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Preface

Although three months have passed of the signing the peace deal between the Afghan government and Hezb-e-Islami (HI), but still neither the leader of this party has come to Kabul nor are the important provisions of this deal is implemented.

Removal of HI leader's name from the UN black list is one of the significant promises in this deal; but since several days, news have been circulated in the media that France is opposing the delisting of Hekmayar's name. Later-on, Russian Ministry of Foreign Affairs also announced that it has delayed the issue of delisting the name of Hekmatyar from the UN sanction list and that this country need more time to decide. On the other hand, releasing a statement, HI has termed the removal of HI leader's name from the UN black list as unimportant and has emphasized on the implementation of other provisions of the deal.

How much are the HI-NUG peace deal implemented? What are the most important obstacles in its way? And what will be the future of this deal? These are the questions that are analyzed in the first part of the Weekly Analysis of the Center for Strategic and Regional Studies (CSRS).

In the second part of the analysis, you would read about corruption in Afghanistan in 2016 and the Afghan government's fight against it. With the beginning of the new Gregorian year, President Ghani undertook some steps in fight against corruption; although similar attempts were also made during the last year (2016), but in this regard, the government has had fewer achievements and in the contrary the level of corruption has increased. In this part, you would read about the government's anti-corruption efforts, level of corruption in the country in 2016 and the government's practical steps against it.

The fate of the HI-NUG peace deal



Since last week, news are circulating in the media that Russia and French are making obstacles in the way of Afghanistan's demand to delist the name Gulbadeen Hekmatyar from UNSC blacklist.. One of the three significant provisions in the peace deal between the Afghan government and HI (Hekmatyar) was the removal of Hekmatyar's name from UN's sanction list.

Although, after France and Russia's opposition, HI released a statement, which read that delisting of Hekmatyar's name from UN's blacklist is not important and the leader of HI does not intend to have a visa of any country and that this peace deal was an intra-Afghan peace deal; but still this promise is presumed to be from the most important provisions of the deal and would have negative consequences on Afghan government's prestige and the deal itself.

It is three months since the finalization of the HI-NUG peace deal, but the Afghan government is yet to fulfill its promises it made in this deal. What steps are taken for the implementation of this deal? To which extent is it implemented? What are the obstacles in its way? What will be the fate of this deal? And what will be its impacts on the probable peace talks with the Taliban? These are the questions that are analyzed here.

Peace deal between HI and the Afghan government

In 1387 (2008-2009), a significant member of HI's executive council Dr. Ghairat Baheer was released from the Bagram prison and shortly after that the peace talks between HI and the Afghan government started. At the beginning, releasing statement after statement, HI was putting conditions for the peace talks and mostly it would release these statements on significant occasions. For instance, when in 2010 the US President Barack Obama announced the date of US troops' withdrawal from Afghanistan, HI released a statement, later-on, when tensions were raised on the issue of Taliban's office in Qatar, once again, HI released a statement and showed willingness to peace talks.

According to a research, from 1389 to 1392, HI has sent its delegation to Kabul for 17 times in order to conduct peace talks. After 1392 until 1393, HI has also sent its delegation for peace talks but these efforts had no clear outcomes. At that time the main reasons behind the failure of the peace deal with HI was HI's limited role in the battlefield, profound opposition of some parties with HI, HI's difficult stance in peace talks, HI's divided stances and the existence of an alternative HI in the government.

After Ghani seized power in Afghanistan and when following the two meetings of the Quadrilateral Coordination Group (QCG), the Afghan Taliban did not come to the negotiating table, the peace talks between HI and the Afghan government hastened and finally on 22 September 2016, the two sides signed a peace deal.

Implementation of the peace deal with HI

After signing the peace deal, the formation of the joint commission to implement the provisions of this deal faced some delay and finally in November 2016, the Afghan President issued a decree and formed the commission. Dr. Akram Khpalwak was selected as the head and Faizullah Zaki and Muhammad Masood Andarabi as the members of the Afghan government's representatives in this commission and Qazi Abdul Hakim Hakim was the head and Mohammad Amin Karim and Ghairat Baheer were the members of HI's representative. Azizullah Din

Mohammad, Ataurahman Salim, Habiba Sarabi and Mawlawi Abdulkhabir Ochqon were selected as the representatives of High Peace Council (HPC).

The Executive Commission on Peace Pact Commitments Implementation held its first meeting on November 7, 2016 and the implementation of the following three commitment was included in this commission's works:

First; removal of Hekmatyar's name from the UN blacklist;

Second; releasing HI's prisoners;

Third; distribution of close to 20 thousand *numras* -a unit of area around 500 square meters-to the migrants affiliated to HI.

In an attempt to implement the first commitment, the Afghan government, in accordance with the UN regulations, wrote its reasons for delisting hikmatyar's name from UN black list in its demand from the UN and sent it to the UN in December 2016. Head of the UN Security Council sent Afghanistan's demand to the members of this council in order to be responded within ten days. According to the media, first France and then Russia delayed the ten day timeline and demanded longer time for a decision. Although, according to HI's spokesperson, in this regard, the Afghan government has sent letters to the French President and Parliament and they have pledged to assist in UN Security Council; but nothing is done to change Russia's position as yet.

In terms of the second commitment, HI has submitted a list of the names of 500 its prisoners to the Afghan government; but the Afghan government have not yet released any of these prisoners.

The Afghan government is yet to take practical steps in regards to the implementation of the third commitment; but the government has promised to settle HI's migrants in an already constructed city. On the other hand, in some areas of Kabul province, HI has started its own surveys to set refugee camps.

Foreign obstacle in the way of the peace deal's implementation

There exists some foreign obstacles in the way of the deals implementation. Russia is creating obstacles in the way of removal of Hekmatyar's name from UN blacklist while in the trilateral meeting of Russia, China and Pakistan, the three countries had reached a consensus to delist some of the Taliban leaders from the UN black list. It is really a surprising move on behalf of Russia. After the Moscow trilateral meeting on Afghanistan, suspicion towards Russians is increasing in Afghanistan, because earlier Russia had backed the Afghan government's peace deal with HI and now no one expected such a move on behalf of this country.

Although, Russia presents its involvement in the Middle East, Europe and some other international issues as reason for demanding more time to decide about HI's leader, but still, to some extents, the ongoing cold war between the US and Russia plays a role in it. Doing so, Russia on the one hand wants to increase to the US's difficulties while it had welcomed this agreement before and on the other hand, given the upcoming threatening months, Russians want to gain time for themselves.

On the other hand, as in the case of France's opposition, which is due to the assassination of more than 10 French soldier in Tagab by HI in 2013, the Russian's stance, with a weak probability, might also be influenced by the Afghan-Soviet war. They might not want to delist Hekmatyar, who was known as the killer of Russians, from the UN black list so easily.

The fate of the peace deal with HI

Although initial steps are taken in regards to the promises made in the HI-NUG peace deal; but no promise has been delivered yet and now Russia has also demanded more than six months' time in order to the way to be paved for deliverance of another significant promise.

Even if Russia vetoed the removal of Hekmatyar's name from UN black list, with the support of the other four members of the UN Security Council, that have the veto right, the Afghan government, to a great extent, can decrease sanctions on

HI' leader and it is what HI's leader have demanded in its recent statement. But creating obstacles in releasing the prisoners of HI and constructing cities for the migrants of HI and, in a large part, non-implementation of the peace deal would not only increase mistrust between HI and the Afghan government but would also further decreases public confidence in the Afghan government. For instance, due to the pressures of a particular circle, the Afghan government does not want to give a particular city or refugee camp to HI.

Implementation of the peace deal with HI is several times easier than the implementation of the probable peace deal with the Taliban. Therefore, in this regard, the Afghan government's failure and delay in its implementation would have negative impacts on the perceptions of the Taliban, especially if they (the Taliban) want to reinitiate peace talks with the Afghan government. The Taliban would for sure ask themselves that if the Afghan government cannot remove Hekmatyar's name from the UN black list, then how it would be able to remove their names? How should they trust the Afghan government? When the Afghan government fails to meet the very easy conditions of HI, then how would it be able to deliver their (the Taliban) demands? These are the points that would have negative effects on the chances of direct talks between the Afghan government and the Taliban and would decrease these chances.

Fight against corruption in 2016



In his first anti-corruption effort in 2017, Ghani, issued a decree and introduced the former Deputy Ministers of Interior Mujtaba Patang, Jamil Junbish and Jamal Naser Sediqi to the Attorney General's Office to be investigated for alleged corruption; Ghani also imposed a travel ban on them. The President has also suspended the job of Minister of Communication and Information Technology for corruption accusations.

Although the leaders of the NUG has always stressed upon corruption as a major challenge and have constantly pledged resolute struggle against corruption to Afghans and International Community; but despite these pledges and even some practical efforts of the Afghan government, corruption has increased in 2016 compared to 2015 and the NUG has failed to tackle this phenomenon.

NUG's struggle against corruption

Fight against corruption was one of the priorities and promises of the leaders of the NUG; but despite some efforts of the government, corruption in the Afghan administrations was on the rise during the two years of the NUG and still Afghanistan is one of the most corrupt countries in the world.

In his first days in office, President Ghani issued a decree to open the Kabul Bank Case and vowed to punish the culprits of this case; but after a few months, the government's deed in this case weakened and in this regard the President failed to deliver his promises.

Formation of the National Procurement Commission with President Ghani as its head, investigation of the six cases of senior officials' embezzlement in Ministry of Urban Development Affairs, imposing travel ban on the two former mayors of Kabul city and 150 debtors of Kabul Bank and cancellation of those contracts of Ministry of Defense that financial corruption was reported in them were other government efforts to fight corruption. But still the leaders of the NUG have not been able to prosecute the corrupt officials within the government. One reason behind it is the coalition format of the government and even when tensions had raised between the leaders of the government, the Afghan President accused the Chief Executive of supporting corrupt officials.

On the one hand, the NUG's anti-corruption struggle was confined in slogans and on the other hand the undertaken measures against corruption were not coordinated and, as in case of Khalilullah Firozi, were in contradiction to each other.

Level of corruption in 2016

Beside other challenges, corruption was one of the major challenges of the government in 2016. In this year despite the repetitive promises of the government regarding serious struggle against corruption, Afghanistan was among the most corrupt countries in the world.

In recent report of Transparency International (TI), Afghanistan is ranked the third most corrupt country in the world ¹ while in 2015, Afghanistan was positioned the fourth after Sudan, North Korea and Somalia. In another report, TI announced that 50% of Afghans have paid \$4bn in bribe. ²

Releasing a report a few months ago, the Integrity Watch Afghanistan (IWA) has also said that Afghans paid around \$3bn in bribe every year and that, after unemployment and insecurity, corruption was the third major problem in Afghanistan. ³ Two years ago, IWA had stated that corruption was the second major problem of Afghans and had announced the amount of money paid as bribe to be \$2bn.

In addition, in its annual survey, Asia Foundation has stated that in 2016, peoples' discontent with the government was increasing and 50.9% of the interviewees in 34 provinces of the country were not satisfied with the NUG's deeds. Based on a survey of the Center for Strategic and Regional Studies (CSRS), conducted in 2016, 76% of the interviewees have said that the NUG had not sincerely fought against corruption ⁴.

Criticizing corruption and appointing people in government offices in exchange for money in Afghanistan, the Representative of the United Nation in this country demanded practical reforms in terms of governance in Afghanistan. The UN officials have said that government offices were being sold like goods. ⁵

Government's practical efforts

In 2016, the NUG undertook some practical measures against corruption as well. These measures were often to prepare for the Brussels Conference where the NUG's activities particularly in regards to fight against corruption was to be evaluated. In Brussels Conference, held on 4 and 5 October, the NUG's leaders presented the dismissal of 600 judges, dismissal of 20 prosecutors and 25% of the

¹ BBC's report on transparency international's report, read more here: http://www.bbc.com/persian/afghanistan/2016/01/160127_afghanistan_transparency_international_ranking

² For further info click here: <http://da.azadiradio.com/a/27557807.html>

³ Read Jomhornews' this report: <http://jomhornews.com/doc/news/fa/88536>

⁴ Afghanistan in the past one and a half decade, a research and analytical report of CSRS, published in 1395 (2016-2017).

⁵ Read more here: <http://www.etilaatroz.com/40486>

customs employees, the confiscation of the passports of 100 senior government officials, registration of the assets of the 95% of the government officials, registration of 6000 properties, confirmation of around 1250 contracts and saving \$220m by National Procurement Commission as its achievements.⁶ However, other non-governmental institutions have not yet independently confirmed these efforts.

Another effort of the government was the formation of the High Office of Oversight and Anti-Corruption (HOOAC) with the President Ghani as its head. The Second Vice President, Head of Supreme Court, Attorney General, Minister of Justice, and the chairmen of the HOOAC are the members of this office. The office guides, leads and supports the activities related to the anti-corruption institutions in the country. In the meanwhile it prepares and approves the required plans and strategies and monitors the implementation of these plans and strategies; but unlike the expectations, the office have had fewer achievements.

The formation of Judicial Anti-Corruption Center (JACC) was another effort by the government to tackle corruption and its first meeting was held with the participation of the Afghan President and Chief Executive on July 28. Serious struggle against corruption and no political intervention in the affairs of this center was emphasized upon. Although the center was expected to begin its work with the cases of senior government officials but it investigated the case of a military prosecutor who was detained for receiving 50 thousand Afghanis in bribe as its first case and it is yet to undertake any fundamental step to decrease corruption in the country.

According to JACC, this center has investigated 31 cases of government officials' corruption since the beginning of its work in late 2016. Detaining and prosecuting a senior officer of the Ministry of Interior accused of receiving \$150000 in bribe, suspension of the jobs of the other eight senior officials and a deputy minister in this ministry, arresting 6 people accused of grasping lands and eight employees of the National Bank accused of corruption and investigation of the case of a police officer in Uruzgan who was arrested with \$25000, 3 million Afghanis and some

⁶ CSRS, Brussels Conference: government's achievements and international community's pledges: <http://csrskabul.com/pa/?p=3037>

amount of Pakistani currency accused of money laundering are the fulfilments of this center.

Despite the government's anti-corruption efforts in 2016, the reports of research institutions signify the government's failure in this regard. Struggle against corruption is often the victim of expedients and unless this phenomenon is addressed seriously, it would not produce desirable outcomes. On the other hand, foreigners are also involved in corruption in Afghanistan, but the government has done nothing in this regard.

The end

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Note: Please let us know your feedback and suggestions for the improvement of Weekly analysis.

