

# DAG

DIALOGUE ADVISORY GROUP

## GOVERNANCE PROSPECTS IN NORTHERN IRAQ AND SYRIA

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# INTRODUCTION

Across northern Iraq and northern Syria, societies are undergoing deep changes following recent years of conflict, including the war on Islamic State and the Syrian civil war. Governments, sub-state actors and foreign powers are playing a significant role in altering governance and security landscapes in these areas. Due to the wars, Kurdish-dominated governance structures have expanded both in Iraq and Syria, before proving to be untenable due to internal and regional dynamics. In Iraq, the Kurdistan Region is established as an autonomous region under the 2005 federal Constitution. In Syria, however, there is no similar legal entity although Kurdish governance structures evolved into a de facto autonomous region after 2012 as the Syrian regime successively lost control over large parts of its territory. This report outlines the challenges to governance in northern Iraq and Syria based on recent developments, using three case studies: Sinjar and Kirkuk in Iraq, as well as Afrin in Syria. The case studies exemplify the

difficulty for Kurdish governance to move beyond its current status in the two respective countries.

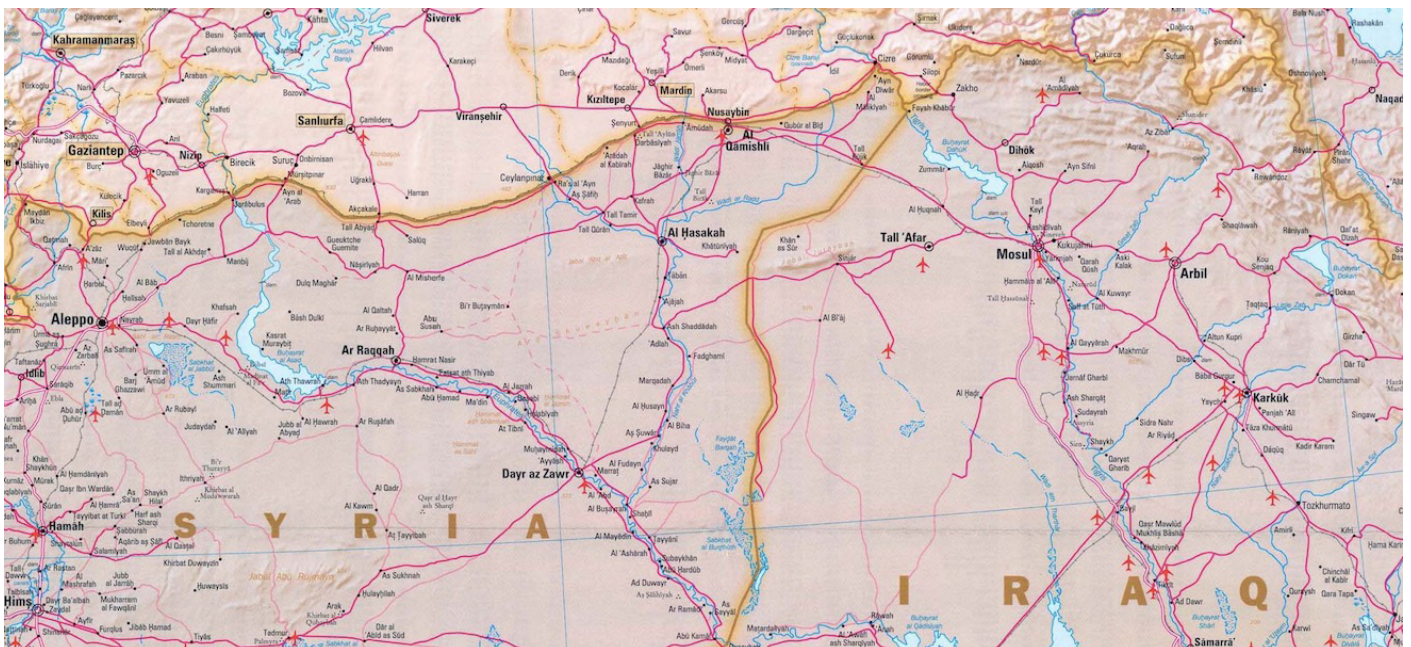
The findings presented in this report are based on field work conducted in the Kurdistan Region of Iraq (KRI), and the adjacent so-called disputed territories, northern Syria and Turkey, in August and September 2019. It also includes analysis from a joint experts' meeting between the Dialogue Advisory Group, Human Rights Watch and International Crisis Group held in Beirut on 25-26 August 2019. In order to keep sources confidential, no direct reference is made to interviewees.

It should be noted that the information underpinning this report was collected before the announcement of US withdrawal from Syria and the subsequent Turkish incursion, starting on 9 October, which has further complicated prospects of effective Kurdish governance in northern Syria.

## GOVERNANCE IN NORTHERN IRAQ

The Kurdistan Region of Iraq took a first major step towards autonomy in 1991 when a no-fly zone was imposed after the Gulf war. This followed the genocidal campaign of the Saddam regime in 1988 against Kurdish areas. When the regime fell after the US invasion in 2003, the three governorates of Duhok, Erbil

and Sulaymaniyah were established as an autonomous region under Iraq's 2005 Constitution. Ethnically mixed areas stretching across four governorates from the Syrian to the Iranian border were included in Article 140 pertaining to the Disputed Internal Boundaries (DIBs), also known as the disputed territories. The



Kurds lay claim to these areas due to the Arabisation policies of the former regime. The article, which stipulated three steps to resolving the status of these areas: 1) normalization 2) census and 3) referendum, was not implemented by its 2007 deadline. The dispute over these areas between Baghdad and Erbil remains a highly contentious issue. Beyond a reversal of past wrongs, these areas are of geo-political interest to the Kurds as they hold Iraq's second largest oil reserve in Kirkuk, without which an independent Kurdish state would not be viable.

In 2014, as the Islamic State (IS) swept across the central and northern parts of Iraq, and the Iraqi Army quickly withdrew, Kurdish Peshmerga forces pushed south to oust IS and annexed the disputed territories, including Kirkuk, and parts of Diyala and Ninewa. After the three-year battle against IS over which victory was announced in December 2017, the major issue resurfacing was how to address de facto Kurdish control over the disputed territories. A swift response came as the KRG staged a referendum for independence in September 2017. Apart from being denounced as unconstitutional by the federal government, major actors of the international community, including the US, Iran and Turkey also discouraged the KRG from going ahead with it. The most contentious issue was that the referendum was not only held in the Kurdistan region but also in the disputed territories – a decision that was not internally agreed upon among, or even within, the Kurdish parties.

The government in Baghdad pushed to reimpose control over the disputed areas. On 16 October 2017, the Iraqi Army and supporting security forces moved north starting in Kirkuk. A prior agreement with factions of the PUK made the military takeover rapid and relatively bloodless as they immediately withdrew. Intermittent fighting broke out with KDP factions who withdrew

within a few hours. The remaining areas were retaken without fighting and Baghdad imposed an air embargo over the Kurdistan Region, which was lifted a few months later.

The Kurds had suffered a major blow to their pursuit for independence, which according to many observers will not become relevant for many years, if not decades. Besides the realisation that the international community would not be ready to back unilateral action by the Kurdistan region, the incident caused deep divisions within the Kurdish ruling elite, where the KDP blames the PUK for handing over the disputed territories for Baghdad and shutting down the nationalist dream of independence. The Kurdish parties are yet to repair this rift and act united vis-a-vis Baghdad.

In 2018, both Baghdad and Erbil held parliamentary elections and new cabinets were formed. In Baghdad, the election of Adil Abdul-Mahdi, considered a friend of the Kurds, helped normalise relations between Baghdad and Erbil. A new budget law was passed, establishing the Kurdistan region's share of the federal budget, and the two governments embarked on a roadmap to normalise relations over the disputed areas in terms of governance and security management. So far, only the initial steps of this process have been taken and the plan has been delayed due to the recent turmoil generated by protests in Baghdad and southern parts of the country.

The following two cases of Kirkuk and Sinjar were chosen to shed light on the complex dynamics facing governance in northern Iraq and the limits to expansion of Kurdish governance by outlining internal Kurdish politics, issues between Baghdad and Erbil, and the role of international and regional actors. Moreover, Sinjar specifically exemplifies challenges that have emerged in the aftermath of IS.

## THE CASE OF KIRKUK

Kirkuk sits at the heart of the dispute between Baghdad and Erbil on the so-called disputed internal boundaries (DIBs). It faces a multi-layered set of issues. At the provincial level, the conflict between Kirkuk's three main ethnic communities is prevalent in day-to-day politics due to its unresolved status. Nationally, there is a conflict between Baghdad and the Kurdish Regional Government (KRG), which relates to its natural resources on the one hand, and Kurdish claims over Kirkuk, on the other. These

two disputes are linked, as oil and gas resources in Kirkuk would provide an economic basis for an independent Kurdistan. For Baghdad, Kirkuk is also essential for its oilfields, as the second biggest oil reserve after Basra. At the international level, the US, Iran and Turkey compete over different interests, that sometimes converge and often diverge. Any initiative to solve the status of Kirkuk must therefore address the local, national and international levels of the conflict if a sustainable agreement is to be reached. An

intertwined set of challenges, however, make it difficult to untangle and address issues separately or in a sequenced way. These include the threat of IS resurgence, a delicate political landscape following recent government formations in Baghdad and Erbil, as well as lingering tensions since the KRG-staged independence referendum and the subsequent imposition of federal control over the disputed territories.

When the UN Special Representative of the Secretary-General (SRSG) assumed her position in late 2018, the UN Assistance Mission for Iraq (UNAMI) revived its efforts to resolve some of the outstanding disputes in Kirkuk, which include a power-sharing agreement, a joint security agreement, provincial elections, revenue-sharing agreement, as well as attempts to resolve housing and land disputes. Following events in late 2017, after which the Kurds faced national as well as international condemnation for their referendum on independence alongside a quick reaction from Baghdad to reinstate control over the DIBs, the environment seemed more conducive for negotiations on Kirkuk. The new compromise government in Baghdad was headed by Prime Minister Adil Abdul-Mahdi who is seen as a friend of the Kurds and thought to be better placed to negotiate with the KRG. Under these conditions, the UNAMI-led initiative made progress on various files over the last six months, yet failed to deliver a signed agreement between the parties. The main stumbling block remains the security file, where parallel negotiations are ongoing between Baghdad and Erbil which aim to address the security gaps across the DIBs, where IS mostly operates. Untangling this wider counter-terrorism strategy from UNAMI-led discussions about a new security arrangement in Kirkuk has proved difficult.

The main suggestion discussed by the Kirkukis is the proposal of a multi-ethnic force which includes the three ethnic groups (Kurds, Arabs and Turkmen), as well as the smaller Christian minority. Although differences remain on the quotas and the ultimate command of the force (whether it should fall under Baghdad or the governorate), the core tenets are promising as a solution. These include individual recruitment from all ethnic components, with the ultimate aim of replacing the need for a Peshmerga or Federal Police or Popular Mobilisation Forces (PMF) presence inside the

governorate<sup>1</sup>. Yet, an agreement on security both within Kirkuk and between Erbil and Baghdad is unlikely to be attained without a deeper understanding of the multi-faceted nature of actors in Kirkuk. For instance, security actors traditionally at odds may be more amenable to negotiation than initially thought. This argument can be exemplified by the current understanding between the PMF and the Kurdish Democratic Party (KDP) which appears more effective than those agreed upon by the KDP and the Iraqi Security Forces (ISF). Moreover, when addressing security in Kirkuk it does not suffice to focus on forces with military capabilities, such as the ISF and Peshmerga. Intelligence and law enforcement institutions need to be accounted for in the security structure. The Asayish (Kurdish security police) has been neglected in the UNAMI-led dialogue, even though it played a significant role in maintaining security post-2003 and especially after 2014 when the Kurds dominated the security apparatus. The question of whether the Asayish will return formally is yet to be addressed.<sup>2</sup>

A comprehensive security agreement would also mitigate the possibility of an IS resurgence. The group has lost control over the territory it once held and the support of most of Iraq's Sunnis. Cooperation of civilians with the security forces has improved and IS sympathisers have been exposed. The ongoing provision of intelligence and training to the ISF by the US has been key to countering IS and preventing its members from regrouping. However, autonomous local cells of between 5-10 people still operate mainly in the diagonal belt that stretches from Diyala to the Syrian border. Those units, whose goal is to make the rural peripheries of the country ungovernable, have demonstrated their capacity to carry out attacks with high numbers of casualties. The remote and clandestine locations in which IS operates make it difficult, if not impossible, for the coalition and Iraqi forces to monitor and target the group effectively. The exclusion of KDP intelligence since 16 October 2017 has also harmed the counter-IS campaign. Only if all Iraqi security forces (local police, ISF, Peshmerga, PMF and coalition forces) cooperate can the security vacuum along the DIBs be filled.

Addressing the internal and external security gap in and around Kirkuk is essential to ensure citizens' safety and ease inter-communal

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1 The purpose of the multi-ethnic force is to provide the so-called second tier of security, which is control of areas outside the cities, in rural areas and towards the governorate limits. The first tier is comprised of local law enforcement institutions inside the cities, and the third tier is control of the governorate boundaries by Peshmerga along the KRG border and Iraqi security forces along the borders with federal Iraq. The multi-ethnic force would operate in the dual capacity of a police force and military capability.

2 Patriotic Union of Kurdistan (PUK) Asayish still operate inside the governorate, in coordination with the ISF. Although the KDP does not have a formal presence, the party has sustained small Asayish units within the governorate, carrying out covert operations.

tensions, but will not resolve the dispute over Kirkuk. A sustainable agreement on revenue-sharing, including resolving current differences over oil resources between the KRG and Baghdad, is an important stepping stone to resolve the status of Kirkuk. For Erbil, the oilfields would provide the KRG with an economic basis for an independent state, which Baghdad is unlikely to agree to at any point in the future. These visions are irreconcilable, and the longer Kirkuk is left without a clear governance structure, the longer tensions will persist and flare up at politically sensitive junctures. Currently, both sides are attaching greater importance to making immediate gains. The Prime Minister's acceptance of the KRG's failure to commit the agreed-upon amount of oil exports to the State Organisation for Marketing of Oil (SOMO) in exchange for government salaries, is enough to satisfy immediate needs and thereby delay discussion on revenue-sharing beyond the annual budgets.

Beyond operational issues on security or dialogue mechanisms, it is crucial to reflect on who the negotiating actors are. Relying on political parties, rather than institutions, is causing continuous deadlock in negotiations due to the incompatible interests of the various parties. This requires a thorough conflict analysis with a bird's-eye view as well as granular knowledge of local dynamics in order to understand the complicated web of relations between actors. Often, parties are mistakenly perceived as either sworn enemies or unified interest groups. For instance, framing all PMF groups as proxies of Iran obscures the fact that local PMF-affiliated groups have been amenable to holding talks with coalition forces. Whilst at the other end of the spectrum, the relationship between Kurdish groups, namely the KDP and the PUK, has deteriorated as a result of the independence referendum in October 2017. Similarly, the Turkmens tend to present themselves as a unified group when a more thorough assessment reveals differences between the factions supported by Turkey and those aligned with Iran.

Regional actors such as Iran and Turkey, and international actors such as the US, can equally play a key role as facilitators

of comprehensive agreements, or act as spoilers. Turkey, for instance, has been supportive of current efforts to attain a long-term understanding but its focus on neutralising the Kurdistan Workers' Party (PKK) might prevent Ankara from becoming a constructive force in Kirkuk. The US could play a positive role in confidence-building between Erbil and Baghdad but, in line with its tactical moves against Iran, might instead hinder ongoing efforts to constructively engage the PMF on its presence in Kirkuk. In turn, Washington's reluctance to engage with the PMF makes it difficult for NATO to negotiate any agreement with these groups, despite the readiness of some member states to open a conversation. European countries such as Germany and Italy are pushing for dialogue with the PMF, which could make the EU a suitable mediator along with the UN. Whoever takes on the role of mediator would have to ensure that they are engaging the right actors, which entails striking a balance between decision-makers of various communities that are able to deliver and act on agreements, and implementing institutions that are not beholden to potential manipulation of the same decision-makers.

While high-level agreements are necessary, their importance should also not be overstated, particularly as a replacement for other forms of agreements. Beyond the strategic interests of major actors, other factors like community attachments can have a positive impact. Under these current circumstances, national and international efforts are unlikely to succeed. On top of these concerns, those tracks do not necessarily reflect local dynamics. There is a strong demand at the local level to address issues that seem to have faded into the background at the high political level, namely the return of internally displaced persons (IDPs), justice mechanisms, accountability and reconciliation following the war on IS. Discussions between tribes on how to tackle IS crimes and attempts to bring together community and security actors are ongoing but lack implementation, partly due to insufficient support at the governmental and international levels. This is something that the international community can advocate for at the national level without entailing a high political price for national actors.

## THE CASE OF SINJAR

Sinjar is one of the disputed districts of Ninewa governorate. In comparison to Kirkuk, it was long a forgotten corner of the country, and much less contentious due to the relative absence of natural resources. Sinjar came into the spotlight when it became a scene of mass atrocities committed by the Islamic State (IS) in the summer of 2014, which led to mass displacement and violence bordering genocidal proportions. The conflict is multi-layered; on one level the local dynamics were altered after 2014; second, tensions increased between Baghdad and Erbil over the area; and third, both Turkey and Iran have active proxies on the ground. The main sources of tensions are the lack of functioning governance institutions, a security stalemate, displacement of the local population and accountability issues related to IS crimes.

The absence of governing institutions is a consequence of competing security actors on the ground. The election of a new mayor was, for example, impeded due to disagreements between communities loyal to different factions in Baghdad or Erbil. One of the main challenges for the upcoming provincial elections in April 2020 is the displacement of the majority Yazidi community, as well as Arab tribes – mainly those who sided with IS. There have been numerous dialogues between the Kurdistan Regional Government (KRG) and Baghdad on the lack of provincial authority in Sinjar. The latest one was in December 2018 led by Nadia Murad, Nobel Peace Prize winner and Sinjari activist for the rights of the Yazidi people. The initiative and efforts were backed by the Iraqi President, but no agreement materialised. At the height of the crisis, Yazidis sought support in Baghdad by suggesting that they have advisers in the government. However, then Prime Minister Haider al-Abadi assessed Sinjar in a similar way to Mosul, focusing on a Sunni return, while neglecting the plight of the Yazidi community. Frustrated with Baghdad and Erbil alike, many Yazidis turned to the PMF for protection.

The security situation was significantly altered after the IS onslaught. After the retreat of the KDP Peshmerga in June 2014, it took nearly three years until the district was completely recaptured. The liberation campaign of Ninewa as a whole brought a multitude of new security actors<sup>3</sup>. During the war on IS, the PKK and affiliated groups, such as the YPG (People's Protection Units), came

to the rescue of the Yazidis and established a permanent presence, which also strengthened the YBS (Sinjar Resistance Units), a local offshoot of the PKK. The PKK has also been successful at engaging youth, thereby expanding its influence beyond military activities. Later, the military operation brought Peshmerga from the north, as well as the Iraqi Army, Federal Police and various PMFs to the area. Although the KDP Peshmerga were not allowed to resume their old positions, they do control the border to Duhok. Sinjar town and its environs are now in the hands of various militia factions affiliated either with Iraqi PMFs or the PKK.

The entrenched presence of the PKK has also led to increased military activity of the Turkish government, mainly through airstrikes but also through targeted covert operations on the ground. For Turkey, YBS is seen as an extension of the YPG and thereby the PKK in Iraq. On the battlefield, Turkey is gaining momentum and the casualty ratio has doubled in their favour in the past four years: for every one Turkish death there are now four PKK deaths. The Iraqi government has also used its support to the YBS as a bargaining chip with Turkey. At the same time, the main Kurdish actor in the area, the KDP, prefers to maintain the *status quo* rather than insist on the withdrawal of paramilitary groups from Sinjar, in order to sustain its close relation with the Turkish government. The same can be said for its relationship with Iran, and its proxies in the PMFs. Since the backlash of the independence referendum, the KDP has improved its connection with Iran and sought to tacitly support Iranian proxies in strategic places. Sinjar is one such place, in comparison to Kirkuk, where the KDP is much more vocal in advocating for PMF withdrawal.

The Baghdad government has been slow in dealing with Sinjar. There is no agreement on how to move paramilitaries from the region, as the current configuration somehow provides a balance, although fragile, between competing actors. However, the absence of a local agreement on the political and security front has created an alarming source of instability on the social level. Mediation efforts have been attempted, but often focusing too much on armed actors, and political positioning, rather than community needs. The Yazidi community considers any deal including paramilitary groups illegitimate, as it would risk granting Shia

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3 There is also another significant local Yazidi militia led by Hayder Shesho, the Yazidi Protection Force (HPE), considered a rival to the YBS, which at times has sought protection by the KRG and at times from PMFs. In 2015, its members received salaries from the federal government.

parties a strong position in the upcoming provincial elections. The current proliferation of international organisations on the ground and the lack of effective engagement from Baghdad contributed to a fatigue among the Yazidis who have now adopted a more rigid stance in the negotiations.

Moreover, the return of displaced Sinjaris – Yazidis and Arabs alike – has been heavily restricted. Yazidi families are permitted to visit but have to request prior approval from the KRG. The KRG has imposed restrictions on the movement of goods, which would enable Yazidis to rebuild their property, due to the presence of the PKK in Sinjar. Some suggest the KDP is intentionally limiting the return of Yazidis as it generates income from the presence of internally displaced Yazidis in Duhok, and the KDP also wants to keep voters there. Whilst the movement of Yazidis in and out of Sinjar is limited, for Sunnis Arabs, there is very little possibility of currently returning to Sinjar. Sunnis are being completely blocked from entering Sinjar as a result of accusations that they and/or their relatives are affiliates of IS.

It is unsurprising that the discrimination between Sinjar's different ethnic groups has resulted in the issue becoming closely tied to discussions around accountability and reconciliation. One of the main outcomes of the discussion was that the grievances of all communities need to be addressed in an inclusive and fair way, without marginalising any of the components. This is where tensions between the ideas of reconciliation and accountability manifest most clearly. Whilst Sunni Arabs want to work towards reconciliation, the Yazidis want accountability, meaning prosecutions for IS crimes and acknowledgement from families of IS members. Although there have been prosecutions of IS members in Iraq, this continues to be based on membership alone, and does not relate to specific crimes committed. It is questionable if this practice will change, nevertheless there are efforts to encourage Iraq to enact legislation on genocide and other crimes committed by IS. However, for now, the only possible avenue for the prosecution of specific crimes seems to rest with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD). UNITAD is investigating the crimes committed against the Yazidi community in Sinjar and assisting the Iraqi government with its investigations. Therefore, with UNITAD's assistance, the Iraqi government may be able to establish individual responsibility for IS crimes committed in Sinjar.

In terms of reconciliation, there may be other forms of reparation and recognition that would be acceptable to the Yazidi population.

One suggestion was the mechanism of *tabriya*, also used in Anbar and parts of Ninewa, whereby displaced Sunni Arabs would be allowed to return if they acknowledge the crimes committed by a relative affiliated with IS, via public apology or registering official criminal complaints against the relative. However, there is a danger of this leading to retributive arrests, guilt by association, arbitrary judgements or even false testimony in order to be able to return. Moreover, *tabriya* is more likely to work in cases of missing or deceased but not for those who remain in custody. Overall there was heavy criticism of the Iraqi government's reconciliation initiative on Sinjar which, with the exception of the memorial in Kojo, has been lacking genuine engagement.

After 2015, there was a positive shift in the Yazidi leadership and community, who are calling for institutional, administrative and security reforms and want to ensure their position is protected, independent of Baghdad or Erbil. The community wants to be a stronger decision maker in its own future. Any negotiation should take this positive element into account. In parallel, Yazidi civic engagement intensified, including instances of the community openly criticising its spiritual leadership. It is important to include them in the dialogue to create social peace and justice with the Arab communities.

Another complication for nationwide reconciliation work, which also affects Sinjar, was that the new head of the so-called peace and co-existence committee in Baghdad (previously national reconciliation committee) cancelled all MoUs with NGOs working in this field in early 2019. One reason stated was that there had been too many organisations which lacked coordination as well as conflict between them over who was doing what, with various initiatives sometimes contradicting each other. Only in recent months was there a realisation that this was a counterproductive approach to the international community's ability to maintain its work. The lack of a systematic plan for justice and reconciliation, coupled with an absence of governance structures has created a gap where communities seek to mediate their precarious situation by relying on proxy actors. However, a few practical steps can be taken to reverse this situation.

While it is difficult for the government to enforce the withdrawal of external armed actors and their proxies, there are common grievances that can be addressed, for example, by a comprehensive compensation scheme. A transitional justice framework can also be developed even without a new security arrangement. And in places where there is more acceptance of external actors ceding control,

local forces can be deployed. An interim governance structure in Sinjar can be implemented until provincial elections are held to work with international organisations. At the national level, there are also judicial reforms underway that can be utilised further. For example, the High Judicial Council is drafting a law on genocide crimes that will be considered by the House of Representatives.

Questions over which courts will prosecute these crimes and whether Article 4 (terrorism law) suspects can be added to this need to be addressed. All of these potential measures need to be driven by Baghdad. Thus, a concerted advocacy effort of the international community towards the government is required.

## GOVERNANCE IN NORTHERN SYRIA

In comparison to the case of Kurdish governance in Iraq, the experience in Syria is more recent and followed as a result of the Arab Spring in 2011, after which the country descended into a civil war. Previously, the area known as Rojava<sup>4</sup> was less of a demarcated territory and rather conceptually used to refer to the quest for Kurdish collective identity northern Syria. However, since 2011 it has been defined to constitute three self-administered cantons of Afrin, Kobane and Cezire, spanning from the eastern border with Iraq to the northwestern border with Turkey. Having faced the institutionalised discrimination of the Assad regime for decades, the Kurds in Syria saw a similar opportunity to their Iraqi counterparts to establish a more legalised form of autonomy following the war. This process has however been ridden by internal divides and external interference.

The expansion of Kurdish governance structures in Syria was enabled as Syrian Kurds emerged at the forefront of battles against IS, gaining them significant support from the US despite tensions with the regime and Turkey. However, ideological and strategic divisions emerged early on between the Kurdish Syrian political movements. This is mainly manifested in the more pragmatic approach of the Democratic Union Party (PYD)<sup>5</sup>, a close affiliate of the PKK, which at times has sought to work with the regime in order to secure a higher degree of autonomy in the future. On the other end of the spectrum is the Kurdish National Council (KNC), which was formed in 2011 in opposition to the Assad regime and

formed part of the greater Syrian opposition. However, the PYD came to dominate the Kurdish political scene at the expense of the KNC and other Kurdish parties. The PYD ascended to become the dominant force both politically and military as it gained legitimacy through its success fighting IS, while establishing a self-styled governance structure across areas over which it took control. Although its military wing, the People's Protection Units (YPG) is a part of the mixed Syrian Democratic Forces (SDF), it became the force most relied on by the US, expanding its territory far beyond traditionally Kurdish areas, including into Raqqa and Deir Ez-Zor, something that has created great strain on the self-administration.

However, the greatest challenge to Kurdish autonomy in Syria is neither internal divisions nor tensions with the regime but perhaps first and foremost conflict with Turkey, which considers the ascendancy of the PYD as an expansion of the PKK into Syria. Regarding the PKK as a terrorist organisation, the Turkish government is deeply involved in Syria to quell any establishment of PKK-affiliated governance. This was proved with the military intervention in Afrin in 2018, and most recently with the Turkish incursion across northern Syria following US withdrawal in early October 2019. The repercussions of this are yet to be evaluated and warrant further study, both in terms of the prospects for governance but also in terms of preventing IS resurgence. The case of Afrin serves however as the first example of the challenges for a coherent area for Kurdish self-governance in Syria.

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4 Rojava refers to the western part of greater Kurdistan which spans over Iran, Iraq, Syria and Turkey.

5 The PYD was created already in 2003 and considers Abdullah Öcalan its ideological leader.



## THE CASE OF AFRIN

Afrin district is located in the northwest part of Syria with seven subdistricts and had a total population of around 175,000 people prior to the uprising in 2011. This number doubled after the fighting intensified in other nearby cities. However, after the withdrawal of the security forces and the Assad regime's army in the summer of 2012, the YPG, which has links to the PKK, took charge of security and governance provisions. This was the case until January 2018 when the Turkish government intervened militarily to oust the group from the district under the reasoning of national security concerns. *Operation Olive Branch*, which lasted for just over two months, resulted in the expulsion of the YPG and the displacement of more than 200,000 people. The behaviour of Turkey's proxy armed groups of looting and the destruction of property and cultural symbols has caused resentment of the groups by the local population.

*Operation Olive Branch* came after the YPG had defeated the Free Syrian Army (FSA) groups in the neighbouring Arab city of Tel Rifaat in February 2016, which resulted in the displacement of the local population. The developments in Afrin, moreover, coincided with the military campaign by Russia and Assad's regime forces in Ghouta, east of Damascus. In March 2018, the escalation resulted in bussing more than 50,000 people to the north, with the majority of them settling in Afrin by the end of April 2018. Since then, the Kurdish population has become sensitive to the demographic shift in the city, with allegations of deliberate campaigns to Arabise and Turkify the city, and obliterate Kurdish heritage. Examples given to support these allegations include signs and billboards being changed to Arabic, extensions of Turkish institutions such as the national post which has branches in Afrin and Jarablus, changes to the school curriculum, and the destruction of Kurdish symbols like Kawa the Blacksmith, a statue erected at the centre of Afrin.

The YPG forces did not show resistance to the Turkish military operation and there were barely any confrontations in the outskirts of Afrin. The YPG withdrew from the city while Turkish-affiliated groups were advancing into the city. Nevertheless, the Kurdish leadership is affected by the loss of Afrin as they attach high emotional value to the city. They have sought to make Afrin a part of negotiations between Turkey and the US, but Turkey demanded that Afrin be detached from any agreement on northern Syria. The YPG has realised that the US is not a reliable ally when it

comes to Afrin and, as a result, they have resorted to increasing their insurgency under the slogan *Olive Wrath*. Attacks in Afrin by means of IEDs and hit-and-run assaults have intensified to destabilise the city. In August, more than 30 IED detonations were recorded in the city.

One of Afrin's main characteristics is the absence of a single security body or a military structure. A plethora of armed groups are spread across the Afrin district. With the absence of a functioning law enforcement institution, acts of violence, extortion, arbitrary arrests and tax levies are recurrent events facing civilians. Security actors can be categorised into three types: armed groups, the military police, and the civilian police otherwise known as the Free Police. However, the mandates of these different actors are blurred, with no clarity on which files they are responsible for, whether criminal cases, terrorism, surveillance etc. Another complication is the involvement of the Turkish Intelligence which in its operational role has a different vision compared to that of the Ministry of Foreign Affairs (MFA), which is more conservative in its outlook. The MFA is disconnected not only from the ground, but also from the decision-making of President who has limited the influence of the ministry to shape foreign policy on Syria.

Al-Shamia front, which includes hard-line elements, is one of Turkey's main allies in Afrin. Other smaller groups include Shuhada al-Sharqiya, a splinter group of Ahrar Sharqiya. Turkey is trying to manage the various groups by integrating them into the military police and enlisting them on their payroll. While Turkey, in theory, is able to bring increased order, there is little incentive to do so. Interestingly, there is also a tension between the armed groups and Turkey. Many armed groups have expressed a dissatisfaction with operating in areas far away from their own. Some have requested to move to originally Arab areas such as Tal Rifaat and Manbij, but Turkey has so far not been responsive. Armed groups have lately also softened their position from previous outright rejection of the Assad regime and any dialogue with it. For Turkey, future military operations and displacement pose a challenge. IDP camps in Azzaz and Jarablus are running out of space. Any displacement from Idlib will be directed to Afrin. To date, thousands of families from Eastern Ghouta, North Hama and South Idlib have settled in the district.

In preparation for *Operation Olive Branch*, the Turkish government called for an emergency meeting on Afrin under the banner *Afrin Salvation Conference*. Local council members were elected to take over after the military operation. Afrin council is composed of twenty members: eleven Kurds, eight Arabs and one Turkman. Kurdish political parties are questioning the legitimacy of these councils and the way their members were elected, arguing for example that there is no Turkmen population in Afrin. On the ground, the local councils are used as points of communication with both the armed groups and the Turkish MFA officials. On the Turkish side, the Deputy Mayor of Hatay is overseeing the work of local councils in Afrin and approving policies related to the region.

There are indications that Ankara tends to overlook violations of armed groups under their lead and the demographic repercussions that follow. The interchangeability of other contexts with Afrin is used as an argument to maintain the status quo, rather than work towards a solution to reverse displacement and a return to the ethnic make-up of northern Syria before the war. The fate of Tel Rifaat and Manbij are repeatedly presented by Turkish officials as no different from Afrin, as both Arab cities are controlled by the YPG. It is therefore difficult to advance a dialogue on the future of Afrin without addressing other cities in north Syria,

which have seen similar changes in demographics due to military intervention and displacement.

Another stumbling block to resolve in Afrin is the lack of wider representation of the Kurds, including the YPG. The Kurds who are currently included in the local council established by Turkey are under increasing pressure from Kurdish parties which were expelled from the council. Many members of the Kurdish National Council (KNC) have left the city. The YPG also have deep-seated disagreements with the Independent Kurdish Association (IKA). Lately, the IKA has considered requesting UN intervention to mediate in Afrin. A previous attempt by the French government to mediate between the KNC and the YPG on a governance agreement failed. The KNC was not considered a legitimate local counterpart due to its links with Turkey. The potential to use the Kurdistan Regional Government (KRG) in Iraq as a guarantor, due to its closer relationship with Turkey, has also failed to deliver any result. Neither has shuttle diplomacy between the EU and Turkey. One possibility could be to use NATO as a platform. Moreover, future displacement may be one way to open dialogue with Turkey, as it is unlikely to be able to manage a large influx of people to areas it controls on its own. It is also possible to engage Turkey on sub-steps, such as reporting and investigation into crimes.

## CONCLUSIONS

The three case studies demonstrate some commonalities in terms of a similar set of actors influencing the reality on the ground. These include the US, Turkey, Iran and the PKK, as well as the internal politics of Iraq and Syria spilling over the border into each other. The main challenges and possible solutions, however, lie in the specificities of each context. In the case of Kirkuk, the core issue is the absence of a resolution to its status and a sustainable power-sharing agreement. In Sinjar, the lack of justice for IS crimes is the main issue; while in Afrin, foreign occupation is the fundamental

issue. However, the outcome for Kurdish governance is similar in both countries, namely that internal divisions and external intervention prevent further expansion or consolidation. While there is no threat to the autonomy of the KRG in Iraq, claiming the disputed territories is significantly delayed, if even possible at all. And in Syria, the situation remains open-ended but highly unlikely to produce a similar legal structure to that of the KRG in Iraq combining the three cantons of Rojava.