

From hashtags to handcuffs: The Taliban's digital image versus lived and legal realities

Nooda Badghisi*

Abstract: *This study investigates the Taliban's digital image-building strategies and their interaction with international legal accountability mechanisms. Through an analysis of 788 posts published on the official X account of Taliban spokesperson Zabihullah Mujahid between February and August 2025, the research identifies key thematic patterns, including international relations, economic narratives, religious justifications, and deflection tactics. These digital practices are situated within the broader context of ongoing human rights violations, particularly gender persecution and allegations of gender apartheid, currently under review by the International Criminal Court and the International Court of Justice and already recognised by the European Court of Justice. The study further examines how digital counter-narratives, emerging through resistance movements, indoor protests, and coordinated hashtag campaigns, actively challenge Taliban messaging, often at significant personal risk to activists and dissenters. Methodologically, the research combines qualitative content analysis with doctrinal analysis of international criminal and human rights law, supported by secondary sources, while acknowledging limitations due to restricted access to earlier Taliban digital content and archives. Findings demonstrate that the Taliban's digital image is deliberately constructed to project legitimacy, stability, and moderation while systematically avoiding accountability for human rights violations. However, these efforts are undermined by international legal scrutiny, judicial findings, and documented evidence that clearly contradict official narratives. The study concludes that sustained documentation, systematic archiving of digital propaganda, and stronger linkages between online activism, legal advocacy, and international policy mechanisms are essential to counter disinformation, prevent normalisation, and advance justice for Afghan women and other affected groups.*

* Nooda Badghisi is a PhD candidate in Education Studies at the University of Warwick. She holds a master's degree in Human Rights and Democratisation from the Caucasus branch of the Global Campus of Human Rights and coordinates educational programmes supporting Afghan women's access to higher education under Taliban restrictions.



This article content is offered under a [CC Attribution Non-Commercial No Derivatives license](https://creativecommons.org/licenses/by-nc-nd/4.0/).

©2025 the Author

Keywords: Taliban; social media strategy; ICC; ICJ; gender persecution; gender apartheid; online activism

1. Introduction

In the mid-1990s, when the Taliban first took power in Afghanistan, the country had extremely limited telecommunications infrastructure and almost no access to the internet. Guided by a strict Deobandi interpretation of Islam, the Taliban banned photography, television, music, and all forms of entertainment (Gohari 2000). In early 2001, they also prohibited the use of the internet, while computers and satellite dishes were allowed only for government-approved purposes (ibid). As a result, Afghanistan had virtually no domestic digital sphere. Public understanding of the government was shaped mainly by everyday lived experience, state-controlled Radio Shariat, and religious sermons delivered in mosques.

At the time, the Taliban framed these restrictions as moral regulation. Foreign Minister Mawlawi Wakil Ahmad Muttawakil stated, “We want to establish a system in Afghanistan through which we can control all those things that are wrong, obscene, immoral, and against Islam” (CNN 2001). However, this rejection of modern media did not remain constant. After the United States-led intervention in 2001, the Taliban’s strategy gradually shifted. Beginning around 2003, they expanded their online presence as part of a broader insurgent communication strategy (Mehran 2021). They launched a radio station known as Voice of Sharia and created the website *Al Emarah*, which served as their official online platform despite repeated attempts to block it (Bodetti 2016). Through this site, the Taliban shared battlefield updates, videos, and official statements, as well as online magazines published in multiple languages to reach diverse audiences.

During peace negotiations in December 2018, Taliban spokesperson Zabihullah Mujahid publicly attempted to distance the movement from its earlier image. He claimed that if peace were achieved, the Taliban’s return would not resemble their harsh rule of the 1990s and promised there would be no mass retaliation following the withdrawal of United States forces (Sediqi and Ahmad 2018). Social media became a central tool in the Taliban’s final push to seize power. Platforms such as Facebook and WhatsApp were used to coordinate operations and weaken opponents (Timberg 2021), while on X, Taliban accounts flooded the platform with victory narratives to create a sense of inevitability (Kann 2021). When they entered Kabul on 15 August 2021, smartphones were as important as weapons, allowing fighters to document and circulate images of the takeover in real time. However, they faced the challenge of legitimising

their rule under intense international scrutiny. At their first press conference on 17 August 2021, Mujahid promised respect for women's rights, international cooperation, and a general amnesty (Reuters 2021). These assurances were echoed by other Taliban representatives and widely reported as signs of moderation. In practice, however, the Taliban quickly reimposed strict media controls.

This disconnect between the Taliban's moderated digital persona and its restrictive domestic reality forms the central problem investigated in this study. Despite the movement's sophisticated use of social media to project an image of a reformed and legitimate state, there is a significant gap between these digital narratives and the escalating human rights violations documented on the ground. This article aims to analyse the thematic evolution of the Taliban's digital image-building strategies, specifically examining how they utilise platforms like X to navigate and deflect international legal accountability. By evaluating these digital practices alongside the ongoing proceedings at the International Criminal Court (ICC) and International Court of Justice (ICJ), this research seeks to determine how the Taliban's propaganda functions as a tool to bypass international scrutiny and resist allegations of gender apartheid. Ultimately, this paper aims to underscore the necessity of integrating digital archiving with international legal advocacy to counter state-led disinformation and advance justice for Afghan citizens.

2. Digital platforms utilised by the Taliban

Today, the Taliban rely on a wide range of digital platforms to distribute their messages, with X playing a particularly central role. Senior figures such as spokesperson Suhail Shaheen have more than 700,000 followers, while Zabihullah Mujahid has over one million followers on the platform (Timberg 2021). In addition, the official Taliban website operates in five languages: Pashto, Persian, Arabic, Urdu, and English. This exceeds Afghanistan's two national languages and suggests that much of the content is aimed at international and diaspora audiences (ibid.). The Taliban also maintained a presence on Facebook and Instagram, but in 2021 Meta removed many Taliban-linked pages, including those associated with Islamic Emirate of Afghanistan (IEA) ministries and state media outlets (Frenkel 2021).

Following these bans, Afghan activists called for similar restrictions on X through the hashtag #BanTaliban, which gained significant attention in July 2022 (Business Standard 2022). The campaign trended in several countries, including Afghanistan, Pakistan, India, Germany, the United Arab Emirates (UAE), and the United States (KabulNow 2023). In response,

Taliban supporters launched the hashtag #AfghansSupportTaliban, which was shared more than 130,000 times and quickly became a trending topic in Pakistan (ibid).

Encrypted messaging platforms have also been important tools. Taliban officials have long used WhatsApp and Telegram to coordinate internally and communicate with the public. At one point, they even established a public WhatsApp hotline for reporting incidents, although Facebook later removed it after labelling the Taliban a dangerous organisation (Timberg 2021). YouTube and TikTok are used to circulate highly produced videos that promote themes of order, development, and security, often featuring drone footage and carefully staged visuals (ibid). These materials are shared widely through coordinated networks of pro-Taliban accounts that amplify official narratives (Frenkel and Decker 2021).

Across platforms, the Taliban carefully avoid content that could violate platform rules, such as explicit violence or hate speech. Instead, they emphasise nation-building, stability, and Islamic values, allowing their accounts to remain active (Timberg 2021). Since changes to X's verification system under Elon Musk, several Taliban officials have obtained paid verification, further expanding their reach (KabulNow 2023). Through strategic platform use and rule compliance, the Taliban have been able to project a controlled and modern image internationally, despite continuing to restrict media freedom within Afghanistan.

3. Narrative construction and messaging strategies

To analyse the Taliban's narrative construction strategy, this study conducted a manual content analysis of 788 posts published on X by Zabihullah Mujahid (@Zabehulah_M33), the Taliban's spokesperson, between 28 February and 15 August 2025. Each post was closely reviewed and categorised into thematic groups based on existing literature on Taliban propaganda, as well as patterns identified during the analysis process. By adopting this "bottom-up" approach, the research identifies patterns based on the frequency and context of the messaging rather than over-imposing external theoretical frameworks. When identical content was published separately in different languages, such as Persian, Pashto, and English, each version was counted as a separate post. This repetition was treated as meaningful, as it reflects the selective targeting of domestic and international audiences. In contrast, multi-part threads were counted as single posts when they clearly formed a continuous and numbered sequence.

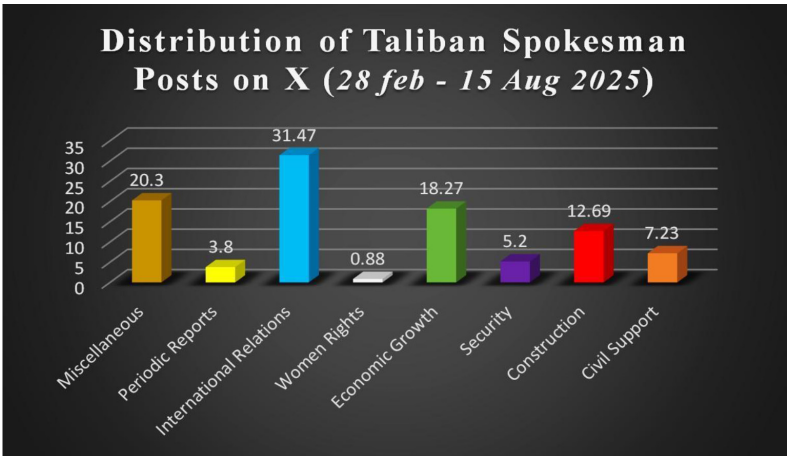


Figure 1. *Distribution of posts across categories (N=788). Source: Author’s content analysis of Mujahid’s X account. [The bar chart shows percentage distribution across eight categories; international relations is the highest (31.47%), and women is the lowest (0.88%).]*

Analysing Mujahid’s account goes beyond observing a single social media profile. With approximately 1.1 million followers, he functions as the most prominent digital voice of the IEA. His selective posting and reposting practices reveal how the Taliban shape their primary narrative. By amplifying content from specific ministries, universities, loyal media outlets, and other Taliban figures, Mujahid’s account appears to act as a gatekeeping platform that elevates particular messages from the broader Taliban media ecosystem. The analysis of 788 posts over 169 days reveals clear and consistent narrative patterns.

Overall, the Taliban prioritise themes that promote governance, legitimacy, and international engagement, while reducing attention to topics that could generate criticism. The largest category is international relations, accounting for 31.47 percent of posts. These include diplomatic meetings, foreign investments, international conferences, and bilateral engagements (e.g., arg_1880 2025a). During the study period, Mujahid referenced relations with 16 states, including Tatarstan, China, Azerbaijan, Turkmenistan, Uzbekistan, Kazakhstan, Russia, Malaysia, Iran, Qatar, Pakistan, the UAE, the USA, Oman, Norway, and India (e.g., mofa_afg 2025). The diplomatic framing and frequent use of English suggest that these messages are partly directed at external audiences and aim to present the IEA as a legitimate and stable international actor.

The miscellaneous category, which represents 20.30 percent of posts, includes topics such as sports, environmental projects, administrative announcements, and national meetings (e.g., Fitrathamd 2025a). This category serves as a repository for topics that, while appearing as individual posts, did

not recur with enough frequency to warrant standalone categories or fall within the specific political and legal scope of this study. Although not overtly political, this content helps normalise Taliban rule by portraying everyday governance. Economic growth is the third-largest category at 18.27 percent and includes posts on investments, factory reopenings, job creation, and trade developments (e.g., *fdpm_afg* 2025a). Construction projects account for 12.69 percent of posts and highlight infrastructure such as roads, universities, and dams (e.g., *fdpm_afg* 2025b). While many of these projects were planned under previous governments and delayed due to security challenges, their promotion signals governance capacity and development.

Smaller categories include civil support at 7.23 percent, security at 5.20 percent, and periodic reports at 3.80 percent. Civil support posts portray charitable assistance and aid distribution as evidence of social responsibility (e.g., *FitraHamd* 2025b). Security posts emphasise order and threat prevention (e.g., *abozobir5* 2025), while periodic reports present the IEA as organised and accountable through regular administrative updates (e.g., *arg_1880* 2025b).

The most notable category concerns women, which accounts for only 0.88 percent of posts. While other niche topics were subsumed under “miscellaneous” due to their low frequency, the topic of women was intentionally isolated as a primary variable. Given the global attention to Afghan women’s rights, this absence is striking, particularly as the analysis was conducted shortly after the ICC prosecutor’s application for arrest warrants against Taliban leaders. In the few posts that mention women, narratives are reframed to align with Taliban ideology. For example, on International Women’s Day, *Mujahid* published a six-thread series that limited women’s rights to the Taliban’s interpretation of Islam, claimed psychological well-being despite evidence to the contrary (*Mohammadi et al.* 2024), asserted a decline in violence against women (*USIP* 2025), and avoided discussion of education while framing restrictions as cultural rather than universal rights issues (*Zabehulah_M33* 2025a).

This selective narrative construction is also evident in the Taliban’s response to United Nations (UN) Resolution A/79/L.100 (UN GA 2025). While the resolution raised serious concerns about women’s exclusion from education, employment, and public life, *Mujahid*’s social media response highlighted only points related to opium eradication and regional cooperation, dismissing human rights concerns as politically motivated claims (*Qaharbalkhi* 2025). Notably, this response appeared only in Pashto, indicating a domestic target audience.

In conclusion, the analysis demonstrates that the Taliban’s digital narrative is carefully managed rather than spontaneous. By emphasising international relations, development, and governance, while marginalising or reframing sensitive issues such as women’s rights, the IEA seeks to project stability and legitimacy. This controlled storytelling shapes how the Taliban wish to be

perceived and reflects a strategic effort to manage scrutiny through digital media.

4. Criminal law and human rights duties of the Taliban as a non-state actor

Crimes against humanity constitute systematic and large-scale violations of human rights that fundamentally undermine human dignity and social justice. Article 7 of the Rome Statute (Statute) defines crimes against humanity as acts such as murder, torture, rape, and persecution when committed as part of a widespread or systematic attack directed against a civilian population (Statute 1998, Article 7). The Taliban have breached this provision through the persecution of Afghan girls and women and individuals perceived as their allies, as recognised by the ICC (ICC 2025a). These acts are not isolated incidents but form part of an institutionalised policy framework that has reshaped nearly all aspects of women's public and private lives since August 2021.

International criminal law (ICL) establishes individual criminal responsibility irrespective of official capacity or state recognition. Article 27 of the Statute explicitly removes immunity based on official position and confirms that responsibility attaches to individuals rather than offices (Statute 1998, Article 27). This principle of individual criminal responsibility focuses on who committed or enabled the crime, not on whether the perpetrator acted on behalf of a recognised government (Adjei 2020; Parlett 2011). It underpins the ongoing proceedings against senior Taliban leaders. In parallel, the International Law Commission's Draft Articles on State Responsibility recognise that conduct carried out by entities exercising governmental authority may be attributed to the state (ILC 2001, Article 9). UN human rights bodies further confirm that international human rights obligations apply to authorities exercising effective control, regardless of recognition (UNAMA and OHCHR 2024).

The decisive role of effective control has been clarified in ICC practice. In its 2014 decision on the purported Article 12(3) declaration regarding Egypt, the ICC Office of the Prosecutor emphasised that only authorities exercising effective territorial control, habitual obedience of the population, and a degree of permanence can bind a state under international law (ICC Prosecutor 2014). Since August 2021, the Taliban have exercised full control over Afghanistan's territory, population, and institutions, including ministries, courts, police, and education systems. This establishes them as the *de facto* authority of the country and triggers corresponding legal responsibilities.

Afghanistan acceded to the Statute on 10 February 2003. Accordingly, crimes committed on Afghan territory or by Afghan nationals after that date fall within the ICC's jurisdiction (ICC nd; Statute 1998, Articles 12 and 13). Under the doctrine of command responsibility, Article 28 of the Statute holds superiors criminally liable where a superior-

subordinate relationship exists, effective control is exercised, and reasonable measures to prevent or punish crimes are not taken. Senior Taliban leaders meet these criteria, as restrictive policies are centrally issued, enforced nationwide, and accompanied by penalties for non-compliance. ICC practice further confirms jurisdiction over non-state actors and rebel leaders. Arrest warrants and convictions against Joseph Kony (2005), Thomas Lubanga Dyilo (2012), and Dominic Ongwen (2021) demonstrate that individuals exercising effective control over territory and forces can be prosecuted for crimes against humanity and war crimes, regardless of their non-state status. These precedents are directly relevant to the Taliban leadership.

Having established jurisdiction and responsibility, the analysis now turns to the merits of the case, particularly the Taliban's obligations under international human rights law. Even though the Taliban regime lacks international recognition, it inherits Afghanistan's human rights commitments by virtue of effective control. Under international law, authorities that govern territory and population assume the obligations attached to that territory, whether they are *de jure* or *de facto* (Veerakatty 2024, 68–98; Vovec 2024). The UN Human Rights Committee, in General Comment No. 26 (1997), affirmed the continuity of treaty obligations despite changes in government. The Taliban therefore function as the successor authority to previous Afghan governments and remain bound by Afghanistan's treaty commitments (Schoiswohl 2003). This principle is reinforced by Article 27 of the Vienna Convention on the Law of Treaties (VCLT 1969), which confirms that changes in government or leadership do not affect treaty obligations. Although Afghanistan is not a party to the VCLT, this rule is widely recognised as customary international law and thus binding (International Law Commission 1966, 213–15; ICJ Statute 1945, Article 38(1)(b)).

The Taliban's obligations are particularly clear in relation to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which Afghanistan ratified without reservations. Since August 2021, Taliban policies have restricted girls' education beyond the sixth grade, excluded women from employment, banned access to public spaces, closed beauty salons, and severely limited freedom of movement. These measures collectively establish a system of gender apartheid (Samim 2025). Such practices violate multiple CEDAW provisions, including Articles 2, 5, 7, 10, 11, 12, 13, and 14, which address discrimination, education, employment, public participation, health, and rural women's rights.

The scale and consistency of these violations prompted ICC Prosecutor Karim Khan, in January 2025, to request arrest warrants for Supreme Leader Hibatullah Akhundzada and Chief Justice Abdul Hakim Haqqani, citing the systematic erasure of Afghan women from public life (ICC 2025a). The United States Institute of Peace documented 137 Taliban decrees affecting women between 2021 and 2025 (USIP 2025).

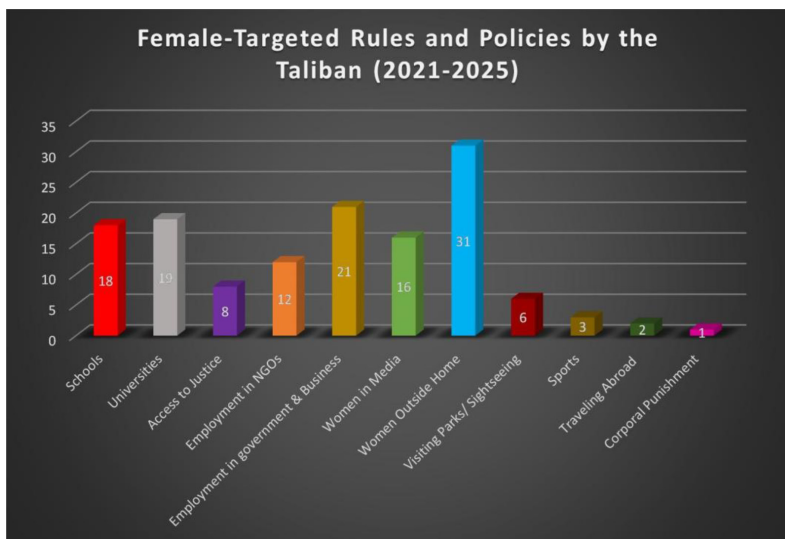


Figure 2. Female-targeted rules and policies by the Taliban, 2021–2025. Source: The United States Institute of Peace.

[The bar chart shows 137 policies across eleven categories, with most targeting women outside the home (31) and fewest on corporal punishments (1).]

In conclusion, ICL and international human rights law jointly establish a robust legal basis for holding Taliban leaders accountable. Afghanistan's ICC membership, the principles of individual and command responsibility, the effective control doctrine, and the continuity of human rights obligations confirm that the Taliban, as Afghanistan's de facto authority, bear responsibility for crimes against humanity and systematic gender persecution. The ICC's actions are legally grounded and consistent with international norms, affirming that the Taliban can and are being held accountable for their actions.

5. The ICC's proceedings against Taliban leaders

During their first regime from 1996 to 2001, the Taliban enforced an extremist ideology through intimidation and the systematic exclusion of women from public life (U.S. 2001). Following their return to power in August 2021, the international community closely monitored whether the group had changed after two decades. Initially, the Taliban projected a more moderate image, yet over time they reintroduced restrictive policies through an incremental strategy that gradually expanded limitations to minimise backlash and scrutiny (Lindblom 1959).

The ICC's jurisdiction over crimes committed in Afghanistan has been clear since the Appeals Chamber confirmed in 2020 that all crimes committed since May 2003 fall within the Court's mandate (ICC 2025b). Although investigations were temporarily paused, they resumed in October

2022 due to Afghanistan's failure to genuinely address past and ongoing violations (ibid). In November 2024, six ICC member states, including Chile, Spain, France, and Mexico, formally submitted new allegations concerning Taliban crimes, expanding the scope of the investigation (Chile et al. 2024).

On 23 January 2025, ICC Prosecutor Karim Khan applied for arrest warrants against Supreme Leader Hibatullah Akhundzada and Chief Justice Abdul Hakim Haqqani for gender-based persecution (ICC 2025c). These warrants were issued by Pre-Trial Chamber II on 8 July 2025, identifying persecution against protected groups, particularly women and girls, as crimes against humanity (ICC 2025a). The decision was welcomed by human rights organisations, while parallel international responses included a UN resolution condemning abuses and an European Union court ruling recognising Taliban gender persecution as grounds for refugee protection (van den Berg 2025; UN News 2025).

The Taliban rejected the ICC's authority and framed the warrants as politically motivated invoking Sharia and deflecting attention to global crises such as Gaza (Fitrathamd 2025c). However, ICL holds individuals accountable regardless of recognition or rejection (Talbert 2008). Afghanistan's continued ICC membership and the Taliban's effective control preserve the Court's jurisdiction (Statute 1998, Articles 7 and 127). The systematic exclusion of women from education, employment, and public life since 2021 meets the Statute's definition of persecution as a crime against humanity (UN News 2022).

In conclusion, the ICC has taken a very important step by classifying the violation of Afghan women's rights as a crime against humanity. The Taliban leaders, by breaching Afghanistan's international commitments through gender persecution and committing injustice in Afghanistan, are subjected to prosecution by the ICC and must bear individual criminal responsibility. The court's arrest warrants against Akhundzada and Haqqani highlight that the leaders are criminally liable irrespective of official recognition of their government. The Taliban cannot protect their public image through disinformation and propaganda, as the world witnesses Afghanistan's ongoing trajectory and international courts are taking legal actions against them.

6. The ICJ and allegations of gender apartheid

Alongside the ICC proceedings, a group of states has initiated legal action against the Taliban under the international human rights law framework. In September 2024, Canada's Foreign Minister, together with counterparts from Australia, Germany, and the Netherlands, announced their intention to invoke the dispute settlement mechanism of CEDAW to challenge the Taliban's policies (Guardian 2024). These states, later joined by Chile, Malawi, and South Korea, identified the Taliban as Afghanistan's *de facto*

authorities, emphasising that they remain responsible for the state's international treaty obligations despite the absence of formal recognition (OSJI 2024). The resulting case, formally titled *Canada and the other applicant states v. Afghanistan*, alleges systematic violations of CEDAW and constitutes the first case before the ICJ to focus explicitly on gender discrimination (Guardian 2024).

Afghanistan ratified CEDAW in 2003 without entering a reservation to Article 29(1), which establishes the convention's dispute settlement procedure and permits referral to the ICJ in cases of unresolved disagreement (Abbasi 2024). Substantively, CEDAW obliges states to eliminate discrimination and ensure women's equality in education, employment, and public life (Johnson 2024). The applicants argue that the Taliban's policies violate Article 10 on equal access to education and Article 11 on equal employment opportunities (Abbasi 2024). These widespread and systematic restrictions have also been described as "gender apartheid", a term increasingly used by UN experts to capture the large-scale institutionalised oppression of women, even though it is not formally codified as a distinct international crime (Johnson 2024). The ICJ case seeks to advance legal recognition of this concept within the CEDAW framework.

Procedurally, Article 29(1) requires prior negotiation and, if necessary, arbitration before recourse to the ICJ. If these steps fail within six months, the Court may hear the case (CEDAW 1979, Article 29(1)). During proceedings, the ICJ may order binding provisional measures under Article 41 of its Statute to prevent irreparable harm to Afghan women's rights (Statute of the ICJ 1945, Article 41; ICJ 2001). A final judgement finding Afghanistan in breach of CEDAW would be legally binding under Article 94 of the UN Charter (UN Charter 1945).

Despite the strong legal basis, enforcement remains uncertain due to the Taliban's non-recognition and geopolitical constraints, including likely Security Council vetoes (UN GA 2025). Nonetheless, the case represents a significant assertion of international legal accountability and reinforces the ICJ's role in shaping the Taliban's global legitimacy and reputation.

7. Recognition of gender persecution by the European Court of Justice

The examination of the Taliban's international legal exposure extends beyond proceedings before the ICC and ICJ. While the ICC case remains at the pre-trial stage and the ICJ case in the negotiation phase, the European Court of Justice (ECJ) has already issued a landmark judgement with direct and immediate consequences for Afghan women seeking protection in Europe. Delivered in 2024, the ruling recognises gender-based persecution

of Afghan women under Taliban rule as an independent ground for refugee status. Crucially, it removes the requirement for applicants to demonstrate individualised targeting, establishing that Afghan women qualify for international protection solely on the basis of their gender and nationality. In doing so, the judgement not only strengthens protection for Afghan women but also undermines the Taliban's carefully cultivated image of moderation.

The case arose from the asylum applications of two Afghan women (C-608/22 and C-609/22) whose initial claims had been rejected by Austrian authorities prior to the Taliban's return to power. At that time, the applicants were found not to face a sufficiently individualised risk of persecution upon return (ECJ 2025). Following the Taliban's takeover in 2021, both women argued that Afghan women as a group were now subject to systemic persecution. Their appeals reached Austria's highest administrative court, which referred the matter to the ECJ for a preliminary ruling. The national court asked whether the cumulative effect of discriminatory measures against women could amount to an "act of persecution" under Article 9(1)(b) of Directive 2011/95/EU and whether authorities were still required to conduct an individualised risk assessment beyond gender and nationality (*ibid.*).

The ECJ answered both questions affirmatively in favour of the applicants. Relying on the Charter of Fundamental Rights, particularly Article 1 on human dignity, and the EU Qualification Directive, the Court held that persecution includes acts that, by their nature or repetition, constitute a severe violation of fundamental rights. It further emphasised that membership in a "particular social group" under Article 10 may be defined by gender (ECJ 2025). The ECJ explicitly stated that "all women in Afghanistan must be regarded as members of a social group" who are, by virtue of their gender alone, exposed to persecution (ECJ 2025, para. 57).

Moreover, the ECJ recognised that the accumulation of discriminatory measures imposed on Afghan women, examined in light of UN reporting, meets the threshold of persecution due to its structural, state-imposed, and degrading character (ECJ 2025, para. 31; USIP 2025). By rejecting the Taliban's justification of these policies as protective under Sharia (Zabehullah_M33 2025c), the ECJ affirms that women's systemic exclusion from public life constitutes persecution. Unlike the ongoing ICC and ICJ proceedings, this judgement is immediately binding and directly reshapes asylum practice across the EU, offering tangible protection to Afghan women as a persecuted social group.

8. Online resistance and the efficacy of digital campaigns

Over the past four years, as human rights violations in Afghanistan reached unprecedented levels in the recent decades, Afghan civil society

has increasingly turned to digital spaces to sustain silenced voices and collective resistance. Many civil society organisations were forced to shut down, relocate abroad, or operate clandestinely to avoid Taliban attacks, frozen bank accounts, and bans on female staff (Tapesch 2023). With street protests violently suppressed, media outlets censored, and Taliban intelligence agents embedded within society (ibid.), activists quickly recognised that physical gatherings had become extremely dangerous. As a result, social media emerged as one of the few remaining platforms through which dissent could be expressed, documented, and communicated beyond Afghanistan's borders.

One of the most visible manifestations of this shift has been Afghan women's indoor protests. Drawing inspiration from Iran's "Bread, justice, work" movement, women hold protest signs inside their homes and circulate images and videos online to document resistance (Chandran and Hakimi 2023). Similarly, the Purple Saturdays Movement, after dozens of its members were arrested, transitioned to symbolic indoor demonstrations shared digitally. Despite this adaptation, participants continued to face online harassment, threats, and warnings from Taliban supporters (ibid.). Between March and June 2023, nearly 100 such protests were documented, with verification support from platforms like Afghan Witness, which relied on open-source investigative techniques such as geolocation and chronolocation to authenticate citizen-submitted evidence of abuses (ibid.).

Digital activism has also played a vital role in preserving cultural identity and dignity. In response to Taliban-imposed dress codes, Afghan women shared images of traditional, colourful clothing under the hashtag #DoNotTouchMyClothes as an act of cultural resistance (Najjar 2021). A report in March 2022 found that around 17,000 X users used main educational slogans such as #ReopenGirlsSchools, #EducationForAll, and #LetAfghanGirlsLearn, which resulted in millions of mentions. Civil society activists also used different languages for the hashtags to connect with national and global audiences, for example, #LetAfghanGirlsLearn, #نارت خد ب تا کم (CIR 2024). After the October 2022 attacks on Hazara worshippers in Kabul, the hashtag #StopHazaraGenocide was restarted by Hazaras in the diaspora and was posted over 10 million times in just 12 days, which later surpassed 11 million posts (Hussaini 2024).

Despite their visibility, online campaigns rarely translate into structural change within a closed and repressive system. Taliban surveillance of digital communication has resulted in intimidation, arrests, and home raids by the General Directorate of Intelligence, often targeting activists' families as well (CIVICUS 2025). Moreover, digital spaces remain contested, as pro-Taliban actors deploy counter-hashtags and propaganda campaigns to distort narratives and sow division (Yousafzai 2022). Still, pro-women's

rights hashtags continue to gain stronger international traction than pro-Taliban narratives (Bouvier and Machin 2023).

Overall, digital platforms have enabled documentation, coordination, and symbolic resistance when physical protest is impossible. While hashtag activism alone cannot dismantle entrenched repression, it preserves civic space and international visibility. To increase effectiveness, digital resistance must be paired with secure organising, international legal advocacy, and sustained political pressure to protect activists and translate online solidarity into tangible outcomes (SCA 2025).

9. Contrasting the Taliban's digital image with legal and ground realities

The image of Afghanistan presented through the de facto authorities' social media is highly attractive. If an outsider, without consulting ICC arrest warrants or reports by international organisations, learns about Afghanistan only through Taliban-linked platforms, they are likely to conclude that the country is peaceful, stable, and steadily developing, with content and satisfied citizens (fdpm_afg 2025a). After visiting Afghanistan and interacting with friendly Taliban members (AntMack Goes 2025, 00:21; Arab 2024, 15:13), such visitors often echo the belief that "we got propaganda in the west, but nothing like we see here" (bnapashto 2025). Yet careful observation raises a critical question: why are women almost entirely absent from public life (Matt and Julia 2025, 22:48)?

Since returning to power, the Taliban have systematically reduced women's roles across social, educational, economic, and political spheres. Despite the severity of this exclusion, women's rights appear absent from the IEA's reform agenda. Instead, official online content emphasises economic activity and political order while avoiding the consequences of policies imposed on women. This selective visibility forms the core of their digital image strategy: highlight what is labelled as progress and conceal violations. The goal appears to be to erase memories of past violence and portray the Taliban as moderate, capable, and morally legitimate. While initially promising to reopen girls' schools (Gul 2023), the Taliban gradually reframed their bans as compliance with Sharia law, revealing the continuity of their ideology.

The IEA also presents itself as a protector of women, referring to them as mothers, sisters, and daughters whose dignity is safeguarded (Zabehulah_M33 2025b). Officials claim they protect women from forced marriage, domestic violence, loss of inheritance, and the practice of bad (Zabehulah_M33 2025c). This narrative suggests that Afghan women are secure and content under Taliban rule, despite Islam having long been practised in Afghanistan without such restrictions.

However, international legal actions directly challenge this image. Taliban leaders face accountability for gender persecution, undermining claims that women's rights are respected. Online, users increasingly contest Taliban narratives; for instance, responses to claims of preventing domestic violence demanded disclosure of how many women were denied education or confined to their homes (ibid.). In March 2025, amid heightened scrutiny following Karim Khan's arrest warrant application, the Taliban spokesperson asserted that Afghan women live in "complete physical and psychological security" (Zabehulah_M33 2025d). This claim sharply contradicts evidence. A 2024 survey of 426 girls banned from education found that 87% showed symptoms of depression and nearly half reported suicidal thoughts (Mohammadi et al. 2024). Conditions have worsened as restrictions deepen (Gluck 2024).

Despite official claims that all violence against women has been prevented and that no one can "destroy women's rights" (Zabihullah 2025e), Afghan women have lacked self-determination for four consecutive years. Education, employment, mobility, and personal autonomy are tightly controlled. Under Article 7(1)(h) of the Statute, Taliban leaders are accused of gender persecution, acts recognised as crimes against humanity when carried out as part of a widespread and systematic attack (Statute 1998, Article 7(1)(h)).

Today, two images of the Taliban coexist: the curated digital portrayal of moderation and protection and the legal and factual record affirmed by courts, reports, and lived experiences. The contrast exposes a simple truth: behind polished online messaging stands an unchanged extremist ideology. While arrests may remain difficult, legal processes matter. They create public records, shape global narratives, and sustain political pressure. Ultimately, the Taliban's digital image collapses when confronted with law, evidence, and the enduring struggle of Afghan women for dignity and justice.

10. Conclusion

This research examined how the Taliban use digital platforms to construct a public image of moderation, protection, and legitimacy, and how this image collides with lived realities and international legal accountability. By analysing hundreds of social media posts, user reactions, and ongoing legal cases before the ICC, the ICJ, and the ECJ, the study demonstrates a sharp contrast between the Taliban's manufactured digital narrative and the legal frameworks that document and expose their abuses. While digital platforms allow the Taliban to promote a carefully curated image, this strategy proves fragile when tested against evidence, court proceedings, and international scrutiny.

The results highlight three interconnected insights. First, contemporary propaganda is not limited to imagery alone; it also involves strategic platform use to appear modern, restrained, and politically reasonable. The Taliban's deliberate avoidance of overt violence online distinguishes them from other extremist groups and helps them maintain global visibility. Second, international law functions as a critical counterweight. Although it may not immediately halt abuses, it preserves a factual and legal record that outlasts shifting online narratives. Third, despite being silenced within Afghanistan, Afghan women's experiences continue to reach international audiences through research, surveys, and advocacy, consistently undermining Taliban claims of protection and dignity.

Importantly, Taliban digital campaigns should not be dismissed as mere rhetoric. Their online statements and posts are used to justify, normalise, or minimise policies that systematically strip women of their rights and can and should be analysed as evidence of intent and coordinated persecution. Future ICC or ICJ proceedings would benefit from integrating digital propaganda analysis alongside documentation of physical restrictions and abuses. At the same time, accountability efforts must centre Afghan women's daily realities, including the psychological toll of isolation, forced dependency caused by education bans, and the loss of professional futures. Highlighting these harms strengthens the legal case for gender persecution and gender apartheid.

References

- Abbasi, Fereshta, Natasha Arnpriester, and Duru Yavan. 2024. "An Avenue to Justice for Afghan Women: Bringing a CEDAW Case Before the ICJ." CJLPA.
- abozobir5. 2025. "دهوجوم ن مډان ما هسيک." X. July 1. Accessed July 28, 2025. [Link](#) (last visited 18 July 2026).
- Adjei, William Edward. 2020. "The Development of Individual Criminal Responsibility under International Law: Lessons from Nuremberg and Tokyo War Crimes Trials." *Journal of Legal Studies* 25 (39): 69–97.
- AntMack Goes. 2025. "Hanging Out With The Taliban in Afghanistan's Oldest City, Mazar-i-Sharif." YouTube video. August 9. Accessed August 10, 2025.
- Arab. 2024. "Inside the Operations of the Taliban [Episode 1]." YouTube video. December 8. Accessed August 15, 2025.
- 25, August Accessed 15. August X. "ناتسراتان د لایتسرم ی داصتقا ءارزولا ت ساير د" ... arg_1880. 2025a
2025. [Link](#) (last visited 18 July 2026).
- arg_1880. 2025b. "ګړا هډ موډ یڼووا ېک." X. July 12. Accessed August 22, 2025. [Link](#) (last visited 18 July 2026).

- June Accessed 13. March X. ...” 2025. [bnapashto](#). [bnapashto](#). 2025 “[Afghahn text] June Accessed 13 March X 15, 2025. [Link](#) (last visited 18 July 2026).
- Bodetti, Austin. 2016. “The Taliban’s Latest Battlefield: Social Media.” *The Diplomat*. September 8.
- Bouvier, Gwen, and David Machin. 2023. “Stand with Women in Afghanistan: Civic Participation, Symbolism, and Morality in Political Activism on Twitter.” *Discourse & Communication* 17 (6): 721–740.
- Business Standard. 2022. “Afghans Launch Ban Taliban Campaign on Twitter, Receive Massive Support.” Business Standard. July 23. Accessed June 12, 2025.
- Centre for Information Resilience (CIR). 2024. “Social Media Activists Arrested in Eastern Afghanistan.” September 12.
- Chandran, Rina, and Orooj Hakimi. 2023. “Afghan Women Take Protests Online as Taliban Crush Dissent.” Context (Thomson Reuters Foundation). August 14.
- Chile et al. 2024. Referral of the Situation in the Islamic Republic of Afghanistan to the Office of the Prosecutor of the ICC, 2024. Letter addressed to Mr Karim A. A. Khan KC, The Hague.
- CIVICUS Monitor. 2025. “Afghanistan: Activists Targeted, Media Restricted as Women Further Silenced by the Taliban.” CIVICUS Monitor. June 13.
- CNN. 2001. “Taliban Ban Internet in Afghanistan.” CNN. July 13. Accessed April 27, 2025.
- CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women). 1979. UN General Assembly Resolution 34/180 of 18 December 1979, entered into force 3 September 1981. 1249 UNTS 13.
- Court of Justice of the European Union (ECJ). 2025. Judgement of the Court (Third Chamber) of 16 January 2025. *AH v. Bundesamt für Fremdenwesen und Asyl* (C-608/22), and *FN v. Bundesamt für Fremdenwesen und Asyl* (C-609/22). ECLI:EU:C:2025:25.
- fdpm_afg. 2025a. “Afghanistan Achieves Full Self-Sufficiency in 130 Sectors and Partial Self-Sufficiency in 100 Sectors.” X. June 28. Accessed July 15, 2025. [Link](#) (last visited 18 July 2026).
- fdpm_afg. 2025b. “Memorandum of Understanding Signed for 10,000 Megawatts Power Generation ...” X. August 2. Accessed August 23, 2025. [Link](#) (last visited 18 July 2026).
- FitratHamd. 2025a. “[Afghan text]”. X.” راهندګردی ملاسا تراما هښیاک هسلج نیمراهچ “تفایر یوډت” Accessed August 20, 2025. [Link](#) (last visited 18 July 2026).
- FitratHamd. 2025b “[Afghan text]”. X.” وګنډېښتسار د هڼوګاوځ ی عافد وا ی ټینما لوت “ولاوداویه” July 13. Accessed July, 2025. [Link](#) (last visited 18 July 2026).
- FitratHamd. 2025c. “Statement by the Spokesperson of the Islamic Emirate Regarding the Ruling of the So-Called ICC.” X. July 8. Accessed August 15, 2025. [Link](#) (last visited 18 July 2026).
- Frenkel, Sheera, and Ben Decker. 2021. “Taliban Ramp Up on Social Media, Defying Bans by the Platforms.” *The New York Times*. August 18. Accessed June 10, 2025.
- Gluck, Caroline. 2024. “Counselling offers Afghan women a safe space to share their mental health struggles.” UNHCR. October 10.
- Gohari, M. J. 2000. *The Taliban: Ascent to Power*. Oxford University Press.
- Gul, Ayaz. 2023. “Taliban Say They’re Working to Resolve ‘Temporary’ Education Ban on Afghan Women.” Voice of America (VOA). January 12.

- Guardian. 2024. "Taliban to Be Taken to International Court over Gender Discrimination." *The Guardian*. September 25.
- Human Rights Committee. 1997. General Comment No. 26 (61): General Comment on Issues Relating to the Continuity of Obligations to the International Covenant on Civil and Political Rights. UN Doc. CCPR/C/21/Rev.1/Add.8. December 8.
- Hussaini, Ali Reza. 2024. "Role of the #StopHazaraGenocide Advocacy in Afghanistan Digital Public Sphere." ResearchGate. October 2024. DOI:10.13140/RG.2.2.25010.00963. Accessed August 5, 2025.
- ICC. (n.d.). *Situation in the Islamic Republic of Afghanistan*. <https://www.icc-cpi.int/afghanista>
- ICC. 2012. *The Prosecutor v. Thomas Lubanga Dyilo*. ICC-01/04-01/06: Case Information Sheet. Accessed July 29, 2025.
- ICC. 2021. Information for Victims: The Prosecutor v. Dominic Ongwen. ICC-02/04-01/15. Accessed July 11, 2025.
- ICC. 2025a. "Statement of the ICC Office of the Prosecutor on the Issuance of Arrest Warrants in the Situation in Afghanistan." ICC. July 8.
- ICC. 2025c. "Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for Arrest Warrants in the Situation in Afghanistan." January 23.
- ICJ. 1986. *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*. Merits, Judgment. I.C.J. Reports 1986, 14.
- ICJ. 2001. *LaGrand Case (Germany v. United States of America)*. Judgment of 27 June 2001. I.C.J. Reports 2001, 466.
- International Law Commission. 1966. Yearbook of the International Law Commission 1966, Volume II, Part Two: Documents of the eighteenth session, including the report of the Commission to the General Assembly on the work of that session. United Nations.
- International Law Commission. 2001. Draft Articles on Responsibility of States for Internationally Wrongful Acts, with Commentaries. Yearbook of the International Law Commission, 2001, Volume II, Part II. United Nations.
- Johnson, Alice. 2024. "Afghanistan: Potential ICJ Case a Step towards Justice for Afghan Women." International Bar Association. October 24.
- KabulNow. 2023. "Taliban Official Calls on the Group's Hundreds of Volunteers in the West to Kill Opponents." May 2023.
- Kann, Alyssa. 2021. "As the Taliban Offensive Gained Momentum, so Did Its Twitter Propaganda Campaign." Digital Forensic Research Lab (DFRLab) (Medium). August 19. Accessed June 13, 2025.
- Lindblom, Charles E. "'The Science of 'Muddling Through.'" 19 Pub. Admin. Rev. 79 (1959)." 2020. *Communication Law and Policy* 25 (4): 451–55. [Link](#) (last visited 18 July 2026).
- Matt and Julia. 2025. "Inside Afghanistan In 2025 (World's Most Dangerous Country)." YouTube video. 22:48. Posted June 20. Accessed August 15, 2025.
- Mehran, Weeda. 2021. "How Social Media Helped the Tech-Savvy Taliban Retake Afghanistan." *The Guardian*. August 24. Accessed June 1, 2025.
- mofa_afg. 2025. "Today, the United States Special Representative for Hostage Response..." X. March 21. Accessed April 29, 2025. [Link](#) (last visited 18 July 2026).
- Mohammadi, Abdul Q., et al. 2024. "Female Education Ban by the Taliban: A Descriptive Survey Study on Suicidal Ideation, Mental Health, and Health-Related Quality of Life among Girls in Afghanistan." *Journal of Public Health* 46 (3): e439–e447.

- Najjar, Farah. 2021. "Afghan Women Dress Up in Colourful Attire in 'Fight for Identity.'" Al Jazeera. September 16.
- OSJI. 2024. "Afghanistan's Taliban Face New International Pressure on Rights of Women and Girls." Open Society Justice Initiative. November 5.
- Parlett, Kate. 2011. "The Individual in International Criminal Law." In *The Individual in the International Legal System: Continuity and Change in International Law*, edited as a unified monograph by Kate Parlett. Cambridge University Press.
- Qaharbalkhi. 2025. "[Afghan text]"... . X." 'د یرول هله عجمي مومع د ونوتلم ورکلم د' "ت يعضو د ناستنغا" Accessed August 25, 2025. [Link](#) (last visited 18 July 2026).
- Reuters. 2021. "Taliban Show Conciliatory Face at First Kabul News Conference." Reuters. August 17. Accessed June 10, 2025.
- Rome Statute of the ICC. 1998. UNTS vol 2187. July 17.
- Samim, Roqia. 2025. "International Legal Mechanisms to Safeguard Women's Rights: An Analysis of Afghan Women's Rights Under Taliban Rule," Yale Journal of International Law. January 26. Accessed July 22, 2025.
- Sedighi, Abdul Qadir, and Jibran Ahmad. 2018. "Taliban Seeks Image Makeover as Afghan Peace Talks Gain Momentum." Reuters. December 28.
- Timberg, Craig. 2021. "Taliban Websites Operating in Five Languages Go Dark." The Washington Post. August 20. Accessed June 3, 2025.
- Schoiswohl, Michael. 2003. "De Facto Regimes and Human Rights Obligations – The Twilight Zone of Public International Law?" *Austrian Review of International and European Law Online* 6 (1): 45–90.
- Solidarity Committee for Afghanistan (SCA). 2025. "Supporting Civil Society in Afghanistan – Critical Reflections of the Past and Recommendations for the Future." SCA Policy Brief Series. May.
- Talbert, Matthew. 2008. "Responsibility for Atrocity: Individual Criminal Agency and the ICC." London School of Economics and Political Science.
- Tapesh, Storai. 2023. "The Collapse of the Civic Space in Afghanistan and Supporting the Fight to Reclaim It." Policy Brief, Afghanistan Policy Lab, Princeton School of Public and International Affairs. May.
- United Nations. 1945. Statute of the ICJ.
- United Nations Assistance Mission in Afghanistan (UNAMA) and Office of the High Commissioner for Human Rights (OHCHR). 2024. "De Facto Authorities' Moral Oversight in Afghanistan: Impacts on Human Rights." English edition. July 9. Accessed July 31, 2025.
- United Nations Charter. 1945. Adopted 26 June 1945, entered into force 24 October 1945. 1 UNTS XVI.
- UN General Assembly. 2025. "General Assembly Adopts Resolution Pledging Continued Engagement on the Situation in Afghanistan." Press Release GA/12694. July 7. United Nations.
- UN News. 2022. "UN Condemns Taliban Decision to Bar Women from Universities, Calls for 'Immediate' Revocation." UN News. December 21.
- United States Department of State. 2001. "U.S. Department of State Country Report on Human Rights Practices 2000 – Afghanistan." February 26.
- United States Institute of Peace. 2025. "Tracking the Taliban's (Mis)Treatment of Women." United States Institute of Peace. Accessed August 3, 2025.
- Van den Berg, Stephanie. 2025. "ICC Issues Arrest Warrants for Taliban Leaders over Persecution of Women." Reuters. July 8.
- Veerakatty, Vijitha. 2024. "Rights and Duties of Non-state Armed Groups." In *Arbitrary Withholding of Consent to Humanitarian Relief in Non-international Armed Conflict*. Brill.

- Vienna Convention on the Law of Treaties. 1969. 1155 UNTS 331. May 23.
- Vovec, Andreea. 2024. "The Legitimacy Dilemma in Government Recognition." RRD. April 17.
- Yousafzai, Zafar Iqbal. 2022. "The Taliban's Use of Twitter as a Tool to Spread Their Voice." GNET – Global Network on Extremism & Technology (Insights). October 12. Accessed August 8, 2025.
- Zabehulah_M33. 2025a. "Afghan Women Constitute an Integral Part of Society..." X. March 8. Accessed June 10, 2025. [Link](#) (last visited 18 July 2026).
- Zabehulah_M33. 2025b. "Afghan Women Constitute an Integral Part of Society as Our Mothers, Sisters, Daughters, and Wives." X. March 8. Accessed June 10, 2025. [Link](#) (last visited 18 July 2026).
- Zabehulah_M33. 2025c. "[Afghan text]". X. "رود ما مرد فور عملابما ترازو" "مدش یریدگولاج م ناخ ۳۸" July 13. Accessed July, 2025. [Link](#) (last visited 18 July 2026).
23. Accessed June 15, 2025. [Link](#) (last visited 18 July 2026).
- Zabehulah_M33. 2025d. "Ensuring the dignity, honor, and Sharia-based..." X. March 8. Accessed June 15, 2025. [Link](#) (last visited 18 July 2026).
- Zabihullah_M33. 2025e. "... د وځښ رږ یدناړو د ره لود مت نوشخ وا" X. March 8. Accessed August 15, 2025. [Link](#) (last visited 18 July 2026).