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## **Internal Displacement in Iraq: Internally Displaced Persons and Disputed Territory**

**Nancy Riordan**

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*The protracted conflict in Iraq has led to one of the highest internal displacements of people worldwide. With data from the International Organization for Migration's Displacement Tracking Matrix and other sources, geographic information system methods were applied to investigate the quantitative and spatial characteristics of Iraq's internally displaced persons (IDPs). Based on this analysis, significant numbers of IDPs were found to be displaced among the disputed territories of northern Iraq. The findings of this analysis, when paired with additional research, poses serious complications not only for the security of Iraq's IDPs but also for the country. The proliferation of militias and ISIL into these territories will prolong the wider conflict and intensify the territorial dispute between the government of Iraq and the Kurdistan Regional Government, in particular the final status of At-Ta'mim (Kirkuk) governorate.*

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As we entered 2015, 38 million people around the world had become internally displaced persons (IDPs) due to armed conflict.<sup>1</sup> The majority were victims of the ongoing conflicts in Iraq, Syria, South Sudan, Democratic Republic of Congo, and Nigeria.<sup>2</sup>

In 2014, Iraq experienced the highest internal displacement worldwide, with 2.2 million persons newly displaced. By June 30, 2015, according to estimates by the Internal Displacement Monitoring Centre, 4 million Iraqis were internally displaced.<sup>3</sup>

Violence and persecution on the basis of political affiliation and ethnic and religious identity have historically driven displacement in Iraq.<sup>4</sup> The massive wave of displacement occurring since 2014 is largely attributed to the Islamic State of Iraq and the Levant (ISIL)<sup>5</sup>—yet people are fleeing their homes (and suffering repeated displacements) not only because of atrocities committed by ISIL; they are fleeing also because of atrocities committed by other armed groups, including Shia militia, and bombings by pro-government forces in the battle to control and regain control over strategic territory.<sup>6</sup> Several reports have warned that once ISIL is defeated in Iraq, the conflicts that existed before the rise of the organization, expressly those over disputed territory, will inhibit the return of IDPs and continue to destabilize the country.<sup>7</sup>

The IDP crisis we are witnessing has a cumulative aspect that includes:

- the unresolved historical displacement of Iraq's Kurds, Turkmen, and other minorities through successive measures by the Iraqi government, under Saddam Hussein, to "Arabize" the oil-rich northern territories;<sup>8</sup>

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- attempts by Kurdish authorities since 2005 to reshape the demographic balance in their favor, especially in Ninewa and At-Ta'mim (Kirkuk);<sup>9</sup>
- displacement during the years of U.S.-led occupation, particularly at the height of the insurgency that engulfed Iraq in 2006–8 and subsequent violence;<sup>10</sup>
- the current battle against ISIL, which is triggering the most recent and largest wave of IDPs in the country's history.<sup>11</sup>

In her 2008 analysis on the Iraq crisis for the Brookings Institution, Elizabeth Ferris suggests: “Displacement is not just an accidental by-product of the conflict, but is both an objective and a strategy in the military struggle—a way of consolidating territorial and political control.”<sup>12</sup> This point is especially significant with regard to patterns of displacement among Iraq's disputed territories.<sup>13</sup>

The disputed territories are a resource-rich swath of land—comprising fifteen districts within Ninawa, At-Ta'mim (Kirkuk), Arbil, Sala ad-Din, and Diyala governorates<sup>14</sup>—that separates the Kurdistan region (officially Dihok, Arbil, and Sulaymaniyah) from the rest of Iraq. The strip of territories runs from “Sinjar in the north west, via Tel Afar, Mosul, Kirkuk and Tuz Khurmatu to Khanaqin and Mandali east of Baghdad, where Arab, Kurd, Turkoman, Chaldean/Assyrian and Shabak communities have coexisted [and inter married] for hundreds of years. Religiously, they include Sunni and Shiite Muslims of various schools, Christians of several denominations and (Zoroastrian) Yazidis.”<sup>15</sup> In particular, At-Ta'mim (Kirkuk) governorate, the epicenter of northern Iraq's oil and gas industry is at the very heart of the territorial dispute between the government of Iraq (GOI) and the Kurdistan Regional Government (KRG).<sup>16</sup>

Article 140 of Iraq's 2005 constitution was formulated to resolve the final status of all the disputed territories, principally At-Ta'mim (Kirkuk), through three steps: normalization (resettlement of those who were displaced during the “Arabization” campaign, including property claims) followed by a census and then a referendum to determine whether the territories would remain under the control of the government in Baghdad or become part of the autonomous Kurdistan region.<sup>17</sup>

Yet the constitution itself is immersed in controversy and conflict. From its rushed creation during a foreign occupation—largely benefiting Iraq's Shia and Kurds to the detriment of Sunnis and multiple minority groups—to absolute political malfunction, delaying implementation of vital articles as well as unenforced provisions for their amendment that is tied to linguistic and interpretive ambiguities for which all sides have tried to use to their advantage.<sup>18</sup> Much has been written about the foundational constitutional problems plaguing governance in Iraq, whether centralized or devolved, for regional and provincial autonomy (linked to disputed territory) that is not to be based on ethnicity or religion and how these core issues have fueled the unending civil strife and insurgency that has resulted in massive displacement and hundreds of thousands of casualties. Ten years of political deadlock, rampant corruption, and widespread human rights abuses provided fertile ground for the extremism of ISIL and others to take root, leaving the shell of a failing state unable to provide Iraqis the most basic services, not to mention security, now in the hands of local militias.<sup>19</sup> Blame for the chaos in Iraq is widespread, but no matter where the finger of condemnation points, it is a collective political failure, marred by external interference and sectarian self-interest, where the unresolved issue of disputed territory is a case in point.

To better understand the complexity of reconciling the dueling historical narratives and contested claims to these lands,<sup>20</sup> consider Stefan Wolff's explanation of one aspect, the At-

Ta'mim (Kirkuk) territorial dispute, which, he says, “occurs on three levels and has two dimensions.” “It is a dispute,” he writes,

among Kirkuk’s communities (principally Arabs, Kurds and Turkmen), a dispute between Baghdad and Erbil, and a dispute that draws in regional powers (principally Turkey). At stake are the territorial–political status of Kirkuk in Iraq and the internal governance arrangements in Kirkuk. Kirkuk, in other words, falls into a category of territorial disputes that are essentially about territorial control which the disputants seek for themselves (Baghdad, Erbil, local Kirkuk communities) or seek to prevent others from obtaining (Turkey) for a variety of reasons ranging from strategic value (e.g. control of major transport and communication arteries, access to the open sea, military defensibility) and economic gain (e.g. the natural resources located in the disputed territory, and the tax revenue, goods and services generated there) to political significance (e.g. the precedent of how dealing with one specific territorial dispute will affect the likelihood and outcome of others) and cultural importance (e.g. territory as an ancient homeland, mythical place of origin, site of events defining group identity, etc.).<sup>21</sup>

Despite sincere efforts at the provincial level by Iraqis themselves and multiple interventions aimed at resolving the dispute through dialogue and negotiations, especially that of the United Nations Assistance Mission for Iraq (UNAMI) mandate under resolution 1770 to oversee and guide the process, these efforts could not move the GOI and KRG stakeholders to break the political deadlock and implement or amend key inextricably linked constitutional articles—in particular, those that involve federalism, oil and gas and revenue sharing, and the status of disputed territories.<sup>22</sup>

This article has three objectives. The first objective is to raise awareness of the widespread humanitarian crisis of displacement in Iraq, which has been overshadowed by the war in Syria, the threat of ISIL, and the massive influx of multinational refugees and migrants overwhelming Europe. The second is to contribute to the analytical discussion of displacement in Iraq with an emphasis on IDPs in disputed territories and the factors that will complicate their return and further entrench the conflict. The third is to provide a basis for a return to negotiations among all actors—the GOI, the KRG, provincial councils, and UNAMI and other international stakeholders—directly or indirectly involved with negotiations on the legacy of TAL58 and Article 140 of Iraq’s constitution and final status of the disputed territories.<sup>23</sup>

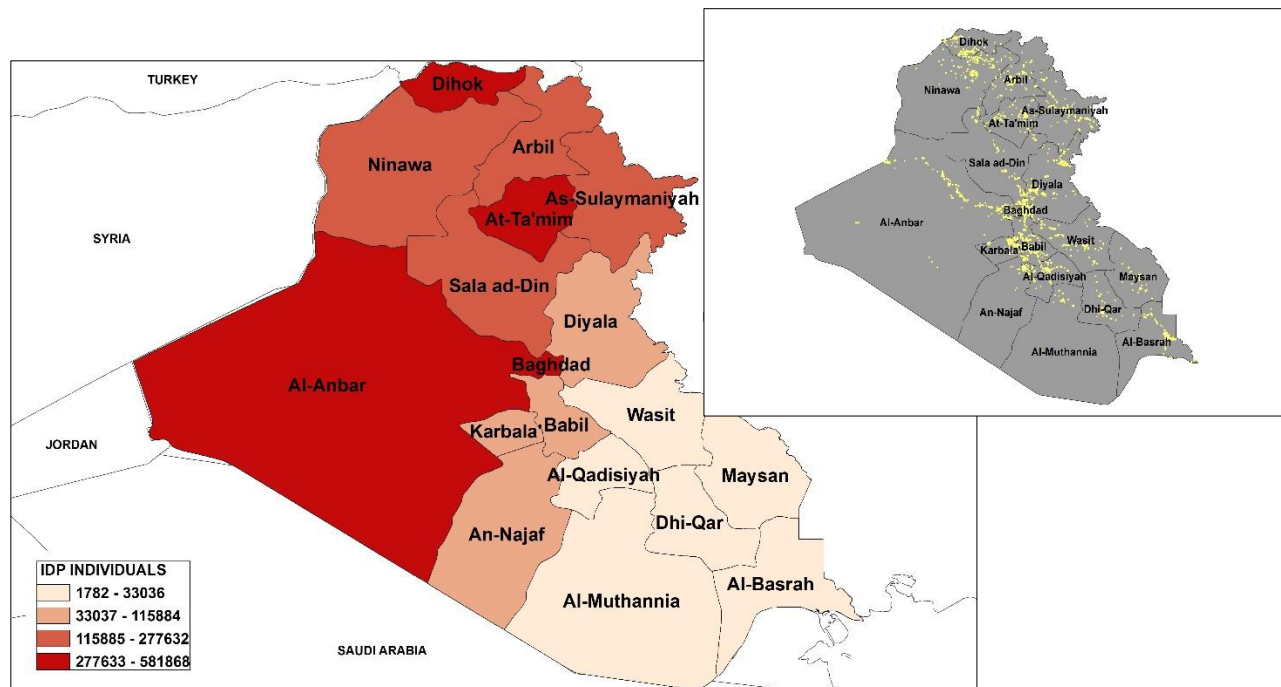
## **Mapping Displacement: Data and Methodology**

The world’s most complex armed conflicts and their associated consequences, such as internal displacement, have geographic characteristics. Humanitarian and other organizations, responding to the crisis of displacement, are allowing researchers open access to their databases. Many of these databases are geographically referenced, that is, they contain latitudinal and longitudinal coordinates, and they can be mapped using geographic information systems (GIS). GIS enables visualization, analysis, and interpretation of data (quantitative and spatial) that increases our understanding of complex relationships, patterns, and trends—effectively creating coherence out of the chaos of war.

After an evaluation of studies on IDPs in Iraq, further research was conducted to gather data that was geographically referenced and could be mapped using a GIS platform.<sup>24</sup> The findings in this article are based on multiple studies and two data sources: the International Organization for Migration’s (IOM) Displacement Tracking Matrix, primarily, and Global Shelter Cluster.<sup>25</sup> Country and administrative boundaries for Iraq were acquired from Natural Earth and the

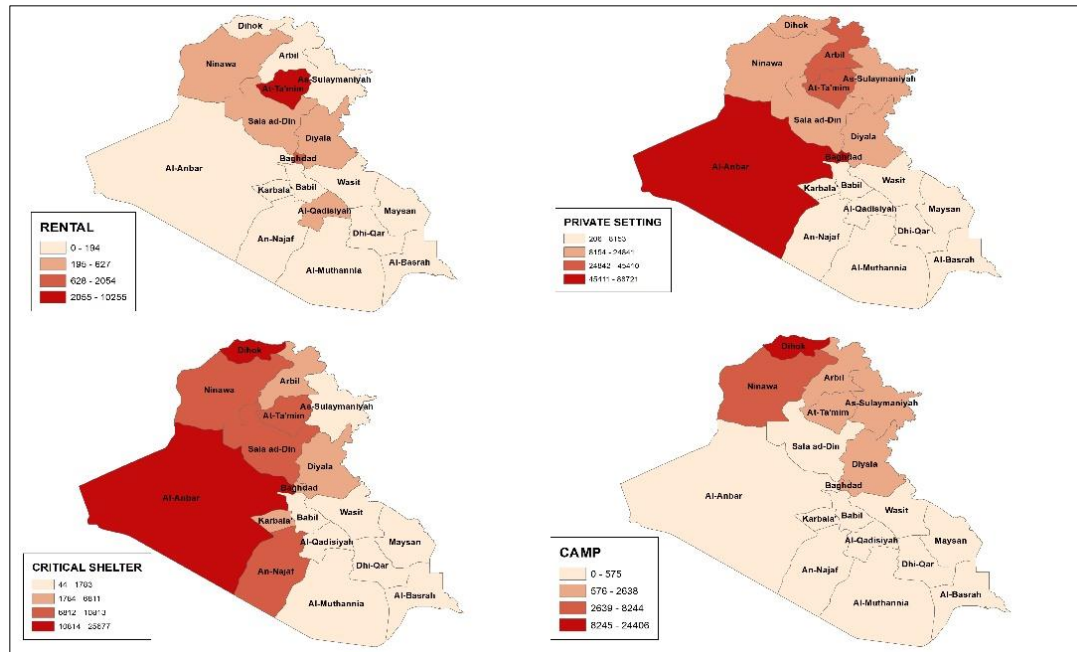
database of Global Administrative Areas (GADM).<sup>26</sup> One complication was the discovery early on that the spelling of governorates and districts within the country and administrative boundary map layers do not match the spellings found in databases on IDPs; they had to be changed to match exactly. Place names have multiple spellings because names have nationalistic and historical significance to Iraq's Arabs, Kurds, and Turkmen, as well as its numerous minorities, including Assyrians and other sects. GADM spellings were matched with data tables to avoid drawing errors in the geoprocessing steps. These spellings are used throughout this discussion for consistency (except when quoted from other sources) and have no intended bias. Also, the borders of districts within disputed territory are contested by multiple overlapping claims at the local level and by the GOI and KRG. For consistency, the districts listed in UNAMI's 2009 mandated assessment were used in maps created for this article.<sup>27</sup> All maps are approximations and do not imply endorsement or negation of any particular territorial claim.

## Maps and Analysis



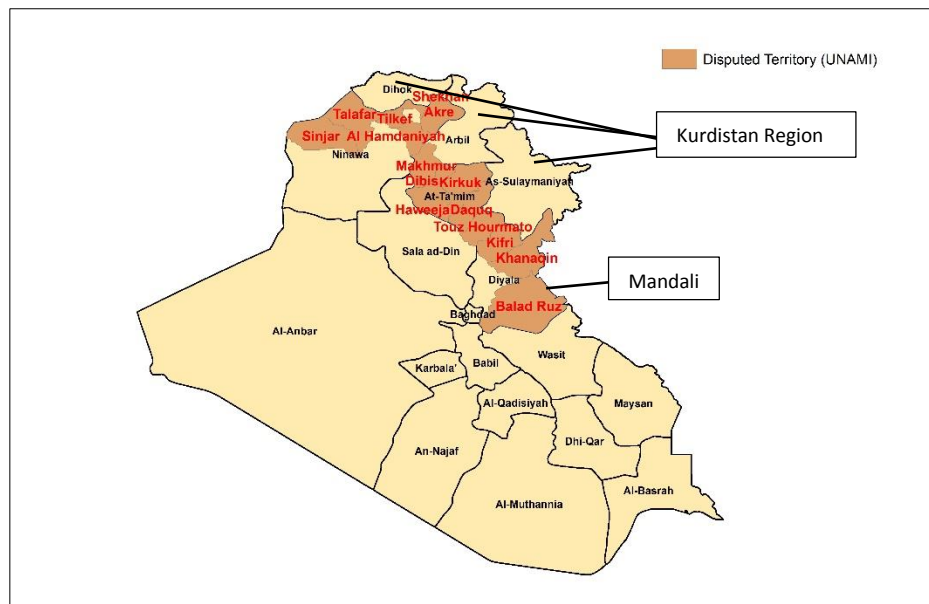
Data sources: IOM (DTM [Displacement Tracking Matrix]) and GSC [Global Shelter Cluster], November 30, 2015; GADM and Natural Earth boundaries.

**Map 1 (left).** Thematic representation of IDPs by governorate. **Map 2 (right).** Shows geo-referenced locations using a dot density method. Map 2 reveals that the issue of displacement is prevalent across Iraq and the Kurdistan region, with IDPs in every governorate. Map 1 reveals that though the crisis is widespread, some governorates host few IDPs, while four governorates in the center and north of the country host the highest numbers.



Data sources: GSC, November 30, 2015; GADM administrative boundaries.

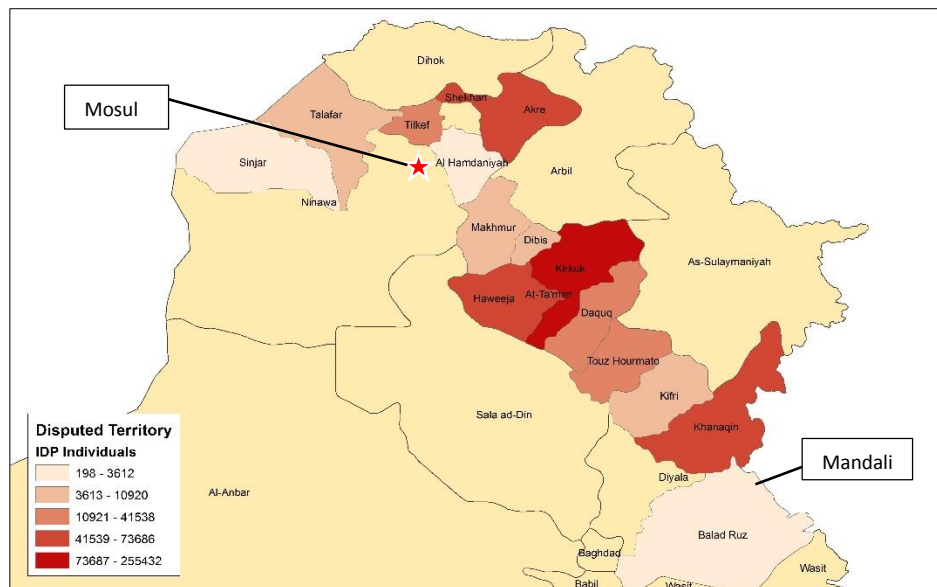
**Map 3.** Thematic representation of IDPs by governorate and shelter type. Expanding on Map 1, this map reveals further patterns of displacement. Countrywide, camps are the least likely shelter type, and except for Baghdad, most camps are located in districts now controlled by the KRG.



Data sources: Disputed Territory (UNAMI 2009); GADM administrative boundaries.

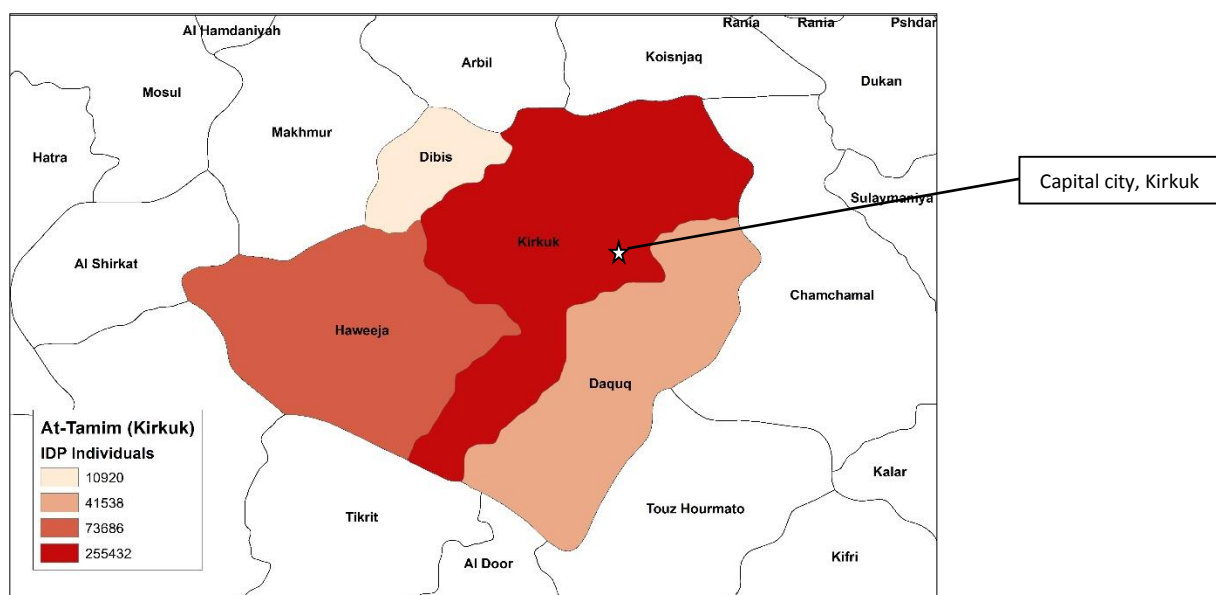
**Map 4.** The fifteen districts that make up the disputed territories of northern Iraq. UNAMI's 2009 assessment lists the districts as follows: "Sinjar, Tal Afar, Til Kaef, Sheikhan, Akre, Hamdaniya, Makhmour (within Arbil), Al Hawija, Dibis, Daquq,

Kirkuk, Tuz, Kifri and Khanaqin, as well as the sub-district of Mandali in Baladruz district.”<sup>28</sup>



Data sources: IOM, (DTM) and GSC; November 30, 2015; GADM administrative boundaries.

**Map 5.** Thematic map of IDPs in the disputed territories of northern Iraq. Of the 3.2 million IDPs in the entire country, 672,360 are in the disputed territories.



Data sources: IOM, (DTM) and GSC; November 30, 2015; GADM administrative boundaries.

**Map 6.** Distribution of IDP population in At-Ta'mim (Kirkuk) governorate. The total population of the governorate is estimated to be 1.3 million; the total number of IDPs in the governorate is 381,576.<sup>29</sup>

## Findings

IOM's Displacement Tracking Matrix data tables contain thousands of unique entries on 3.2 million displaced individuals and families in Iraq. When a GIS methodology was used to query this vast displacement data, quantitative and spatial patterns of IDPs in disputed territories emerged. Below is a synopsis of what this finding entails. The following section discusses its implications.

- While the displacement crisis in Iraq is widespread, a majority of IDPs are located in four governorates: Baghdad, 585,498; al-Anbar, 573,450; Dihok, 423,846; and At-Ta'mim (Kirkuk), 381,576 (see Map 1). IOM reports that 87 percent of IDPs are originally from three governorates: Anbar, 42 percent (1,334,592 individuals); Ninewa, 32 percent (1,011,606); and Salah al-Din, 13 percent (407,142), suggesting that an overwhelming majority of IDPs are Sunni.<sup>30</sup>
- Countrywide, camps represent the minimum shelter type with most camps located in the Kurdistan region (see Map 3). A majority of IDPs are residing in private settings (including rentals) and critical shelter arrangements. Of disputed territory, At-Ta'mim (Kirkuk) governorate hosts the largest number of IDPs who are residing in private settings (including rentals). Shelter types raise concerns about intentions and the permanence of IDP populations because of a history of forced displacement, resettlement, and denial of return in order to engineer demographic outcomes.
- Of the 672,360 IDPs located within the fifteen districts comprising the disputed territories, more than half are located in At-Ta'mim (Kirkuk) governorate, 381,567 (see Map 5).
- Kirkuk is also a subdistrict of the larger At-Ta'mim (Kirkuk) governorate and holds 255,432 IDPs. The estimated population of the subdistrict (before IDPs) is 600,000–700,000, a majority of whom are in Kirkuk city (see Map 6).
- The current conflict (beginning in 2014) displaced 2.2 million Iraqis. Since 2014, between 381,567 and 500,000 IDPs were displaced to and within At-Ta'mim (Kirkuk) governorate, a number that has fluctuated as some IDPs were re-displaced or attempted to return to their homes.
- More than 97,000 IDPs across Iraq originate from At-Ta'mim (Kirkuk) governorate. Internal and external displacement of this size will weigh heavily on the demographic calculations in the district and wider governorate, further complicating the effort to conduct a census and a referendum on final status. At the height of the displacement crisis in 2014, at least 500,000 Iraqis had fled to the governorate.<sup>31</sup> Events in At-Ta'mim (Kirkuk) Haweeja district in 2013 are thought to be the spark that reignited the insurgency, setting the stage for a resurgence of ISIL in Arab-majority provinces.<sup>32</sup>



## **Factors Complicating IDP Return and Intensifying the Conflict**

The normalization process called for in Article 140 of Iraq's constitution, which was to be the first step in resolving the status of the disputed territories, is incomplete, and a national census that was scheduled for 2009 was postponed indefinitely over fears it could stoke ethnic and sectarian tensions.<sup>33</sup> The original deadline for a referendum on Article 140 was the end of 2007; between November 2007 and January 2009, it was postponed four times. The recent and ongoing massive influx of hundreds of thousands of IDPs into these territories since 2014 compounds historic displacement and complicates any chance at reviving implementation of the steps outlined in Article 140 leading to a referendum. In turn, the security of all IDPs, whether from or within the disputed territories, is highly precarious; countless areas are littered with unexploded ordinances.<sup>34</sup> Many IDPs cannot return for fear of reprisals or because their homes have been destroyed or overtaken. They may lack personal identification and documentation of their property.<sup>35</sup> They may face return and resettlement against their will as opposing factions seek to consolidate territorial and political control. They may endure a long and uncertain limbo until ISIL in Iraq is defeated, multiple other hostilities are ended, and territorial disputes are resolved.<sup>36</sup>

When the Iraqi Security Forces retreated from the disputed areas in 2014, as ISIL advanced, the KRG Peshmerga forces, backed by international air strikes that began in September 2014, effectively took control of At-Ta'mim (Kirkuk), solidifying their claims to all of the territory.<sup>37</sup> By April 2015, according to Denise Natali, the Peshmerga had regained about 25 to 30 percent of territories lost to ISIS. But, she points out, "the Peshmerga haven't been a total success story; Peshmerga forces are using coalition air strikes to engineer territorial and demographic changes that are antagonizing Sunni Arabs—the very communities the United States needs on its side to degrade [ISIL]."<sup>38</sup>

The flood of IDPs out of, within, and into At-Ta'mim (Kirkuk) and other territories remains a fluid humanitarian crisis with ISIL entrenched within and along the boundaries of these districts, creating incalculable misery for the displaced and causing untenable economic strain on host communities and deepening pre-existing tensions. The risk of additional intercommunal conflict is high.

Officials in At-Ta'mim (Kirkuk) have said the number of IDPs now in the governorate is too much to accept, especially for Kirkuk city, which is already suffering difficult economic circumstances, including rising unemployment.<sup>39</sup> In August 2015, Kirkuk's provincial council ruled that people displaced from Diyala and living in Kirkuk would have one month to leave, contravening international principles, wherein civilians have the right to seek safety in another part of a country and are legally entitled to protection against forcible return or resettlement.<sup>40</sup> While the city's capacity to provide services to its own citizens is overburdened, many suspect that the threat of removal is an attempt to enforce a Kurdish demographic, since a majority of the displaced people from Diyala are Sunni Arabs.<sup>41</sup>

Despite the perceived demographic threat, territorial control is complete. Ahmad Askari, a provincial security official in Kirkuk, said that setting a deadline for Article 140 is no longer necessary. He said that the territories are already under Kurdish control and "the Iraqi army will never be able to return to Kirkuk."<sup>42</sup> KRG president Masoud Barzani has also announced that he considers Article 140 no longer valid and that "Kurdish control over Kirkuk and other areas disputed with Baghdad is final."<sup>43</sup>

On November 6, 2015, Kirkuk governor Najmaldin Karim said that Peshmerga forces would not leave areas now under their control. He urged lawmakers to come up with legal means to

include the disputed governorate in the KRG's administration, saying, "We believe that Kirkuk is Kurdistan; there's no question about it."<sup>44</sup>

Unilateral moves by the KRG not only challenge the aims of disenfranchised Sunni Arabs.<sup>45</sup> These actions also place the KRG in direct confrontation with minority groups, such as the Turkmen and Assyrians, who have strongly resisted having their areas become majority Kurdish governorates or territory belonging to the KRG.<sup>46</sup> After years of dysfunction and marginalization by the central government in Baghdad (under former prime minister Nouri Al Maliki), Sunni Arabs, Turkmen and Assyrians have petitioned for greater autonomy (on par with rights that Kurds themselves have exercised in their own autonomous region),<sup>47</sup> yet they remain committed to Iraq's territorial boundaries.<sup>48</sup>

Further inflaming the crisis are the intentions of Iraq's Shia militia groups, as predicted by Stratfor analysts:

The Islamic State threat provides a useful pretext for Shiite militias to move into disputed territories like Kirkuk, where they can then try to reshape the demographics of the province by giving abandoned Kurdish property to cooperative Arabs as people start returning to areas where the Islamic State has been flushed out. Growing local Arab resistance to Kurdish rule, along with the ethnic and sectarian violence that ensues as Shiite militias target Sunni communities in these territories, will continue to challenge Arbil's authority in the Sunni-Kurdish borderland. . . . The battle over Kirkuk will intensify as Shiite militias inevitably encroach on the Kurdistan Regional Government's claimed sphere of influence. This competition could result in violent clashes between peshmerga and Shiite militias, an outcome that the Islamic State would welcome as it tries to hold its position in the north. The Islamic State remains a priority threat for both Baghdad and Arbil, but that threat alone will not be enough to allow for a sustainable compromise on energy exports, much less to neutralize the territorial competition over Kirkuk.<sup>49</sup>

Military escalation undoubtedly will contribute to more displacement in Iraq. Military solutions that do not simultaneously include addressing the root causes of conflict—such as greater autonomy for Iraq's provinces, which has been held up over resolving disputed territory—will produce only temporary gains and risk intensifying the conflict in other unpredictable ways. The January 2016 operation to retake Ramadi from ISIL created 400,000 new IDPs and has left the city uninhabitable.<sup>50</sup> Depending on how the imminent Mosul<sup>51</sup> offensive is managed, an additional 1.5 million people could be displaced.<sup>52</sup>

## **Conclusion**

The return to full-blown insurgency and civil war in Iraq,<sup>53</sup> in a form more insidious than ever, with ISIL and other armed groups,<sup>54</sup> has led to massive internal displacement of the Iraqi population, to a large extent within disputed territories. In some instances, entire communities have been displaced.<sup>55</sup> The fate of the displaced remains highly uncertain. ISIL and a complex fusion of aligned and opposing militias, the Iraqi Security Forces, and KRG Peshmerga, with the support of the international coalition, are now positioned within and along the string of governorates and subdistricts that comprise the disputed territories<sup>56</sup> abutting the Kurdistan region—an impending nightmare scenario of war between Arabs and Kurds that was predicted

years before the U.S. withdrawal in 2011, should the GOI and KRG fail to make progress towards resolution of the dispute.<sup>57</sup> With the ongoing battle against ISIL, the issue of disputed territory has been shelved. Any military strategy for defeating ISIL in Iraq, however, and bringing lasting stability to the country requires addressing this issue head on.<sup>58</sup>

The following recommendations are a short list of possible next steps:

- Encourage the U.N. Security Council, UNAMI, and the countries participating in the international coalition against ISIL to take measures to bring the GOI, KRG, and provincial councils to the negotiation table without delay to discuss the status of the disputed territories.<sup>59</sup>
- Make further military and financial aid to the GOI and KRG conditional on sincere efforts to enter and sustain meaningful negotiations; reallocate aid to fund special constitutional review committees and negotiation committees.
- Determine whether the GOI, KRG, KPC, and other provincial councils would find it useful to return to the Helsinki process as a framework and to provide an impartial consultation/safety net throughout negotiations.<sup>60</sup>

## Notes

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<sup>1</sup> Internally displaced persons (IDPs): “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters and who have not crossed an internationally recognized State border” (United Nations, *Guiding Principles on Internal Displacement* [New York: Office for the Coordination of Humanitarian Affairs, 1999]). IDPs are distinct from refugees in that they have “not crossed an internationally recognized State border.” The number of UNHCR (United Nations High Commissioner for Refugees) registered Iraqi refugees is 377,747 (“2015 UNHCR Country Operations Profile—Iraq: Overview,” UNHCR, accessed January 20, 2015, <http://www.unhcr.org/pages/49e486426.html>). The Norwegian Refugee Council’s Internal Displacement Monitoring Centre (IDMC) outlines key displacement events in 2014 totaling 38 million internally displaced (*Global Overview 2015: People Internally Displaced by Conflict and Violence*, 2015, <http://www.internal-displacement.org/assets/library/Media/201505-Global-Overview-2015/20150506-global-overview-2015-en.pdf>).

<sup>2</sup> *Global Overview*.

<sup>3</sup> “Iraq: IDPs Caught between a Rock and a Hard Place as Displacement Crisis Deepens,” IDMC, June 30, 2015, <http://www.internal-displacement.org/middle-east-and-north-africa/iraq/2015/iraq-idps-caught-between-a-rock-and-a-hard-place-as-displacement-crisis-deepens>. “IDMC’s estimate combines IDP caseloads from two periods of displacement: three million IDPs displaced from January 2014 to May 2015 and 1.1 million IDPs still living in displacement following the 2006–2008 sectarian conflict.”

<sup>4</sup> International Federation for Human Rights and Alliance Internationale pour la Justice, *Iraq: Continuous and Silent Ethnic Cleansing Displaced Persons in Iraqi Kurdistan and Iraqi Refugees in Iran*, January 2003, <https://www.fidh.org/IMG/pdf/iq350a.pdf>.

<sup>5</sup> For an analysis of the rise of ISIL, see Ahmed S. Hashim, “The Islamic State: From Al-Qaeda Affiliate to Caliphate,” *Middle East Policy* 21, no. 4 (Winter 2014), <http://www.mepc.org/journal/middle-east-policy-archives/islamic-state-al-qaeda-affiliate-caliphate>; and Zack Beauchamp, “ISIS, Islamic State or ISIL? What to Call the Group the U.S. Is Bombing in Iraq,” *OSINT Journal Review*, September 17, 2014, <https://osintjournal.wordpress.com/2014/09/19/isis-islamic-state-or-isil-what-to-call-the-group-the-us-is-bombing-in-iraq-and-syria/>.

<sup>6</sup> Elizabeth Ferris and Melanie Teff, “The Overlooked Humanitarian Crisis in Iraq: The Need to Address Disparities,” *Middle East Policy & Politics* (blog), Brookings, April 28, 2015, <http://www.brookings.edu/blogs/markaz/posts/2015/04/28-iraq-displaced-refugee-humanitarian-islamic-state->

violence; Amnesty International, *Northern Iraq Civilians in the Line of Fire*, July 2014, [http://www.amnesty.ca/sites/amnesty/files/northern\\_iraq\\_civilians\\_in\\_the\\_line\\_of\\_fire.pdf](http://www.amnesty.ca/sites/amnesty/files/northern_iraq_civilians_in_the_line_of_fire.pdf).

<sup>7</sup> International Crisis Group, *Arming Iraq's Kurds: Fighting IS, Inviting Conflict*, Middle East Report no. 158, May 12, 2015,

<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/158-arming-iraq-s-kurds-fighting-is-inviting-conflict.pdf>; Sara Elizabeth Williams, "Kurds' Smoldering Feud Could Reignite in Northern Iraq," *The National*, September 10, 2015, <http://www.thenational.ae/arts-lifestyle/the-review/kurds-smoulding-feud-could-reignite-in-northern-iraq>; "After ISIS Perspectives of Displaced Communities from Ninewa on Return to Iraq's Disputed Territory," PAX, June 2015, [www.paxvoorvrede.nl/media/files/pax-iraq-report--after-isis.pdf](http://www.paxvoorvrede.nl/media/files/pax-iraq-report--after-isis.pdf).

<sup>8</sup> The Ba'ath regime undertook "a three-pillar policy: forced migration, Arabization, and Baathification. . . . Simultaneously, the regime changed the area's administrative borders to include more Arab towns, eventually leading to a demographic change." Nazar Janabi, *Kirkuk's Article 140: Expired or Not?* Washington Institute, Policy #1335, January 30, 2008, <http://www.washingtoninstitute.org/policy-analysis/view/kirkuks-article-140-expired-or-not>.

<sup>9</sup> Under Article 140 of Iraq's constitution, "normalization" was supposed to allow displaced Kurds and Turkmen to return to homes they were evicted from under the Ba'ath regime's "Arabization" policies. But normalization has never been completed and Kurdish parties have given incentives to their own ethnic group to populate Kirkuk and other disputed areas in order to win any future referendum on the territories (see "Forcible Expulsion of Ethnic Minorities," Human Rights Watch, New York, March 2003, <https://www.hrw.org/reports/2003/iraq0303/Kirkuk0303.pdf>). "Since 2003, Kurdish officials have 'Kurdified' the territories by expelling some Yezidi and Assyrian communities from their homes in Ninewah and resettling Kurdish communities to these localities, as well as to Kirkuk, often by force" (Denise Natali, "The Kurdish Quasi-State: Leveraging Political Limbo," *Washington Quarterly*, Summer 2015, [https://twq.elliott.gwu.edu/sites/twq.../Natali\\_Summer%202015\\_0.pdf](https://twq.elliott.gwu.edu/sites/twq.../Natali_Summer%202015_0.pdf)). Human Rights Watch, in November 2009, reported: "Iraq's Kurds deserve redress for the crimes committed against them by successive Iraqi governments, including [al-Anfal] genocide and the displacement of hundreds of thousands. The victims of Saddam Hussein's arabization campaign deserve to be able to return to, and rebuild, their historic communities. But the issue of redress for past wrongs should be separate from the current struggle for political control over the disputed territories, and does not justify exclusive control of the region by one ethnic group. The competing efforts to resolve deep disputes over the future of northern Iraq have left the minority communities who live there in a precarious position, bearing the brunt of the conflict and coming under intense pressure to declare their loyalty to one side or the other, or face the consequences. They have been victimized by Kurdish authorities' heavy handed tactics, including arbitrary arrests and detentions, and intimidation, directed at anyone resistant to Kurdish expansionist plans. The Kurdish push into the area has created an opening for Sunni Arab extremists, who continue their campaign of killing minorities, especially religious minorities" (*On Vulnerable Ground: Violence against Minority Communities in Nineveh Province's Disputed Territories*, <https://www.hrw.org/sites/default/files/reports/iraq1109web.pdf>).  
<sup>10</sup> Kristele Younes and Nir Rosen, *Uprooted and Unstable: Meeting Urgent Humanitarian Needs in Iraq*, Refugees International, April 2008, <http://www.refworld.org/docid/4806fb5d2.html>; Peter W. Connors, *The US Army in Kirkuk: Governance Operations on the Fault Lines of Iraqi Society 2003–2009*, Occasional Paper 35 (Fort Leavenworth, KS: Combat Studies Institute Press, December 2011), <http://www.dtic.mil/dtic/tr/fulltext/u2/a559995.pdf>.

<sup>11</sup> "ISIL uses various types of exemplary violence, what Robert Scales and Douglas Ollivant termed 'strategic killing,' to spook their military adversaries and drive out civilian populations. ISIL has also prosecuted a determined campaign of ethno-sectarian cleansing in areas that it controls, removing Shi'a Turkmen, Yazidis, Shabaks, Christians and even Sunni Muslim Kurds from its new territories. Most communities have been warned to leave, then targeted with progressive levels of violence including large-scale kidnap-murder sprees and car bombings that escalate over a two to three week period. ISIL is also purposefully blocking the flow of water and electricity to areas where minorities have been purged, apparently to deter resettlement of these areas." Michael Knights, "Isil's Political-Military Power in Iraq," Combating Terrorism Center, August 27, 2014, <https://www.ctc.usma.edu/posts/isils-political-military-power-in-iraq>.

<sup>12</sup> Elizabeth G. Ferris, *The Looming Crisis: Displacement and Security in Iraq*, Foreign Policy at Brookings, Policy Paper no. 5, August 2008, x, [http://www.brookings.edu/~media/research/files/papers/2008/8/iraq-ferris/08\\_iraq\\_ferris.pdf](http://www.brookings.edu/~media/research/files/papers/2008/8/iraq-ferris/08_iraq_ferris.pdf). Ferris presents an in-depth analysis of the IDP and refugee crisis in Iraq.

<sup>13</sup> For a discussion about how Iraqis view each other and themselves as IDPs, migrants, or citizens, see International Organization for Migration Iraq, *Internal Displacement in Iraq: Barriers to Integration*, December 2013, <http://www.internal-displacement.org/assets/publications/2013/201312-Internal-Displacement-in-Iraq-Barriers-to-Integration-eng.pdf>.

<sup>14</sup> The United Nations Assistance Mission for Iraq's 2009 mandated assessments lists the fifteen districts as follows: "Sinjar, Tal Afar, Til Kaef, Sheikhan, Akre, Hamdaniya, Makhmour (within Arbil), Al Hawija, Dibis, Daquq, Kirkuk, Tuz, Kifri and Khanaqin, as well as the sub-district of Mandali in Baladruz district." The full report was handed to Iraq and KRG stakeholders but not released publicly. "UNAMI Submits Its Reports on the Disputed Internal Boundaries," United Nations Iraq, press release, April 22, 2009.

[http://www.uniraq.org/index.php?option=com\\_k2&view=item&id=307:unami-submits-its-reports-on-the-disputed-internal-boundaries&Itemid=605&lang=en](http://www.uniraq.org/index.php?option=com_k2&view=item&id=307:unami-submits-its-reports-on-the-disputed-internal-boundaries&Itemid=605&lang=en). For a discussion about the complications with defining Iraq's "disputed territories," see Sean Kane, *Iraq's Disputed Territories*, United States Institute of Peace, 2011, <http://www.usip.org/sites/default/files/resources/PW69.pdf>. Kane writes, "Kirkuk governorate contains a super-giant oil field, two giant oil fields, and gas deposits. Other parts of the disputed territories are expected to yield substantial additional hydrocarbon finds . . . and are home to important oil export infrastructure. . . . [Agriculturally] the fertile Ninewa Plains, irrigated agricultural land in Kirkuk, and areas surrounding the Hamrein lake in Diyala."

<sup>15</sup> International Crisis Group, *Iraq and the Kurds: The Brewing Battle over Kirkuk*, Middle East Report no. 56, July 18, 2006,

<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/56-iraq-and-the-kurds-the-brewing-battle-over-kirkuk.pdf>.

<sup>16</sup> "Within Kirkuk city, the 1957 Iraqi census indicated Turkomans represented 37 % of the population, Kurds 33%, and Arabs 22%. By 2005, based on election statistics, Turkomans represented only 13% of the city's population, Arabs 27%, and Kurds 53%. These figures do not total 100% since minority groups, such as the Assyrians, were not included in the analysis." Liam Anderson and Gareth Stansfield, *Crisis in Kirkuk* (Philadelphia: University of Pennsylvania Press, 2009), 236–37.

<sup>17</sup> The Iraqi Constitution, Section 6, Chapter 2, Article 140 with regard to disputed territory states: "Article 140: First: The executive authority shall undertake the necessary steps to complete the implementation of the requirements of all subparagraphs of Article 58 of the Transitional Administrative Law. Second: The responsibility placed upon the executive branch of the Iraqi Transitional Government stipulated in Article 58 of the Transitional Administrative Law shall extend and continue to the executive authority elected in accordance with this Constitution, provided that it accomplishes completely (normalization and census and concludes with a referendum in Kirkuk and other disputed territories to determine the will of their citizens), by a date not to exceed the 31st of December 2007," <http://www.refworld.org/pdfid/454f50804.pdf>. The date of the referendum has been postponed indefinitely and plans to conduct a census have been repeatedly blocked.

<sup>18</sup> International Crisis Group, *Unmaking Iraq: A Constitutional Process Gone Awry*, Middle East Briefing no.19, September 26, 2005,

<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/B019%20Unmaking%20Iraq%20A%20Constitutional%20Process%20Gone%20Awry.pdf>. "In drafting Article 140 of the constitution, Kurdish leaders believed they were gaining guaranteed acquisition of Kirkuk. However, because of the way the constitution was achieved—through a rushed process culminating in a political deal between the Kurds and a single Shiite party, SCIRI, to the exclusion of many other parties, communities and minorities, as well as civil society organisations and public opinion more broadly—it reflects imposition of a Kurdish template for Kirkuk rather than a consensus agreement" (International Crisis Group, *Brewing Battle over Kirkuk*). Mustafa Habib, "Iraq's Constitution So Divisive, There Are Calls for a New One," Niqash, November 28, 2013, <http://www.niqash.org/en/articles/politics/3335/>.

<sup>19</sup> Zaid al-Ali, "Iraq: Ten Years of Hubris and Incompetence," Open Democracy, March 22, 2013, <https://www.opendemocracy.net/zaid-al-ali/iraq-ten-years-of-hubris-and-incompetence>; Zaid al-Ali, *The Struggle for Iraq's Future: How Corruption, Incompetence, and Sectarianism Have Undermined Democracy* (New Haven: Yale University Press, 2014), <http://www.lse.ac.uk/middleEastCentre/publications/Paper-Series/SaadJawad.pdf>; Liam Anderson, "The Dangerous Legacy of a Flawed Constitution: Resolving Iraq's Kurdish 'Problem,'" in *The Legacy of Iraq: From the 2003 War to the "Islamic State*, ed. Benjamin Isakhan, 82–96 (Edinburgh: Edinburgh University Press, 2015), [http://www.academia.edu/9275591/The\\_Dangerous\\_Legacy\\_of\\_a\\_Flawed\\_Constitution\\_Resolving\\_Iraq\\_s\\_Kurdish\\_Problem](http://www.academia.edu/9275591/The_Dangerous_Legacy_of_a_Flawed_Constitution_Resolving_Iraq_s_Kurdish_Problem).



<sup>20</sup> For an overview of the dueling narratives in Iraq, Christian, Turkman, Arab and Kurd, see International Crisis Group, *Brewing Battle over Kirkuk*, 3–6.

<sup>21</sup> Stefan Wolff, “Governing (in) Kirkuk: Resolving the STATUS of a Disputed Territory in Post-American Iraq,” *International Affairs* 86, no. 6 (2010), <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2346.2010.00948.x/pdf>.

<sup>22</sup> The Helsinki Agreement beginning in 2007

([https://www.umb.edu/editor\\_uploads/images/mgs/mgs\\_moakley\\_chair/OMalley\\_Bio\\_3.25.2014.pdf](https://www.umb.edu/editor_uploads/images/mgs/mgs_moakley_chair/OMalley_Bio_3.25.2014.pdf)) and the Forum for Cities in Transition founded in 2009 (<http://citiesintransition.net/>) are two initiatives of University of Massachusetts Boston Moakley Chair Professor Pdraig O’Malley, widely aimed at resolving the national dispute through dialogue and confidence-building measures at the city level. “UNAMI’s political role in Iraq began in 2004 with the adoption of U.N. Security Council Resolution 1546. The U.N. Security Council accorded to UNAMI an expanded mandate under resolution 1770, adopted on 10 August 2007” (“Political and Constitutional Affairs,” United Nations Iraq, accessed January 20, 2016,

[http://www.uniraq.org/index.php?option=com\\_k2&view=item&layout=item&id=1096&Itemid=646&lang=en](http://www.uniraq.org/index.php?option=com_k2&view=item&layout=item&id=1096&Itemid=646&lang=en)).

<sup>23</sup> *Final Report of the Constitutional Review Committee*, preliminary draft, 2008, section 8 (B)(2)(4) states: “Kirkuk shall be granted a special status for a transitional period ranging from 5 – 7 years and a new road map for the final solution shall be specified” – seven years = 2015 (<http://www.gjpi.org/wp-content/uploads/2009/01/final-report-of-the-crc-report.doc>). Kurdish Peshmerga forces have controlled all of disputed territory in Northern Iraq since the ISIL retreat from ISIL (International Crisis Group, *Iraq and the Kurds: Trouble along the Trigger Line*, Middle East Report no. 88, July 8, 2009,

<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/88-iraq-and-the-kurds-trouble-along-the-trigger-line.pdf>). See also Kane, *Iraq’s Disputed Territories*; Denise Natali, “Kurdish Land Grabs Anger Sunni Arabs, *Al Monitor*, January 28, 2015; <http://www.al-monitor.com/pulse/originals/2015/01/iraq-kurdistan-land-grab-resentment-sunni.html#>; Jack Moore and Suadad Al-Salhy, “Kurdish Land Grab Stuns Baghdad,” *Newsweek*, January 27, 2015,

<http://www.newsweek.com/2015/02/06/kurdish-land-grab-stuns-baghdad-302303.html>; Sam Dagher, “Arabs Accuse Kurds of Exploiting War with Islamic State to Grab Land,” *Wall Street Journal*, November 25, 2015, <http://www.wsj.com/articles/ethnic-tensions-flare-in-iraqi-city-of-sinjar-after-kurdish-led-offensive-pushes-islamic-state-out-1448361003>; Benjamin Kweskin, “Drawing New Lines in the Sand: Iraq’s ‘Disputed’ or ‘Occupied’ Territories,” *Rudaw*, August 2, 2015, <http://rudaw.net/english/analysis/08022015>.

<sup>24</sup> All maps used in this article were created by the author using ESRI ArcGIS 10.3 software,

<http://www.esri.com/software/arcgis>.

<sup>25</sup> “Displacement Tracking Matrix” (DTM), International Organization for Migration (IOM), Round 33, November 2015, available at <http://iomiraq.net/dtm-page>. IOM is a member of the United Nations Country Team for Iraq and works closely with Iraqi authorities in support of the Iraqi National Development Strategy and the United Nations Development Assistance Framework. Global Shelter Cluster (GSC), which also uses data from IOM, organizes their data tables differently, and therefore data from both sources were gathered. “The Global Shelter Cluster (GSC) is an Inter-Agency Standing Committee (IASC) coordination mechanism that supports people affected by natural disasters and internally displaced people affected by conflict. The GSC is co-chaired by IFRC [International Red Cross and Red Crescent Societies] and UNHCR at the global level” (“About Us,” Global Shelter Cluster, accessed January 20, 2016, <http://www.sheltercluster.org/working-group/about-us>).

<sup>26</sup> GADM is a spatial database of the location of the world’s administrative areas (or administrative boundaries) for use in GIS and similar software. Natural Earth is a public domain map dataset. For more information, visit their websites at <http://www.gadm.org/>; <http://www.naturalearthdata.com/>.

<sup>27</sup> “UNAMI Submits Its Reports on the Disputed Internal Boundaries.”

<sup>28</sup> Ibid.

<sup>29</sup> Table 2/6, “Population Distribution by Social Origin for the Year 2009,” Central Statistical Organization, Iraq 2009, [http://cosit.gov.iq/AAS/AAS2012/section\\_2/6.htm](http://cosit.gov.iq/AAS/AAS2012/section_2/6.htm). The exact demographic composition of Kirkuk is unknown today because the official census called for in Article 140 has been blocked.

<sup>30</sup> “The Tragedy of Iraq’s Sunnis,” IRIN, September 16, 2015, <http://www.irinnews.org/printreport.aspx?reportid=101999>; “Displacement Tracking Matrix” Round 33.

<sup>31</sup> “Kirkuk Gives Diyala Refugees One Month to Go home,” *World Bulletin*, August 25, 2015, <http://www.worldbulletin.net/news/163494/kirkuk-gives-diyala-refugees-one-month-to-go-home>.

<sup>32</sup> Kirk H. Sowell, “Iraq’s Second Sunni Insurgency,” Hudson Institute, August 9, 2014, <http://www.hudson.org/research/10505-iraq-s-second-sunni-insurgency>. “The spark of much of the recent conflict took place in the restive town of Hawija in Kirkuk Province. . . . On April 23, 2013, Iraqi security forces led by the

Army's 12th Division attacked a Sunni Arab protest camp in Hawija west of Kirkuk City. The central government claimed they were engaging armed elements enmeshed within the sit-in protestors. In turn, protestors claimed they were simply attacked when unarmed. In the immediate aftermath of the incident in Hawija, ordinary Sunni tribesmen took up arms against government targets. Meanwhile, insurgents belonging to the ISIL ramped up a series of suicide attacks across poorly secured northern cities like Mosul, Kirkuk and Tuz Khurmatu." Derek Henry Flood, "Kirkuk's Multidimensional Security Crisis," Combating Terrorism Center at West Point, October 24, 2013, <https://www.ctc.usma.edu/posts/kirkuks-multidimensional-security-crisis>.

<sup>33</sup> "Iraq Abandons Nationwide Census," BBC, August 17, 2009, <http://news.bbc.co.uk/2/hi/8204550.stm>.

<sup>34</sup> "Iraq: Mine Action," Landmine and Cluster Munition Monitor, October 29, 2014, [http://archives.the-monitor.org/index.php/cp/display/region\\_profiles/theme/3539](http://archives.the-monitor.org/index.php/cp/display/region_profiles/theme/3539).

<sup>35</sup> "Multiple factors limit the option of return for the recently displaced—ongoing conflict, house demolitions, property dispossession, explosive remnants of war (ERW) and generalised fear. ISIL has looted homes and robbed families as they were fleeing. There have been numerous reports of the sale of possessions of displaced people in markets in Mosul and in Syria, as well as the distribution of their homes to militants and their supporters. ISIL militants reportedly destroyed up to a 100 residential houses after looting the Turkmen town of Chardagli. In ISIL-controlled areas, Christian and Yazidis have been subjected to unlawful seizure, secondary occupation or destruction of their properties. Additionally, recent reports have documented widespread destruction in Sunni areas that have been retaken by Iraqi security forces and Shiite militias. Hundreds of buildings were demolished or set on fire in villages near the town of Amerli after the area returned to GoI control. The village of Hufriyya was devastated, with over 95 of the buildings destroyed" ("IDPs Caught between a Rock and a Hard Place"). Another obstacle faced by returning IDPs is the loss of their proof of property ownership or tenancy agreements. A report in late 2014 the vast majority of IDPs surveyed no longer had housing, land and property documentation. "IDPs' identification papers have been confiscated at checkpoints and some displaced minorities have even abandoned them to avoid detection" (Donatella Rovera, "Stoking the Fire of Iraq's Sectarian Conflict" [blog entry], Amnesty International, November 3, 2014; <https://www.amnesty.org/en/latest/campaigns/2014/11/stoking-the-fire-of-iraq-s-sectarian-conflict/>).

<sup>36</sup> "Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained," Human Rights Watch, February 25, 2015; <https://www.hrw.org/news/2015/02/25/iraqi-kurdistan-arabs-displaced-cordoned-detained>.

<sup>37</sup> "Since the ISIS onslaught and withdrawal of the ISF from the disputed territories, the Kurdish peshmerga has asserted de facto control over additional disputed lands, including Kirkuk city. As a result, the KRG now controls key oil fields, assets, and the only functioning pipelines in Kirkuk that are essential to exporting oil through the northern energy corridor to Turkey. Although the KRG is working with Iraq's North Oil Company and acting mainly as a 'facilitator' of Kirkuk oil under the current oil agreement with Baghdad, its ability to secure the disputed territories and northern pipeline infrastructure is critical, particularly since ISIS remains embedded in Mosul, which prevents repair and use of the second line of the ITP." Denise Natali, "The Kurdish Quasi-State: Leveraging Political Limbo," *Washington Quarterly*, Summer 2015, 151, [https://twq.elliott.gwu.edu/sites/twq.elliott.gwu.edu/files/downloads/Natali\\_Summer%202015\\_0.pdf](https://twq.elliott.gwu.edu/sites/twq.elliott.gwu.edu/files/downloads/Natali_Summer%202015_0.pdf).

<sup>38</sup> Denise Natali, "Counting on the Kurds," *Foreign Affairs*, April 25, 2015, <https://www.foreignaffairs.com/articles/middle-east/2015-04-22/counting-kurds>.

<sup>39</sup> "Kirkuk Gives Diyala Refugees One Month to Go Home," *World Bulletin*, August 25, 2015, <http://www.worldbulletin.net/news/163494/kirkuk-gives-diyala-refugees-one-month-to-go-home>.

<sup>40</sup> "Guiding Principles on Internal Displacement," *International Review of the Red Cross*, no. 324, last updated November 30, 2010, <https://www.icrc.org/eng/resources/documents/misc/57jvgl.htm>. "Like all human beings, internally displaced persons enjoy human rights that are articulated by international human rights instruments and customary law. In situations of armed conflict, moreover, they enjoy the same rights as other civilians to the various protections provided by international humanitarian law" ("Questions and Answers about IDPs," Office of the United Nations High Commissioner for Human Rights, accessed January 20, 2016, <http://www.ohchr.org/EN/Issues/IDPersons/Pages/Issues.aspx>).

<sup>41</sup> "Tragedy of Iraq's Sunnis."

<sup>42</sup> Nawzad Mahmoud, "Talks on New Iraqi Government Snag over Disputed Kurdish Territories," Rudaw, September 9, 2014, <http://rudaw.net/english/middleeast/iraq/070920141>.

<sup>43</sup> "Iraqi Kurdistan's Barzani Presses for Independence at Parliament," Middle East Eye, July 3, 2014, <http://www.middleeasteye.net/news/iraqi-kurdistan-barzani-presses-independence-parliament-31690732#sthash.1Y0om1yJ.dpuf>; "Barzani: Article 140 Implemented," Kurdish Info, June 27, 2014, <http://www.kurdishinfo.com/barzani-article-140-implemented>; "Baghdad Must Accept Kirkuk Is Now Part of Kurdistan—KRG Official," Asharq Al-Awsat, June 30, 2014,

<http://english.aawsat.com/2014/06/article55333791/baghdad-must-accept-kirkuk-is-now-part-of-kurdistan-kr-g-official>.

<sup>44</sup> Julian Pecquet, "Kirkuk Governor: US Must Work with Iran to Stabilize Iraq," *Al Monitor*, November 6, 2015, <http://www.al-monitor.com/pulse/originals/2015/11/iraq-governor-kirkuk-refugees-isis-oil.html#>; Honar Hama Rasheed, "Borders Not Drawn in Blood: Iraqi Kurdish Say They're Willing to Negotiate Disputed Territories," *Niqash*, May 21, 2015, <http://www.niqash.org/en/articles/politics/5012/>.

<sup>45</sup> To prevent ISIL from reaching Kurdish territory, the KRG is building trenches that will divide and cut off Turkomen areas from Iraq proper. "Iraqi Turkmen: Trenches around Disputed Territories Worry Community," UNPO, January 14, 2016, <http://unpo.org/article/18841>.

<sup>46</sup> "The failure to accommodate legitimate Sunni demands during the early stage of the protest movement, which began in December 2012 and ran through December 2013. In regard to the former, Shia leaders may have had legitimate concerns about the Sunni region agenda. Since the Kurds had an autonomous region with its own independent military and energy policy, a Sunni Arab effort to do the same would have led to the country's breakup. Nonetheless, Sunni regionalists pushed their agenda through a legal process. Aside from Maliki's rhetoric about decentralizing governance outside of core areas such as foreign policy, security, and energy, little was done to address Sunni concerns. Indeed, Maliki flagrantly violated a 2008 statute giving governors total control over security units other than the army by maintaining a statutorily-unfounded federal police force whose power vastly exceeded that of local police. Parliament passed another decentralization law in June 2013, the security provisions of which Maliki also ignored." Sowell, "Iraq's Second Sunni Insurgency."

<sup>47</sup> On November 5, 2010, "an organization representing Iraqi Christians . . . issued a call for the Iraqi government to accept the establishment of an autonomous region for the nation's Christian minority, carving out part of the Nineveh Province" (Jason Ditz, "Iraqi Christians Seek Autonomous Region in Nineveh Province: New Partition Would Border Iraqi Kurdistan," *anti-war.com*, November 5, 2010, <http://news.antiwar.com/2010/11/05/iraqi-christians-seek-autonomous-region-in-nineveh-province/>); see also Jim Quirk, "Christian Divisions in Nineveh," *Foreign Policy Association*, January 16, 2015, <http://foreignpolicyblogs.com/2015/01/16/new-christian-divisions-in-nineveh/>. The following year, Sala ad-Din and Diyala followed suit; Laith Hammoudi, "Iraq's Maliki Lashes Out at Sunni Province Seeking Autonomy," *McClatchy DC*, October 29, 2011, <http://www.mcclatchydc.com/news/nation-world/world/article24717763.html>; Waleed Ibrahim, "Provincial Autonomy Risks Sectarian Rift in Iraq," *Reuters*, November 24, 2011, <http://www.reuters.com/article/us-iraq-politics-autonomy-idUSTRE7AN0NR20111124>; Laith Hammoudi, "A Second Iraqi Province Seeks Autonomy from Baghdad," *McClatchy DC*, December 13, 2011, <http://www.mcclatchydc.com/news/nation-world/world/article24720550.html>.

<sup>48</sup> Ben Kesling and Emre Peker, "Minorities in Iraq Follow Kurds in Pushing for More Autonomy," *Wall Street Journal*, July 18, 2014, <http://www.wsj.com/articles/minorities-in-iraq-follow-kurds-in-pushing-for-more-autonomy-1405669767>. "The pro-federalist Kurds advocate and have realized decentralization and control over territory of their own. The Sunnis, however, only reconsidered federalism after the US withdrawal in 2011, after which they became increasingly targeted politically. In the meantime, the Iraqi government has failed to design the second chamber of parliament, the Federal Council, which is supposed to represent the different interests of Iraqis premised on territorial authority. Instead of a federation, the absence of the Federal Council and other designated autonomous regions has made Iraq a unitary state with only one confederated area, which is ruled by the Kurdistan Regional Government (KRG)" (Narav Salahaddin, "State Failure Fueling Iraqi Sectarian Violence," *Al Monitor*, May 7, 2013, <http://www.al-monitor.com/pulse/originals/2013/05/state-failure-fueling-iraqi-sectarian-violence.html#ixzz3wmAXn0qj>). See also Jennifer R. Williams, "How to Keep Iraq from Burning," *Middle East Politics & Policy* (blog), *Brookings*, May 12, 2015, <http://www.brookings.edu/blogs/markaz/posts/2015/05/12-how-to-keep-iraq-from-burning>.

<sup>49</sup> "Fight for Kirkuk Goes beyond the Islamic State," *Stratfor*, February 18, 2015, <https://www.stratfor.com/analysis/fight-kirkuk-goes-beyond-islamic-state>.

<sup>50</sup> Ben Hubbard, "Reclaimed by Iraq, Ramadi Is in Ruins after ISIS Fight," *New York Times*, January 7, 2016, [http://www.nytimes.com/2016/01/08/world/middleeast/isis-ramadi-iraq-retaking.html?\\_r=0](http://www.nytimes.com/2016/01/08/world/middleeast/isis-ramadi-iraq-retaking.html?_r=0).

<sup>51</sup> Mosul, where ISIL declared their so-called caliphate, is located in the midst of the disputed territories (see Map 5).

<sup>52</sup> John Zarocostas, "U.N. Officials Fear an Attack on Mosul Will Displace 1.5 Million People," *McClatchy DC*, February 24, 2015, <http://www.mcclatchydc.com/news/nation-world/world/middle-east/article24780532.html>.

<sup>53</sup> Sowell, "Iraq's Second Sunni Insurgency."

<sup>54</sup> These anti-government groups include "Jaysh Rijal al-Tariqah al-Naqshabandia (JRTN), the General Military Council of Iraqi Revolutionaries, the Fallujah Military Council, the Council of the Revolutionaries Tribes of Anbar,



the 1920 Brigades, the Islamic Army of Iraq, Jaysh al-Mujahidin, and Ansar al-Islam. Some of these groups are moderately capable, and they are playing an active role in shaping the military situation on the ground against the Iraqi government. All of these groups became less active after the U.S. withdrawal of forces in 2011, but actions taken by the Maliki government spurred a resurgence of these groups in 2013. In the beginning of 2014, widespread Sunni unrest became outright rebellion, and the Iraqi government lost control over large portions of Anbar province. In June of 2014, ISIS seized Mosul and began an urban offensive that led to even more Iraqi territory falling out of the hands of the ISF. Some of this territory is now controlled by other armed anti-government groups. The Iraqi government is therefore confronted by a broad challenge among its Iraqi Sunni population, where attacks against ISIS in Sunni areas may give rise to other groups” (Sinan Adnan and Aaron Reese, “Beyond the Islamic State: Iraq’s Sunni Insurgency,” Institute for the Study of War, Middle East Security Report 24, October 2014,

<http://www.understandingwar.org/sites/default/files/Sunni%20Insurgency%20in%20Iraq.pdf>). See also Thomas Gibbons-Neff, “ISIS: Not Alone in Their Conquest of Iraq,” *Washington Post*, June 20, 2014,

<https://www.washingtonpost.com/news/checkpoint/wp/2014/06/19/isis-not-alone-in-their-conquest-of-iraq/>.

<sup>55</sup> “Turkmen were targeted in Tal Afar -by the end of June, 90 per cent of Tal Afar’s population had fled the city; In the first week of August 2014, hostilities between the peshmerga and ISIL in Sinjar, a district in Iraq’s Ninewa Governorate displaced tens of thousands of Yazidis, Shiite Turkmen who had sought refuge in Sinjar when ISIL assumed control over Tal Afar were displaced a second time when ISIL took control of Sinjar. On 3 August 2014, the arrival of ISIL in Sinjar city and surrounding villages resulted in the displacement of 200,000 Yazidis. The seizure of Mosul by ISIL at the beginning of June 2014 marked the start of the second major wave of displacement in Iraq. As ISIL expanded control over Ninewa and Diyala, at least 900,000 people fled their homes in search of safety in June, July and August 2014. Adherents of the various Christian denominations fled the city in panic and up to 500,000 people left Mosul in the days following its capture. ISIL then went on to occupy the towns of Tilkaif, Bashiqa, Bartella and Qaraqosh east of Mosul in the Ninewa Plains, displacing around 200,000 Christians and members of other minority groups.” “IDPs Caught between a Rock and a Hard Place.”

<sup>56</sup> Martin Chulov, “Kurds and Shias Face Off over Kirkuk in Vacuum Left by Iraqi Army,” *The Guardian*, January 22, 2016, <http://www.theguardian.com/world/2016/jan/22/kurds-and-shias-face-off-over-kirkuk-in-vacuum-left-by-iraqi-army>; U.S. Department of Defense, *Iraq and Syria: ISIL’s Reduced Operating Areas as of April 2015* (map), [http://www.defense.gov/Portals/1/features/2014/0814\\_iraq/20150410\\_ISIL\\_Map\\_Unclass\\_Approved.pdf](http://www.defense.gov/Portals/1/features/2014/0814_iraq/20150410_ISIL_Map_Unclass_Approved.pdf). A map detailing Al-Qaida in Iraq and the Sunni insurgency pre-surge 2006 is strikingly similar to 2015 maps of ISIL in Iraq; see Bill Roggio, “Letters from al Qaeda Leaders Show Iraqi Effort Is in Disarray,” *Long War Journal*, September 11, 2008, [http://www.longwarjournal.org/archives/2008/09/letters\\_from\\_al\\_qaed.php](http://www.longwarjournal.org/archives/2008/09/letters_from_al_qaed.php).

<sup>57</sup> See *Trouble along the Trigger Line*, 10–15. In July 2009, Gen. Ray Odierno, the top U.S. general in the country, identified the tension in northern Iraq as the “No. 1 driver of instability.” He adds, “Many insurgent groups are trying to exploit the tensions” (quoted in Dave Gustafson, “Gates: U.S. Could Quicken Iraq Troop Withdrawal,” *PBS News Hour*, July 29, 2009, [http://www.pbs.org/newshour/updates/military-july-dec09-iraqtroops\\_07-29/](http://www.pbs.org/newshour/updates/military-july-dec09-iraqtroops_07-29/)). See also Spencer Ackerman, “The Coming Fight for Northern Iraq,” *American Prospect*, December 20, 2007, <http://prospect.org/article/coming-fight-northern-iraq>.

<sup>58</sup> See “Iraq after the Surge II: The Need for a New Political Strategy,” *Middle East Report*, no.7, April 30, 2008, [http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/75\\_iraq\\_after\\_the\\_surge\\_ii\\_the\\_need\\_for\\_a\\_new\\_political\\_strategy.ashx](http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/75_iraq_after_the_surge_ii_the_need_for_a_new_political_strategy.ashx).

<sup>59</sup> “Reaffirming the importance of the United Nations, in particular the United Nations Assistance Mission for Iraq (UNAMI), in advising, supporting and assisting the Iraqi people, including civil society, and Government to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation according to the Constitution, facilitate regional dialogue, develop processes acceptable to the Government of Iraq to resolve disputed internal boundaries.” “Security Council, Adopting Resolution 2233 (2015), Extends Special Political Mission in Iraq for One Year,” United Nations, July 29, 2015, <http://www.un.org/press/en/2015/sc11986.doc.htm>.

<sup>60</sup> In September 2007, University of Massachusetts Boston Moakley chair Professor Pdraig O’Malley, in collaboration with Nobel Prize winner Marti Ahtisaari’s Crisis Management Initiative and the Institute for Global Leadership at Tufts University, assembled senior negotiators from Northern Ireland and South Africa to meet in Helsinki with their counterparts from Iraq (Helsinki I, September 2007). A second round of talks was held in April 2008 (Helsinki II), where all political parties in Iraq met with the same Northern Ireland and South African facilitators and negotiators. O’Malley concluded six weeks of intensive work in Iraq facilitating the final framework for future inclusive negotiations signed by thirty-seven political leaders and tribal sheikhs that culminated in the Helsinki Agreement, seventeen principles outlining the code of political behavior for participation in future negotiations and fifteen implementation mechanisms to ensure compliance. The agreement was announced in

Baghdad on July 5, 2008. Pádraig O'Malley, "The Helsinki Agreement: Framing the Debate on Iraq" (lecture given at the John F. Kennedy Presidential Library and Museum, Boston, MA, September 23, 2008), [https://www.umb.edu/editor\\_uploads/images/mgs/mgs\\_moakley\\_chair/JFK\\_FINAL\\_6.pdf](https://www.umb.edu/editor_uploads/images/mgs/mgs_moakley_chair/JFK_FINAL_6.pdf).