

A Kurdish Referendum: Unforeseen Benefits

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Brief Analysis

The KRG's independence referendum should be treated as a tactical bid to unify the Iraqi Kurds and strengthen their position toward Baghdad, but without jettisoning their gradualist approach.

This fall, the Kurdistan Regional Government (KRG) plans to hold a referendum on independence that it says will start a process of secession from Iraq. Despite this clear declaration of intent, however, the vote will not constitute a decision to secede. In fact, if handled correctly it could postpone any real action toward separation from Iraq, put the KRG back on a democratic trajectory, and soothe regional fears about disputed territories and other issues. U.S. engagement before the referendum and throughout the subsequent negotiations between Erbil and Baghdad would likewise alleviate regional concerns, and officials on both sides welcome such a role.

PAST PRECEDENT

Iraqi Kurds first went to the polls to choose between declaring independence and staying with Iraq in an informal January 2005 referendum. While the nearly unanimous yes vote did not result in any actual secession moves, it gave Kurdish negotiators a strong hand in Baghdad, which they used to secure rights and powers that are now enshrined in Iraq's constitution.

As KRG president Masoud Barzani pushes for a formal referendum later this year, **the Kurdish house is decidedly not in order (<http://www.washingtoninstitute.org/policy-analysis/view/trouble-brewing-in-iraqi-kurdistan>)**. A longstanding dispute over extending his presidential term led to a standoff with rivals, mainly the Gorran (Change) Party, the second largest bloc in the KRG legislature. The resulting gridlock has kept parliament shuttered since

October 2015. Moreover, the Kurdish economy continues to suffer, exacerbating public grievances. Unlike the referendum, the KRG's parliamentary and presidential elections may not move forward as scheduled this fall. Meanwhile, Iraq is bracing for a crucial national election in spring 2018, which, among other things, will likely decide the fate of Erbil-Baghdad relations.

GEARING UP FOR THE ISLAMIC STATE'S DEFEAT

Despite these obstacles, if there were ever an ideal time to reap the benefits of a referendum, it is now. The downfall of the Islamic State (IS) caliphate is in sight, the KRG's Peshmerga forces have gained control over territories that Kurds historically claimed, and the White House has a new occupant whom the Kurds perceive as less adamant about the sanctity of Iraq's borders.

To be sure, KRG relations with Baghdad have stagnated as conflicts over power sharing and revenues fester. The Kurds are also alarmed by the growing political role of Shiite militias, the push for majoritarian rather than consensus-based rule in Baghdad, and Prime Minister Haider al-Abadi's perceived inability to address their rift. On the ground, however, Erbil's relations with the central government are improving due to military cooperation in Mosul, oil-sharing agreements in the disputed Kirkuk region, and the KRG's willingness to put its Central Bank branches under Baghdad's control. And for Barzani, the referendum would be a sweeping solution to the KRG's broader problems: the nationalist quest for independence, even if only symbolic for now, would nudge the Kurds to transcend partisanship, which in turn would bolster their position with Baghdad. For example, even something as simple as flying the Kurdish flag in Kirkuk last month helped galvanize Kurdish unity, though continuing to make such gestures in disputed territories could cause tensions with other actors, as discussed below.

RECOGNIZING THE REFERENDUM'S LIMITS

Although the final form of the planned initiative is far from settled, one can already delineate what the referendum is and isn't. A yes vote is inevitable but will not result in an immediate declaration of independence, as KRG prime minister Nechirvan Barzani and other officials have made clear. The Kurds realize that neither they nor the region are ready to accept a new Kurdish state. Rather, the vote will give Kurdish negotiators a public mandate to recalibrate relations with Baghdad, take another small step toward autonomy, and get some closure on disputed territories.

On the latter point, it remains uncertain whether disputed areas outside the KRG's current borders (namely in Kirkuk, Ninawa, and Diyala provinces) will participate in the vote. Local governments there could ask to join the KRG in a joint or separate referendum. Clearly, though, limiting the vote to the KRG proper would be far less irksome to Baghdad and other regional capitals.

TRANSCENDING INTERNAL DIVISIONS

No Kurdish party can afford to stand against the referendum, and some believe it is the only way the KRG can prepare for the tectonic changes seemingly poised to shake the region. But others believe the bout of Kurdish nationalism is a smokescreen for delegitimizing the KRG's democratic institutions and establishing a personal legacy for Masoud Barzani. He and his Kurdistan Democratic Party are the strongest proponents of the referendum, insisting that it should move forward even without a mandate from the dormant parliament. In the KDP's view, the quest for independence transcends the legislature and the KRG's myriad political and economic problems.

Barzani's rivals agree on the goal but not the process. Gorran asserts that the referendum mandate must emerge from parliament; the Patriotic Union of Kurdistan is torn between its fear of Gorran's popular sway and its desire to maintain relations with the KDP; and the Islamic parties insist on reactivating parliament but fall short of making it a precondition for the referendum. More broadly, the opposition fears that Barzani wants the referendum to replace

the November parliamentary and presidential elections.

For their long-term statehood quest to be taken seriously, the Kurds need to remain committed to the democratic process and invest in state institutions. Hence, political reconciliation and the referendum need not be sequential or mutually exclusive. On the contrary, leading the referendum initiative in an inclusive and law-based fashion would boost Barzani's legacy, whether or not he respects his expired term limit and steps down as president.

REGIONAL UNEASE

In addition to getting their own house in order, the Kurds acknowledge that the path to eventual independence necessarily goes through Baghdad. Although the Trump administration has upped their expectations by manning key positions with KRG-friendly military commanders, they realize that Iraq and its neighbors are not yet ready for a Kurdish state. Another deal with Baghdad for greater Kurdish autonomy is a more realistic objective, one that could stave off pressure from Turkey, Iran, and the United States.

In that regard, excluding disputed territories from the referendum would make it more agreeable to Baghdad. Prime Minister Abadi has voiced sympathy for Kurdish aspirations, but he also noted that the timing is not right for an independence vote. Some Shiite leaders have echoed Abadi, while others warned the Kurds against taking unilateral steps or holding Iraq hostage with persistent threats of secession. In response, Kurdish leaders have been quick to strike a conciliatory tone, assuring Baghdad that the referendum will not be a declaration of independence and promising that they will keep the channels of dialogue open.

Going forward, Abadi's opposition to the Kurdish move may remain mild, since his own reelection bid will depend more on defeating IS and rebuilding Iraq's armed forces than on Kurdish support. Yet he could be forced to get tougher on the Kurds if his rivals exploit an Arab nationalist backlash against him.

Regionally, Tehran is the main opponent to secession, believing that an independent Kurdistan on its borders could weaken Shiite-led Iraq, kindle Iran's own Kurdish opposition, and become a hotbed for American and Israeli activities against the Islamic Republic. Like Baghdad, however, Tehran might be more amenable to a referendum that excludes the disputed territories. Such exclusion could also give Shiite militias one less excuse to take action against the KRG.

To the north, Turkey's rhetoric against Kurdish nationalist ambitions spiked recently, including vociferous calls to remove the Kurdish flag in Kirkuk. The Kurds put these tough words in context, however, realizing that President Recep Tayyip Erdogan and other Turkish leaders were largely posturing in order to win anti-Kurdish nationalist votes during their own constitutional referendum last month. Ankara and the KRG have strong economic, energy, and security ties that make Kurdish autonomy less threatening. Yet Turkey's April 25 airstrikes in Sinjar -- a northern Iraqi town in the heart of the disputed Ninawa province -- show the potential for ongoing complications over the summer.

TESTING THE "ONE IRAQ" POLICY

By rationalizing and watering down their planned referendum, the Kurds can serve their interests without unduly disrupting Iraq's wider bid for stability. Similarly, Barzani can boost his standing by using the referendum not as a replacement for the November elections, but as an opportunity to reactivate the parliament, commit to good governance, and implement reforms that assuage the KRG populace. The process would also induce the Kurdish parties to iron out their differences, while buying Baghdad and Erbil more time to negotiate their post-IS relations and the fate of disputed areas.

These outcomes align with U.S. interests in Iraq. In contrast, mismanaging the rising nationalist expectations in Iraq and the KRG could backfire. Washington should therefore tread carefully, perhaps limiting itself to the "honest

broker" role that Iraqi politics desperately needs. This may mean facilitating whatever negotiations precede or follow a Kurdish referendum. Such an approach would encourage Erbil and Baghdad alike to invest in state institutions and steer clear of regional meddling.

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