

# SPECIAL REPORT

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## How Peace Was Made: An Inside Account of Talks between the Afghan Government and Hezb-e Islami

By Qaseem Ludin



Gulbuddin Hekmatyar addresses supporters in Jalalabad, Afghanistan, in March 2018. (Photo by Ghulamullah Habibi/EPA-EFE/Shutterstock)

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### Summary

- For more than four decades, Afghanistan has been in a state of war and violent conflict that has destroyed much of the country's physical and social infrastructure and prevented the formation of a state stable enough to establish law and order.
- Although several internal and external factors contributed to the conflict and its current political and security environment, a key factor has been weak Afghan leadership, exacerbated by political frictions among elites.
- Peacemaking is a difficult process, but often the most difficult part is how to start peace talks. Thus, the experience of negotiating peace between the Afghan government and the Hezb-e Islami insurgent group offers unique insights on peacemaking in the modern era.
- This report, based on the author's experience working as a negotiator during talks between the Afghan government and Hezb-e Islami, presents a firsthand account of the challenges and divisions that had to be overcome in order to make the September 2016 peace agreement possible.
- After the peace accord with Hezb-e Islami, Afghans have another historic chance to bring an end to years of conflict with the Taliban. The Afghan government's negotiations with Hezb-e Islami provide important lessons that can be applied to future peace negotiations with the Taliban.

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## ABOUT THE REPORT

This report is a firsthand account of the peace negotiations between the Afghan government and Hezb-e Islami, an Afghan insurgent group that fought against the government and its allies for seventeen years. It addresses the specific challenges facing the talks—including extensive outreach and consultations needed to build a consensus for peace at the national and international levels—and offers insights on future peace talks with the Taliban.

## ABOUT THE AUTHOR

From 2015 to 2018, Gaseem Ludin was a senior adviser to the Office of the National Security Council of Afghanistan. He was a key negotiator in the peace talks with the Hezb-e Islami insurgent group that resulted in the signing of the September 2016 peace accord between President Ashraf Ghani and Hezb-e Islami leader Gulbuddin Hekmatyar.

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Two men leave the Afghan National Detention Facility near Kabul. They were among the approximately 180 Hezb-e Islami prisoners freed by the government in June 2018. (Photo by Jawad Jalali/EPA-EFE/Shutterstock)

## Background

For more than four decades, Gulbuddin Hekmatyar has been a prominent figure in Afghan politics. Most notably, as the founder of Hezb-e Islami Gulbuddin (HIG), he led one of the seven anti-Soviet guerrilla groups in the late 1970s that went on to pursue an insurgent campaign against multiple, successive Afghan governments. Although Hekmatyar is a hero to some Afghans and outside supporters, for many—including his political and military rivals—he is a radical Islamist who has sought to achieve his political objectives solely through violence. In the early 1990s, his militant group, along with other mujahideen factions, clashed violently in the struggle for control of Kabul, with devastating consequences. Hekmatyar defended his actions in the 1990s in his 2004 book, *Secret Plots and Open Faces*, justifying his continued military struggle as necessary for HIG to prevent what he called “an emerging plot” against Afghanistan, and accusing rival factions of allying with regional powers to “sabotage the victory of the mujahideen.”<sup>1</sup>

Beginning in the mid-2000s, the military strength of the forces Hekmatyar commanded weakened significantly, partly as a result of Pakistan’s Inter-Services Intelligence (ISI) agency shifting its support to the Taliban. Although Hekmatyar did not have official relations with ISI leadership, according to a HIG member he did maintain contacts with former and retired ISI generals as well as Pakistani religious leaders involved in Afghan affairs. These contacts continued to advise and help him, especially with concerns over his safety and security.<sup>2</sup>



From 2006 onward, Hekmatyar often expressed a desire to make peace with the post-Taliban regime, but he never came to terms with the government during the presidency of Hamid Karzai.

According to his son-in-law, Ghairat Bahir, from 2008 until HIG opened talks with Afghanistan's National Unity Government (NUG) in 2014, Hekmatyar lived mostly in Afghanistan's eastern Kunar Province but also traveled elsewhere in Afghanistan and moved between places in Nangarhar and Paktia. During

this period, Hekmatyar was highly mobile, staying in safe houses owned by loyal HIG commanders. His mother died in Peshawar, Pakistan, in 2007, and his stepson died in London some time later; both were buried in Peshawar, but Hekmatyar did not attend the funerals because of concerns for his security. Some HIG members have suggested, however, that Hekmatyar might have traveled to Pakistan during the period when he remained in hiding.<sup>3</sup>

From 2006 onward, Hekmatyar often expressed a desire to make peace with the post-Taliban regime, but he never came to terms with the government during the presidency of Hamid Karzai (2004–14). In 2008, Karzai wrote a letter offering him a position, status, and financial support. According to a close aide, Hekmatyar refused the offer, responding that he “preferred the grave rather than living under the reign of infidelity.”<sup>4</sup> Despite this rebuff, HIG representatives visited Kabul periodically from 2008 on, especially after Ghairat Bahir was released from prison for talks with the Afghan government. Most HIG members who returned in the last decade for talks with the Afghan government ended up staying in Kabul and joining HIG's political wing, Hezb-e Islami Afghanistan (HIA), which by 2010 had nearly twenty seats in the National Assembly and whose influence was increasing.<sup>5</sup>

In late October 2013, then presidential candidate Ashraf Ghani sent a message to Hekmatyar, saying that he was ready to explore the possibility of peace talks with HIG. In response, Hekmatyar sent a delegation to meet Ghani. The first meeting took place in early November 2013 at Ghani's residence in Kabul, with both sides expressing a commitment to peace talks and agreeing to meet again in about six months, shortly after the elections. After the first round of elections in April 2014, in an effort to secure the support of some Kabul-based HIA members, Ghani sent a three-page letter to Hekmatyar assuring him that his newly formed government would be ready to make peace with HIG. HIA, led by former Hekmatyar ally Abdul Hadi Arghandiwal, supported Ghani's rival, Abdullah Abdullah, in the presidential elections. Several other former HIG members based in Kabul, such as Juma Khan Hamdard, Qazi Amin Waqad, Haji Mohammad Almas Zahid, and Wahidullah Sabawoon, supported another presidential candidate, Zalmay Rasool, in the first round of the elections, but all joined and supported Ghani's campaign during the second round of voting.

An HIG delegation met with Ghani officially for a second time in June 2014, and both sides agreed to draft a framework for negotiation.

Ghani tasked Masoom Stanikzai, then the secretary for the Afghan High Peace Council and one of his closest aides, with preparing a draft text in consultation with the delegation. Stanikzai's affiliation with the High Peace Council, a political institution with a mandate to negotiate peace on behalf of the Afghan government, enabled him to speak with authority in peacebuilding talks. After three meetings, Stanikzai and the HIG delegation agreed on a draft framework as

the basis for negotiation. In addition to the provisions listed in the draft text, HIG wanted guarantees—some of which would become part of the final peace accord—for several incentives before official negotiations began. These guarantees included:

- Government provision of three years' expenses for HIG
- Release of HIG detainees on the day of signing
- Resettlement of HIG members who might return from Pakistan following a possible agreement
- Three key government positions to be offered to HIG in the transition phase

Contacts and exchanges continued between both sides but moved slowly. In the midst of the talks, the second round of elections ended. The resulting power-sharing government (NUG) would be led by Ghani as president, with his closest competitor, Abdullah Abdullah, a former foreign minister and member of the Jamiat-e Islami party, as chief executive officer. Hekmatyar immediately called off his delegation and asked them to reject the NUG as Afghanistan's new government. Given his organization's past rivalry with the Jamiat faction—a rivalry that had existed since the anti-Soviet jihad days—his refusal to enter into talks with the NUG was perhaps not much of a surprise.

## Talks Begin

Despite the apparent breakdown, contacts and interactions continued between HIG and senior government officials. After several back-and-forth meetings without any structured dialogue or consistent progress, President Ghani's national security advisor, Hanif Atmar, took charge of the talks. Atmar called the first formal structured meeting for discussing the HIG peace proposal at his office in March 2015. The participants included Atmar himself, Masoom Stanikzai, and representatives from both HIG and the High Peace Council.<sup>6</sup>

At the meeting, the HIG delegation presented a first draft of a peace proposal, and Atmar agreed that the NUG was prepared to negotiate these terms. Atmar, who had been the chief negotiator between Ghani and Abdullah during the formation of the NUG, assured the HIG delegation that regardless of the result of the talks, the Afghan government would be responsible for the delegation's security and logistical needs throughout the entire negotiating process. After his first two meetings with HIG negotiators, Atmar also invited them to the High Peace Council and held two detailed rounds of discussions with the peace council's leadership to help them understand the government's position.

Although the High Peace Council is sometimes positioned as a third-party or cross-party forum for peace talks, its membership is chosen by the Afghan government, and the degree to which it is independent from the government is debatable. Atmar knew that the High Peace Council was limited in the extent to which it could lead the talks, but he believed that it could play an important facilitation role between the NUG and HIG. Both sides agreed to select four to five High Peace Council members as official negotiators. The important considerations in selecting the negotiators included political and religious background, ethnicity, and gender. The credibility of the negotiators was crucial for ensuring that HIG, the government, and the broader public would accept the outcome of the talks. The following High Peace Council members were chosen for the negotiations:



Former National Security Adviser and now presidential candidate Hanif Atmar has called on the Taliban to engage in peace negotiations. (Photo by Massoud Hossaini/AP/Shutterstock)

- Maulvi Abdulrahman Salim, a High Peace Council deputy and ethnic Tajik with a religious background, who would represent CEO Abdullah as the chief negotiator;
- Haji Din Mohammad, another High Peace Council deputy and a political leader from the eastern region, who was in President Ghani's camp;
- Maulvi Khabir Ochqun, another High Peace Council deputy and an ethnic Uzbek with a religious background, who represented First Vice President Abdul Rashid Dostum;
- Habiba Sarabi, a Hazara from Bamiyan Province who had served as a cabinet minister and as a provincial governor, who had strong connections with civil society and women's groups, and who was politically affiliated with CEO Abdullah; and
- Wali Naeemi, the High Peace Council chief of staff.

The second step in Atmar's outreach strategy was to forge a national and international consensus in support of the peace talks. In addition to NUG leaders, including First Vice President Dostum and Second Vice President Sarwar Danish, Atmar met with a number of senior Afghan officials, political figures, mujahideen and jihadi veterans, and prominent leaders such as former President Karzai to seek their support for the deal.

# Internal Consensus and Divisions

Although some saw the return of Gulbuddin Hekmatyar as a promising step forward in securing peace in Afghanistan, others either opposed the talks or at least were skeptical about the NUG's intentions. Critics included those elites who had a history of rivalry with Hekmatyar and those who feared losing status, access, and power, including former HIG members who were now part of the HIA. Throughout the talks, various political leaders as well as social and political groups expressed concerns about, if not criticisms of, the talks. Some saw the talks as a plot by Atmar to weaken Tajiks. Some perceived the negotiations as a Pakistani project to infiltrate spies into the Afghan government. Some questioned the sincerity of Hekmatyar's intention to make peace because of his involvement in violent attacks on fellow Afghans during the civil war in the 1990s. Still others doubted if Hekmatyar were even alive, suggesting that the talks themselves were a complete sham.

Among the mujahideen groups, the Jamiat-e Islami party in general, and some members of the former Shura-i Nazar branch of Jamiat in particular, were suspicious of the NUG's intentions—and more specifically of Atmar himself—in making peace with Hekmatyar.<sup>7</sup> Likewise, HIG saw both the Jamiat and Abdullah camps as the biggest opponents of the peace process. Most other former mujahideen leaders also did not approve of HIG, although they did not publicly oppose the deal. For its part, HIG did not like the NUG or its composition, and it refused to use the term “National Unity Government” to refer to the Afghan government in the agreement.

All the same, some Jamiat-e Islami leaders who Atmar consulted, including CEO Abdullah, did not openly oppose the peace agreement itself in principle. This positive but cautious attitude was unsurprising, given Abdullah's alliance in the 2014 elections with HIA, the Kabul-based, reconciled branch of Hezb-e Islami led by Arghandiwal. After Arghandiwal reportedly turned down the opportunity to be Abdullah's running mate, HIA's executive council chose an early associate of Hekmatyar, Muhammad Khan, for the position. With HIA now constituting an important component of Abdullah's electoral base, he was politically bound to show at least tepid support for a peace deal with Hekmatyar.<sup>8</sup>

Other key leaders had their own positions on the talks and their possible outcome. Jamiat leader Salahuddin Rabbani, who had a more precarious position in the NUG, was not overly concerned about Hekmatyar's return and the consequences that it might have on Jamiat's position or the broader political environment. He was therefore willing to engage with the negotiation team. Former Vice President Yunus Qanooni was another senior Jamiat member who seemed outwardly reserved yet largely avoided any public opposition to the deal.<sup>9</sup> Zia Massoud, the brother of guerrilla fighter Ahmad Shah Massoud, also had a generally positive view of the talks with HIG, as he expressed in a two-page handwritten note to Atmar.

After Hekmatyar returned to Kabul in May 2017, however, tensions among the political parties increased, especially after Hekmatyar began to speak out and issue statements accusing his former rivals of numerous wrongdoings, ranging from corruption and extortion to outright treason. He specifically targeted a few members of the Northern Alliance, making statements to the media that would almost immediately spur reactions from them. Within a short period of time,

The most pressing condition in the talks was Hekmatyar wanting assurances that he would not be targeted by his traditional enemies, whether internal or foreign.

feelings had deteriorated to such a degree that in June 2017, following a series of deadly attacks in Kabul for which the Taliban claimed responsibility, a series of protests by Jamiat supporters led some Jamiat leaders to press Rabbani to call for Atmar's immediate resignation.

Even though the NUG's peace negotiations with HIG were an important achievement, they came at a considerable political cost to the NUG leadership—and especially to Atmar.

## Components of the Peace Deal

The twenty-five articles of the first draft agreement can be divided broadly into three categories. First, the opening of the agreement made the political and symbolic case for peace. The second category, which comprised more than 70 percent of the document, covered the incentives and concessions sought for a peace deal. (In peace negotiations, this category often determines whether the parties involved are genuinely willing to reach a settlement and whether there is value in moving on with the process.) The third category—the most sensitive and difficult of the three—laid out the guarantees and nonnegotiable demands of each side. Atmar often called this category the “deal breaker.” Experience elsewhere shows that more than 90 percent of peace talks fail in this category.<sup>10</sup> For an insurgent group, this is the final set of issues it will consider, but for the government this is the most urgent category to settle. Although the NUG and HIG had many difficult moments when discussing incentives for peace, it was this third category that was the core of the talks and took the longest time to negotiate.

HIG's fundamental demands in the negotiations included several critical points.

**Removal of all sanctions on Gulbuddin Hekmatyar and on HIG as an organization (Article 5 of the agreement).** Both Hekmatyar and his group were under international sanctions at the time of peace negotiations, including multilateral United Nations Security Council sanctions under Resolutions 1267, 1989, and 2253, and sanctions by individual states and bodies, including Canada, France, the United Kingdom, the United States, and the European Union.<sup>11</sup> This was the most pressing condition in the talks, as Hekmatyar wanted assurances that he would not be targeted by his traditional enemies, whether internal or foreign. He especially wanted guarantees that he and his senior members would not be targeted while traveling in Afghanistan by the United States and other NATO members.

HIG wanted the UN Security Council to fully delist Hekmatyar from its sanctions before the agreement was signed, but the Afghan government knew its limitations in this regard. Although Atmar was unable to secure a commitment on withdrawing sanctions before the signing of a peace deal, he lobbied the members of the Security Council's sanctions committee—specifically the five permanent members (China, France, Russia, the United Kingdom, and the United States) and Germany—for Hekmatyar's delisting. He also began an aggressive effort to secure the support of the United States and NATO's Resolute Support Command in Kabul to provide assurances that Hekmatyar and his senior associates would not be targeted in any counterterrorism



operations in Afghanistan or anywhere else he might travel in the future until the sanctions were lifted. After months of discussions, lobbying, and consultations, and after the peace agreement was concluded, the Security Council's sanctions committee informed the NUG on January 26, 2017, that it had received responses from Russia and France, which until then had withheld judgment on the decision to delist Hekmatyar.<sup>12</sup> The next day, the Security Council issued a public statement that Hekmatyar was no longer sanctioned on the council's 1267/2253 terrorist list.

**Withdrawal of foreign forces (Article 4 of the agreement).** The eventual withdrawal of foreign forces from Afghanistan, or at least the establishment of a timeline for withdrawal, was one of HIG's most serious demands throughout the talks. This was a crucial issue for Hekmatyar, especially at the outset, but he soon realized that the Afghan government would never accept this demand. Nevertheless, he had to achieve something that he could use to maintain his credibility both with his constituents and with other groups such as the Taliban.

With the exception of a few of the major political leaders and groups consulted by the NUG (including former President Karzai, who had always been opposed to a continuing US military presence in Afghanistan), almost none wanted the withdrawal of foreign forces to be a condition of the peace deal. Atmar, who had signed a Bilateral Security Agreement with the United States and a Status of Forces Agreement with NATO, did not want any references to the withdrawal of foreign forces either, including any mention of a timeline.<sup>13</sup> He was at the forefront of an intense war with the Taliban, and was concerned about the image that such conditions might project. Hence, although he could not completely omit this issue from the agreement—knowing that it was a deal breaker for HIG as well—he proposed various formulations short of a binding commitment. This article remained disputed until the day the agreement was signed, but HIG negotiators acknowledged that the Afghan security forces' reliance on the financial and logistical support of the United States and other international partners meant that the Afghan government could not commit to a withdrawal. The final compromise text suggested that both sides would “maintain their own views,” a turn of phrase that marked a considerable concession by HIG.

**Judicial immunity for Hekmatyar and the release of HIG prisoners (Article 11 of the agreement).** Apart from sanctions, judicial immunity was one of HIG's top demands, as it sought guarantees that the NUG and any future governments would not seek justice for Hekmatyar's past acts. Atmar was convinced that Hekmatyar would have to receive judicial immunity; in the absence of such privileges, the agreement would have no strategic value for HIG. After consulting with domestic and international legal experts—including the attorney general's office, Second Vice President Danish, and officials from the United States, the United Kingdom, the European Union, and the UN Assistance Mission in Afghanistan—Atmar concluded that even though it might not be practical to secure international guarantees on such an amnesty, it would be possible to achieve national consensus for granting immunity to Hekmatyar. The 2004 law on amnesty and reconciliation passed by the Afghan Parliament granted judicial immunity for the past activities of other mujahideen commanders and political leaders, especially for actions taken during the civil war. This law would be a model for a similar agreement with Hekmatyar.

Despite the agreement, various Afghan groups had mixed reactions to the idea of judicial immunity for Hekmatyar. Some strongly supported immunity, but others—such as Sibghatullah



Gulbuddin Hekmatyar, left, is officially welcomed by Afghan government leaders, including National Security Adviser Hanif Atmar in Jalalabad on April 30, 2017. (Photo by Ghulamullah Habibi/EPA/Shutterstock)

Mojaddedi, the former mujahideen leader and president of Afghanistan's interim government who died in February 2019—objected and argued that Hekmatyar must apologize to the Afghan people for his past deeds. Still others, especially civil society members, asked that Hekmatyar not be granted immunity for personal crimes and crimes against humanity.<sup>14</sup> Hekmatyar himself was opposed to transitional justice processes: in his speech at the signing ceremony, he called transitional justice a flawed, conspiratorial, and impractical proposition that could not be justly applied, and stated that he and his group would never accept it.<sup>15</sup>

The issue of prisoners remains a highly controversial subject, and the slow implementation of the prisoner-release provisions has been a recurrent HIG complaint since the agreement was signed. Afghan government leaders generally have recognized prisoner release as a justifiable and necessary element of the agreement, but they have not wanted to commit to specific numbers of prisoners or defined timelines for release. Both the Afghan people and the international community have been concerned about the possible threats and dangers from recently released prisoners. HIG's initial demand was that all designated prisoners be released before the signing of the agreement, or at least that some be released by then as a goodwill gesture. After days of bargaining, HIG changed that position to a demand that prisoners be released

on the day of signing. The government ultimately committed to release HIG's prisoners based on a mutually agreed list, with two key conditions. First, only prisoners who had not committed crimes against the public would be released; second, the government would be permitted to vet all prisoners before release and secure a firm commitment from Hekmatyar to prevent any released prisoners from joining or returning to insurgent or terrorist groups.

Other, less strategic but nonetheless important demands from the talks included:

- An honorary title for Hekmatyar in return for his peace bid, and allowances to support his living costs;
- Full freedom and amnesty for all HIG fighters in the country, with no military targeting by the government or the international community, and their resettlement from refugee camps in Pakistan;
- The integration of senior HIG members into the government through a reasonable power-sharing scheme;
- HIG's inclusion and involvement in Afghanistan's electoral systems, including the implementation of Hekmatyar's demands about the electoral regime (for example, allocation of parliamentary seats based on party); and
- Permission for Hekmatyar to reenlist his party as the official Hezb-e Islami Party, registered with the government and enjoying all political and social benefits.

The Afghan government's key priorities in the agreement were to completely dismantle HIG's military structures and end its military activities across the country, and to ensure that Hekmatyar and his group would cut all connections with terrorist organizations. This last demand was repeated by the international community, chiefly the United States.

Strategically, though, the NUG leadership expected more from Hekmatyar. First, they thought that making peace with Hekmatyar could help establish a culture of peace in Afghanistan. Second, even though they knew HIG lacked significant military strength, they still saw value in a reconciliation with Hekmatyar in order to build capacity within the government and set a precedent for possible future negotiations with the Taliban, a much stronger opponent. Third, and of particular interest to President Ghani, was a desire to diversify Afghanistan's ethnic political makeup and to balance and broaden his popular support. Although Ghani knew Hekmatyar's highly controversial position among the mainstream political elites, especially among mujahideen groups, he believed that his return could have a positive impact on the overall domestic political environment, which would serve his future interests.

Another set of key issues in the talks that were not strategically substantial for either party, but which had symbolic value and influenced the discussions throughout, included respect for the Afghan constitution and the achievements of the preceding fifteen years. HIG had ignored values that were important for the post-Bonn Conference (2001) Afghan government, such as respect for the Afghan constitution, respect for human rights (especially for women and youth), respect for the government's independence and sovereignty, and support for the nationally elected government. Ghani also wanted HIG to recognize the legitimacy of the NUG, and especially his own legitimacy as the elected president of Afghanistan.

The Afghan government and political groups wanted these matters included in the introductory part of the agreement, but Hekmatyar deliberately skipped over them in the discus-

Four issues remained unresolved until the last week of negotiation: the withdrawal of foreign forces, the release of prisoners, the disarming of HIG militants, and HIG's agreement to cut ties with terrorist groups.

sions. Negotiations over these issues were as often fraught as those over other issues of strategic importance. For example, it took weeks of negotiations among HIG, the High Peace Council, and Atmar himself to convince HIG negotiators that women and men enjoyed equal rights under the Afghan

constitution. Ultimately, a few principles and values—such as respect for the Afghan constitution and for women's rights—were agreed upon and reflected briefly in the agreement, yet HIG remained reluctant to include any reference acknowledging the legitimacy of the NUG (or to use the term “president,” for that matter) in the agreement.

## Sealing the Deal

After receiving input from the groups mentioned above, the draft agreement was revised for a second round of talks scheduled for April 7, 2016. The talks made steady progress, despite frequent distractions caused by new issues being brought to the table or alternative language being proposed for issues that had already been agreed to or that were carried over from previous meetings. Each issue in the negotiation went through at least three layers of review before it was sanctioned. First, it was discussed and agreed upon between negotiators. Then, the language was reviewed by their advisers or support teams.<sup>16</sup> Finally, it was referred to the leaders for clearance.

As talks approached a climax in August 2016, both sides had agreed on several key issues. However, four issues remained unresolved until the last week of the negotiations: the withdrawal of foreign forces, the release of prisoners, the disarming of HIG militants, and HIG's agreement to cut ties with terrorist groups. During the seven months of negotiations, the talks were suspended twice, mainly because of serious divisions on Articles 4 and 11 (withdrawal of foreign forces and prisoner release). Each time, it took weeks of effort and the use of different conciliatory tactics to resume the talks.

A frequent cause of disruption was the leaking of information from the negotiation process, which included public statements made by negotiators and HIG members (as well as Hekmatyar himself). According to HIG negotiator Amin Karim, these remarks were intended to defend the negotiators themselves from spoilers and critics. “At times we spent more time on preparing responses to public questions, criticisms, and accusations than for the actual talks,” Karim said. “We had many enemies in town who never sat quiet and continued to speculate and comment about our past and present. We had to fight back to maintain public trust and the support of our constituency.”<sup>17</sup>

By September 2016, the two sides had settled on 95 percent of the text of the agreement, with the exception of Article 4. The Afghan government would not accept any text suggesting an agreement on the withdrawal of foreign forces, and HIG could not give up this demand, as this was its most crucial element in the talks. After realizing that the Afghan



government had no flexibility in this matter, HIG negotiators began to consult with their advisers and other senior HIG members. After a series of consultations, HIG came up with the formulation that both sides would express their own positions in the final agreement; for the first time, this was a signal from HIG that it would not demand withdrawal of foreign forces as a condition for a peace agreement.

With both sides now agreeing on a text, the accord was initialed by negotiators during a conference and sent to Hekmatyar for signature on September 22, 2016. A grand event was organized for September 29, at the presidential palace, at which President Ghani, CEO Abdullah, and other government officials and political leaders were present, including former President Karzai, former President Sibghatullah Mojaddedi, jihadi and political leader Abdul Rab Rasul Sayyaf, and National Islamic Front party leader Pir Sayed Ahmad Gailani.

## Implementation of the Agreement

There was one task remaining: formulating the plan and mechanism for implementing the agreement. Following the signing of the accord, Atmar met with the HIG delegation on October 15, 2016, and shared a vision for how the agreement would be implemented. He envisioned implementation proceeding in three phases:

Phase I	Phase II	Phase III
<ul style="list-style-type: none"> <li>• Set up a joint implementation commission</li> <li>• Declaration of a cease-fire by the government</li> <li>• Submission of a request to lift sanctions</li> <li>• Logistical arrangements for the return of HIG leaders and members</li> </ul>	<ul style="list-style-type: none"> <li>• Return of Hekmatyar to Kabul</li> <li>• Security arrangements for Hekmatyar and senior HIG members</li> <li>• Start of detainee releases</li> </ul>	<ul style="list-style-type: none"> <li>• Start of refugee repatriation</li> <li>• Initial steps for disarmament and reintegration</li> <li>• Creation of grounds for political participation</li> </ul>

Several subsequent meetings were held to discuss the details and steps involved in each of the three phases. Given the changing nature of activities in each phase, no specific dates were set for the completion of each phase, yet some activities had clear deadlines. The return of Hekmatyar, for example, was specified, although that information was not made public until the day before his first public appearance. Hekmatyar finally revealed himself in Laghman Province on May 4, 2017, after more than twenty years in hiding. He was received by Second Vice President Danish, Atmar, and other high-level officials. He spent two days in Laghman, and then moved to Kabul, where he was greeted by Afghan leaders and politicians at the presidential palace.

On Atmar’s advice, President Ghani established a joint commission charged with implementing the agreement—which would include representatives of HIG, the government, and the High Peace Council—by presidential decree on October 20, 2016. On the same day, he declared a cease-fire against all HIG military groups in Afghanistan, a key commitment

of the Afghan government and a significant HIG demand. In his remarks during the signing ceremony, Hekmatyar had also called on his fighters to respect the cease-fire. Within two months of the signing of the agreement, many senior HIG commanders and political leaders had returned and resettled in Afghanistan.

## Lessons for Negotiations with the Taliban

The Hezb-e Islami negotiations offer important lessons for any future peace talks with the Taliban. As the June 2018 Eid al-Fitr cease-fire between the Afghan government and the Taliban demonstrated, Afghans have always had a thirst for peace, but successive governments and leaders—at least in the past four decades—have either failed or not done enough to make peace and lasting stability and prosperity a national priority.

The biggest challenge for the Afghan government at the moment is how to convince the Taliban to sit at the table. The United States, as a key party to the conflict, must continue to play an effective role, including maintaining persistent pressure on Pakistan and other Taliban sponsors to support negotiations. Recent US efforts—including a series of meetings between Zalmay Khalilzad, the US State Department’s envoy for peace in Afghanistan, with Taliban representatives in Doha and Abu Dhabi, and Khalilzad’s outreach to Russia and China—have brought new hope to Afghans for the first time in many years. The meeting between the Taliban and Afghan political figures in Moscow on February 4, 2019, where more than fifty delegates were gathered to discuss peace, marked a rare opportunity in Afghanistan’s political history. These are clearly important steps forward in breaking the current stalemate and creating conditions for a direct intra-Afghan dialogue to resolve the nearly two-decades-long war.

However, the absence of the Afghan government at the Moscow conference as well as previous meetings—partly due to the Taliban’s repeated refusal to meet with Ghani—remains a cause for concern. The NUG is unquestionably the only legitimate authority for conducting formal talks with the Taliban—and it should not be surprising that its leaders want to control the process for engaging the Taliban, just as it did with HIG. If, in Ghani’s view, the progress made in US-Taliban talks so far has not been a cause for celebration, it is only because he has not been in the middle of them.

Regardless, the Afghan government should not be overly concerned about talks between the United States and the Taliban, nor about meetings between the Taliban and non-official Afghan representatives. The urgency of the United States to seek a political solution to the Afghan problem in order to facilitate a withdrawal of its forces must be seen as an opportunity rather than a threat to establishing long-term peace in the country. As Ghani himself stated during a recent nationally televised interview, even if the Taliban, the US government, and other Afghans agree on certain principles and bilateral issues, they will ultimately have to turn to the Afghan government in order to make anything happen.<sup>18</sup>



Former National Security Adviser Hanif Atmar (left), former Afghan President Hamid Karzai (third from left), and Taliban political chief Sher Mohammad Abbas Stanikzai (right), and others pray during a February 2019 meeting in Moscow. (Photo by Pavel Golovkin/AP/Shutterstock)

He is right. Like Hekmatyar, the Taliban will eventually have to talk with the government, regardless of whether or not they recognize it.

From the Taliban's perspective there are two, related impediments to Ghani successfully engaging the Taliban in an intra-Afghan negotiation. First, Ghani's term as president was scheduled to end in April 2019; second, even if he wins reelection (polls are currently scheduled for September), he will still need to conduct broad outreach to persuade a majority of Afghan political elites to support a Taliban-government dialogue. Still, Afghans continue to see hopeful signs—such as the Taliban sending some of its top officials, including Mullah Abdul Ghani Baradar, who agreed to meet with Afghan officials either bilaterally or alongside other Afghans at the fifth meeting between US and Taliban officials in Doha in late February 2019.

Based on its experience negotiating an agreement with HIG, and given the current political environment, the Afghan government must take, or be willing to take, a number of proactive steps to make an intra-Afghan dialogue with the Taliban more likely to succeed, including:

- Supporting, as a highest priority, the current talks and engagement with the Taliban regardless of past grievances and the latter’s current stance.
- Designating an effective negotiation team with credible personalities who demonstrate a strong commitment to peace to participate in future intra-Afghan dialogues.
- Bringing in a mutually acceptable, third-party mediator, at least at the beginning of the talks. The UN would be the preferred option, but any third country or national or international personality could meet the appropriate criteria. The talks could take place in a neutral location, such as Uzbekistan, with the Afghan government, the United States, and Pakistan all guaranteeing safe travel for participants. If talks are held in Afghanistan, the Afghan government, with support from the international community, should provide facilities and logistical support for the negotiators and their family members.
- Preparing a peace plan that includes the Taliban’s key demands as well as incentives and concessions from the Afghan government. This plan can be developed through a national consultation process. It should be based on fundamental questions regarding the likely end state of a peace settlement with the Taliban. To achieve real success in talks, the Taliban will need to be treated with the respect and dignity accorded to an important political group, and the talks will need to develop a clear vision for ending the conflict based on a win-win scenario.
- Establishing a timeline for achieving a peace deal. Now that parliamentary elections are past and preparations for the 2019 presidential elections are underway, any peace plan should include temporary and transitional arrangements similar to the cease-fire that the Taliban announced during the three days of Eid al-Fitr in June 2018. Both sides should agree on a temporary cease-fire during the talks, and particularly during the election. These arrangements will ensure that credible elections are held and that a legitimate government is formed. If the Taliban appear to be interested in participating in the elections, the Afghan government must provide all possible necessary means to ensure their participation.
- Producing a peace agreement implementation mechanism that not only specifies immediate, short-term, and long-term measures but also provides for monitoring and verification of the actions undertaken by each party based on mutually agreed indicators. This mechanism can be in the form of a high-level representative commission—with participation from women, religious leaders, and an independent and mutually acceptable member of the international community, such as the UN—to measure both sides’ progress in delivering commitments.
- Engaging regional countries as stakeholders in the Afghan peace process through effective diplomatic instruments. Despite some initial efforts by the government to reach out to regional powers to build consensus through a constructive dialogue, for a number of reasons, including deepening rivalries among and between key powers, a regional consensus continues to be elusive.



The conflicts in Afghanistan have always had external and internal factors, but the key factor has been the lack of a broad-based, selfless, open-minded, and prudent national leadership.

Perhaps the Afghan government's biggest challenge and priority is to create a national consensus, which is critical for peace and yet is seriously absent at the moment. The conflicts in Afghanistan have always had external and internal factors, but the key factor has been the lack of a broad-based, selfless,

open-minded, and prudent national leadership. Historically speaking, those Afghans who took power abused it, while those who were not in power worked tirelessly to undermine it, and neither had the national interest at heart. Given the current degree of distrust between the NUG and most of Afghanistan's mainstream political actors, President Ghani's biggest challenge will be to secure a strong base of support for peace with the Taliban—a mission that seems impossible in his remaining term given the extent of opposition to such a prospect.

Nevertheless, it is time to show leadership and begin a meaningful national dialogue. This dialogue can include listening to the grievances of political and social leaders across the country, including those who maintain strong reservations about the Taliban's return as well as the NUG's political opponents. As talks begin and move forward, the first promising step in this direction may be to call a grand national council or traditional Loya Jirga, preferably shortly after the presidential elections in September, to deliberate on the Taliban's demands and conditions, including any changes to the constitution. The current situation, a highly fragile political environment plagued with pervasive security threats, calls for thinking beyond the day-to-day business of the state.

Every peace comes with a price. It is time to be ready to pay that price, no matter how high it is, in order to achieve long-term stability in Afghanistan.

# Notes

1. Originally written in Pashto, Hekmatyar's book attempts to explain and justify his actions during the jihad period of the 1980s and after the withdrawal of the Soviet Union in 1989 in order to protect Afghanistan from what he called plots being made by some of the countries in the region and their proxies in Afghanistan.
2. Interview with senior HIG official, Kabul, August 2018.
3. Interview with senior HIG official, Kabul, October 2018.
4. Interview with a close aide of Hekmatyar, Kabul, August 2018.
5. Because Hekmatyar's status had caused HIG to lose public support as an insurgent group, HIA began to expand its base across the country by mobilizing former and current HIG supporters. After the signing of the peace accord and Hekmatyar's return to Afghanistan, HIG members decided to use the name "Neo-HIA" to refer to HIG under Hekmatyar. That said, not all HIA members shared the same view, and some senior HIG members such as Wahidullah Sabawoon and Qazi Amin Waqad still want to remain independent of Hekmatyar/HIA.
6. The author attended this meeting as an adviser to the High Peace Council.
7. The Shura-i Nazar (Supervisory Council) was created by Ahmad Shah Massoud in 1984, during the Soviet-Afghan War. Based in the provinces of Badakhshan, Balkh, Kunduz, and Takhar, it comprised and united about 130 resistance commanders from a dozen northern, eastern, and central regions of Afghanistan. Although it operated autonomously, Shura-i Nazar was technically an offshoot of Jamiat-e Islami.
8. Kate Clark, "Elections 2014 (26): The Other Possible Vice President—Dr Abdullah's Running Mate Muhammad Khan," Afghanistan Analysts Network, June 12, 2014, [www.afghanistan-analysts.org/elections-2014-26-the-other-possible-vice-president-dr-abdullahs-running-mate-muhammad-khan](http://www.afghanistan-analysts.org/elections-2014-26-the-other-possible-vice-president-dr-abdullahs-running-mate-muhammad-khan).
9. Interview with a senior Jamiat member, August 2018.
10. Peter Wallensteen and Mikael Eriksson, *Negotiating Peace: Lessons Learned from Three Comprehensive Peace Agreements* (Uppsala, Sweden: Department of Peace and Conflict Research, Uppsala University; New York: United Nations Mediation Support Unit, 2009), [https://peacemaker.un.org/sites/peacemaker.un.org/files/Negotiating%20PeaceLessonsfrom3Agreements\\_WallensteenEriksson2009.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/Negotiating%20PeaceLessonsfrom3Agreements_WallensteenEriksson2009.pdf).
11. Hekmatyar was listed by the United Nations on February 20, 2003, for being associated with al-Qaeda, Osama bin Laden, or the Taliban, and for "participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf or in support of" the Taliban and al-Qaeda.
12. Within a month after the Afghan government submitted its request for delisting Hekmatyar, France and Russia remained the only two members of the fifteen-member sanctions committee that did not support the request; they asked for a hold on the decision. It took almost a month for them to finally remove the hold.
13. Atmar signed both agreements on September 30, 2014, the day after the NUG's formation. This decision demonstrated his government's sharp policy shift from the previous government in seeking long-term security partnerships with NATO and the United States.
14. Civil Society and Human Rights Network, "National Unity Government's Reconciliation with Gulbuddin Hekmatyar: The Prospects for Peace, Justice and Human Rights in Afghanistan," November 2016, [www.cshrn.af/en/?p=1769](http://www.cshrn.af/en/?p=1769).
15. Gulbuddin Hekmatyar's recorded video speech (in both Dari and Pashto) aired at the signing ceremony of the peace deal at the presidential palace in Kabul, September 29, 2016.
16. HIG's main negotiators were Amin Karim, Ghairat Bahir, and Atiqullah Safi; they were joined by Qazi Hakim, a close confidante of Hekmatyar. Its advisory and support team involved two groups. The first was based in Kabul under the HIA, and included Juma Khan Hamdard, Qazi Amin Waqad, Wahidullah Sabawoon, Iqbal Safi, Farooq Wardak, and Bakhtar Aminzai. The second group was comprised of those who had returned from Peshawar or were traveling back and forth during the talks, and included Haji Malik, Malem Rasul, Ustad Ali Ansari, and Habiburahman Hekmatyar.
17. Interview with Amin Karim, August 2018.
18. *TOLOnews*, "Exclusive Interview with President Ghani on Afghan Peace, February 5, 2019, [www.tolonews.com/must-see-vidoes/exclusive-interview-president-ghani-afghan-peace](http://www.tolonews.com/must-see-vidoes/exclusive-interview-president-ghani-afghan-peace).

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