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By Ali Naji



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Election of Kurdistan Parliament: Kurdish Competition with Consequences on Baghdad

By Ali Naji*

The 2005 Iraqi Constitution granted the Kurdistan Regional Government (KRG) a package of legislative and executive powers. Kurdistan Parliament enjoys legislative power to enact regional laws that cover several areas, such as health, education, security, agriculture, economy, and others. It is democratically elected each four years; the next election will be held on 30 September of this year, marking the fifth round of Kurdistan Parliament. Electorate in KRG will elect 111 member based on one district, enabling candidates to win regardless of their region or party support.

709 candidates will run for the upcoming election of Kurdistan Parliament under two coalitions and eight political entities for 100 “public” seats, and 64 candidates under 19 political entities will compete for 11 minority seats. Also, electoral law provides for 25% quota for women, leading to 77 seats for male and 34 seats for females.

Election is based on Largest Remainder method and distributing remaining seats to largest winners, therefore, it is considered relatively fair law: especially if compared to Sainte-Lague, which is adopted for the previous national parliamentary election; the electoral threshold, which necessitate certain share of the votes, for example, 10% of the vote in Turkey; and Highest average.

This paper focuses on electoral competition as such, mechanism to limit manipulating voters registration, ensure transparent election, which usually accompanied by allegations of fraud due to the control of powerful Kurdish parties.

Differences among Kurdish electorate might lead to changes in the membership of Kurdistan parliament, reflecting the internal disputes among Kurdish parties that its consequences might influence political processes in Baghdad.

* researcher and journalist reside in Paris.

The Kurdish Election Commission and current electoral law

The Kurdish Election Commission will oversee the upcoming election on September. This commission obtained the Kurdistan Parliament confidence on Wednesday, 12 December 2014. It consists of nine commissioners: 3 nominated by KDP, 2 nominated by PUK, 2 nominated by Gorran, 1 nominated by Islamic Union, 1 nominated by Islamic Group.¹ However, it does not include representative from minorities, namely Turkoman and Christian.² This commission conducted the Kurdish Referendum, where its chief stated that holding referendum is easier than holding parliamentary elections because there is no need to register parties and listing candidates.³

The current law of 2018 Parliamentary election is similar to the one adopted in the parliamentary election of 1992, where the whole KRG is one district of 111 seats; 100 seats for candidates competing in four provinces (Erbil, Slemani, Duhok, and Halabja – which acquired recently the status of province, and 11 seats for minorities (5 for Turkoman, 5 for Assyrians, and 1 for Armenians).⁴

Kurdish Opposition parties have opposed treating KRG as one district, as it affects the representativeness of Kurdistan parliament, especially if one province experience high turnout, which enables it to obtain more seats at the expense of other provinces that experience lower turnout, this is especially true in both Erbil and Duhok where turnout is higher than Slemani and Halabja.

The Largest Remainder method is implemented by dividing total votes on number of seats to obtain the electoral threshold, and electoral lists that meet this threshold obtain seat(s) based on their share of the vote, remaining seats are distributed for the largest winners, table 1 illustrates the largest Remainder method.

1. Interview with an electoral list

2. <https://www.alsumaria.tv/news/117965>

3. <http://www.kdp.info/a/d.aspx?l=14&a=87973>

4. http://www.khec.krd/pdf/362102122015_7azra%20bo%20upload%20yasie%20halbijardni%20parlaman%2011.pdf

Table I. Seat Allocation based on the Largest Remainder Method

Electoral List	Total Votes	1 st division	2 nd division	3 rd division	4 th division	Number of seats
A	900.000	700.000	500.000	300.000	100.000	5 = +1 4
B	610.000	410.000	210.000	10.000		3
C	255.000	55.000				1
D	110.000					1
E	90.000					0
H	35.000					0
Total	2.000.000					10

Addressing Voters' Registration issues

All residents of Kurdistan region who meet the age requirement of being 18 years or above can participate in election, there are 3,100,000 eligible voters that could participate in the upcoming election. The Kurdish Election Committee has taken several measures to combat electoral fraud:

- 1- Updating registration record in line with the instructions of the national electoral commission (IHEC).
- 2- Removing military officer from the record of ordinary voters in order to prevent them from voting twice; one during “private voting”, and another during general election day.
- 3- Requiring the physical attendance of voter, especially those who are over 90s or senior officials, as the Kurdish electoral commission can't rely solely on Ministry of Trades' databases, given that many individuals have already passed away, but their families haven't reported that yet.

Voters' Attitudes & Regional Differences

As a result of the deteriorating economic conditions in KRG – after the federal government halted KRG share of the budget because of shipping oil without Baghdad's approval, and the declining popular trust in Kurdish parties and their promises, it is expected to see 60% voter turnout. Also, it is possible to categorize Kurdish voters into:

- 1- **Silent majority:** it constitutes the larger share of Kurdish electorate, dominated by youth who are not affiliated with any party, nor supporting their ideologies, or get influenced by their slogans, as well as refusing nationalist ideas. This could be attributed to their young age and their broad cultural awareness by interacting with people live outside KRG either through their academic study or social networks. This groups possess different attitudes towards the election and some of them might participate, but it remains unknown their level of participation and whether they will vote for traditional parties or new ones.
- 2- **Partisan voters:** they are either affiliated members or supporters for a particular party. Their voting behavior is static and depends heavily on their leaders' instructions.
- 3- **Boycotters:** this group has been increasing lately due to the perception that ruling parties and opposition are alike, as well as, the belief that independent candidates can't change the status-quo.

Despite the low turnout in the upcoming election on September 30, it will be very competitive, as different provinces moved from one party control to mixed support for traditional parties and newly formed lists, as indicated below:

- 1- **Slemani:** it is well-known for its civic and liberal nature, as it is considered the cultural center of KRG, this is reflected in election, given that there are 10 political lists that compete in this province, namely: Patriotic Union of Kurdistan (PUK), who dominate urban areas and usually nominate candidates that enjoy large popular support, while its influence is limited in rural areas, where Gorran seems more dominant inside suburbs and rural areas. Another important competitor is Alliance for Justice and Democracy led by Barhim Salih. New Generation Movement led by Shaswar Abd Allah, Kurdistan Communist Party, SRDM Alliance – incorporated Socialist Democratic Party, Kurdistan Struggle, and National Union – all compete over the votes of cultural elites. Kurdistan Islamic Group on one hand and Alliance for Reform – which include Islamic Union (Muslim Brotherhood), Islamic Movement (Salafist Movement) on the other compete for religious voters. Furthermore, Kurdistan Democratic Party (KDP) might obtain number of votes too, especially in private vote due to the quote system inside Kurdish forces.
- 2- **Erbil:** it is known for being the yellow city, given the dominance of KDP and

its yellow flag. It is the Capital of KRG and no party could challenge KDP dominance. Still, there are limited areas and villages that might voter for other parties, namely, PUK, Islamic Group, Islamic Union, and probably the New Generation Movement, which attempt to attract voters by portraying itself as an opposition party that has never hold executive positions.

- 3- **Duhok:** despite its small size and low population, it usually witnesses higher turnout rates, this is even evident in the last national parliamentary election, where Duhok registered 69% turnout,⁵ it also recorded 90% turnout in the Kurdish Referendum.⁶ In the fourth round of Kurdistan Parliament, 24 candidates from Duhok won seats out of 100 seats. Electoral competition in Duhok is limited between KDP and Islamic Union, as each one dominates certain areas and districts. Also, Christian compete for a seat under the minority quota.
- 4- **Halabja:** It is newly formed province and known for its conservative – religious nature both socially and politically. Turnout is the lowest in the KRG because residents believe that KRG's leaders are all secular and their rule does not match Shria (Islamic Law), for example, their participation in the Kurdish referendum was the lowest with merely 52% and rejected the referendum.⁷

Minorities Seats

Minorities compete over 11 seats, distributed as following: 5 for Turkoman, 5 for Assyrians, and 1 for Armenians. Still, there are rumors that powerful Kurdish parties control who win by directing their followers to elect a particular candidate inside minorities' list in order to join their block once s/he win a seat. Therefore, opposition parties demand a separate registration record for minorities to prevent Kurds from voting for candidates in minorities' lists. This demand was supported by minorities,⁸ but it was rejected because the majority of Kurdish MPs believe it institutionalize discrimination among Iraqis residing in KRG.

5. <https://bit.ly/2rF63hb>

6. <https://bit.ly/2MrGptK>

7. <https://bit.ly/2nPb2dP>

8. <https://bit.ly/2wd9ez3>

Expected Results

Results of the upcoming election will be more likely similar to previous ones in terms of share of the votes for each list. This could be attributed to the limited competition among one ethnicity, the same programs that are mobilized each electoral cycle, and the limited number of competing lists. Even though new lists have formed to join the electoral race, there are still in the beginning of their political and electoral path and not likely to challenge incumbent parties.

Thus, it is more likely that the KDP will obtain the largest bloc based on his dominance in both Erbil and Duhok, as well as, the Kurdish forces that usually vote for KDP and their campaigning strategy by dividing the KRG into number of districts and nominate local candidate to waste their votes and ensure the win of a candidate that has their support.

PUK will obtain the second largest bloc rather than the third as in previous election. This is not because it is popularity rose, but because their political opponent, namely Gorran, has weakened lately. Also, the PUK nominated a young candidate who enjoys large popular support to lead their electoral campaign.

Gorran's share of parliamentary seat will probably decrease due to internal disputes, after the death of their leader Nishrawn Mustafa on May 2017, as well as, the retirement of several prominent leaders from political life, and the abonnement of their opposition logo by entering the pervious regional government and their subsequent withdrawal.

Islamists parties won't experience any change in their share of the vote. It is worth noting that the Islamic Union is well known for its large support from Kurdish females and his nomination for candidates from Academia, especially those that enjoy large popular support, therefore, it is more likely to obtain the highest number of seats in the Islamist camp, followed by the Islamic group, which rely on religious youth and mosques' Imams.

There will be a surprise in the new parliamentary election, represented by the win of newly formed lists, such as New Generation Movement and Alliance for Justice and Democracy, raising the possibility of having a parliamentary opposition inside Kurdistan Parliament.

Conclusion

The first parliamentary election occurred in 1992 witnessed the participation of four electoral lists, namely KDP, PUK, Assyrians Movement, Kurdistan Christian Union), following by three electoral cycles (2005, 2009, 2013), and now KRG moving towards holding election to its fifth parliamentary round.

Electoral turnout has been declining lately, as evident in the national parliamentary election and for many reasons discussed above, therefore, turnout will probably be less than 60%, much less than the 73% turnout of previous electoral cycle of 2013.⁹ This indicates popular rejection for the deteriorating situations in KRG, especially in terms of living standards. However, some analysts justify low turnout as a democratic practice that is granted in the Iraqi Constitution, as individuals have the freedom not to vote due to their rejection of candidates and their programs.

The National Parliamentary Election of May 12, 2018 helped each Kurdish party to realize its electoral power, their weaknesses, and reasons that push some Kurdish voters to boycott elections.

The most important aspect of the upcoming election in KRG is its results which will likely affect two aspects:

First, bills and laws are not passed quickly because of the rise of newly formed parties and movements who opt for opposition and challenge the dominance of KDP and PUK.

Second, Kurdish parties who won limited number of seats in national parliamentary election work on forming Kurdish bloc at the Iraqi parliament to change the political dynamics of Kurds' relation with Baghdad by having two competing Kurdish blocs inside Iraqi parliament. However, powerful Kurdish parties works on a united Kurdish bloc in order to sustain the unified picture of Kurdish representation and internal disputes among Kurds does not affect the passage of laws, their relationship with Baghdad, and the management of internal issues.

9. <https://bit.ly/2OQHDLX>