



Oral evidence: [UK Government policy on the Kurdistan](#)

[Region of Iraq](#), HC 564

Tuesday 15 July 2014

Ordered by the House of Commons to be published on 15 July 2014

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Members present: Sir Richard Ottaway (Chair); Sir Menzies Campbell; Mike Gapes; Mark Hendrick; Sir John Stanley; Nadhim Zahawi

Questions 52-138

Witnesses: **Bayan Sami Abdul Rahman**, Kurdistan Regional Government High Representative to the UK, gave evidence.

Q52 Chair: I welcome members of the public to this sitting of the Foreign Affairs Committee and our continuing inquiry into the Kurdistan Regional Government and the surrounding region—it is not an inquiry into the government at all; it is into the situation in Kurdistan. I welcome our first witness today, Bayan Sami Abdul Rahman, who is the KRG's High Representative to the United Kingdom and has been pretty busy around Parliament in recent weeks. Can I give you a very warm welcome? I apologise for starting nearly 15 minutes late. It is an incredibly busy day in Parliament, so I would be grateful if all witnesses could keep their answers fairly succinct and to the point. Ms Rahman, do you think Kurdistan can be persuaded to remain within Iraq as a federal region, or are you now committed to leave?

Ms Abdul Rahman: It would take a lot for Kurdistan to remain part of Iraq. Events in Mosul have changed the situation in Iraq for all of us—Kurds, Sunnis, Shi'as, Arabs, Christians and Muslims. Post-Mosul, Iraq has a different geographic landscape, a different security landscape and that has brought the political crisis to the forefront. The Government in Baghdad are dysfunctional. The Iraqi army is in disarray, so the question is, what Iraq are we part of? So the Iraq that we are talking about now and the previous Iraq—let's say in the run-up to the April elections—is not an Iraq that we want to be part of.

Baghdad, under Prime Minister Nouri al-Maliki, has had a policy of discriminating against Kurds and Sunnis, marginalising them, alienating them, excluding us, the Sunnis and some Shi'a from decision making. Baghdad has tried to prevent the Kurdish exploration and production of oil and now exports of oil. Baghdad has tried to control the Kurdistan region. Where it has failed to control, it has punished, or tried to punish us. This has become most apparent in Baghdad cutting off our budget since January 2014, and that still remains the case. Is that an Iraq that we want to be part of? An Iraq where, if you are a Kurdish civil servant, you do not get paid your salary, but if you are an Arab civil servant who agrees with Prime Minister Maliki you will get your salary. The question is, which Iraq is it that we want to be part of? The only Iraq that we can be part of is one that is truly inclusive—not just on paper—has a new style of governance, where every citizen is equal, no matter what their

background, where the Kurdistan region would have recognised authority to export oil and where we would have, effectively, economic independence. The Peshmerga would be able to receive equipment, training and weapons, which they have not been able to do under Prime Minister Maliki. Kurdistan would effectively be a sovereign state, but it can remain within the borders of Iraq, if that is what is agreed to. But really, the Iraq of the past and the Iraq that we have today is not an Iraq we can genuinely participate in.

Q53 Chair: So you are putting it to a referendum?

Ms Abdul Rahman: President Barzani has spoken to the Kurdistan Parliament and asked it to prepare an electoral commission to look at a referendum. That is still on the table, but we are at the very early stages of that process.

Q54 Mike Gapes: Yesterday, the then Defence Secretary, now the Foreign Secretary, answered a question from me in Defence questions about the British Government's support for the Kurdistan region of Iraq. In his reply, three times in three sentences, he referred to the need to keep Iraq as "a unified state" and said that this was the position of the British Government: a unified state. What is your response to that?

Ms Abdul Rahman: I have just explained that we can be part of Iraq if Iraq is federal, if Kurdistan is in a loose confederation with Iraq and if we have devo-max, to use a Scottish term.

Q55 Mike Gapes: But not a unified state?

Ms Abdul Rahman: I don't know what "unified" means in this instance. Iraq could have one border, but if we are talking about a centralised authority, under Saddam it led to genocide and under Maliki we were heading towards authoritarianism, if we were not there already. Centralised strong-man leadership in Iraq is a catastrophe. I do wish some of these retired British generals who keep harping on about it would stop, by the way.

If we are talking about keeping Iraq's borders, that is possible if, as I said, Kurdistan has devo-max, with almost total authority and definitely economic independence. I hope that Britain, the United States and some of our important neighbours in the region recognise that. I think there is that recognition, but I also understand that for countries such as the United Kingdom and the United States, their default position is keeping borders together. I understand that for civil servants and politicians, dealing with changing borders is difficult. But borders are not sacred.

Q56 Mike Gapes: Do you think that Sykes-Picot needs to be rewritten?

Ms Abdul Rahman: It is being rewritten. I think ISIS has rewritten parts of it already.

Q57 Sir John Stanley: Can you clarify something for us from your first remarks to the Chairman's question? Is the Kurdistan Regional Government still open to the possibility of joining a coalition with the Government in Baghdad or not?

Ms Abdul Rahman: We are. Currently, our Ministers are boycotting Baghdad because of a hysterical outburst by Prime Minister Maliki, but the Kurdish Members of Parliament are in Baghdad, and today they participated in electing the Speaker of Parliament

and the deputies. We are engaged in that process, but once we reach the point where we elect the President, the Prime Minister and we are really talking about a new Cabinet, we are really talking about a new governance for Iraq. Otherwise, all bets are off. What is it that we are going to be part of?

Q58 Nadhim Zahawi: Welcome. We are aware of reports that shortly before 10 June, the KRG's intelligence service tried to warn Baghdad and its allies in the west that an ISIS-led takeover of Mosul was imminent. Are you able to put on record whether that is correct?

Ms Abdul Rahman: It is correct. We sent information much earlier than that, and repeated it immediately before the takeover of Mosul. The response that we received from Baghdad was to leave well alone. I think the fear in Baghdad was that if the Peshmerga were to help fight back in Mosul, this would increase Kurdish influence in those areas. This really summarises the short-sightedness in Baghdad. Rather than give any ground to the Kurds, they were happy to risk having ISIS take over Mosul, which is what happened, sadly. By the time Prime Minister Maliki did ask for Kurdish forces to go to Mosul, it was too late—the Peshmerga had to defend the Kurdistan region and the other Kurdish areas outside the region.

Q59 Nadhim Zahawi: That was the response from Maliki, but what was the response from western countries?

Ms Abdul Rahman: I do know that the United Kingdom was also sending information to Baghdad warning that there was imminent danger.

Q60 Nadhim Zahawi: Does the KRG have any insight into why the Iraqi security forces crumbled so easily in Mosul on 10 June? Why did the military leaders apparently flee straight to Erbil, rather than stay and fight?

Ms Abdul Rahman: I am not a military person. As I understand it, there may be elements of the Iraqi army that are disciplined, trained and committed, but generally speaking, even though the army is well trained and has the best equipment—much of it delivered by the United States—it has lacked coherence and leadership. If you are asking people to put their lives on the line, they need to know what it is for. While I have been describing the dysfunctional relationship between Erbil and Baghdad, I should point out that much of Iraq has that relationship with Baghdad, and that was illustrated in the army's response. There was a lack of leadership and a lack of clarity on what it was that they would be defending.

Q61 Nadhim Zahawi: Do you think the events in Mosul were an ISIS takeover, or was there a general Sunni uprising against Maliki's Government?

Ms Abdul Rahman: I see it generally as a Sunni uprising. I think there is an alliance of convenience among many parties—ISIS, the Ba'athists, Sunni tribes, Ansar al-Sunna and others. It is an alliance of many organisations. But, fundamentally, the root of the problem is political. The Sunni Arab community has felt alienated and marginalised. They do not have access to revenues or services. There has been a brutal crushing of Sunni protests—legitimate protests—in the past few years. So what did they have to lose? Nothing, really, from their perspective. I see this as a forceful demonstration of the disillusionment in the Sunni community about what is happening in Iraq, and the solution to that is a political one.

Q62 Nadhim Zahawi: Your written submission referred to the KRI lying on the edge of the “Sunni-Shia fault-line”. Are you confident that Kurdistan will not fall into that fault line?

Ms Abdul Rahman: Yes. In my written submission, I pointed out that Kurdistan sits at the crossroads of the Shi’a and Sunni communities and conflict. We have managed to keep out of that conflict in Iraq over the past decade. At the worst of times—2006 and 2007—when there was a very high level of violence in Iraq, there were attempts by both sides to drag the Kurds into the conflict, and we were, and are, adamant that we will not be dragged into a religious conflict. Neither side will win. It is a conflict that has been going on for centuries and that will continue. We would have nothing to gain by being part of it.

Q63 Nadhim Zahawi: What methods does the KRG employ to prevent radicalisation, especially of its young people?

Ms Abdul Rahman: It is a very good question, because, unfortunately, some young Kurds have also joined ISIS in Syria. That is heart-breaking for those families who have lost their children, effectively, but that has happened in many countries, including the United Kingdom. We are very clear in the Kurdistan region that we stand against terrorism—we have been the victims of terrorism ourselves. This is something that is talked about very publicly, and there are debates about it; it is not a hidden issue, and it is not an issue just for adults to talk about—children and young people understand the situation as well.

Q64 Nadhim Zahawi: Do you think the Government are succeeding in that fight against radicalisation?

Ms Abdul Rahman: Broadly, yes—I think we are. But, of course, there will be elements, unfortunately, that slip through the net.

Q65 Mark Hendrick: Could you take us briefly through the sequence of events that led to the Peshmerga moving into the disputed territories after 10 June?

Ms Abdul Rahman: Once Mosul fell and it became clear that the Iraqi army was in disarray, as colleagues have said, the army melted away. It was incumbent on us to protect the people and the infrastructure of Kurdistan. It also became clear that the Iraqi army was not staying in areas like Kirkuk and what are termed disputed territories—we call them Kurdistan areas—outside the region. The army left and the Peshmerga moved in. We were not going to allow a vacuum to be created. I should point out that, in Kirkuk, the Peshmerga and the Iraqi army were both present there anyway, under a previous agreement. The Iraqi army left and the Peshmerga were reinforced, but those areas are much bigger than just Kirkuk. Kirkuk is the one place everyone talks about because of oil but, in fact, 40% of Kurdistan’s land in Iraq falls outside the Kurdistan region, so that 40% is now also under Peshmerga control.

Q66 Mark Hendrick: Have there been any front-line conflicts or warfare between ISIS and the Peshmerga? Have the two sides reached any sort of agreement or tacit understanding about who moves where?

Ms Abdul Rahman: There has been fighting, but not on a huge scale. There has been street-by-street fighting in some towns—

Q67 Mark Hendrick: In Kirkuk?

Ms Abdul Rahman: Not so much in the city, but in small towns in that area. On a wider scale, the Peshmerga are in a defensive position. We are not in an offensive position. We have a 1,000 km border with ISIS; that's a huge border to protect. We would be foolhardy to attack, especially when we're not sure the Iraqi army would be in a position to help us. We have decided to take a defensive posture and not allow ISIS to encroach on any Kurdish areas. We are there to protect all the people in those areas, whether they are Kurds, Turcoman, Arab, Assyrian or others.

Q68 Mark Hendrick: You mentioned that there is a 1,000 mile border. Would you say the Peshmerga now hold all the disputed territories? Are there any areas lived in by religious minorities, such as Christians, Yazidis, Turcoman or Shi'a under Peshmerga control, or are the minorities in the hands of ISIS?

Ms Abdul Rahman: It is a 1,000 km, not mile, border. The Peshmerga are protecting all the people of those areas. As I said, we are not checking people's nationalities or national background. If they live in Sinjar or in Kirkuk, they are under Peshmerga protection. The governorate of Kirkuk has been working under a Kurdish governor and has really been pushing for recognition of the minorities' rights. I should also say that the Kurdistan region's draft constitution gives protection to minorities. When those areas do join the Kurdistan region, they will be protected.

Q69 Mark Hendrick: Do you believe that the issue of the disputed territories is now resolved in the Kurdistan region's favour or are there plans to hold local referendums? How do you see the status of those disputed areas?

Ms Abdul Rahman: The Peshmerga will not leave those areas. They are part of Kurdistan. The border was arbitrarily drawn up in 1991 by Saddam Hussein. He effectively partitioned Iraqi Kurdistan. We have waited 10 years for article 140 and the article previously in the transitional administrative law to be implemented. Article 140 allows for the disputed territories to be normalised, a census to be held and a referendum to be held for the people in those areas to choose whether they want to be part of Kurdistan. Despite many promises under the American occupation and after the Americans left Baghdad, article 140 has not been implemented.

Many attempts have been made to say, "Article 140 is no longer valid," "We don't need a referendum," "Kirkuk is the heart of Iraq," and so on.

We have waited long enough. We have heard many promises from friends and allies in Iraq and outside Iraq, but we will not believe those promises any longer. The Peshmerga are in those areas—they are Kurdistan areas—however we are committed to holding a referendum in those areas to allow the people to voice their opinion on whether they want to be part of Kurdistan and I am confident that they will want to be.

Q70 Mark Hendrick: In that case, what measures will the Kurdistan Regional Government undertake to reassure the rest of Iraq, and indeed the international community, that the vote is fair and that the result can be taken as legitimate?

Ms Abdul Rahman: We are at the very early stages of these discussions and we are only one month on from ISIS taking over Mosul. It is in our interest to ensure that the process is transparent and fair; otherwise, why bother to hold a referendum?

Q71 Mark Hendrick: So you will allow observers.

Ms Abdul Rahman: We will allow observers. Some people are saying that we should allow the UN, but I am not sure about that. The UN can be a wonderful organisation, but it can also be very corrupt. The UN still owes the Kurdistan region billions of dollars from the UN oil-for-food programme, but we have never seen or heard of that money and no one in the UN is ready to discuss it.

When people talk about the UN, we need to consider whether it would be fair and look at this impartially. But of course it is in the interests of the Kurdistan region to ensure that the process is transparent and fair; otherwise we do not need to hold a referendum, as we have that territory already.

Q72 Mark Hendrick: I accept that, but, if not the UN, then who?

Ms Abdul Rahman: I do not know. We are at the early stages of these discussions. I am not ruling out the UN; I am just saying that it is problematic.

Q73 Mike Gapes: Can I take you to the terrible burden that you have had to cope with for some time of internally displaced people from elsewhere in Iraq as well as refugees from Syria? How many IDPs and refugees are you currently dealing with?

Ms Abdul Rahman: Altogether, it is about 1 million IDPs and refugees.

Q74 Mike Gapes: And what is your population?

Ms Abdul Rahman: Five million to 6 million.

Q75 Mike Gapes: So 20% of the people living in the KRG area are refugees or IDPs.

Ms Abdul Rahman: Yes, and since January Baghdad has cut off our budget entirely and it is trying to block our oil exports at the same time. It is about a million. The Kurdistan region has been a haven for Christians, Arabs, Turcoman and others fleeing the violence in Iraq. Over the past decade we have taken many IDPs. We have about 260,000 refugees from Syria. In the past month or so we have had hundreds of thousands of IDPs from Mosul and, before that, from Anbar and Fallujah and so on. The number is huge—beyond our capability—and this is where Britain could help us enormously.

Q76 Mike Gapes: Are you receiving humanitarian assistance from the rest of the world to deal with these issues? If so, is it anywhere near what you need?

Ms Abdul Rahman: We are receiving aid, but it is nowhere near what we need. One of the problems we have had is that the Syrian refugees have also spilled over into Jordan, Lebanon and Turkey and the Foreign Ministers and Governments of those countries have been very good at lobbying for humanitarian assistance, but Baghdad has not really cared about the Syrian refugees in Iraq because they are mainly in Kurdistan. Except for Hoshiyar Zebari, the Foreign Minister, no one else in Baghdad has lobbied for anything, so while the

international community has heard great cries for help from Lebanon, Jordan, Turkey, and rightly so—we are not criticising them—we are criticising our own Government in Baghdad for not doing the same and, at the same time, for providing very little assistance itself.

Britain has provided assistance, but we need much, much more; not just immediate assistance, such as food, sanitation and so on, but also help with training people in the Kurdistan region on how to run camps and process refugees so that families can be reunited.

Q77 Mike Gapes: You have said you have taken people from different communities and different religions, who fled from the terrorism and persecution. Do you envisage those people staying in the Kurdistan region for a very long time? I visited the refugee camp for Syrian Kurds in November last year and I got the impression that many of those people would not be going back to Syria for a very long time.

Ms Abdul Rahman: I am not optimistic about Syria. I think the international community has allowed the conflict in Syria to have no end. ISIS has grown in power and strength, both in Iraq and now again in Syria, through the equipment that they managed to seize in Mosul. One of the reasons that we have ISIS is because of the way the conflict in Syria has been handled. I am not optimistic that the conflict in Syria will be resolved, which therefore means that the refugees will be with us for a very long time. This throws up so many issues for our society, for our economy, for our services. There are even issues of education.

The schools in the Kurdistan region teach largely in Kurdish. The Syrian refugees have been taught in Arabic, so what do we do? Do we incorporate those children into our Kurdish schools, or do we find a way for them to continue their education in Arabic so that one day they can go back home? There are lots and lots of issues for us to deal with. It is not something that the Kurdistan region can deal with alone. We need assistance, especially from countries like the UK. Britain has assisted us with the Syrian refugees and has pledged £5 million to help with the refugees from Iraq, but we need much more than that.

Q78 Mike Gapes: Can I also ask you about security? Does the KRG need military, counter-terrorism and other assistance of a similar kind from the UK, NATO countries, western countries?

Ms Abdul Rahman: Yes, we absolutely do. Another problem that we have had is that Baghdad is the only authority that can issue end-user certificates for certain defence equipment. It would not issue the certificates if the equipment was heading for Kurdistan. At the same time, it would not recognise KRG-issued certificates, so this has created a problem for us in counter-terrorism. Very basic equipment has been denied to us. This is something that our friends in Europe, the United States, NATO and the UN Security Council all need to look at.

Looking further ahead, Kurdistan is at the front line against ISIS. If we are to be able to keep the Kurdistan region stable, and be a buffer against ISIS and other terrorist organisations, we need much clearer assistance and support, rather than this constant focus on a centralised authority in Baghdad, which is dysfunctional.

Q79 Mike Gapes: Why do you think western Governments and the UK are reluctant to provide you with the assistance you need?

Ms Abdul Rahman: One of the reasons is that there is the legacy of a UN embargo on arms, which has some restrictions. That is one issue. But, really, it is a political issue. I think western countries—and eastern countries—and certainly, for example, the United States, have been focused on keeping the integrity of Iraq, as they would put it, and keeping Iraq as one state. They would see allowing the Kurds to have access to defensive and counter-terrorism equipment as perhaps undermining the authority of Baghdad, but, frankly, Baghdad has no authority, anyway.

Q80 Mike Gapes: What would your attitude be if, instead of being given, for example, aircraft, western Governments were to provide you with the air power, the air force, to assist you in your security against the extremist ISIL people? Would you be reluctant to have that, or would you welcome it?

Ms Abdul Rahman: I think what we would welcome is intelligence that would help us to target our response, and help all of Iraq to target its response. Air strikes could of course be helpful, but they can also be counter-productive. Our friends in the west can assist us in many ways by helping us and the Iraqi army to target our response.

Q81 Chair: Can we turn to oil and gas? You confirmed a couple of days ago that you now control the Kirkuk oil field—are you now exporting from it?

Ms Abdul Rahman: A spur from the Kirkuk oil field will join the Kurdistan region pipeline.

Q82 Chair: Up to Ceyhan?

Ms Abdul Rahman: To Ceyhan, yes.

Q83 Chair: Are you actually selling stuff?

Ms Abdul Rahman: Not from Kirkuk yet.

Q84 Chair: No, but from Ceyhan?

Ms Abdul Rahman: Yes, we have exported four tankers—let us say that 4 million barrels of oil are in tankers.

Q85 Chair: Are they being sold at market prices on the world markets?

Ms Abdul Rahman: Two have already been sold, yes.

Q86 Chair: They have been sold on the high seas.

Ms Abdul Rahman: Yes.

Q87 Chair: Fast-moving. Do you expect to be able to sell to European buyers?

Ms Abdul Rahman: Yes. As our Minister for natural resources often says, oil will always find its way to market. Baghdad has tried to block oil exports at every stage: the exploration, the production, the pipeline—

Q88 Chair: We will come to Baghdad in a moment, but I want to focus on this point. Are you planning to export gas, or are you exporting gas at the moment?

Ms Abdul Rahman: Gas is currently used for domestic purposes.

Q89 Chair: Do you have any plans to export it?

Ms Abdul Rahman: Yes, we would export oil and gas to the market—why not? That is what countries and Governments do.

Q90 Chair: In one of our last evidence sessions, a witness said to us that you would have to rely on Turkey to export to and for energy security. Is that an accurate assessment of the situation?

Ms Abdul Rahman: Turkey is currently our route to the international market. The word “rely” makes it sound like a one-way relationship, but it also suits Turkey to have Kurdish oil and gas go to the Turkish market and through Turkey on to the international market. Turkey is a big country with huge energy requirements; if we are able to meet that demand, that works for them and for us.

Q91 Chair: And that probably strengthens the relationship between the two countries.

Ms Abdul Rahman: Yes. The relationship is getting stronger. It is largely based on trade and energy security, but it is now deepening in many other areas as well.

Q92 Sir Menzies Campbell: Having had the chance to reflect on one of your earlier answers, I wonder whether I might take you back. You used the expression “devo-max” and referred to federalism, both of which concepts are under discussion in what one might describe as the Scottish question. Both necessarily involve an allocation of responsibilities between the constituent parts of a nation. That is perhaps true of devo-max to a lesser extent than of federalism, but my understanding of your evidence was that you did not conceive of Kurdistan having anything other than a physical relationship with Iraq. Am I right about that? Is your position that there could be no constitutional arrangement of any kind?

Ms Abdul Rahman: The constitution of Iraq does set out a federal structure. It also sets out the powers and authority that lie with Baghdad and with the regions. Unfortunately, the constitution has not been adhered to. If it had been, we would not be where we are today—not only the Kurds, but the Sunnis and Shi’as in Iraq. The constitution is the best document that has ever been produced in Iraq, but unfortunately it has been ignored. For example, the constitution gives the regions—in this case the Kurdistan region—the right to manage oil fields, to export and so on.

That has been challenged by Baghdad at every turn. The Peshmerga forces are part of Iraq’s defence forces, yet they don’t get the same training or the same equipment, and they have not been paid for a decade. So the constitution is there, but it is being ignored.

Q93 Sir Menzies Campbell: So the complaint is about not the theory of the constitution, but its implementation—or failure of implementation.

Ms Abdul Rahman: If the constitution had been implemented, we would not be where we are today. What we are now talking about is that, because of our experience over the past decade in Iraq, particularly under Prime Minister Nouri Maliki, we are adamant that we will have economic independence. Prime Minister Maliki has cut off our budget entirely since January. Even before that, we are entitled to 17% of Iraq's budget; the most we ever received was 10.8%.

Q94 Sir Menzies Campbell: Let me press you, if I may, on this question: are you saying that you do not envisage, in any circumstances, a constitutional relationship between Kurdistan and Baghdad?

Ms Abdul Rahman: We can have a constitutional relationship—

Q95 Sir Menzies Campbell: Provided it is implemented according to the terms of the existing arrangement.

Ms Abdul Rahman: The existing constitution, if adhered to, would solve many, many problems.

Q96 Sir Menzies Campbell: Are you in favour of that?

Ms Abdul Rahman: Yes, because then, for example, the Peshmerga's status would be resolved, oil sales and exports would be resolved, the disputed territories would no longer be disputed and would be part of Kurdistan, and there would be power sharing in Baghdad instead of authoritarianism.

Q97 Sir Menzies Campbell: Let me take you on to the question of oil and, in particular, Baghdad. We are aware of a recent announcement that the Kurdistan region would pursue anyone buying oil, gas or oil products from the Iraqi Government through the courts. Can you confirm that that is an accurate statement of the position? Can you tell us why that has been done, and what courts would you seek to effect that action in?

Ms Abdul Rahman: The statement is accurate. It was issued by the Ministry of Natural Resources, saying that companies and countries that buy from SOMO—the Southern Oil Marketing Organisation—would face a legal challenge. SOMO was created by Saddam Hussein to suit his purposes. There is no mention in the Iraqi constitution that oil sales in Iraq can be conducted only through SOMO, yet Baghdad insists that only SOMO can market oil.

From our perspective, SOMO should either—ideally—be dismantled and a new organisation created, or be reformed. Certainly, Baghdad's insistence that oil sales should be conducted through SOMO have no legal or constitutional basis.

Q98 Sir Menzies Campbell: I understand your position on that. I am interested to know how you can pursue that statement of intent, which you agree has been made. Through which courts?

Ms Abdul Rahman: I feel here that I would be speaking on behalf of the Ministry of Natural Resources. Perhaps we could do what Baghdad has done. They have taken Turkey to the International Court of Arbitration, and they have threatened companies with legal challenges. We could do the same.

Q99 Sir Menzies Campbell: I see.

There has been a recent Iraqi Supreme Court judgment that denied the Iraqi oil ministry an injunction against the KRG. Did that judgment contain a clear constitutional view on the question of the right to control oil fields, or was it decided for reasons not as fundamental as that?

Ms Abdul Rahman: The reason they gave was that the request for the injunction did not work within the Iraqi context. That could be interpreted as the constitutional context; it is not very clear.

Q100 Sir Menzies Campbell: But the decision in the end did not restrict the KRG.

Ms Abdul Rahman: No. From our perspective, this decision reinforces our position, which is that the constitution allows the regions to manage newly discovered oil fields. Of course, in the Kurdistan region, they are newly discovered.

Q101 Sir Menzies Campbell: So the Supreme Court, on your analysis, supported the constitutional position.

Ms Abdul Rahman: This decision definitely strengthened our position, yes.

Q102 Sir Menzies Campbell: I wonder if I could ask you to move on a little. In your written evidence, you say that the KRI needs what you describe as “better protection for women”. Could you elaborate on that, and is that an indication of an area where you think the UK could and should be of assistance?

Ms Abdul Rahman: Yes, I think Britain could assist us in that area. I would give the Kurdistan region a mixed report card when it comes to women’s issues. On the one hand—

Q103 Sir Menzies Campbell: Not as far as representation in London is concerned.

Ms Abdul Rahman: Well, that is the positive side. On the one hand, we have a quota of 30% female Members of Parliament—in fact the number of female MPs is higher than that, but 30% minimum is the quota. This, of course, then forces the political parties to nurture women party members, which was unlikely to have happened without that quota. We also have a Minister in the Cabinet and we have four out of 12 representatives abroad who are women. Women play a great role in running many, many NGOs, particularly women’s rights and human rights NGOs, in the Kurdistan region, and women play a very important role in Kurdish society.

However, where I think we still face many problems is that we have FGM in parts of Kurdistan. It is not in all of Kurdistan; the way FGM is carried out is very regional. So we have FGM in parts of Kurdistan, and unfortunately we have forced marriage in areas of Kurdistan and under-age marriage. The divorce laws are very much in favour of the man. So

these are areas that many, many women are deeply unhappy with, and I would say that many men are unhappy with them as well.

Where Britain can assist us, and has been assisting us—although it can do much more—is in helping us to implement these laws. During the past few years, we have passed many progressive laws. So, FGM, forced marriage, under-age marriage—

Q104 Sir Menzies Campbell: These are illegal, are they?

Ms Abdul Rahman: These are illegal now. And honour-based murders are murders. Under Iraqi laws, they used to be treated more leniently, and I believe that in the rest of Iraq it is a crime that is still sentenced more leniently.

Q105 Sir Menzies Campbell: Would that not be a matter for the KRG rather than an external Government?

Ms Abdul Rahman: Implementing the laws? Yes, of course. The primary responsibility is for us, but Britain has very good experience of dealing with those issues in the UK, and I think we can learn from that experience.

Q106 Nadhim Zahawi: Briefly, I want to return to Turkey. Before I do that, my declaration in the Register of Members' Financial Interests has obviously been made to the Committee, but I want to make it public as well that I represent a number of companies operating in the KRI region, as well as a family business.

I am just taking you back to the relationship with Turkey. Has that relationship changed since Mosul and the ISIS situation, either politically or economically—i.e. has it got better, stayed the same or got worse in both those areas, and post the Iraqi Government taking the Turkish Government to the Court of Arbitration? Have you seen any change in that relationship at all?

Ms Abdul Rahman: The relationship, if anything, has become stronger. As I said earlier, ISIS poses a threat to all of us—a mortal threat to all of us in Iraq, but also, of course, to the wider region. And ISIS is rampant in Syria. In fact, the Kurds in Syria are fighting ISIS very fiercely and atrocities have been committed there by ISIS, so it is in the interests of Turkey that the Peshmerga have this defensive position and have managed to keep ISIS out of the area that immediately borders Turkey. Economically, Turkey continues its relationship with us and right now President Barzani is in Ankara. He went there yesterday and had meetings today as well. So, our relationship with Turkey continues.

As for the threats from Baghdad regarding oil exports, the problem with Baghdad is the syndrome of the boy who cried wolf. Eventually it just sounds like a shrill cry that gets nowhere. Turkey has always said that it would act only within what is considered constitutional in Iraq. It wanted Erbil, Baghdad and Ankara all to be on the same page. That is our position, too, but it has not happened, unfortunately.

Q107 Chair: In conclusion, let me address a couple of loose ends. One is the Al-Anfal campaign—the recognition of genocide. You are clearly disappointed that the UK Government do not recognise the Al-Anfal genocide. Do you understand the point that if we

recognise that as genocide, there will be lots of other incidents that the Government will feel obliged to recognise?

Ms Abdul Rahman: And what is wrong with that? If they are genocide, why not recognise them?

Q108 Chair: Fine. I am quoting to you the Government's position.

Ms Abdul Rahman: Sorry, I should give you a fuller answer. If something is a crime—it is like we do not recognise a murder because if this is murder then that is murder. If it is murder, it is murder, and if it is genocide, it is genocide. The position of the British Government, as I understand it, is that it is a judicial matter and that an international judicial process should take place before the British Government would recognise the genocide in Kurdistan, while Britain does recognise the suffering. It is appreciated that Britain has acknowledged the great suffering of the Kurds. The Minister for the Middle East, Hugh Robertson, was present at an Anfal commemoration ceremony in April. That was noted by the Kurdistan Regional Government and by the people.

However, recognising the genocide is crucial for us. It was a crime of horrendous scale committed against our people, and not just Anfal in 1988. The genocide began decades before that; there were waves of genocide. In 1983, 8,000 Barzani men and boys disappeared. In the late 1970s and 1980s, hundreds, thousands of Faili Kurds disappeared and were killed. There was the massacre at Halabja through the use of chemical weapons, the Anfal campaign, and the genocide in Kirkuk that has not even been discussed. There are many waves of genocide in Iraqi Kurdistan and they should be recognised as genocide.

When will an international tribunal take place? I don't know. Who will create that tribunal? A tribunal already took place in Iraq. The structure of it was based on the International Criminal Court. It was conducted as fairly as possible. That is the judicial process. There is a professor of law at Durham university, Professor Michael Bohlander, who, I believe, also made a written submission to the Committee. He argues that an international judicial process is actually not necessary for Governments to recognise genocide.

I go back to my initial point: if a genocide was committed, whether it was in Iraq, Kurdistan, Rwanda or any other country, it should, if it was genocide, be recognised as genocide.

Q109 Chair: Okay, we've got the point. Do you accept that the Armenian and Assyrian massacres were genocide?

Ms Abdul Rahman: Yes, I do.

Q110 Chair: Does the KRG have an official position on that?

Ms Abdul Rahman: I do not think we do. No, we do not have a position on that.

Q111 Chair: Finally, we have been told that in the mainly Kurdish parts of Syria, where there are hundreds of thousands of refugees at the moment, the border is closed, preventing aid agencies getting into those regions. Is that correct?

Ms Abdul Rahman: No, the opposite I would say. We have certainly in our conversations with the UK been asking for aid to be sent to those areas.

Q112 Chair: No, from the KRG, KRI.

Ms Abdul Rahman: Yes, for the Kurdistan region in Iraq to be used as a base, if you like, for aid to be taken into Syria. Many of the people in Syria become refugees, some because of the fighting, some because there is literally nothing to eat, so at least we might solve the second problem by allowing food and other aid to be sent to those areas. So, that is not correct. We have closed the border to smuggling and to potential terrorists, but we are still receiving refugees in Iraqi Kurdistan and we would encourage aid to be sent to those areas.

Chair: I am pleased to hear it. Can I thank you very much indeed for coming along today? That was a tremendous evidence session and your clarity on these points is very much appreciated. As you know, our visit there was delayed for security reasons. We do hope to get there in the not-too-distant future, and no doubt in between we will have a continuing dialogue with you. Thank you very much for your help and thank you for coming today.

Ms Abdul Rahman: Thank you very much.

Examination of Witnesses

Witnesses: **Peter Galbraith** and **Dr Ali Allawi**, former Minister of Trade, of Defence and of Finance, Government of Iraq, gave evidence.

Q113 Chair: I welcome our next two witnesses, Peter Galbraith, who is a great expert on the region and a former diplomat, and Dr Allawi, who is a Cabinet Minister in Baghdad. Thank you both very much indeed for agreeing to appear together. Mr Galbraith, I understand you would like to make an opening statement.

Peter Galbraith: No. I have written something.

Q114 Chair: I have it. Can we treat it as evidence?

Peter Galbraith: Yes.

Q115 Chair: Well, Mr Galbraith first—I shall put the question to both of you. Are we witnessing the end of Iraq?

Peter Galbraith: As a single unified state within its current borders, yes. I was just in Erbil about 10 days ago, and there is great alarm about what has happened, in terms of Isis. They point out, as High Representative Bayan Sami Abdul Rahman said, that of the 1,050 km border that they have, 1,035 km are with ISIS and 15 km are with the Government in Baghdad. In my view there is no prospect that that is going to change. The Iraqi army had 17 divisions; 15 of them are gone. There is not a force that is going to enable the Iraqi

Government to retake those areas. There may be internal conflicts in those areas that will change the composition of the Sunni region.

The view in Erbil is that since the state cannot defend itself, Kurdistan must defend itself, and that is best done as an independent state; besides, that is what everybody has always wanted. The Parliament will decide on a referendum, the referendum will ask people whether they want to be independent and that vote will be 95% to 98% in favour of independence. I would guess that Kurdistan will declare itself independent some time in the next year, and you will have an Iraq that includes a Sunni region that does not accept rule from Baghdad, so the country that was cobbled together nearly 100 years ago has largely dissolved.

Q116 Chair: Dr Allawi, are we witnessing the end of Iraq?

Dr Allawi: Not so much the end of Iraq as the end of Iraq as a centralised state with power concentrated in Baghdad. It is highly improbable that we will go back to that kind of Iraq again. However, we are not yet at the point of having a separate Kurdish state in a form that is recognised internationally. It is the part of Iraq that is likely to break off to create the conditions of a failed unified state in Iraq, but there are other factors that must be considered before we can say the country cannot be cobbled together again. The main issue now is whether the authorities in Baghdad can reassert their control, in one way or another, over the parts of the country that have fallen under the control of ISIS. If there is a change in that power relationship, I think the Kurds may well step away from a formal declaration.

The way that I see things unfolding, we are likely to get one of three outcomes, none of which includes the formal break-up of the country. The most probable outcome is the status quo, which is that the central Government will attempt to extend its reach into territories that have fallen under the control of ISIS, and ISIS will try to establish a foothold in Baghdad. The situation could be that over the next few months the central Government are able to recreate its security forces and take back most of the territory that has fallen under the control of ISIS. In which case, there will be an attempt to refashion the country as a federal state. The third outcome is a confederal arrangement, with a kind of state of Kurdistan, which, although not necessarily recognised as such internationally, has a formal relationship with Iraq. Certain aspects of the Government or the state, such as foreign representation, could be handed over to a larger confederal authority. That Bosnia-type solution is not really on the cards until the situation stabilises in the parts of the country that have fallen under the control of ISIS. I think the most likely outcome is the status quo, inasmuch as it is improbable that a formal declaration of independence by Kurdistan would be recognised internationally, so Iraq as a state will continue to function, albeit in a reduced fashion.

Q117 Chair: The United States and, to a degree, the UK are calling for a united Iraq. Is that a mistake?

Dr Allawi: Yes. I think that is rather wishful thinking, because it requires a compromise between all the major groups inside Iraq that have signally failed in the past 10 years to reach a common set of precepts that would allow them to operate a unified state. I think the attempt to create a national unity Government is, by and large, doomed to failure. The outcomes that we have are either the status quo or something that will be affected by changes on the battlefield.

Q118 Chair: Mr Galbraith, do you agree with that?

Peter Galbraith: Well, I certainly agree that it is a mistake. I reflect back on my experience as the first US ambassador to Croatia. The signal mistake that we made at the time of the break-up of Yugoslavia—that the United States made, that Europe made—was to focus on trying to hold the country together, which was impossible, because the people in Croatia and Slovenia absolutely wanted out, when instead we should have focused on avoiding the war, which was entirely preventable.

The commitment that my country has to the integrity of every country that exists on the globe—in 1991, the first President Bush was opposed to the break-up of the Soviet Union, but are we worse off for not having it? We believe that the break-up of a country is destabilising, when in fact holding a country together can be destabilising. That is particularly true in Iraq: holding it together has required the use of force—to keep the Shi'ites down, up until 2003, and to keep the Kurds in. In a certain sense you can trace, from the Kurdish rebellion in 1970-74—the Algiers Accord, the Iran-Iraq war, the invasion of Kuwait—that they are linked events that have to do with, actually, dealing with the problem of the Kurdish rebellion.

I would also say that, particularly here in Britain, there is also a moral question. In your country, which is democratic, prosperous, peaceful, this Parliament has gone ahead and allowed the people of Scotland to decide whether they wish to be a part of the United Kingdom or independent. It is a little inconsistent—I heard, Mr Gapes, the answer of the Government—for this Government to say, “Yes, the people of Scotland can decide, but no, we will not allow the people of Kurdistan to decide.” Whatever the outcome is in Scotland, I can assure you that it will be much more decisive in Kurdistan than it is in Scotland.

Chair: We won't go down that road.

Q119 Mike Gapes: Just one question, but I first declare an interest in that I went to the Kurdistan region last November and it is in the Register.

Can I ask you the same question I asked Bayan Abdul Rahman earlier? Is Sykes-Picot dead? Therefore what are the implications of the Kurdistan region for Syria?

Peter Galbraith: Sykes-Picot is dead. Actually, if you step back you have this interesting picture: you have a de facto independent Kurdistan region in Iraq that will have a vote on independence, and once you do that, then something has to follow, which is usually independence. In Syria, the Kurds have declared a region, or three cantons. In the middle you have the Sunni region, which is not under the control of Baghdad or Damascus, where ISIS has demolished the border. These conflicts are very much related.

What actually happened? You had what started in Syria with ISIS, with some recruits from the Sunni parts of Iraq who then came into Iraq, and now have a larger number of recruits. On the military equipment, Ahmed Chalabi told me that ISIS now has 1,500 state of the art, armoured American Humvees in use—talk about “in use”; I do not think they got an in-use certificate for that—and they are now being seen as far west as Aleppo. That is a single event.

Then you have a Shi'ite regime backed by Iran in Baghdad, in support of an Alawite regime in Damascus. So the divisions that were created by Sykes and Picot 100 years ago have dissolved, frankly, just as in 1989-91 the map that was drawn after the first world war dissolved. It is the same process.

Q120 Sir Menzies Campbell: I wonder if you relate the unwillingness of both Washington and London to recognise the present circumstances to the fact that both countries expended a great deal of blood and treasure, following upon the invasion of Iraq on the pretext of the existence of weapons of mass destruction. Do you think that that has left a legacy that is necessarily inhibiting the recognition of the points you have just made?

Peter Galbraith: In the case of Washington I don't think that is the reason, for the simple reason that President Obama would not be President today, frankly, if Hillary Clinton had voted against the war. That was the centrepiece of what propelled him to the nomination. The Vice-President, Joe Biden, is an author of the notion that Iraq ought to be divided.

Frankly, it is a kind of inertia. The way in which the United States looks at the world is very unimaginative. It does not recognise the power of nationalism. When we speak of Iraq, the Administration—both the previous one and this one—still speaks of Iraqis, which is a term that does not really help you analyse it. The same is true of Afghanistan: the discussion is always about Afghans when in fact you would have a better understanding if you discussed Pashtuns, Tajiks, Hazaras and so on.

I think you would probably be better able to answer the question for the United Kingdom, but again I would note that it is odd that one standard is applied at home but not internationally.

Q121 Sir Menzies Campbell: So your view is that there is no legacy. Do you mean us to accept that there is a failure of imagination on the part of Washington?

Peter Galbraith: I would say that it is a legacy of the invasion, because that destroyed the force that had kept Iraq together in a very brutal way. I do not think that is a bad outcome at all—again, better to have people exercise the right of self-determination than to be kept as part of a state with extraordinary and brutal force, and, frankly, genocide against the Kurds and mass killings of Shi'ites.

Q122 Nadhim Zahawi: That is excellent clarity. Clearly, for the UK and the US there are decisions to be made about what the reaction would be to a Kurdish referendum on independence. Where do you think the regional powers would be? Can you canter around, very briefly—this is to both Dr Allawi and Dr Galbraith—Iran, Turkey and Saudi Arabia in terms of their response to such a move?

Peter Galbraith: The first point I would make is that the referendum will happen. Once the President of Kurdistan goes to the Parliament and asks it to set up a referendum, that referendum will happen, and we know what the result is going to be. It is a process that will be very hard to stop, if people want it to stop. But I think there is nobody who wants it to stop.

There are really three things that inhibited Kurdistan independence until 10 June. The first was the disputed territories. That has been resolved. The second was financial needs; they now have the financial resources, through developing their own oil and with Kirkuk.

The third was international recognition. The country that counts more than any other is Turkey, and Turkey is basically supportive. The spokesman for the AKP said that they would prefer Iraq to stay together but if Kurdistan becomes independent, that is their right. I would not expect Turkey to recognise on the day of declaration, but I think it is extremely likely—and Turkish officials have said this both publicly and privately—that everything that they are doing with Kurdistan would continue, in other words, what is really important—the flow of oil.

Syria is not in a position to do anything about it at all, so it is hardly worth discussing what their reaction would be. As for Iran, the Iranian media are now beginning to realise that this may happen, and the reaction is quite strong. A lot of the media cites statements by the Israelis in support of Kurdistan's independence, and therefore suggesting that an independent Kurdistan is really a Zionist plot and that sort of thing. Perhaps the comments were not entirely—were true but not helpful. Their ability to influence a situation—they can cause trouble but there is a range of mountains between the two countries so their ability to disrupt it is limited. Frankly, Iran, with Syria and southern Iraq, has its hands full.

Q123 Nadhim Zahawi: And Saudi Arabia.

Peter Galbraith: And Saudi Arabia will oppose it, of the Arab world, because they are opposed to the break-up of what they perceive as an Arab country, although part of the problem in Iraq is that the Arabs have always wanted to describe it as an Arab country when it isn't. The one Arab country that was for Kurdistan's independence was Libya under Gaddafi, but he is now gone.

Q124 Nadhim Zahawi: Dr Allawi, very briefly.

Dr Allawi: I would just put a gloss, as it were, on what Peter was saying. His analysis of the response of the other countries is right. What really matters here is Turkey. Turkey, in the sense that without other explicit support for an independent Kurdistan or accepting the arrangements as they are now, is absolutely essential because without it there is no way that the Kurds can export their oil. Therefore, they will be in very serious financial trouble shortly thereafter.

I would not preclude that Iran has an important role to play, not because it has power over the Kurds of Iran but because it has some power over some major Kurdish groups, including those associated with the PUK. Inasmuch as it is now taking a firm stand against it, this calculation has to be taken into account before you move to a point of no return.

Breaking up of states always takes place at the expense of somebody. Just go to the American experience, where the opposite has taken place and the idea of union at all costs justified a three-year civil war. I am not saying we should go to another civil war here, but there are cases in the past in Iraq's history—it has not always been a failure in terms of the co-existence of its various components. It has been through periods where there was not only a great deal of openness in the society and the country, particularly with regard to the Kurds,

perhaps even over-representation in certain periods—monarchical periods. Things went haywire in the last 20 or 30 years, primarily because of a dictatorship that created a mindset that seems to have continued into the current period, not necessarily with the same kind of bloody-mindedness, but still, I do not want to see that possibility of creating maybe even a confederal arrangement in Iraq dismissed out of hand—it should be given a chance.

You are trying to read history backwards. History is not always a case of oppression and suppression of minority groups. In the case of Iraq, it has been a cycle. That cycle has been exacerbated to the point where it has reached unacceptable levels. But to jump from that to demanding the break-up of the state, for better or worse—in the case of most of Iraq, it has been for the worse—the opportunity to create representative structures that are accountable with a decent political class is a great opportunity that was lost in the last 10 years.

For a variety of reasons, which I cannot get into now, I think that experiment should not be dismissed out of hand and you jump into the unknown. The idea that all of a sudden you are going to open a nirvana because you have reached—the Kurds themselves, within their own territories, there will be certain demands for autonomy on certain other groups that may not feel very comfortable to follow the Kurdish group. If you are able to transcend these in a confederal structure, I think it should be given the chance. This kind of momentum towards the ultimate break-up of Iraq, some very serious collateral damage is going to take place. It may not take place visibly. Some of it is taking place now: millions of people displaced, ethnic cleansing or sectarian cleansing. The next step will be a confrontation between the sectarian elements in the Middle East. Here we are talking about a war that can go on for 30 years, so before we solve somebody's problem we have to contextualise it.

The US or the UK take, as it were, a default position for protecting the status quo. The status quo sometimes has a lot going for it. Yugoslavia, in my mind, was probably a much better outcome than the subsequent ethnically based national states. The way the world is going, a confederal arrangement in Iraq, linked to a more assertive attempt to create a kind of common economic sphere for the Middle East, is the way that we should go, rather than this 19th-century ethnic nationalism, which can only lead to even greater forms of repression.

You should not define states any more by pure ethnicity; states should transcend that. If states are defined that way, anybody of a different ethnic background should have no presence in these countries. Iraq has been ruled miserably in the past 30 years with Saddam, and even before that. There were periods of time, if you have a longer historical perspective, when the state could have transcended these issues and created the circumstances of a general Iraqi identity. Because they were attached to it, to a large extent against their will, the Kurdish elites were well represented in the Iraqi state before 1958. To talk about them being somehow marginalised is not true.

Peter Galbraith: May I make a comment on that? I agree with Dr Allawi in the sense that the kind of state he describes might be very desirable. Yugoslavia might have been a desirable project, but it was not what was wanted by the Slovenes or the Croats. They were very strongly against it. In the end, to try to hold it together was impossible. On the same point, we could have a debate on whether the Kurds should want to be Iraqi and whether everyone should share in the richness of the Arab language and all that, but that is not what they want. The experience of Iraq since 1958 changes things. It is not possible to go

back to 1958. Frankly, it is not possible to go back to 2005, when the constitution was adopted.

You asked Bayan about the constitutional arrangements. At least based on my conversations in Erbil, if they just said, “We will just go back to the 2005 constitution, and this time we mean it,” everyone would say, “No.” Up until 10 June, there was some discussion of confederation, where Kurdistan would be completely self-governing, with its own army and military and no Iraqi presence. It might have had some confederal institutions where both parties would have had to agree—you could have two Foreign Ministers, and then a decision would be made at a defence council in a minimalist arrangement. I think that they now see that the best way to protect their country is as an independent state. Among other things, they could then get weaponry that they cannot get now.

Finally, on legacy, the truth, from the point of view of the United States’ investment of nearly \$2 trillion and a lot of lives, is that the project has been a big disappointment, except for one part of the country, Kurdistan, which is democratic and booming economically. One way to look at this is to look at what we can salvage from the whole venture. That is something that is salvageable.

Q125 Sir Menzies Campbell: An illustration of the theory of unintended consequences.

Peter Galbraith: It is.

Q126 Mike Gapes: May I come back on what you have just said, Mr Galbraith? Slovenia and Croatia did not have an al-Qaeda-linked terrorist putative state next to them. The problem we have to confront here is not just what happens in the KRG or in Syria, but the fact of this Sunni area that, potentially, given the weakness of the Baghdad Government, could last for a very long time. Can I have your assessments on whether this is a Sunni revolt in general, or whether it is a bargaining arrangement whereby some of the Sunni leaders will actually change if they can get rid of Maliki and have a different formulation in Baghdad, such that ISIL will no longer be as powerful as it appears to be at the moment?

Dr Allawi: It is really an alliance between groups. I do not want to employ percentages of this or that, but it is an alliance between former regime elements, so-called dissident tribal types and ISIS, with ISIS providing a kind of vanguard of shock troops. It is not a generalised Sunni revolt, but it is mainly a Sunni revolt. Again, if I was a betting man, I would say that something like 80% of the Sunni Arab population in those areas currently under ISIS are probably glad that the central Government is out of there—

Q127 Mike Gapes: Would they prefer the current situation?

Dr Allawi: They would prefer ISIS before ISIS shows its true nature, its true colours, but the way that it is happening now is that ISIS appears to be withdrawing from those areas that are heavily populated in favour of a kind of military council in which former Ba’athis and local area notables prevail. This is obviously a change, a major shift, in their strategy, but if that continues the alliance is firm, and it will be an important source of maintaining the stability of this proto-state.

How that state relates to Sunnis outside its control—Arab Sunnis, especially in Baghdad—is another matter. I do not see the tribes turning against ISIS simply because of the

absence of one major element, which is the United States. In 2007 and 2008, the Awakening movements, the so-called Sahwists, were able to turn against al-Qaeda as a result of immense American support, including military and financial support. This is now not available, and there is also a great deal of mistrust between large numbers of wavering Sunni Arab leaders and the present Iraqi Government.

Until and unless ISIS behaves as the vicious force that it has proved itself to be in Syria, so far the alliance seems to be holding. To shift or break it requires great miscalculations on the part of ISIS or great duplicity on the part of its allies, because the alliance cannot really do without the ISIS military contribution—these people do the heavy fighting.

Peter Galbraith: I agree with what Dr Allawi has said. In fact, right from the start of the takeover of Mosul, they went and found a former Iraqi general to take control of the city, so they have been relatively shrewd, if you will. I would just add to what Dr Allawi said about the US not being there. It is also important that the fact that what happened in 2007 did not succeed over the long term will make people reluctant to go back to 2007.

Finally, since the hearing on Kurdistan, if you wanted to think strategically, I would argue that accepting the reality of an independent Kurdistan might actually be a better instrument for being able to combat ISIS. Right now, what is the view of the people of the KRG and of Kurdistan? It is defensive—they worry about holding on to the gains that they have. If their gains are consolidated and if their statehood is recognised, they might be more willing to co-operate with Baghdad and the West in an operation against ISIS. In fact, it might even be a quid pro quo for providing that kind of co-operation, in return for diplomatic recognition and military assistance. It is a potential bargain that could be made, but they are unlikely to take any offensive action when their mindset is, “How do we defend Kurdistan?” or “How do we get to having Kurdistan?” Once they have it, it could be different.

Q128 Mike Gapes: What does this mean for the formation of an Iraqi Government with a President and Prime Minister? Is it in effect irrelevant, or could there be some kind of deal still to preserve Iraq, perhaps without the Kurdistan region or pending a referendum?

Peter Galbraith: I would say that the fundamental problem is—first, I do not know how many of the Sunni parliamentarians could go to their homes today. In short, you have people who are voting in the Parliament in Baghdad who may not actually represent the Sunnis. But if you take the people in the Sunni region, their position is not just that they want to be part of a more inclusive Iraq; they do not want the Shi’ites to be running Iraq, and if they are ISIS, they do not want the Shi’ites to exist. It is an existential conflict, and certainly among the extreme Shi’ite militias there is a parallel view.

It is really hard to see how you find common ground. The Kurds may participate in the formation of the Government because they have been asked to by the United States and the west, but regardless of who emerges as Prime Minister, I do not think that that will change what they have planned. If they had someone in whom they have confidence, such as Ahmed Chalabi, I certainly think the divorce might be much easier and much more constructive than what might happen if Maliki continues.

Q129 Mike Gapes: Dr Allawi, would you agree?

Dr Allawi: Yes, up to a point. There is a glimmer of hope in terms of maintaining the integrity of the Iraqi state, which is the fact that the Kurds are still playing the political game in Baghdad. Just this morning there was a meeting of Parliament in which their vote was essential for voting in the new Speaker.

There is now a kind of recognition that the presidency will be given to a Kurd. Inasmuch as they are still participating in the electoral regime in Iraq, I think that they will play a part in creating new governmental structures that might overcome some of the serious problems they have had with Mr Maliki. If that happens, I think it will stop or decelerate the process towards break-up.

You can find a great deal of common ground between a revamped central Government, the security needs of Kurdistan and the need for a joint front against ISIS. If you are able to re-energise the integrity of the central Government—that is a big if—with Kurdish participation, a kind of alliance between the KRG and the central Government to face off the ISIS threat could be a workable arrangement, but it will be very difficult to accept that the central Government can do that while simultaneously having a Kurdish president who is no longer interested in maintaining the integrity of the state. I cannot see how you can participate in the political game without trying to preserve the forms and the institutions to which you have been elected.

Q130 Mike Gapes: My final question is about the Peshmerga taking Kirkuk and other areas that were not Kurdish from the Baghdad perspective, but which clearly are from the KRG's perspective. Do you agree with what Bayan said—that there will be no going back on that—or will any Government in Baghdad want to reopen that question? Will there be future conflict?

Dr Allawi: As I have already said, you have to look at the collateral damage when you make some of these decisions. I cannot really say whether or not these territories belong to Kurdistan, because there has never been a referendum. Let us assume that they do and that this is part of the territorial gains. The fact that it was done without reference to any of the constitutional arrangements is a given. You can claim, and I would agree, that the Iraqi Government played no part in accelerating or even starting the process for implementing a referendum in these areas, but what has happened has really dangerous consequences. It has greatly aggravated anti-Kurdish opinion in the Shi'a south. Of course, Sunnis reject it out of hand, but from the Shi'a point of view—they had previously been historic allies with the Kurds against the authoritarian Governments in Baghdad and then against Saddam's dictatorship—it is seen as a kind of stab in the back. You are creating the conditions where there will be a great deal of animosity held by a large number of Iraqis as to the way in which these territories were seized.

There are two sides to every story. If you do not take this into account but just stand on your high horse and say, "This is ours, irrespective," without taking into account the form in which it was done, you run the risk of creating really deep divisions between not only the Arabs and the Kurds, but the Shi'as and the Kurds. That is apart from the Sunnis and the Kurds, which is an entirely different prospect.

Why would a country start its life in such a state of deep popular enmity? I do not understand it. Why should there not be a process that may very well lead to independence but

whose halfway house is a confederation? Insufficient attention is paid to the effects of these decisions on the rest of the country who, irrespective of whether Shi'a or Sunni, still see Iraq as an integral state.

Peter Galbraith: May I perhaps offer a different perspective? In 2005, the Kurds—frankly reluctantly—rejoined Iraq. In January 2005 there was a referendum in Kurdistan on independence, organised by NGOs, which was just outside all the polling places so people could vote in the elections and then in the referendum, and almost everyone did. They voted 98%—more than 2 million votes—for independence.

Fast forward to the negotiation of the constitution, which was a reluctant bargain that was premised on a couple of key deals. One was federalism: retaining the Peshmerga Kurdistan self-government. The second was the compromise that intended to allow Kurdistan to develop its own oil, because the central Government had control only over the “present fields”—those are the words in the constitution—so new fields, which clearly meant all the fields in Kurdistan except Kirkuk, would be under the authority of the Kurdistan Government. That was one essential element of the constitution. The other central element of this bargain was that, by 31 December 2007, article 140 would be implemented and a referendum would be held on the status of the disputed areas. The Government in Baghdad did not keep either bargain. It contested the language in the constitution as if the phrase “present fields” was a typo, spelt correctly in Arabic, and it did not implement the referendum.

In June, the Kurds did not take over this area; the Iraqi army disappeared. I was with the governor of Kirkuk just a few days after all this happened. He was describing how the commander had come to see him and then basically fled. The Peshmerga were there and, if they had not kept their forces in Kirkuk, ISIS would be there. Would that have been a happier result? Would the Shi'ites in the south be happier if the Kirkuk oilfield and city were under ISIS and if they started blowing up the tomb of Daniel and all the other monuments there? This really does not make sense.

I agree that they should hold a referendum, but I disagree with Bayan about United Nations involvement. I think that if the UN could be persuaded to conduct that referendum, it would be terrific. For all its flaws, I think a UN-sponsored referendum would have the most credibility with Arab Iraqis. I think the UN could do a perfectly fair one and, in any event, given the demographics of these areas, I do not think that the result would be in doubt.

Furthermore, the leaders in Erbil have said to me, “If there is a district that does not want to be part of Kurdistan, we don't want to have it. We are prepared to let that go.” Again, if you look the specifics, I do not think that there are such districts, but if there are—perhaps around Tuz Khurmatu or some of the parts of Diyala province—that is fine because they are not going to insist on that.

Q131 Chair: I am afraid that we have only a few minutes left, because we have another meeting starting shortly. Is it a mistake for the energy policy of Kurdistan to be based on the relationship with Turkey? Is that putting all our eggs into one basket?

Peter Galbraith: With the energy policy in Kurdistan?

Q132 Chair: Yes. The energy policy of Kurdistan, as you probably heard earlier, is dependent on a good relationship with Turkey and shipping oil and gas out via a landlocked country through Turkey. Is that a risky enterprise, or is it a safe thing for Kurdistan to be doing?

Peter Galbraith: It has an element of risk, but there is not much alternative if you are landlocked. It clearly cannot go through Iran. Perhaps if things ever stabilised in Iraq, and if you have, if you will, the Velvet force like Czechoslovakia, another route might be down to the Persian Gulf. But at the moment there is no choice.

Q133 Chair: Also at the moment Turkey does not really recognise a lot of the rights of the wider Kurdish region.

Peter Galbraith: There has been extraordinary change in Turkey. When I first visited south-east Turkey in 1988, it was illegal to speak Kurdish. The Government said there were no Kurds in Turkey; there were only mountain Turks who forgot their native language. Last year, Massoud Barzani went to Diyarbakır in south-east Turkey with Erdoğan. It was basically an election rally for the AK party with 100,000 people and he addressed them, and Erdoğan spoke some words of Kurdish. There has been a huge gain for Kurdish rights. The KRG has been playing a role in the peace process between Turkey and the PKK. Indeed, the PKK says quite clearly that it is not for separatism. The whole dynamic has changed. Thirty years ago—even 10 years ago—Ankara saw Kurds as a potential threat to the unity of Turkey. Now it sees Kurdistan as an ally and as a state that was really rather like Turkey: secular, democratic, with an Atatürk type of tradition. It is an ally and economic partner, and certainly a buffer against Iranian-dominated southern Iraq or ISIS and terrorism. When the Kurds think of confederation, there is discussion of confederation with Iraq, but also discussion of some kind of confederate arrangement with Turkey.

Q134 Chair: Dr Allawi, do you have a view on the relationship with Turkey?

Dr Allawi: Yes, I think it would be an overpowering state that would dominate Kurdistan economically. There is no way that Turkey is going to acknowledge the same right of secession for their own Kurds. If you take the clock back 20 or 30 years, you could have seen similar conditions in Turkey as you have today in Iraq, and you would have claimed the right of the Kurds seceding against the arbitrary violence of the guns. Tens of thousands of people were killed. The point I am trying to make is that since then there has been a sea change in the internal politics of Turkey. No decision was made then to secede, and the Kurds of Turkey are by and large prepared to give the state a chance under these new arrangements and new dispensation.

We are now looking towards an independent Iraqi Kurdistan, not a Kurdistan. There is no way on earth that the Iranians are going to allow their Kurdistan to part. So you have a state that is a rump Kurdistan attached economically to Turkey and entirely dependent on it, because, unless and until it has acceptable arrangements for the Government in Baghdad, the economic route southwards is going to be impossible.

A great deal of the economic prosperity in Kurdistan that Peter was referring to is to do with the fact that they have access to the Iraqi market. Hundreds or probably a thousand to

1,500 Turkish companies are now based in Kurdistan. They are not there only to sell to the 4 million Kurds or the 5 million people in the greater Kurdistan economic area. They are there because they can base themselves there to trade and deal with the rest of Iraq. Unless you have a free trade area, some kind of agreement on common tariffs, or some kind of transportation policy that takes into account the need to have a north-south access for your own petroleum exports, I think you are basically declaring a kind of independence in order to become a satrapy of Turkey. This thing, in my mind, has not been thought through to its logical conclusion. The logical conclusion, whether you want independence or not, is in fact a push for the maximum degree of autonomy, even through a confederal arrangement within Iraq and not to break up the state and become dependent on the good will of Turkey on the grounds that it is now a “modern European state”. The thing may very well turn against. To me, it seems to be rushing, to some extent, into the unknown. I am not a Kurd so I can’t be in a position to express the national sentiments there, but I think I would give the Iraqi state one more chance, probably not under the current Government, but a Government who are really willing to look at these issues and deal with them fairly. Then you can take the decision on whether you want to stay within a confederal Iraq where you have a great deal of political power, or whether you want to go and become a satrapy of Turkey. It is their decision. I have no problem with them holding a referendum to secede if that’s what they want. If they want to jump from a frying pan, where the heat is turning down, to the fire, that is their decision.

Q135 Chair: That’s one way of putting it. Mr Galbraith, this is the final question: if UK businesses want to do business in Kurdistan, is there anything they should be wary of?

Peter Galbraith: Kurdistan is—I was told, although this may have been last year—the fastest growing place in the world so obviously there are a lot of opportunities. They need to do more of the legal changes in terms of domesticating, if you will, the investment law and the banking systems, which depend on Baghdad. I think they are looking at doing that. Frankly, there could be greater transparency. It is not a part of the world that, shall we say, meets the Scandinavian standards and I think there is awareness that they need to address it, but I don’t think they have addressed it as much as they should.

Q136 Chair: Is corruption a problem?

Peter Galbraith: Yes, I think Kurdish leaders would say that it is a problem and is something that they have to address. Any UK business or any foreign business is going to read the headlines and has an idea of the place, but that said, it is a place that has enormous opportunity and the companies that have invested there have done extremely well. I would encourage British and foreign businesses to continue to invest, but obviously, with their eyes open.

Q137 Chair: Dr Allawi, as you are not a Kurd, you probably wouldn’t know the answer to that?

Dr Allawi: No, I think I would agree with Peter. It is obviously a much safer place to invest in than main Iraq, but one should not underestimate the economic problems inside Kurdistan, although they are less than they are in the rest of Iraq. There is high unemployment, there is a serious financial crisis right now, mainly because they have not received their funds from central Government, and unless or until they are able to export the oil from Kirkuk I think we are looking to a very serious economic crisis—it has already

started. Unemployment and corruption are very serious—don't ask me, ask the Kurds who have to face it on a daily basis. So it is not Scandinavian. It is probably not even—I don't want to mention other countries. I will be cautious, apart from the resource area.

Q138 Chair: That completes our questions. Is there any point that you wanted to make that we haven't covered?

Dr Allawi: No, I was just making a plea for a confederal Iraq.

Chair: In that case, I thank you both very much indeed. It is very much appreciated.