

Kerkuk and the Kurdish aspiration

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One of these ethno-linguistic groups is the Türkmen [1], who have made a major effort to define themselves, both internally and to the world community. Their real population has always been suppressed by the authorities in Iraq for political reasons and is officially estimated at 2%, whereas in reality their number should be put between 2.5 and 3 million, i.e. 12% of the Iraqi population. The Türkmen of Iraq settled in Türkmeneli. [2]

The Türkmen are a Turkic group with a unique heritage and culture, as well as linguistic, historical and cultural links with the surrounding Turkic groups, such as those in Turkey and Azerbaijan. Their spoken language is closer to Azeri but their official written language is similar to the Turkish spoken in present-day Turkey. The Türkmen of Iraq settled in Türkmeneli in three successive and constant migrations from Central Asia, and increased their numbers; this enabled them to establish six states in Iraq.

The Kerkuk city holds strategic as well as symbolic value for the Iraqi people in general and for the Türkmen especially! The Türkmen consider the city of Kerkuk as pumping mechanisms for their survival. The city contains about 60% of Iraq's oil reserves, and 4% of the world oil reserves and it is one of the finest types of crude oil in the world. The city is important because gas and the ocean of oil beneath its surface. Since 25% of the Iraqi oil lies beneath the city of Kerkuk and expert estimate, the oil and natural resources in Kerkuk would be enough to fuel independent Kurdistan, the ultimate goal for many Kurds. Thus, the city is important for the Kurds only for economical reason and sources for independent homeland.

In the view of many historians, the Kurds have no historical link in the city but the Kurdish migration and settlement in the city of Kerkuk could be summarized in several stages. Firstly, the establishment of the Iraqi Petrol Company "IPC" by the British in the twenties had encouraged the Kurdish population to move to the city of Kerkuk seeking for an employment as a workers in

¹ **Turkmen** The Iraqi Turkmen live in an area that they call "Turkmenia" in Latin or "Turkmeneli" which means, "Land of the Turkmen". It was referred to as "Turcomania" by the British geographer William Guthrie in 1785. The Turkmen are Turkic groups that have a unique heritage and culture as well as linguistic, historical and cultural links with the surrounding Turkic groups such as those in Turkey and Azerbaijan. Their spoken language is closer to Azeri but their official written language is like the Turkish spoken in present-day Turkey. Their real population has always being suppressed by the authorities in Iraq for political reasons and estimated at 2%, whereas in reality their numbers are more realistically between 2.5 to 3 million, i .e. 12% of the Iraqi population.

² **Turkmeneli** is a diagonal strip of land stretching from the Syrian and Turkish border areas from around Telafer in the north of Iraq, reaching down to the town of Mandeli on the Iranian border in Central Iraq. The Turkmen of Iraq settled in Turkmeneli in three successive and constant migrations from Central Asia, which increased their numbers and enabled them to establish six states in Iraq.

the IPC oil company. In the view of many Iraqi's and historians. This Kurdish migration considered as the first wave of Kurdish settlement in the city.

The second wave of Kurdish migration and settlement in the city of Kerkuk were due to the commercial and business reasons, especially when Kurdish middle classes businessmen migrated to Kerkuk from the city of Erbil and Sulaymaniya to sale their product in general and especially smuggled cheap products from Iran to be sold in Kerkuk and surrounding region.

The third wave of the Kurdish migration to the city of Kerkuk occurred after the establishment of the Kerkuk to Erbil railway line, which encouraged and facilitated the migration of large number of Kurds to Kerkuk, seeking jobs and affording an opportunity for a better life.

The fourth waves of Kurdish migrations to the city of the Kerkuk were due to the establishment of the military command for the Iraqi army in Kerkuk that resulted the establishment of several military camps in and around of Kerkuk.

The establishment of the military compounds in city of Kerkuk had encouraged several thousand of Kurds to be recruited by the Iraqi Army as soldiers and overwhelming majority of these recruited soldiers were accommodated in the military compounds. In addition, these soldiers brought their families to settle in Kerkuk.

The fifth wave of Kurdish migration to Kerkuk was after the coup of 1958, when the General Abdul-Karim Qasim Socialist Government built several neighbourhoods in Kerkuk and these neighbourhoods were filled with the Kurds. Moreover, the Kurdish revolt and rebellion against the Iraqi government caused the Iraqi government to retaliate against the Kurdish rebels by bombarding their villages and forcing them to leave their villages. They have settled in the Turkmen populated towns as a safe place this happened when thousands of Kurdish families were forced by the Saddam Hussein regime during the *Enfal* era. They were settled in the Türkmen sub district of Tuz Khormatu.

The final Kurdish migration and settlement were after the fall of the Saddam Hussein government when the Kurdish parties brought over 700,000 Kurdish settlers into the city of Kerkuk with the help of the US forces under the pretext these settlers were expelled by the previous Saddam Hussein government during the Arabization policy, s the matter of fact overwhelming majority the expelled Kurds were not originally from the town but they have been brought by the both Kurdish parties to change the demography of the town.

In the view of many Iraqis, Kerkuk is belonging to the Iraqis and it is a part of Iraq. During of a successive Arab government that has ruled Iraq, most of the lands of Kerkuk are belong to the Türkmen. Throughout the history of Iraq, the Kurds had no historical link to the city of Kerkuk and the city itself was never being a part of Kurdish regional government as the Kurds claims. The Kurdish militia's hope is to make the city of Kerkuk and its vast oil reserves part of an autonomous Kurdistan, whereas the Türkmen, Chaldo Assyrians, and Arabs are fiercely and staunchly opposing the inclusion of Kerkuk into Kurdish autonomous region. For the Kurds Kerkuk is important because for the Kerkuk oil and gas. Expert estimate the oil and natural resources would be enough to fuel independent Kurdistan.

After the fall the Saddam Hussein regime in 2003. The Türkmen, Arabs and Chaldo Assyrians had high expectations, of the interim administration established after 9th of April 2003. The Türkmen expected to see democracy, justice, equality, fairness, an end to discrimination, the right to self-determination and an end to violence. Unfortunately, the opposite has occurred regarding the human rights situation in Iraq, in particular concerning the Iraqi Türkmen.

In order to suppress the Türkmen voice in northern Iraq, the Kurdish militias have established several puppet Türkmen parties to serve their own purpose. All the Türkmen parties, which were established by the Kurdish militia, are of Kurdish origin and working for the Kurdish party and all the bodyguards are from the Kurdish militia. The Türkmen parties established by the Kurds are designed to divide the Türkmen people and are used to smear the name of the Türkmen Republic in Iraq and to discredit the real representatives of the Türkmen.

The changing demography that was carried out by the Kurds after 2003. Saddam Hussein was not able to do it within 35 years. The city has been changing, a wave of Kurdish migrants moving to Kerkuk since the 2003. With the help of both Kurdish parties stretches of the recently build house pop up everywhere, there visual testimony the city is shifting demographics. The Türkmen and the Arab see the mass Kurdish migration is a potential political moneverouse and attempt a demographic takeover. The majority of the returned Kurds are not from Kerkuk and even lived in Kerkuk before if they are really genuine from Kerkuk they should claim their properties since they are not thus they settled in lived in the football stadium and properties which is belonging the previous government, military camps and houses belonging to the previous Iraqi army compound.

The economic, political, and cultural aspects for the Türkmen completely changed when the Kurds brought over approximately 700,000 settlers' to Kerkuk from North of Iraq, Syria, Turkey and Iran. The majority of the returning Kurds settlers were not originally from Kerkuk but were brought to Kerkuk with the help of two Kurdish parties. In the meantime, both of the Kurdish parties have utilizing more aggressive ethnic cleansing policy by changing the demography of the Kerkuk. For instant the Kurds who were deported by the Saddam Hussein government from Kerkuk and currently are working as a civil servant at the Kurdish controlled province such as Sulymaniya were forcibly transferred to Kerkuk against his willing, they were also prevented to purchase a land or properties in the city of Sulymaniya and they were also forced to register their children in Kerkuk although they were born in Sulymaniya this clearly shows the degree of the demographic changes that have been utilized by the Kurds in north of Iraq.

The demographic structure of Kerkuk have changed seriously and distorted as Kurds, backed by armed Peshmerga forces, migrated into the city in large groups claiming to be original residents. After 2003, thousands of Kurdish settlers backed by the Kurdish militia have poured into Kerkuk and occupied houses, government building, football stadium, military camps, Ba'ath party Head Quarters. After the toppling of Saddam Hussein regime, the Kurds intensified their Kurdization campaign in the city of Kerkuk. The Türkmen have been subject to campaigns by the Kurds in Türkmeneli in an often more brutal fashion than carried out on Kurds by Saddam Hussein. Türkmen and Arabs have been kidnapped, assassinated, imprisonment and, arbitrary arrested.

During the Arabization policy, Saddam Hussein regime expelled Türkmen and Kurds from Kerkuk to change the demography of the town by encouraging the Arab population to migrate and settle in the city of Kerkuk.

On 10 April 2003, Kerkuk had 810,000 inhabitants. Today, seven years after the occupation of Kerkuk by the Kurdish militia and the massive influx of Kurds to Kerkuk, the population in the city of Kerkuk has exceeded 1.5 million. Kurds brought over approximately 700,000 Kurdish settlers from Northern of Iraqi, Turkey, Syria and Iran.

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but in the reality the majority of the returning Kurds were not originally from Kerkuk but they have been brought to Kerkuk with the help of the two Kurdish parties in order to change the demography of the city and to win the referendum that was planned to be carried out by December 2007. Whereas the Kurds claims that these returnees were forcibly expelled from their homes by the government of Saddam Hussein during the 1980s and 1990s. Mr. Barzani declared that 250,000 Kurds, including Türkmén were expelled from Kerkuk while in fact and according to the official information that was obtained from Saddam Hussein regime showed the actual numbers of the deportees from all ethnic groups in Kerkuk according to the ration cards until 30/3/2003 was 11,568 people.

In addition to, an article was published in the Kurdish Al_taakhi newspaper reported prior of the fall of the Saddam Hussein government the number of people that were expelled from Kerkuk by Saddam Hussein exceeded 60,000 whereas the sstatistical data were taken from the Ministry of Commence, showing the number of people who have been transferred to/out of Kerkuk according to ration cards.

- 1- The number of people registered in Kerkuk according to the ration cards up to 19/3/2003 was 834,973 persons.
- 2- The last ration card number that was transferred before 20/3/2003 to outside of Kerkuk is 136512 and was issued under the name of Delir Hassan Ibrahim.
- 3- The last ration card number that was transferred to Kerkuk before 20/3/2007 is 179898 and was issued to Azad Kadir Jaber.
- 4- The number of ration cards transferred to Kerkuk up to 30/9/2004 was 43,386.
- 5- The number of people transferred to Kerkuk according to the ration cards is 347,818 persons, all of whom originate from Suleymaniyah, Erbil and Duhok towns.
- 6- The actual numbers of the deportees from all ethnic groups in Kerkuk according to the ration cards until 30/3/2003 was 11,568 people.

After the fall Saddam Hussein government, the Kurdish militia ransacked the Municipality building in Kerkuk and the land deeds for the Türkmén were deliberately taken from Registry Office making it difficult for the Türkmén to establish themselves as original inhabitants of the province.

Moreover, the Kurdish parties have brought huge numbers of Kurds to the city of Kerkuk. The Türkmén are worried that the country drag into another phase was deliberate migration to Kerkuk within the last few years; this mass migration to Kerkuk has changed the city demography. The new Kurdish settlers have been paid \$4000 (5millions Dinar) to each repatriated Kurdish family and promised a piece of land to build small house. Tens of thousands" of Kurds have resettled in the city and surrounding villages with the help of the both Kurdish parties. These Kurds are brought to Kerkuk in order to vote for referendum under article 140.

The article 140, dealt with very important and sensitive issues, not only for the Türkmén of Iraq but also for all Iraqis. Furthermore this article 140 deals with the normalization process of the situation in Kerkuk governate, a process which consists of three major steps, each one with it is time limit:-

- The return to Kerkuk of all its forcefully displayed inhabitants by the Ba'ath Regime during the Arabisation processes of the province by the regime and the recuperation of their confiscated lands and properties shall be completed before 31 March 2007.

- A new population census for the original population of the province to be held before 31 August 2007.
- A referendum for the future of Kerkuk to be attached to the Kurdish Autonomous Region or not, to be voted before 31 December 2007.

One of the anomalies of this article 140 of the New Permanent Iraqi Constitution is that it imposed a fixed time limit for its implementation, stating that it must be completed before 31 December 2007. The fate of the city of Kerkuk has been one of the thorniest issues of Iraq's constitutional process. Under Article 140 of the document that was ratified by Iraqis on 15th Oct.2005, a referendum on the status of Kerkuk implemented in the province no later than Dec. 31, 2007. This will happen only after the Iraqi government takes measures to repatriate former Arab residents and resettle Türkmén and Kurds or compensate them, carry out the normalization and census.

The 140th article expired on the 31st Dec.2007, and according to the Iraqi constitution that was established after the fall of the Saddam Hussein regime, article 140 should not be modified or extended since it was imposed a fixed time limit for its implementation, stating that it must be completed before 31st December 2007, therefore at the end of the 2007 it was automatically expired and had lost its constitutional validity since the article was not fully implemented before the end of the 2007.

In addition, the Iraqi constitution clearly stated that any extension or amendment on the article needs an approval of 2/3 of the Iraqi parliament's members and the approval of the public in form of a referendum. However, unfortunately the UN representative in Erbil Mr. Staffan de Mistura recommended extending the expiry date of article 140 for a further six months, this happened. Mr. Staffan de Mistura's suggestion among the Türkmén was considered unwise and biased, since he failed to pay any attention to the Iraqi constitutional but Prime Minister of Iraq Mr. Nuri al-Maliki did not support the initiative because he stated that any extension of the work to rule 140 after the time limit was unconstitutional.

In addition, the article is an Iraqi internal matter and the UN representative was not entitled and had no full authority and constitutional right to change, extent and even to modify any article within the Iraqi constitution. Iraq is sovereign country and it was not under the UN mandate therefore a UN employee working in Iraq had not an authority to suggest, recommend and an extension for any article within the Iraqi.

In the middle of July 2008, Iraq's parliament reached an agreement on the Provincial Council Election Law, particularly with regard to Paragraph 24 of the law, which deals with the election mechanism in the Kerkuk Governorate. The postponement of the elections and adaptation of the division of Kerkuk to the three constituencies that include the proportion of 32 % for Arabs, Kurds, and Türkmén and 4% for Assyrians. Türkmén, Arab and Assyrians proposed equal distribution of provincial council seats in the Kerkuk region - which is outside the Kurdish territory.

On 22 July 2008, decision was made by 127 Iraqi members of parliament they voted in favour of the Provincial Council Election Law, particularly with regard to Paragraph 24 of the law, which deals with the election mechanism in the Kerkuk Governorate. The distribution of power that include the proportion of 32 % for Arabs, Kurds, and Türkmén and 4% for Assyrians.

Moreover, the central government rather than the current military forces that are stationed in the town shall control the security of the town and the security forces that are linked to the political parties have to leave.

The number of the deputies attended the meeting were 140 and 127 out of 140 deputies that attended the meeting approved the bill and the Iraq's parliament still passed the law. President Jalal Talabani and his deputy, Adel Abdul Mahdi, vetoed this.

Nevertheless, the Kurdish Brotherhood List at the Kerkuk Governorate Council held meeting on 31 July 2008. The 24 members of the 41-member of the Kerkuk Governorate Council presented a request to the Kurdistan Region Government and the Iraqi parliament to make the governorate part of Kurdistan Region. Whereas the Türkmén and Arabs regarded this extraordinary session as illegal. In addition, the Türkmén leadership has requested to replace the Kurdish police in Kerkuk with army forces from central and southern Iraq.

The Kurds considered as a minority in the city of the Musul comparison to the Sunni Arabs and large size of Türkmén population in the province of the Musul. However, after the fall of the Saddam Hussein government by the occupation forces of US forces, both the Türkmén and Sunni Arab have boycotted the election that was carried out in year 2005 in protest of the USA occupation for Iraq thus the Kurdish parties took the advantageous of the absent the Türkmén and Sunni Arab and thus they Musul governor was controlled by the minority of Kurds who is belonging to the KDP party. While the Kurds minority were in power they commenced to take advantageous of their position in the government by changing the demography of the city and , , takeover more land that are not belong to them and ethnic cleansing a large number of villages ad districts and especially in the Türkmén populated area of Telafer.

However, in the provincial election in 2009 the Sunni Arabs and Türkmén have decided to participate in the election as the consequences the Sunni Arabs and the overall whelming majority of seat won by the Sunni Arabs. In response of the Sunni Arabs, victory the Kurdish politician and parties have rejected the Sunni Arab won and have refastened to participate in the collation government that was established by the Arabs. In the view of many of Iraqi and international observer the Kurds has a dream to establish to establish a state of Kurdistan and Sunni Arab won a setback to Kurdish dream. In the view of many Iraqi the Kurds should realise, accept the reality that the province of Musul is not a part of Kurdistan, and accept the provincial election result as democratic election. The Kurds should accept the result of the fair election and democracy.

Many Iraqis believe that greater Kurdistan cannot be achieved without controlling more strategic areas such as Kerkuk and Mosul, which the Kurds do lay claim to, Kerkuk and Mosul are disputed territories. At present, the Kurds cannot realize their dream, due to the weakness of the economical resources, lack of the geographical interconnectedness, lack access of the seaport and opposition of the neighboring countries. The Kurds have a plan for a great Kurdistan but at the present time, it would not be suitable for the Kurds to declare it.