a strict social hierarchy and alms-giving by community members. Families of sheikhs sit atop the religious order, while its secular counterpart – also hereditary – is headed by a prince. Since 1945, the secular leader has been Tahseen Said Beg, whose political longevity has been ascribed to "his extremely conservative attitude and a policy of support for the most powerful group at any given time, irrespective of its political outlook or ethnic identity".<sup>190</sup> Yazidi society is strictly endogamous: apostasy, religious con-

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<sup>185</sup> Article 2(2) of the constitution refers to "Ezidiyin" in the original Arabic (here transcribed), whereas English translations tend to use the term "Yazidis", thus subverting the constitution's apparent intent although remaining consistent with standard English practice. Without intending to take sides in the dispute, Crisis Group likewise uses the term "Yazidis" in English and "Ezidiyin" in Arabic.

<sup>186</sup> For a defence of the Yazidis' Kurdish origins – and, by extension, of Kurdish territorial claims – see Dilshad Nu'man Farhan, *Mu'amat al-Kord al-'Ezidiyin fi-Dhil al-Humat al-'Iraqiya 1921-2003. Dirasah fi khutat wa wasa'il tarhil wa tahjir wa ta'rib al-'Ezidiyin* [The suffering of Kurdish Ezidis

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under Iraqi governments, 1921-2003: A study of programs and instruments of forced displacement and Arabisation of Ezidis], University of Duhok, the Centre of Kurdish Studies and Archives, 2008. For an opposing view, see Saleem Matar, *Jadal a-Hawiyat, 'Arab, Akrad, Turkman, Siryan, Yazidiya. Sir'a al-intima'at fi-l 'iraq wa-l Sharq al-Awsat* [The Dialectics of Arab, Kurdish, Turkoman, Syriac, Yazidi belonging: The identity conflict in Iraq and the Middle East], Arab Institute for Research and Publishing (Beirut, 2003), pp. 209-243.

<sup>187</sup> Nelida Fuccaro, *The Other-Kurds: Yazidis in Colonial Iraq* (London, 1999), p. 15.

<sup>188</sup> Another 250,000 live in Syria, Turkey, Iran and the Caucasus. A relatively small Yazidi diaspora resides in Europe (chiefly Germany and Sweden). See "Background Information on Non-Muslim Religious Minorities in Iraq", UN High Commissioner for Refugees (UNHCR), October 2005.

<sup>189</sup> It is also where most of the Yazidis' holy places can be found, including Sheikh Adi Ibn Musafir's mausoleum.

<sup>190</sup> Crisis Group interview, Dilshad Farhan, Yazidi journalist and activist, Sheikhan, 9 April 2009.

version or marriage to a member of another group are strictly prohibited.<sup>191</sup>

Historically and to this day, the community has remained largely secluded, essentially for religious reasons. Stigmatised as “devil worshippers” by both Muslims and Christians, Yazidis have had to pay the price several times in the past. They suffered waves of religious persecution as the Ottomans recruited Arab and Kurdish tribes to attack them and settle on their agricultural lands.<sup>192</sup> During the second half of the nineteenth century, some converted to Christianity to avoid persecution and, during World War I and subsequently, they not surprisingly backed the British mandatory power. They suffered anew under the Iraqi monarchy, losing land and bearing the brunt of military repression aimed at curbing their autonomy and independent practices (notably their rejection of military service). The advent of a republican regime made little difference; discriminatory policies were coupled with efforts to enlist them in the central state’s struggle against the Kurds’ nationalist uprising.

The Baath party took this policy a step further. From 1977 onwards, the regime labelled Yazidis as “Arabs” in the national census, while allocating land to Arab tribes at their expense.<sup>193</sup> In the 1990s, it sought to placate its traditional backers in Ninewa (senior army officers; Arab tribal chiefs; university professors) by redistributing land, notably in Sinjar, that the Yazidis considered their own. The result among Sinjar’s “poor and poorly educated” Yazidi population, was:

[to fuel] intense economic resentment toward Arabs, viewed as feudal landlords who had confiscated their lands. The Yazidis sought to resist; several local officials were killed in Sinjar, and, shortly before Sad-

dam’s downfall, fighting broke out between the Yazidis and the Shammar tribe, one of whose sheikhs had benefited from the regime’s territorial largesse in western Sinjar. Competition over scarce land and water formed the backdrop for continued skirmishes, all the more so since – unlike their coreligionists in Sheikhan – Sinjar’s Yazidis are highly tribalised.<sup>194</sup>

Sheikhan, which connects Kurdistan’s southern mountains to the Ninewa plain, has been administered by Mosul from Ottoman days. As a result, its Yazidi community has tended to be more assimilated to the central state, enjoying greater access to education and civil service jobs. It also has been more open to interaction with other communities, Christians in particular.

In 2003, thanks to Kurdish leadership, the Arab-Yazidi balance of power tipped toward the latter in both Sinjar and Sheikhan. Ilyas Baba Sheikh, representative of the Yazidi spiritual leader, explained:

Several months prior to Saddam Hussein’s fall, the Kurdish leadership began to warn Arab villagers they might retaliate against them. Because these villagers owed their presence to the Baath regime’s repressive policies and ethnic cleansing, we advised them to leave of their own free will. When the peshmergas liberated Sheikhan, the Arabs – some of whom had lived there for 30 years – gathered their goods and their cattle and fled.<sup>195</sup>

Sheikhan has since received a great deal of attention from the KRG at a substantial financial cost.<sup>196</sup> Although some civil servants receive their salaries from Mosul, most rely on the KRG. In early 2009, KRG officials appointed a new mayor without prior notice – a Yazidi from Germany; the KRG also appointed the manager of the silo, a critical position in a region that depends almost exclusively on its crops. The KRG’s presence likewise can be felt in Sinjar’s local government, which has tended to back the Yazidis in their many disputes with Arab tribes over agricultural land ownership – a legacy of the Baathist regime’s Arabisation policy.

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<sup>191</sup> According to Dilshad Farhan, “Yazidi society is divided into three hierarchical casts that do not inter-marry. If a young person violates these strict endogamous rules, he or she will be compelled to leave the village to avoid harassment or even death. That does not leave people much choice when they wish to marry and build a family”. Crisis Group interview, Sheikhan, 9 April 2009.

<sup>192</sup> See Nelida Fuccaro, *The Other-Kurds: Yazidis in Colonial Iraq*, op. cit.

<sup>193</sup> “From the early 1970s, the Baath regime viewed our region as highly sensitive from a military standpoint. Its principal goal was to prevent Sheikhan from providing the Kurds with strategic depth. That’s why in 1977 they decreed that we were Arabs”. Crisis Group interview, Ilyas Baba Sheikh, representative and relative of Yazidi spiritual leader, Sheikhan, 9 April 2009. Some Yazidis took sides with the Kurds, and in 1988 the regime treated them as such, brutally repressing them. See “Genocide in Iraq: The Anfal Campaign Against the Kurds”, Human Rights Watch, 1993, pp. 312-317.

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<sup>194</sup> Crisis Group interview, Afeen Khudayda, Yazidi lawyer, Sheikhan, 9 April 2009.

<sup>195</sup> Crisis Group interview, Ilyas Baba Sheikh, representative and relative of Yazidi spiritual leader, Sheikhan, 9 April 2009.

<sup>196</sup> A Crisis Group analyst visiting Sheikhan in April 2009 saw the brand new building of the Bank of Sheikhan that the KRG uses to pay local civil servants. The KRG also has funded buildings to house the local education directorate and road construction. As a result, roads tend to be in far better condition than in many other towns in the plain.

### 3. Ethnic and religious dynamics

As the Kurdish leadership asserted its status as protector of Yazidi interests, the question of the community's identity returned to the fore. Are Yazidis a Kurdish religious sub-group or a separate ethnic entity? From a strictly religious standpoint, distinctions appear to outweigh similarities, insofar as most Kurds are Sunni. Ethnically and linguistically, however, Yazidis typically have been considered Kurdish, even though their Kurdish dialect borrows heavily from Arabic.<sup>197</sup>

Historically, the Kurdish national movement did not lay claim to Yazidi-inhabited territory. Only recently – first with Kurdistan's de facto autonomy in 1991 and then, more significantly, with the 2003 war – did the Kurdish leadership forcefully promote the notion that Yazidis were Kurds, arguing that, in this respect at least, language should override religion. In the words of Falah Mustafa Bakir, chief of the foreign relations office attached to the KRG prime ministry, "Yazidis are ethnically Kurdish, as demonstrated by the fact that their language, both oral and written, is Kurdish as opposed to Arabic".<sup>198</sup> For their part, KRG opponents insist on the confessional factor. For example, Dildar Zeibari, a Kurdish politician allied with al-Hadbaa, argued:

It doesn't really matter whether Yazidis claim to be Kurds or Arabs. All Muslims consider them to be heretics. For most people, religion – in this instance, Islam – is the principal criterion, not ethnicity. Most Kurds would agree that what counts is one's religion, notwithstanding the view of their political leadership.<sup>199</sup>

There is some evidence for this latter opinion. In a number of villages in the Ninewa plain, Kurdish imams are known to call on Yazidis to renounce their heretical beliefs and convert to Islam. Numerous Yazidi residents of Sheikhan told Crisis Group that Kurdish authorities treated them as second-class citizens. As one put it:

We often are victims of discrimination. Recently, Sheikhan's local pro-KRG authorities allocated over 150 housing units, but none was given to a Yazidi family. Whenever a Yazidi builds or expands his home without a permit, he immediately must destroy whatever was done illegally; by contrast, authorities turn a blind eye if a Muslim is at fault. Many Kurds have been dispatched from Dohuk by the KDP and PUK to serve in the local administration; they built with-

out a permit, and yet nobody dares challenge them. Some of us are wondering whether this is the prelude to yet another effort at demographic engineering, as occurred under the Baath.<sup>200</sup>

Some Yazidis also point to religious tensions and incidents that pitted them against neighbours, Arabs but also Kurds.<sup>201</sup> One claimed: "Kurdish Islamists enjoy a powerful presence in or near areas populated by Yazidis. Although both Kurdish parties have tried to contain their influence, they tend to give them free rein in matters such as honour crime in order to bolster their Islamic credentials and overall legitimacy".<sup>202</sup>

For reasons having to do with northern Iraq's cultural diversity and the imperative of survival in a world of complex and competing social groups, the Yazidis have shifted their self-identification, alternatively claiming to be Kurds, Turkomans, Arabs or Assyrians. Their political movement was born mainly among the European diaspora, through contact with Assyrians who provided it with means of action and served as go-betweens with Kurdish parties. For the Assyrians, defining the Yazidis as one of them bolstered their weight and influence, in particular regarding territorial aspirations in northern Iraq. For some time, diaspora Yazidis in Germany and Sweden backed this Assyrian classification, before shifting toward an Arab one and, finally, toward defence of a separate Yazidi ethnicity and national group.

The situation has been further complicated since 2003. Although all Yazidi political parties pay lip service to Prince Tahseen's nominal authority, they are divided and have regularly altered their political alliances. In 2005, one branch of the principal group, the Yazidi Movement for Reform and Progress, led by the Sinjar-born Ameen Fahan Jijo, broke with both the Assyrians and Kurds and proclaimed that the Yazidis formed a separate ethnic group. After his election to parliament in January 2005, Jijo was challenged by several other leaders amid mutual charges of financial impropriety and betrayal of the Yazidi cause. At the same time, Prince Tahseen and other eminent Baba Sheikh family members sided with

<sup>197</sup> Some Yazidis claim they are ethnically Arab. Crisis Group interview, Yazidi lawyer from Mosul, Amman, December 2004.

<sup>198</sup> Crisis Group interview, Falah Mustafa Bakir, Erbil, 1 April 2009.

<sup>199</sup> Crisis Group interview, Mosul, 9 April 2009.

<sup>200</sup> Crisis Group interview, resident, Sheikhan, 9 April 2009.

<sup>201</sup> In February 2007, a young woman from Sheikhan belonging to an important Kurdish tribe was killed by her family after spending time with two Yazidi men. The tribe mobilised forces from neighbouring Kurdish villages which are under heavy Islamist influence and sought to "punish" the Yazidis. They burned down two Yazidi religious centres, one in Lalish, the other in Sheikhan.

<sup>202</sup> Crisis Group interview, Yazidi resident, Sheikhan, 9 April 2009.

the KRG and asserted that their community belonged to the Kurdish nation.<sup>203</sup>

During the January 2009 provincial elections, the Yazidis made good use of the mixed electoral system and their highly communitarian vote to significantly bolster their representation; many were elected from the (Kurdish) Ninewa Brotherhood List, while a few joined forces with al-Hadbaa.<sup>204</sup> As even some Yazidi activists conceded, they currently are “overrepresented” on Ninewa’s provincial council.<sup>205</sup> But the Yazidis’ willingness to vote as a bloc on a strictly community line reflects their sense of insecurity and belief they are potentially threatened by any and all dominant political actors.

Today, most community members appear to lean in the KRG’s direction. This is partly because they see its secular, non-Islamist regime as best protecting their rights. But other factors are at play. A Yazidi civil society activist explained:

We should be under no illusion. Most people don’t think in terms of history or ethnicity but in terms of material interest. The majority of Sheikhan’s residents are civil servants whose appointment depends on the KRG. Housing prices depend on whether Sheikhan will be attached to Ninewa or to the KRG; in the former case, the price will be far less advantageous than in the latter. Most important is the issue of safety: if I decide to go work in Mosul, who will ensure that I won’t be killed by extremists who see me as a devil worshipper? If a Sunni considers a Shiite as a heretic, you can only imagine how he views a Yazidi! All of which explains why most Yazidis for now prefer to be part of the KRG and would vote that way in a referendum. Kurdish authorities know it and are banking on it. It has nothing to do with ethnic feelings.<sup>206</sup>

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<sup>203</sup> Prince Tahseen is the Yazidis’ temporal authority; representatives of the Baba Sheikh family are their spiritual leaders.

<sup>204</sup> A Yazidi journalist said, “we were strongly mobilised for these elections, and we acted according to a strictly communitarian logic. Given the nature of the electoral system, people were able to vote for those Yazidi candidates appearing on the Kurdish list. Ultimately, eight of the twelve deputies who were elected from that list were Yazidis; add to it the Yazidi quota seat, and we ended up with nine of the Ninewa provincial council’s 37 seats”. Crisis Group interview, Afeen Khudauda, Sheikhan, 9 April 2009.

<sup>205</sup> “There is no doubt that we are overrepresented. We should have won a maximum of six seats. Yet, in Sinjar alone, we got six thanks to the Kurdish list”. Crisis Group interview, Yazidi lawyer, Bashiqa, April 2009.

<sup>206</sup> Crisis Group interview, Dilshad Farhan, Yazidi journalist and activist, Sheikhan, 9 April 2009.

## C. THE TURKOMANS

Although of lesser political significance than their Kirkuk counterparts, Ninewa’s Turkomans play an important role in the Arab-Kurdish balance of power, due to their demographic weight and ties with the insurgency as well as with power centres outside Ninewa (Turkey). Today, the Turkomans, whose origins can be traced to successive waves of Turkic migration, hardly constitute a united group. Karhi Altiparmak, the head of the Turkoman Bloc in the Kurdistan regional assembly, said:

After 2003, the Turkoman community was profoundly divided as a result of sectarian polarisation between Sunnis and Shiites. We also are split along local lines: those from Erbil (a small minority), Kirkuk (the largest constituency), Mosul and Tel Afar do not speak in a single voice. As a general matter, local interests, stakes and alliances trump any national or political convergence. Myself, I am cut off from the other Iraqi Turkomans. At least ten political parties currently vie for the support of Ninewa’s Turkomans.<sup>207</sup>

The town of Tel Afar forms an almost exclusively Turkoman enclave in Ninewa, reportedly almost evenly divided between Sunnis and Shiites; according to some estimates, it had approximately 250,000 residents in 2003, a large portion of whom fled toward Mosul as a result of the violence that hit the town from 2003-2004 onward.<sup>208</sup> The fight over Tel Afar is not related to wealth, oil resources or agricultural potential. Indeed, as a sociologist explained, “it is the only place in Iraq where the Turkomans form a majority and where they could claim autonomy. But there is not a drop of water! It also is one of the poorest and least developed areas of Iraq”.<sup>209</sup> The town’s strategic importance derives, instead, from its location, on the road linking Erbil to Sinjar (which is claimed by the KRG) and Syria; moreover, the strategic Kirkuk-Ceyhan oil pipeline cuts across Tel Afar district.

Partly as a result of its location and strategic role, Tel Afar emerged as a centre of the insurgency by mid-2004. The influx of militant preachers from abroad and other regions of the country (such as Falluja) contributed to growing Salafi influence in the city. After the January 2005 parliamentary elections and the arrival of a Shiite Islamist-dominated government in Baghdad, security worsened, as the government initiated revenge actions against killings of Shiites by al-Qaeda in Iraq. Most Sunni

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<sup>207</sup> Crisis Group interview, Erbil, 2 April 2009.

<sup>208</sup> See Travis Patriquin, “Using Occam’s Razor to Connect the Dots: The Ba’ath Party and the Insurgency in Tal Afar”, *Military Review*, January-February 2007, pp. 16-25.

<sup>209</sup> Crisis Group interview, Hassan al-Shammam, sociologist, Mosul University, Mosul, 5 April 2009.

Turkomans sided with Arab co-religionists in boycotting the political process, while Shiite Turkomans closed ranks with Shiite Islamist parties, chiefly (in Tel Afar) the Islamic Supreme Council of Iraq.<sup>210</sup> As a result of the Sunni boycott of the 2005 provincial elections, Kurdish and Shiite Islamist parties imposed a de facto hegemony over local institutions. Receptivity to the Sunni-led insurgency heightened among Tel Afar's Sunni Turkomans, most of whom felt marginalised and many of whom had served in the now disbanded army or Baath party.

The city presented other advantages for the insurgency: its proximity to the Syrian border, which enabled the smuggling of foreign fighters, coupled with its tradition as a transportation hub, which meant it possessed a large fleet of trucks that insurgents could use for their resupply effort.<sup>211</sup> U.S. troops conducted several campaigns aimed at defeating the insurgency, and the level of violence undoubtedly has dropped. Still, the city remains extremely dangerous, with recurring car bombs and ambushes targeting police or seeking to reignite sectarian passions.<sup>212</sup>

While the city of Tel Afar is mainly Turkoman, the surrounding areas of the district are mixed, comprising Turkomans, Arabs and Kurds, and are disputed territories claimed by the KRG, especially the sub-district of Zummar.<sup>213</sup> As in the case of Mosul's Christian population, Kurdish authorities dangle the prospect of self-determination and respect for minority rights to appeal to the Turkoman population. Karhi Altiparmak, head of the Turkoman Bloc in the Kurdistan regional assembly, put it as follows:

Annexation of the disputed territories to Kurdistan would increase the role of Turkomans in the regional assembly. We constitute the second largest ethnic group in Kurdistan, where we already have achieved significant political, symbolic and material gains. Roughly twenty of our schools in Erbil teach our language, and we receive financial help proportional

to our legislative weight. The KRG is prepared to grant us a kind of self-determination as long as we agree to be part of Kurdistan.<sup>214</sup>

On the other hand, the Iraqi Turkoman Front – a coalition of Turkoman parties as well as social and cultural associations that was founded and is still funded and heavily influenced by Turkey – has espoused a more “nationalistic” and unitary view of Iraq.<sup>215</sup> Its former leader, Ahmad Sanaan Agha, said, “Iraq needs a strong national identity. That requires revising the constitution and the entire political structure that has emerged since 2003. The Iraqi parliament is an assembly of political crooks who don't care one bit about the interests of those who elected them”.<sup>216</sup> The front comprises mainly Sunni members, many of whom served at high levels in the Baath government and national army.

Al-Hadbaa's electoral victory in Ninewa marked a reversal in fortunes for Sunni Turkomans, whose leaders had run on the list and one of whom, Hassan Mahmoud, became deputy governor. The ensuing strengthening of Turkey's hand in Ninewa hampered the KRG's bid to annex the disputed territories. Shiite Turkomans continued to find protection in their ties to the Maliki government. Given the prime minister's strategy of pushing back the Kurds and highlighting a national as opposed to sectarian agenda, Sunni and Shiite Turkomans can find common ground.

That said, the situation is fluid, and alliances could shift, particularly in the run up to parliamentary elections. This could have deleterious consequences for Ninewa's Turkomans, who remain a divided minority and whose security is heavily dependent on outside protection. The situation is particularly perilous for Shiite Turkomans, who most likely have been targeted by Sunni insurgents. Tellingly, on 7 August 2009, a Shiite Turkoman mosque in Shirakhan, a village on Mosul's outskirts, was hit by a suicide attack that killed more than 40 and wounded more than 200.

#### D. THE SHABAKS

The Shabaks make up another religious micro-community whose ethnic and political allegiance is both extremely contentious and the target of intense manipulation by Ninewa's principal actors. Little is known of their history or ethnic origins; even their demographic

<sup>210</sup> Then still known as the Supreme Council for the Islamic Revolution in Iraq.

<sup>211</sup> Some analysts offer a different explanation, invoking Tel Afar's cultural specificity: “Tel Afar's residents [*'ifriyin*] constitute a separate group, different even from Mosul's Turkoman community. They have a reputation for violence and stubbornness, feared as much by Mosul's residents as by the Kurds”. Crisis Group interview, Hassan al-Shammam, Mosul, 5 April 2009.

<sup>212</sup> See Crisis Group Report, *The Next Iraqi War?*, op. cit., pp. 20-21.

<sup>213</sup> The Kurdistan region's constitution, adopted in June 2009, includes Tel Afar district and its Zummar sub-district as part of the Kurdistan region.

<sup>214</sup> Crisis Group interview, Erbil, 2 April 2009.

<sup>215</sup> See Crisis Group Middle East Report N°35, *Iraq: Allaying Turkey's Fears over Kurdish Ambitions*, 26 January 2005, pp. 9-11.

<sup>216</sup> Crisis Group interview, Ahmed Sanaan Agha, Iraqi Turkoman Front president in 2000-2003, Erbil, 31 March 2009.

size is uncertain. The 1960 census put their number at 15,000, but their representatives claim 100,000 community members spread across some 60 villages to Mosul's east and south east.<sup>217</sup> Within Mosul itself, where they once had a notable presence, especially among low-skilled urban workers, their numbers have dropped significantly since 2003 as a result of mounting persecution.<sup>218</sup>

The Shabaks' faith has been shaped by Yazidi, Shiite and Sufi influences. If asked, they would assert they are Muslims like any other, though they do not follow Islam's core obligations – prayer, fasting, *zakat* (alms giving) and pilgrimage to Mecca – and possess their own sacred book, written in Iraqi Turkoman. They believe in a trinity composed of Allah, the Prophet Mohammad and Ali.<sup>219</sup> They have tended to be poor, landless peasants, stuck at the bottom of the social ladder and traditionally were protected and exploited by Mosul's Shiite notables, who, like them, revere Ali.<sup>220</sup>

As with the Yazidis, the Shabaks' sense of identity is both fluid and changing. Kurds and Turkomans historically considered them a sub-group of their respective communities. In the 1970s, they unwittingly were caught in the struggle between the regime and the Kurdish national movement, forced to take sides and to choose their nationality under the regime's "nationality correction" policy. A minority, who in 1977 registered as Kurds, were deported by the regime; in 1988, over 3,000 Shabak families were forcibly moved to Erbil and Suleimaniya,

Kurdish towns that suffered sharp regime repression in what turned out to be the Iran-Iraq war's final year.<sup>221</sup>

The fall of the Baathist regime and ensuing events exacerbated the Shabaks' identity crisis. On the one hand, they were further drawn toward Shiites, as they were courted by Sadrists and the Supreme Council for the Islamic Revolution in Iraq, both of whom dispatched representatives to Ninewa and opened offices in areas populated by Shabaks. During the January and December 2005 parliamentary elections, Shabak candidates joined the Shiite Islamist coalition, the United Iraqi Alliance; Hunein Qaddu, general secretary of the Democratic Shabak Gathering, won a seat on both occasions. Today, the party represents Shabaks who refuse to be ethnically assimilated to the Kurds and denounce the KRG's territorial goals in Ninewa. Hunein Qaddu told Crisis Group:

The Kurds believe that the Shabaks do not form a separate ethnic group but rather a different religion, whereas in reality we are Muslims like all others. Masoud Barzani is seeking to smother our existence and subject it to his own political calculations and territorial ambitions. Up until now, he and his followers have been able to make use of the terrorist threat and, in 2007, they spread the rumour that we had joined the [Sadrists'] Mahdi Army. The goal was to foment tension between us and the Sunnis and then have the Kurds emerge as our only possible protector.<sup>222</sup>

This anti-Kurdish tendency prevailed anew in the 2009 provincial elections, taking the seat set aside for Shabaks in Ninewa. The winner, a candidate from Hunein Qaddu's group, promptly allied himself with al-Hadbaa.<sup>223</sup>

On the other hand, some Shabaks forged an alliance with Kurdish authorities, who claim them as part of their ethnic group and have helped with the return of families displaced in 1988. Mulla Salem Jumaa al-Shabaki, spokesman of the pro-Kurdish Consultative Shabak Committee, said:

The Shabaks are Kurdish from a linguistic, cultural and historical perspective. Ninewa's Arabs look down upon us for two reasons: they see us as Kurdish and, for the most part, as Shiites. Over 800 Shabaks were killed in Mosul; by contrast, no act of violence has

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<sup>217</sup> See Amal Vinogradov, "Ethnicity, Cultural Discontinuity and Power Brokers in Northern Iraq: The Case of the Shabaks", *American Ethnologist*, vol. 1 (1974), pp. 207-218. A Shabak representative, Mulla Salem Jumaa al-Shabaki, spokesperson for the Consultative Committee for the Shabaks (*al-hay'a al-istishariya lil-Shabak*), asserted that there are 300,000 Shabaks in Iraq. Crisis Group interview, Erbil, 11 April 2009. This number is unverifiable without an official population census.

<sup>218</sup> The Shabaks left due both to the overall deterioration in security conditions and, more particularly, to attacks by Sunni insurgents, who saw them as Shiites. Several Shabak butchers in Mosul were assassinated. Crisis Group interviews, Mosul residents, Mosul, April 2009.

<sup>219</sup> Martin van Bruinessen, "A Kizilbash Community in Iraqi Kurdistan: The Shabaks", *Les Annales de l'Autre Islam*, vol. 5 (1998), pp. 185-196. Ali was the cousin and son-in-law of Prophet Mohammad and one of his successors at the helm of the Islamic Caliphate.

<sup>220</sup> See Michiel Leezenberg, "Between Assimilation and Deportation: The Shabaks and the Kakais in Northern Iraq", in K. Kehl-Bodrogi et al. (eds.), *Syncretic Religious Communities in the Near East* (Leiden, 1997), pp. 155-174.

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<sup>221</sup> Ibid.

<sup>222</sup> Crisis Group interview, 10 April 2009.

<sup>223</sup> Arabs who reside in areas inhabited by Shabaks were reportedly told by al-Hadbaa to vote for the Shabak candidate, Qusay Abbas Muhammad, who won in Tel Kayf, Bashiqa, Bartella and Hamdaniya. Crisis Group interviews, Shabak residents, Ninewa plain, April 2009.

occurred in areas under peshmerga control.<sup>224</sup> With the KRG's support, I was able to provide compensation for displaced families. We distributed the money prior to the elections. The KRG also allocated in-kind assistance, such as kitchen utensils and heating instruments. Hunein Qaddu has done nothing and has nothing to offer. Thanks to Article 140 of the constitution, we repatriated 36,000 Kurdish families to Ninewa, including several hundred Shabak families.<sup>225</sup>

That said, efforts to co-opt the Shabaks have not always yielded expected results. Several officials appointed by the KRG subsequently have joined forces with al-Hadbaa and vice versa; in both instances, they were acting according to the then prevailing balance of power.<sup>226</sup> Most Shabaks have sought to remain relatively neutral. In the words of a university professor:

The most practical solution is to present ourselves as a separate ethnic group. It affords us greater protection because we live in a dangerous area, caught between Arabs and Kurds, and we don't want to take a position in their fight. We are neither Arab nor Kurd, but we are from Ninewa and, as such, we want to have our say in the governorate's management.<sup>227</sup>

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<sup>224</sup> This was true at the time the speaker was interviewed in April 2009. Four months later, a devastating attack on the Shabak village of Khazna in KRG-controlled disputed areas killed scores. The attackers' intent may precisely have been to show the Shabaks that the KRG is not a reliable protector.

<sup>225</sup> Crisis Group interview, Erbil, 11 April 2009. Article 140 of the constitution provides, *inter alia*, for a process called "normalisation", a reversal of the previous regime's Arabisation policy, including the return of deported families.

<sup>226</sup> As in the case of other minorities in Ninewa, pro-Arab and pro-Kurdish politicians regularly accuse each other of opportunism. Mulla Salem Jumaa al-Shabaki said, "in 2004, Hunein Qaddu asserted in an interview on Kurd TV that the Shabaks were ethnically Kurdish. Since then, he has repeatedly changed his mind. He got elected in 2005 by highlighting his Shiite credentials and rallying the Shiite list; at the time this did not create any problem because Kurds and Shiites were allies. In 2007, as he felt the winds shifting, he claimed he was an Arab and then, in the run-up to the provincial elections, he maintained he was ethnically 'Shabaki' and started to speak with a Shabaki accent". Crisis Group interview, Erbil, 11 April 2009. Surya Qaddu, president of the Shabaki Women's League and Hunein's sister, retorted that "Mulla Salem is a former Baathist who started on our side and then opportunistically joined forces with the Kurds, who promised him significant financial assistance". Crisis Group interview, Bartella, 4 April 2009.

<sup>227</sup> Crisis Group interview, Shabak university professor, Mosul, April 2009.

The 10 August 2009 massive attack on a Shabak village, Khazna, in which two large bombs placed on flat-bed trucks exploded, killing 35 and injuring over 150, highlighted the tragic predicament of Ninewa's minority groups. It also illustrated the tendency of more powerful actors to manipulate such traumatic events to further their agenda. Shortly afterwards, the Ninewa government called on Prime Minister Maliki to dispatch federal troops to dislodge Kurdish forces from disputed territories in the governorate, attributing the attack and others like it to its own lack of control in these areas due to the presence of peshmergas.<sup>228</sup> A KDP official distributing food in Khazna subsequently accused al-Hadbaa of masterminding the attack and said he had asked his party's leadership to send more peshmergas to protect the Shabaks, who he claimed were Kurds.<sup>229</sup> Shabak leader Hunein Qaddu took a different view:

We are on the front lines with the Kurds, and we suffer a lot. Every day, they oppress our people – we need this to be eased. ... The Americans are responsible in many ways. They brought the peshmerga and asaesh [Kurdish security police] to our areas, and they really should have thought to create a force from the inhabitants of these areas to defend themselves. There is a vacuum, because they do not care about our stability – they care about stability in other areas. That's why we have been targeted easily by insurgent groups. The Americans are the strategic allies of the Kurds; they should put pressure on them to leave these areas and respect the Iraqi constitution.<sup>230</sup>

Concerning Lt. General Odierno's proposal to organise U.S.-supported joint patrols, Qaddu said, "the Americans' suggestion to have a presence there is going to help us, but at the same time, it will give some kind of legitimacy to the presence of the Kurds in the area. This is a dilemma, really".<sup>231</sup>

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<sup>228</sup> *The New York Times*, 11 August 2009.

<sup>229</sup> *The New York Times*, 16 August 2009. The KDP official said al-Hadbaa "wanted to kill two birds with one stone: kill Shiites and have Kurds blamed".

<sup>230</sup> Crisis Group interview, Hunein Qaddu, secretary-general of the Democratic Shabak Gathering, Baghdad, 13 September 2009.

<sup>231</sup> *Ibid.*

## VI. OUTLINE OF A POSSIBLE DEAL

The bombings in August and September 2009 appear to have concentrated the minds of the two principal antagonists, as well as the Baghdad government, the U.S. and UNAMI, though Iraqi politicians had already engaged in mediation efforts in previous months.<sup>232</sup> In July, the National Security Council established a committee to seek ways to break the deadlock and avert open conflict. Chaired by Deputy Prime Minister Rafea al-Issawi, it comprised the ministers of defence (Abd-al-Qader al-Obeidi), interior (Jawad Bolani), national security (Sherwan Waaeli), justice (Dara Nour al-Din) and finance (Bayan Jabr Solagh). It had four subcommittees, dealing with, respectively, reconciliation, security, the economy and judicial matters. Issawi is a former Iraqi Islamic Party member who turned independent and is now preparing his own list, the Future Gathering, for the January 2010 elections; Issawi might make inroads politically in Ninewa should his mediation effort succeed. He has taken a specific interest in economics and reportedly has pushed the need for economic assistance in particular in his mediation effort in Ninewa.<sup>233</sup>

In August, Issawi, Obeidi and Waaeli travelled to Mosul to meet with Atheel al-Nujayfi and the local U.S. commander. They discussed in particular the need to shore up local security forces with 14,000 new recruits (8,000 police and 6,000 army soldiers) from all parts of the governorate. Issawi then proceeded alone to Erbil, where he met with KRG Prime Minister Nechirvan Barzani and President Masoud Barzani, as well as to Suleimaniya for discussions with PUK leaders, such as Barham Salih (who was soon to become the KRG's prime minister-designate).<sup>234</sup>

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<sup>232</sup> Mediation in the Ninewa conflict began right after the January 2009 provincial elections. The UN Assistance Mission in Iraq sought to find ways to break the deadlock over the Brotherhood List's boycott but soon realised that no progress would be possible before the presidential and parliamentary elections in the Kurdistan region scheduled for 25 July. Iraqi politicians, including Deputy Prime Minister Rafea al-Issawi, also made efforts at the time. Crisis Group interview, Jaber al-Jaberi, adviser to Issawi, Baghdad, 26 September 2009. The U.S. launched its own mediation in August via its Provincial Reconstruction Team in Ninewa but suspended its efforts once the Issawi initiative started to make headway in mid-September.

<sup>233</sup> Crisis Group interview, Western diplomat, Baghdad, 14 September 2009.

<sup>234</sup> Crisis Group interview, Jaber al-Jaberi, adviser to Issawi, Baghdad, 26 September 2009.

In September, both sides sent negotiators to Baghdad, meeting for four hours.<sup>235</sup> Both sides staked out their positions. Abd-al-Mohsen al-Saadoun, a Kurdish parliamentarian, articulated the Ninewa Brotherhood List's perspective as follows:

In this last election, both lists won, the Brotherhood List and al-Hadbaa List. What I mean is that governance in all of Iraq is based on *muhasasa* [ethno-sectarian quotas]. The presidency council is decided this way and so are the parliament speaker and his deputies, as well as cabinet ministers, and it also happens in the provinces – except Ninewa. In Ninewa, al-Hadbaa has gone with the idea of absolute-majority rule. This is not in the constitution. By not accepting the Brotherhood in local government, al-Hadbaa carried out a coup against democracy and national consensus.<sup>236</sup>

Moreover, he suggested, a double standard was being applied: "It's funny that everyone is demanding that the Kurds share power with the Arabs in Kirkuk but fail to make that same demand in Ninewa".<sup>237</sup>

As part of a power-sharing deal in Ninewa, the Brotherhood List, as runner-up in the elections, says it is entitled to the posts of council president and deputy governor, senior positions in the security apparatus and about a third of the "key" appointments in local government.<sup>238</sup>

Al-Hadbaa's narrative is the polar opposite. Usama al-Nujayfi contended that the elected government simply seeks to govern but is blocked by the Kurds in the disputed districts:

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<sup>235</sup> The meeting included Atheel al-Nujayfi for al-Hadbaa, and Karim Sinjari, the KRG interior minister, Khasro Goran, Ninewa's ex-deputy governor, and Harim Agha, the PUK's representative in Ninewa, as well as the mediators under Issawi. Ibid.

<sup>236</sup> Crisis Group interview, Abd-al-Mohsen al-Saadoun, member of the council of representatives for the Kurdistan Alliance, Baghdad, 13 September 2009.

<sup>237</sup> Ibid.

<sup>238</sup> Al-Saadoun said: "Since they got the governor post, we should have the deputy position. When we say we want the council president post, we say they can have the vice-president position. We deserve the council presidency because we were the second-place list in the election; this is how it is done in the rest of Iraq. We also demand that security be managed by the two lists as partners, and that we share key security positions. ... [As for other government positions,] let's say there are 50 key governmental positions in the governorate. Why do they insist that Arabs only should occupy all these positions, while the Kurds make up about 30 or 35 percent of Ninewa's population? What is the problem with giving the Kurds fifteen of these 50 key positions?" Ibid.

We are performing our regular work in the governorate, such as building and rebuilding. The problem is that some of the areas that are under the Kurdish militia's control are not receiving any kind of services because the militia [peshmerga] have prevented local government employees from doing their jobs and have isolated these areas from the rest of the governorate. This is both abnormal and unacceptable.<sup>239</sup>

Al-Hadbaa's key demand is that the peshmerga be withdrawn from Ninewa governorate. Usama al-Nujayfi elaborated:

Al-Hadbaa demands that the peshmerga and asaesh be withdrawn from all of Ninewa and that the elected government be able to pursue its role and control all the territory, as stated in the constitution. These are the legal borders of the governorate. Additionally, all security forces in Ninewa must be under the command of the governor, except the army, because it falls under the command of the defence ministry. There are other demands concerning education and some other administration issues, but these are the main ones.<sup>240</sup>

Both sides have rejected the other's demands out of hand, at least publicly, and have asserted that the law supports their case.<sup>241</sup> Each has claimed to be negotiating in good faith and has expressed exasperation over the other's resistance to compromise. And the Brotherhood List, at least, has suggested that it is close to ending the negotiations and will persist in its de facto control of part of the governorate. Al-Saadoun said:

We think that the current mediation will be the last one. After this, we will not be interested in holding further talks. Al-Hadbaa has delayed the talks so many times, our population can't wait any longer. There are no services whatsoever, and terrorists are striking these areas with car bombs. We will set a final date by

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<sup>239</sup> Crisis Group interview, Usama al-Nujayfi, member of the council of representatives, Iyad Allawi's Iraqiya List, Baghdad, 13 September 2009.

<sup>240</sup> Ibid.

<sup>241</sup> Al-Saadoun said: "The presence of the peshmergas in these areas is legal, because these are disputed areas, and the majority of the population in these areas is Kurd. The peshmergas have the right to stay there until Article 140 is implemented. Al-Hadbaa says that they will reject the joint checkpoints that the Americans have proposed. They have no say in this matter; it's not their responsibility but the constitution's. The Iraqi army is the army of all – Kurds and Arabs. The peshmergas, too, are part of the Iraqi military system". Crisis Group interview, Abd-al-Mohsen al-Saadoun, member of the council of representatives for the Kurdistan Alliance, Baghdad, 13 September 2009.

which these negotiations should end, and then we will declare publicly who is rejecting the demands.<sup>242</sup>

He denied, however, that Brotherhood officials had called for the disputed areas' secession.<sup>243</sup>

Mediators have suggested that, regardless of what they say to please their publics, negotiations have progressed well, and the participants have shown signs of compromise. For example, Jaber al-Jaberi, an aide to Issawi, asserted that the negotiations have been "very successful. Both sides have agreed on a lot of things, and there are no red lines. Everything is on the table. Both sides are fully willing to make compromises".<sup>244</sup> To support negotiations and induce compromise, Issawi proposed that the Maliki government consider linking progress to the disbursement of \$500 million in budget allocations that the Ninewa government failed to spend in 2006-2008, when security conditions prevented reconstruction. This proposal is moving through the federal bureaucracy and, if approved and implemented, could give the Ninewa government something tangible to offer its people.<sup>245</sup>

The mediators also made some headway on an important question covered by the judicial subcommittee – that of Arabs detained in Ninewa on terrorism charges and transferred to the Kurdistan region. The KRG is said to have agreed in principle to return these detainees to prisons in Ninewa.<sup>246</sup> Another round of high-level negotiations is expected to be held in early October.

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<sup>242</sup> Ibid.

<sup>243</sup> "None of the members of the Brotherhood List have publicly declared that they would work to join some of these areas to Kurdistan. This is absolutely false information. They never said this". Ibid. For an example of a Brotherhood official, Darman Haji, saying precisely that in August 2009, as reported in the Kurdish media, see Section IV.A above.

<sup>244</sup> Crisis Group interview, Baghdad, Jaber al-Jaberi, 7 September 2009.

<sup>245</sup> The Ninewa government was unable to spend \$500 million in fiscal years 2006, 2007 and 2008 because of security conditions, but under the budgets of those years, local government was permitted to roll over unspent project money to the next year. This was not the case with the 2009 budget, so Ninewa lost access to the \$500 million it had failed to spend. Issawi proposed that the Maliki government make an interim disbursement of \$250 million to start projects going "as an incentive for political compromise", with the understanding that the remaining \$250 million would be made available via a supplemental budget for fiscal year 2009 as a reward for progress in political negotiations. Crisis Group interview, Western diplomat, Baghdad, 14 September 2009.

<sup>246</sup> Crisis Group interview, Western diplomat, Baghdad, 14 September 2009. The KRG's readiness to settle the detainee question was reinforced in a Crisis Group interview with Esmat Argushi, head of the KDP's security police (asaesh),

If a deal can be reached, it must be a true compromise. While Ninewa's Arab leaders accuse the KRG of expansionist ambitions, one reason the Kurds rushed across the Green Line in 2003 was to protect Kurds displaced under Arabisation and to facilitate their return to their original homes and lands; the effort to incorporate these areas into the Kurdistan region came later (especially via Article 140 of the 2005 constitution). The Kurds' primary concern in these areas, therefore, is that native Kurds can continue to live there without fear of violence and expulsion. This is a legitimate demand. The challenge is to accomplish this without undermining the authority of the elected Ninewa government, which is equally legitimate in insisting on such authority.

Each side has its own red line: for al-Hadbaa, it is that the disputed territories remain an integral part of Ninewa governorate and not become part of the Kurdistan region; for the Brotherhood List, it is that the peshmerga stay in the disputed territories to protect the local population.<sup>247</sup> These bottom-lines need not be violated in the search for an interim solution that will reduce tensions and could lay the foundation for a durable political settlement.

Crisis Group proposes such an interim solution until the Article 140 question is resolved by constitutional means, one consistent with the approach advocated by UNAMI (negotiations over the status of the disputed territories, followed by a referendum to ratify the deal). It requires both sides to give up something they hold dear and to which they say the other is not entitled. For the Brotherhood List, it involves sharing security duties in Ninewa's disputed districts, including joint patrols and checkpoints of Iraqi army and peshmerga in rural areas and Ninewa security police and Kurdish asaesh in urban areas. Initially, this would benefit from the presence of U.S. military officers, who could promote communication, coordination and cooperation at all levels of security, as Lt. General Odierno has proposed. Though there is no consensus and many local actors have voiced reservations, some Western officials say there is greater support privately from Arabs and Kurds for U.S. military participation.<sup>248</sup> That said, U.S. diplomats have ex-

pressed concern about exposing U.S. personnel to fighting if things go wrong.<sup>249</sup>

For al-Hadbaa, the deal would mean accepting to share power, including most critically in security positions, with the Brotherhood List, which would be a junior partner in an al-Hadbaa-dominated Ninewa government. A Brotherhood presence in the top echelons of government, for example as deputy governor and/or council president, would give the Kurds the assurance they seek that local authorities will not violate the rights of civilians in the disputed areas, as happened so traumatically prior to 2003, or effect an immediate change to their administrative hold. To enable the proposed Arab-Kurdish security arrangement in particular, the peshmergas should be formally incorporated into federal army units deployed in Ninewa, while the asaesh and parastin (Kurdish intelligence) should be integrated into Ninewa's security agencies; however, Kurdish commanders should be given top positions in both security forces, alongside non-Kurdish commanders, to allay Kurdish concerns that these forces could be turned against the disputed districts' Kurdish population.

A further step, as one mediator has proposed, would be to integrate members of minority groups in security forces deployed in the disputed territories, with recruitment based on their proportional size in the local population and under the command of the Ninewa government.<sup>250</sup>

Other measures would help bridge the gap between Arabs and Kurds and protect minorities:

- ❑ The KRG should transfer any Ninewa-origin detainees it might be holding to the custody of the governorate's judiciary.
- ❑ Al-Hadbaa and the Ninewa Brotherhood List should reaffirm the principle of Arabic and Kurdish bilingualism guaranteed by Article 4(1) of the constitution, applying it to public schools and other educational institutions in disputed districts.<sup>251</sup> They could facilitate this by agreeing to joint administration in educational affairs in these districts; a first step would be to set up a committee within the Ninewa Direc-

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Erbil, 24 May 2009, who contended that the KRG had imprisoned these suspects at the behest of the U.S., whose prison camps were overflowing. See Section III.A above, however, for Khasro Goran's denial that the KRG still holds Arab detainees.

<sup>247</sup> Ibid.

<sup>248</sup> A Western official said that the idea of joint checkpoints had been implicitly blessed by al-Hadbaa and the Ninewa Brotherhood List, although modalities remain to be ironed out. "I don't think we are quite there yet, but there isn't the sense that this will be a deal-breaker". Crisis Group interview, Baghdad, 14 September 2009.

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<sup>249</sup> Crisis Group interview, U.S. diplomat deployed in Iraq earlier in 2009, Washington DC, September 2009.

<sup>250</sup> Crisis Group interview, spokesman of the Sadrist Trend in the council of representatives, Baghdad, 16 September 2009.

<sup>251</sup> Article 4(1) reads: "The Arabic language and the Kurdish language are the two official languages of Iraq. The right of Iraqis to educate their children in their mother tongue, such as Turkoman, Syriac or Armenian, shall be guaranteed in government educational institutions in accordance with educational guidelines, and [they have the right to educate their children] in any other language in private educational institutions".

torate of Education comprising representatives of all ethnic communities to regulate teacher recruitment and salary payment. Kurdish teachers in the disputed districts who receive their salaries from the KRG should be transferred to the authority and payroll of Ninewa's education directorate.

- Both sides should publicly commit to protecting the linguistic and cultural rights of minority groups, including the right to teach in their own language in districts in which they are concentrated. Article 4(4) of the constitution specifically lists Turkoman and Syriac in this respect.<sup>252</sup>

It is unclear that the sides would agree to such a compromise. As leverage, the federal government should hold out the prospect of disbursing \$500 million in unspent past budget funds to the Ninewa government if and when a deal is reached.

Should talks break down, it may well be because of the Kirkuk issue, which remains the elephant in the room. A member of the Sadrist Trend who has participated in the mediation effort explained:

The Kurds said that if the Arabs will continue creating pressure and demanding special treatment in Mosul, they would demand the same for Kirkuk. Everybody is into solving the problem of Kirkuk first. The Kirkuk case concerns Kurds, Arabs and Turkomans; it will push aside the negotiations. I believe the Ninewa case will be suspended until we solve the Kirkuk problem.<sup>253</sup>

On the other side, al-Hadbaa may choose to delay any deal, calculating that time is on its side: as U.S. forces withdraw next year, the position of their Kurdish allies will be weakened.<sup>254</sup> This would be a perilous calculation. The Kurds will remain in a stronger position by virtue of their being ensconced in disputed districts; in the absence of a negotiated deal, the only way to dislodge them would be by force.

There are two evident alternatives to a compromise deal: open warfare; and a stalemate involving continuation of the de facto territorial and administrative separation on the ground that might, however, erupt into open conflict once U.S. forces pull out in less than a year. Al-Hadbaa and the Brotherhood List should contemplate these alternatives and act responsibly with a view to protecting the people of Ninewa and their rights regardless of ethnicity. Should they fail to do so, they should be held accountable for not choosing the peaceful option that today remains available.

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<sup>252</sup> Article 4(4) reads: "The Turkoman language and the Syriac language are two other official languages in the administrative units in which they constitute demographic density". The constitution fails to define the term "demographic density" (*kathaafa sukaaniya*).

<sup>253</sup> Crisis Group interview, spokesman of the Sadrist Trend in the council of representatives, Baghdad, 16 September 2009.

<sup>254</sup> Alternatively, al-Hadbaa may not wish to compromise its stance as the party confronting the Kurds just ahead of national elections. Political calculations aside, negotiations also could break down were al-Hadbaa to disintegrate as a result of internal differences regarding electoral alliances.

## VII. CONCLUSION

Evidence of Ninewa's fragility and the tragic fate of its minorities abounds. The pattern set by the deadly Shirakhan and Khazna bombings in early August 2009, described above, was continued by a double suicide bombing later that month that killed 21 in Sinjar and by a devastating suicide attack on the Kakai<sup>255</sup> Kurdish village of Wardak in the disputed territories on 10 September, in which at least twenty died.

It might have been expected – or hoped – that Ninewa would follow the pattern set by most of central and southern Iraq and gradually move toward greater stability and prosperity. That was not to be. Instead, Ninewa's continued strife risks dragging other parts of the country onto a downward slope. As the standoff over Kirkuk persists and January legislative elections approach, brinkmanship on both sides of the Arab/Kurdish fault line could bring the conflict to a boil. There are welcome signs that the U.S., UN and domestic actors are pooling their efforts to prevent such a scenario, but these efforts need a stronger push.

Ninewa serves as a reminder that the fundamental problems that threaten Iraq as a whole – notably the absence of movement toward a sustainable solution to the Kurdish question – continue to fester. These need urgent attention, although with elections on the horizon, the country's political actors are more than likely to avoid compromises for which they might be made to pay at the polls. In the interim, however, at least local sources of tension can and should be addressed, with an emphasis on minority protection, economic reconstruction, a viable Arab/Kurdish political arrangement and joint security structures that can both improve safety and increase confidence.

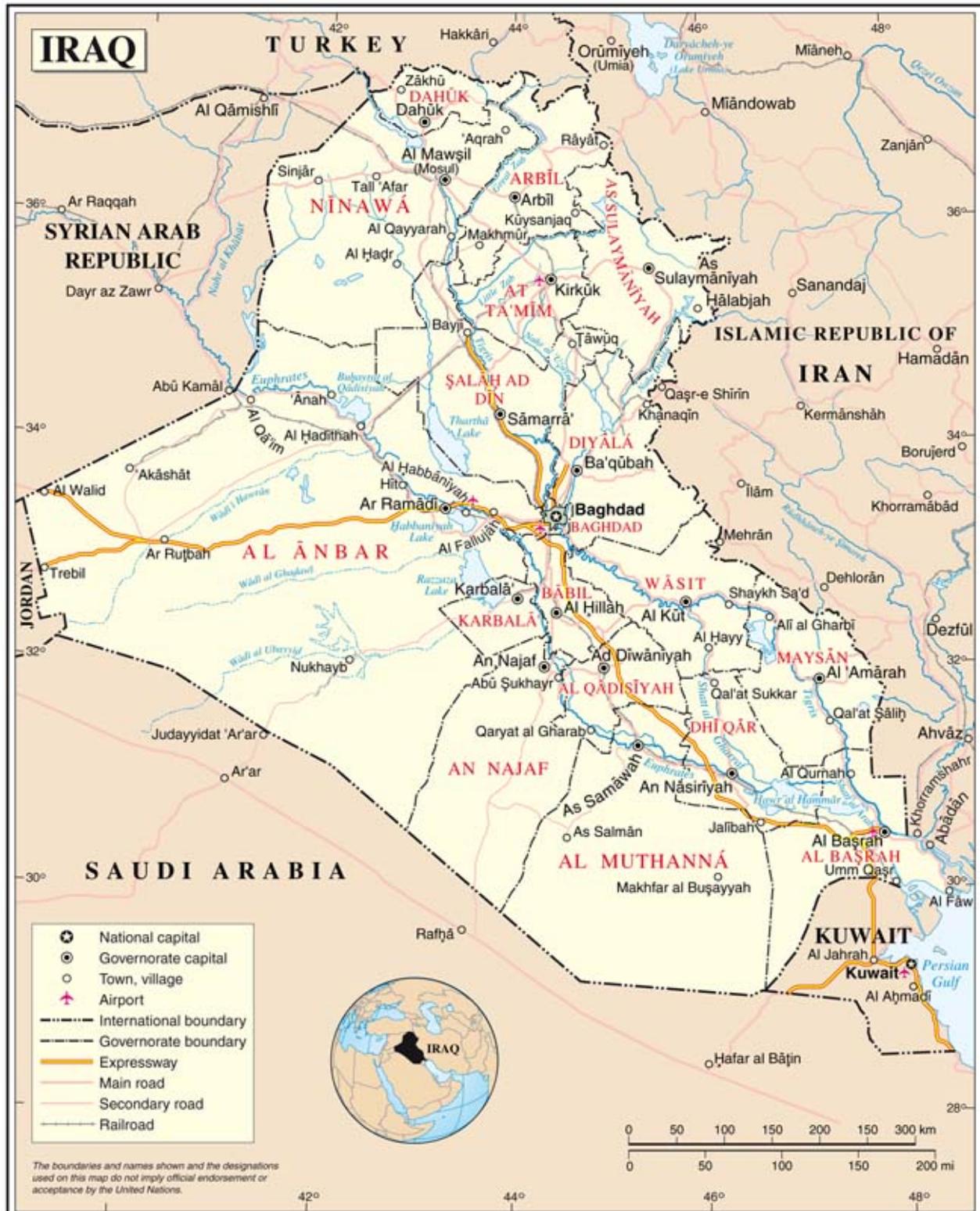
**Mosul/Washington/Brussels, 28 September 2009**

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<sup>255</sup> Also referred to as People of the Truth (*Ahl al-Haq*), the Kakais form a small Kurdish subgroup mainly concentrated south east of Kirkuk as well as along the Iranian border above the town of Halabja; they have esoteric beliefs but define themselves as Shiites.

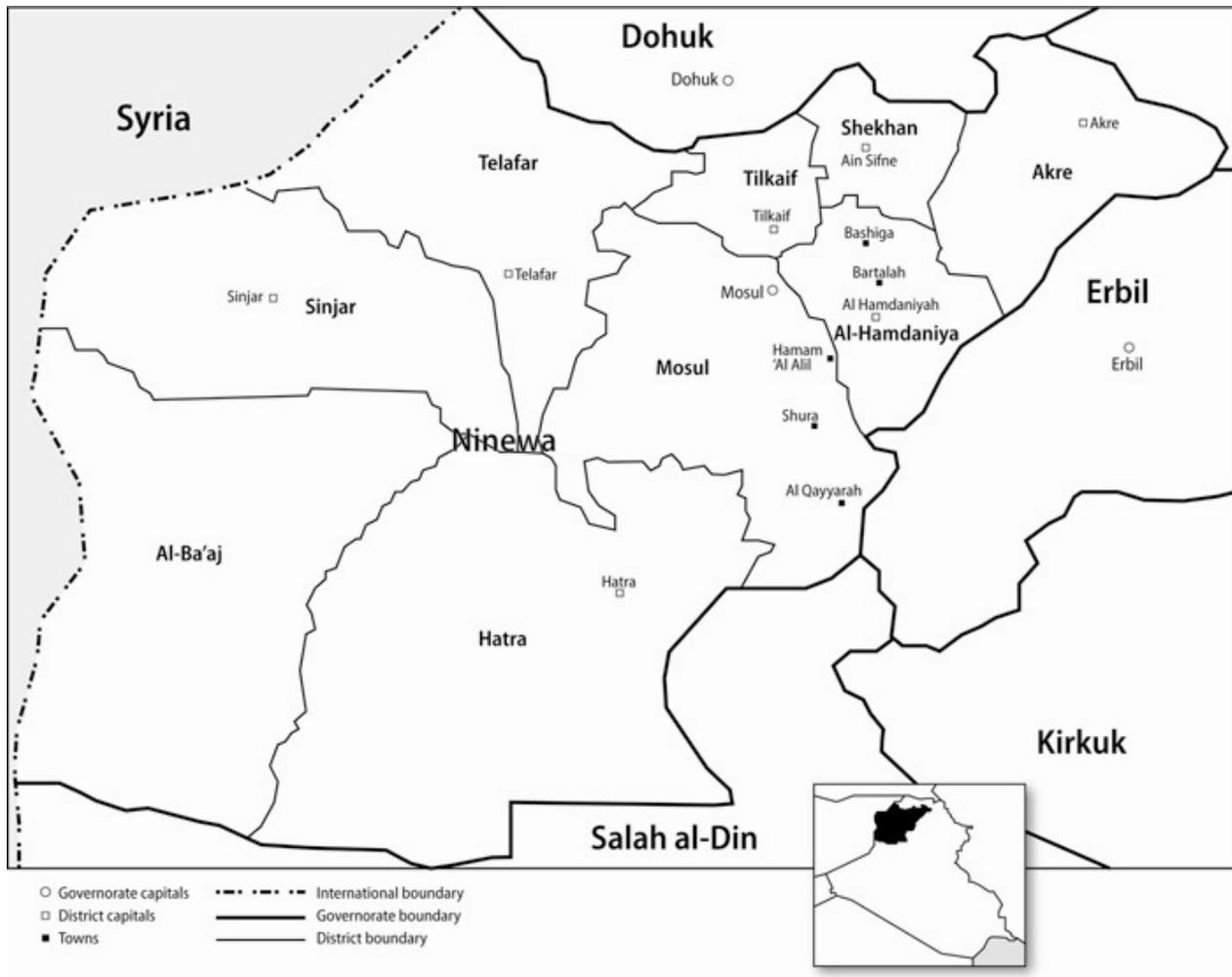
## APPENDIX A

### MAP OF IRAQ



## APPENDIX B

### MAP OF DISTRICTS IN NINEWA GOVERNORATE



## APPENDIX C

### ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters are in Brussels, with major advocacy offices in Washington DC (where it is based as a legal entity) and New York, a smaller one in London and liaison presences in Moscow and Beijing. The organisation currently operates nine regional offices (in Bishkek, Bogotá, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina and Tbilisi) and has local field representation in eighteen additional locations (Abuja, Baku, Bangkok, Beirut, Cairo, Colombo, Damascus, Dili, Jerusalem, Kabul, Kathmandu, Kinshasa, Ouagadougou, Port-au-Prince, Pretoria, Sarajevo, Seoul and Tehran). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic

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September 2009

## APPENDIX D

### CRISIS GROUP REPORTS AND BRIEFINGS ON THE MIDDLE EAST AND NORTH AFRICA SINCE 2006

#### ARAB-ISRAELI CONFLICT

*Enter Hamas: The Challenges of Political Integration*, Middle East Report N°49, 18 January 2006 (also available in Arabic and Hebrew)

*Palestinians, Israel and the Quartet: Pulling Back From the Brink*, Middle East Report N°54, 13 June 2006 (also available in Arabic)

*Israel/Palestine/Lebanon: Climbing Out of the Abyss*, Middle East Report N°57, 25 July 2006 (also available in Arabic)

*The Arab-Israeli Conflict: To Reach a Lasting Peace*, Middle East Report N°58, 5 October 2006

*Israel/Hizbollah/Lebanon: Avoiding Renewed Conflict*, Middle East Report N°59, 1 November 2006 (also available in Arabic and French)

*Lebanon at a Tripwire*, Middle East Briefing N°20, 21 December 2006 (also available in Arabic and Farsi)

*After Mecca: Engaging Hamas*, Middle East Report N°62, 28 February 2007 (also available in Arabic)

*Restarting Israeli-Syrian Negotiations*, Middle East Report N°63, 10 April 2007 (also available in Arabic)

*After Gaza*, Middle East Report N°68, 2 August 2007 (also available in Arabic)

*Hizbollah and the Lebanese Crisis*, Middle East Report N°69, 10 October 2007 (also available in Arabic and French)

*The Israeli-Palestinian Conflict: Annapolis and After*, Middle East Briefing N°22, 20 November 2007 (also available in Arabic)

*Inside Gaza: The Challenge of Clans and Families*, Middle East Report N°71, 20 December 2007

*Ruling Palestine I: Gaza Under Hamas*, Middle East Report N°73, 19 March 2008 (also available in Arabic)

*Lebanon: Hizbollah's Weapons Turn Inward*, Middle East Briefing N°23, 15 May 2008 (also available in Arabic)

*The New Lebanese Equation: The Christians' Central Role*, Middle East Report N°78, 15 July 2008 (also available in French)

*Ruling Palestine II: The West Bank Model?*, Middle East Report N°79, 17 July 2008 (also available in Arabic)

*Round Two in Gaza*, Middle East Briefing N°24, 11 September 2008 (also available in Arabic)

*Palestine Divided*, Middle East Briefing N°25, 17 December 2008 (also available in Arabic)

*Ending the War in Gaza*, Middle East Briefing N°26, 05 January 2009 (also available in Arabic and Hebrew)

*Engaging Syria? Lessons from the French Experience*, Middle East Briefing N°27, 15 January 2009 (also available in Arabic and French)

*Engaging Syria? U.S. Constraints and Opportunities*, Middle East Report N°83, 11 February 2009 (also available in Arabic)

*Nurturing Instability: Lebanon's Palestinian Refugee Camps*, Middle East Report N°84, 19 February 2009 (also available in Arabic and Hebrew)

*Gaza's Unfinished Business*, Middle East Report N°85, 23 April 2009 (also available in Hebrew and Arabic)

*Lebanon's Elections: Avoiding a New Cycle of Confrontation*, Middle East Report N°87, 4 June 2009 (also available in French)

*Israel's Religious Right and the Question of Settlements*, Middle East Report N°89, 20 July 2009 (also available in Arabic and Hebrew)

#### NORTH AFRICA

*Political Transition in Mauritania: Assessment and Horizons*, Middle East/North Africa Report N°53, 24 April 2006 (only available in French)

*Egypt's Sinai Question*, Middle East/North Africa Report N°61, 30 January 2007 (also available in Arabic)

*Western Sahara: The Cost of the Conflict*, Middle East/North Africa Report N°65, 11 June 2007 (also available in Arabic and French)

*Western Sahara: Out of the Impasse*, Middle East/North Africa Report N°66, 11 June 2007 (also available in Arabic and French)

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