

Kabul Agreement between the Government of Afghanistan and Hizb-i Islami-yi Afghanistan on 22 September 2016

Source: Kabul Times 26 September 2016 "Full text of agreement between GoIRA & Hezb-e-Islami of Afghanistan led by Gulbuddin Hekmatyar",

<http://thekabultimes.gov.af/index.php/opinions/politics/11934-full-text-of-agreement-between-goira-hezb-e-islami-of-afghanistan-led-by-gulbuddin-hekmatyar.html> (accessed 2017-04-03)

Article One:

With strong and unshakable faith to Allah the Almighty and sincere believe in holy religion of Islam, both parties oblige themselves to unconditional obedience of the lofty principles of this religion and set it as their goal.

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.

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.

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.

Second Chapter: The parties' commitments

First section: commitments of the Government of the Islamic Republic of Afghanistan

Article Five:

The GoIRA guarantees that with the signing of this agreement, in contact with the UNSC and all concerned governments and bodies starts removal of sanctions imposed on the HIA, its leader and members with submitting of official request for removal of sanctions for permanent termination of war and restoration of a sustainable peace and security in Afghanistan.

The Afghan government is also obliged to make all possible efforts using all available resources in this direction to remove every kind of sanctions against leader and members of HIA as quick as possible.

Article Six:

Simultaneous with the signing of this agreement, the GoIRA officially announces that the leader and other prominent dignitaries of HIA can freely live everywhere in this country according to prevailing laws and the GoIRA obliges itself to provide essential and suitable conditions for implementation of this objective.

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.

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 cannot 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.

Article Ninth:

The jihadi leader of Afghanistan Gulbuddin Hekmatyar will be particularly respected and honored with a special decree by the president of the IRA for ensuring peace in the country and his efforts for liberation of Afghanistan.

Article Tenth:

The leader of Hezb-e-Islami could choose two or three suitable places for his residence in Afghanistan and the government would provide essential security condition and certain and reasonable expenditures for him.

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 turned over to the joint executive commission with good will.

Article Twelfth:

For further strengthening of the NUG and towards creation of trustworthy atmosphere between GoIRA and HIA, the leading body of the GoIRA pledges that the presence of HIA would be ensured in consultative process for arrangement and implementation of important government and national policies.

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.

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.

Article Fifteenth:

The separation period of those HIA officials and officers who had previously served in government departments and were dismissed, will be calculated as their service period according to law if they manage to submit legal documents. Their recruitment will be taking place based on legal conditions.

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 NasratMeena 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 knowhow of this program to be arranged and registered by the joint executive commission.

Article Seventeenth:

Repatriation of those HIA personalities and officials who are living out of the country, will be taking place according to this agreement.

Second section: commitments of the Hezb-e-Islami of Afghanistan**Article Eighteenth:**

Following the official announcement by this agreement of the HPC of the GoIRA, HIA officially

announces that to carryout 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 adopt essential measures for implementation of this article as soon as possible.

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.

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 don't support them.

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.

Article Twenty first:

HIA is completely prepared to make efforts towards ensuring permanent peace and stability in Afghanistan and realizing its religious and historical responsibilities.

Article Twenty Second:

Since its signing, this agreement as an official confidential document will be reputable between the GoIRA and HIA with management and mediation of Afghanistan High Peace Council and will be implemented.

Every change that is requested after signing of this document by one of the parties, should be in written form and after both sides agreement would be inserted to the main document.

Article Twenty third:

Both sides agree upon creation of a joint executive commission formed from the both parties authorized representatives for supervision and comprehensive implementation of this agreement.

The said commission would carry out activities under the monitoring of HPC of the GoIRA.

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 its members would be determined by both sides and carryout activities under the management of HPC.

Article Twenty Fifth:

This agreement has been arranged in three chapters and twenty five articles that would be

signed by both sides. 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, I