

Iraq’s Disputed Territories and the Potential Impact of the Upcoming Provincial Elections

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 Brief Analysis

These elections will directly affect the future of the disputed territories, and political parties must be careful to avoid deepening sectarian divides, both in this case and in future elections.

Iraq’s highly anticipated provincial elections are scheduled for December 18. Despite initial pushback from political parties, the country’s Electoral Commission with the support of the federal government has emphasized that the elections will go forward. These elections, which will be held in all Iraqi provinces except in the Kurdistan region, have the potential to shift the balance of political power in the country. Per Article 140 of the Iraqi constitution, Kirkuk and parts of other northern provinces are considered “disputed territories,” and a referendum will ultimately decide whether they become part of Iraqi Kurdistan or remain under the central government. These are not marginal territories; they span about 40,000 square kilometers and are inhabited by over 3 million people.



Source: *The New Humanitarian* (<https://www.thenewhumanitarian.org/>)

In practice, the final status of these “disputed territories”—areas considered by both the Iraqi federal government and the Kurdish Regional Government (KRG) as part of their territory, will be in the voters’ hands given the sectarian party options, with implications for their future status as areas primarily under either Baghdad’s or Erbil’s purview.

Given the high stakes, the question of the legitimate electoral management of the disputed territories will likely become a flash point for conflict between the KRG and the federal government. However, if the will of the people is respected and competing political forces put aside their differences, the elections could open a new chapter of prosperity and cooperation in the disputed territories.

Provincial Council Elections: The First In Ten Years

It may seem odd that the results of local elections could reverberate through the larger Iraqi political system, but the provincial council elections are an important step toward increasing administrative decentralization and developing provinces. The Iraqi constitution grants provincial councils **broad administrative and financial powers** (<https://iq.parliament.iq/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A/>), in addition to the power to select the governor and provincial officials and to approve projects according to the budget allocated to the province.

Although provincial elections are intended to be held regularly, they have been held only three times since 2003: in 2005, 2009, and 2013. They were scheduled to take place in 2018 alongside parliamentary elections but were postponed indefinitely. According to the Iraqi Provincial Councils Law, provincial councils consist of 285 seats nationwide, with 75 allocated to women. The Independent High Electoral Commission **announced** (<https://asharq.com/politics/68180/%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82-39-%D8%AA%D8%AD%D8%A7%D9%84%D9%81%D8%A7-%D9%8829-%D8%AD%D8%B2%D8%A8%D8%A7-%D9%8A%D8%AA%D9%86%D8%A7%D9%81%D8%B3%D9%88%D9%86-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D9%85%D8%AC%D8%A7%D9%84%D8%B3-%D8%A7%D9%84%D9%85%D8%AD%D9%84%D9%8A%D8%A9/>), that in this year’s elections there are more than 6,000 candidates from 134 electoral lists, including 39 coalitions, 29 parties, and 66 individual candidates.

According to the Electoral Commission, more than 23 million citizens are eligible to cast their votes in the elections, but only 60% have received the biometric cards that make them eligible to vote. This concerning figure indicates the potential for a drop in participation, likely due to the absence of the Sadrist movement, the recent withdrawal of **independent parties** (<https://www.washingtoninstitute.org/policy-analysis/iraqi-provincial-elections-electoral-chaos-undermines-prospects-change-within/>), and a general disenchantment with the political process.

As is typical in Iraqi elections, the political arena is cacophonous and confusing, with a staggering number of political actors participating. Currently, **ten lists** (<https://baghdadtoday.news/231140-%D8%A8%D8%BA%D8%AF%D8%A7%D8%AF-%D8%A7%D9%84%D9%8A%D9%88%D9%85-%D8%AA%D9%86%D8%B4%D8%B1-%D8%A3%D8%B3%D9%85%D8%A7%D8%A1-%D8%A7%D9%84%D8%AA%D8%AD%D8%A7%D9%84%D9%81%D8%A7%D8%AA-%D9%88%D8%A7%D9%84%D8%A3%D8%AD%D8%B2%D8%A7%D8%A8-%D9%88%D8%A7%D9%84%D9%85%D8%B1%D8%B4%D8%AD%D9%8A%D9%86-%D9%84%D9%84%D8%A7%D9%86%D8%AA%D8%AF%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%AD%D9%84%D9%8A%D8%A9-2023.html>) are vying for the largest number of seats for the provincial councils. The largest Shia political fronts competing for provincial seats are the State of Law Alliance, led by former prime minister Nouri al-Maliki; the We Build Alliance, led by Badr Organization leader Hadi al-Ameri; the Powers of the State Alliance, which includes the National Wisdom Movement led by Ammar al-Hakim; and the Victory Alliance, led by Haider al-Abadi. The Shia forces are competing in all fifteen provinces and are expected to win the majority of seats in Baghdad and eight provinces in the southern and central regions.

The Sunni groups [will field \(https://rudawrc.net/ar/article/antxabat-almhaffhat-dxt-alqwwam-alshyy-i-lalmdn-alsny-2023-10-05\)](https://rudawrc.net/ar/article/antxabat-almhaffhat-dxt-alqwwam-alshyy-i-lalmdn-alsny-2023-10-05) four lists: the Progress Alliance, led by former Iraqi parliament speaker Mohammed al-Halbousi; the Sovereignty Alliance, led by Khamis al-Khanjar; the Decision Alliance, led by Defense Minister Thabet al-Abbasi; and the Determination Alliance, led by the MP Muthanna al-Samarrai. Sunni parties are actively participating in elections in Baghdad, Anbar, Nineveh, Diyala, Salah al-Din, and Kirkuk provinces and are expected to win the majority of seats in all but Kirkuk.

The Kurdish groups will field three lists: the Kurdistan Democratic Party, led by Masoud Barzani; the Patriotic Union of Kurdistan, led by Bafel Talabani; and the New Generation Movement, led by Shaswar Abdulwahid. These Kurdish parties are participating in the provinces of Kirkuk (fifteen seats), Salah al-Din (fifteen seats), Diyala (fifteen seats), and Nineveh (twenty-nine seats). Kirkuk and its environs are of particular importance for KRG-Baghdad relations. All Kurdish parties consider the entire province of Kirkuk to be part of Kurdistan. Kurdish parties are expected to win the majority of seats in Kirkuk and to be the decisive power in local governance in Nineveh province, raising the likelihood of a takeover by the Peshmerga, military forces affiliated with each Kurdish party. The results of the upcoming election could sour the already-strained relationship between the KRG and Baghdad .

Electoral Politics: Motivated by Sectarianism, not Policy

The official status of the disputed regions—including Kirkuk, Tal Afar, al-Hamdaniya, Sinjar, Zammar, Makhmur, and Khanaqin near the Iraq-Iran border—is hotly contested. This is due to the variety of ethnic and religious groups residing in those regions: Arabs, Kurds, and Turkmen, Shia, Sunni, and Christian.

In the past, the run-up to elections has been an opportunity for political parties and coalitions in these areas to elevate sectarian rhetoric. The political campaigning of these regions is not governed by a coherent political program or party ideology, but rather reflects a collection of sectarian or ethnicity-based groups aiming to bring their voters to the ballot boxes.

While the electoral process, and the large number of candidates, might appear to indicate a thriving civil society, most voters cast their ballots for candidates and lists based on national or sectarian orientation rather than qualifications or political platform.

While political parties are eagerly preparing for the December elections, the main groups living in these areas—Kurds, Arabs, and Turkmen—have not been enthusiastic during the initial voter registration phase. Although the elections are highly consequential, turnout could be quite low due to voter frustration with the political, security, and sectarian problems that have persisted for two decades.

Another issue in the disputed regions is that local community representatives cannot work together for the benefit of their areas' residents. Local governments suffer from a lack of cohesive policy (<https://www.alaraby.co.uk/society/%D8%BA%D9%8A%D8%A7%D8%A8-%D8%A7%D9%84%D8%AF%D8%AF%D9%85%D8%A7%D8%AA-%D9%81%D9%8A-%22%D8%A7%D9%84%D9%85%D9%86%D8%A7%D8%B7%D9%82-%D8%A7%D9%84%D9%85%D8%AA%D9%86%D8%A7%D8%B2%D8%B9-%D8%B9%D9%84%D9%8A%D9%87%D8%A7%D2-%D8%B4%D9%85%D8%A7%D9%84%D9%8A-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82>), as each official is interested first and foremost in providing services to his or her sect or ethnic constituency. The patronage system in these locales has led to the deterioration of the security situation; the presence of more than one dominant security force, with different names, affiliations, and agendas, is a major roadblock to ensuring civilians' safety.

In October 2017, following the Kurdistan region's failure to gain independence in the September referendum, the Peshmerga withdrew from Kirkuk and other areas and Iraq's federal forces resumed control immediately after. Since then, there has been a security vacuum in these areas given the limited involvement of federal forces on the ground. Therefore, sectarian propaganda and political tensions threaten the security situation in these areas, especially since the Islamic State and other terror groups are still able to carry out attacks.

Considerations and Approaches to the Elections Outcome

These elections will directly affect the future of the disputed territories, and political parties must be careful to avoid deepening sectarian divides, both in this case and in future elections. As a first step, explicitly sectarian speeches, which are likely to increase tensions, should be outlawed. After the elections, the dispute over the identity of these areas will continue. Regardless of the electoral outcome, all of the components, sects, and ethnic minorities currently living in this province must be respected.

Moreover, while the formation of local governments in the provinces will likely be delayed for several months because of political disagreements about positions and entitlements, it is important for the main groups in these provinces to start serious talks to reach an agreement on the details as soon as possible after the elections. This is especially true in Kirkuk province, where local parties and regional actors—namely, Iran and Turkey—will undoubtedly try to interfere in the province's internal affairs.

Intra-sectarian tensions must also be addressed, although there is significant infighting within Kurdish parties, they should move beyond internal conflict and present a united front in these elections and their aftermath. Reestablishing a united presence in the disputed areas would be a key point of strength and security for the Kurdistan region, and Kurdish parties should work together to protect the Kurdish voice and form alliances with other groups to serve the people of these areas. If the Kurds do not unite and do not make the necessary preparations, there is no guarantee (<https://www.washingtoninstitute.org/policy-analysis/ethnic-tension-kirkuk-signals-fractures-ankara-erbil-relations>) that they will win the elections for governor of Kirkuk.

Post-Election Challenges and Opportunities

The elections themselves promise to be an arduous, tense process regardless of the outcome. Afterwards, however, the provincial councils will face a new set of challenges. Dealing with citizens based on their sectarian identity rather than viewing them all as Iraqi citizens creates many social and political problems in the disputed areas.

The essence of the problems in these disputed areas, especially in Kirkuk, as [stated \(https://aawsat.com/%D8%A7%D9%84%D8%B9%D8%A7%D9%84%D9%85-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A/%D8%A7%D9%84%D9%85%D8%B4%D8%B1%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A/4542296-%D8%A7%D9%84%D8%B3%D9%88%D8%AF%D8%A7%D9%86%D9%8A-%D9%85%D8%B4%D9%83%D9%84%D8%A9-%D9%83%D8%B1%D9%83%D9%88%D9%83-%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9-%D9%88%D9%84%D9%8A%D8%B3%D8%AA-%D8%A3%D9%85%D9%86%D9%8A%D8%A9\)](https://aawsat.com/%D8%A7%D9%84%D8%B9%D8%A7%D9%84%D9%85-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A/%D8%A7%D9%84%D9%85%D8%B4%D8%B1%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A/4542296-%D8%A7%D9%84%D8%B3%D9%88%D8%AF%D8%A7%D9%86%D9%8A-%D9%85%D8%B4%D9%83%D9%84%D8%A9-%D9%83%D8%B1%D9%83%D9%88%D9%83-%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9-%D9%88%D9%84%D9%8A%D8%B3%D8%AA-%D8%A3%D9%85%D9%86%D9%8A%D8%A9) by Iraqi prime minister Mohammed Shia' Al-Sudani, is "not security, but a political issue." He also emphasized that this situation negatively affects the citizens.

One of the clearest post-election risks is that local factions might be unable to reach agreement on distribution of gubernatorial positions and other unelected posts determined by the new municipal councils fairly quickly. If this happens, the delays will lead to increased tensions and jeopardize the security of the area's residents. Additionally, there is a risk of external interventions.

<https://www.independentarabia.com/node/493381/%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9/%D8%AA%D9%82%D8%A7%D8%B1%D9%8A%D8%B1/%D9%87%D9%84-%D9%8A%D8%B9%D9%88%D8%AF-%D8%A7%D9%84%D8%AA%D8%AF%D8%AE%D9%84-%D8%A7%D9%84%D8%AE%D8%A7%D8%B1%D8%AC%D9%8A-%D9%81%D9%8A-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82-%D9%85%D9%86-%D8%A8%D9%88%D8%A7%D8%A8%D8%A9-%D9%83%D8%B1%D9%83%D9%88%D9%83%D8%9F> in these disputed areas, especially by neighboring countries.

Furthermore, there is no consensus within these regions on how to use the budget allocated for their administration. Past councils could have created more job opportunities and prosperity through development budgets, but administrative corruption and the unstable security situation have rendered this program **ineffective** (<https://epc.ac/ar/details/featured/almanatiq-almutnazaa-alyha-fi-al-iraq-mudilat-alamn-waljughrafia-alsiyasia>) to date, and difficulties continue.

Despite the myriad challenges that will arise after the elections, there are important opportunities for greater cooperation and harmony in the disputed territories. Security coordination between the Kurdistan region and Baghdad in the disputed areas can be exploited for [collaboration](https://www.facebook.com/Dilan.mamostaGhafoor/photos/a.214294295972939/730455964356767/?type=3&_rdc=2&_rdr) (https://www.facebook.com/Dilan.mamostaGhafoor/photos/a.214294295972939/730455964356767/?type=3&_rdc=2&_rdr) in other fields and for fostering competition in delivering services to the citizens of these areas. For this to work, it is imperative that Baghdad grant operational permission to the region's service institutions and agree on both parties' working together to offer the best services, particularly those related to road construction, bridges, and infrastructure.

The disputed areas are renowned for their archaeological, historical, and cultural sites. If investment is done correctly, they can attract millions of tourists annually, providing an additional revenue stream for the country and aiding in sustainable development in the provinces. These areas can also be leveraged for agriculture, as they are the breadbasket of the country, and

more than 40 percent of the country’s wheat is produced in them.

If Iraq, with its different ethnic and religious groups, can have an open, fair, and nonviolent election cycle, this will significantly strengthen its international standing . This would allow it to host dozens of diverse cultural and religious events annually and enhance its position vis-a-vis neighboring countries. Iraq’s multi-ethnic and multi-religious character could be one of its greatest assets, positioning the country as a beacon of coexistence. In order to successfully project this image however, federal and local actors must ensure that the upcoming elections are inclusive and free of harmful sectarian rhetoric. ❖

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