

# RAOUL WALLENBERG INSTITUTE

OF HUMAN RIGHTS AND HUMANITARIAN LAW

## Conference proceedings: RWI Research Conference on Human Rights in Afghanistan

Organised at RWI  
in Lund, Sweden, 27-29 November 2023





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**RAOUL  
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INSTITUTE**

OF HUMAN RIGHTS AND HUMANITARIAN LAW



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Band-e-Amir National Park







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## **Executive summary**

On 27-29 November 2023, fifteen Afghan human rights scholars convened at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law in Lund, and online with purpose to exchange their expertise and perspectives on a series of human rights issues deemed of high priority in the current human rights situation in Afghanistan. This discourse was closely aligned with the mandate of the UN Special Rapporteur (UNSR) on the situation of human rights in Afghanistan, Richard Bennett, who participated in the conference in his dual capacities as a visiting professor at RWI and as the UNSR.

The conference, described in the concept note attached as annex I to this report, is organised as part of the [RWI Afghanistan Programme](#), which supports the mandate of the Special Rapporteur.

Key notes in the conference were held by Orzala Nemat from the Development Research Group, and by UNSR/RWI visiting professor Richard Bennett, relating to the role of Afghan researchers as a force for human rights in Afghanistan, and to their role for the UNSR mandate, respectively.

The enclosed agenda and list of abstracts (annexes II and III) reveal the diversity of disciplines and academic affiliations of the presenting scholars, all of whom are exclusively Afghans. That includes [RWI Fellows](#), and researchers from the Max Planck Foundation for International Peace and the Rule of Law (MPFPR); the American University of Afghanistan (AUA); the US Institute of Peace (USIP); the Organization for Policy Research and Development Studies (DROPS); the University of Leuven/MADRE, and the School of Oriental and African Studies (SOAS) at the University of London.

Supported by discussants from a diverse array of institutions, including RWI, the Faculty of Law at Lund University, the Development Research Group (DRG), the University of California Irvine, USIP, MPFPR, the Global Campus for Human Rights, and the Afghanistan Analysts Network (AAN), as well as participation from the researchers themselves, the panels were enriched with a range of perspectives.

Beyond the research panels, the conference facilitated sessions of exchange among stakeholders involved in, and supportive of, human rights research related to Afghanistan, particularly from the standpoint of Afghan academics. Discussions delved into the potentials and challenges faced by Afghan academics as both experts and contributors to the discourse and analysis of human rights, as well as their engagement in policy forums at various levels.

During the conference, sessions were conducted wherein the UNSR shared his current research priorities and sought input from the group for an upcoming report to the Human Rights Council.

The involvement of representatives from academic and research institutions, previously mentioned as discussants, significantly enriched this exchange. Their participation, alongside invited civil society representatives who contributed vital perspectives to the panels and discussions, was invaluable.

The conference also served as a platform for networking, identifying potential synergies and areas of collaboration as well as establishing new research priorities. It played a critical role in shaping the direction of RWI's programme for 2024 and the subsequent period of 2024-2026. This setting facilitated the exploration of future areas of research engagement specific to RWI's agenda.

Building upon the outcomes of this first conference, it was determined that the first roundtable within RWI's 2024 programme will focus on a more in-depth consultation for the UNSR report discussed at the conference. Additionally, it was confirmed that RWI will continue to organize annual research conferences from 2024 to 2026. These conferences aim to broaden the spectrum of scholarly contributions from Afghan academics to the UNSR reports, thereby enhancing the breadth and depth of academic input into these critical discussions.

## **Background**

The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) hosted the fourth event of its Afghanistan programme from November 27-29, 2023, in Lund, Sweden. Launched in 2021 and funded by Swedish Development Cooperation, this programme is dedicated to supporting the mandate of the UN Special Rapporteur on the situation of human rights in Afghanistan, nurturing Afghan Research Fellows, and establishing dialogue forums. Central to this conference was the presentation of research by Afghan scholars, which aimed to deepen the understanding of human rights issues in Afghanistan.

## **Purpose**

The conference aimed to share current research by Afghan scholars on human rights in Afghanistan, discuss its potential impact, and identify future research priorities. Key goals included exchanging academic initiatives, discussing the role of Afghan academics as human rights actors, sharing research findings, and providing input for the UNSR research agenda.

III. Methodology: Research panels were led by moderators and supported by discussants. A note-taker documented discussions. Lessons and findings from the conference will be considered in RWI's planning for research and activities in 2024.

The concept notes, agenda, and abstracts of scholars presenting in the conference, are attached to this report.

## **Conference Highlights**

### **Day 1: Monday 27 November**

The event commenced with opening remarks by Rolf Ring, Deputy Director of RWI, followed by keynote speeches by Orzala Nemat and Richard Bennett on the role of Afghan researchers and research for human rights in Afghanistan.

- Participants engaged in a round of presentations and exchanges, emphasizing the broader research work on human rights and gender equality in Afghanistan by participating institutions and scholars, as well as challenges for human rights research and Afghan scholars in this field, in the current context.
- Dinner at Khatoon Persian Restaurant facilitated informal discussions.

### **Day 2: Tuesday 28 November**

- Research panels included presentations by RWI Fellows on women's rights violations, civic space under the Taliban, Afghan constitutions, and combating impunity. Feedback was provided by discussants and participants.
- Reflections on past research by RWI Fellows in 2022 were discussed.
- Lunch at Ishiri Restaurant provided a platform for networking and informal discussions.
- Panels continued in the afternoon with discussions on UNSR research needs, priorities for 2024, and research on key human rights issues, including child marriage, empowerment of Afghan women, and resilience insights from Afghan provinces, was presented by scholars and discussed.

### **Day 3: Wednesday 29 November**

- Researcher panels explored human rights issues such as violation of the right to self-determination, press freedom, transnational justice, and rights of religious minorities.
- Concluding words by Richard Bennett and Helena Olsson summarized the conference's key takeaways and outlined next steps.
- Lunch served at RWI provided a final opportunity for participants to connect.
- In conjunction with the lunch, consultations were held with conference participants around an upcoming UNSR report on the Phenomenon of Institutionalised Discrimination, Segregation, and Disrespect for Human Dignity and Exclusion of Women and Girls.

## **Conclusion**

The RWI Research Conference on Human Rights in Afghanistan served as a platform for meaningful dialogue, knowledge exchange, and collaborative discussions among academics, researchers, and civil society representatives. The event not only showcased the current

research landscape but also contributed valuable insights for future research priorities, aligning with the broader goal of promoting human rights and gender equality in Afghanistan. The conference findings will undoubtedly be useful to inform ongoing efforts and collaborations and help shape the direction of RWI's activities in the coming year.

## **Annexes**

- I. [Concept Note](#)
- II. [Conference Agenda](#)
- III. [Abstracts of research articles shared during the conference](#)

## **ANNEX I**

### **Concept Note**

#### **RWI Research Conference on Human Rights in Afghanistan**

**Organised at RWI premises in Lund, Sweden on 27-29 November 2023.**

#### **I. Background**

The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) started its Afghanistan programme in 2021 with funding from Swedish Development Cooperation. The programme entails the hosting of the UN Special Rapporteur on the situation of human rights in Afghanistan (UNSR) as [Visiting Professor](#), support to research by Afghan [Research Fellows](#), and a series of [dialogue forums](#). The forums serve as a platform for the convergence of Afghan and international scholars and practitioners, fostering collaborative analysis of critical human rights issues in Afghanistan. The primary objective is to develop insightful analyses and proposals that contribute to a nuanced understanding of the human rights situation and offer recommendations for improvements, including those directed at the Human Rights Council. The programme also supports the mandate of the UNSR, while the UNSR, as visiting professor at RWI, also supports the programme. For more details, see <https://rwi.lu.se/afghanistan-programme/>.

The research conference is the fourth event organised in the framework of this programme in 2023, and it centres around research undertaken by Afghan research fellows involved in the programme. Their research addresses areas of human rights in Afghanistan, relevant to the mandate of the UNSR.

Selected Afghan scholars from other academic institutes with a focus on Afghanistan will also present their research on human rights issues of current concern and relevance to the UNSR mandate.

The presentations will be enriched by academic and practitioner experts, supporting as discussants, as well as by comments and suggestions from researcher peers participating in the conference.

In relation to the presentation of particularly the RWI Fellows' research, where feedback will be sought as an input to the finalisation of ongoing research, civil society representatives will be invited to comment and to discuss potential practical application of research findings. Civil society invitees will also contribute to the exchange among academic institutes, including to assist in linking academic initiatives to policy and advocacy initiatives for the promotion and protection of human rights and gender equality in Afghanistan. To this end, civil society representatives will be invited based on their expertise and experience in human rights issues discussed in the conference.

Aside from scholarly panels, the conference will include exchange among institutes represented, and all participants, on the potential and challenges for Afghan academia as a voice for human rights, gender equality, and inclusion in the current context.

The conference will also be used as platform for a UNSR consultation with Afghan human rights scholars, in preparation for an upcoming 2024, as well as on future research priorities.

## **II. Purpose**

The purpose of the conference is to share current research by Afghan scholars on human rights in Afghanistan, and to discuss its potential, as well as future research priorities, for the promotion of human rights and gender equality in Afghanistan, including through the UNSR research agenda.

In more concrete terms, the conference is expected to result in:

- Exchange among academic initiatives with focus on human rights in Afghanistan.
- Exchange on potentials and challenges of Afghan academics as human rights actors, and on what supporting academic institutions can do better to realise vs mitigate these.
- Sharing of research by Afghan scholars on key current human rights issues in Afghanistan, including RWI Research Fellows 2023, and scholars from invited institutions.
- Exchange between scholars and invited civil society representatives regarding the practical use and potential of research presented in the conference for policy/practical purposes.



- Reflections from RWI Fellows 2022 about steps taken based on, or inspired by, their research in 2022, and the potential to build on this research for policy/advocacy purposes in the future.
- An update on UNSR research priorities, and identification of other key needs for research.
- Input to upcoming UNSR report on institutionalised discrimination (etc) of women and girls.
- Feedback on the presentations by RWI Research Fellows 2023, which will feed into the close conclusion of their research reports at RWI.

### III. Methodology

Research panels will be led by moderators and supported by discussants.

A note-taker will be assigned to ensure that discussions are documented, in dialogue with moderators/discussants.

#### Follow-up:

Conference proceedings will be published by RWI and include abstracts of all papers presented.

Full papers of RWI Fellows' research from 2023 will be published by RWI and/or in academic journals following the conference.

Conference findings will be considered in the planning of RWI's research and activities in 2024.

## ANNEX II

### Agenda

**Day 1: Monday 27 November**

***Raoul Wallenberg Institute of Human Rights and Humanitarian Law***

*Stora Gråbrödersgatan 17 B, 222 22 Lund, RWI Melander Room (ground floor)*

Time	Activity
16:00 – 16:25	<p><b>Opening</b></p> <p>Moderator: Helena Olsson</p> <p>RWI, Welcoming remarks:</p>

	<ul style="list-style-type: none"> <li>Rolf Ring, Deputy Director -2', RWI</li> </ul> <p>Keynote Speeches:</p> <ul style="list-style-type: none"> <li><i>Orzala Nemat, Development Research Group: The Role of Afghan Researchers as a Force for Human Rights in Afghanistan – 10'</i></li> <li><i>Richard Bennett, UNSR/RWI: the Role of Research for HR in Afghanistan/UNSR Mandate – 10'</i></li> </ul> <p>Conference Introduction and Practical Information</p> <ul style="list-style-type: none"> <li>Helena Olsson &amp; Jo Palfreman, RWI – 3'</li> </ul>
16:25 - 17:15	<p><b>Round of Presentations and Exchange</b> Moderator: Julia Runte, Global Campus</p> <p>Presentation of participants, including brief overviews (3') of participating institutions' broader research work on human rights/gender equality in Afghanistan</p>
17:15 - 17:45	<p><b>Potentials and Challenges of Afghan Academics as Human Rights Actors</b> Moderator: Huma Saeed, University of Leuven</p> <p>Brainstorming among participants:</p> <ul style="list-style-type: none"> <li>What are some main potentials and challenges?</li> <li>(How) can academic institutes better support these potentials and/or address challenges?</li> </ul>
18:30	<p>Dinner: Khatoon Persian Restaurant Lilla Tvärgatan 9, 223 53 Lund</p>

**Day 2: Tuesday 28 November**

**Raoul Wallenberg Institute of Human Rights and Humanitarian Law**

*Stora Gråbrödersgatan 17 B, 222 22 Lund, RWI Melander Room (ground floor)*

Time	Activity
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8:30 – 10:00	<p><b>Panel I: RWI Fellows' Research 2023</b></p> <p>Moderator: Morten Koch Andersen, RWI</p> <p>Discussant: Daria Davitti, Lund University Faculty of Law</p> <ul style="list-style-type: none"> <li>• <i>Hanifa Girowal, RWI Fellow 2023: The Vicious Cycle of Womens Rights Violations in Afghanistan and the Need for Accountability (15' presentation + 30' discussion)</i></li> <li>• <i>M. Abul Ahrar Ramizpoor, RWI Fellow 2023: Civic space under Taliban in Afghanistan (15' presentation + 30' discussion)</i></li> </ul>
10:00 – 10:15	Coffee/tea break
10:15 – 11:45	<p><b>Panel II: RWI Fellows' Research 2023 contd.</b></p> <p>Moderator: Morten Koch Andersen, RWI</p> <p>Discussant: Neshan Gunasekera, RWI</p> <ul style="list-style-type: none"> <li>• <i>Sonia Mahmouda Eqbal, RWI Fellow 2023: Afghan Constitutions and the Placement of Education (15' presentation + 30' discussion)</i></li> <li>• <i>Ehsan Qaane, RWI Fellow 2023: A Victim-Centered Approach to Combating Impunity: An Assessment of Challenges and Potential Implications of the International Criminal Court's Investigation in Afghanistan (15' presentation + 30' discussion)</i></li> </ul>
11:45 – 12:30	<p><b>Panel III: Reflections on the Use of Past Research by RWI Fellows 2022</b></p> <p>Moderator: Morten Koch Andersen, RWI</p> <ul style="list-style-type: none"> <li>• <i>Farima Nawabi, RWI Fellow 2022: Violations of Human and Women's Rights by the Taliban in Afghanistan (15')</i></li> <li>• <i>Massoud Adrakhsh, RWI Fellow 2022: Challenges and Opportunities of Afghan HRDs in Re-Establishing and Operating their NGOs in Canada, Europe, the UK, and the US (15')</i></li> <li>• Q&amp;A – 15'</li> </ul>
12.30 – 13:45	<p>Lunch: Ishiri Restaurant</p> <p>Bytaregatan 28, 222 21 Lund</p>

13:45 – 14:15	<p><b>Overview of UNSR Research Needs and Priorities for 2024</b></p> <p>Moderator: M. Abul Ahrar Ramizpoor</p> <ul style="list-style-type: none"> <li>• Update by Richard Bennett on planned research priorities for 2024</li> <li>• Q&amp;A and suggestions from participants of other main gaps that need priority attention</li> </ul>
14:15 – 16:30	<p><b>Panel IV: Other Key Human Rights Issues of Priority to the UNSR</b></p> <p>Moderator: Christine Evans, RWI</p> <p>Discussant: Belquis Ahmadi, USIP</p> <ul style="list-style-type: none"> <li>• <i>Mariam Safi, DROPS: Child Marriage in Afghanistan</i> (15' presentation + 30' discussion)</li> <li>• <i>Maliha Shir Mohammad, RWI: Empowering Afghan Women: A Study on the Impact of Education in Exile in Central Asia, on Resilience and Peacebuilding</i> (15' presentation + 30' discussion)</li> <li>• <i>Naser Timory, USIP: Stories of Resilience: Data Collection, Analysis, and Insights from Afghan Provinces</i> (15' presentation + 30' discussion)</li> </ul>
(14:15-16:30)	Coffee/tea break (during presentations)
16:30–17:00	<p><b>Consultation on Upcoming UNSR Report on the Phenomenon of Institutionalised Discrimination, Segregation, and Disrespect for Human Dignity and Exclusion of Women and Girls</b></p> <p>Moderator: Sonia Mahmouda Eqbal</p> <p>Discussants: OHCHR/Richard Bennett</p> <ul style="list-style-type: none"> <li>• <u>Suggestions from Participants Regarding the Upcoming Study</u></li> </ul>
17:00 – 17:45	<p><b>Panel V: Other Key Human Rights Issues of Priority to the UNSR</b></p> <p>Moderator: David Kaye, RWI</p> <p>Discussant: Hashmat Nadirpoor, UC Irvine</p> <ul style="list-style-type: none"> <li>• <i>Haroun Rahimi, American University of Afghanistan: The Taliban Government under International Law – exact title tbc</i> (15' presentation + 30' discussion)</li> </ul>



**Day 3: Wednesday 29 November**

**Raoul Wallenberg Institute of Human Rights and Humanitarian Law**

Stora Gråbrödersgatan 17 B, 222 22 Lund, RWI Melander Room (ground floor)

Time	Activity
09:00 – 10:30	<p><b>Panel VI: Other Key Human Rights Issues of Priority to the UNSR</b></p> <p>Moderator: Stephan Ollick, MPFPR TBC</p> <p>Discussant: Hanifa Girowal, RWI TBC</p> <ul style="list-style-type: none"> <li>• <i>Farhat Hassanzoi, former MPFPR</i>: Violation of Afghan People’s Right to Self-Determination: a Challenge to the Legitimacy and Recognition of Taliban (15’ presentation + 30’ discussion)</li> <li>• <i>Aysha Marjan Nayer, MPFPR</i>: The Trajectory of Press Freedom in Afghanistan (15’ presentation + 30’ discussion)</li> </ul>
10:30 - 10:45	Coffee/tea break
10:45 – 12:15	<p><b>Panel VII: Other Key Human Rights Issues of Priority to the UNSR</b></p> <p>Moderator: Kate Clark, AAN</p> <p>Discussant: Ehsan Qaane</p> <ul style="list-style-type: none"> <li>• <i>Huma Saeed, University of Leuven/MADRE</i>: Transnational Justice, Socio-Economic Rights and Rights-Based Approach to Development: A Case Study of Afghanistan (15’ presentation + 30’ discussion)</li> <li>• <i>Bismillah Alizada, SOAS</i>: Religious Minorities, with Focus on Hazara and Sikh Communities TITLE TBC (15’ presentation + 30’ discussion)</li> </ul>
12:15 – 12:20	<p><b>Concluding Words and Next Steps</b></p> <ul style="list-style-type: none"> <li>• Richard Bennett &amp; Helena Olsson, RWI</li> </ul>
12:20 – 13:30	Lunch: Served at RWI

## **ANNEX III**

### **Abstracts for research shared in the conference (in the order featured in agenda)**

#### **Civic Space under Taliban in Afghanistan**

Mohammad Abul Ahrar Ramizpoor

(RWI Research Fellow 2023)

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For two decades prior to the Taliban's return to power on August 15, 2021, the Afghan people enjoyed a relatively suitable and lawful civic space. During this period, there was freedom of the media, the establishment of civil society associations, and the initiation of strikes, protests, and critical discussions all supported by existing laws. Despite challenges and a deteriorating security situation, civic activities persisted until the fall of Kabul. However, after regaining power, the Taliban revoked the laws of the former government and declared the application of Islamic Sharia to all aspects of life. Subsequently, they imposed increasing restrictions on civil, political, social, and media activities.

The Taliban's ideological and political foundation plays a significant role in shaping the structure of their governing system and guiding their actions to limit civic space. The Taliban's ideological views stem from their restrictive interpretations of Islamic Sharia. These views were not only acquired through learning in Deobandi Madrasas in Pakistan but were also documented and published in the form of a 312-page book titled 'Islamic Emirate and Its System' in 2022. The author, Sheikh Abdul Hakeem Haqqani, is the current de facto Chief of Justice of Afghanistan.

The stringent policies of the Taliban over the last two years, particularly concerning women's rights, freedom of expression, civic activities, peaceful assemblies, and the persecution of women, human rights defenders, and former government employees, have resulted in a lack of official recognition by any country. This reluctance extends even to Islamic states. Additionally, the discriminatory treatment of individuals by the Taliban and their negative stance towards art, music, cultural values, and the rights of minorities are additional factors contributing to the international hesitancy to formally recognize the Taliban government.

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## **The vicious cycle of women rights violations in Afghanistan and the need for accountability**

Hanifa Girowal

(RWI Research Fellow 2023)

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The vicious cycle of women rights violations in Afghanistan and the need for accountability: My main argument in this paper reflects upon one of the main factors of gender persecution and women's rights violations in Afghanistan which is the intricate interplay of cultural relativism and the misinterpretation of Islamic principles. The confluence of these factors operates against the backdrop of Afghanistan's starkly lower literacy rates, positioning millions of its population bereft of even the basic proficiency to inscribe their own names. The broader implications extend to a populace grappling with the intricacies of Quranic teachings – the comprehension of Arabic scripture and the nuanced interpretation thereof – an essential task compounded by profound illiteracy levels.

The research underscores the intrinsic interconnectedness between cultural relativism, the distortion of Islamic teachings, and the relegation of women's rights. This nexus both exacerbates and perpetuates gender persecution within Afghanistan, setting forth a troubling cycle. The profound implications of these dynamics impel us to critically examine the underlying causes of gender persecution in Afghanistan, thereby facilitating a comprehensive understanding of the nuanced socio-political fabric that perpetuates such atrocities. "It is insufficient to only hold perpetrators accountable for crimes that take place during atrocities or dictator regimes. Justice also requires a holistic understanding as to why perpetrators committed such acts if we are to eliminate discrimination and break cycles of violence.

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## **A Victim-Centered Approach to Combating Impunity: An Assessment of Challenges and Potential Implications of the International Criminal Court's Investigation in Afghanistan"**

Ehsan Qaane

(RWI Research Fellow 2023)

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This paper presents an in-depth analysis of the International Criminal Court's (ICC) investigation in Afghanistan, highlighting the multifaceted challenges and implications for combating international crimes, victim rights and international criminal justice. Through a comprehensive examination, the paper delves into the legal, political, and practical obstacles the ICC faces in navigating the complex terrain of Afghanistan's long-standing conflict-affected

environment. It critically assesses the ICC's jurisdictional reach, operational difficulties, and Afghanistan's broader historical and political context that shapes these challenges.

A significant focus of this paper is on the victim-centric approach in the proceedings of the ICC combating impunity. The paper contributes to the ongoing discourse on the role of victim rights in international criminal justice by analysing how this approach is implemented and its impact on the justice process. It also underscores the necessity of integrating a more nuanced understanding of local contexts and the perspectives of affected communities into the ICC's strategies.

Furthermore, the paper explores potential strategies and recommendations for overcoming identified challenges, aiming to enhance the effectiveness and responsiveness of international criminal courts in similar situations. By offering a detailed case study of the ICC's investigation in Afghanistan, this paper seeks to inform and influence policy and practice in international justice, focusing on Afghanistan, while contributing to academic discussions on the efficacy of international criminal interventions in conflict-affected regions. The findings and insights presented are particularly relevant for legal scholars, practitioners, policymakers, human rights groups and students engaged with international justice and human rights.

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### **Afghan Constitutions and the Placement of Education**

Sonia Mahmouda Eqbal

(RWI Research Fellow 2023)

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The establishment and promotion of modern education in Afghanistan was challenged by the traditionalists, when it was being introduced for the first time during early 1900s, when King Amanullah Khan wanted to introduce modern education, and ironically, even today continues to be challenged by the more conservative segments of the society and the extremist regime of the Taliban that rules over the country. Despite the passage of an entire century, and a lot of efforts in the process of institutionalization, when it comes to sensitivity around modern education and its fragility towards pressure, it seems as if time has not passed. It is the constant struggles for the right to education from the educated segment of the society against the conservatives and extremists that show the progress that was made in the past century.

While there might be different reasons for failure in strengthening institutionalization of the modern education system and its promotion as a strong value among different segments of the



society, from lack of political stability, the constant overthrowing of the regimes with support and influence from different superpowers, to ongoing wars and violent conflicts and poverty that could be seen as reasons, nonetheless the status quo and the ongoing challenges towards education is a bitter reality.

The paper aims to analyze the placement and value of education in the constitutions of Afghanistan for the past 100 years from the very first modern constitution that was established in the early 1900s to the most recent one which was established in 2004. The analysis is aimed at finding to what extent has the constitutions focused on institutionalization of the modern education. It is important to note that the constitutions alone cannot guarantee the triumph of education in a society like Afghanistan. A more comprehensive overview of the challenges of institutionalization of modern education in Afghanistan requires more research at multiple different levels that is beyond the scope of this research.

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### **Child marriage in Afghanistan**

Mariam Safi

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The purpose of our study on 'Child Marriage in Afghanistan', is to explore gender norm change around girls' age at marriage, its association with Taliban edicts, and where there may be strategies of resistance to regressive norm change within families and communities. This particular gender norm has been identified through existing Bishnaw survey data as an area of concern linked to Taliban's ban on girls' education, women's employment restrictions, and the economic downturn of the country. The study includes both quantitative and qualitative data collected from 23 provinces in Afghanistan collected through DROPS BISHNAW initiative.

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### **Taliban government under International Law**

Haroun Rahimi

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The forceful return of the Taliban to power in Afghanistan poses difficult questions of international law. Chief among these questions is who has the right to represent the Afghan state internationally after August 15, 2021. Applying the rules of public international to the case of the Taliban's caretaker government, this article argues that the strongest argument for

disqualifying the Taliban as a government capable of representing Afghanistan is that the regime espouses principles, as a matter of formal governmental policies, which, in their totality, are so fundamentally discriminatory that they violate jus cogens norms of international law. The Taliban's caretaker government has provided the occasion where the unanimous condemnation of the international community could indicate that international law has come to contain a jus cogens norm banning some fundamental forms of gender-based discrimination denying admission to a government that holds those policies de jure recognition under international law.

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**Violation of Afghan People's Right to Self-determination: a Challenge to the Legitimacy and Recognition of Taliban**

Farhat Hassanzoi

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With the collapse of Afghanistan to the hand of Taliban in August 2021, there starts a discussion among academics and politician, and still is continuing, arguing that since Taliban have territorial control over most part of the country, therefore the de facto regime of Taliban is entitled to be recognized as legitimate government of Afghanistan. This paper aims to examine validity of this claim under international law by exploring the interrelationship between violation of human rights, violation of the peremptory principle of people's right to self-determination and principles of government recognition in international law. It argues that effective control doesn't bring recognition and legitimacy to a regime when it has been achieved by violation of the peremptory norms of the international law, which in Taliban's case, it is the Afghan people's right to self-determination that has been violated. Violation of the people's right to self-determination in Afghanistan has been established through grave and collective violation of the basic civil, political, economic, social and culture human rights of Afghan people by Taliban regime.

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**The trajectory of press freedom in Afghanistan**

Aysha Marjan Nayer

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[Abstract missing]

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### **Religious minorities, with focus on Hazara and Sikh communities in Afghanistan**

Bismellah Alizada

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I will generally focus on the situation of the Hazaras in Afghanistan under the current regime as this has been my main focus of research and advocacy. More particularly, my presentation will focus on the risks that the community faces in terms of security threats and their overall systematic exclusion from the political spheres and processes. I will also offer my analysis of what this would mean for the community in short, medium, and long term. I will also talk, albeit briefly, on what the current climate and political set-up that we find ourselves in, may mean for other ethnic and religious landscape of Afghanistan or to groups that many know as minorities.

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### **Empowering Afghan Women: A Study on the Impact of Education in Exile in Central Asia, on Resilience and Peacebuilding**

Maliha Shir Mohammad

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The research delves into the experiences of Afghan women studying in Central Asian countries, showcasing their impressive resilience in the face of multiple challenges. By conducting in-depth interviews with eight participants, the study sheds light on the positive impact of education on these women. Despite facing obstacles such as asylum documentation, language barriers, and cultural differences, these women actively contribute to the cultural diversity of their host nations. The participants express overall satisfaction with the quality of education, lauding the comprehensive curriculum and top-of-the-line facilities.

However, the research also identifies some persistent challenges, including concerns about the validity of legal documentation post-studies and limited job opportunities, underscoring the necessity for targeted support. The study reveals that participants undergo psychological distress, particularly during family separation and cultural adjustment. To address these issues, the research recommends targeted interventions, including addressing legal documentation

concerns, tackling language barriers, supporting mental health initiatives, and creating pathways for skill development and employment.

In essence, these recommendations aim to empower Afghan women, fostering their well-being during exile and equipping them to make meaningful contributions within their communities upon their return to Afghanistan.

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**Stories of Resilience: Data Collection, Analysis, and Insights from Afghan Provinces**

Nasir Timory

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[Abstract missing]

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**Transitional justice, socio-economic rights and rights-based approach to development:  
A case study of Afghanistan**

Huma Saeed

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Scholars have long challenged the politics of rights hierarchy by presenting a discourse on indivisibility and interdependency of human rights. In praxis, however, the tension continues to exist, which is arguably most palpable in the field of transitional justice --an umbrella term for approaches to address gross human rights violations of the past. Mass violations of human rights are frequently seen as only including civil and political rights. Relying on Afghanistan as a case study, this paper argues that transitional justice must make addressing socio-economic rights as a central concern, particularly in war ravaged and under-developed countries. A rights-based approach to development can, on the one hand, narrow the gap between transitional justice and socio-economic rights, and, on the other, foster the link between transitional justice and development.



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