



## Hekmatyar taken off UN sanctions list: Paving the way for his return – and Hezb-e Islami's reunification?

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The United Nations has lifted the sanctions against Gulbuddin Hekmatyar, the leader of the Islamic Party of Afghanistan. This was the next step in the implementation of the peace agreement signed by the Afghan government and Hezb in September 2016. It paves the way for the return of the former mujahedin leader, one of the most contentious figures in recent Afghan history – a hero of the jihad according to supporters, a war criminal according to detractors. AAN's co-director Thomas Ruttig follows up on earlier AAN analysis of the peace agreement, looks at what happens next and possible implications for Hekmatyar's party (with input from Kate Clark, Fazal Muzhary and Ehsan Qaane).

Over four months after the peace deal between the Afghan government and Hezb-e Islami was signed by President Ashraf Ghani and Hezb leader (*amir*) Gulbuddin Hekmatyar (who was not personally present but brought in via video link), the United Nations Security Council (UNSC) has taken Hekmatyar off its sanctions list. A press release about this measure was published on 3 February 2017 (see the full text in the annex to this dispatch). Without it, the government would have been obliged to detain Hekmatyar if he came to Kabul openly.

In the September 2016 agreement with Hezb-e Islami Afghanistan (HIA, Islamic Party of Afghanistan), the Afghan government had committed to take measures that would remove "all sanctions" against the leadership and members of Hezb as a prerequisite for its implementation. (Read earlier AAN analysis of the agreement and its possible repercussion



[here.](#))

This stipulation in the agreement does not only refer to the now lifted UN sanctions. Hezb and/or Hekmatyar were also blacklisted by individual states and organisations such as the US, the UK and the European Union. (1) There have been no official statements, so far, by those sides on a changed status of Hezb or Hekmatyar.

Until the agreement was signed, Hezb, after the Taleban, had been the second largest organisation participating in the armed insurgency against the Afghan government and its western allies. It had not been invited to the Bonn conference in December 2001, although a son-in-law of Hekmatyar, Humayun Jarir, was a member of one of the four participating factions, the Cyprus Group. (2) Even after Hekmatyar declared 'jihad' against the new Karzai administration, and was put under sanctions, many senior Hezbis came back to Afghanistan and some eventually managed to join the government, becoming ministers, governors and – currently – one of the deputy CEOs. A legal Hezb-e Islami party was allowed to register in 2005 after it was persuaded to distance itself verbally from its *amir* Hekmatyar. Since, it has experienced splits and factionalisation while it was clear that it kept links with the party's insurgent wing, used the same name and party insignia and talked about these links increasingly openly over the past years.

## *Hekmatyar and sanctions*

Gulbuddin Hekmatyar, the *amir* of Hezb-e Islami Afghanistan (Islamic Party of Afghanistan) (HIA), was [put on the sanctions list](#) on 20 February 2003 under the category of "individuals, groups, undertakings and entities [...] associated" with al Qaeda. The list had been established by UNSC resolution 1267 in 1999; on 16 May 2011, it was amended to also include associates of the Islamic State, also known as Daesh. Similar to the Taleban case, his party was not blacklisted; in contrast to the Taleban, other leading members of Hezb-e Islami were also not put on the list.

While from a Kabul perspective the militant wing of Hezb stood on the same side of the post-2001 conflict with the Taleban, al-Qaeda and Daesh, Hezb remained a separate organisation within the insurgency with separate aims and no shared organisation with the Taleban or any other group. This notwithstanding occasional joint action by local fighters on the battlefield. Arguably, it did not even share the same aims as the other three organisations in Afghanistan, which were to overthrow and replace the government in Kabul.

Now, from hindsight, with the peace agreement signed in September 2016 in place, it looks as if Hezb's use of military force was always part of a two-pronged approach: exerting military pressure in order to force the government to reconcile and share power. The structure of Hezb – with an insurgent wing and a legal wing (or rather several legal wings) reflected this approach.

Until recently, permanent members of the Security Council, Russia and France, had been blocking his de-listing. In Russia's case, this may have been a play of strength, reflecting a



perceived increase of activity and influence in Afghanistan after attempts by the West to disengage. In France's case, its antipathy to delisting Hekmatyar stemmed from an incident on 18 August 2008 when Hezb fighters ambushed and killed French soldiers from an airborne unit in the Uzbin Valley, in the district of Sarobi in Kabul province. It was the single largest French, and indeed international, loss in a single battle in Afghanistan. (The last French soldiers left Afghanistan in late 2012.) Nonetheless, France and Russia finally allowed the de-listing and it went through on 3 February 2017.

## *The Hezb deal – blueprint for the Taleban?*

The peace accord with Hezb has been hailed by the Afghan government and among its allies – some of whom were present during the negotiation process – as the first major achievement towards peace in the last fifteen years. In their eyes, it also represents a potential blueprint for future peace talks and a political settlement with the Taleban, who are by far the strongest insurgent force in Afghanistan. The Taleban leadership, however, rebuffed this notion in September.

One of the factors that suggest that such parallels are artificial is that, in reality, Hezb-e Islami had [barely been fighting](#) for years. In its recently published annual report on the protection of civilians in the armed conflict (footnote 187, [here](#)), UNAMA attributed just seven civilians injured, out of a total of 6,994 civilian casualties attributed to anti-government elements, in 2016 to Hezb-e Islami. The last big terrorist attack claimed by Hezb occurred in Kabul in February 2014. It killed two US contractors and injured several Afghan civilians (media report [here](#)).

The peace agreement has rather sparked off something of a war of words between Hezb-e Islami and the strongest party to the insurgency, the Taleban. At the time of the deal being signed, the Taleban called Hezb-e Islami “insignificant.” Hezb [responded](#) in January 2017 by calling the Taleban “fanatic, not independent and ignorant” and indirectly denouncing them for their attacks on civilians as lacking justification and “against the Islamic principles” – although, as just seen, Hezb attacks, have also caused civilian casualties.

## *Next steps in the peace deal*

There are various steps in the peace agreement that need to be implemented, although whether they need to come before or after Hekmatyar could officially return is not clear.

## *The return of Hekmatyar, bodyguards and housing*

There have been mounting reports in Afghan and other media, most with reference to Hezb chief negotiator Muhammad Amin Karim, that the return of Hekmatyar to Afghanistan was ‘imminent’ (read one [here](#)). In his latest statement, he [told Radio Azadi](#) on 9 February 2017 that “brother mujahed Hekmatyar” would come to one of the provincial capitals “in next few weeks” and would proceed from there to the capital of the country for a “welcoming ceremony and special celebration.” He further said that it was “difficult” to give a precise arrival date but that



the party was “hoping and preparing for the second half of Hut [second and third week of March].”

When Hekmatyar comes, it will be the Hezb-e Islami’s leader first official return to Kabul in twenty years. This was in 1996 after four years of bloody civil war with other mujahedin factions (his headquarters was in Chahrasayab, not far south of Kabul’s city limits) in a final ditch attempt to compromise with his arch-enemies, Jamiat-e Islami, to save themselves from the looming Taliban threat who were already at Kabul’s gates. Jamiat, which led the government of the mujahedin’s ‘Islamic State of Afghanistan’, made him Prime Minister again. (3) The attempt at unity failed. First Hezb-e Islami, then Jamiat fled Kabul (with many Hezb cadre joining the Taliban). Over the past 17 years, Hezb has repeatedly claimed that Hekmatyar has personally led its armed struggle against the post-2001 government and its western allies on Afghan soil. This seems unlikely, though; certainly, during the 1980s jihad, he ‘led’ the fighting largely from Peshawar.

Ghairat Bahir, Hezb’s political committee head and another Hekmatyar son-in-law, [told al-Jazeera](#) on 4 February 2017 that “Hekmatyar is in hiding in Afghanistan. The comment tied in with rumours that Hekmatyar was already in Kabul, somehow secreted away among a large delegation of Hezb officials and members of his family who had been staying at the Serena Hotel in Kabul.

Nangarhar governor Gulab Mangal had earlier said, when he took over the governorship in December 2016, that he expected Hekmatyar to first come to his province ([quoted here](#)). Nangrahar – and the greater eastern region – has traditionally been one of Hezb’s strongholds. Mangal’s statement came on 7 December 2016, six days following [a report](#) in the Afghan media about “a group of high profile [Hezb] members” that had returned to Nangarhar, “repatriated through Torkham border this morning”. The report further stated that Engineer Salam, “military assistant of HIA leader Gulbuddin Hekmatyar, was in the group” and that

*A security delegation headed by Nangarhar deputy police chief welcomed the HIA group at Torkham border and ensured their security, the source added.*

*The group arrives amid ongoing efforts to accommodate Hekmatyar in Nangarhar. In this regard, president’s advisor on political affairs, Mohammad Akram Khpalwak, had talked to local officials during a visit to Nangarhar.*

*A complex of the Ministry of Tribal Affairs is dedicated to house Hekmatyar and his close aides and painting, repairing and cleaning works of the building have been underway.*

It was not clear whether Khpalwak – who also heads the government’s executive commission for the implementation of the Hezb deal – referred to Nangrahar or Kabul.

There are also reports the party will be able to nominate 500 “former mujahedin” to be trained by the ANSF for the protection of its leadership ([here](#) and [here](#)) and that the Afghan government



had already [rented](#) several houses in Kabul's Dar-ul-Aman area for Hezb returnees. Hezb officials are also house-hunting themselves, Kabul property dealers have told AAN, although several said landlords and neighbours were reluctant to house such tenants.

## *Prisoners and Returnees*

Hezb has two particular constituencies which it needs to accommodate under the peace agreement: detainees and refugees. Presidential advisor Khpelwak [said](#) at a press conference in Kabul on 4 February, that the government was focusing on both. The agreement stipulates that the government takes "necessary steps" particularly for the repatriation of the Afghan refugees of Nasrat Mena (better known as Shamshatu) camp near Peshawar that has been controlled by Hezb-e Islami since its involvement in the anti-Soviet struggle in the 1980s. (4) According to Afghans living in Peshawar, the camp is increasingly emptying. They told AAN that large amounts of household items are on sale at local markets, as Shamshatu residents have departed or are about to leave for Afghanistan. While this seems to indicate that many of these returnees to Afghanistan do not need much material support from the government, it remains open where they will finally be resettled. Hezb negotiator Karim, in his 9 February Radio Azadi statement (already quoted above) mentioned, among "some technical issues" still open, the allocation of land to returnees.

Meanwhile, Hezb is increasing its public pressure for the release of fighters held in Afghan prisons. It [puts](#) their number at 2,600. According to documents reportedly seen by Afghan 1TV in January 2017, only about 500 of them were detained on charges of being Hezb members while 1,500 others were jailed as Taliban. Both Hezb and government representatives had reportedly confirmed this to the station. Khpelwak was also quoted in the report as saying that both Hezb-e Islami members and commanders in the field and among those included in the prisoners list presented by Hezb had fought "under the name of Taliban." Hezb is not disputing these claims; its chief negotiator Karim explained that for the prisoners "There are some reasons [for this], first they [are] unjustly considered as Taliban [by the government], second, they labelled themselves as Taliban to release the pressure imposed by the government and Taliban prisoners." He admitted, too, that there were "some Taliban members" in the list presented by Hezb-e Islami.

Kabul daily 8 Sobh published a list of 173 Hezb-e Islami detainees in Bagram prison on 8 February 2017 that reportedly has been provided by [Markaz-e Khabarnegari-ye Tahqiqi Payk](#) (Payk Investigative Journalism Centre (the link to the list at the end of [this article](#))). The daily wrote that most prisoners on the list have been convicted for terrorism or crimes against the internal security of the country. The list reportedly includes some Hezbis that have been involved in major terrorist attacks in Kabul (media report [here](#)) – including the January 2011 suicide attack in Kabul's Finest Supermarket. At least one of them, a certain Abdul Sabur, was convicted for having played a key role in the February 2014 bomb attacks that killed two US contractors (see above) because of which the US had put a 3 million US dollar bounty on him. 8 Sobh also specified the status of the 173: it includes four condemned to death, 65 with prison sentences between 11 and 20 years, 64 with prison sentences up to ten years, 17 with their





case under review and 23 whose prison term had either finished but had not been yet released or whose status was unspecified.

## *War crimes and amnesty*

The Hezb prisoners will be amnestied, as will Hekmatyar himself. Under the amnesty law of 2009 ([AAN analysis here](#)), (5) anyone who has committed war crimes or crimes against humanity or who reconciles gets a blanket amnesty.

This will stick in the throat of many. Hezb-e Islami is seen as ‘first among equals’ among the various factions whose bombing of Kabul between 1992 and 1996 left a third of the city destroyed. The Afghanistan Justice Project (AJP) in its [report](#) on the war crimes of the 1978-2002 period, summed up the party’s record:

*[T]he sheer magnitude of civilian casualties and wanton destruction resulting from bombardment during 1992-95, provides strong grounds for asserting there was excessive force. The continuity in the pattern of casualties throughout the campaign, with no evidence of any serious Hizb-i Islami attempt to alter its tactics to focus more effectively on military targets, indicates that Hizb-i Islami failed to take adequate measures to avoid civilian damage. Some of the episodes of bombardment occurred without any accompanying land offensive, or obvious urgency in possible military targets. This applies most particularly to the massive August 1992 bombardment, during which front lines remained static and it seemed that the bombardment was merely a reassertion of opposition. According to the International Committee of the Red Cross, one to two thousand people were killed by rockets in three weeks in August, and eight to nine thousand wounded. During that period, Hikmatyar’s forces fired most of the rockets that struck civilian areas of Kabul. Inflicting severe damage on civilian areas, as happened in August 1992 and in the absence of immediate military objectives, is the clearest case of indiscriminate use of heavy weapons.*

Of course, all other alleged war criminals who are on the government side also enjoy an amnesty. Still, the fact that Hekmatyar will not face justice is controversial. The Afghanistan Independent Human Rights Commission’s chief executive Musa Mahmudi [stated](#) that the commission was “seriously concerned” about the de-listing and that the UN Security Council’s step “will extend the culture of impunity from legal prosecution [for war crimes].” UNAMA also had strong words about the amnesty. In its annual report on civilian casualties for 2016 ([here](#) on p 18; [AAN analysis here](#)):

*The peace agreement – which could act as a precedent for future talks with the Taliban ? granted a broad amnesty to Hekmatyar and other members of Hezb-i-Islami (Gulbuddin), which would prevent the domestic prosecution of individuals who may be legally responsible for war crimes, genocide, crimes against humanity and other gross violations of human rights. Such amnesties are inconsistent with Afghanistan’s obligations under international law, as well as with the norms upheld by United Nations policy. Moreover, broad amnesties encourage impunity and may undermine efforts to secure genuine and lasting peace and reconciliation.*



*Furthermore, the peace agreement failed to recognize the right to the truth of victims of gross violations of human rights and their families.*

One of Hekmatyar's last surviving peers among the seven former leading, Sunni Pakistan-based mujahedin leaders, Sebghatullah Mujaddedi, (6) [has spoken](#) about the implications of the amnesty. He welcomed the peace agreement "as far as it conforms with the principles and criteria of the rules of Islam" but criticised the "privileges and judiciary immunity bestowed on this party" by the agreement. Indirectly pointing to the allegations of widespread human rights abuses by the parties involved in the 1980s and 1990s civil and factional wars and to their victims, Mujaddedi said that "not Mr Hekmatyar and not I, no one can escape the implementation of the *haq ul-abd* [the right of the servant of Allah]". This is a principle in *sharia* law according to which God's right (*haq allah*) – here expressed through the state's decision not to prosecute war criminals – cannot overrule the right of individuals (*haq ul-abd*), for example victims of a corporal crime or their families, to seek redress from the perpetrator. (The victims or their relatives can either apply the 'eye for an eye' principle or pardon the perpetrator(s).) (7) This further means that any political agreement, such as the one between the Afghan government and Hezb-e Islami, cannot invalidate *haq ul-abd* which, in Mujaddedi's eyes, is a contradiction the *sharia*. The agreement also counters article 170 in the current Afghan Penal Code, which stipulates the same – that *haq ul-abd* cannot be overruled by a general amnesty.

In reality, since the passing of the amnesty law, no individual having to act without the backing of the state has been brave – or foolhardy – enough to seek such redress. The men they accuse are powerful, and the Afghan justice system is weak and corrupt. It would seem unlikely that any of Hekmatyar's many victims will try to take him to court, either.

In Hekmatyar's case, he is not just getting an amnesty. He will also receive honours and be treated with protocol "in recognition of his efforts for peace and security and [...] for the freedom of Afghanistan" (quoted from the agreement's text [as released by Tolonews](#)). (8)

A small foretaste of how Hekmatyar's return may play out came when one of his former commanders, Zardad Sarwar Faryadi (9) arrived at Kabul airport from the United Kingdom where he had been released after 11 years in jail for war crimes and crimes against humanity committed during the civil war. As [AAN reported](#), he received a hero's welcome by Hezb supporters. Many former victims, however, remembered his time in charge of Sarobi where he preyed on those fleeing the civil war in Kabul, extorting money, taking hostages for ransom and setting his human 'dog' on victims. If one of the more lowly Hezb commanders managed to get armed supporters inside the ultra-secure perimeter of the airport to welcome him back with banners proclaiming his heroism, what sort of celebrations will the *amir* be treated to and how much more upsetting will it be for his victims?

### *Inner-Hezb dynamics*

The looming return of its *amir* has triggered much activity within the many pro-government



factions of Hezb-e Islami that have emerged since the mid-2000s. In Kabul and a number of provinces, meetings between Hezb members and its sympathisers have been held in support of the peace agreement. As one such meeting in Herat in October 2016 demonstrated, to which members and sympathisers (local Hezb officials [claimed](#), 3,000 to 5,000) from different districts had been summoned, they are both a means to mobilise supporters and put on a show of force. Government representatives, such as the provincial governor and the provincial head of the HPC for Herat, also participated in the gathering – although it is usual protocol in party meetings to invite leaders of other parties and does not necessarily reflect affiliation. In Ghazni, Hezb sources told AAN, Taliban fighters stopped rural party sympathisers on their way to the provincial capital (see also [here](#)). Also in Jalalabad similar meetings were held. A visiting AAN staff member also saw a large number of Hekmatyar photos and posters in the streets, praising him as “the real hero of jihad.”

Party heavyweights are positioning themselves for the time following Hekmatyar’s return. Given the hierarchical structure of the party, even many of them might be as unaware – as outside observers are – about the question much discussed in Kabul: whether the 67 year-old Hezb *amir* just wants to return honourably to Kabul (now, perhaps showing his age, and amid rumours he might be ill) or to play an active role in politics. Twenty years ago, he was the only and unquestioned leader of Hezb-e Islami, but it remains to be seen whether he will be able to move smoothly back into this role. Leaders of the different Hezb factions in the country showed their support for the peace agreement by participating in the signing ceremony in September 2016 and by that, at least on the surface, for Hekmatyar. Some might have felt obliged to do so, fearing to lose their current status and could now also be wondering about where they will fit into the new constellation of power, both in the party and with regard to the slots in government so far held by Hezbis.

This includes the following parties and factions:

- Hezb-e Islami Afghanistan has been registered as a (then still unified) party in Afghanistan in 2005. Its leader is former economy minister (under Karzai), Abdul Hadi Arghandiwal. While this party was forced, as a *quid pro quo* for its registration, to distance itself from the insurgent wing under Hekmatyar, it continued to use exactly the same name, party insignia and founding date – indicating that this was not fully genuine. Muhammad Khan in Kabul (now First Deputy Chief Executive after this faction allied with Dr Abdullah in the 2014 election, but formerly Hezb Chief of Intelligence, a biography compiled by AAN [here](#)) implied in an interview with AAN in 2013 that there is only one Hezb and no splinter groups ([read here](#)). After the 2016 peace agreement, Arghandiwal has stated on various occasions that he accepted Hekmatyar as the party’s *amir* and would work with him. Hezb’s *Shahadat* daily, published in Kabul, accordingly refers to Hekmatyar as the party’s *amir* and to Arghandiwal as its director.
- The United Islamic Party of Afghanistan (*Hezb-e Muttahed-e Islami-ye Afghanistan*) is led by Wahidullah Sabawun, another former Hezb intelligence chief from the anti-Soviet fight (Hekmatyar liked to move senior officials around so they could not become rivals to





him). Sabawun did not follow Hekmatyar into exile following the Taliban takeover of Afghanistan in 1996 and became a member of the Jamiat-led 'Northern Alliance' (officially National United Front for the Salvation of Afghanistan). He returned to Kabul after the Taliban regime was removed and registered his party in 2006. Although there has been no official statement by this group, Sabawun has hosted a number of high-level meetings of Hezb officials from several backgrounds in Kabul over the past months.

- The Union of Hezb-e Islami Councils (*Ittehad-e Shuraha-ye Hezb-e Islami*) emerged before the 2014 election and unites historical Hezb leaders and provincial heavyweights who remained as officially belonging to the Arghandiwal faction but did not follow it into its election alliance with Dr Abdullah and Jamiat. After having sided with Dr Zalmay Rassul in the first round, then believed to be Karzai's candidate, it ended up supporting Dr Ashraf Ghani. It includes former Paktia provincial governor Juma Khan Hamdard (from Balkh province, he is the most important northern Hezbis), currently one of the most active organisers of Hezb meetings; a former deputy party leader of the 1980s, Qazi Muhammad Amin Waqad, who broke away in 1988 to start his own splinter group (he did not continue this after 2001); and Sabawun's party (see above). The council has continued its activities since the election and welcomed Hekmatyar's imminent return.
- There is also another, small HIA faction led by Muhammad Khaled Faruqi, who was the party's first leader in 2004. He was – not fully voluntarily – replaced after a party congress in 2007 by Arghandiwal and did not officially leave the party but continued separate activities. Faruqi, who is from Paktika and belongs to Hekmatyar's Kharoti tribe, (10) is considered close to the *amir*.

These factions and their leaders are not only positioning themselves within their own party ahead of the imminent arrival of Hekmatyar, but also ahead of the expected distribution of positions and other perks and privileges. They assume the political agreement will bring a rearrangement of positions in government and in the presidential office, possibly even the replacement of First Vice President Abdul Rashid Dostum with one of their own (he has been accused of raping or ordering the rape of a rival Uzbek politician and some of his bodyguards have been arrested (one media report [here](#)). It is hard to believe, though, that the president would want to risk the support of the politically, so far, tightly knit Uzbek community, nor indeed the steps that would be needed to oust an elected politician and replace him with one unelected. (Exactly the same speculation surrounded former Balkh governor, Muhammad Atta – a Tajik and Jamiati –, that he might be brought in to replace Dostum.)

It seems likely that Hekmatyar will return to Afghanistan as the undisputed leader of his party and a key player on the national scene, if age and bad health do not stand in the way. This is a role he has not been able to play since the mid-1990s, and particularly so after his decision, after not receiving an invitation to Bonn in 2001, to go 'into the mountains'. If his return to Kabul does bring the different groups into which the legal Hezb wing had splintered over the past decade closer together, it would give the party additional political weight. It is already



powerful – one of the most rooted in the countryside, although with varying grades of influence in the different regions, a strong position in the urban Islamist intelligentsia and a strong presence in institutions such as the parliament and the sub-national administration. It will also be interesting to watch how it will relate to the new Islamic youth movements described in [this 2015 AAN paper](#).

*Edited by Kate Clark and Emilie Cavendish.*

(1) For example, Hezb is not on the [“list of “Designated Foreign Terrorist Organizations”](#) of the US state department. In 2008, however, it was (as “Hizb-I Islami Gulbuddin, HIG”) on the list of “Terrorist Groups”, under “other selected terrorist organizations” (apparently a lower status of blacklisting), of the US Office for Counter-Terrorism. There it was accused of “long-established links with Usama Bin Ladin” (in the AAN archive). On 10 February 2017, it was still on the [list of the “Proscribed terrorist groups” of the UK Home Office](#). It had been added there in October 2005, also as HIG, “particular very anti-American” and as desiring “the creation of a fundamentalist Islamic State in Afghanistan.” As of May 2016, neither Hezb nor Hekmatyar were on the [EU sanctions list](#).

(2) Jarir has not been visibly active in Hezb-e Islami after Bonn. In September 2015, President Ghani [reportedly](#) appointed him as an advisor in social affairs.

(3) Hekmatyar was nominally mujahedin prime minister once before, but factional fighting breaking out after the mujahedin takeover of Kabul in 1992 prevented him from coming to Kabul and taking over his post.

(4) In the 1980s, Pakistan required those Afghan refugees living in camps to register with one of the mujahedin parties based in Pakistan, which entitled them to assistance (see the 2015 report by Human Rights Watch, [“What Are You Doing Here”](#), p 8).

(5) Article 11 of the peace agreement stipulates that “The government of the Islamic Republic of Afghanistan guarantees the judiciary immunity for the leader and the members of Hezb-e Islami with regard to past political and military measures...”

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(full Dari text of the agreement quoted from [here](#); there was no official release of the agreement’s text so far). It is the text signed by National Security Advisor Hanif Atmar and Hezb chief negotiator, Karim, on 22 September 2016, seven days before the public signing by President Ghani and Hezb leader, Hekmatyar, on 29 September 2016. It is not fully clear whether or not any change occurred in the text between the two dates but no other text of the agreement has been made public since this version.



The amnesty law is officially it is entitled the National Reconciliation, General Amnesty and National Stability Law.

(6) The only other one being Abdul Rab Rasul Sayyaf, following Pir Gailani's demise on 21 January 2017. Mawlawi Muhammad Nabi Muhammadi passed away in 2002 and Mawlawi Yunos Kholes in 2006, while Borhanuddin Rabbani was assassinated in 2011.

(7) It stipulates (in Art 3) that those "who are still in opposition of the Islamic Republic of Afghanistan" if they "join the process of national reconciliation" and "respect the constitution and other laws" also fall under this amnesty.

(8) The full provision reads as follows:

*[The] President of the Islamic Republic of Afghanistan will issue an order, which will define the necessary protocol for the jihadi leader of Afghanistan, his excellency Gulbuddin Hekmatyar, in recognition of his efforts for peace and security in the country and his endeavours for the freedom of Afghanistan. However the modality of the protocol will be recommended to the president [through an] understanding [between] the high peace council and the Hizb-e-Islami delegation.*

(9) In the British court documents he is given as Faryadi Sarwar Zardad.

(10) Hekmatyar was born in Emam Saheb in the northern province of Kunduz, where his ancestors had been forced to resettle from the Afghan southeast.

## **Annex:**

The UN Security Council's press release on lifting the sanctions against Hekmatyar ([link](#))

- SECURITY COUNCIL
- SC/12705
- 3 FEBRUARY 2017

Security Council ISIL (Da'esh) and Al-Qaida Sanctions Committee Removes One Entry from Its Sanctions List

On 3 February 2017, the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities removed the name below from the ISIL (Da'esh) and Al-Qaida Sanctions List.

Therefore, the assets freeze, travel ban and arms embargo set out in paragraph 2 of Security



Council resolution 2253 (2015) no longer apply to the name set out below.

1. Individual associated with ISIL (Da'esh) and Al-Qaida

QDi.088 Name: 1: GULBUDDIN 2: HEKMATYAR 3: na 4: na

Name (original script): ??? ?????? ???????? [sic]

Title: na Designation: na DOB: 1 Aug. 1949 POB: Kunduz Province, Afghanistan Good quality a.k.a.: a) Gulabudin Hekmatyar b) Golboddin Hikmetyar c) Gulbuddin Khekmatiyar d) Gulbuddin Hekmatiar e) Gulbuddin Hekhmartyar f) Gulbudin Hekmetyar Low quality a.k.a.: na Nationality: Afghanistan Passport no: na National identification no: na Address: na Listed on: 20 Feb. 2003 (amended on 16 May 2011) Other information: Belongs to the Kharoti tribe. Believed to be in the Afghanistan/Pakistan border area as at Jan. 2011. Father's name is Ghulam Qader. Review pursuant to Security Council resolution 1822 (2008) was concluded on 8 Jun. 2010. INTERPOL-UN Security Council Special Notice [web link](#).

The names of individuals and entities removed from the ISIL (Da'esh) and Al-Qaida Sanctions List pursuant to a decision by the Committee may be found in the "Press Releases" section on the Committee's website. Other information about the ISIL (Da'esh) and Al-Qaida Sanctions List may be found on the Committee's website at [\[link\]](#).

The ISIL (Da'esh) and Al-Qaida Sanctions List is updated regularly on the basis of relevant information provided by Member States and international and regional organizations. The List is accessible on the Committee's website at the [following URL](#).

The Consolidated United Nations Security Council Sanctions List is also updated following all changes made to the ISIL (Da'esh) and Al-Qaida Sanctions List. An updated version of the Consolidated List is accessible via the [following URL](#).