

# Fair Observer

Monthly



September 2017

**FAIR OBSERVER**<sup>o</sup>  
make sense of the world

# Fair Observer Monthly



September 2017

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# ABOUT FAIR OBSERVER

Fair Observer is a US-based nonprofit media organization that aims to inform and educate global citizens of today and tomorrow. We publish a crowdsourced multimedia journal that provides a 360° view to help you make sense of the world. We also conduct educational and training programs for students, young professionals and business executives on subjects like journalism, geopolitics, the global economy, diversity and more.

We provide context, analysis and multiple perspectives on world news, politics, economics, business and culture. Our multimedia journal is recognized by the US Library of Congress with International Standard Serial Number (ISSN) 2372-9112.

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# Why Is North Korea a Problem at All?

Ian McCredie

September 1, 2017

*Both the US and North Korea are making threats without any clear idea of what they are trying to achieve.*

The present cliff edge in US-North Korean relations stems from the Trump administration being solely focused on the symptom of the nuclear threat rather than the underlying disease that has brought us to this point. A more profound diagnosis is needed if we are to resolve this problem peacefully.

North Korea needs neither be an intractable problem, nor an issue that can be resolved by force alone. Unlike many other international dilemmas, there are no incompatible outcomes to the disputes that divide Pyongyang from the rest of the world. North Korea does not lay claim to the territory of any other nation and is not trying to proselytize its ideology or foment revolution abroad.

Compare this with the overseas policies of Iran, Russia or China. They all claim territories beyond their borders and have all actively sought to subvert the political systems of other countries.

North Korea has done neither, nor has it even aspired to, since its failed invasion of the south in the aftermath of the Second World War. North Korea has of course done many horrible things: the cruel persecution of its own people, the assassination of political opponents, the kidnapping of innocent Japanese and the sinking of South Korean vessels. But similar charges could be brought against some of America's closest allies too. So, why is North Korea a problem at all?

The reason is that the North Korean supreme leader, Kim Jong-un, is determined to develop his nuclear and missile capability to ensure his own survival and that of his regime. His paranoid fear that the United States wishes to force regime change in North Korea has some foundation, and he has reasons not to trust US intentions.

The most recent significant rupture in relations with the US was the failure of the agreement between Washington and Pyongyang at the Six Party Talks in September 2005. Back then, North Korea agreed to abandon all nuclear-weapons development and return to the Non-Proliferation Treaty. But the same week in which the deal was signed — including a pledge from both North Korea and the US to respect each other's sovereignty, to coexist peacefully and to normalize relations — the US

administration imposed sanctions on the Macau-based Delta Asia Bank, where North Korea had many important accounts.

Pyongyang saw these sanctions as contrary to American commitment to non-aggressive relations, and in retaliation boycotted the Six Party Talks and made it clear that North Korea would not return until the sanctions were lifted. Throughout 2006, Pyongyang sent diplomatic signals that it was willing to negotiate with the US. The Bush administration rebuffed or perhaps misunderstood all of Pyongyang's overtures. In late 2006, North Korea conducted its first nuclear test and the current cycle of crises was launched.

North Korea's regime and the cult of personality it is grounded in has its roots in the Shinto mythology of the Japanese imperial rule of Korea until 1945. In those days, the Meiji emperor was believed to have divine power to rule over his racially pure Japanese subjects and their subject nations. The Japanese promulgated the concept of *sonno joi* — "revere the emperor, expel the barbarians" — and associated the emperor with the mythology of the sacred Mount Fuji. Moreover, they established a personality cult that worshipped Emperor Hirohito.

After 1945, the Japanese Empire and ideology were dissolved, but the latter was not eradicated in communist Korea. In fact, the great leader, Kim Il-sung, adopted and adapted to the Japanese approach. He initiated the philosophy of *juche* — a xenophobic, racially pure self-reliance similar to *sonno joi*. Kim Il-sung also invented the myth of the mystical and sacred Mount Paektu bloodline, which gives Kim Il-sung's descendants a transcendent right to rule the country, again similar to the myth of Mount Fuji.

Above all, he established the pervasive personality cult that exactly mirrors the Japanese worship of Emperor Hirohito. But unlike prewar Japan, North Korea has not sought to establish an empire and, since the Korean War, has pursued self-reliance and internal self-sufficiency. Kim Il-sung learned well what happened to Japan in 1945.

Nevertheless, North Korean xenophobia and insecurity have nurtured a national persecution complex. The loyalty of the army is the foundation of the Kim family's hold on power in North Korea. Combined with chronic paranoia, the result has been an enormous military machine, the development of nuclear weapons and ballistic missiles.

The North Koreans have also been keen observers of what has happened to other countries that have failed to develop convincing defense against super-power strength. They know that Iraq and Libya would have been dealt with differently if they had possessed nuclear weapons. They have noted how the international community has negotiated with Iran rather than threaten it.

Unfortunately, and possibly unwittingly, the US has fed North Korean paranoia by a process of negotiating agreements and then reneging on their commitments. Of course, the US might and does put forward the same charge against North Korea, but this has brought us to the point where both sides are now making threats without any clear idea of what they are trying to achieve. No one wants a catastrophic war with North Korea. What North Korea, or rather Kim Jong-un, wants is to be left alone, to remain in power and to pursue his own destiny — a grim one for the North Korean people but not one that threatens destruction of its neighbors.



**Ian McCredie** is a former senior British foreign service official. Most recently, he was Head of Corporate Security for Shell International. He now focuses on helping companies navigate the complexities and manage the risk of frontier markets. He is a mathematics graduate and speaks Farsi, French and Danish.

The inevitable crumbling of the ridiculous North Korean regime will bring the same problems and opportunities to the region that the end of the Soviet Union brought to Eastern Europe, as well as a much more preferable set of problems than the aftermath of a nuclear exchange or even a North Korean artillery bombardment of its southern neighbor.

Let it collapse under its own contradictions. The US and the region should have no interest in forcing the issue. Despite their peculiarities, the North Koreans have showed themselves to be rational actors and willing to agree verifiable treaties under international safeguards. Trust is currently low but could be built up again to 2005 levels. Threats of “fire and fury” from President Donald Trump or Kim Jong-un’s promise to annihilate Guam are not a promising start to what will be a long journey. Mature, thoughtful leadership from the White House, supported by China, could take the first step. Fortunately we have such leadership... Oh, wait!

# Fighting Corporate Corruption in Asia

Craig Moran

September 5, 2017

*Is the Samsung conviction too little, too late?*

It seems that three was the magic number for South Korean consumers eager to see the fall of Lee Jae-yong, the de-facto head of Samsung Group. On August 25, Lee was convicted of bribing ousted President Park Geun-hye and was sentenced to five years in prison.

His toppling has been seen as a victory for the reform movement led by the new president, Moon Jae-in, and a sign of a major shift in South Korea, where business leaders have long enjoyed impunity in exchange for their role in propelling the country's robust postwar economic growth. Many expect the verdict to embolden efforts to finally break the hold that family-owned conglomerates like Samsung, known as chaebols, have had over one of the world's most dynamic economies.

Yet the long-overdue conviction of the business titan comes too little, too late and mirrors reforms in other Asian countries like China and India that have the appearance of making progress in

the fight against corruption but have turned out to be little more than surface-level so far.

Lee's sentencing came after two failed attempts to convict the head of a business empire that until now has been seen as untouchable.

It was the culmination of a bribery scandal that has shaken South Korea to its core. Yet even following the conviction, Lee continued conducting business from behind bars, much as Chey Tae-won, the executive of the sprawling SK Group, did after being sentenced for misappropriating company funds.

Many question whether authorities will maintain pressure on the chaebol or dust off their hands after having used Lee as a sacrificial lamb. After all, the government now has much bigger issues to address, not least Pyongyang's nuclear brinksmanship. On top of that, some critics say that Lee's sentence was the shortest ever handed down for his crime.

However, other Asian countries are even farther behind when it comes to efforts to crack down on corporate malfeasance. In China, while President Xi Jinping's anti-graft crusade has met with some success, including

uncovering wrongdoings at state-owned companies like China Telecom and Baoshan Iron and Steel, it has still experienced a number of embarrassing failures.

In the same week that news broke about Lee's conviction in Seoul, it came to light that the Communist Party had arrested one of its own top anti-graft officials for "serious discipline breaches," a euphemism for corruption.

The arrest of Mo Jiancheng comes amid wider scrutiny of the government's crusade that has seen more than 1 million corrupt officials investigated — 210,000 just this year alone — but has also led to accusations that Xi is using the campaign as a political tool to remove potential challengers.

In addition to having questionable motives for leading the campaign, government authorities have also shown themselves unable to stop graft among Western companies operating in the country. The most notorious example involves drug giant GlaxoSmithKline (GSK), found guilty of providing Chinese officials with gifts from at least 2010 to June 2013. The company was fined \$489 million by Beijing and paid an extra \$20 million to the US Security and Exchange Commission to put the case to rest.

One of the more recent examples involves staff employed by Nestlé, the world's biggest food and drinks company. Earlier this summer, Nestlé China employees were charged with bribing medical personnel to access patients' files as part of a scheme to convince them to use its infant formula. The revelations came after an earlier scoop that exposed how Nestlé staff has regularly employed aggressive marketing techniques and illegal methods like bribery to gain market access for its products.

It is because of open breaches of law such as this, and Chinese authorities' seeming inability to stop them, that regulators in home markets are often forced to use wide-ranging legislation like the Bribery Act and the Foreign Corrupt Practices Act (FCPA) to crack down instead.

Earlier this year, Rolls-Royce agreed to settle a dispute with the UK's Serious Fraud Office over allegations of engaging in bribery in China, India, Indonesia, Malaysia and Thailand. Around the same time, Mondelez International agreed to pay fines to the US Securities and Exchange Commission to resolve FCPA offenses related to payments by its Cadbury unit in India.

Such crackdowns alone, however, simply won't be enough without substantial action by domestic regulators. In India, despite action by outside enforcers, many sectors of the economy remain tainted by corruption. Ten months ago, the government instated a ban on high-value banknotes in an effort to fight graft, but according to a new report from McKinsey and Co., bribery continues to "oil the wheels of business." Rather than handing out money, aspiring bribers have simply shifted to handing out non-cash gifts.

This month, in its latest attempt to tackle corruption, India announced new rules to stop the practice of "pleasure trips," in which pharmaceutical companies pay for doctors to attend conferences in exotic locations or shower them with gifts to persuade them to prescribe their medications.

After all, this kind of behavior is what got GSK in hot water in China in the first

place. However, given the failure of past legislation, there is serious doubt that the new regulations will have any real effect.

It seems that for now, given the often ineffective responses of authorities across Asia's biggest economies to tackle corruption, it might fall to foreign governments and international bodies like the UN and its anti-corruption convention (UNCAC) to stand in. China, for one, has responded well to the UNCAC initiative that aims to establish a standard of international best practice from which member countries can draw when implementing their anti-corruption policies.

Working in tandem with SFO and SEC officials, leveraging the resources of UNCAC and continuing lawsuits against even the mightiest business titans like Samsung might be what it takes to deliver the triple punch needed to knock out corruption still rampant in South Korea and among its neighboring economies.



**Craig Moran** is an independent geopolitical consultant. He has almost two decades of experience advising on and facilitating geopolitical strategies in various fields such as energy and natural resources planning, tourism development, assessing and advising on political and security risks, and handling constitutional and legislative issues.

# Donald Trump's Month of Decision

Gary Grappo

September 8, 2017

*Donald Trump's deal with the congressional Democratic leadership addressed his short-term challenges but set him up for some longer-term problems.*

President Donald Trump, the self-styled master of the “art of the deal,” turned a whopper on September 6, following a meeting with congressional leaders of both parties in the White House to chart the course of congressional action on the 2018 fiscal budget and on the US government debt limit. In addition, the leaders wanted to settle on at least a preliminary funding package for the victims of and destruction from Hurricane Harvey in Houston, Texas.

The resulting agreement is nothing less than a stunner, as Trump rejected his own party's proposals and sided with the Democratic leadership — a first for

him since taking office nearly eight months ago. It marks what will be his first major legislative achievement since the Senate's confirmation of his Supreme Court nominee, the

conservative Justice Neil Gorsuch, in April.

Failure to achieve a budget with at least a continuing resolution —a stopgap measure to keep the government operating until a full budget is passed, which is what was ultimately agreed — would have shut down the government. Failure to raise the debt limit, which would have meant effectively cutting off the government's ability to borrow, could have brought even more disastrous consequences, including a potential meltdown of financial markets as creditors question the “full faith and credit” of the US government. These would have been unprecedented for a party in control of both houses of Congress and the White House and placed a dark cloud over the head of a president already under several self-made storm clouds.

## STORM CLOUDS

The events in Houston over the last two weeks had further confounded the president. There has been overwhelming public sympathy for victims of the devastation wrought by Hurricane Harvey and failure to extend relief through the agreed recovery and relief plan of \$7.9 billion was anything but a slam dunk in a stingy Republican

Congress always watchful of rising deficits.

In addition, category 5 Hurricane Irma is bearing down on South Florida, promising more devastation and destruction. With some \$50 billion spent for the victims and recovery after Superstorm Sandy devastated the US East Coast in 2013, Harvey and Irma can be expected to tally at least as much.

Trump had previously threatened to work with Democrats after the Republicans failed to deliver on the top Republican priority, overturning the Obama-era Affordable Care Act, or Obamacare, for which he very pointedly blamed Senate Majority Leader Mitch McConnell. These had been idle threats until now. It may seem the dealmaker himself has done his first big deal by siding with what many Republicans and the president's base might consider the devil.

Was this really an example of the art of the deal? And has this changed the trajectory of the Trump presidency? Congress and the Trump administration were facing a laundry list of critical issues on which the fate of his first term, and indeed his presidency, may have depended. And it still might, considering that both the budget and debt limit deals

only extend through mid-December, less than one year away from the country's mid-term election, when Americans will vote for all of their 435 Members of the House of Representatives and one-third of their 100 Senators.

The deal merely kicks the can down the road until just before the year-end holiday recess and gives additional leverage to the minority Democrats. The latter will be looking to do their own deals then and not just on the budget and debt limit. Think health care, taxes, immigration, etc. The Republicans have been thinking of dispensing with the two major issues — the budget and debt limit — and of moving quickly on to longer-term, high-priority policy issues like tax reform. While not facing a deadline, it's one of those must-do Trump and Republican Party platform items, much as Obamacare repeal was. Trump's announced but unspecific plan already faces stiff opposition in Congress, even within his own party. He'll be hard pressed to get a whole lot, having ceded more leverage to the Democrats, come December.

## **CAPITULATION**

Earlier in the week, the president placed another hurdle before the Congress, though giving it six months for action. The president canceled the Obama-era

executive order, Deferred Action for Childhood Arrivals (DACA), which allows young people brought illegally into the US as children to apply for permits to remain in the country, attend school and, most importantly, work. President Obama took the extraordinary executive action only after Congress failed to act at the time.

Now, Trump is serving notice to Congress: Take action or they'll face deportation. It'll be the Republicans, previously resistant to the idea, who will be responsible. With the September 6 deal, the Democrats, who almost unanimously favor allowing the some 800,000 "dreamers" to remain in the country permanently, now have significant bargaining chips to move the Republicans to their side.

So, despite the Trump deal with the Democrats, all major issues confronting this president remain in play, only now decidedly less in favor of the Republicans and Trump's base. Where the president may be going now is anyone's guess, since he's never professed full-heartedly any specific ideology.

According to ultra-conservative and pro-Trump Breitbart News senior editor-at-large, Peter Schweizer, Trump's deal

was nothing less than "capitulation" and gave the Democrats what they wanted.

In the face of so many other challenges, how supportive of these actions will the Republican Congress be, where already 100 in the House are said to oppose the debt ceiling deal? Can the self-styled master of the art of the deal lead as a president and guide Congress toward genuine compromises that address the nation's pressing needs? Will he and the Republicans in Congress — not to mention more than a few Democrats — put ideology aside in the interests of the country and his presidency?

The president surprised almost everyone by taking three major issues off the table, but only for now. In December, he'll face all the same issues.

Also to be noted on the legislative front, the several congressional investigations underway into the Russian hacking of last year's elections and alleged connections between the Trump campaign and the Russian government will accelerate. These are separate from the Department of Justice's probe led by the redoubtable former FBI director, Robert Mueller.

Public hearings, witnesses parading before investigative committees and

media, predictable media leaks, etc. are all likely to raise the political temperature setting off “engine warning” lights in the Trump administration and the Republican Party.

Outside Congress, the president faces many challenges, foremost of which is North Korea. How he handles that crisis — short of war, of course — will have a major impact on his standing among the American public, America’s allies and the world. His options, unfortunately, are few in the face of North Korean leader Kim Jong-un’s unfathomable obstinacy and threatening actions. Trump’s words border on tactless —though a far cry from the aggressive actions of the North Korean leader — and but for the tempering words of his secretaries of defense and state, anxiety levels would be much higher.

Other foreign policy flash points are surely to intervene, e.g., the Middle East, terrorism, Venezuela, Iran and even Russia. Any can be expected to throw a wrench into this heretofore dysfunctional White House and render more problematic all the crises and issues pending before the president.

## **GOOD HOUSEKEEPING**

Speaking of White House dysfunction, can President Trump keep his own

house together? His new chief of staff, John Kelly, appears to be finally putting things into some relative order, dismissing the disruptive Steve Bannon and cutting loose a controversial and offensive communications director, Anthony Scaramucci.

But the highly respected and able retired Marine Corps general may be serving as little more than White House duct tape if he isn’t able to “manage” his boss. According to one report, space may be growing between the two and while improvement can be expected within the White House staff, the real challenge remains in the Oval Office.

Finally, there remains the permanent stain of the president’s shocking response to the shameful events in Charlottesville, Virginia, last month. Those comments probably did more to erode public confidence in Trump than anything he’s said or done either before or after becoming president. Many in his own party, including congressional members, felt obliged to distance themselves from his inexcusable remarks. Amongst all the other things he’s said or done, the Charlottesville comments have raised doubts about his fitness to govern the country.

America’s president is being tested. That is nothing unusual for the leader of

the free world. It has happened repeatedly throughout US history, and recent history is replete with such periods. They can make or break a presidency. Already suffering from low approval ratings, Trump may see even his core supporters in the Republican Party questioning his presidential mettle after this month.

In his book, *The Year of Decision: 1846* (one of a Pulitzer Prize-winning trilogy

on the settlement of the American West), historian Bernard DeVoto wrote of that time as “a decisive part of a decisive turn in the history of the United States.” Only the long perspective of history would allow one to ascribe such enormity of importance to what Donald Trump confronts today. But it would seem that the remainder of 2017 will be a “decisive part” in the progress of his presidency and, perhaps, his effort to turn American history.



**Gary Grappo** is a former US ambassador and a distinguished fellow at the Center for Middle East Studies at the Korbel School for International Studies, University of Denver. He possesses nearly 40 years of diplomatic and public policy experience in a variety of public, private and nonprofit endeavors.

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## **Mudslides in Sierra Leone: Learning to Mourn, But Not to Prevent**

Hugo Norton  
September 9, 2017

*With new aerial images showing that another mudslide in Sierra Leone is imminent, the country is in a race against time to avoid the same situation happening again.*

Sierra Leone is still reeling following one of the worst catastrophes to hit Africa in

recent memory. Having barely recovered from the Ebola crisis of 2014, the country was struck by massive mudslides in August that killed between 800 and 1,000 people and sent about 7,000 more missing. Thousands more have lost their homes and are at risk of disease, according to a Red Cross estimate. However, this was no mere act of God. The mudslide was no natural disaster. It was manmade.

Indeed, according to Joseph Macarthy of the Sierra Leone Urban Research Centre, the cause was Freetown’s freewheeling urbanization and rampant

development, which have been exacerbated by an utter lack of city planning. The deaths could have been entirely avoidable if the government had stopped illegal constructions or issued evacuation warnings before the rains started. Other critics blame the country's insufficient drainage system as one of the main factors behind the disaster.

But responding to the news of the mudslides' massive human toll, Amnesty International was less forgiving: The government has "blood on its hands."

Although Sierra Leone has a long history of mudslides, President Ernest Koroma's government seems incapable of learning. His response to the disaster has been branded "a sham" amounting to nothing more than political posturing in the run up to the elections scheduled for March 2018. Much like during the 2014 Ebola epidemic, the people had to fend for themselves.

But unlike in 2014, the civilian response to the mudslide was actually very effective. Thanks to the epidemic, many know how to act as first responders and are experienced in search and rescue, proper transportation and disposal of corpses, and preventing waterborne diseases like cholera.

Sierra Leoneans know from dealing with the extremely contagious Ebola virus that small actions, like wearing gloves and safely disposing of them, can mean the difference between life and death. Taking advantage of this depth of experience, the government set up a national disaster emergency unit soon after the mudslides struck. The unit is headed by Sidi Tunis, a highly-experienced former Ebola coordinator.

But setting up committees and taskforces does not make an effective policy. Other than making vague promises, the government itself has failed to match the energy showed by Sierra Leone's people. This trend was already visible in the response to the 2014 crisis.

According to Eric Osoro, a consultant epidemiologist with the World Health Organization who was a member of the Ebola response team, Sierra Leone's health infrastructure was "inaccessible and unresponsive" — an issue that eventually resulted in more casualties from medical neglect than the virus itself.

Corruption and bribery also hampered the authorities' response to the outbreak. Sierra Leone failed to account for nearly one-third of the funds that were allocated to fight Ebola, with 11

billion leones (\$1.5 million) missing from the first six months of the epidemic alone.

It's no small wonder then that Sierra Leone's medical infrastructure is still faulty, and the August mudslide proved that once again. Corruption is probably the main driver stifling development.

For one thing, despite Sierra Leone's vast natural resources — diamonds, iron, bauxite, gold — the majority of the population still lives in abject poverty. The country has one of the highest rates of maternal and infant mortality worldwide, with 1,360 mothers dying per 100,000 births. And despite a recent government initiative to provide free health care for children under 5 and pregnant and nursing women, there are still numerous reports of charges for frontline services, which have nearly neutralized the effects of the legislation.

Ebola survivors are arguably even worse off than the general public. Many of the country's 4,000 survivors are in pain and experience economic hardship, and government promises to provide comprehensive "packages" for Ebola survivors have so far amounted to nothing. One survivor complained that hospitals cannot even dispense the common painkiller paracetamol.

The government was lucky this time around. Due to the 2014 Ebola epidemic, a large number of nongovernmental organizations were already active in the country and the emergency response infrastructure was largely in place.

Other than deeply reforming the state in order to root out systemic corruption, Sierra Leone could turn to outside partners for help. For instance, neighboring Guinea established a public-private partnership with Rusal — one of the country's largest employers — to build a medical research center at the height of the Ebola epidemic. The Kindia-based center helped develop the Gam-Evak-Kombi vaccine to combat Ebola and is now hosting a post-authorization study for the vaccine, in which more than 1,000 volunteers will be vaccinated before the treatment is authorized for broader application.

During the inevitable next crisis, there is only so much that citizens can do without a well-functioning government. The solution will require stronger action to crack down on the kind of mismanagement and corruption that blighted the country's response to the Ebola crisis and continues to be a drag on the national health care system to this day.

It involves those in power, not only the general public, learning from past incidents to develop disaster prevention systems. And it means working with the international community and foreign partners to help develop these systems. Critically, these outside partners can act as levers, putting much-needed

pressure on the government to improve accountability before disbursing funds.

With new aerial images showing that another mudslide in Freetown is imminent, the country is in a race against time to avoid the same situation happening again. It needs to find the political will to act — and fast.



**Hugo Norton** is an Africa Policy Analyst and Advisor at an economic consultancy firm in Brussels. He is also an aspiring freelance writer and passionate observer of the politics and lifestyle in Africa.

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## Kurdexit: More Trouble than It's Worth?

Aras Ahmed Mhamad  
September 11, 2017

*A “yes” vote in the Kurdish independence referendum might bring more trouble to the region.*

When, on June 7, Masoud Barzani, Kurdistan’s incumbent president, announced a referendum on independence from Iraq for September 25, a wave of internal backlashes followed, questioning his legitimacy and this unilateral decision. External pressures have instigated fear,

highlighting the possibility of closing the borders and imposing sanctions on the import of food, medical supplies and electricity. The suspension of the Kurdish pipeline through Turkey’s Ceyhan port is expected, with key international decision-makers opposing the call.

On the domestic front, none of the major political parties in the Kurdistan region have officially declared their full support, including the Gorran Movement, the Patriotic Union of Kurdistan (PUK), the Kurdistan Islamic Union (KIU) and the Kurdistan Islamic Komal, making it even more difficult for Barzani to continue ahead with the project, despite some PUK and KIU politicians having expressed their support.

Gorran persists with its demands to amend Kurdistan's presidential law and delaying the referendum until all the necessary requirements are met, including logistical prerequisites. Gorran, the second biggest party in the Kurdistan region, demands a change from a presidential system of governance, which is supported by the Kurdish Democratic Party (KDP), into a parliamentary system.

On August 12, Gorran released an official statement asking the Kurdistan Regional Government (KRG) to formally cancel its austerity measures that have reduced salaries by half, to bring more transparency to the oil trade and domestic income, and to reconvene parliament, which has not met since October 2015. The statement considers Barzani's call nonbinding.

Public opinion in the provinces of Sulaimani and Halabja is blatantly and visibly against the timing and procedure of the referendum. There have been public meetings, seminars and campaigns opposing Barzani's call for a referendum, asking him and the KDP to instead reactivate parliamentary function, send public servant's payrolls on time, provide better services and prepare the population for a national reconciliation.

On August 8, a No for Now movement was launched. Shaswar Abdulwahid, owner of NRT TV, is considered to be the mastermind behind it, having formally announced his opposition to the referendum on August 5 and claimed that the leaders of the major political parties have no courage to say no to Barzani's decision. Abdulwahid has called the referendum a "gamble" and claims, "We are not against having a Kurdish state, it is rather a dream for all of us, but this referendum is not for having a country."

Although Abdulwahid's campaign may not present any significant obstacles, and that the No campaign activists might not be allowed to organize public gatherings in Kurdistan's capital, Erbil, and Duhok, both of which are under the control and administration of the KDP, they still legitimize Barzani's decision and demonstrate the existence of democracy.

The No for Now movement has also established a TV channel broadcasting and encouraging people to vote no in the referendum. According to its statement, "A 'No for Now' vote means 'No' to the failure of the experience of the Kurdistan Regional Government. 'No' to a kleptocrat government of political businessmen. A 'No' vote

means ‘No’ to selective politics of authority, the selectiveness by which they have proved they do not have anything to serve us except vulnerability and self-destruction.” The statement also criticized human rights abuses, the killing of journalists and accused KRG leadership of feudalism and tribal authoritarianism.

Rabun Maruf, speaker of the movement, has stated that the referendum is a historic and dangerous mistake that could bring more conflict, poverty and vulnerability to the region, demanding instead a rule of democracy and an accountable government where exchange of power and political coexistence are guaranteed.

On the external level, the neighboring countries, including Iran and Turkey, have expressed their concerns and opposition to the referendum, warning Kurdish officials about the prospect of civil war. Iraq’s Kurdish president, Fuad Masum, expressed his hope that Iraq would maintain its integrity, encouraging the central government and the Kurdish officials to find a middle ground for their disagreements.

“Independence referendum in Kurdistan is an ambitious dream whose realization is not possible under the current

circumstances in Iraq and the region,” Masum was quoted as saying.

The US has opposed Barzani’s call, insisting on the importance of the unity of Iraqi forces in the fight against the Islamic State (IS), though Kurdish peshmerga proved to be reliable allies in toppling the former Baath regime and defeating IS on several occasions.

Besides, the Kurdistan region embraced around 2 million refugees and internally displaced people fleeing IS. Russia has also insisted on preserving Iraq’s territorial integrity, encouraging Kurdish authorities and the government in Baghdad to solve their issues through meaningful dialogues. Germany warned about the possibility of exacerbating tensions in Iraq if the Kurdish referendum takes place.

## **A SOVEREIGN HOPE**

Despite internal divisions among the political parties and external threats, a dysfunctional government hampers the long-awaited aspiration for a Kurdish sovereign state. Peshmerga forces have yet to be united, and parliament has not convened in nearly two years. The KRG is three months behind payments to its civil servants. Disputed territories, including Kirkuk, will also prove a massive burden in case the referendum

is successful as the KRG will have to provide electricity, clean water, food, medicine and salaries for those territories as well.

The decision to conduct the referendum is apparently against the will of the international community and neighboring countries, and brings potential long-term repercussions, such as the closure of the Kurdish airspace. Since the area is landlocked and political pressures and economical threats are mounting, the KRG has to work on multiple fronts to assure its citizens that the referendum will at least not further reduce their salaries, and that the price of basic needs of survival will be maintained.

The peshmerga's victories over IS in Kirkuk, Shangal and Kobane have stimulated a sense of national pride and a revival of the spirit of Kurdish nationalism. But what if the central government stops sending monthly food rations, and the intra-Kurdish political rivalry deepens post-referendum? There need to be military preparations to preserve the borders and economic plans to rebuild the infrastructure and overcome any unexpected consequences. Regional interference and internal competition over the control of the sources of power and revenue will also pose a tremendous threat.

If the referendum is to take place in due course, a yes vote is highly likely. In 2005, the Kurdistan Referendum Movement, in an informal survey asking people whether they wanted to remain part of Iraq, found that a staggering 98.8% favored an independent Kurdistan.

However, the geopolitics of Erbil, surrounded by the Shia governments of Tehran and Baghdad and the Sunni government of Ankara, would require the commitment and endorsement of the major international forces in order to survive. A peaceful Kurdexit based on reasonable dialogue with Baghdad will at least prevent a violent separation, if not an economic embargo.

In order to strengthen the pillars of the long-overdue sovereign state of Kurdistan in the Middle East, which is marred by political mayhem, religious rivalry and ethnic division, there needs to be internal reconciliation. Without political agreement to unite people and guarantee their endurance and support in case of war and economic embargo, the referendum may achieve internal acceptance in the long run, but it will face multiple challenges to obtain international recognition, making it difficult to translate the dream into reality.



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## **Persecution of Rohingya: A Tragedy of Minorities**

Ishtiaq Ahmed

September 12, 2017

*The fate of the Rohingya reflects the plights of ethnic minorities throughout history and across the world.*

The Rohingya are a persecuted Muslim minority living mainly in western Myanmar. Their origins are a subject of immense dispute and controversy. Some views hold that they are the progeny of Muslims who settled in Myanmar several centuries ago, while others point out a 19th-century origin when what was then known as Burma was ruled from India by the British. Additionally, on the latter view, the British incited them to Islamic fanaticism and instigated to attack Buddhist communities and temples. Confusion also exists over their actual numbers. Figures of 7 million, 3.5 million and 1.5 million have been mentioned; most studies talk about 1 million.

The confusion about who the Rohingya are is further compounded by conflicting views about their religion and ethnic origin. According to one view, there are also Hindus among them, while others allege that they are Biharis who fought on the side of Pakistan in 1971 and, when Bangladesh came into being, fled to Burma. The more reliable evidence suggests that they are Bengali Muslims whose ancestors migrated from Chittagong at some point in time, mostly in the 19th century, when the British ruled not only the Indian subcontinent, but also Burma.

What is true without doubt is that the Rohingya are a highly impoverished community whom the military wants to purge from Myanmar. Nobel Prize winner Aung San Suu Kyi, who famously led the struggle against military rule and is now the elected state counselor of Myanmar, has not done much to protect them. Both the military and her government claim that reports of Rohingya persecution are fabricated, but human rights organizations are

talking of massive persecution. On the other hand, they accuse the Rohingya of terrorism. They identify the Arakan Rohingya Salvation Army as a terrorist organization trying to destabilize Myanmar and create a separate state for itself in the west.

Now, the truth is that Myanmar has generally treated several of its minorities badly, but the Rohingya are not even recognized as such in state with an 87% Buddhist majority of the total population of around 50 million.

The 1 million Rohingya live in Rakhine State, the westernmost region of Myanmar. They have been excluded from citizenship and are considered outsiders. Since the 1970s, attacks on them became more frequent and better organized, ordered by the army. On several occasions, they fled to Bangladesh when violence against them increased. The government placed them in refugee camps, strictly isolated from Bangladeshi society.

Still, some managed to leave the camps and joined mainstream society, but for most, life in the camp was a forced isolation in appalling conditions. On a number of occasions, the Rohingya agreed to return to their homes in Rakhine after agreement between the Myanmar and Bangladesh

governments. However, attacks on them continued. Since 2011, the Rohingya have faced recurrent state-sponsored terrorism.

Small communities of Rohingya have sought refuge in Thailand, Malaysia and Indonesia as well. Some ventured to come to Pakistan and Afghanistan where some joined the mujahedeen. Radicalized Rohingya have been responsible for terrorist attacks on the Burmese, including police stations and the army.

As always, such terrorism has been met with overwhelming force of the state and crushed but, as a result, the persecution of the Rohingya has only intensified and forced them to flee. Given the geographical proximity, most of them have headed to Bangladesh, where the government is determined not to let them settle down on a permanent basis.

## **LARGER TRAGEDY**

The tragedy of the Rohingya needs to be understood in the context of the larger tragedy of minorities all over the world. When the former colonial powers — the British, French and Dutch — withdrew from their colonies in Asia and Africa, they left behind states that did not correspond to religious or ethnic homogeneity. The presumption was that

the states would adopt inclusive policies and ethnic majorities and minorities would live in peace as equal citizens. The reality turned out to be very different.

For example, Pakistan was created for Indian Muslims because the Muslim League claimed that Muslims were a separate nation. However, when India was partitioned and Pakistan came into being, it was constituted by two separate geographical units — East and West Pakistan — where Muslims were a majority. Political and economic power in Pakistan rested in West Pakistan. It was dominated by the Punjabi military and the Punjabi Urdu-speaking civil service. The majority group of Bengali Muslims of East Pakistan felt neglected, dominated and exploited by the power elite from West Pakistan.

Much worse, the 10% of Hindus and Sikhs who were supposed to become Pakistani citizens migrated to India because they were attacked by organized groups of armed men. The state did not act decisively to prevent the violence against them. As a result, only a tiny minority of Hindus survived in West Pakistan. They are confined to the interior Sindh province and make up only 1.5% of the total Pakistani population. Only West Pakistan is part of the present-day Pakistan, as East

Pakistan broke away in 1971 after a bloody war with West Pakistan and became Bangladesh.

In the former Punjab province, which was partitioned between India and Pakistan, there was complete ethnic and religious cleansing. The 6 million Muslims who belonged to areas that became the Indian East Punjab had to run for their lives to cross the border and find safe haven in Pakistan. Only a tiny minority of Muslims stayed behind in the princely state of Malerkotla. From what became the Pakistani West Punjab, 4.5 million Hindus and Sikhs had to flee to the last man.

Now, on the other side of the subcontinent, in the former East Pakistan, more than a fifth of the population was going to be made up of Hindus. In 1947, communal violence in Bengal was far less than in Punjab, although Bengal too was partitioned between a Muslim-majority East Bengal and a Hindu-majority West Bengal. Consequently, minorities remained behind in large numbers on both sides. This was achieved largely by the presence of Mahatma Gandhi, who stayed in Calcutta to ensure that the Muslims were protected.

However, from 1948 onward, Hindus began to be recurrently attacked by

Muslims. Such attacks could not have happened with the connivance of the politicians. In any case, waves of Hindu Bengalis began to migrate to India. At the time of the civil war in East Pakistan, nearly a fifth of the population was Hindu. When the war ended and Bangladesh emerged as an independent state, the Hindu percentage of the population had gone down to 12%. It is now 10%.

On the other hand, in sharp contrast to what happened in Pakistan, with the exception of East Punjab, in the rest of India, where the Congress party formed the government, the 10% Muslim minority survived because of the leadership of Mahatma Gandhi and Jawaharlal Nehru. Indian Muslims now make up over 14% of the total Indian population. Their proportion of the population has increased.

The ultimate irony has been that the Biharis who had settled in East Pakistan fought on the side of the Pakistan army in the civil war in 1971. After Bangladesh came into being they felt insecure in the country, but Pakistan refused to accept them. They are stranded Pakistanis in Bangladesh but, in Pakistan, there is no home for them either.

## **MERCY AND APATHY**

In this regard, the example of Israel is worth mentioning. Israel was created for the Jews. It has subsequently taken full responsibility by accepting Jews from all over the world to come and settle in the country. Of course, such policy of the so-called Law of Return applies only to Jews — not to the Palestinians who lived there before Israel came into being. Hundreds of thousands of Palestinians had to run for their lives in 1948, and again in 1967 and after, following the wars between Israel and Arab states. They are denied a return to their homes.

The tragedy of the Rohingya and of minorities elsewhere is the ethnicization of the nation state project. Such ethnicization can derive from ethnic, religious or even sectarian factors.

In India, ultra-nationalist Hindus want to establish the Hindu Rashtra or the Hindu nation state. Attacks on Muslims, Sikhs and even Christians have occurred in India, sometimes claiming thousands of lives. Pakistan is an Islamic state in which sectarian terrorism is endemic. The Sunnis constitute the clear majority. The Shia have been targeted in frequent attacks. So have Christians, Hindus and the tiny Ahmadiyya community who are

categorized as non-Muslims, which they claim to be.

In principle, the primary responsibility of taking care of the Rohingya, providing them safety and security, a home to live and an opportunity to earn a livelihood, rests with Myanmar. There is the need for the international community to act swiftly and determinedly to prevent genocidal terror against the Rohingya.

But with China backing the Myanmar government, a UN Security Council intervention is out of the question. Myanmar's oil and an market potential mean China will not permit outside interference. The future of the Rohingya seems very bleak if left to the mercy of Myanmar and the apathy of Bangladesh.

If Myanmar cannot be persuaded to change its policy, then Bangladesh must accept the Rohingya. Bangladesh itself is overpopulated and poor. Perhaps other Muslim countries should offer these unfortunate people sanctuaries. The idea of a Muslim umma — a

universal Muslim community — is a myth. This has been proved over and over again.

The truth is that more Muslims have been killed by Muslims than non-Muslims. The war between Iran and Iraq claimed 1.5 million lives. Sectarian killings in the Middle East, Afghanistan and Pakistan have resulted in thousands of deaths. In Yemen, thousands are dying because of the Saudi intervention and Iranian backing on the other side.

In the longer run, ethnic nationalism as the basis of the state project is going to cause great suffering to minorities, the poor and the weak. It is high time that an international treaty is agreed that makes states responsible for the safety and security of their populations without any discrimination of race or religion or sect. Violating such a commitment should mean the international community adopting stern measures against such states including military intervention.



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# Bangladesh Stands Tall in Rohingya Crisis

S. Suresh

September 17, 2017

*As the world watches in horror at the escalating Rohingya crisis in Myanmar, Bangladesh shows what a bit of empathy can do.*

Bangladesh is not rich by any means. In fact, it is one of the world's poorest nations, with more than a third of its population living under the poverty line. That is a staggering 50 million people in one of the most densely populated nations who get by life making less than \$2 per day. If feeding 163 million people is not challenging enough, Bangladesh has seen an influx of Rohingya refugees who are fleeing persecution in Myanmar. An incredible 800,000 Rohingya Muslims have crossed the border to find safe haven in Bangladesh. A significant portion — at least 430,000 — of this migration happened after August 25 when violence against them escalated in Myanmar.

Bangladesh has welcomed the suffering Rohingya in the most humanitarian way possible. After visiting the Kutupalong refugee camp in Ukhiya, a border town in the Cox's Bazar district, Prime Minister Sheikh Hasina made the statement, "We have the ability to feed

160 million people of Bangladesh and we have enough food security to feed the ... refugees."

## TIMELY, HEARTWARMING GESTURE

Hasina has also offered 2,000 acres of land in Cox's Bazar to house the Rohingya refugees. One cannot but admire the timely and warm gesture that Bangladesh has extended to one of the most persecuted people in the world today. It is true that, in the past, Bangladesh had been reluctant to deal with the plight of the Rohingya. However, it is also a fact that when the calamity reached untenable levels in recent times, Bangladesh has risen above politics to gallantly confront with the situation.

I also cannot help but wonder what would the reaction be from the US and its Islamophobic president should half a million Muslim refugees try to enter America fleeing persecution elsewhere.

The Rohingya crisis is not new. Atul Singh, the founder, CEO and editor-in-chief of Fair Observer, has authored a brilliant piece on the history of the Rohingya and how their problems have taken a turn for worse since the turn of the century. The ramifications of what has been happening in Myanmar are spreading across South Asia, especially

the neighboring Bangladesh. The impact this has had on that country is worth reflecting on.

An analogous situation happened in Tamil Nadu, the southern state in India, during the late 1980s. Tamil Nadu was generally a peaceful and easy place to live prior to the crisis of Sri Lankan Tamils and the impact it had on the Indian state. Tamil Nadu saw an increase in violence with a culture of guns permeating society.

The freedom struggle of Sri Lankan Tamils and their plight against the powerful Sri Lankan army had an indelible effect on the life of people in Tamil Nadu. At the height of the problem, the state witnessed the assassination of India's former prime minister, Rajiv Gandhi, in 1991 at Sriperumbudur, near Chennai.

In a similar way, the turn of events in Myanmar and the persecution of Rohingya are having an enduring effect on Bangladeshis. Singh mentions in his article how Bangladeshi scholars and policymakers have confided to him that "the persecution of the Rohingya is radicalizing their country and threatening regional peace."

Against this backdrop, reacting to the escalating violence against the

Rohingya, Bangladesh has not only opened its border to over 430,000 refugees since August alone, but it has also offered shelter and food to them. Individuals and ordinary citizens of Bangladesh are taking the lead in assisting the Rohingya — some giving up their entire savings to help them. These actions by the Bangladeshis could not come at a more appropriate time for the stateless Rohingya.

As Bangladesh steps up to this challenge, however, it is placing a few logical constraints on how it would accommodate the refugees. Any country that deals with an influx of nearly half a million people in less than a month ought to, lest there be mayhem and chaos.

However, the world must realize that the Rohingya crisis is not for Bangladesh to solve on its own. It is a humanitarian crisis of tremendous proportions, and the onus is upon the leaders of the region to find immediate relief for the refugees, perhaps taking a cue from the average Bangladeshi's generosity. At the same time, the United Nations ought to work with Myanmar to find a lasting and permanent solution for the Rohingya.

The Rohingya have been stateless and without citizenship since 1982. Decades

of inhuman treatment in their country has caused them to flee to several states, with Bangladesh bearing the brunt.

Myanmar, in the meantime, has become a fledgling democracy, earning its political leader and human rights activist Aung San Suu Kyi a Nobel Peace Prize. During her struggle to liberate Myanmar, the whole world stood by her and admired her courage. Today, the same people who held Suu Kyi in high regard are shocked by her attitude toward her fellow country people of a different ethnicity.

In an interview with the BBC in April, she refused to describe the systematic eradication of the Rohingya from Rakhine State as ethnic cleansing. In the same interview, she also made a statement that is characteristic of what one would expect from US President Donald Trump. “It is not just a matter of ethnic cleansing as you put it — it is a matter of people on different sides of the divide, and this divide we are trying to close up,” she said.

Her comments mirror Trump’s speech following the white supremacist rally in Charlottesville, Virginia in August: “We condemn in the strongest possible terms this egregious display of hatred, bigotry

and violence, on many sides. On many sides.”

Suu Kyi ought to be stripped off her Nobel Peace Prize. For her to stay silent on the Rohingya issue instead of condemning it is simply shameful. For her to defend the ethnic cleansing of Rohingya as a “matter of people of different sides” is reprehensible, putting her on par with Trump. She does not deserve her Nobel Peace Prize.

Myanmar has failed the Rohingya, an ethnic minority that belongs in its Rakhine region. Suu Kyi’s deafening silence speaks eloquently to the kind of person she really is: an Islamophobe and a racist. Together, their actions have created a refugee problem of immense proportions, caused instability and a rise in violence in the region.

Where Myanmar and Suu Kyi have failed, Bangladesh, Sheikh Hasina and ordinary citizens have risen admirably. Their actions have demonstrated to the world what a bit of compassion and empathy can do. While the international community grapples with a solution to the Rohingya crisis, we ought to recognize the timely humanitarian gesture by Sheikh Hasina and Bangladesh. Today, Bangladesh stands tall in the eyes of the world.



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## Independence is the Last Option for the Kurds

Raman Ghavami

September 24, 2017

*The Kurds are unlikely to back down unless they receive an alternative deal, but this is unlikely to come from Baghdad.*

The year was 1639. For the first time in their history, the Kurds of present-day Iran were separated from their brethren due to a treaty signed by the Ottoman and Safavid Empires. The final division of the Kurdish homeland came in 1923 when the Treaty of Lausanne divided it between four countries: Iraq, Iran, Turkey and Syria. The Kurds have been trying to establish their own state since 1639, but they have always failed. Since the Treaty of Lausanne, they have launched at least 12 uprisings to obtain independence or autonomy, but most of them have ended in massacres, genocide or assimilation plans for the Kurds.

In June this year, the ruling parties of the Kurdistan Regional Government (KRG) in Iraq announced a referendum on Kurdish independence to be held on September 25, a decision that shocked both the Kurds and the international community. The main opposition parties see this as a dangerous move by the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP) — who have been in power since 1992 — to extend their reach instead of solving the region's political and economic crisis.

This is undoubtedly one of the reasons behind the vote, but the majority of Kurds have always wanted independence. However, considering the current turmoil in the Middle East, a recent poll suggests that some Kurds are still undecided over the benefits of a separate state, but the latest threats from Iran, Iraq and Turkey could also galvanize the yes vote.

### WHY NOW?

It is clear that Kurdish aspirations for self-determination have played an important role in calling the referendum, but this is not the only motivation behind it. There are three reasons to focus on. First, a driver behind the vote is to secure the disputed areas currently under control by Kurdish peshmerga forces. According to the Iraqi Constitution, Article 140, Baghdad is responsible for holding a referendum in these areas in order to let the people decide whether they want to be part of the Kurdistan region of Iraq or Baghdad. This constitutional right has never materialized.

In 2014, when the Islamic State (IS) went on the offensive and captured Mosul, the Iraqi army fled. With the support of the international, anti-IS coalition, the peshmerga fought back against the terrorist group. In turn, the Kurds took control of these disputed areas. Today, the Kurds fear that, as soon as the Islamic State is defeated, Baghdad, with the support of the Shia-dominated Hashd al-Shaabi militia, might start challenging the Kurds on territorial issues and a renewal of bloodshed could ensue. In fact, Hashd al-Shaabi, which is backed by Iran, has already attempted to enter these regions, but they have been stopped by the Kurds.

The KRG, therefore, wants to use this referendum in order to start negotiations with Baghdad while it still has the upper hand to secure these zones.

Second, the current political and economic crisis between the KRG and Baghdad is another reason that has pushed the Kurdish government to insist on its right to hold a referendum. In 2014, Baghdad unconstitutionally cut the KRG's budget over disagreements between the federal government and Erbil, which put the KDP and PUK under considerable political and economic pressure. At the time, then-Iraqi Prime Minister Nouri al-Maliki hoped this would end KRG President Masoud Barzani's reign, but it backfired. Maliki and Barzani's disagreements turned into a conflict between Shia-Arab nationalism versus Kurdish nationalism.

As a result of these disputes, the Kurds have come to realize that, in order to improve their economy, they have to use this referendum to impose their economic requests on Baghdad. However, in the long run, the KRG has understood that, without an independent state, its efforts to improve the regional economy will always be curtailed by Baghdad.

Third, domestic political issues have a key role to play behind the referendum.

During the war against the Islamic State, the KDP, with the tacit help of the PUK's silence, crippled the Kurdish parliament because the main opposition parties wanted to end the presidency of Barzani. Consequently, the KDP banned the speaker of parliament from going to the capital and also sent ministers from the Change Movement (Gorran) home. In turn, the Kurds were unsure over whether they should protest this move as they were fighting IS on their doorstep.

Nevertheless, in Gorran's stronghold in the Sulaimaniyah province, public anger resulted in the burning down of KDP offices in October 2015. However, now that the Islamic State is no longer a threat, the main focus of the Kurds has shifted back to domestic affairs. As a result, lingering tensions have resurfaced and people are once again blaming Barzani and the PUK for the crippling corruption in the KRG and the dismissal of the democratically-elected parliament.

Both the KDP and the PUK are fully aware of the people's anger, and it is undeniable that announcing this referendum has been a political masterstroke. Indeed, despite the people's frustration at government corruption, independence remains their dream. So, the ruling parties have

managed to quell the tension for the time being by tapping into the longstanding vision of an independent Kurdish state.

The announcement of the referendum is proving to work in favor of the KDP as it is dramatically changing the political landscape in the Kurdish region of Iraq. So far, it has started to harm the largest opposition group, the Gorran movement, which is splintering over the independence issue. Meanwhile, the PUK has remained silent because it has good relations with both Baghdad and Tehran, so it can come forward and negotiate if the situation deteriorates further. In essence, the KDP and the PUK have used the independence referendum to make a formidable alliance that has crushed internal opposition and extended their influence.

This referendum is crucial for the Kurds as the future of disputed areas, their economy and domestic politics, and their democracy depend on the outcome. If the Kurds do not obtain an alternative deal — as Barzani has said in his speeches during independence rallies — then the last option for the Kurds will be declaring independence instead of opting for maximum devolution in Iraq.

Iraqi Prime Minister Haider al-Abadi has opposed any referendum attempts within the Kurdish region and disputed areas, but he has also failed to present any constructive dialogue to deal with this issue. Baghdad is trying to stop the vote, and this could result in direct or proxy wars against the Kurds by Iraq, Turkey and Iran.

The Kurds are unlikely to back down unless they receive an alternative deal, but this is unlikely to come from Baghdad. Indeed, the reaction from both the Iraqi government and the

international community clearly demonstrates that the Kurds are seen as convenient pawns to be used on the geopolitical chessboard. This is where the political masterstroke of the KRG — which, for the first time, has showed a degree of political savviness in declaring the referendum at this time — plays out. The Kurdish government has demonstrated that no party is able to offer an alternative that could benefit both sides, thereby proving to the international community that independence is the last option for the Kurds.



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## British Politician Vince Cable Could Lead a Government of National Unity

Richard Coward

September 25, 2017

*Veteran Liberal Democrat leader Vince Cable might just hold the key to Britain's Brexit woes.*

My country is in a dreadful mess. Everybody knows it, although some of our politicians are still trying to pretend that they don't.

Unless something dramatic happens, as the clock strikes midnight in Brussels at the close of March 29, 2019, we will leave the European Union. We know we will leave because we gave two years' notice under Article 50 of the Treaty of Lisbon and it expires at that precise

moment. Without a comprehensive agreement fully ratified by the EU, our country will jump off a cliff, although pushed might perhaps be a more accurate metaphor.

Over five months have gone by since we served the Article 50 notice and not one single thing has yet been resolved in our negotiations with the EU. There is no reason to think that the next five months will see any more progress, or indeed the next 10 months. By summer next year, it will be brutally apparent to even the most ostrich-like Members of Parliament (MPs) that we face a harsh choice. We will be able to opt for continued membership of the single market and the customs union outside the EU on terms dictated by the EU or we will have to endure the full horrors of the economic cliff-edge.

Now some hard-line Brexiteers in the House of Commons relish the idea of the cliff edge. They see it as a kind of cleansing ground zero for British society. After the jump we can build a new world of freedom and independence unchecked by the evil empire of the EU. Like Berlin after 1945, we will rise like a phoenix from the ashes.

But most MPs in the recently-elected House of Commons don't share this

view. Faced with a bi-polar choice imposed on us by the EU between continuing single market membership and the cliff edge, they will not want to jump. Whichever party they belong to and whatever their tribal loyalties, they will simply wish to protect their constituents from the catastrophic economic harm the jump will cause.

## **THE CENTRAL DILEMMA**

So how can we escape the trap into which we have managed to get ourselves?

Alone, Theresa May can't get us out of the trap. Whatever the prime minister's private views on Brexit as an erstwhile supporter of staying in the EU she is now a captive of the hard-liners in her party. If she eventually performs another of her famous U-turns and opts for agreeing to the EU's imposed terms for continuing single market membership, she will face a leadership challenge.

In the ensuing contest, she will be replaced as prime minister by a hard-line Brexiteer because the majority of party members will vote for one in a run-off for the leadership of the Conservative Party. It's back to square one. The Conservative Party will never be united on this issue.

Alone, the Labour Party can't get us out of the trap either. Even if they eventually come out fully in favor of the single market option as they surely will, they don't have enough MPs to command a majority in Parliament.

Somehow or other, pro-European Labour and Conservative MPs are eventually going to have to find a way to cooperate with each other in the national interest. Only by doing so can they defeat the hard-line Brexiteers. Moreover, since the EU will only negotiate with a government, they are going to have to take control of the executive branch in order to save Britain from catastrophe. Endlessly sniping from the legislature might be able to create paralysis by amending or blocking the domestic laws required to enact Brexit, but this strategy will not be sufficient to resolve the crisis.

The central difficulty in achieving this task is that Conservative MPs wishing to remain in the single market will never allow a left-wing Labour leader to enter Downing Street, and Labour MPs will never agree to support a Conservative politician as prime minister. But confronted with the enormity of the imminent economic disaster facing Britain and their own constituents, they might just agree to cooperate in a temporary government of national unity

if they could identify a compromise prime minister acceptable to them all.

## **ENTER VINCE CABLE**

Vince Cable, leader of the Liberal Democrats, could fulfil this role. His small centrist party in the House of Commons has just 12 MPs. Yet he is well-known by the general public and widely respected across the political spectrum. He also has a great deal of experience, ranging from chief economist at Shell to five years as business secretary in the last Conservative-led coalition government. At 74, his advanced age would generally be viewed as a drawback in politics, but here it becomes an advantage, since he has no long-term political career in front of him. He is a political heavyweight leading a small party and without a future — perfect for the job in hand.

Now the idea of Cable leading a government of national unity as prime minister sounds rather dramatic at first. It seems to break all the rules. Yet we would only be replacing the present arrangement between the Conservatives and the Northern Irish Democratic Unionist Party with a different governing coalition between the parliamentary Labour Party, the Liberal Democrats and a pro-single market group of Conservatives. An emergency

coalition agreement would have to be negotiated between these three groups, each of which would be represented in the Cabinet. The coalition agreement would also need to be fully supported by the Scottish and Welsh Nationalist Parties, whose backing would be required for votes in the House of Commons.

These negotiations would no doubt be tricky, as they must cover all areas of government and not just Brexit. However, if we recall that the negotiations between the Conservatives and the Liberal Democrats in 2010 only required a few days and successfully resulted in a stable coalition government that lasted for a full parliamentary term of five years, the task would not appear impossible. There is nothing like political urgency and the high cost of failure to focus the minds of politicians.

There would have to be two deputy prime ministers in Britain — one from the Labour Party and the other from the rebel Conservative group. The two deputies would effectively be in joint charge of the government, since either could bring Cable's administration crashing down in the House of Commons. Even if they didn't actually force a vote of no confidence, no legislation would be able to pass the

House of Commons without their mutual consent.

Faced with such a formidable coalition in Parliament, the Conservative prime minister would be forced to resign. As the leader of the second largest party in Parliament, it would then be for the leader of the Labour Party to propose to the monarch that the leader of the Liberal Democrats be requested to try form a government of national unity.

After visiting Buckingham Palace, Cable would come out onto the steps of Downing Street flanked by the two deputy prime ministers and officially request the EU to negotiate a withdrawal treaty with the United Kingdom based on continuing membership of the single market and the customs union. The EU would swiftly accede to this request.

But that is not where it ends. All three politicians standing on the steps of Downing Street that day would understand that membership of the European Union with a seat on the European Council would be better for Britain than the second best option of membership of the single market and the customs union outside the EU with no say on the rules. Yet they may well feel constrained by the 2016 referendum result, in which a narrow majority voted

to leave the EU. They would not wish to ignore the “will of the people.”

They could, therefore, decide to offer a second referendum in which the electorate could choose between leaving the EU on the basis of the withdrawal treaty negotiated by the government and remaining in the EU. In this referendum, unlike the earlier one, each of the two options on the ballot paper would be clearly defined. If the electorate again voted to leave, the withdrawal treaty would be swiftly ratified. But if in this second referendum the voters opted to remain, that would unambiguously trump the outcome of the first.

There is of course a tricky issue. Like an unexploded bomb with a timer, there is a ticking clock here. By the time the new government has been formed, there may well not be sufficient time to organize another referendum before we have already left the EU. So a delay in our scheduled departure date would be required. The legal position has not yet been tested, but it might be possible to suspend or withdraw Article 50 unilaterally. However, even if a delay required the unanimous consent of the other EU states, it would be hard to see such consent being denied in these political circumstances.

There will of course be an outpouring of rage from the hard-line Brexiteers at the choice presented on the ballot paper, no doubt powerfully echoed by elements of the tabloid press. Yet the first referendum never defined what a Leave vote meant other than we would leave the EU.

The vote did not say we must curtail European immigration, quit the customs union, leave the single market or walk away from the European Court of Justice any more than it said that we must stop using metric units and revert to imperial units. In the event of Leave winning, it was inevitably going to be the government of the day that would have to interpret the result, and that is exactly what will have happened here. There will have been no democratic deficit.

Having resolved the immediate crisis over Europe and avoided the economic cliff edge, the government might immediately step down. Yet it would be hard to see the Conservative rebels being welcomed back with open arms by the Brexiteer wing of the Conservative Party under these circumstances.

So a more likely scenario would be that the national government would continue in office for some time, perhaps even until the next scheduled general election

due in 2022. The Labour Party would have a great deal more power than it currently enjoys in opposition. The Liberal Democrats, the rebel Conservatives and the nationalist parties could between them prevent Labour from doing anything of which they seriously disapproved. Nobody would get it all their own way, but there would be something in it for everyone.

Sooner or later, however, another general election will arrive. The various political groups supporting the national government might then fragment and fight each other, but they would be confronting a furious and almost certainly united attack from the combined forces of the populist right, who would correctly have felt they had been cheated of their prize. Fragmentation under Britain's first-past-

the-post electoral system would spell electoral suicide.

So, perhaps we would see a single national government candidate standing in each constituency, with each of these candidates committed to the introduction of proportional representation after the election to be swiftly followed by a further general election to be held on that basis.

The strange coalition of forces coming together in the government of national unity could then safely disperse, each free to offer the electorate its own nuanced version of Britain's future. Overnight our democracy would start to look much more like the multiparty democracies of most other modern European states. It would be the final irony of the Brexit drama.



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# Is the UN Human Rights Council Poised to Repeat Fatal Past?

Savannah Fox  
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*At the beginning of the year, 26 of the 47 UN Human Rights Council member states were on record for having violated human rights.*

This October, the United Nations Human Rights Council (UNHRC) will elect new member states under the recent cloud of scrutiny and calls for reform from the United States Ambassador to the United Nations Nikki Haley.

The diversity of UNHRC membership gives its decisions legitimacy that is irreplaceable in the international human rights field. In order to avoid following in the footsteps of its predecessor — the UN Commission on Human Rights — the UNHRC must take immediate action to increase transparency and hold individual member states accountable when they fail to uphold the council's principles.

The UN as a whole must fight to preserve the UNHRC, as no other entity in the world has the same credibility when condemning human rights abuses.

The former UN Commission on Human Rights became a world-class symbol of UN inefficiency until its end in 2005. The UNHRC was established a year later in order to create an international human rights mechanism that would work effectively. There were three main challenges to the commission that the council wanted to address in its founding.

First, the election system, under which the commission relied on secret deals, became an open system where states competed for a majority of votes to hold one of the 47 member seats.

Second, all 193 UN states must undergo a periodic review of their human rights record in order to abolish the notion of bias between members.

Finally, the council must meet throughout the year, rather than only within a six-week time period that hindered the former commission's productivity. While these were respectable steps taken in order to create a UNHRC that would be ethical and transparent, there are several key processes that are still at the core of the moral corruption within the council and need to change in order for it to maintain its credibility and influence.

## TWO TYPES OF CORRUPTION

With only a majority vote needed from the UN General Assembly to gain membership to the council, two types of corruption have become common practice. First, backdoor negotiations circumvent the competitive election process, such as when the United Kingdom proposed an exchange of votes with Saudi Arabia prior to the 2013 election so that both countries could secure seats. Second, regional blocs put forward only the exact number of candidates to fill the number of open seats, therefore, giving the General Assembly no real alternatives.

Earlier this year, the facade of open elections within the UNHRC recently resurfaced after France pulled out of elections, leaving Spain and Australia unopposed for the two open seats in their regional bloc. Australia has been widely condemned in the past year over its abusive and inhumane treatment of asylum seekers on Manus Island in Papua New Guinea and Nauru, but even in the face of clear human rights abuses it will likely claim a seat.

These loose rules and secret voting has eliminated the need for debate or the ability to deny human rights abusers such as China, Cuba, Saudi Arabia,

Burundi, Egypt and Venezuela membership seats.

However, when states have been competitive, the UN General Assembly has voted to deny seats to some of the world's worst human rights abusers. In November 2016, even Russia was defeated due to its bombing of civilians in Aleppo, Syria. Other states have been defeated or chosen to withdraw in the face of likely defeat, including Sudan, Iran, Syria, Azerbaijan and Belarus.

Moving forward, countries that have upheld human rights need to lead by example by recruiting others to compete for membership seats, thereby supporting the competitive membership process. These member states must also push to end secret voting and institutionalize public ballots for UNHRC membership, holding states accountable for their votes.

However, even with voting reform, it is unlikely that elected states will always cooperate with the council's mechanisms. Once elected, members are charged with upholding "the highest standards in the promotion and protection of human rights" and "shall fully cooperate with the Council."

Yet the majority of countries currently holding member seats in the UNHRC

were found to violate the human rights of their own people. At the beginning of this year, 26 of the 47 member states were on record for having violated human rights, yet most go without any pressure from the UNHRC to address those violations.

In September 2016, the UNHRC adopted a resolution to establish a commission of inquiry into human rights violations in Burundi to determine whether they may be considered international crimes. Although human rights abuses have been confirmed, Burundian officials have so far refused to work with the commission. In early August 2017, the UN Security Council weighed in on the non-implementation of the resolutions, and yet neither the UNHRC nor the General Assembly suspended or denied Burundi's membership on the council. This is a huge failing on behalf of the UNHRC that undermines the credibility of the entire UN system.

## **PAST SUCCESS**

The UN General Assembly must learn from its past success, most notably in February 2011, when the UNHRC held a special session on Libya in the wake of Muammar Qaddafi's violent crackdown on anti-government protesters. The UNHRC unanimously

called on the assembly to suspend Libya's membership to the council, resulting in an official suspension.

The world is watching how the UNHRC is handling human rights crises, especially in places like Venezuela and Burundi. The UNHRC has the ability to take immediate action, but despite the extreme violence in both countries, the council has not once condemned the countries holding member seats on the UNHRC. Membership for states abusing human rights must be suspended immediately in order to ensure they do not use their membership to obstruct independent scrutiny and accountability, thereby threatening the credibility of the entire council.

The UN Human Rights Council is needed more today than ever before and must undergo internal reforms before it is able to take effective measures around the world. No country has a perfect human rights record, and the UNHRC will never be perfect as it is made up of imperfect actors.

But the council should be expected to hold itself to the highest standard possible. It can no longer survive by simply going through the motions of its roles, such as hosting periodic reviews without criticism, but must take a strong stand against powerful countries.

This is up to the council itself, because while it is only one instrument in the international toolbox for advancement and protection of human rights, it

remains the only global human rights body with the legitimacy and universality to extend fundamental principles of human dignity to every corner of the world.



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