

## **JOOST HILTERMANN MEETING**

### **1 JUNE 2006**

Güven Sak:

This is the third time we have Joost as a speaker. Joost Hiltermann is the Middle East Project Director for the International Crisis Group. They are now preparing a new report on Kirkuk. A paper on the same subject is already being distributed. Here we will talk about Iraq in general. At last there is a new government in Iraq. Stability of Iraq seems to be very important for Turkey. It is especially important when we are in some kind of turmoil here in Turkey. We are going to put the new government in some kind of a perspective when we are looking at developments in Iraq. Then we will also discuss the Kirkuk issue. Joost, the floor is yours.

Joost Hiltermann:

It is always a pleasure to be speaking at TEPAV. I would like to speak about the situation in Iraq. The last time I was here was in September 2005. I then talked about the new constitution which had just been accepted by the main Iraqi parties that had won the January 2005 elections. I predicted then a further deteriorating situation, in part because of the nature of the constitution, which was in our views a blueprint for the country's dissolution rather than the national compact it should have been in the view of the drafters and the U.S.A. When I was here, I noted the importance of having a constitution in which all of Iraq's principal communities were represented, including the Sunni Arabs. Afterwards, The U.S. Ambassador in Iraq Mr. Zalmay Khalilzad, made a last-minute effort to broker a compromise that was then incorporated into the new constitution and voted on in a referendum on 15 October. In that compromise, there was a provision for the early review of the constitution. This was a concession to the Sunni Arabs who felt excluded, who felt that their views and interests were not represented in the constitution. In exchange, they agreed to participate in the referendum as well as in the December 2005 elections. In the end, they rejected the constitution in a popular vote in the Sunni Arab areas, but they were unable to collect the necessary majority needed to defeat it. The constitution passed but it was very clear that this was a constitution supported only by two of Iraq's principal communities, the Shiites and the Kurds, and not by Sunni Arabs and probably not by Sunni Turkomans either. This was followed in mid-December by elections in which Iraqis generally participated very well. There was a high turnout. The earlier victory of Shiite and Kurdish parties in January 2005 was ratified, repeated in December. But now these two coalitions lost some seats because now the Sunnis were participating and of course were also collecting votes, and they did pretty well. We now had a new situation after the mid-December elections. The parties were faced with the prospect of forming a new government. It has taken a very long time. Even now, we don't have a fully formed government. The key ministries of interior and defense remain open. The position of minister of state for security affairs also remains open. So the three most important positions remain open and this doesn't contribute to the stabilization of Iraq. In a report that we put out in February, we noted that over the past year there has been an upsurge in not just violence but sectarian violence. This was a relatively recent and very disturbing phenomenon. We acknowledged that there were certain roots for sectarian divisions in the nature of the previous regime, but these divisions were allowed

to come out to the open in the period after April 2003, in part because of misconceived and failing policies by the Coalition Provisional Authority in Iraq. We also noticed that an insurgency was growing in Iraq. In the January 2005 elections, the Shiite parties had taken hold of the government and started to penetrate the security forces of the new government with its own militia members. This led to increasing reprisals by Shiite party militias posing as government police officers against not just insurgents who were carrying out hideous attacks against Shiite civilians but indiscriminately against Sunnis more broadly. This created a very dangerous spiral of violence. The December elections and their aftermath should be seen in this context of sectarian violence.

Today we have a new government and this is an important first step in terms of stabilizing Iraq. I am not predicting that the effort to stabilize Iraq will succeed. I think three key elements are important for further re-stabilizing Iraq. One is the creation of a national unity government. We have now one that is not complete but there is good hope that it will come about in the next couple of weeks. The will is there and all the parties recognize the need. It is just a matter of bargaining. Even when that comes about, though, the problem of this new government and of the past two elections is that Iraqis didn't really have a chance of electing real representatives. For all practical purposes in the post-war period, the political system of Iraq has been controlled primarily by former exiles. There are some exceptions, since the Kurds are mostly not former exiles (the Kurdish parties have been based in Iraq since late 1991) and Muqtada al-Sadr's movement is an indigenous movement. He has been outside the political process, at least until the recent elections. By and large the people who have been controlling the political system have been people who spent considerable amount of time outside in the past two or three decades. Some never lived in Iraq at all. They received votes from the Iraqi people. Elections were not really representative and the elected leaders were not really accepted by the Iraqi people as their true leaders. This has caused a real crisis of legitimacy that is now endemic to Iraqi politics and that is not something we can overcome very easily. It might take a decade or two before true indigenous Iraqi leaders can emerge from, say, local elections, if they are going to be held regularly from now on.

What I am saying with this is that the new Iraqi government is going to have a very difficult time governing and of getting popular acceptance. The only way they can do it is by actually delivering. The only thing that the Iraqi people really care about is an end to the violence and lawlessness and criminality, and a restoration of essential services and infrastructure, especially electricity, water etc. Maybe a third element: jobs for people. These are the key elements. In this current dangerous period, we need a government of national unity, but such governments tend not be particularly good at governing, because they are very broad coalitions in which every single party essentially has veto power over the life of that government. Since the issues that the government has to address are so deeply divisive in a country where the rifts are very profound, it is not going to be easy for a government like this first to govern and then to survive. Many Iraqis are saying privately that they don't expect this government to survive for more than a year. It should be four years. But there is not a lot of optimism there.

The top priority of this government, as Prime Minister Nuri Al-Maliki said, is to put an end to violence and bring back security to all Iraqis. This ought to be the top priority. This effort is not going to succeed, however, if the means chosen are military or if it is only done by police force. There has to be a clear political plan to address the sources of violence. At this moment, one of the sources of violence is the alienation of one of Iraq's principal communities. The root source of the current very dangerous cycle of sectarian violence is the alienation of the group that is accused of having been the ones that were in power in the past who have lost all their privileges and who of course would like to regain them. The key to addressing this, in addition to having this government of national unity, is to go back to this foundational document that was drafted last year and was approved in a national referendum with a large popular turnout. That is the constitution. The constitution is a highly divisive document and not one that binds Iraq's various communities together. This is for a number of reasons that I don't want to go into now. We can come back to it in the question-and-answer period if you want. But the key issue that must be addressed is the structure of the federal system that is described in this constitution. That structure is such that any of Iraq's 18 governorates can choose (actually 15 governorates, since 3 governorates of the Kurdish region are already set aside) to become a federal region by itself, just as Baghdad is supposed to be a federal region under this constitution, or to join up with other governorates to become a larger region. The choice to have such a federal system that is combined with a high degree of devolution of power from the center to the regions, the choice to have such a system was made by the two major Kurdish parties and the Supreme Council for the Islamic Revolution in Iraq, which is one of the Shiite parties that also happens to have the most powerful militia in the country, outside of the Kurdish militias. The reason was that there was basically a deal between the Kurdish parties and the Supreme Council over who should govern what. The Supreme Council concedes to the Kurds that they would rule the Kurdish region, possibly expanded to include the Kirkuk (it is something the Council can compromise on), and in exchange, the Supreme Council gets to control a large super-region in Iraq south of Baghdad consisting of predominantly Shiite governorates with some Sunni minorities, for example in Basra and elsewhere. It would, not coincidentally, sit on the vast majority of Iraq's proven oil reserves. Since the Kurds would be taking Kirkuk under this scenario, and Kirkuk essentially has the remainder of Iraq's proven oil reserves, the Sunni Arabs would be left with nothing. This is not an accident. This is clearly done by design. In order to appease the Sunni Arabs and other smaller communities that were cut out from Iraq's future wealth, a formula was inserted concerning the distribution of Iraq's oil revenues, whereby these would be evenly divided throughout the country, with details still to be worked out by parliamentary legislation. This would only cover current oil fields, in other words oil and gas fields that have already been exploited in the past and that are continuing to be in operation. These fields would come under the shared management of the region in which these fields are located and the central government (federal government). But the constitution does not assign responsibility for shared management of future fields, fields yet to be exploited. By default, the management of these fields would fall strictly to the regions in which they are located. In other words, what the constitution is saying is that with any future fields to be exploited in Iraq their management and wealth would fall to the region in which they are found and would not accrue to the national budget for distribution equitably throughout

the country. This is a highly sensitive matter in a country where oil money accounts for the largest part of the budget and where there is no system of taxation (the constitution does not provide for a system of taxation, because the Kurds insisted that there be no mention of it). This is one of the reasons why it was rejected by Sunni Arabs. This is the issue that they most want to change now. There will be a review process that was negotiated at the very end of the constitutional process. This review process is supposed to start at any moment. It is supposed to start officially the moment the national assembly officially starts its work. You can argue that the national assembly has already started its work. I guess the national assembly does not consider it that way because it hasn't actually announced that the clock for the constitutional process has started ticking, but this will probably start soon. A constitutional committee would then be selected from the members of the parliament. This committee would then start reviewing the constitution and recommending a package of changes to the national assembly within a four-month period. The Shiites and the Kurds want to move on with this process, get it over with, and make some necessary changes, because there are a lot of ambiguities and internal contradictions and areas left open, so these issues can be fixed in their view. They do not want to linger on this. They want to get it done, get this constitution passed by the national assembly and get it ratified in a new popular referendum as the constitution prescribes. The Sunni Arabs don't want to rush this process. They saw what happened last time when a constitution was rushed. They say we need a good amount of time to get it right this time. They realize that it is supposed to be a four-month process but there are loopholes in this. There is no given amount of time between the moment that the committee makes its recommendations to the parliament and the time that the parliament actually votes on it. It could be years theoretically, but it could also be the next day. The constitution does not specify it. It is a huge loophole. After the parliament has voted on the constitutional package (and it needs a simple majority vote in order for it to pass), within two months a popular referendum will have to be held that will be governed by the same rules as the last constitutional referendum, when a simple majority had to approve it and it could not be rejected by a two-thirds majority of voters in at least three governorates. This is the next big challenge the parliament, and also the government in a way since they are closely interconnected, will face in the coming period. If the constitution is not fundamentally revised, then I think it will be very difficult to re-stabilize Iraq, because you are essentially disenfranchising 20% of the population if not more from the new Iraq. This means that they have no other option but to resist. The wealthy might leave but the rest would resist. This would lead to endemic violence in Iraq. That is not something that is going to help the country to re-stabilize. We have already seen that forming a national unity government is an extremely difficult task and the constitutional review will be more difficult. The third element that is necessary for the re-stabilization of Iraq is going to be even more difficult, and that is the full integration of Iraq's security forces along non-sectarian and non-ethnic lines, with commanders who do not have explicitly sectarian or ethnic agendas being put in charge of the security forces. You need to have national institution that commands wide respect among all sectors of the population. You cannot have, as what we have seen in the past year, units of the security forces that are clearly beholden to parties and not to the national government. These are parties that are secessionist or at least call for a very weak central government. This is a prescription for the country's dissolution. That is something we can not afford.

If the country dissolves, this will be a disaster for the entire region. These are the challenges that Iraq faces in the upcoming period. It faces these challenges in a situation in which security is not improving. It is probably getting worse. Every day you read reports of 30-40-50 killings. These are only the killings that are being reported. You read reports of attacks directed against civilians, which causes a lot of anger and acts of revenge. We get into a very negative cycle here. If we look at this whole picture, there is not a lot of ground to be optimistic. The key challenge for the international community is to prevent what is now a low-level civil war from escalating into an all-out civil war and from preventing an all-out civil war from spreading beyond Iraq's borders. For this, what is needed is better coordination and cooperation between Iraq's neighboring states: Iran, Turkey, Saudi Arabia, the Gulf States, Syria and Jordan. In the absence of such coordination, the signals are going to be misread. Steps might be taken that may run directly counter to the interests that all these nations have in common: not to have Iraq fall apart. If they take the wrong measures based on the perception of what the other is doing, then they may end up contributing to the break-up of Iraq, which they don't want. Then there may be nothing they can do to prevent the country from falling apart.

I will say a few things about the Kirkuk crisis, the looming crisis, as I should say. There are two main reasons why the Kirkuk crisis may come to a head in the next year or so. One is that the situation on the ground in Kirkuk is not very good. It is very tense. As you know, the city and the region are claimed by the Kurds, and the Kurds are very strong at the moment. But their claim is resisted by other communities living in the region, the Turkomans, the Arabs and the Christians. In the current constitution, there is a deadline that has been set for the resolution of Kirkuk's status. That deadline is December 2007, by which time there should be a referendum in Kirkuk and in other areas that are claimed by the Kurds to decide where the people of that region want to go. Do they want to join the Kurdish region or do they want something else, stay under the central government or maybe have their own separate region? This timetable is likely to lead to violence because the Kurds see it as their way of gaining Kirkuk and these other areas. They think that they would have the majority to win the referendum. They believe that in this referendum, the majority of the voters will vote to join the Kurdish region. The question is very much whether the other people living in this region will accept the outcome of such a referendum. There is ground to believe that they might not even participate in such a referendum. There is ground to believe that a referendum might not even take place. The central government that would organize it has no particular interest in organizing a referendum because it does not want the Kurds to have these areas. In other words, the Kurdish ambitions are going to run up against Arab and Turkoman resistance both at the local level in Kirkuk but also at the level of the national government (which is not dominated by the Kurds; they are a strong partner but they are not the dominant force).

The second way in which Kirkuk is going to lead to problems and potential violence is in an indirect way. It goes back to the issue of the review of the constitution. If there is going to be a serious review of the constitution, then the issue of the structure of the federal state will have to be addressed. All of Iraq's actors are agreed that the Kurds will have their own region. Even the Sunni Arabs have accepted this. But they accepted this only within the boundaries that are currently there and that were enforced between late

1991 and April 2003, namely the three main Kurdish governorates of Erbil, Suleymaniyyeh and Dohuk. The rest of Iraq is an open question. What kind of a system should prevail there? To the Kurds, it does not really matter in what way the Arabs are going to slice up their territory into regions. There is the Sunni Arab lobby that wants to change this idea radically for the Arab areas of Iraq. Shiites are divided on this question. The Supreme Council, as I mentioned, is in favor of having such a federal system but the Sadrists and the Da'wa splinter groups and some independents have a different view on this. You might have an alliance between the Sunni Arabs, the secular list of Ayyad Allawi and the Shiite groups that are against this notion of southern federalism, maybe about 50% of the Shiite list. In order to change the federal system, they would need a 2/3 majority in order to be able to pass the future referendum. They will not have the Supreme Council on board but they might have the Kurds on board. The Kurds would only compromise on this issue in exchange for something they want. The only thing they want is further concessions on Kirkuk. What we have in the end is a constitutional review that is going to be held hostage to the issue of Kirkuk. The Kirkuk question is going to be the major issue in the coming year, year and a half. Therefore, it needs to be resolved. (Those of you who are from the media, you cannot quote what is in the paper but you can quote what I say today orally. The paper is still subject to revision and we hope to turn this into a report for my organization in the coming month or so.) In our view, there is not going to be a peaceful solution to the Kirkuk question unless it is negotiated. The existence of a deadline is not helpful because it can only lead to violence. All the parties to the conflict have an interest in negotiating the issue and this should be done fairly soon. What we are calling for is the appointment of an independent UN envoy to help facilitate the transition in Kirkuk. The region would be a self-governing region, just like Baghdad, for at least an interim period (it might be indefinitely, but for now let's say for an interim period). Within this period, there should be a power-sharing arrangement, so that all the communities feel they are represented. This would allow time for the tensions to diminish. Beyond that, there needs to be a mechanism built in both for determining who has the right of residence in this region and secondly a mechanism for determining the future status when the interim period comes to an end. The Kirkuk issue has the potential to bring the whole Iraqi tent down. This is certainly not the only issue that can do that. There is violence that can escalate further and that can get out of hand in the face of a weak central government, in the face of diminishing will on the part of the American forces to keep the peace, and in the face of neighboring states that are very anxious about each other's motives and interests and may make the wrong move and may end up intervening directly in the country that they would ideally like to keep together. This is a pessimistic note once again. Thank you very much. I would like to answer any questions you might have.

Sak: You again have some pessimistic remarks and after your last pessimistic remarks, we haven't seen any improvement. Let me open the floor to discussion first.

Question: Vehbi Dincerler (Former Chairman of Foreign Relations Committee of the Parliament): Can you make an estimate of the length of the stay of coalition forces? How long will they stay?

Faruk Logoglu (Former Turkish Ambassador in Washington DC): Let me first say that the International Crisis Group is a remarkable organization. It has an excellent reputation that is well deserved. I think it was during the British PM's visit that the new Iraqi PM said he preferred the withdrawal of coalition forces. It sounded as if he expected an earlier rather than a later withdrawal. Is there a potential problem here between the timelines, especially of the U.S. and of the new Iraqi government?

Hiltermann:

Thank you for that question. This war was fought by the U.S. to advance American interests in the region. Most wars are fought for that reason and this wasn't an exception. The presence or departure of U.S. and other forces from Iraq will be determined by domestic agendas more than interests in Iraqi affairs. This doesn't mean that Iraqi interests will automatically be ignored, but I think the priority will be, and would have to be in any situation, for domestic U.S. and British and Italian etc. interests. It is critical to look at the American electoral calendar. First we see Congressional elections this November. As usual in the U.S., predictions are confused as what will happen. There is some hope on the part of the Democrats that they will be able to recapture the Senate but they might not be able to capture the House. It is not clear to what extent the presence of American troops in Iraq would contribute to this in one way or the other. Rumsfeld made it clear that it may well be necessary for American forces to stay at the current level throughout the end of the year. He is signaling that it is not an election issue. But this can change. I think the crucial date is not this November but November two years from now, in 2008, when we face a presidential election that is going to be key. I would expect a significant drawdown of American troops before that date. For British troops, it will be similar. There might be a different deadline for them, but they will certainly not outstay American forces and they will probably want to reduce much earlier. Italian forces are already leaving. Otherwise there are no significant coalition forces in Iraq. I would expect a drawdown from populated areas as soon as feasible from the American viewpoint and certainly well before the 2008 elections. The main criterion that the Bush administration has employed, which is probably the correct criterion, is whether there are viable Iraqi security forces that are loyal to a national government and are ready to take over duties from American and other forces. The question is whether they are ready and when they would be ready. I think they are not ready. They might not be ready for a long time. Not only are these forces not yet sufficiently trained (this requires time and quality training; this can not be done very quickly), the most disturbing element of the rebuilding of the Iraqi security forces is that it has been done through a good deal of ignorance about what was actually happening. These forces are built along sectarian and ethnic lines. There is great potential that if violence escalates further, these security forces may fracture along ethnic and sectarian lines and the country would completely collapse into civil war. If that happens, the whole nation building effort will have failed and the American forces will have no option but to withdraw from at least the population centers, possibly from the entire country, but I don't necessarily see them do that. If they succeed in redirecting the rebuilding of these forces and to make them fully integrated, even then a two-year deadline is awfully short. But they will try to deploy viable forces in areas that are most stable. They will give them backup support from the air. You would probably come to the old situation in which the colonial power is forced to bomb Iraq's population into

submission. They are unlikely to accept the current or future governments without any major change in the political system. I think that was a pessimistic answer to your question.

Question: Mahir Nakip from TIKA.

I have a few suggestions and after that I have some questions. Firstly, I would like to show the results of a survey done by UN Office for Project Services before the constitutional referendum. The result of the first survey shows that 57% of the total population prefer Kirkuk governorate to be under the authority of the central government. 20% of them prefer them to be under the authority of the Kurdish region. Only 1% of them prefer to determine the status of Kirkuk by the votes of Kirkuk citizens. This means that 80% of the Iraqi people are against Kirkuk to be under the authority of the Kurdish regional government. According to the results of the second graph, 67% of the respondents believe that the status of the city of Kirkuk should be under the authority of the central government. Only 11% of them prefer to be under the control of the Kurdistan regional government. This means that 88% of the Iraqi people do not accept Kirkuk to be a part of the Kurdish region. Only 5% of the Iraqi people prefer a solution to Kirkuk's status through a referendum. Despite the preferences of the Iraqi people that are demonstrated by these policies, Kurdish political parties forced the Arabs to put a tricky article (Article 140) into the Constitution. According to the second part of this article, the referendum would be conducted only in Kirkuk. In this case we find an anti-democratic implementation in Iraq. When people were voting for this constitution, how many of them knew that the status of Kirkuk would be decided by a referendum only conducted in Kirkuk? The answer of this question is very obvious. Only a few of them knew of this reality. The result of the polls that I mentioned before demonstrated that only 1% of the people prefer the status of Kirkuk to be determined by the referendum that would be conducted only in Kirkuk. In order to make a referendum through all Iraq, not just only in Kirkuk, this article of the Constitution needs to be changed. Alteration must be included in the proposals of the constitutional committee. These proposals will be presented to the Iraqi Parliament in the coming months. The constitution is the main step in consolidating democracy in Iraq. An article such as 140 that has special meaning for certain groups will end the hopes for democracy. I would like to provide some suggestions. First determine the status of Chamchamal, Tuz Khurmatu and Hawija cities and change their status. By this way the problem of these Kurdish, Arab and Turkoman cities that belonged to Kirkuk before would be solved. Secondly, there is a need to change Article 140 of the Constitution that is relevant to the status of Kirkuk. Thirdly, make the city of Kirkuk a special province under the control of the U.N. Finally, divide Kirkuk city council into four parts, that would not be changed in the future, among Arabs, Kurds, Turkomans and others. For instance, 32 % Arabs, 32% Kurds and 32% Turkomans and 4% for others. My question is: what do you think about Article 140 of the Iraqi constitution? Does it work smoothly or does it cause some sharp pain? Second question is whether Arabs and Kurds will accept the Turkomans as a party to the Kirkuk issue or will they negotiate the conflict between themselves? What will be the importance of the role of the US in this process?



Joost Hiltermann: I will answer very briefly because some of this is answered in the paper that has been put in the folder. We think that Article 140 is problematic because there is a deadline. It is very dangerous to have a deadline in a situation where the implementation of the article is almost certain to lead to violence. Setting such a deadline means bringing the possibility of violence that much closer. The better solution is to negotiate a settlement of the conflict. I should point out that whatever the citizens of Iraq think about the status of Kirkuk, in other parts of the world, too, it is the citizens of that region itself that tend to decide about that region's status. In Quebec for example, this was the case. In a referendum there, the citizens of Quebec decided to stay with Canada but it was a very close vote and they could have decided otherwise and not a single citizen of the rest of Canada could have prevented it. I think democratically it is the citizens of the region who has to decide. The issue that needs to be resolved is who the (voting) residents of that region are and what the boundaries of that region are. These are unresolved issues and I cannot see how they can be resolved by that deadline. So we come back to the question: We need to get rid of this deadline. The deadline is written into the constitution. The constitution was approved by popular referendum. Iraqi people knew what they were approving. You can quote polls from July 2005 but it does not really help because the constitution was finalized in September and people saw copies of it maybe in early October. We could have asked their opinion then but we didn't really need to ask their opinion. They voted in a referendum, and 80% percent of the people voted in favor for the constitution. People knew what they were voting for or against. Now I think that the way forward is to come to a negotiated solution. I don't think it is very helpful to look at who controlled what and who was majority when in an area. It is not a democratic way of looking at things. The point is really to have the people of that area have a say. But you cannot have a situation where the cards are stacked from the beginning. You need to have a level playing field. To the extent that it does not exist, there is the need for international oversight, the creation of a mechanism that all the various communities could agree to, a power sharing arrangement and interim status for a certain period.

Sak: Is it possible to take such a position in Iraq?

Hiltermann: The UN Security Council can take a decision to appoint somebody but it would require essentially the U.S. to persuade the various parties to this conflict to agree to a mechanism to resolve this outside of the constitution. The only thing that would need to be changed in the constitution at this point is the deadline. Everything else can be negotiated. I think at the end of the day, what is required is a strong political role on the part of the U.S. Whether they are willing to play that role depends on what else happens in Iraq. If the rest of Iraq falls apart, then the U.S. might not have the stomach or interest to settle the Kirkuk question. They may no longer be relevant. But if the situation in Iraq more or less stays as it is now or gets better, then it should have an interest in settling the Kirkuk question in a way that accommodates the interests of all communities in the region.

Tariq al Adham- Councilor at the Iraqi Embassy: Thank you for quite informative speech. I want to add to your comments about the people who are in charge of Iraq – that they are mostly the ones who came from abroad. I agree with you to some extent. I would like to

clarify this for our colleagues here. You excluded Muqtada Al-Sadr's group but there are other exceptions also. The groups that represent the Sunnis are mostly from Iraq. The Deputy President Tariq al-Hashimi wasn't from abroad. The deputy of the PM and the head of the Parliament did not come from abroad. Also the ones coming from abroad are not from one category. Most are the ones who were forced to leave. Half a million Iraqis were forced to leave in the 1980s. So when we say they are coming from London, DC, these people are the ones who were forced to leave. Mostly to went to Iran. There is a common misunderstanding that the ones who are ruling Iraq are the ones who came with the invasion. We need to add to that. The ones who are ruling Iraq today are the ones who have grassroots, plus they cooperated probably with the foreign countries who came to Iraq. There are big names who worked with foreigners but who have no say today in Iraq like the Chalabis. The election showed that the ones who have grassroots, particularly the Kurdish nationalists and Islamist Shias, won. I think it is important to mention all of this so that the listeners have the right perception of the people who are ruling Iraq.

You mentioned there is a crisis of legitimacy. I would say it is more right to say there is a crisis of national legitimacy. The only group who talked in a totally national discourse is Allawi's group. They have few seats in the Parliament. The others have legitimacy but from a different point of view. Not national legitimacy.

Hiltermann: Thank you. These are very useful comments. I would agree with some and would take a slightly different tack with some of the others. You are absolutely right pointing out others who never left Iraq. You are also right in saying that those who left Iraq were the ones who were forced to leave Iraq. There is no question of that. I did not want to suggest that the current Iraqi leadership are bad people or incapable people. I think that there are really capable people and some very good people who were living abroad in the past because they had to. No issue here. That said, there are some people who came back and who do not have grassroots support. They tend to dominate the new government. The government is dominated by these former exiles whatever the reason for their exile. Some are exiles and some are expatriates, the people who chose to leave or who were born abroad. It is a bit of a nuanced picture. Ahmed Chalabi may not have a seat in the parliament due to a tactical error on his part in terms of who he decided to join up with before the elections, but he still remains a power broker. He did take the oath of office for some strange reason on the day Parliamentarians took the oath. Nobody knows why but he did. Just to be sure, I guess! He is still named as a possible Minister of Interior despite the fact that he didn't win a seat in Parliament. Anything is possible in the new Iraq. I am not sure if it is positive but, on the other hand, I guess it is good to be flexible.

Sanli Bahadir Koç: ASAM

First you mentioned coordination among neighbors. Going further, do you think neighboring countries guaranteeing at the highest levels and maybe in a formal document the territorial integrity of Iraq, do you think it can make any impact on Kurdish aspirations and American decisions regarding Iraq? These neighboring countries making clear that that they would not recognize any seceding part, they would not help them, they would close their border, do you think that this would make a difference?

Second Islamist countries in general and the Organization of Islamic Conference sending peacekeeping forces, monitoring forces especially in ethnically and religiously mixed cities like Kirkuk? Do you think that this would make sense? Does it contribute to stability and peace if such a thing takes place? Third, although it is not on the agenda, a military strike by the U.S. against Iran, what do you think would be the impact on Iraq in general and Kirkuk and northern Iraq in particular? Fourth, if Turkey intervenes against the PKK, what will be the impact on the calculations of the internal actors in Iraq and also the impact on regional actors?

Hiltermann: In terms of the neighboring states, I think that it is proving almost impossible to get even these states to talk, let alone sign a document together, even if they agree on one issue -- the territorial integrity of Iraq. Maybe it does not require a document to make that very clear. My fear about the neighboring states is that whatever they might say and believe and want for themselves, they might end up taking actions that are contrary to these interests in order to respond to a crisis that they consider very threatening. For example, suppose the Americans do bomb Iran (in that way, I would answer your third question as well!), then it is very likely that the Iranians will want to make life very difficult for the Americans wherever they can. Iraq is certainly one place they can do this. They can unleash popular protest against the Americans in Iraq. Americans are not very popular in Iraq. To unleash popular protests would be easy but popular protests would not only be directed against the Americans but in some cases against each other (Shiites against the Sunnis for example). We have already seen such kind of events and it would now only be aggravated. Can the Iranians close the tap again and can they contain popular unrest? The risk is that the violence could escalate and tear the country up. The country would break up as a result, which is not an Iranian interest, but they could help foment it by punishing the U.S. for its bombing of Iran.

Another example is that the Saudis and the Jordanians and others have supported the reintegration of the Sunni Arabs into the political process in Iraq since late September 2005. They put their credibility on that. Should the Sunni Arabs feel that they are not getting any concessions, then they may withdraw from that political process. Then what are they going to do? You could see increased logistical and financial support for the insurgents. Those insurgents would increase their attacks on the Shia-dominated government. Same cycle of civil war. It would happen if this particular logic is deployed.

Second question was about peacekeeping forces. I don't think that the Conference of Islamic States has the capability to send peacekeepers. They don't have the structure for it just like the EU does not have the structure for it. The only structures we have at the moment are the UN, NATO and I think the Organization of the African Union. It is not so easy to bring together forces from different countries and put them under one umbrella and to say that now you go and keep the peace. I don't think the Conference of Islamic States has the capability for it.

In terms of Kirkuk specifically, if the rest of Iraq is more or less stable, I could see the deployment of UN peacekeepers in that area. Not as a first step, as it has to be done with the consent of the all parties there. At this point, The Kurds are not agreeing to such a

measure. They say that things can be handled by their forces on the ground. This can come at the later date, perhaps after certain violence has occurred.

I am not sure if Turkey would go after the PKK. I would not predict that. I think it would be foolish, even though I understand Turkish interests. The U.S. has been quite firm in its statement that it does not want Turkey to carry out actions inside Iraq and that this would harm Turkish-American relations. Therefore, it would become much more difficult for Turkey to do that. Americans may change their position in the future. I don't know. But in terms of locally, I think that in Kurdistan this would awaken the worst fears among Iraqi Kurds about Turkish intentions, because they would not see it as an effort to subdue the PKK but as an effort by Turkey to prevent the emergence of a Kurdish state in northern Iraq. I think Turkey has much better means at its disposal to deal with the Kurdish issue than to send troops after the PKK. That said, I understand the concern that Turkey has. There should be a different way to deal with the PKK, partly an amnesty for example. This can be done through seduction rather than coercion. At least it should be tried.

Ibrahim Kalin- Director of SETA (Foundation for Political Economic and Social Research):

It looks like that there is a higher possibility of low-level civil war in Iraq than the dissolution of Iraq. Iraq's territorial integrity seems to be in the interest of all the parties in the region because creating two or three states out of Iraq will land us with at least three problem areas. If you take the Kurds out of the equation now in Iraq, then the new Iraq will be a Shiite-majority state and the Americans will not like that. Iranians might be very interested in that, but they will find it very difficult to justify it. All the other parties that are friendly with the Americans will not allow an independent Kurdish state in the region. It seems that the territorial integrity of Iraq will be maintained in one way or the other. I think that the civil war has already started in Iraq and it is going to be prolonged in one way or the other. The attention has to be put on this point.

This brings me back to the question of democracy. You talked about the national assembly, the broad national coalition but it looks like democracy in Iraq has become a way of promoting ethnic and sectarian politics rather than creating a fully functioning representative democracy. When you have a country where Shiites are only voting for the Shiite parties, Kurds only for the Kurdish parties, etc., in the long term, this would create a lot of problems. These ethnic and sectarian divisions will be emboldened, will be deepened. The political spectrum would stay in such a way that the sectarian divisions and tensions would remain a major issue in Iraq. What is your long-term view for getting this ethnic-sectarian aspect of Iraqi politics out of the way so that it will be a real reconciliation, not just to say along political or security lines but in terms of the social, psychological and cultural integrity of Iraq?

Hiltermann:

It is generally recognized in transitional societies that have emerged out of warfare or some kind of national trauma that it is very dangerous to organize elections early on.

Democracy is a great thing but you cannot impose it. Holding elections early on tends to bring to power the more extreme elements of a society, not the moderate ones. The last Iraqi elections are an example of this. Allawi was not the right leader but the fact is that many people who were secular, moderate Iraqis were not there in the elections. They probably did vote, some did vote for Allawi, but the majority seemed to vote for Sunni or Shiite parties for the reasons that you already mentioned. That is a very dangerous development. For that reason, elections are usually not held very early on. It might have been better to start elections locally. There were some attempts to have local elections in the first two months after the war but Bremer himself opposed it in some cases exactly because he expected Shiite parties to come to power. At that time, that was not what he wanted. What you need to do is easy. You probably need an initial period of time, you need to have some power-sharing arrangement, governments of national unity but not based on elections. During that period, you can start building a constitution and not rush it in three months. You can also start building the institutions that are necessary to support the new structure that you are designing and that you are going to give popular legitimacy some time down the road. Everything was done essentially wrong. Can it still be changed? Some pessimists say that Iraq is finished. If that is the case, we are going to see a period of great regional violence, great instability for all of us. I hope that it won't come to that but it is no longer an impossible scenario. I agree with you that all the countries in the region don't want Iraq to break up, meaning that they would do everything to prevent it. However, it is not a guarantee that it won't break up because there are already other forces at play that may militate against it despite what they want. In the shorter term, as long as we can direct the political process in Iraq, we have to make sure that it is de-sectarianized and de-ethnified in the sense that we have to get away from this Muhassasa system that also was at the basis of the Lebanese civil war, where forces are allocated on the basis of what community you belonged to rather than what your political position is on the national agenda or your technical capabilities. Now this new government has already shown the reinforcement of the muhassasa idea, people being appointed according to the community they represent, but also it has included some technocrats. That is a good sign. That trend needs to be reinforced. In the longer term, I think it is very important that new political parties arise in Iraq that are truly national parties. They might have ideologies but they should not be communally based. If and when that happens, then you can return to a system that can keep the country together rather than drawing it apart. But it is not clear if it might come to that. It might require civil war and then afterwards an entirely new order might emerge.

Murat Ozcelik: Deputy Spokesman at the Ministry of Foreign Affairs

Thank you very much. Your presentation is very comprehensive. I would like to say one thing with regards to the PKK, as it represents the official position of my government, and that is that the Turkish government does not find it totally stupid. If the security issue so requires, then we would not hesitate to take any measure with regards to the PKK and that would include all the options. The second question: You made mention of Ahmed Chalabi and his taking the oath of office without getting any votes. I would like to ask you: We have tried very hard to explain to our colleagues within the international community that the territorial integrity of Iraq is very important. At the time, everybody was thinking that we were saying this just because of the fear of spillover effects of a

Kurdish entity in northern Iraq, but they understood what we meant after seeing the influence of Iran in the region. As the U.S. is the power in the region, do you think that it is in the national interests of the U.S. now? Has the administration reached that level that the territorial integrity of Iraq needs to be maintained?

Hiltermann: That's a very good question. There are conspiracy theories out there that say that the U.S. never wanted Iraq to stay together in the first place and everything has been done since April 2003 to design that Iraq fall apart. It is easy to defeat these theories because first of all, nations notoriously make mistakes all the time. Having witnessed the whole process before the war and during the war and especially after the war, I know what the debate was in the U.S., I know what the intentions were and I know how completely they screwed up this enterprise. There was clearly no interest in Iraq's falling apart and until this day I am convinced that the U.S. does not want Iraq to fall apart. This is also what explains the change that happened in late September 2005, when Ambassador Khalilzad, having come to the conclusion that the exclusion of Sunni Arabs was fatal for Iraq, made every effort to bring them back in, even to the point of angering the Shiites. The Shiites no longer trust the Americans. They think that the Americans are about to restore Sunnis to power and to cheat them out of this historic opportunity to gain power in an Arab nation for the first time in history. What can the U.S. do at this point after many critical mistakes? Can it be trusted to do the right thing? I think the political will is dwindling in the U.S. This is when you get proposals by for example Senator Biden (who is probably going to be a Democratic contender for the Presidency) to just call a spade a spade and say that Iraq is falling apart, let's just ratify that, let's just say that there is going to be a Sunni region, a Shiite region and a Kurdish region and withdraw. Until now, this is not the official policy. Maybe if Senator Biden wins the elections, it might become an official policy. But I think that he would also need to deal with the reality. The reality is that there are no three regions in Iraq. The reality is that there is chaos in Iraq. It is going to be extremely difficult to draw boundaries without major bloodshed and without the intervention of the neighboring states. This cannot possibly be in the interest of the U.S. -- to have chaos in a region that holds major oil reserves. The only thing that the Bush administration can do is to stay the course. I find myself on the same side even though I don't endorse any of its policies. I think they made huge mistakes. But now I find myself saying that this is the only way to go forward because there is no alternative. Let's see where it goes.

Murat Yetkin- Radikal Newspaper

I agree with you that it is American domestic politics that will determine whether to withdraw from Iraq. Do you think that any Iraq will exist as it is today if and when the Americans leave?

Hiltermann: That would depend on when they leave. It depends on what they leave behind. Do they leave behind chaos or do they leave behind a strong set of security forces under a moderately legitimate and strong central government? These are two extremes. I don't think that the second will happen. I would like it to happen but I think either it is going to be the first scenario -- that is, chaos -- or something in between -- that is, a muddling through. I think we are going to have a long period of muddling through, weak

central government with endemic violence but with violence contained within the borders or Iraq. If that happens, we can bless our luck. As you know, I am not very optimistic.

Brice Roquefeuil, French Embassy:

Concerning Iranian policy in Iraq: Do you think that there are only short-term objectives like keeping the Americans busy there or are there other ends pursued by the Iranians? What's your assessment of their support of the Shiite project (broad Shiite entity in the South)? Do you think that they were supporting the deal between the Kurds and the Supreme Council with regards to holding a referendum in Kirkuk? In your presentation, you mentioned that there was a deal between the Kurds and Supreme Council concerning the referendum in Kirkuk. Do you think that this is in the interest of the Iranians?

Hiltermann: The Iranian interest is not just to keep the Americans busy, even though they would love to do that. Iran has a long shared history and a long shared border with Iraq. They have essential interests to protect, more than the Americans (as a distant empire). Iranians and Iraqis will have to live together for a long time. The Iranians want to make sure that whatever emerges in Iraq is going to be a moderately friendly, moderately weak government that would never attack them as it did in 1980 and that would not develop weapons of mass destruction as were used against them in the 1980s. It is rather happy that the Shiites have come to power. They were pleased that the Americans organized the elections in that way. They did not do anything to disrupt them. Even though I certainly don't argue that the Shiite parties are Iranian proxies (I think they are not), they are certainly better for Iran than any of the available alternatives. The Iranians have extended their influence in Iraq. There is nothing really to stop them. The Americans don't have the capability. Secondly, some of the Iraqi Shiite parties accept a major Iranian influence and have not discouraged it. When you talk to some of these politicians, they make it very clear that they do not take any orders from the Iranians, just like they do not take any orders from the Americans. They can't help that the Americans are in Iraq and likewise they can't help that Iran is in Iraq. There are no defendable borders at the moment and there is no central government with a police force that can keep them out. Iran almost by default is increasing its influence. This takes different forms. They have a number of intelligence assets on the ground. They are prepositioning the capability to make major trouble if this becomes in the Iranian interest. Until now, this wasn't in the Iranian interest but it might well become so, for example if the U.S. bombs Iran. Then they would activate these assets.

I don't buy the argument that 100,000 Iranians have penetrated the Shiite parties. I don't believe that. I did not see any evidence for that. I don't believe that the Iranians are all over the place in southern Iraq and elsewhere. When you start looking at these claims, you see they originate either in a Sunni quarter or a secular Iraqi quarter, or people close to the previous regime who hate Iran. I have yet to meet an Iraqi who doesn't completely detest the Iranians. I am sure you can find one somewhere but I haven't met that person. If you can bring me one, I would be impressed. I must say that it is completely reciprocated by the Iranians. They can't stand the Arabs. That's a good basis for continuing enmity but it also means that the Iranian influence in Iraq has its limits. We will see what happens but I think that the Iranians are able to sabotage very well. They

sometimes show it. They can do it if they want to but for reasons of Iraq's territorial integrity, they haven't done it and I don't think they will. As for Kirkuk, there is no single Shiite party that enjoys Iran's trust. Not the Supreme Council, not the Sadrists, not the various Dawa groups, nor Hizbullah or any other Shiite groups. There are no Iranian proxies in Iraq. To the contrary, Iran will use one Shiite party against the other. It may switch sides all the time. It either could not prevent or tolerate this deal between the Kurdish parties and the Supreme Council with regard to the constitution. Maybe it depends on who signed off on this on the Iranian side. What level was it? Maybe it is not based on a full realization of where this might lead to, because in fact this constitution will drive Iraq apart. This is not on Iranian interest. Why did they sign off on it? I don't know. They probably think that they can prevent it by other means. Iran does not want Kirkuk to fall to the Kurds. They may not take any active steps against it because they are quite happy that Turkey is doing all the heavy lifting. They probably think that the Kurds cannot realize this ambition anyway. There are so many factors against the Kurds, whatever the Kurds may say. The Iranians don't really have to worry a lot about that. They probably let it happen because it did not matter a lot to them. They have sufficient influence with all the Shiite actors that they played up the Supreme Council for a while. They allowed a government to come to power that is not supported by the Supreme Council. Their candidate was not promoted to PM. The Sadrists are also not an Iranian proxy, and they are now holding power now.

Sanli Bahadir Koç:

Does the U.S. have a special plan for Kirkuk?

Hiltermann: Not that I know, and this disturbs me greatly. I think it ought to have one.

Faruk Loğoğlu: Iraq is an especially difficult case because the major problem-generating dynamics of our age are present there all at the same time: ethnicity, sectarianism and also tribalism. That makes Iraq sufficiently complex. Ultimately I think the answer is still democracy. Democracy needs to be wise, create different connections between these dynamics. You build democracy on the basis of the realities of Iraq rather than ignoring or discounting them.

Question: You didn't touch upon the differences between the Pentagon and the CIA and the effect of that on Iraq.

Hiltermann: I remember an anecdote from February 2004 when I was in Washington. I talked to different members of the administration, Pentagon, State Department, National Security Council, Congress, Senate Select Committee on Intelligence, International Relations Committee, just to brief them on our reports. Sometimes they give comments. Usually they sit very politely and just listen. In February 2004, the image I had was reinforced by an official of the State Department (this was when the CPA was in control of Iraq). He pulled me aside and said: By the way, do you realize that when I want to communicate with a State Department colleague of mine inside the Green Zone, at the CPA in Baghdad, my email or phone communication cannot go directly to Baghdad? It has to go through the Pentagon. There is a firewall between the Pentagon and the State



Department. That was the depth of mistrust the Pentagon exhibited towards the State Department and also the CIA, because the CIA was not producing the evidence for the case that Iraq had weapons of mass destruction and had links with al-Qaeda.