



المركز العربي للأبحاث ودراسة السياسات
Arab Center for Research & Policy Studies

POLICY ANALYSIS

Ankara–Erbil–Baghdad Axis: A Question of Energy and Politics

Abdelhakim Khusro Jozel | February 2014

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Introduction

A number of critical developments have occurred in the relationship between Turkey and Iraqi Kurdistan; most recently, Massoud Barzani, the president of the Kurdistan Region, visited the Turkish city of Diyarbakir on November 16, 2013, indicating Turkey's desire to further build its relations with Iraqi Kurdistan.¹ This development comes amid brusque shifts in the nature of alliances in the region following the Arab Spring revolutions, including the sharp sectarian divide over the Syrian crisis; the stumbling negotiations between Turkey, Russia, Azerbaijan, and Iran over the NABUCCO pipeline; and the improved relations between the Kurdistan Region's government and Iraq's federal government.

With developments in Iraq taking a further downturn due to increased security challenges and the emergence of a protest movement in the Sunni-majority western provinces, Turkey has started to question the future of its energy security and its dependability on Baghdad. In contrast, the persistent growth of Iraqi Kurdistan's economy and energy industry, accompanied by the Region's relative stability compared to the rest of Iraq, has turned the region into an open market for Turkish companies. Ankara has now turned to Iraqi Kurdistan for its energy after the Turkish government accepted the constitutional right of the Kurdistan region to sign oil contracts with international oil companies, provided that the oil proceeds are shared with the Iraqi government in accordance with the Iraqi constitution. Cooperation on commercial and energy domains has reflected positively on cooperation over other issues where Ankara has found it fitting to involve the Kurdistan Region, namely the ongoing peace process with the Kurdistan Workers' Party (PKK). It would appear the Turkish Justice and Development Party (AKP) wants to resolve the Kurdish question in Turkey through peaceful means. It also seems intent to address the issue of Syria's Kurds following the sharp divisions between those supporting the National Coalition of Syrian Revolution and Opposition Forces and those supportive of the Syrian regime.

In analyzing the relationship between Turkey and Iraqi Kurdistan, this paper recognizes the inherent risks and suspicions entailed, but focuses on the prevalence of shared interests between the two countries. It also investigates the implications of this

¹ "Conducting talks with Erdogan regarding Kurds in Iraq and Syria: An official honorific reception of al-Barzani in Diyarbakir," *al-Jazeera Net*, November 16, 2013, <http://www.aljazeera.net/news/pages/4aeb3ede-2cfd-45bb-b8b1-5b7a941eca68>.

relationship on the Iraqi government, and measures the central government's response to this development. Lastly, this study explores where Iran and the United States stand on the issue considering both have vested interests in the Turkish-Kurdistan cooperation.

Turkish Economic Interests in Iraqi Kurdistan and Turkey's Energy Security

Turkey was, and remains, the principal gateway for Iraqi Kurdistan's foreign trade and imports since 1991. The Kurdistan Region is an important market for Turkish companies, with \$12 billion (USD) of annual trade between the Kurdistan Region and Turkey in 2011, compared to \$10 billion (USD) in trade with Iran.² Moreover, 70 percent of the annual trade between Turkey and Iraq takes place in the Kurdistan region; in fact, Turkey's exchanges with the region exceed that of its annual trade with Syria, Lebanon, and Jordan combined.³

The entry of Turkish companies in Iraqi Kurdistan follows the region's economic growth, reflected in an increase in its annual budget, the rise in living standards, and the existence of a governmental plan to rebuild Iraqi Kurdistan's infrastructure. Turkish companies have seized the lion's share of foreign investment in the vital economic sectors of Iraqi Kurdistan. The investment law in the region provides enticing incentives to attract foreign investments, and, of these, Turkey has to a large extent become the main investor. In principle, the Kurdistan Region represents a gateway for entering the growing Iraqi economy; however, the deteriorating security situation and the lack of political stability in other Iraqi regions have led to it being favored by Turkish companies. This recent cooperation has not come without its challenges, including the risk of endangering relations between Turkey and the Iraqi federal government. Iraq's government accuses Kurdistan of illegally signing oil contracts with oil companies operating in its territories, noting that Iraq's Oil Ministry is a federal ministry representing the entirety of Iraq, not only parts of it. Making matters worse, there is no agreement over the drafted Oil and Gas Law of 2007, and the federal government has threatened to exclude energy companies operating in the Kurdistan region from competing for licenses to develop Iraqi

² Independent Kurdish Journalism, "Kurdistan region to reduce trade with Iran and Turkey," *IJK News*, <http://ikjnews.com/?p=142>.

³ Independent Kurdish Journalism, "Open for Business: Turkey's bankers tap into Kurdish boom," *IJK News*, June 21, 2011, <http://ikjnews.com/?p=881>.

oil fields. The first round of these licenses was launched in 2009.⁴ Iraq's federal oil policy rejects production-sharing agreements, and maintains service contracts while permitting production-sharing contracts in the Kurdistan Region under the pretext of the geological risks of its oil fields and high production costs.

Turkey's recent energy ties to Erbil have turned Turkey into a principal player in Iraqi politics, providing Turkey with numerous benefits, particularly in the field of natural gas. Turkey's long-term interests in the rest of Iraq remains steadfast.⁵ Iraq is the shortest land bridge linking Turkey to the Gulf Cooperation Council (GCC) countries, which has gained importance following the closure of the Syrian route. Even so, Turkey's gateway to Iraq remains the Kurdistan Region.

For the Kurdistan region, the main objective lies in the use of oil and gas as a way to ensure the region's economic future, maintain its current growth levels, rebuild its infrastructure, and garner relative independence from Baghdad in energy-related decisions, especially after the failure to resolve the disputed issues with the federal government.⁶ These shared interests have increased the opportunities for cooperation between Ankara and Erbil in the energy domain for many reasons, the most important of which are geographic in nature.

When developing its energy relations with the Kurdistan Region, Turkey considered two main tracks:⁷

1. Turkish companies could invest in the Region's oil sector; in other words, they would seek to engage in profitable investments in the Kurdistan Region while taking into account alternative options should the political situation in the region change, particularly if any horizon of cooperation with Baghdad opened up.
2. Turkey could approve a strategic energy treaty with the government of the Kurdistan Region, according to which Turkey would receive large quantities of the Region's oil and gas exports. In this case, new pipelines would have to be built between Turkey and the Kurdistan Region, and new marketing and financial arrangements would have to be put in place. Such an option, however, remains

⁴ The Iraqi government has, so far, launched four licensing rounds for global energy companies to develop Iraqi oil fields. The first and second rounds were in 2009, the third in 2010, and the fourth in 2012. A fifth round of licensing was scheduled for December 2013; however, the Iraqi oil ministry decided to postpone it until 2014.

⁵ Mills, "Northern Iraq's Oil Chessboard," 2013.

⁶ The foremost issues between the Iraqi Kurdistan Region and the federal government are the question of disputed regions, including oil-rich Kirkuk, the question of merging the Peshmerga into the Iraqi Army, and the management of the oil and gas in the Region.

⁷ Knights, "Turkey's Choice in Iraq," April 15, 2013.

dependent upon the nature of the political relationship between Iraq, Turkey, and the Iraqi Kurdistan government.

For now, it appears that Turkey has chosen to act strategically.⁸ On March 25, 2013, an agreement to build a twin pipeline for natural gas and crude oil between Turkey and Iraqi Kurdistan was reached between Turkish Prime Minister Recep Tayyip Erdogan and Kurdish Prime Minister Nechirvan Barzani, a deal which was made in coordination with the federal government despite tense relations between them.⁹ According to the Kurdish region's Ministry of Natural Resources plan, the export of oil through Turkey began experimentally on December 14, 2013;¹⁰ natural gas exports to Turkey are expected to begin in 2016.¹¹

Iraqi Kurdistan thus becomes an important supplier of oil and gas transported through Turkey to be sold internationally, or domestically within Turkey; it also represents a crucial energy supplier if instabilities occur in other oil-producing countries. Reliance on Kurdistan oil will minimize the risks of the cessation of Iraqi oil exports.¹² Turkey, in the meantime, will continue its work on developing a cross-Anatolia pipeline with the purpose of supplying energy to Europe. The gas exports from Iraqi Kurdistan, estimated to reach 1.5 billion cubic feet of gas per day, will be of critical importance in fulfilling the annual increase in Turkish gas demand.¹³ In fact, Kurdistan's gas exports could replace Iranian gas. Additionally, Turkey will receive a preferential price since it is the only avenue for exporting the gas produced in the Kurdistan Region.

⁸ Hurriyet Daily News, "Arbil-Baghdad row temporary but energy deals permanent: Davutoğlu," *Hurriyet Daily News*, December 7, 2013, <http://www.hurriyetdailynews.com/arbil-baghdad-row-temporary-but-energy-deals-permanent-davutoglu.aspx?pageID=238&nID=59187&NewsCatID=338>.

⁹ "Turkish foreign minister Davutoglu visits Baghdad in order to ease tensions," (in Arabic) *al-Nahrain News Network*, November 10, 2013, <http://www.nahrainnet.net/news/52/ARTICLE/25516/2013-11-10.html>. The Turkish foreign minister visited Baghdad in early November 2013 to coordinate with the Iraqi federal government in various domains including energy.

¹⁰ Ministry of Natural Resources, "Oil Pipelines," Kurdistan Regional Government, August 25, 2013, <http://mnr.krg.org/index.php/en/oil/oil-pipeline>.

¹¹ Ministry of Natural Resources, "Gas Pipelines," Kurdistan Regional Government, August 26, 2013, <http://mnr.krg.org/index.php/en/gas/gas-pipeline>.

¹² Mills, "Northern Iraq's Oil Chessboard," 2013.

¹³ "The gas from Iraqi Kurdistan will play an important role in the NABUCCO project," (in Arabic) *Al-jazeera.net*, May 18, 2009, <http://www.aljazeera.net/ebusiness/pages/f12c2202-c7b5-49bd-899c-244aa9db33e1>.

The PKK Issue and Syria's Kurds

Cooperation between Iraqi Kurdistan and Turkey also facilitates the continuation of the peace process with the PKK and the Kurds, with the halt of military operations and armed attacks across the Turkish border being in the interest of both parties. A peace process would lead to economic integration and the guarantee of energy security. The Kirkuk-Ceyhan Turkish oil pipeline and the Baku-Tbilisi-Erzurum pipeline for transporting natural gas from Azerbaijan both pass through the Turkish Kurdistan region; these pipelines, however, have been attacked several times by the PKK's gunmen.¹⁴ If projects of exporting oil and gas from the Kurdistan Region are to continue, the Kurdistan Regional government needs to pressure the PKK to reach peaceful solutions, and stop armed attacks against Turkey. Encouraging an end to violence is pivotal if economic integration between Turkey and the Kurdistan Region is to be achieved. Trade with the Kurdistan Region and Iraq will help achieve prosperity in Turkey's southeast, a region that has long suffered from marginalization.¹⁵

On another front, the Kurdish issue in Syria is one key factor inhibiting relations between Turkey and Iraqi Kurdistan. The Democratic Union Party (PYD) has declared self-governance in the regions under its control in Syria, calling it "the Region of Self-Rule in West Kurdistan".¹⁶ The PYD also announced a project for a constitution for self-governance without involving the Kurdish National Council, in contravention to the Erbil Treaty that was signed between the PYD and the Kurdish National Council in July 2012. In response, the president of the Iraqi Kurdistan Region, Massoud Barzani, issued a strongly-worded statement accusing the PYD of monopolizing power in Syrian Kurdish regions, allying with the Bashar al-Assad regime, and implicating the Kurds in an unnecessary war with Islamist groups such as al-Nusra Front, echoing the Turkish government's stance toward the PYD.¹⁷ These Turkish-Kurdish fears spiked after the PYD took control of the Tel Kocik-al-Yarubiya border crossing between Iraq and Syria, thus

¹⁴ "Explosion in the Iraqi oil pipeline in southern Turkey," (in Arabic) *BBC Arabic*, August 27, 2012, http://www.bbc.co.uk/arabic/middleeast/2012/08/120608_iraq_oil_turkey.shtml.

¹⁵ Abdullah Irfan, "The place of the economy in the Turkish policy toward Kurdistan," (in Arabic) *al-Siyasa al-Dawliya*, October 1, 2010, <http://digital.ahram.org.eg/Policy.aspx?Serial=362587>.

¹⁶ PYD, "The project of democratic self-rule for West Kurdistan," (in Arabic), http://www.pydrojava.net/ar/pdf/projeva_xweseriya_demokratik.pdf. The draft of the constitution is entitled "The social contract in West Kurdistan," (in Arabic), <http://www.alhadathnews.net/archives/90507>.

¹⁷ Kurdistan Region Presidency, "Kurdish Congress Stalled Over Issues in Syrian Kurdistan," November 18, 2013, <http://www.krp.org/english/articledisplay.aspx?id=ZWJXZjYLYvc=>.

opening a new route for the delivery of Iranian aid to al-Assad's regime through Iraqi territories.

Guaranteeing the stability of the Kurdistan Region through reliance on Ankara seems to be the best bet in dealing with the Kurdish question in Syria, especially given Barzani's influence within the Kurdish National Council and his ability to exert pressures on the PYD. His role has been successful in the past, particularly when the two main Kurdish parties in Syria agreed on forming the Higher Commission as a common political umbrella; the cooperation between the PYD and the Syrian regime, however, has paralyzed the commission's work.

Syria's Kurdish issue may be among the main factors inhibiting the peace process in Turkey with the PKK. The PYD was expected to submit to Abdullah Ocalan's initiatives and halt its military operations against al-Assad's regime. However, the PYD's recent announcement of Kurdish self-governance in Syria, with the support of the PKK, affirmed long-held fears regarding the possibility that PKK extremists would control the decision-making process, especially with the rise of figures like Jamil Bayik,¹⁸ who is close to Iran, and the exclusion of Ocalan's ally Murat Karayilan.

The Kurdish issue in Syria has led to discord among the Kurdish political parties in the Kurdistan Region. This became particularly evident after the decline of the political representation of the Jalal Talabani-led Patriotic Union of Kurdistan (PUK) in the Kurdistan Region's parliamentary elections in September 2013. The PUK leadership declared its support for self-governance in West Kurdistan, contrary to the position Massoud Barzani, also the leader of the Kurdistan Democratic Party (KDP), a party that has been in alliance with the PUK as part of a strategic agreement since 2007. This framework agreement started to disintegrate following their contradicting stances related to the PYD's self-governance in Syria, the crisis in Syria more generally, and Iranian efforts to pressure the PUK and distance the Kurdistan Region from Turkey in the management of the conflict in Syria.

Notably, the PYD's entry into the ongoing conflict in Syria has led to the displacement of around 120,000 Syrian refugees into Iraq,¹⁹ most of whom are settling in the Kurdistan Region, causing security, economic, and humanitarian challenges to the region's government. In this situation, it is unsurprising that the Kurdish predicament in Syria was among the issues discussed by Erdogan and Barzani in Diyarbakir on November 16, 2013,

¹⁸ Pollock and Cagaptay, "The PKK Announcement," March 25, 2013.

¹⁹ The UN Refugee Agency, "2014 UNHCR country operations," 2014.

and during the talks between Barzani and the leaders of the Peace and Democracy Party (BDP),²⁰ which is close to the PKK. Efforts culminated with a mediation led by BDP-led delegation, composed of Leyla Zana and Osman Baydemir, the mayor of Diyarbakir, between the PUK and the Kurdish National Council in order to reach an agreed-upon formula to end the discord over the administration of the Kurdish regions in Syria, and to attend the Geneva-2 conference as a single Kurdish delegation.

Turkey's Relationship with Iraq

Turkey is keen to maintain its relations with Iraq, but their ties have rapidly deteriorated largely as a result of Baghdad's support for the Syrian regime and the regime's use of Iraqi territories to transport aid from Iran to Syria. The deteriorating situation in the Sunni-majority western regions has also affected their relationship, as has the case of the Iraqi Vice-President Tariq al-Hashimi, who is sentenced to death in Iraq and currently resides in Turkey, and Ahmet Davutoglu's visit to Kirkuk without prior permission from the Iraqi federal authorities.

Building a pipeline for the export of oil and gas from Iraq's Kurdistan Region without involving Baghdad in the process, however, is not an option. Turkish strategic interests mandate that Iraq be dealt with mainly as a single unit, even if economic relations were to be built with the Iraqi Kurdistan Region. Furthermore, Turkey is interested in Iraq's oil in general, despite their doubts regarding Iraq's ability to effectuate this sort of cooperation.²¹

The Turkish vision for relations between Baghdad, Erbil, and Ankara can be summed up in the words of Ahmet Davutoglu, Turkey's foreign minister, who exclaimed that "the discord between Baghdad and Erbil is temporary, but the energy agreement is permanent". Davutoglu indicated that the conflicts between the two can be resolved, but

²⁰ The Peace and Democracy Movement was founded in 2008, and is considered the largest Kurdish party in Turkey. It is ideologically close to the PKK, with some viewing it as the latter's political wing.

²¹ Despite Turkey's insistence on the development of the Kikruk-Ceyhan pipeline and the strategic South-North Pipeline, Iraq is yet to begin work on these projects, relying solely on exporting its oil through Basra, which is affected by climatic conditions, constant sabotage, and shipping conditions in the Gulf and the Strait of Hormuz. In fact, Iraq has not developed its natural gas sector in order to begin exports, believing that the national gas resources are limited and that self-sufficiency should be its main objective. Even if Baghdad makes Turkey enticing offers, in order to move away from partnership with the Kurdistan Region, Turkey will likely continue to harbor doubts toward the Baghdad government regarding its ability to guarantee Turkey's energy security. See: Mills, "Northern Iraq's Oil Chessboard," 2013.

Turkey cannot stand idly by and benefit from Iraq's energy resources. Energy deals between Erbil and Ankara are strategic and cannot be reversed.²²

The situation appears more complex for the Kurds as the relationship between Erbil and Ankara mirrors the power struggle between regional axes, namely those led by Iran and Turkey. This nascent relationship is also deepening internal rivalries among Kurdish parties and, as a result, impacting the course of the struggle between the Kurdistan Region and Baghdad. Some describe the relationship between the Kurdistan Region and Turkey as being an alliance between the region's president, Massoud Barzani, and Turkey, while Jalal Talabani, head of the Patriotic Union of Kurdistan, is allied with Iran. Moreover, despite the economic gains resulting from closer relations with Turkey, the Kurdistan political parties that lie outside Barzani's KDP sphere of influence are convinced that Turkey is using Iraqi Kurdistan as a pawn to influence the federal government. These Kurdish parties also "criticize the fact that the Kurdistan Democratic Party has linked the fate of the Kurds to that of the Turkish Prime Minister Recep Tayyip Erdogan".²³ These criticisms are given further credence due not only to the increasing doubts over the possibility of Turkish military support for Kurdistan in any confrontation with Baghdad, but also Turkey's domestic Kurdish problem and Iran's ability to influence the Kurdistan Region's internal affairs and Turkey's peace process, particularly if the latter continues to support the Syrian opposition.²⁴

None of the above, however, changes the fact that the Kurdistan Region wants to get closer to Turkey. Relations between the Kurdistan Regional government and Turkey have expanded as part of Ankara's policy to pressure the Iraqi government, coupled with Turkish determination to ensure energy security and garner Kurdish support for Turkey's policy vis-à-vis the PKK. While US troops were present in Iraq, the prevalent Kurdish sentiment was that Kurdistan's political and economic gains were guaranteed; however, with the US's neutral stance since its withdrawal at the end of 2011, and the increased possibility for conflict and confrontation with the federal government, the region's independence has been put in doubt. As a result, the Kurds turned toward Turkey, and sometimes Iran, in a game that some view as having "unforeseen consequences".²⁵

²² Hurriyet Daily News, "Arbil-Baghdad row temporary," December 7, 2013.

²³ Denise Natali, "Gambling with Kurdistan and checking Baghdad," December 12, 2012, <http://www.al-monitor.com/pulse/originals/2012/al-monitor/baghdad-gambling-kurdistan.html#>.

²⁴ Ibid.

²⁵ Wilgenburg, "Breaking from Baghdad," 2012.

In light of the federal government's perpetual foot-dragging in resolving its issues with the Kurdistan Region, the prevailing opinion in Iraqi Kurdistan is to affirm the region's sovereignty over internal affairs and to practice the authorities granted to federal regions in Iraq's permanent constitution. The very existence of the Region has faced opposition since 1992, a time when there was no official desire for an independent Kurdish state. The general belief among the neighboring countries and the international community is that the Iraqi Kurdistan Region is seeking independence. In the absence of international legal protection, this opposition threatens the region and puts it in danger of being forcefully re-integrated into Iraq. The Kurdistan Region is determined to keep its acquired sovereignty as part of its quest to justify its near-independent status. For that purpose, the region relies on its internal sovereignty and ability to act independently even when lacking international recognition.²⁶

To maintain its sovereignty, the government has made economic and political efforts on a number of fronts. Politically, the region asserts its successful creation of a democratic entity that boasts successful elections and liberal legislation, such as free expression, a free market economy, and the protection of the rights of women and minorities.²⁷ Iraqi Kurdistan is also keen to show that it is the first political entity in Iraq to hold democratic elections since 1992, and that it has taken serious steps to include women in the political system and to protect the rights of minorities.²⁸ Economically, Iraqi Kurdistan remains steadfast in showing the viability of its economic system and its ability to survive, particularly since the international community's reticence to recognize new entities is linked to their fear of weak economic resources and their ability to survive. Since oil is the main source of revenue for the Iraqi state, the Kurdistan Regional government has continuously striven to affirm its control over its oil reserves, emphasizing their internal sovereignty to Baghdad, as well as regional and international parties, and hinting at the possibility of it becoming an independent entity.²⁹

Baghdad's government, on the other hand, has limited options in dealing with the energy agreement between the Kurdistan Region and Turkey, due to the ongoing political situation in Iraq, the inability of the Maliki-led State of Law Coalition to enter into a heated

²⁶ Voller, "Kurdish Oil Politics in Iraq," 2013.

²⁷ According to the quota system, women hold 25 percent of the seats in the Iraqi federal parliament, while in the parliament of the Kurdistan Region it is 30 percent. Out of 111 seats in the Region's parliament, 11 seats are occupied by minorities, as opposed to only 8 seats out of 325 in the federal parliament.

²⁸ Ibid.

²⁹ Ibid.

confrontation against the Region with the approaching parliamentary elections, and the possibility that al-Maliki would have to enter into coalitions with the Kurdish blocs in order to form the coming government. There are also signs of divisions within the State of Law coalition itself amid the loss of hope in forming a political majority government. The federal government's failure to treat security issues and the lack of services, and their failure to deal with the demands of the "protest squares" in the Sunni provinces, have made it difficult for al-Maliki to gain additional votes in the coming parliamentary elections.

Putting aside the aforementioned political considerations, the economic benefits of cooperation between the Kurdistan Region and Turkey in the energy field, and their positive impact on the Iraqi economy, lie in the continuing flow of Iraqi oil exports via Turkey. This dovetails with the Iraqi government's goal to double the production and export of oil in the next few years. However, in order to approve the oil policies of the Kurdistan Region, the Iraqi government needs a face-saving formula and a guarantee that the oil proceeds will be reimbursed to the federal government.

Conclusion

Geography is a primary factor hampering the Kurdistan Region's attempt to join the world's main energy exporters, as is its ambition to affirm its sovereignty over the region's natural resources. The legal controversy between the region and the federal government is ongoing in the absence of an agreed-upon legislation that does not contravene the spirit of the 2005 Iraqi constitution. Furthermore, cooperation between the two, particularly the use of Turkish territories to export oil and natural gas, will not be possible without offering concessions and enticing economic offers to Iraq.

In spite of this, numerous factors have furthered the relationship between the Kurdistan Region and Turkey, beginning with the blunders of Iraqi policies under the leadership of Nouri al-Maliki, his Machiavellian demarche with domestic partners, and his sectarian outlook. Secondly, relations between Ankara and Erbil were facilitated by the presence of Turkey's Justice and Development Party at the helm of leadership, and its leaders' insistence on resolving domestic issues, particularly the Kurdish question, coupled with a vision for the development of the Turkish economy during the next decade, when Turkish energy security will be key.

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