



Public Law and Human Rights Forum

香港城市大學
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The CPLR Webinar Series on Asian Perspectives on Human Rights (IV) Who Won the War in Afghanistan? The Present and Future of Human Rights and Governance Under the Taliban Regime

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On 26 May 2022, the Public Law and Human Rights Forum (CPLR) organised the fourth webinar in the Asian Perspective on Human Rights series to discuss how forty years of war have impacted Afghanistan and on what term should the international community engage with the Taliban government to improve the country's social stability and protect the human right of its people.



From left to right:

top row: Dr Fozia LONE, Ms Pashtana KHATAB, Dr James FRY

bottom row: Ms Norah NILAND, Mr Sangar PAYKHAR, Prof Jianguyu WANG

The webinar kicked off with a welcome speech by **Dr Fozia LONE** (Associate Professor, Associate Director of CPLR, School of Law, City University of Hong Kong). She thanked all the speakers and audience for their participations in this event, and explained the aim of this webinar is to provide a platform for scholars and experts to critically debate over topics such as human rights and governance situation in Afghanistan, and challenges that women face under the Taliban



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regime. Five distinguished panellists were invited to speak at the webinar, including: **Prof Jiangyu Wang** (Professor, Director of Centre for Chinese and Comparative Law, School of Law, City University of Hong Kong); **Ms Norah NILAND** (Co-Founder, Activist, United Against Inhumanity); **Dr James FRY** (Associate Professor, Faculty of Law, the University of Hong Kong); **Mr Sangar PAYKHAR** (Host of the Afghan Eye Podcast, Freelance Journalist, Commentator on Afghan Current Affairs); **Ms Pashtana KHATAB** (Clinical Psychologist, Therapist and Active Afghan Diaspora).

Ms Niland explained that the repressive political regime is not the only reason why Afghanistan is facing humanitarian crisis. External policies, such as the U.S. decision to withdraw aids and external financial support, freezing the country's foreign reserves, has also pushed Afghanistan's economy to the verge of collapse. A significant proportions of the population are thus at risk of poverty, deprivation and starvation. The dominant ideology of patriarchy in Afghanistan implies that women livelihoods are being deprived severely under the crisis. She also commented that the Bonn agreement appears to be contradictory in respect to its objectives as there is a clear attempt to build a democratic and inclusive environment in the country, while at the same time they support war criminals to retain in key government positions.

Mr Paykhar was of the view that Afghanistan is still a pre-modern society. The Taliban regime is not merely a political party. Instead, it reflects that a number of Afghan people are associated with conservative social values and norms. They believe western occupation and ideas need to be combated to regain peace and security for their community. He stressed that there is no winner after four decades of war since the countries is now suffering from acute poverty and instability as a result of the conflict.

This was followed by the presentation of **Ms Khatab**, who outlined the history of the forty-year-old war, explaining that economy and political order are correlated to the number of illegal and terrorist activities. She then discussed the grave human rights violation in Afghanistan in the last two decades, where civilians are exposed to extrajudicial killing, torture of suspected and enforced disappearance etc. Therefore, rather than analyzing whether human rights protection deteriorated after the Taliban takeover, the problem is how the Taliban can build off of the country's long history of human rights violations.

Dr Fry shared with the participants his observations on the nature of the United Nations Assistance Mission in Afghanistan (UNAMA). Its ability to interfere with the country's internal affairs and



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human rights protection is fairly limited as its aim and positioning is to provide assistance to the local government. The underpinning principle of such scheme is to respect the state's decision on their local affairs and directions.

Finally, **Prof Wang** provided a detail analysis on China's Afghanistan policy. He examined the speech that was given by Chinese foreign minister Wang Yi, which suggested that China shares the same concern with other international community and is in the hope that Afghanistan could build an inclusive political structure, protect human rights, make a clear break with other terrorist forces and pursue a peaceful foreign policy. Taking into account China's attitude at multiple international meetings, it can be deduced that China's objective is to make herself the centre regarding the international and regional relations on Afghanistan through diplomatic and economic means.

On behalf of CPLR, **Dr Lone** thanked the speakers for delivering insightful and thought-provoking ideas and all the audience for their participations which made the webinar a great success.