Country/entity	Afghanistan
Region	Europe and Eurasia
Agreement name	Agreement between the Islamic Republic of Afghanistan and Hizb-e-Islami
Date	22 Sep 2016
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Afghan Wars (1979 -)

The agreements are drawn from two distinct conflict periods. Post Soviet-intervention period. First, after an uprising against the communist government, the Soviet Union invaded Afghanistan in December 1979 and set up a puppet government. Fierce resistance came in on the form of domestic and foreign Mujahidin fighters who, by 1988, forced the Soviet Union to withdraw. The Communist government that remained was defeated in 1992 against a background of violence, which spiralled into a tumultuous multi-party civil war with a strong tribal basis. In 1993 a peace accord was signed, but by 1994 the conflict realigned itself as the Islamic-based Taliban emerged from the refugee camps, eventually occupying the capital city of Kabul in September 1996 spurring groups that had militantly opposed the communist government to unite in opposition to the Taliban.

Post US-intervention period. After the terror attacks on September 11, 2001, the United States invaded Afghanistan and removed the Taliban from power. In December 2001, the UNSC mandated the International Security Assistance Force (ISAF) to assist Afghanistan's interim authorities. In 2003 ISAF command was placed under NATO's responsibility. Within three years, however, the Taliban managed to re-group and re-structure and launched intense resistance to the internationally-recognized Afghanistan government and NATO support troops. Despite this resurgence of the Taliban, NATO leaders lacked the necessary support for the mission abroad, and NATO troops were withdrawn by the end of 2014.
Close
Afghan Wars (1979 -
)

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Afghanistan: 2000s Post-intervention process

Parties	President of the IRA Mohammad Ashraf Ghani, chairman of HIA delegation Gulbuddin Hekmatyar, chairman of HPC Peer Sayed Ahmad Gailani and HIA head of peace delegation, Mohammad Ameen Karim.
Third parties	-
Description	This agreement contains mutual commitments of the Afghanistan government and the Hizb-e-Islami group. The government agrees to work towards lifting international restrictions against Hizb-e-Islami members, prisoner release, rights to political activities and participation, and facilitation of inclusion in government institutions. Hizb-e-Islami commits to a ceasefire, cutting ties with terrorist groups, and to support the work of the High Peace Council.

Agreement document	AF_160929_Agreement between the Islamic Republic of Afghanistan and Hizb-e-Islami.pdf (opens in new tab) | Download PDF

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	Groups→Racial/ethnic/national group→Rhetorical Page 1, Article Three Both parties believe that all people both man and woman enjoy equal right and responsibility before law indiscriminately and without concession. The single and united Afghanistan belongs to all brave tribes and people of this territory and national sovereignty is the unquestionable right of nation that enforces it directly or through its elected representatives.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons	Groups→Refugees/displaced persons→Substantive Page 3, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Sixteenth The GoIRA pledges to undertake comprehensive measures including providing pieces of land for accommodation with essential resources in Kabul and other provinces for settlement of problems of refugees of camp Nasrat Meena and other Afghan refugees in Pakistan and Iran and their volunteer honorable and sustainable repatriation to the homeland. In this direction, the GoIRA pleads to pave the way as the first step of the practical volunteer repatriation of about 20000 refugee families with the help of the international community. Meanwhile the GoIRA undertakes essential measures towards tackling HIA martyrs and handicapped relatives problems like other martyrs and handicapped of the country. Implementation of know-how of this program to be arranged and registered by the joint executive commission.
Social class	No specific mention.

Gender

Women, girls and gender	Page 1, Article Three Both parties believe that all people both man and woman enjoy equal right and responsibility before law indiscriminately and without concession. The single and united Afghanistan belongs to all brave tribes and people of this territory and national sovereignty is the unquestionable right of nation that enforces it directly or through its elected representatives.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.

State symbols	Page 2, Article Two Both parties believe that the religious principles and guidelines would be the main pillar of all laws and government performances, as the second and third articles of the country's constitution emphasize too that the holy religion of Islam is the official religion of the Government of Islamic Republic of Afghanistan and no law could be against the believes and orders of Islam, the holy religion in Afghanistan.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed)	Governance→Political institutions (new or reformed)→General references Page 3, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Thirteenth The GoIRA obliges itself to provide essential conditions for presence and partnership of HIA in government institutions according to constitution. The proper and acceptable framework quality for implementation of this issue will be arranged by the High Peace Council in coordination with HIA delegation and will be recommended to the presidential authority.
Elections	Page 2, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Eight The GoIRA pledges that in consultation with political, civil and government institutions of the country to pave the way towards further reform of election process and submit specific plans in this regard. The government also commits to pave the way for attendance of HIA in the reform process of electoral system. If due to shortage of time, the reforms of electoral system can't be focused to upcoming election, the government in consultation with all concerned institutions would be committed to amend the electoral system based on proportionate party electoral system. Similarly, the presence of HIA in electoral structures will be ensured according to the law.
Electoral commission	No specific mention.

Political parties reform	Governance→Political parties reform→Other political parties reform Page 2, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Seven The GoIRA pledges to announce officially to recognize the right of political activity of Hezb-e-Islami in all socio-political dimensions in accordance with enforced laws of the country, cooperate for its implementation as the Hezb-e-Islami can attend parliamentary, presidential, provincial and municipality elections and have its candidates. Page 3, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Thirteenth The GoIRA obliges itself to provide essential conditions for presence and partnership of HIA in government institutions according to constitution. The proper and acceptable framework quality for implementation of this issue will be arranged by the High Peace Council in coordination with HIA delegation and will be recommended to the presidential authority. Page 4, Second Chapter: The parties' commitments, Second section: commitments of the Hezb-e-Islami of Afghanistan, Article Twentieth HIA obliges itself to cooperate the NUG as a political party in defense and ensuring reliable security throughout the country and activates its offices in the capital and provinces as an official political party.
Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing	
Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	Page 1, Article Two Both parties believe that the religious principles and guidelines would be the main pillar of all laws and government performances, as the second and third articles of the country's constitution emphasize too that the holy religion of Islam is the official religion of the Government of Islamic Republic of Afghanistan and no law could be against the believes and orders of Islam, the holy religion in Afghanistan.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.

Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	Security sector→Ceasefire→General commitments Page 3-4, Second Chapter: The parties' commitments, Second section: commitments of the Hezb-e-Islami of Afghanistan, Article Eighteenth Following the officials announcement by this agreement of the HPC of the GoIRA, HIA officially announces that to carry out activities as an important political party in the sake of the country's interests, permanent ceasing of war and violence and ensuring of reliable peace in the country, respect the constitution, establish permanent truce, stop every military escalations and provocations and dissolve its military structures...
Police	No specific mention.
Armed forces	No specific mention.
DDR	Security sector→DDR→DDR programmes Page 3, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Fourteenth The GoIRA pledges to recruit eligible HIA individuals and commanders who are interested to serve in the country's security and defense forces. The GoIRA is committed to prepare the ground of their legal honorable reliable integration in the society. Knowhow of implementation of this article will be arranged through joint executive commission. Page 3-4, Second Chapter: The parties' commitments, Second section: commitments of the Hezb-e-Islami of Afghanistan, Article Eighteenth Following the officials announcement by this agreement of the HPC of the GoIRA, HIA officially announces that to carry out activities as an important political party in the sake of the country's interests, permanent ceasing of war and violence and ensuring of reliable peace in the country, respect the constitution, establish permanent truce, stop every military escalations and provocations and dissolve its military structures. The joint executive commission adopts essential measures for implementation of this article as soon as possible...
Intelligence services	No specific mention.

Parastatal/rebel and opposition group forces	[Summary: This agreement in its entirety provides for the political reintegration of the rebel group Hezb-E-Islami.] Page 2, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Eleventh ...HIA commits that the released members of Hezb-e-Islami would not go to battlefields against the GoIRA and would never join any illegal and terrorist armed group. Supervision over settlement of any difference in this connection would be turn over to the joint executive commission with good will. Page 3, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Fourteenth The GoIRA pledges to recruit eligible HIA individuals and commanders who are interested to serve in the country's security and defense forces. The GoIRA is committed to prepare the ground of their legal honorable reliable integration in the society. Knowhow of implementation of this article will be arranged through joint executive commission. Page 4, Second Chapter: The parties' commitments, Second section: commitments of the Hezb-e-Islami of Afghanistan, Article Nineteenth HIA pledges that after the signing of this agreement announces that not to establish any relations with illegal armed organizations and terrorist groups and do not support them.
Withdrawal of foreign forces	Page 1, Article Four Both parties support withdrawal of foreign military forces based on agreements for strengthening of national sovereignty and interests of the country and believe that through this unity and solidarity, the inhabitants of Afghanistan can halter crisis stem from war and confront threats.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	Page 2, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Eleventh ...HIA commits that the released members of Hezb-e-Islami would not go to battlefields against the GoIRA and would never join any illegal and terrorist armed group. Supervision over settlement of any difference in this connection would be turn over to the joint executive commission with good will. Page 4, Second Chapter: The parties' commitments, Second section: commitments of the Hezb-e-Islami of Afghanistan, Article Nineteenth HIA pledges that after the signing of this agreement announces that not to establish any relations with illegal armed organizations and terrorist groups and do not support them.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	Page 2, Second Chapter: The parties' commitments, First section: commitments of the Government of the Islamic Republic of Afghanistan, Article Eleventh In conformity and signing of this agreement, the GoIRA guarantees the judicial security of leader and members of Hezb-e-Islami concerning the past political and military steps. The GoIRA pledges to release prisoners and captives of HIA that include the agreed list and who have not committed criminal crimes and there would be no personal claims by certain individuals against them, in no later than three months, through an overt commission that would be formed for this purpose. HIA commits that the released members of Hezb-e-Islami would not go to battlefields against the GoIRA and would never join any illegal and terrorist armed group. Supervision over settlement of any difference in this connection would be turn over to the joint executive commission with good will. Page 3-4, Second Chapter: The parties' commitments, Second section: commitments of the Hezb-e-Islami of Afghanistan, Article Eighteenth ...Hezb-e-Islami of Afghanistan commits to release those detainees who are in captivity with the signing of this agreement as quick as possible and hand them over to the Afghan government. The GoIRA undertakes essential measures for security of HIA individuals.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	Page 4, Second Chapter: The parties' commitments, Second section: commitments of the Hezb-e-Islami of Afghanistan, Article Twenty-Fourth In case of emergence of any possible difference in this agreement, both parties settle the difference through friendly consultation and negotiations and with good will in the joint commission that both sides and carryout activities under the management of HPC would determine its members.