

# Iraqi Kurds Face Legitimacy Issues Amid Election Deadlock and Internal Division

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Brief Analysis

**The Kurdistan Region of Iraq (KRI) has been heading for unprecedented political and financial uncertainties as a result of the growing disputes between the two ruling parties and the central government's moves to erode the KRI's autonomous status.**

Parliamentary elections were originally set to be held on October 1, 2022 in the KRI, but they were then postponed to November 18, 2023 because the two main Kurdish parties—the Barzani-led Kurdistan Democratic Party (KDP) and the Talabani-led Patriotic Union of Kurdistan (PUK)—**could not work out** (<https://www.newarab.com/news/elections-iraqi-kurdistan-region-be-delayed-again>) an agreement on the elections system. Now, months after the KRI's Parliament, government, and presidency **expired** (<https://www.rudaw.net/english/analysis/08072023>) last November, the KRI's President announced that the elections would take place on February 25, 2024.

Though both the KDP and PUK have so far agreed on holding the elections on this date, the parties have yet to resolve a months-long dispute over the parliament's controversial minority quota. Amidst the uncertainty, there's no guarantee that the February 2024 target date will come to fruition.

## Internal Divisions Paralyze the KRI

The KDP and PUK have long been at loggerheads at home and in Baghdad over a variety of issues. The rift between the two actually reached the precipice of **armed conflict** (<https://www.france24.com/en/20171020-interview-bafel-talabani-kirkuk-barzani-sulaymaniyah-puk-abadi-baghdad-referendum-turkey>) in 2017 when the KDP **accused** (<https://www.kurdistan24.net/en/story/19802-KDP-publishes-deal-signed-with-PUK-in-row-over-boycott-of-presidential-election>) the PUK of betrayal following the latter's removal of its forces from Kirkuk after the ill-fated independence referendum that year. Following this flashpoint, their relations have never been put in order and distrust has prevailed. More recently, the rivalry between the KDP and PUK played out in the government formation process in Baghdad last year, as the KDP aligned with the Sadrist Movement and Sunni parties, while the PUK joined the Iran-backed rival Shia Coordination Framework.

Another ongoing source of tension is the PUK's claims that the KDP-dominated KRI government does not provide enough **budget or services** (<https://www.rudaw.net/english/kurdistan/16112022>) to Sulaymaniyah—where the PUK is headquartered—in comparison to Erbil, resulting in, among other things, public sector salaries going unpaid. The KDP, based in Erbil, **suggests** (<https://amwaj.media/article/intra-kurdish-tensions-in-iraq-fade-dreams-of-independence>) instead that Sulaymaniyah's income and expenditures are not transparent and should therefore be incorporated within government accounts.

Likewise, the export of Sulaymaniyah's rich natural gas reserves has become a protracted **sticking point** ([https://drawmedia.net/en/page\\_detail?smart-id=11561](https://drawmedia.net/en/page_detail?smart-id=11561)) between the two parties, as the PUK does not want its natural gas to be included in the KDP's energy deals with Turkey. Beyond economic issues, the Western-pushed **campaign** (<https://peregraf.com/en/investigation/5849>) to unify and reform the Kurdish peshmerga has been brought to a standstill as both the KDP and PUK fear losing the party-owned military forces which for decades have offered them an upper hand in holding political power.

The rift between the KDP and PUK hit a boiling point in October 2022 when Hawkar Jaff, a former colonel in the PUK's Counter-Terrorism Group, was assassinated in Erbil—a plot that the KDP **accused** (<https://www.rudaw.net/english/kurdistan/121020222>) the PUK of orchestrating since Jaff had recently moved closer to the KDP. In another moment of high tension just days later, an armed group reportedly **surrounded** (<https://twitter.com/renwarnajm/status/1587546212256866305?s=48>) the house of Qubad Talabani—the KRI's Deputy Prime Minister and brother of PUK leader Bafel Talabani—in Erbil, possibly triggering Qubad Talabani's subsequent **boycott** (<https://www.kurdistan24.net/en/story/31412-PUK-ministerial-team-to-return-to-KRG-cabinet-sessions-next-week-says-party-official>) of the KRI's weekly cabinet meetings, which went on for six months. In a shocking public display, members of parliament from the two parties actually broke out into a **fight** (<https://www.newarab.com/news/mass-brawl-breaks-out-iraqi-kurdistan-parliament-session>) in May 2023 as the dispute over election reforms and minority quotas continued.

Although previous meetings **brokered** (<https://amwaj.media/article/will-the-intra-kurdish-meetings-break-the-ice-between-the-kdp-and-puk>) by the United Nations Assistance Mission for Iraq (UNAMI) and efforts by KRI President Nechirvan Barzani to resolve election issues did not bear fruit, the efforts of U.S. Assistant Secretary of State for Near Eastern Affairs Barbara Leaf have offered a bright spot. In fact, Leaf apparently **helped** (<https://www.newarab.com/news/tensions-ease-iraqi-kurds-after-senior-us-official-visit>) the two parties to reunite in the council of ministers, with the possibility of the United States cutting its support for the Iraqi Kurds—including the **\$20 million** (

[military-support-iraqs-kurdistan-region](#)) in monthly aid to the Kurdish peshmerga—serving as [leverage](#) (<https://twitter.com/KurdistanWatch/status/1653869333993472001>).

### Baghdad's Efforts to Tie Kurds' Hands

The KRI's internal divisions have only been exacerbated by the Iraqi federal government, which has gradually put pressure on the KRG on a number of levels. After the KRG parliament reached the end of its duty term, Iraqi Kurds tried to [extend](#) (<https://www.rudaw.net/english/kurdistan/091020222>) the mandate of parliament for another year. However, the Iraqi Federal Supreme Court [found](#) (<https://www.rudaw.net/english/kurdistan/30052023>) the extension to be unconstitutional, a decision that in effect tied the hands of the Kurds. More specifically, the court ruling essentially nullified the KRG's Election Commission and Kurdish parties now expect the Iraqi Election Commission to oversee KRI elections, adding to fears that the election will again be postponed and delayed.

The fact that the profound divisions among Kurdish parties are coming at a time when Baghdad is making strategic decisions to limit the autonomous status of the KRI puts the Kurds in a more difficult juncture than ever before. Case in point, the Iraqi Federal Court's ruling in February 2022 that the KRG's oil law was [unconstitutional](#) (<https://www.reuters.com/world/middle-east/iraqi-federal-court-deems-kurdish-oil-gas-law-unconstitutional-2022-02-15/>) was clearly made with the intention of preventing Kurds from selling oil to Turkey independently from Baghdad. Though practically the sole source of income for the KRG, these oil exports have been [on hold](#)

(<https://www.rudaw.net/english/middleeast/170720231#:~:text=Turkey%20stopped%20the%20flow%20of,independent%20oil%20exports%20in%202014.>) since March 25 after the Paris-based International Court of Arbitration (ICA) ruled in favor of the Iraqi federal government on the issue. Meanwhile, the KRG had to [agree](#) (<https://www.kurdistan24.net/en/story/32035-KRG-hands-over-50-60K-barrels-of-oil-to-Baghdad-since-mid-June,-says-official>) with the central government to sell its oil through Baghdad in return for a regional budget share. This deal literally took away the KRG's ability to stand on its feet economically. This is especially the case as the Kurds are not guaranteed to receive their budget share since Baghdad has not come to an agreement with Turkey over the Kurdish oil exportation.

Iraq's recent three-year budget law has also caused controversy in the KRI since it gives Kurdish cities the [right](#) (<https://www.pukmedia.com/EN/Details/75819>) to request their budget share from the central government in case of disagreement with the KRG. This, of course, strengthens the hand of the PUK, which seeks to [decentralize](#) (<https://www.al-monitor.com/originals/2020/05/turkey-iraqi-kurdistan-intra-tensions-among-kurds-kdp-puk.html>) from Erbil as it forms closer ties with Baghdad. If applied, which is quite likely, this law could no doubt fragment the KRI's financial integrity even further, a new dimension to Kurds' existing problems.

The fact that the tenures of the KRG parliament and government have expired would normally ring alarm bells and raise questions of legitimacy. But between the central government's isolating moves and the growing tensions between the parties, Iraqi Kurds seem to have glossed over the election impasse. Likewise, the growing apathy towards democratic institutions may be derived from the common disbelief in elections and the possible change it may breed. In fact, even though the KRI has an elected government and united parliament in Erbil, in practice it is [governed](#) (<https://www.rudaw.net/english/kurdistan/16112022>) separately by the ruling parties in Erbil—the KDP's yellow zone—and Sulaymaniyah—the PUK's green zone. Each party has had their own administrative bodies, their own Peshmerga forces, and their own counterterrorism and intelligence units for nearly 30 years.

This disunity among the Kurds not only causes election uncertainties and concerns over democratic standards, but also leaves the Kurds vulnerable to the moves of the central government that may make these divisions more entrenched. As history has shown, Kurdish parties can achieve outstanding accomplishments when they “play along,” as was the case in the early 1990s and the post-2003 era when they secured their unique status. But in the opposite case, they are doomed to fail, as has happened since the 2017 independence referendum, when the KRI lost the oil-rich city of Kirkuk. Given Baghdad's increased encirclement of the KRI, the alarming current level of disagreement between the KDP and PUK perhaps necessitates a more comprehensive and serious agreement such as the [Washington Agreement of 1998](#) (<https://1997-2001.state.gov/statements/1998/980917a.html>). Otherwise, the rift between the political parties may widen, causing the KRI to become more divided internally, more dependent on Baghdad, and more open to influence seeking to undermine its status. ❖

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