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Kurdish Parties in Iraq's Upcoming Federal Elections: New Electoral Law and Parties' Strategies

Adapting to the new electoral law, the Iraqi Kurdish parties are pursuing various strategies to preserve their political status in the upcoming elections

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Introduction

As Iraq's general elections slated for October 10th approach, the Kurdish political parties in the Iraqi northern Kurdistan Region (KRI) and disputed areas are vigorously competing to protect their roles as kingmakers in Baghdad. Influence at the national level, in turn (and perhaps just as importantly), is critical to the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan's (PUK) ability to remain veto players and shape the domestic politics of the KRI. In these elections, the parties will not only be settling political scores in rivalries that have escalated dangerously since the 2018 elections, but they will be contending with a transformed electoral system that will alter time-honored strategies for mobilizing voters and dividing the spoils of victory.

The upcoming election presents to be unique in that a new electoral law featuring Single Non-Transferable Vote (SNTV) system is implemented. While providing greater opportunities for independent candidates to register and compete and empowering the women's quota with a significant amount of control over the outcome of the election, there remain serious challenges ahead for minor parties and women to overcome the dominance of large, well-established parties. In the KRI and areas of the disputed territories (Kirkuk, Nineveh, Salahuddin and Diyala -provinces) they claim as part of their spheres of influence, the KDP and PUK strive for a margin of victory in the elections that will protect their positions and interests in Baghdad. Tied to this struggle is that between the Kurdish parties themselves, who will use the election to compete for supremacy within the Kurdish bloc at the national level and, by extension, to secure a favorable division of power at the regional level. Consequently, disagreements on the distribution of posts in Baghdad, in particular Iraqi presidency, which intensified the rivalry between the KDP and PUK after the 2018 elections, could be reignited.

This report describes how the Kurdish political parties are adapting to and are leveraging the new electoral law to defend their status as veto players in both Baghdad and Erbil. Through interviews with experts, candidates, and party officials as well as analysis of secondary data, this paper explores how the Kurdish political parties have responded to the new electoral framework and how it changes the landscape and nature of political competition in the Kurdistan Region. It also explores how the new law, which was ostensibly designed to encourage the participation of independent candidates, outside of the mainstream parties across the country, still rewards large, well-resourced and well-disciplined parties at the expense of minor parties and marginalized groups.

From Proportional Representation to Single Non-transferable Vote (SNTV)

In the first elections after the U.S. invasion and collapse of the Ba'ath regime in 2005, voting was conducted using a closed list proportional representation (PR) system in a single nationwide district. The closed list system was adopted in part because of the high risk of assassination borne by candidates but it also gave parties almost total control over who ultimately sat in parliament and the nationwide districts encouraged voters to cast their ballots along ethno-sectarian lines.¹ This system was altered with the introduction of a semi-open list PR system in 2009 in which each of the country's 18 provinces represented an electoral district.² The delineation of districts promoted the breakdown of large coalitions that formed in the first elections and required candidates to address issues specific to their provincial constituencies. However, voters continued to mobilize along ethno-sectarian lines. It also remained difficult for small parties to win seats in governorate-wide races and the parties maintained a significant degree of control over the selection of candidates and the formation of coalitions. Iraqi political parties either participated as a single list or formed coalitions with other parties.

While the Kurdish political parties initially resisted the introduction of electoral districts, they later adapted to the system and capitalized on it. First, they nominated popular, charismatic figures as heads of their lists to mobilize their base and maximize their vote share as votes won for the list were distributed amongst the candidates on the list, regardless of each candidate's individual vote share. Secondly, they nominated as many candidates as possible to maximize votes for the list. For example, PUK selected former governor of Kirkuk, Najmaddin Karim, as the head of its list in the 2014 elections. He was able to secure 150,000 votes for the party. 47,500 votes were needed to secure a seat,³ and his extra votes were later redistributed amongst the other candidates, which in return brought three seats to the PUK in the city of Kirkuk. Votes for the other candidates accumulated, added to the list total, and were distributed to the highest-ranking candidates on the list. Finally, the Kurdish parties leveraged minority quotas as most of the Council of Representatives' (CoR) nine quota seats were from areas of the KDP influence in Nineveh, Erbil, and Duhok.⁴ For example, the KDP captured two of the five seats allocated for Christians in the areas "Through the strategy of creating and controlling Christian Assyrian proxy organizations – generally by rewarding loyalty with resources unavailable to independent Christian Assyrian parties."⁵

Under the new electoral law ratified in November 2020, Iraq is now divided into 83 multi-member districts, meaning candidates must compete for a designated number of seats within a district instead of accumulating votes across the province. Moreover, Iraq's adoption of SNTV has resulted in candidates' registrations as individuals with the Independent High Electoral Commission (IHEC) and votes are allocated to individual candidates rather than lists.⁶ The most significant implication of the SNTV system is that, in contrast to a list PR system, votes cannot be transferred to other candidates on a list. If there are three seats allocated to a district, the top three candidates with the most votes get the

¹ Hamoudi, Haider Ala (2013). *Negotiating in Civil Conflict: Constitutional Construction and Imperfect Bargaining in Iraq*. University of Chicago Press.

² Hashim Al-Rikabi, "Reforming the Electoral System in Iraq," Al-Bayan Center for Planning and Studies, 2017, <https://www.bayancenter.org/en/wp-content/uploads/2017/12/877564352413.pdf>

³ "2014 Federal Election Results of Kirkuk," Kurdish Institute for Elections, <https://bit.ly/3hHFBhd>

⁴ "Iraq's Stolen Election: How Assyrian Representation Became Assyrian Repression," Assyrian Policy Institute, November 27, 2018, <https://www.assyrianpolicy.org/iraqs-stolen-election>

⁵ Ibid.

⁶ There are still several articles from the law that are copied from the former electoral law and are incompatible with the new electoral system. Article 11, for example, reads: "The sum of money for the participation of a candidate on *any list* is up to the commission, and if the candidate does not win a seat, that money will be returned to government treasury." Additionally, Article 12 provides, "It is a condition that the political entities and the independent candidates submit their election manifesto at the time of registration." Here too, the obsolete language referring to "political entities" carries over from the previous electoral law. Such mistakes indicate that the drafting of the law was rushed and it may lead to serious confusion with its implementation. Interview with Mariwan Arif, deputy head of administrative affairs of Sulaymaniyah IHEC office, Sulaymaniyah, June 23, 2021.

seats. This raises the possibility that a popular political party in a district could lose seats, or achieve none at all, if its votes are divided among too many candidates.⁷

As a result, the new electoral law compels political parties to change their electoral strategies in a way that minimizes the uncertainty inherent in the SNTV system and pursue certain approaches to protect and consolidate their electoral base. This is accomplished primarily by establishing electoral coalition and mutual understanding with other parties,⁸ leveraging the women's quota to compete in districts in which they are less competitive,⁹ and even strengthening relationships with tribes to drive voter turnout and to field recognizable candidates.¹⁰

The PUK and Gorran Movement in an Electoral Alliance

The new electoral law rewards large and cohesive parties with large bases of support that transcend electoral districts. Small parties stand at a relative disadvantage with their votes scattered amongst multiple districts and, in many cases, the magnitude of their vote share in each will be insufficient to gain a seat. Large and well-established political parties such as the KDP and the PUK are more centralized, disciplined, and have access to official channels of power with which they can organize campaigns and mobilize their electorates and enter into coalitions to minimize competition.

The advantage given to large parties has forced small parties to join coalitions with them for the upcoming vote to maintain their seat share in the next parliamentary session. This necessity persuaded the Gorran Movement set aside its fierce electoral competition with the PUK and joined forces with it under the banner of the Kurdistan Coalition (KC) in June. Since 2009, the PUK and the Gorran Movement had engaged in an intense rivalry for votes in Sulaymaniyah province. The Gorran Movement's leadership and its constituency broke with the PUK and nearly halved the PUK's vote share in the province of Sulaymaniyah in the 2009 elections and eclipsed the PUK's representation in the KRI parliament in 2013. As a result, violent clashes broke out between the two parties, killing supporters of both. Their rivalry reached a crescendo after the federal parliamentary elections in May 2018 when PUK Peshmerga attacked the Gorran Movement's headquarters in Sulaymaniyah as it discussed its legal response to alleged voter fraud with other opposition party leaders.¹¹

The announcement of the KC, as previous failed attempts to form a united PUK-Gorran bloc, alienated many Gorran supporters who were dismayed at the party's willingness to bargain with a party that has previously failed to honor its agreements.¹² Yet the mechanics of the new electoral law and the division of provinces into smaller districts necessitated the alignment to prevent an unpredictable distribution of votes between PUK and Gorran candidates in each of Sulaymaniyah's five districts that could conceivably cost both of them seats, or that would at least put them in competition with small parties such as the Kurdish New Generation party (NG).¹³

Additionally, the PUK was wary of the prospect of the Gorran Movement forming an alliance with other opposition parties such as the Kurdistan Justice Group (KJG) and the Kurdistan

⁷ Interview with Aram Jamal, a member of executive committee of the Kurdish Institute for Elections, Sulaymaniyah, June 22, 2021.

⁸ Phone Interview with Sarkawt Shamsuldin, a CoR MP and an independent candidate running in Sulaymaniyah, September 13, 2021.

⁹ Phone Interview with Qumri Barznji, a woman candidate of the Kurdistan Justice Group in Erbil, September 20, 2021.

¹⁰ Phone Interview with Muthana Amin, head of Kurdistan Islamic Union bloc in CoR, September 21, 2021.

¹¹ "Gunmen attack Gorran Movement HQ in Iraq's Sulaymaniyah," Anadolu Agency, May 13, 2018, <https://www.aa.com.tr/en/middle-east/gunmen-attack-gorran-movement-hq-in-iraq-s-sulaimaniyah/1143784>

¹² The parties had previously concluded agreements to distribute and rotate local administrative posts between them, even pledging in 2016 to establish a coalition for federal and regional elections. However, the PUK reneged on its end of the bargain and the electoral coalition never made it past the planning stage.

¹³ Interview with Aram Jamal and Mariwan Arif; Also, former head of PUK politburo and now a member of PUK supreme council, on a Facebook post, says that the coalition between the PUK and Gorran is not because "They are strong parties, but, rather, it is due to the fear of the results of the elections. See his post here: <https://www.facebook.com/Mala.Bakhtiar/posts/3912564042112616>

Islamic Union (KIU), which would present intense competition for the PUK.¹⁴ For Gorran, the coalition with the PUK was an opportunity to maintain access to channels of power. The movement had experienced significant decline from the height of its popularity in the 2013 regional elections, especially with the consistent resignation of its cadres¹⁵ that led to a loss of half of its seats in the 2018 regional elections.¹⁶

To improve their chances of winning seats throughout the province, the two parties, through their alliance, have made arrangements to achieve the most favorable distribution of votes in the provinces, where they are running. For example, the number of the KC candidates does not exceed the number of allocated seats in any district in the Sulaymaniyah province. In two of the five districts of Sulaymaniyah, they have nominated fewer candidates than the number of available seats to prevent the dilution of votes.¹⁷ Such arrangements provide the KC with the potential to secure the slight majority of 18 seats in Sulaymaniyah's five districts.¹⁸

Additionally, the PUK has also reached informal non-compete agreements, or "understandings",¹⁹ with the two leading Islamist parties in the KRI, the KJG and the KIU, in certain districts. Such understandings are not inclusive to all electoral districts throughout their electoral base and specifically concentrate on avoiding "electoral clashes"²⁰ in specific districts, which also helps them increase their chance to win seats and collectively challenge the KDP. The avoidance of such clashes is mostly pursued through not having candidates from the KC and the Islamist parties in the same electoral districts, where both have limited voters or where one's electoral base is weak. There are also cases where the KC, KJG, and KIU have together nominated an equal number of candidates to available seats in a district – such as electoral district number three in Sulaymaniyah –, providing every side with the chance to win a seat. Such complex agreements pertaining to nomination of candidates in certain electoral districts are also clearly seen between the PUK and KIU in the KDP-controlled province of Duhok, which is explained later in the report.

The KDP Areas of Authority as Ground Zero

The PUK's agreements with Gorran and other minor parties in Sulaymaniyah has allowed it to shift the center of electoral competitions from Sulaymaniyah – which had been the battleground between the PUK and Gorran from 2009 to 2018 – to Erbil. PUK has sought to challenge the KDP in its areas of authority in Duhok and especially in Erbil, where the latter has exercised almost uncontested administrative and electoral dominance since 1996 and seeks to maintain its advantage.

The KC (in particular PUK) has thus devoted resources to mobilizing its bases of support by supporting well-known and influential figures in different districts in Erbil, including Faisal Karim Khan Bradosti, Harim Kamal Agha, a member of PUK leadership, Brzo Majid, former head of Gorran bloc in KRI parliament, and Kurdo Omer, General Director of the Directorate to Combat Violence against Women at the KRG's Ministry of Interior.

In particular, the PUK has strengthened its relationships with the KRI's largest and most important clans to cultivate a large base of support in Erbil and Duhok. Influential chiefs of the Harki and Bradost tribes have aligned themselves with the PUK. Both tribes are

¹⁴ Interview with Aram Jamal, cf. footnote 13.

¹⁵ "Gorran issues a statement on the resignation of a number of its cadres in Erbil", Speemedia, June 9, 2021, <https://www.speemedia.com/dreja.aspx?hewal&jmare=104713&jor=1>

¹⁶ Kristina Bogos, "Analysis: Looking Back on the 2018 Kurdish Elections," Institute of Regional and International Studies, March 2019, <https://bit.ly/3otHZNx>

¹⁷ See the number of candidates that the KC has nominated in the five districts of Sulaymaniyah province here: <https://www.facebook.com/drawmedia/photos/pcb.968249950670655/968249867337330>

¹⁸ A study based on the results of the 2018 federal elections from the Kurdish Institute for Elections (KIE) projects that the PUK-Gorran coalition will likely get 13 out of the 18 seats allocated to Sulaymaniyah province, followed by NG with three seats, and KJG with two seats. See the report here: <https://bit.ly/3othiPd>

¹⁹ Both KIU candidate Muthana Amin and KJG candidate Qumri Barznji confirmed their parties mutual understanding with the PUK.

²⁰ Interview with Muthana Amin, cf. footnote 10.

prominent inside the KDP areas of influence.²¹ The Bradost tribe inhabits the strategically important district of Soran, which for over twenty years has formed a buffer between the KDP and PUK zones of influence. To gain the votes of Bradost clan, the PUK has nominated Faisal Karim Khan, who is the son of the head of the clan, Karim Khan Bradost.

As described in the next section, such alignments may not produce an actual threat to the KDP's electoral dominance in its territorial sphere of influence, which has, as some people claim, been secured as much by intimidation and manipulation as popular support. However, it is representative of the regional-level contests for territorial control that have escalated over the past several years. Notably, it retraces the competition for clan loyalties that paved the way for civil war in the 1990s, making a provocative and dangerous approach. For example, in June, Harki chief, Jawher Agha Harki, alleged that the KDP intelligence agency, Parastin, attempted to assassinate him after his son and PUK spokesman, Sheikh Harki Jawher Harki, promised that the party would "surprise" the KDP in Erbil, Badinan, and Nineveh.²² The KDP vehemently denied the accusations as propaganda by the PUK designed to "stir the passions of the Harkis and win votes in the election"²³ while hurriedly forming a committee in parliament to dismiss allegations of Parastin involvement.²⁴ The clan is also present in the KDP-dominated areas of the Nineveh province in the disputed territories, which are invaluable to securing the KDP's influence at the federal level through its relationships with local political parties.

The KDP Dominance Remains to Be Seen

Although the KC and the Islamist parties are collaborating to challenge the electoral dominance of the KDP, the KDP appears well-positioned to protect its superiority. The KDP is the type of party the new electoral law favors: it has a high degree of internal discipline, institutional capacity, and financial resources to organize a massive base of loyal supporters. It also has a cohesive strategy to mobilize voters in all of the districts it controls, having devoted extensive resources to projecting outcomes in each district.²⁵

On the other hand, it is confident that the votes of its competitors are scattered amongst multiple districts throughout the KDP's sphere of influence in Erbil and Duhok. For instance, the KDP gained 10 out of the 11 seats in the 2018 elections in Duhok and the KIU won the last seat of the province, with gaining 47,000 votes. These 11 seats are now divided over three electoral districts, which also means that the 47,000 votes the KIU won are also scattered over the three districts. The distribution of KIU votes now over the three electoral districts separately makes it challenging to reach the threshold of regaining even that seat in the upcoming elections. Thus, with exception of one seat allocated to the Christian minority in Duhok, the KDP could sweep all 11 seats in the province.²⁶ The KDP's dominance in Duhok counterbalances the majority of the seats that the KC is likely to secure in the governorate of Sulaymaniyah, where the KDP is historically weak.

Additionally, the disputed areas, in particular the provinces of Kirkuk and Nineveh, remain pivotal for both parties. Their constituencies in the areas are decisive to the number of seats they will gain and, thus, how their rivalry for power will shape. Although the KC (in particular the PUK) could win the Kurdish votes in Kirkuk, which has long been a stronghold of the PUK, the KDP retains significant influence in Nineveh since 2003, in addition to its two candidates

²¹ Mike Fleet and Megan Connolly, "Games without Frontiers: Renegotiating the Boundaries of Power in Iraqi Kurdistan," Middle East Institute, June 23, 2021, <https://www.mei.edu/publications/games-without-frontiers-renegotiating-boundaries-power-iraqi-kurdistan>

²² "Sheikh Harki Jawhar Harki: PUK, in this elections, will do a surprise in Erbil and Badinan" Millettpress, May 23, 2021, <https://www.millettpress.com/Detail.aspx?Iamre=137223>

²³ "Parastin issues a statement on the news of poisoning a number of Harki people," Nasnews, May 22, 2021, <https://nasnews.com/kurd/view.php?cat=28080>

²⁴ "Parliament committee: the news of poisoning Jawhar Harki is a family scenario," Rudaw, June 3, 2021, <https://www.rudaw.net/sorani/kurdistan/0306202111>

²⁵ "Kakamin Najar: The KDP will once again become the first party in Iraq," Diplomatic Magazine Facebook Page, August 29, 2021, <https://www.facebook.com/diplomatic2017/posts/1194387611060348>

²⁶ The PUK and KIU have strategically nominated candidates in the three districts of Duhok to improve their chances of winning a seat, which is explained in the Women Quota section.

in Kirkuk, one of whom is set to collect the KDP votes in the Kurdish dominant first district of the city.²⁷ The KDP holds positions in Nineveh province that directly influence the administration of elections, including deputy governorship, and enjoys cordial ties with the governor. This provides the party with opportunities to protect its electoral bases. In the last federal elections, the party won six seats while the PUK won only one seat, and its two members of the provincial council left the party and joined the KDP.²⁸ However, the party is facing challenges in certain areas of the province, such as the Ezidi town of Sinjar, due to the strong presence of the Kurdistan Workers Party (PKK) affiliated candidates, which has rooted themselves in the area.²⁹

Moreover, the KDP alone secured eight seats in Erbil in the 2018 federal elections while the KC won only three seats.³⁰ Under the new districting scheme, the KC is at an even greater disadvantage because its constituency is dispersed amongst multiple districts. Moreover, the KDP has gerrymandered the boundaries of the districts. For instance, Koya-Erbil Plain-Khabat comprise an electoral district: Koya, an electoral stronghold of the PUK, is located between Sulaymaniyah and Erbil, while Khabat, a KDP dominant area, is located in the middle of Erbil and Mosul. The electoral dominance of the KDP in Khabat and Erbil Plain helps the party counter the electoral dominance of the PUK in Koya, minimizing electoral challenges that the party might face from its rivals in Erbil.³¹ Therefore, notwithstanding the resources the PUK has devoted to winning seats in Erbil, the KDP has altered the electoral map to its advantage in the province, thus reducing the likelihood that the PUK's mobilization in the province will bear fruit at the polls.

Kurdistan Coalition and PUK's Mutual Understandings with Other Parties in Jeopardy

While Gorran and the Islamist parties seek to maintain influence at the federal level, the PUK's primary goal in the contest has been to challenge its rival in power, the KDP. The shifting of alignments leading up to the election have produced two camps: the PUK, Gorran, KIU and KJG against the KDP, which decided against forming a coalition with other Kurdish parties. However, the PUK's complex political agreements with minor parties have been threatened by the re-emergence of power struggles within the PUK as party co-President Lahur Sheikh Jangi was ousted from the party leadership by his cousin and co-President, Bafel Talabani.³²

Lahur Sheikh Jangi Talabani, as the former head of the PUK intelligence and later as one of the co-Presidents of the PUK, rose to power on his reputation as an antagonist of the KDP. As the party's co-President, he was the mastermind behind the agreements with the other parties to challenge the KDP in the upcoming elections, a role that caused friction within the PUK. Kosrat Rasul Ali, former KRI vice-President and currently head of PUK Supreme Council, was not aware of the PUK-Gorran coalition and the nomination of the candidates.³³

The central approach of the PUK to the elections under Lahur concentrated intensively on challenging the KDP's power in Baghdad through its alignments with minor parties and with tribes in the KDP zones of influence. For this reason, he was initially elected as the head of the KC to lead the election campaign.

²⁷ Mera Jasm Bakr, "Kirkuk in Iraq's Upcoming Elections," Konrad-Adenauer-Stiftung, September 15, 2021, <https://www.kas.de/en/web/syrien-irak/single-title/-/content/kirkuk-in-iraq-s-upcoming-elections>

²⁸ Phone Interview with Sa'id Mamuziny, a member of KDP Branch in Nineveh, Erbil, July 12, 2021.

²⁹ Zaid Salem, "'PKK' infiltrate the Iraqi elections through Sinjar," Al-Araby, August 8, 2021, <https://bit.ly/3B9Fe7w>

³⁰ The PUK two seats and the Gorran one seat. See: "Final Results: number of seats of all lists by provinces," Rudaw, May 19, 2018, <https://www.rudaw.net/sorani/middleeast/iraq/190520182>

³¹ Interview with Aram Jamal, cf. footnote 13.

³² Dilan Sirwan, "Bafel Talabani named PUK president by party: social media," Rudaw, July 12, 2021, <https://www.rudaw.net/english/kurdistan/120720212>

³³ "Shalaw Kosrat Rasul: we were not aware of the PUK-Gorran Coalition," Awene, May 2, 2021, <https://www.awene.com/detail?article=46827>

However, soon after the formal announcement of the KC, in early June, Lahur was ousted from the party's leadership by his cousin, Bafel Talabani after the sudden replacement of Lahur's brother, Polad, as the head of PUK counter-terrorism forces and, Mohammed Talabani, as the head of PUK's intelligence, with figures close to Bafel Talabani. Bafel accused his ousted cousin of smuggling, blackmailing businessmen, and even attempting to poison him.³⁴

The removal of Sheikh Jangi, whose anti KDP rhetoric mobilized tens of thousands of voters in the 2018 national and regional elections, from the party leadership has presented challenges to the KC's ability to get its voters to the polls on election day. According to one KC candidate, his removal and the PUK intra upheavals could also result in "a disaster for the KC."³⁵ Since his elimination, Sheikh Jangi has also stopped his support for the KC and has been consistent with his KDP antagonism, accusing the party of meddling in the recent PUK internal power struggle. Consequently, the lack of his support for the KC has firstly limited PUK's mobilization of voters and secondly could result in the loss of the votes of thousands of his followers within the PUK, in a form of punishing the party for his elimination.

Qubad Talabani, Lahur's successor as head of the KC, has also adopted the narrative of "the restoration of balance of power".³⁶ However, Qubad has been known for developing cordial ties with the KDP in his role as Deputy Prime Minister of the KRG, thus making him less credible as a worthy adversary of the KDP. However, the PUK has signaled that Lahur's ouster has not caused it to waver from its hardline strategy against the KDP. The PUK has continued its agreements with the minor political parties and its relationship with the Bradost and Harki clans even in the absence of Lahur.³⁷ Such Relationships prevail as they are shaped by the interests of all sides, and, most importantly, they are helpful tools to agitate (at least rhetorically) the KDP's monopolistic grasp on power. As a result, PUK's attempt to infiltrate itself into the KDP areas of authority still remains, however, it is by no means as vigorous and antagonistic against the KDP as it was under the reign of Lahur.

Regardless, this intense rivalry between the PUK (or KC) and the KDP suggest that they are differently entering the race, with the former attempting to restore the balance of power, and the latter to remain the leading party. Such struggle for power indicates that serious issues might once more raise between them over the distribution of positions in Baghdad following the elections. In what may be a repeat of the 2018 contest between the KDP and PUK for the Iraqi presidency, the selection of the president will be at the heart of the post-elections rivalry between the KDP and PUK. For the PUK, it is of vital importance to continue holding the presidential chair to compensate for its waning strength within KRG institutions and to protect its relevance as a key actor in the Iraqi political arena. However, for the KDP, it will be fundamental to take that position from the PUK to utilize it to restore its status in Baghdad, which has been strongly weakened since the ill-fated KRI independence referendum the party led, and perhaps even overtake the PUK at the federal level.

Independent Candidates and Small Parties

Notwithstanding the purpose of the new electoral law's passage, which was to open the political arena to small parties and unaffiliated candidates, the SNTV system instead rewards large, disciplined political machines that can crowd out or minimize competition in the districts in which they compete. Such well-disciplined political parties in the KRI are the KDP and the PUK both of which have decades old well-established organization. Their patronage

³⁴ Watch the full interview with Bafel Talabani on September 3, 2021, here:

<https://www.youtube.com/watch?v=7c0KhZlqQ5c>

³⁵ Phone interview with a Gorran cadre, July 9, 2021.

³⁶ See Qubad Talabani's election rally in Raparian areas in Sulaymaniyah on September 14, 2021:

<https://www.facebook.com/qubadtalabaniofficial/videos/550319929595655/>

³⁷ Phone interview with Stran Abdullah, head of the PUK media and a member of the leadership council, September 29, 2021.

network, alone in the security sector, includes hundreds of thousands of security forces, whom the two parties use to secure their votes.³⁸

On the other hand, small political parties, such as KJG, KIU, NG and independent candidates are not expected to gain a considerable number of seats in the upcoming elections because of the new law. Their limited votes are scattered over multiple electoral districts within a province, which has compelled them to realistically nominate candidates in those electoral districts in which they expect to win seats³⁹ and lose the votes of their followers in the other electoral districts.⁴⁰ The observation of the KIU's candidate, Muthana Amin, on the new electoral law was that, "it destroys the small parties."

Independent candidates have registered throughout Iraq, including in the KRI. Although they face enormous barriers to entering the political realm⁴¹ as well as vulnerability to campaigns of assassinations and intimidation,⁴² their participation and the fact that they comprise approximately 25% of all registered candidates in Iraq⁴³ is noteworthy. An important difference between the independent candidates in the central and southern provinces and the northern Kurdistan Region's provinces exists. In the central and southern provinces, independent candidates and those who are candidates of the newly political parties, such as Imtidat Movement and National House include prominent figures and activists in the October uprising.⁴⁴ Whereas, in the Kurdistan Region, non-aligned candidates tend to be two types.⁴⁵ The first type are those that are already members of the Council of Representatives and have secured their seats through their candidacy on party lists in the 2018 federal elections but have since disassociated from their original parties. For instance, Dr. Ghalib Mohammed, Sarkawt Shamsulddin, Rebwar Karim, who are members of the CoR, have left their parties, Gorran Movement, NG, and Coalition for Democracy and Justice (CDJ), respectively, and are now running independently in the upcoming elections. Unlike these candidates, the second type candidates are those who do not have already established electoral bases, and, most importantly, whose political performance has not already been seen by the people like the mentioned candidates.⁴⁶

In addition, the Kurdish independent candidates face significant challenges to mobilizing their bases. First, even though there have been consistent demonstrations in the KRI, they have not had results like that of the October demonstrations in the central and southern provinces that compelled the former government to resign and resulted in a new government. Thus, they have not shaken the region's distribution of political power, but rather have been contained by the two ruling parties, KDP and PUK. Dissatisfaction with the Kurdish political parties for their management of domestic affairs, however widespread, has not translated into support for the protests' goals of dismantling the consociational division of power at the federal level,⁴⁷ a division of power that was designed, in large part, to

³⁸ Mera Jasm Bakr, "The War at Home: The Need for Internal Security Sector Reform in Iraqi Kurdistan," Middle East Institute, July 6, 2021, <https://www.mei.edu/publications/war-home-need-internal-security-sector-reform-iraqi-kurdistan>

³⁹ Interview with Qumri Barznji and Muthan Amin, cf. footnotes 9 and 10.

⁴⁰ Muthana Amin explained that he is losing the votes of his followers in the city of Sulaimaniyah and Garmyan Administration as they comprise other electoral districts, adding that he will only be able to get votes of his followers from Halabja city and Sharazur area.

⁴¹ Sajad Jiyad, "Protest Vote: Why Iraq's Next Elections Are Unlikely to Be Game-Changers," London School of Economics, April 2021, <http://eprints.lse.ac.uk/110201/>

⁴² Erik K. Gustafson and Omar Al-Nidawi, "Iraqi protesters' perilous journey to the ballot box," Middle East Institute, March 22, 2021, <https://www.mei.edu/publications/iraqi-protesters-perilous-journey-ballot-box>

⁴³ Kurdish Institute for Elections, "Number of Candidates for the Elections for the Iraqi Council of Representatives.," <https://bit.ly/3oxUIPc>

⁴⁴ Several activists and figures who took part in the October uprising are now running in the elections. In fact, they have formed new political parties, such as the Imtidat Movement. Cofounders of the movement are also running in the elections, including Fatima Al-Isawi in Najaf. Interview with Fatima Al-Isawi, one of the eight co-founders of the Imtidat Movement, Najaf, September 15, 2021; Interview with Mohammed Hamid Mohassen, a candidate of the movement in Basra, September 14, 2021, Basra; Interview with Awatf Trky, an independent female candidate in Basra, September 14, 2021, Basra.

⁴⁵ Phone Interview with Sarkawt Shamsulddin, cf. footnote 8.

⁴⁶ Ibid.

⁴⁷ "Executive Summary: Opinion Poll on the Protest Movement in Iraq", Konrad-Adenauer-Stiftung, November 2020, <https://www.kas.de/en/web/syrien-irak/single-title/-/content/iraq-s-protest-movement>

safeguard Kurdish autonomy.⁴⁸ Moreover, the KRI has a long history of governance by powerful, well-established parties such as the KDP and the PUK which exercise monopolistic control over civic life and association in their zones of influence.⁴⁹ Both parties could easily fuel great amount of financial resources into their election campaign and capitalize on their affiliated and shadow media machines, while the other independent candidates lack significant funds and strong media to their campaign.⁵⁰ They rather depend on social media platforms to reach audience and support each other in their respective electoral district to win in the elections.⁵¹

Finally, independent candidates and candidates from small parties will face significant challenges to secure seats under the new law. Under the PR system, small opposition parties such as the NG, the KIU and the KJG were able to secure seats by accruing votes across the province.⁵² However, with the delineation of significantly smaller districts, these parties' constituencies are scattered over multiple districts, making it more difficult to accumulate enough votes to win a seat. Under these conditions, small parties have concentrated their efforts on specific districts where they are most competitive⁵³ or reach an understanding with other larger parties to minimize competition as explained above.⁵⁴

Women's quota

Another way in which the Kurdish political parties have sought to increase their share of seats is by leveraging the women's quota. While drafting the new electoral law, one of the key issues was the number of quota seats reserved for women in the Iraqi CoR, which, according to the Iraqi constitution, must comprise at least 25 percent (83 out of 329 seats).⁵⁵ Members of CoR finally decided to electorally divide the country over 83 districts, from each of which one seat is allocated to a woman, securing at least 83 seats for women requested by the constitution.

Under the new election rules, if no female candidate achieves the number of votes required to earn a seat, the female candidate with the most votes will take the seat of the male candidate who achieved the lowest number of votes from among the list of candidates who earned enough votes to win a seat in that district. That means, if three male candidates in a district with three seats have secured the first three top votes, then the woman who has secured the most votes among the female candidates will replace the male candidate, who is among the top three candidates but with least votes compared to the other two. However, if a woman secures enough votes to secure a seat, then this procedure would not take place.⁵⁶

While on the surface, the women's quota has increased women's representation in the Iraqi legislature, it has been criticized for its failure to usher in substantive gender equality,⁵⁷ at

⁴⁸ Al-Ali, Z. (2014), *The Struggle for Iraq's Future*. Yale University Press.

⁴⁹ Natali, D. (2010), *The Kurdish quasi-state: Development and dependency in post-Gulf War Iraq*. Syracuse University Press.

⁵⁰ Interview with Sarkawt Shamsuldin, see footnote 8.

⁵¹ *Ibid.*

⁵² Under the former electoral law, each province as a whole was an electoral district. That meant the political parties and their candidates were able to collect votes across the province, unlike the current system, which confines them to separately gain votes various electoral districts in a province.

⁵³ Both Qumri Barjnzi from KJG and Muthana Amin from KIU explained that they have nominated candidates in those electoral districts in which they expect that their electoral base would be strong enough to win a seat.

⁵⁴ For instance, in the 2018 federal elections, the KIU was the only party to win a seat after the KDP in Duhok, achieving 47,000 votes in the province. However, the votes of the KIU are now divided over the three electoral districts in the province, which had forced the party to nominate only two candidates and reach a mutual understanding with the PUK to maximize its chance of winning a seat.

⁵⁵ See Art. 49(4) of the new electoral law.

⁵⁶ While there is one quota seat allocated to women in every district, that does not necessarily mean women are able to secure a mere seat in a district. If there are three seats in a district, and the first three candidates with top three votes are women, then all of the seats of that districts are secured by women.

⁵⁷ Huda Al-Tamimi, "Effects of Iraq's Parliamentary Gender Quota on Women's Political Mobilization and Legitimacy Post-2003," *Cotemporary Arab Affairs*, December 4, 2018, <https://bit.ly/3D9wWNp>; Ayat Mudhafar Noori, "Iraqi Women's Path to Parliament," *Fikra Forum of the Washington Institute for Near East Policy*, June 24, 2021, <https://www.washingtoninstitute.org/policy-analysis/iraqi-womens-path-parliament>

least in part because of its exploitation by patriarchal political parties. There is another aspect to the women's quota however, the 2021 early elections raise the stakes for securing seats under this regulation, which can be the key to achieving representation in a district in which a party is less competitive. The KJG candidate, Qumri Barznji, said that, "Even though the law provides better chances to strong women to win seats in the districts ... however, women [seats] have been exploited for political interest. If the political parties had known that they are strong in an electoral district, surely, they would have nominated a man ... but they have nominated women in those districts they know they are not strong." Therefore, nomination of female candidates for most parties is a tactical tool to achieve electoral seats rather than an attempt to empower women.

For example, the PUK-Gorran alliance has only nominated one female candidate in one of the five districts of Sulaimaniyah, which comprises Halabja, Saidsadq, Sharazur, and Penjwin, with three seats. Here, the KC's chances of winning a seat are relatively low; it would have to compete with popular CoR MPs, such as Ahmad Haji Rashid of the KJG and Muthana Amin of the KIU (both enjoy a cordial relationship with the PUK-Gorran alliance). Thus, to maximize the probability of achieving representation in the district, the KC has refrained from competition with the KIU and KJG and has only nominated a candidate to compete for the women's quota. In exchange, the KIU and KJG have agreed not to run candidates for the quota seat, thus effectively reserving it to the KC, which is likely to win the quota. On the other hand, knowing the party's limited constituency to secure a seat, the KDP has nominated female candidates for each of the five districts of Sulaymaniyah province, except for the Garmyan district, where the party has nominated both a male and a female candidate. Capitalizing on women quota provides the KDP with a better chance to secure a seat in the province, where the party has the weakest electoral base in the KRI.

Similarly, in the KDP-governed province of Duhok, the KC seeks to capitalize on the women quota through an informal electoral alignment with the KIU and KJG, which is designed to minimize competition between them while denying the KDP seats on its own turf. Accordingly, the PUK-Gorran alliance has nominated two female candidates for the three electoral districts of the Duhok province with 11 seats.⁵⁸ In the Akre-Sheikhan-Bardarash district, which has four seats, neither KIU nor KJG has nominated a candidate while the PUK has nominated a single female candidate in the district. In the district of Duhok City-Amedi, with four seats, the KC and the KJG have agreed not to nominate a candidate, and will instead support the KIU's more popular candidate, Jamal Kochar. Finally, in Zakho-Smeil, the KIU and PUK have nominated a male and a female candidate, respectively. The informal coalition competes with the KDP, which has nominated 11 candidates, three of whom are women running in the three districts of Duhok province to attempt to secure its three quota seats.

Conclusion: Kurdish Political Status Quo Prevails?

While the Kurdish parties, like the rest of political parties across the country, are entering a new kind of federal elections as a result of the new electoral law, the two ruling parties, the KDP and PUK will remain the dominant Kurdish parties in the country. Small parties and independent candidates are facing enormous obstacles to win in the elections due to the disperse of their electoral base over multiple districts. In the meantime, the mainstream parties are targeting the quota seats allocated to women in the districts where their electoral base is vulnerable to that of their rival, filling up the seats for political gains, rather than women empowerment. As a result, the upcoming general elections are not creating an environment in which small political parties and independent candidates are provided with opportunities to take a bigger role within the Kurdish political arena in the country.

On the other hand, the results of the elections will determine whether the KDP and KC will form a Kurdish coalition to participate in the next Iraqi government. Nonetheless, both

⁵⁸ Both candidates are from the PUK. Gorran and KJG have not nominated any candidates in the province of Duhok.

competitors will strive to achieve the greatest leverage to determine the course of government formation negotiations – be it in a “Kurdish Coalition” or separately. The PUK, in particular, aims to be electorally as close to the KDP as possible to be able to protect its interest in Baghdad and once more regain Iraqi presidency. The KDP, however, wants to restore its picture and power in Baghdad through retaking that post from the PUK, which has been weakened by its separatist moves. Whatever the results of the upcoming elections are going to be, the post 2003 political status quo between the KDP and PUK are shifting, with the KDP fighting to gain Iraqi presidency and PUK’s attempt to win representations in key KDP-controlled Erbil districts, making both parties’ relationship more prone to conflict and upheaval, and most notably, challenging the entire Kurdish-level power structure.

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