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CONFLICT RESOLUTION AND PEACEBUILDING
The Case of Minorities in Afghanistan

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Abstract

In the context of more general international human rights standards, this thesis investigates the situation of minority rights in Afghanistan based on international agreements as well as those that Afghanistan is required to abide by. It primarily focuses on the limitations and challenges that Afghanistan's minority communities have faced both during the leadership of the Taliban and earlier regimes.

In order to give a thorough analysis, the research employs a multi-dimensional approach and draws on a thorough review of academic literature, international law documents, reports from human rights groups, and secondary sources. It examines the historical background of minority rights in Afghanistan, focusing on how political upheavals and military wars affect marginalized groups.

The thesis studies the treaties, agreements, and declarations that make up the international legal framework for minority rights, emphasizing their importance in advancing inclusion, equality, and non-discrimination. It evaluates the extent to which these criteria have been applied and upheld in Afghanistan and looks at the obstacles and restrictions that minority groups must overcome in order to exercise their rights.

The paper then explores the obstacles minorities in Afghanistan had to overcome under the previous and present Taliban regimes. It looks at topics such as political exclusion, cultural integration, limited access to healthcare and education, low representation in politics, and restrictions on religious freedom. It also looks into how displacement and armed conflict affect minority rights.

The results of this study add to the larger conversation over minorities' rights in Afghanistan. It emphasizes the significance of thorough legal systems, inclusive governance frameworks, and proactive steps to safeguard and strengthen minority populations. The thesis offers suggestions for how to create an atmosphere that supports minorities' rights in Afghanistan for decision-makers, civil society groups, and the international community.

Keywords: Afghanistan, Minority Rights, inclusiveness, comparative comparison, human rights, Taliban rule, and international norms.

PREFACE

I am proud to offer this thesis, which addresses the rights of minorities in Afghanistan and the restrictions they have experienced under both the previous regimes and the current Taliban regime. I also feel a tremendous sense of duty in doing so. The importance of the subject of minority rights cannot be overstated, as it highlights the difficulties disadvantaged groups confront and advocates for the advancement of inclusion, equality, and respect for diversity.

The rights and welfare of ethnic, religious, and linguistic minorities in Afghanistan, who have traditionally faced prejudice and marginalization, were the primary driving forces for this concept. I want to add to the existing discussion on human rights, governance, and social justice in Afghanistan by examining the experiences and difficulties of these minority populations.

This thesis research was methodically carried out, utilizing a variety of scholarly publications, reports from global organizations, and secondary sources. Understanding the duties and responsibilities of nations in defending minority rights is based on a thorough examination of global legal systems and human rights norms. An additional comparative perspective is provided by looking at minority rights in other Islamic nations, emphasizing parallels and discrepancies in how minorities are treated throughout the larger regional context.

Every chapter had a different impact on the methods I employed for my thesis. A thorough literature study is essential for comprehending the body of information on minority rights that is now available, both internationally and inside Afghanistan. I have started with one for the first chapter. To achieve this, it is necessary to review scholarly writing, reports from international organizations, legal papers, and pertinent publications in order to pinpoint important ideas, theories, and arguments on minority rights. To better comprehend the legal and policy frameworks in place for defending minority rights in Afghanistan, thorough research of pertinent documents, such as government policies, legislation, and official reports, was conducted. To learn more about how the previous and present regimes viewed minority rights, this includes researching historical records, peace accords, and human rights reports.

In the end, a comparative analysis is completed. contrasting Afghanistan's treatment of minority rights with those of other Islamic nations or other nations dealing with comparable issues. This method enables a more comprehensive comprehension of regional dynamics and offers insights into effective tactics or best practices for advancing minority rights.

Overall, I've employed a mixed-methods approach, which integrates many approaches to offer a thorough and reliable examination of minority rights in Afghanistan.

An in-depth analysis of minority rights in the global context is provided in Chapter 1. It explores how international human rights norms and tools are changing in order to protect minority groups' rights. We examine important texts including the International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights, and regional treaties like the African Charter on Human and Peoples' Rights and the European Convention on Human Rights. This chapter builds a solid basis for understanding the principles and responsibilities that nations should follow regarding minority rights through an in-depth analysis of various international frameworks.

The backdrop of minority rights in Afghanistan, both historically and currently, is covered in detail in Chapter 2. It critically evaluates the restrictions and difficulties minority groups had under the former administration that reigned after the Taliban were overthrown in 2001. It also looks at contemporary dynamics and changes under the present Taliban government, offering insight into how the situation is changing and how it affects communities of color.

The restoration and promotion of minority rights in Afghanistan are discussed in Chapter 3 in relation to government actions, policies, and the civil society approach. It explores the initiatives taken by the Afghan government to address the issues faced by minority populations while also highlighting the support provided by civil society organizations for the promotion of social cohesion and the defense of minority rights.

The thesis' conclusion and suggestions are presented in Chapter 4 to wrap things up. It summarizes the results, explores their consequences, and offers doable suggestions to strengthen the defense and advancement of minority rights in Afghanistan. With a special focus on resolving the present situation and promoting the rights and well-being of minority populations in Afghanistan, the suggestions are directed at policymakers, civil society organizations, and the international community.

I really hope that this thesis helps readers better appreciate the difficulties minority populations in Afghanistan confront and inspires thoughtful discussion and action to help those people realize their legal rights. I want to express my thanks to all of the advisors, and colleagues as well as both Institutions, The Global Campus of Human Rights, Venice Italy, and Ruhr University, Bochum Germany who have helped me with my research and offered invaluable advice and support. May our work act as a spark for improvement and help create a more equitable and inclusive society in Afghanistan for all.

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CHAPTER I: ETHNIC MINORITIES' RIGHTS ON THE INTERNATIONAL LEVEL

Introduction

Protection and promotion of ethnic minority rights are crucial for establishing inclusive and varied communities; thus, they have become a crucial subject of concern at the international level. Recognizing and defending the rights of ethnic minorities is crucial in today's globalized society, where individuals from many ethnic origins mix and cohabit. The importance of ethnic minority rights is discussed in this article, along with the worldwide programs and institutions put in place to promote and defend them.

The contribution that ethnic minority rights provide to the intricate web of linguistic, cultural, and religious diversity within communities makes them important. The different cultural traditions, accents, and behaviors of minority ethnic groups frequently benefit society as a whole. By recognizing and appreciating these many identities, societies may celebrate their diversity and promote a sense of belonging for all individuals, regardless of their ethnic background.

The protection and promotion of cultural heritage depends on the rights of ethnic minorities. Minority communities frequently possess unique cultural practices, expertise, and traditions that enrich the human experience as a whole. The preservation and transfer of this cultural legacy to future generations is ensured through the protection of ethnic minority rights.[1]

Ethnic minority rights are also inextricably related to democratic values and effective government. A strong democracy cannot function without inclusive democratic systems that provide racial and ethnic minorities the opportunity to actively engage and have their opinions heard. Equal representation and participation of ethnic minorities in decision-making processes aid in preventing marginalization and encourage the equitable distribution of opportunities and resources.[2]

A way to remedy historical injustices and disparities is to respect and protect the rights of ethnic minorities. Numerous ethnic minorities have endured prejudice, repression, and marginalization throughout history. Defending their rights is a step in righting these historical wrongs and building a more fair and equitable society.[3]

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[1] United Nations General Assembly, 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities.
[2] United Nations General Assembly, 1992
[3] United Nations General Assembly, 1992

Another compelling reason to protect ethnic minority rights is the eradication of discrimination, inequality, and social exclusion. Ethnic minorities often face systemic barriers that hinder their access to education, healthcare, employment, and other basic services. By upholding their rights, societies can strive to eliminate discrimination and ensure equal opportunities for all, thereby fostering social cohesion and harmony.[4]

Societies may also unlock the potential of their varied populations by recognizing and defending the rights of ethnic minorities. According to studies, varied societies that recognize the contributions of racial and ethnic minorities have higher levels of innovation, creativity, and economic expansion (European Union Agency for Fundamental Rights, 2018). Individuals from ethnic minorities have distinctive viewpoints, abilities, and talents that may improve many facets of society, including business, the arts, the sciences, and public life.

To address these concerns, international initiatives have been established to protect and promote ethnic minority rights. These initiatives include declarations, conventions, and frameworks that provide a comprehensive framework for safeguarding these rights at the global level. They emphasize the principles of equality, non-discrimination, and active participation of ethnic minorities in all spheres of life.[5]

Examples of such international initiatives include the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (UNDM), adopted by the United Nations General Assembly in 1992. This declaration recognizes the right of ethnic minorities to enjoy and develop their culture, practice their religion, and use their language without facing discrimination. [6]

Moreover, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), adopted in 1965, provides a comprehensive legal framework to combat racial discrimination, including discrimination against ethnic minorities. The convention calls upon state parties to take

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[4] United Nations General Assembly, 1992
[5] United Nations General Assembly, 1992
[6] United Nations General Assembly, 1992

legislative and other measures to promote understanding, tolerance, and friendship among different racial and ethnic groups.[7]

The vast diversity of cultures across the world is greatly influenced by ethnic minorities. Promoting social harmony, equality, and justice requires that their rights be acknowledged and upheld. Diverse frameworks and processes have been built on a global scale to safeguard and advance the rights of ethnic minorities. This chapter investigates the significance of international efforts for promoting and protecting ethnic minorities.

Worldwide protection of ethnic minority rights is critical for fostering inclusive, egalitarian, and peaceful communities. Ethnic minority rights contribute to the preservation of cultural heritage, the promotion of democracy and good governance, the abolition of past injustices, and the abolition of discrimination and social exclusion. International efforts such as the UN Declaration of Human Rights and the International Covenant on Civil and Political Rights play an important role in promoting and protecting human rights. Societies may embrace variety, offer equitable opportunities, and create social cohesion for a brighter future by preserving ethnic minority rights.

Definition of Ethnic Minority Rights in International Conventions
The United Nations Minorities Declaration, which was unanimously adopted in 1992, states in its first article that States are obligated to preserve minorities based on their national or ethnic, cultural, religious, or linguistic identity.

The notion of what constitutes a minority group is not universally accepted. The fact that a minority exists is frequently emphasized, and any definition of a minority must take both objective (such as the existence of a shared ethnicity, language, or religion) and subjective (such as the requirement that individuals must identify themselves as members of a minority) factors into account. According to the United Nations Minorities Declaration, when the term "minority" is used in the context of human rights at the UN, it often refers to national or ethnic, religious, and linguistic minorities. Each State has one or

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[7] United Nations General Assembly, 1965 International Convention on the Elimination of All Forms of Racial Discrimination.

more minority groups that live inside its borders and are distinguished from the main population by their distinct national, ethnic, linguistic, or religious identities. [8]

Francesco Capotorti, Special Rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, provided the following definition of a minority in 1977:

"A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members—being nationals of the State—possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language".[9]

According to the aforementioned definitions, "ethnic minorities" are defined as groups of people who share a common language, culture, religion, or ethnicity and who are considered to be in a minority within a larger community or state. These groups typically face particular challenges as a result of their minority status, as well as the potential for marginalization, discrimination, or negative social, economic, and political outcomes.

The rights and protection of ethnic minorities are covered by several international accords and protocols. Here are some significant conventions that define and safeguard racial and ethnic minorities:

"Persons belonging to national or ethnic, religious, and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practice their own religion, and to use their language, in private and in public, freely and without interference or any form of discrimination". [10]

Since no universally accepted definition has been agreed upon by all state members of the Council of Europe there is no consistent understanding of "national minority" throughout Europe. As a result, each Framework Convention for the Protection of National Minorities (FCNM) [11] signatory is free to choose which groups inside its territory should be included by the convention so they can protect these minorities

[8] Minority Rights: International Standards and Guidance for Implementation, *United Nations Human Rights Office of the High Commissioner,* New York & Geneva (2010)
[9] E/CN.4/Sub.2/384/Rev.1, para. 568.
[10] United National Declaration on the Rights of the Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities, Art. 2. Para. 1, 1992
[11] Adopted 10 Nov 1994 by the Committee of Ministers Entered into force on 1 Feb 1998. Currently followed by 39 Member states.

based on the instructions provided in this convention. This decision must be made in good faith and by fundamental rules of international law, including the right to self-identification guaranteed by Article 3 of the Framework Convention. Whether or not someone wants to be considered a member of a national minority is up to them. However, their choice must be based on factual aspects of their identity, such as their religion, language, traditions, and cultural history. The Council of Europe is using the Protection of Human Rights as the foundation for minority rights as a consequence.

Additionally, based on the following three conventions, European nations defend the rights of national minorities.

- The European Convention on Human Rights – As members of national minorities can claim its internationally applicable individual rights;
- The European Social Charter – As it protects the social and economic rights of everyone.
- The European Charter for Regional or Minority Languages – as it focuses on the protection of minority languages across Europe.

Ethnic Minorities' Rights on International Law

The legal safeguards and measures known as minority rights in international law attempt to protect the rights and welfare of people who belong to minority groups. The tenets of equality, non-discrimination, and the preservation of cultural, linguistic, religious, and ethnic identities serve as the foundation for these rights. Here are some crucial facets of international law's treatment of minorities:

1- Non-discrimination: International law assures that people who belong to minority groups are entitled to the same rights and freedoms as the majority population and forbids discrimination on the basis of minority status. Equal legal protection, equal access to justice, and equal enjoyment of civil, political, economic, social, and cultural rights are all included in this.

2- Cultural rights: According to international law, people who are members of minority groups have the freedom to maintain, develop, and express their cultural, linguistic, and religious identities. This includes the freedom to speak and write their native tongue, participate in cultural events, and pass on their cultural legacy to the next generations.

3- Political participation: Minority rights include the right to take part in political debates and decisions that have an impact on minority populations' daily life. This includes the freedom to

cast a ballot, run for office, and be represented in government agencies and organizations. Additionally encouraged are initiatives to guarantee equitable representation and effective involvement of minorities in public affairs.

4- Education: One of the rights of minorities is to get an education that upholds and supports their cultural, linguistic, and religious identities. States are urged to provide instruction in minority languages, advance intercultural education, and guarantee that all members of minority populations have access to high-quality education.

5- Freedom of religion, and belief: People who are members of minority groups are guaranteed their freedom of thought, conscience, religion, and belief under international law. This includes the freedom to exercise, demonstrate, and instruct others in their own religion or belief without hindrance or pressure.

6- Remedies and Protection: Under international law, effective remedies and protections are required to rectify any infringement of minority rights. This might involve ensuring that minorities have access to justice, creating autonomous human rights organizations, and taking action against hate crimes, discrimination, and other types of violence against them.

The above-mentioned factors are based on the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities, The International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, and regional treaties like the Council of Europe Framework Convention for the Protection of National Minorities are important international instruments that address the rights of people who belong to national or ethnic, religious, or linguistic minorities.

These international laws give nations a framework for defending and advancing the rights of people who identify as members of minority groups, promoting inclusion, diversity, and equitable participation in society.

Analysis of key international human rights instruments and their provisions for ethnic minorities
A foundation for the defense and advancement of the rights of people who belong to minority groups is provided by a number of significant international agreements. An examination of a few of these instruments is provided below:

1- United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (1992): A thorough text that acknowledges the rights of people who are members of national or ethnic, religious, and linguistic minorities is the UN Declaration on Minority Rights. It places a strong emphasis on the value of minority groups' engagement in public life, cultural preservation, and non-discrimination. The proclamation urges nations to take legislative and administrative steps to guarantee the defense and advancement of minority rights. It serves as a crucial point of reference for international law's treatment of minority rights.

2- International Covenant on Civil and Political Rights (ICCPR) (1966): A significant international human rights instrument known as the ICCPR ensures that everyone, including members of minority groups, has access to civil and political rights. It establishes fundamental values including non-discrimination, equality before the law, and the freedom of expression, association, and opinion. States that have ratified the ICCPR are required to uphold and advance, without discrimination, the rights of those who identify as members of minority groups.

3- International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966): A significant international human rights instrument known as the ICCPR ensures that everyone, including members of minority groups, has access to civil and political rights. It establishes fundamental values including non-discrimination, equality before the law, and the freedom of expression, association, and opinion. States that have ratified the ICCPR are required to uphold and advance, without discrimination, the rights of those who identify as members of minority groups.

4- Council of Europe Framework Convention for the Protection of National Minorities (1995): Within the Council of Europe framework, the Framework Convention for the Protection of National Minorities is a document with binding legal effect. Particular attention is given to the safeguarding of national minorities throughout Europe. In addition to non-discrimination, equality, cultural preservation, and participation, the agreement offers a thorough framework for the development of minority rights. It also sets monitoring systems to evaluate member nations' compliance.

5- Organization for Security and Cooperation in Europe (OSCE) Documents: The OSCE has enacted several publications that deal with minority rights, such as the Oslo Recommendations Regarding the Linguistic Rights of National Minorities (1998) and the Copenhagen Document (1990), both of which were published in Oslo. These papers place a strong emphasis on the necessity of upholding minority group members' legal rights, particularly their linguistic freedom, and of fostering cultural diversity, tolerance, and non-discrimination.

Among other things, these important international instruments help to create a comprehensive framework for the defense of minority rights under international law. They offer guidelines and benchmarks for states to follow to guarantee the advancement, observance, and realization of the rights of people who identify as members of minority groups, promoting inclusion, diversity, and equitable participation in society.

Challenges and Limitations in the international context

Identification of the difficulties and limitations encountered in implementing and upholding the rights of ethnic minorities on a global scale includes a wide range of issues.

The promotion of inclusion, diversity, and social cohesion in nations across the world depends on the rights of ethnic minorities. While international human rights treaties offer a framework for defending the rights of ethnic minorities, doing so in an international setting is fraught with difficulties. The main obstacles and constraints to effectively defending the rights of ethnic minorities on a worldwide scale will be examined under this title.

1- Legal Complexity and Lack of Universality: The absence of universal recognition and application of international human rights principles as well as the complicated legal system provide important challenges. While several international agreements recognize and safeguard the rights of ethnic minorities, not all nations have signed these agreements or properly implemented them into their domestic laws. Due to the possibility of certain nations refusing to uphold the legal requirements contained in these treaties, this lack of universality restricts the enforcement and protection of ethnic minority rights.

Contrarily, the UN's approach to minorities has had less success. Its Working Group on Minorities is not the center of a worldwide network defending the rights of minorities. Even though the UN's declaration on minority rights was unanimously adopted by the General Assembly and has a clearer normative status than the draft declaration on indigenous rights, the latter has not had nearly the same public impact and is rarely cited by minorities around the world. An attempt to create a clear line in the legal status between national minorities and indigenous peoples is ethically problematic since nearly all of the moral concepts and arguments used at the UN to defend indigenous rights also apply to national minorities. It is also unstable conceptually. Not only is it difficult to explain the stark disparity in their legal rights, but it is also difficult to

distinguish between the two groups in the first place. Outside of the original core examples of Europe and European settler governments, it is difficult to make the line between indigenous peoples and other homeland minorities.[12]

2- Inadequate Implementation Mechanisms: At the national and international levels, ethnic minority rights must be effectively implemented to be successful. However, some nations might not have the institutional structures, laws, and capabilities needed to successfully enforce and defend the rights of minorities. The difficulties encountered in guaranteeing conformity with international standards are exacerbated by insufficient monitoring, reporting, and accountability methods.[13]

3- Political and Cultural Resistance: Implementing ethnic minority rights may encounter political and cultural pushback from majority groups, who may view such rights as a danger to their interests or the integrity of the country. Political issues, such as nationalist beliefs and discriminatory laws, might make it more difficult to recognize and defend the rights of ethnic minorities. Progress in advancing the rights of minority populations can sometimes be hampered by cultural opposition and biases based on previous conflicts or stereotypes. "At the various points when the stresses emanating from majorities' conflicts have threatened the stability and survival of the federation, the minorities have usually emerged as the saviors, the resilient and most committed federalists".[14]

4- Discrimination and Marginalization: Ethnic minorities face considerable obstacles in achieving their rights due to ongoing marginalization and discrimination. Minority populations are not able to exercise their rights to the fullest extent possible due to systemic discrimination, unequal access to opportunities and resources, and social isolation. Ethnic minorities already experience marginalization due to economic inequality, poor educational opportunities, and inadequate political representation.

5- Inadequate Data and Research: To establish evidence-based policies and interventions and to comprehend the unique difficulties experienced by ethnic minorities, accurate data, and research are essential. However, detailed information about the socioeconomic circumstances, prejudice, and human rights abuses that minority groups face is frequently lacking. The lack of knowledge

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[12] Kymlicka, Will, "The Internationalization of Minority Rights," *Canada Research Chair in Political Philosophy, Queen's University, Kingston, Ontario,* Vol No. 6 (2008) pp. 06-13

[13] Council of Europe. (2015). Committee of Ministers. Resolution CM/ResCMN(2015)3

[14] Osaghae, Eghosa, "Ethnic Minorities and Federalism in Nigeria," *Oxford University Press on behalf of The Royal African Society,* Vol No. 90 (1991) pp. 246

makes it difficult to pinpoint and address the unique needs and rights of racial and ethnic minorities.[15]

6- Weak International Enforcement Mechanisms: International enforcement mechanisms are ineffective although there are organizations and processes for monitoring the application of minorities' rights on the international level, their usefulness is constrained. The enforcement mechanisms, such as treaty monitoring committees, could not have the authority to carry out their recommendations or might run into opposition from other governments. Additionally, the accountability and enforcement options available at the international level are constrained by the lack of worldwide enforcement authority for ethnic minority rights.

On a global scale, there are several obstacles to and restrictions on the implementation and enforcement of ethnic minority rights. States, civil society groups, and international organizations must work together to enhance legislative frameworks, create efficient implementation mechanisms, combat prejudice, and advance inclusive policies in order to overcome these challenges. The complete realization of ethnic minority rights and the promotion of inclusive communities that accept and cherish the variety of their inhabitants depend on addressing these issues.

Some several obstacles and restrictions must be overcome for the preservation and development of ethnic minority rights internationally. Inadequate implementation mechanisms, political and cultural resistance, discrimination and marginalization, insufficient data and research, and weak international enforcement mechanisms are some of these challenges. They also include the lack of universal acceptance and application of international human rights standards.

States, civil society organizations, and international organizations must work together to overcome these obstacles. The full potential of ethnic minority rights can only be realized through strengthening legal frameworks, creating efficient implementation mechanisms, combatting discrimination, and advocating inclusive policies.

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[15] European Union Agency for Fundamental Rights, *EU-MIDIS Data in Focus Report 9: Multiple Discrimination* (2020) pp. 143

It is necessary to make efforts to persuade all nations to ratify and enshrine international human rights agreements in their national legislation. To monitor, report on, and guarantee accountability for the protection of ethnic minority rights, national institutions and processes need to be enhanced. Resistance on a political and cultural level needs to be overcome via debate, instruction, and the promotion of inclusive communities.

For ethnic minority populations to have equitable access to resources, opportunities, and social involvement, prejudice, and marginalization must be combated. To better understand the unique difficulties encountered by ethnic minorities and to guide evidence-based policies and initiatives, comprehensive and disaggregated data and research are required.

In order to guarantee state responsibility and the effective implementation of minority rights, international enforcement mechanisms need also be reinforced. This might entail strengthening already-established treaty monitoring agencies or looking into the creation of a global enforcement agency specifically for the rights of ethnic minorities.

We may try to create inclusive communities that respect and cherish the variety of their inhabitants by tackling these difficulties and constraints. In an increasingly linked and varied world, establishing social cohesion, fairness, and equality requires the preservation and promotion of ethnic minority rights.

CHAPTER II: Ethnic Minority Rights in Afghanistan

Background and historical context of ethnic minorities in Afghanistan

The country's history roots back to the 1000s of years, ancient times, from the Balkh civilization which is glorious as the Bactrian and Achaemenid empires. Later the Greco-Bactrian 4th century BC. and Kushan Empires 1st Century CE. produced more of a mix of cultural and religious touches to the civilization. The indigenous people of the country claim they are the leftovers of the Balkh civilization who were living on both sides of the Amu Darya, or Oxus River and Indus River in northern and northeastern current Afghanistan.

After being conquered by Islam, Balkh become a central city for Islamic civilization and this civilization has been upheld by different scholars of Balkh, such as Avicenna, Al-Farabi, and Mawlana Jalaluddin Mohammad Balkhi- Rumi. The city and the civilization have been destroyed by Mongol Empire, Genghis Khan's grandson, Hulagu Khan in the 13th century, and revitalized by Tamerlane or Timurid dynasty in the 15th century. The city received back the prosperity and became one of the region's top cities. The region has been attacked and divided between Mughals and Safavids for the upcoming two-three centuries, and later become a part of the Durrani Empire by the 19th century, which is an Afghan-Pashtun empire.

Afghanistan, known by this name since the early 19th century, is called by different names such as "Khurasan" for the northern part, or Zabulistan as well as Turkistan. While the southern part was called Kabul or Kabulistan. The term Afghanistan is composed of Afghan land which refers to Pashtuns, the term was used by the British writers as they approached the country through the southern gates where of course Pashtun tribes were settled.[[16]] One of the reasons for the contemporary conflicts in the country is the name, Afghanistan. Other ethnicities do not feel represented in the name of the country. This is not only the country name, it goes beyond the National Anthem, which was in Pashto, to the currency bank notes which are written in Pashto only, and many other spheres of the people daily which are being occupied by the dominant rulers of the Pashtuns. While the majority of the people are not Pashto speakers. Even in a wider context in the area, Persian was the interethnic language of Afghanistan. Persian was an interethnic language spoken from Iran through Central Asia and into Central India. As stated by Eden Naby, "Even without this most recent incentive to Persianized, however, the interethnic language of

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[16] Hayman, Anthony, "Nationalism and the Colonial Legacy in the Middle East and Central Asia," *International Journal of Middle East Studies,* Vol. 34, No. 2, (2002), pp. 300

Afghanistan has been Persian, just as it has been in the eastern Islamic world since the pre-Islamic period. It is only with the Russian occupation of Central Asia and the implementation of

Soviet nationality policy that the Russian language has come to replace Persian as the elite and literary language among Uzbeks, Turkmens, and Tajiks".[17]

The country's population is composed of various ethnic groups, and there is no exact number of each community, all the existence data is based on estimates, assumptions, and nonstandard census reports. The only standard population count has launched by 1975 on a UN Fund for Population Activities (UNFPA) technical and financial assistance, which did not last long due to the April 1979 revolution. The census of the settled population has only released preliminary data thus far. They are based on a sample of 5 percent of the total questionnaires from the rural population and 10 percent of those from the urban population collected in all the enumerated districts".[18].

The total ethnic groups in Afghanistan include the Pashtun, Tajik, Hazara, Uzbek, Turkmen, Baloch, Pashaei, Nuristani, Aymaq, Arab, Qirghiz, Qizilbash, Gujjar, Berahawi and several others, as stated in the Afghanistan constitution 2004.[19]

Below we will see where and how the major ethnicities in Afghanistan formed throughout the course of history.

Pashtuns: The Pashtuns, sometimes referred to as the Pashtun or Pathan ethnic group, are indigenous to the area that currently includes what is now Pakistan and Afghanistan. Numerous hypotheses and viewpoints exist on their precise ancestral homeland, and their origins and migration history are complex.

They are thought to be descended from a number of ancient Indo-Iranian tribes and populations that were in the area. They are frequently linked to the ancient Eastern Iranian tribes of the Saka and the Bactrians. The Pashtuns evolved a unique cultural and linguistic identity over time.

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[17] Naby, Eden, "The Ethnic Factors in Soviet-Afghan Relations," *Asian Survey, Mar., 1980, Vol. 20, No. 3* (1980) pp. 241-242

[18] CENSUS ii. In Afghanistan pp. 06 https://www.iranicaonline.org/articles/census-ii#prettyPhoto (Accessed 14 June, 2023)

[19] Afghanistan Constitution, Art. 4 Afghanistan 2004 Constitution - Constitute (constituteproject.org) (Accessed 14 June, 2023)

Invasion, conquest, and tribe movements throughout history have all had an impact on the Pashtuns' migration and settlement patterns. A number of civilizations and empires, including the Persian Achaemenid Empire, the Greek Seleucid Empire, the Maurya Empire, the Kushan Empire, and later the Islamic caliphates, have interacted with the area where the Pashtuns now live.

Particularly in reference to the Pashtun migration into Afghanistan, it is thought that they had lived in the area for many generations. The Pashtuns greatly aided the foundation of the Pashtun-dominated Hotak and Durrani kingdoms in Afghanistan during the 18th century.

There is no written record of the Pashtuns' existence in Afghanistan before 982 AD, but there are some perceptions that they may have relocated there after their residence was mentioned in the Persian book HUDD- AL LAM, or (Boundaries of the World), written in present-day Jawzjan, Afghanistan, in 982 AD. Vladimir Minorsky translated it into English.[20] This manuscript actually refers to those inhabiting West Pakistan in the area of the Sulaiman Mountains, but it does not mean that other Pashtun groups were not already living in Afghanistan".[21]

Tajiks: The Tajiks, who are typically categorized as non-tribal Sunni Muslims who speak Persian, make up around 30% of Afghanistan's population. The Tajiks in Afghanistan have the least internal cohesion of any ethnic group.

Although they historically made up the majority of city dwellers in Kabul, Herat, and Mazar, most of them are now dispersed over the northeastern highlands.[22]

It might be difficult to pinpoint the precise roots of the Tajiks because of their intricate historical migration patterns. But it's thought that Tajik forefathers came from places like Iran and the Central Asian countries that speak Persian, moving to what is now Tajikistan and other nearby territories.

It is known that the Persian-speaking people, especially the Tajiks, have lived in the area for thousands of years based on historical chronicles and archaeological findings. A number of empires and civilizations, notably the Persian Achaemenid Empire, the Greek Seleucid Empire, and subsequently the

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[20] MINORSKY, VLADIMIR, *TRANSLATED AND EXPLAINED: HUDUD al-'ALAM THE REGIONS OF THE WORLD A PERSIAN GEOGRAPHY 372 A.H.—982 A.D.* (LONDON: MESSRS. LUZAC & COMPANY, LTD., 1970) pp.252

[21] "Afghan Genetic Mysteries Human Biology," *Wayne State University Press*, 83:6 (2011) pp. 738
[22] Barfield, Thomas, *Afghanistan A Cultural and Political History,* (Princeton New Jersey: Princeton University Press, (2010) pp. 26

Islamic caliphates and Mongol invasions, had an impact on the region that now includes Tajikistan and some of Afghanistan.

The Samanid era saw the completion of the Tajik nation's establishment. By the 9th and 10th centuries, the Tajik people had fully developed; nevertheless, in the years that followed, the Tajik identity did not endure. These individuals, who shared a common ancestry and spoke dialects from the Middle Iranian and New Persian language families, served as the foundation for the birth and progressive unification of the Eastern Persian-Tajik ethnic group. According to some academics, the Tajiks have roots that go back thousands of years.

"I have had to stress again and again that it would be wrong to think that the first page in the history of Tajik statehood was written with the founding of the Samanid state. Long before the Samanid epoch, the Tajiks had already established a number of states. Little wonder that the Tajiks are recognized as one of the oldest peoples of Central Asia who laid down the very foundations of civilization in these ancient lands … The Tajiks have a history stretching back many thousand years".[23]

When talking about Tajik migration to Afghanistan, it is crucial to keep in mind that there have been Tajiks there for millennia. In the past, there have been no restrictions on the free movement of people and cultures across the borders between Afghanistan, Tajikistan, and other Central Asian countries. Tajiks from Tajikistan have lived in Afghanistan for many generations; in fact, they arrived before the current boundaries were drawn.

Hazaras: In Afghanistan, there is a small ethnic group called the Hazaras. They are mostly found in Afghanistan's central highlands, which include Bamiyan, Daykundi, and portions of the provinces of Ghazni, Kabul, and Uruzgan. The Hazaras are distinguished from other Afghan ethnic groups by their unusual Mongoloid physical characteristics.

The cultural and historical legacy of the Hazara people is extensive. They differ from Afghanistan's primarily Sunni Muslim people in that they are primarily Shia Muslims. The Hazara people's ancestry is a point of contention among academics and historians. The Hazaras, however, are said to be descended from a variety of ethnicities, including Mongol and Turkic tribes, who moved to the area in the 13th

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[23] Rahmonov, Emomali, "The Tajiks in the Mirror of History," Volume I: From the Aryans to the Samanids Guernsey, UK: *London River Editions, n.d.,* pp. 5–6. Rahmon notes that the mythical Peshdodids ruled in the fifth, fourth, and third millennia BCE; pp. 64-5.

century during the Mongol conquests headed by Genghis Khan. "The Hazaras live mainly in the fairly isolated mountainous regions of central Afghanistan and account for around 10% of the Afghans. They speak a Persian dialect, the Hazaragi. Because of an "Asiatic" facial morphology, it has often been suggested that the Hazaras might be the descendants of soldiers of the army of Genghis Khan. Genghis Khan conquered the region between 1221 and 1227 CE after having unified various Central Asian tribes like the Mongols, the Turks, and the Tatars".[24].

Due to their ethnicity and religious convictions, the Hazara people have endured severe prejudice and persecution throughout history. They have experienced targeted brutality and repression, in addition to social, economic, and political marginalization. Hazaras in Afghanistan have suffered a lot, from isolation in the central mountainous regions with harsh and cold weather, and from the expropriation of their agricultural lands in Kandahar and Uruzgan to their genocide, as Niamatullah Ibrahimi notes, "The Hazaras of Afghanistan are Shiites who are widely believed to have roots in Mongolia and are thus both ethnically and religiously distinct from the Pashtun Sunnis who dominate the country. In the 1890s, Afghanistan's Pashtun leader, Abdur Rahman Khan, perpetrated what can be legitimately termed a genocide against the Hazaras: killing, enslaving, and dispossessing the bulk of the population. For decades afterward, the Hazaras were at the bottom of what Ibrahimi calls a caste system in

 this sympathetic but nonpolemic book"[25]. Hazaras faced several types of significant discrimination in Afghanistan such as ethnic discrimination, religious discrimination, sectarian tensions, historical conflicts, socioeconomic marginalization, and targeted violations that still continue in many phases.

Uzbeks: The Uzbeks of Afghanistan are a subset of the greater Uzbek community, which is largely situated in Central Asia. The Uzbeks are a Turkic-speaking population from the area. They are mostly concentrated in northern Afghanistan, notably in the provinces of Balkh, Jowzjan, and Faryab.

"The Uzbeks (approximately 10% of the whole population of Afghanistan) are probably among the descendants of the ancient Qipchak populations established in Central Asia and came from the North

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[24] "Afghan Genetic Mysteries Human Biology," *Wayne State University Press*, 83:6 (2011) pp.740

[25] IBRAHIMI, NIAMATULLAH "The Hazaras and the Afghan State: Rebellion, Exclusion, and the Struggle for Recognition" Review by: John Waterbury, *Council on Foreign Relations* 97:2 (2018), pp. 185-186

before the 16th century. Either nomadic or sedentary, they occupy the rich loess land of the northern plains from Maymana to Khanabad [26].

Uzbeks have been present in Afghanistan since the migrations and conquests of Central Asian nomadic tribes throughout history. The Uzbeks have a long history and are said to be descended from numerous Turkic and Mongol tribes who settled in the region over time.

Northern Uzbeks have a significant and influential part in Afghan politics. Any government can reign if Uzbeks support them, or any government may be deposed if Uzbeks oppose them.

Ethnic Composition and Demographic Overview

The ethnic makeup of Afghanistan is still being explored in this area. Due to the significance of ethnic identification in the development of national identity, this part examines the elements of Afghan ethnicity that contribute to or undermine the country's sense of togetherness. Dependence on surveys, where bias cannot be completely ruled out, is necessary owing to the lack of an accurate census due to political maneuvering by ethnolinguistic groupings. Such a situation makes it difficult to make judgments about the actual political influence of the ethnic groups and may put a barrier in the way of high-quality research based on Afghanistan's demographic makeup. Here, the primary ethnic groups are recognized as Pashtun, Tajik, Hazara, and Uzbek, with the other ethnicities being considered minorities. But in reality, and inside Afghanistan only Pashtuns are considered as a major group, and the rest of the other ethnicities are being considered as minorities. Afghanistan was unable to organize its diverse population into an effective unity. This unity was challenged by ethnic groups anytime the central authority waned, but prolonged isolation failed to ultimately create political order.

As a Linguistic composition, the people of Afghanistan are multilingual. There are 40 languages spoken in Afghanistan, one of which is extinct. Ten of these languages are endangered or in trouble, while the remaining 14, including four that are institutionally protected, are safe.

Afghanistan's population is estimated to be 39.2 million people overall in the lack of a trustworthy census. 77% of the population speaks either Afghanistan Persian or Dari as the official, lingua franca. 48% Pashto

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[26]"Afghan Genetic Mysteries Human Biology," *Wayne State University Press*, 83:6 (2011) pp.740

as the official, 11% speak Turkic languages, primarily Uzbek and Turkmen, 3% Turkmani, 3% Urdu, 1% Pachaie, and 1% Arabic. [27]

Geographically speaking, Afghanistan's terrain is mentioned here as one of the driving forces behind the country's modern ethnographic and linguistic formation. Afghanistan's geography led to historical processes that influenced or limited people's migration and settlement. An ethnic group's presence in a region abundant in natural resources gives it possibilities for affluence and contributes to the dominance of its language over the languages of other groups. Natural resources are a key element in the linguistic domination of certain civilizations over others.

650,000 km2 of land make up Afghanistan. It is located in Central Asia's southwest corner. It is situated in the subtropical zone and ranges in latitude from 29o 21N to 38o 30N and longitude from 60o 31N to 75o East. Central Asian republics of Turkmenistan, Uzbekistan, and Tajikistan in the north, Iran in the west, Pakistan in the south and east, and the Wakhan region in the northeast constitute its borders.

The Afghan border was historically imposed on the populace to serve the geopolitical goals of Russia and the United Kingdom. This procedure led to Afghanistan becoming a landlocked buffer state. The "border engineering" procedure has resulted in a misalignment of Afghanistan's ethnic and geographical borders. [28]

Geographical limitations in Afghanistan have a big impact on her politics and behavior. The same is true for Afghanistan as geographers learn a connection exists between a nation's policies and its physical characteristics. The inability to create a workable political and economic system and the independence of the Afghan populace can be attributed to the hard terrain.

Challenges and Violations

Ethnicity has always been a fluid social phenomenon in the Afghan context, greatly influenced by the situational environment. Ascriptions based on neat ethnic categorizations must thus be carefully

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[27] CIA, *CIA World Factbook* Afghanistan (CIA, 2023);
[28] Hayman, Anthony, "Nationalism and the Colonial Legacy in the Middle East and Central Asia" *International Journal of Middle East Studies,* 34:2, (2002), pp. 302

examined. Such research is necessary to understand ethnicity as a dynamic social reality, which has repeatedly attempted to deflect and reject pan-Afghan political mobilization, for instance.

Three pillars—ethnic representation, secular government, and Islamic principles—have historically been at the forefront of discussions concerning Afghan nationhood. There was some unresolved conflict among the three cardinals. But the crucial point that stands out and remains is that none of the three cardinals can be permanently discounted. It is true that under Zahir Shah's rule in the late 1960s and early 1970s, the major point of disagreement was between the ideas of an Islamic nation and a secular one.

However, the monarchy's clear favoritism of Pashtuns led to an implicit re-inscription of ethnicity as the fundamental criterion. True, the Afghan Marxist-Leninist leadership, which received support from the Soviet Union, sought to overthrow the monarchy in order to adopt and legitimate a discourse centered solely on the secular-socialist tenet.

They were obligated within a few years to provide some major room for the two excluded cardinals of race and Islam. While attempting to establish Islam as the sole cardinal of life and order, the mujahideen, and Jihad-passionate fearless supporters of Islamic brotherhood, oversaw, in effect, the violent reinforcement of ethnicity as the ultimate political actuality.

The deep historical entrenchment of social heterogeneity and the socio-political changes wrought in recent years by fighting are both attested to by ethnicity's ability to constrain the highly shared allegiance to Islam and define the notion of genuine Afghan nationhood.

The conventional hierarchical social structure was radically upended by the Soviet invasion of Afghanistan in December 1979 and the brutal military conflict that followed, giving rise to the terms Islam, Resistance, and empowered warlords. Ethnic divisions violently resurfaced in Afghanistan when the Soviet Union left in February 1989.

The conflicts have politicized ethnicity in Afghanistan far beyond the confines of its original setting, and the growing rift between national minorities and the Afghan state has pushed ethnicity to the political foreground. The inclusion of new social groups in politics, which is highlighted by the active involvement of outside players through their ethnic or sectarian proxies, characterizes this crucial transformation. These significant changes started to manifest during the Mujahideen administration's (1992–1996) years of relentless, terrible violence. Concepts of "nation" and "ethnicity" are in flux, which is a stark reflection

of their extensive consequences. The horrifying irony is that 'conflict' has a transformative dimension despite its fatal destructive edge.

Regarding the 'ethnic balance' in the proposed new system of constitutional governance, take into account Lakhdar Brahmi's statement following the fall of Kabul's Taliban leadership. I believe that the ethnic balance that we have attempted to achieve here is 11 for the Pashtuns, 8 for the Tajiks, 5 for the Hazaras, 3 for the Uzbeks, and one or two for the other groups.[29]

The international community's desire to establish a more orderly and inclusive political system, as well as an emphatic recognition of ethnicity as one of the key determinants for legitimizing political systems, can be seen in Lakhdar Brahimi's clarification of the social composition of the proposed post-Taliban Afghan order of Governance. Prior to Mujahideen's leadership, such clear, exact explanations of administration in terms of ethnopolitical equations would have sounded absurd and impolitic.

In the case of Afghanistan, evolving ideas of "ethnicity" and "nation" are evident in the ardent renegotiation of social-political equations, which is characterized by the emergence of new formations empowered by the normative expectations of equal standing and opportunity as the fundamental entitlement of Afghan nationals to everyone. This parity rhetoric's underlying tragic irony is enlightening. The ardent emphasis on racial equality took place amid a widespread breakdown of institutions and norms. Conflict-induced changes in deeply ingrained social equations dramatically emphasize the significance of "conflict zones" as "social spaces" inhabited by actual people with significant human goals. This also enables us to comprehend the really basic analytical frameworks that argue that ethnicity is the fundamental, unchanging aspect of social life.

Such thinking, in particular, portrays the Afghan war as a struggle between two clearly defined sides caught in a binary opposition. Explanations that view the conflict primarily as a struggle for power are equally incorrect; ethnicity is merely a supplementary tool for self-aggrandizement and dominance.

Islamic communities hailed the April 1992 collapse of the Najibullah administration, which had received military and political support from the Soviet Union, as a moment of great triumph and glory for the Islamic Ummah. But in other ways, the incredible success of mujahideen weaponry was a letdown. In

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[29] At a press conference in Bonn on December 5, 2001, a journalist asked Mr. Lakhdar Brahimi the following question, to which Mr. Brahimi made the following comment in response: 'I have a query for Mr. Brahimi. Could you confirm the number of postings each group receives and provide further details on the ethnic balance? (Press Conference with Brahimi)

the wake of this amazing military victory, political Islam has been slowly but surely falling apart. Political Islam's interpretation of the Islamic order, in which ethnic identities, tribal segmentation, and power relationships are viewed as ethical flaws, forms of ignorance, or sin, is what causes this disintegration and failure. However, this interpretation only applies to the books and texts; in practice, Political Islam is very different. Throughout the endless fratricide among the many mujahideen organizations (1992-1996), the political significance of ethnicity, which is unmatched, has loomed large. That change unavoidably influenced a large portion of the social and political debate in Afghanistan today. This in turn had an impact on academic discourse as well as more general contemporary perceptions of the social fabric of Afghanistan. Not only has this kind of understanding been used regularly to reconstruct the past, but it has also been utilized to predict the future and make sense of potential social and political occurrences.

The long-running conflict hasn't received much attention, and Afghan culture has been presented as orderly, compartmentalized, and unchanging. According to this interpretation, the Afghan war is essentially the result of a conflict between intrinsic ethnic allegiances. It mostly ignores several crucial sociopolitical processes that conflict sets in motion, which causes significant rigidity in what had previously existed within relatively flexible social bounds. A thorough analysis of the social and political structure of Afghanistan before the conflict is unquestionably necessary to comprehend the causes and effects of this move toward growing rigidity.

While the mujahideen were in charge (1992–1996), a number of circumstances and imperatives shaped the conflict along an essentially ethnopolitical axis, even as the Islamic rhetoric of doctrinal purity grew more abrasive and belligerent. The key aspect in this context is the extent and intensity of ethnicity's politicization as a result of the role that outside actors arose to play through their local proxies in pursuing the restricted strategic aims of their different nation-states. No one was given the chance to withdraw from the conflict. That required almost completely reinventing "ethnicity," a long-standing social fact, as a new kind of effective political weapon for mass mobilization.

The Afghan conflict at this time was distinguished by an unforeseen paradox. The social basis of the major political figures, which has grown more reliant on a particular ethnicity, is an example of the continually rising importance of ethnopolitics. The Hizb-i-Wahadat and the Junbish-i-Milli are the only two publications that expressly exploit ethnicity in current political discourse or programs. On the other

hand, organizations like the Jamiat-i-Islami, whose membership is predominantly Tajik, tried to highlight their pan-Afghan credentials.

In general, excessively basic frames of reference have been used by the main narratives of the Afghan conflict. This implies that Afghan society is divided into more or less clearly territorialized ethnic groups. Such an analytical method and categorization are at odds with the actual realities of the situation. It has led to frightfully ignorant policy recommendations at the highest levels. In this context, several strategies used to resolve the Afghan issue are instructive. The persuasive argument made by former United States Diplomats is one of the strongest.

"De facto partition of Afghanistan is the best policy option available to the United States and its allies… We would devote nation-building efforts to the north and west region where, unlike the Pashtun, people are not conflicted about accepting U.S. help… Washington should not wait to change its objective and strategy in Afghanistan until even more U.S. blood and treasure have been lost in a fruitless quest among the Afghan Pashtun".[30]

Role of ethnic minorities in Peacebuilding and conflict resolution

Governments in Kabul have spearheaded efforts to bring about social change in Afghanistan for nearly a century because they want to modernize the nation. Both rural Afghan residents and orthodox Islamic clergy have opposed them for roughly the same amount of time because they distrusted such developments and considered them a danger to their way of life. The most divisive laws dealt with women's rights, secular education, state law taking precedence over customary law, and limiting the authority of Islamic clerics. Although King Amanullah's earliest reform initiatives in Afghanistan in the 1920s were much less extreme than comparable efforts under Reza Shah in Iran, Ataturk in Turkey, or the Bolsheviks in central Asia, they still met with more resistance.

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[30] Blackwill, Robert, "Plan B for Afghanistan: A De-facto Partition is the least Bad Option, *Foreign Affairs,"* 90:1 (2011) pp. 42-50

The Afghan administration not only fell short of its objectives but also sparked uprisings that ultimately led to the state's collapse in 1929. For the following 50 years, only metropolitan regions that primarily supported the programs were subject to government pressure to modernize.[31]

As was already indicated in Chapter 1, the first generation of Afghans to begin settling in cities and adopting a contemporary way of life were the Tajiks. Tajiks advanced all change requests and real changes in major cities like Kabul, Balkh, and Herat. Later, other towns with minorities of Tajiks and other tribes, including Kandahar and Jalalabad, learned from the way of life in Kabul, Balkh, and Herat and advanced. But out of proportion to other cities.

Tajiks and other minority groups in Afghanistan live in a non-tribal way of life in the meantime; they don't believe in caste systems or regard other people as being of a higher or lower status, and they have done this throughout history to contribute to stability and peacebuilding. Although Pashtuns have a nomadic lifestyle, they nonetheless adhere to their ancestors' traditions and uphold the Pashtunwali code of honor.

Despite being the ruling party and leading nomadic lifestyles, Pashtuns preserve the Pashtunwali code of honor and continue to practice their ancestral customs. These Pashtunwali rules are still being imposed on various non-Pashtun cultures in the twenty-first century. This Pashtunwali code of honor is the foundation for banning girls from attending schools. Pashtuns are so protective of female family members that they nearly confine them to prevent unwanted attention from outsiders. As a result, there is currently gender apartheid in society.

"The Pashtuns in rural areas had always prided themselves on their adherence to Pashtunwali, their code of honor, which placed great emphasis on personal autonomy and resistance to state power. The state (or even the local community) had no right to interfere in family affairs. The marriage laws threatened to do just that by imposing state supervision on what Pashtuns (and other rural Afghans) felt was a private matter or already covered by sharia law principles used by local clergy".[32]

Following the overthrow of the Taliban government, the Bonn Conference was convened in December 2001 with the goal of creating a democratic framework for Afghanistan. The summit brought together a

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[31] Barfield, Thomas, *Afghanistan A Cultural and Political History*, (Princeton, New Jersey: Princeton University Press, 2010) pp. 339-342

[32] Ibid. pp. 200

number of Afghan factions, notably the Resistance forces or, Northern Alliance, a crucial anti-Taliban organization.

The Tajik, Uzbek, Hazara, and other ethnic groups that made up the Northern Alliance, who resisted the first era of the Taliban for 5 years between 1996-2001 played an important part in the fight against the Taliban. Together with Western assistance, their soldiers assisted in removing the Taliban from power in various regions of Afghanistan. They played a vital role in peacebuilding and resettlement of the post-2001 government. At the Bonn Conference, the Northern Alliance engaged in discussions with other Afghan groups and outside parties through the representation of individuals like Burhanuddin Rabbani, Abdullah Abdullah, and Mohammad Fahim. The Afghan Interim Authority was established as a consequence of the meeting When the Northern Alliance, a group of non-Pashtun leaders who opposed the Taliban's leadership 1996-2001, voted for and chose a Pashtun leader, and Hamid Karzai was chosen as its head. The Northern Alliance's participation at the Bonn Conference encouraged the political participation of several ethnic groups and contributed to the development of the early post-Taliban governmental structure. It aided in the formation of a broad-based provisional administration with the purpose of representing Afghanistan's diverse racial and political makeup.

The majority of the resistance troops were made up of Tajiks, Hazaras, and Uzbeks, three ethnic groups, who peacefully handed up control to Hamid Karzai as the temporary leader of the government as agreed at the Bonn Conference. Later, between 2003 and 2006, the Northern Alliance or Resistance troops joined the disarmament, demobilization, and reintegration (DDR) program. Afghanistan's New Beginning Program (ANBP), an initiative of the UN, oversaw the creation of the program.

In Afghanistan, ethnic minorities have a large and varied role in promoting peace and resolving disputes. Ethnic minorities, who come from a variety of cultural, religious, and linguistic origins, have special perspectives, experiences, and insights that may help the nation nurture lasting peace and resolve problems. The different ways that ethnic minorities contribute significantly to these processes are examined in this section. When it comes to promoting peace and resolving conflicts, ethnic minorities offer a variety of views and viewpoints to the table. Ethnic minorities may contribute to more thorough and inclusive peace accords by making sure they have meaningful representation and involvement in decision-making processes. Their involvement ensures that minority populations' rights, needs, and interests are taken into account while addressing their unique issues and goals.

Also, Ethnic minorities frequently have relationships with various Afghan groups on a historical and cultural level. They may be able to act as mediators and bridge-builders between disputing parties thanks to their grasp of various cultural backgrounds and experiences. Ethnic minorities can aid in fostering processes of communication, reunification, and trust-building by making use of their connections and reputations within their own communities. Ethnic minorities, however, have unique cultural knowledge, rituals, and practices that can aid in efforts to advance peace. They could play a crucial role in preserving cultural heritage, fostering intercultural understanding, and fostering a sense of identity and belonging. By taking part in initiatives that emphasize cultural preservation and reconciliation, ethnic minorities may help to heal the wounds and restore social cohesion.

In conflict-affected areas, ethnic minorities frequently confront unique difficulties and human rights violations. Their active participation in peacebuilding and conflict resolution procedures enables them to speak out for their rights, draw attention to their issues, and contribute to the creation of regulations and procedures that specifically address their problems. Representatives of ethnic minorities may be effective defenders of equality, social justice, and human rights, fostering inclusive and just communities. Their active involvement in post-conflict rebuilding and development projects may help ensure that opportunities, resources, and services are distributed fairly. The nation may encourage inclusion, lessen inequities, and improve sustainable development by involving ethnic minorities in decision-making processes linked to development projects, infrastructure, and resource allocation.

Finally, ethnic minorities in Afghanistan have a crucial role to play in the processes of establishing peace and resolving disputes. Their participation, representation, cultural expertise, mediation abilities, advocacy, and support of development efforts are essential for promoting long-lasting peace, forgiveness, and social cohesiveness in the nation. Building an inclusive and robust society in Afghanistan depends on recognizing and strengthening the role of ethnic minorities in these processes.

CHAPTER III: GOVERNMENT POLICIES AND INITIATIVES

Review of Afghan government policies and initiatives for promoting ethnic minority rights

Throughout the nineteenth century, Afghanistan was predominantly administered by many emirs and rulers, and the status of minority rights fluctuated based on individual monarchs and regional dynamics. It is crucial to emphasize, however, that full and precise data on minority rights throughout this time period are scarce. But there are some broad views regarding minority rights in Afghanistan throughout the nineteenth century.

Afghanistan has been plagued by persistent tribal and ethnic disputes, which have resulted in tensions and sometimes bloodshed between various populations. In these battles, minorities may have suffered prejudice and marginalization.

Religious minorities in Afghanistan included Hindus, Sikhs, and Christians. These minority groups were frequently subjected to restrictions and prohibitions on their religious activities.

Pashtuns, the country's dominant ethnic group, had considerable influence and power. The political and social processes of the time were built to promote Pashtun interests, which might have influenced minority populations' rights and positions.

During the nineteenth century, formal legal protections for minority rights were minimal. Governance systems of the period were frequently founded on tribal and customary rules, which might vary between areas and groups.

1880-1901- Amir Abdur Rahman Khan: Afghanistan had considerable obstacles to minority rights under the tenure of Amir Abdur Rahman Khan, from 1880 until 1901, notably for the Hazara population. While the word "genocide" refers to the purposeful and systematic eradication of a certain ethnic or racial group, Amir Abdur Rahman Khan's policies and actions did result in widespread brutality and persecution of the Hazaras here is a summary of the problem:

Persecution of Hazaras:

- Amir Abdur Rahman Khan put in place measures aimed at solidifying central control and repressing possible sources of dissent, such as the Hazara people.
- Under Amir Abdur Rahman Khan's leadership, the Hazaras, a largely Shia Muslim ethnic minority, experienced persecution, forced labor, and brutal repression.

- During this time, efforts were implemented to subdue the Hazaras and minimize their political, economic, and social significance.

Repressive Techniques:

- Amir Abdur Rahman Khan launched military actions in central Afghanistan targeting Hazara populations, resulting in extensive bloodshed, killings, and forced displacements.
- The settlements of the Hazara people were demolished, and their lands were frequently taken or allocated to Pashtun immigrants.

There are few detailed historical documents from this time period in the English Scholarly database, but there are numerous sources in Farsi, including a book written by Amir, himself, stating what he did with Hazara people, and precise references to Hazara persecution during Amir Abdur Rahman Khan's tenure may be scarce.

Oral histories and narratives from Hazara communities, as well as wider studies of Afghan history, give insight into the sufferings endured by the Hazaras throughout this period.

1901-1929 Emir Habibullah Khan and his son King Amanullah Khan: Afghanistan was ruled by Emir Habibullah Khan (1901-1919) and his son, King Amanullah Khan (1919-1929) from 1900 to 1929. Several factors impacted the position of minority rights during this time period, including modernization attempts, governmental events, and sociological dynamics. Here is a summary of the minority rights situation during the time:

Habibullah Khan, (1901-1919):

- In Afghanistan, Emir Habibullah Khan attempted to balance the interests of numerous ethnic and tribal groupings.
- While there were no special legislative frameworks or policies concentrating solely on minority rights, Emir Habibullah Khan maintained a somewhat inclusive stance, honoring minority populations' rights and customs.
- Minority groups like the Hazaras and Sikhs occupied posts in the administration and military.

Amanullah Khan, (1919-1929):

- The reign of King Amanullah Khan was distinguished by major reform and modernizing efforts.

- Amanullah Khan pushed changes to reduce tribal and ethnic differences and promote a more cohesive Afghan identity.
- The king instituted laws such as the abolition of slavery, with the goal of establishing equal rights for all residents, including minority populations.
- These moves, however, were received with criticism, culminating in political turbulence and resistance from a variety of organizations, ultimately leading to Amanullah Khan's departure.

During the reign of King Amanullah Khan, there were measures to address ethnic and regional inequities in Afghanistan. As part of his reforms and modernizing programs, King Amanullah hoped to promote national unity and reduce tribal and regional divides. Amanullah Khan did implement steps aimed at decreasing racial and regional disparities but in favor of his own Pashtun ethnic group. Among these initiatives were land reforms and steps to strengthen central governance, which included distributing the best and most attractive lands of the northern population to the southern Pashtuns, and the bulk of the Pashtuns in northern Afghanistan have exploited this regulation to be shifted to the north.

Habibullah II, Habibullah Kalakani 1929: The first and only non-Pashtun (Tajik) to rule Afghanistan, also known as Habibullah Kalakani after the region of Kalakan, north of Kabul, where he was born. He seized control following the overthrow of reformer King Amanullah on January 17, 1929, by a military invasion of the Afghan capital. Amanullah, who was from a long-reigning Pashtun dynasty, came to power in 1919 but was already weakened by prior uprisings and the mounting opposition to his Atatürk-inspired modernization efforts.

The Pashtun tribes had risen against Amanullah and not in favor of him, which soon put Habibullah's authority in jeopardy. They opposed a non-Pashtun ruling Kabul; the Suleimankhel even declared their commander to be the new emperor in Ghazni. In March 1929, Muhammad Nader Khan, a former minister of defense under Amanullah who had left his position in that capacity in 1924, asked Habibullah II to seek legitimacy not just from the religious clergy (which he had already done), but also from the tribal leaders. All of Nader's family members were detained in response, and Habibullah set a price on their heads. When these conditions exist, beginning in the southeast, Nader and his brother Shah Mahmud were able to mobilize each tribe individually. After many months of conflict during

which both sides saw varying degrees of success, the tribal troops began to attack Kabul in September.[33]

Mohammad Nadir Shah 1929-1933: From 1929 until his murder in 1933, Afghanistan was governed by Mohammad Nadir Shah. Several factors impacted the state of minority rights in Afghanistan throughout his rule, including efforts to concentrate authority, the preservation of national unity, and persistent socio-political issues. While there is little particular evidence on minority rights under Nadir Shah's reign, here are some broad points to consider:

- Mohammad Nadir Shah wanted to enhance central government while reducing the power of regional and ethnic groupings. His priority was to consolidate authority and promote a feeling of national unity in order to overcome internal differences.
- Pashtun Dominance: As a Pashtun leader, Nadir Shah sought to increase Pashtun influence and establish Pashtun dominance in administration and military systems. This concentration on Pashtun interests may have influenced the experiences of other ethnic minority groups.
- Nadir Shah developed links with a variety of tribal leaders, including those from minority populations. Tribal chiefs frequently held prominent roles and contributed to the maintenance of order and stability in their particular territories.
- Tensions between ethnic and religious groups: Afghanistan is a diversified country with many ethnic and religious groupings. While particular occurrences or policies targeting minority populations during Nadir Shah's rule are not well documented, ethnic and religious tensions and conflicts have existed throughout Afghan history.

It is vital to remember that several socio-political elements impacted Afghanistan's historical setting and the dynamics of minority rights during Nadir Shah's administration. Given the scarcity of particular information concerning minority rights at the time, more studies using primary sources, historical records, and academic studies would give a more nuanced view of the situation.

1933-1978 King Zahir Shah and President Mohammad Daud: During the reigns of King Zahir Shah (1933-1973) and President Mohammad Daud Khan (1973-1978), Afghanistan witnessed a generally

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[33] Ruttig, Thomas, "Who was King Habibullah II? A query from the literature" *Afghanistan Analysts Network, (2016)*

peaceful period with various attitudes to minority rights and protection. Here is an outline of the minority rights situation and pertinent laws during their different periods:

King Zahir Shah (1933-1973):

- During King Zahir Shah's reign, ethnic and religious minorities were treated with respect. The 1964 Constitution guaranteed minority rights and acknowledged the rights of all people, regardless of ethnicity or religion.
- The king sought to preserve a balance among various ethnic and tribal groupings while also developing a feeling of national unity.
- Tajiks, Hazaras, and Uzbeks, for example, were able to keep their traditional customs while still participating in government and public life.

Mohammad Daud Khan, President (1973-1978):

- Following a coup in 1973, President Daud Khan took control and pushed modernization and national consolidation initiatives.
- President Daud Khan's administration aimed to foster a cohesive Afghan identity, which occasionally strained relations with ethnic minority groups.
- Attempts were made to limit regional authority, particularly in places with strong ethnic identities, eliciting opposition and grievances from minority populations.
- The administration implemented land reforms and sought to resolve socioeconomic imbalances, particularly in rural minority areas.

While attempts were made to foster unity and stability, various minority populations had special concerns and grievances during these times. The scope of safeguards and the experiences of various minority groups differed.

Detailed information on individual minority rights protection laws enacted during the reigns of King Zahir Shah and President Mohammad Daud Khan However, the constitutions of the period guaranteed wide rights and equal treatment for all people, regardless of race or faith.

1978-1992 Marxist Republics: There were both positive and bad elements to ethnic minority rights in Afghanistan under the Marxist Republics of 1978 to 1992, which included the governments of the People's Democratic Party of Afghanistan (PDPA) and the Democratic Republic of Afghanistan (DRA). Here is an outline of the circumstances at the time:

Positive Aspects:

- - Modernization initiatives: Land reforms and initiatives to develop education and healthcare facilities were implemented by Marxist republics. These projects were designed to benefit all residents, especially ethnic minority groups.
- - b. Equality: Marxist administrations tried to solve socioeconomic imbalances and promote equality among various ethnic groups. They adopted measures aimed at reducing racial disparities and expanding access to education and job opportunities.

Negative Aspects:

- - a. Repression and Violence: The Marxist administrations encountered major opposition and insurgencies from numerous ethnic and tribal groupings, particularly in rural regions. In reaction, the governments resorted to oppressive tactics like human rights violations, forced relocations, and executions, which harmed minority populations as well.
- - b. Suppression of Cultural and Religious rituals: Marxist regimes aimed to promote a secular philosophy and prohibit religious rituals, which harmed ethnic minority populations who followed different religious traditions. As a result, certain minority groups, such as the traditionalist Pashtun tribal populations, experienced difficulties and opposition.
- - b. Internal splits: Internal splits and power conflicts, particularly ethnic and factional disputes within the ruling PDPA, plagued Marxist administrations. These divides frequently erupted into inter-ethnic confrontations, resulting in bloodshed and aggravating minority rights issues.

It is crucial to remember that the situation during the Marxist republics differed based on the location and ethnic group involved. Different ethnic communities felt the consequences of policies and conflicts in different ways.

1991-1996 Islamic State of Afghanistan: Afghanistan's civil wars, notably those that erupted following the Soviet exit in 1989, had far-reaching consequences for the country's minority rights. Conflicts involving many factions, including diverse ethnic and religious groupings, resulted in extensive bloodshed, relocation, and human rights violations. Here are some significant issues about minority rights in Afghanistan throughout the civil wars:

- Ethnic and sectarian violence occurred during the civil wars, with minority populations being caught in the crossfire. Pashtuns, Tajiks, Hazaras, Uzbeks, and other ethnic groups were involved in hostilities that resulted in targeted assaults and reprisals against certain minority communities.
- Discrimination and Marginalization: Minority populations endured prejudice and marginalization throughout the civil wars, both from opposing sides and from within their own communities. Some militias specifically targeted ethnic or religious groups, exposing them to violence, relocation, and rights violations.
- Displacement and Refugee Crisis: Civil conflicts resulted in massive population displacement, with minority populations bearing a disproportionate share of the brunt of the burden. Many members of the minority community were compelled to evacuate their homes and seek safety in Afghanistan or neighboring countries, aggravating the humanitarian catastrophe.
- Cultural Heritage Destruction: During the civil wars, cultural and religious sites belonging to minority people were also destroyed. Historic sites, religious structures, and cultural symbols have all been assaulted and damaged, leading in the loss of cultural heritage.

It is vital to highlight that the Afghan civil wars featured various factions and complicated dynamics. Minority populations' experiences differed based on the context and location of the conflicts. As previously stated, the Taliban's control during and after the civil wars had a tremendous influence on minority rights.

1996-2001 Taliban: During the Taliban regime's control in Afghanistan from 1996 to 2001, ethnic and religious minorities endured harsh persecution and human rights violations. The Taliban's policies and actions targeted minorities who did not subscribe to their rigorous interpretation of Sunni Islam. Here is more about the Taliban regime's clash with minorities:

- The Hazara population, primarily Shia Muslims, suffered the brunt of the Taliban's persecution. They were subjected to rampant prejudice, brutality, and repression. Because of their religious beliefs, ethnicity, and historical marginalization, Hazaras were targeted.
- Sikh and Hindu Communities: Religious minorities other than Muslims, such as Sikhs and Hindus, were also persecuted. The Taliban implemented severe Islamic regulations, compelling religious minorities to convert to Islam, pay high fees, or suffer murder and exile. Many Sikhs and Hindus were compelled to leave or hide in the nation.

- Shia Muslims: Shia Muslims of various ethnic backgrounds have been targeted as a result of the Taliban's extremist Sunni interpretation of Islam. Shia mosques, shrines, and religious processions were attacked, killing numerous people.

- Women and Girls: While not limited to minority populations, women and girls in Afghanistan, particularly those from ethnic and religious minorities, were subjected to harsh limitations on their rights and freedoms. They faced gender-based abuse, were forced to marry, and were denied access to education and healthcare.

- Cultural repression: Under the Taliban government, ethnic minority populations with distinct cultural customs and traditions experienced limitations and repression. Certain cultural manifestations, like as music, painting, and traditional rites, were restricted or outright prohibited by the Taliban.

During their former administration, the Taliban treated ethnic minorities with discrimination, persecution, and human rights violations. However, after the fall of the Taliban in 2001, they began to resurface and fight against the legitimate government of Afghanistan, with several bloodshed bomb attacks and guerilla attacks across Afghanistan, destroying public infrastructure such as roads, bridges, schools, and hospitals, which continued for the next 20 years until 2021.

2001-2021 Islamic Republic of Afghanistan: With the help of the international community, there has been significant progress in promoting and preserving minority rights and human rights in general. Since 2001, adequate legislation has been enacted to promote and safeguard minorities' rights.

- Afghanistan's Constitution (2004): The Afghan constitution includes measures aimed at protecting minorities' rights. It provides legal equality and forbids discrimination based on race, nationality, ethnicity, language, or religion.
  The Afghan Constitution respects the rights of all people, regardless of ethnic heritage, and forbids ethnic discrimination. It promotes all citizens' equality under the law.[34]

- Law on Elimination of Violence Against Women (2009): Although this law does not specifically address minority rights, it does address the rights of women, especially those from minority populations. It criminalizes numerous types of violence against women and offers victims legal protection and support. [35]

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[34] Afghanistan Constitution, Art. 22 Afghanistan 2004 Constitution - Constitute (constituteproject.org) (Accessed 19 June 2023)

[35] Law on Elimination of Violence against women Law on Elimination of Violence against Women (unwomen.org) (Accessed 19 June 2023)

- AIHRC (Afghanistan Independent Human Rights Commission): The AIHRC is an autonomous organization founded in 2001 as part of the Bonn Agreement. It is critical in Afghanistan for monitoring and campaign for human rights, particularly minority rights. The AIHRC's role entails investigating human rights breaches as well as raising awareness of and protecting minority rights.[36]

- ANDS (Afghanistan National Development Strategy): The ANDS is a government-led framework that sets the country's development goals and plans. It incorporates human rights, inclusion, and equal opportunity goals for all people, particularly minority populations.

- Ethnic Representation: The Afghan government has worked hard to secure ethnic representation in a variety of organizations. For example, the Afghan National Army and other security forces have attempted to recruit people from a variety of ethnic backgrounds in order to represent the ethnic diversity of the country.

It's worth noting that ethnic relations in Afghanistan have been complicated and impacted by historical, social, and political issues. Throughout the country's history, ethnic tensions and conflicts have arisen, and the Afghan government's efforts to resolve these difficulties have met with a variety of setbacks.

These legal papers demonstrate the Afghan government's commitment to protecting minority rights and promoting diversity. However, it is critical to analyze how these rules were implemented and enforced in practice

2021- Present Taliban: The Taliban's return to Kabul following the withdrawal of United States soldiers in August 2021 represents a restoration to a rural Pashtun order. The majority of Taliban commanders are rural Pashtuns educated in orthodox madrassas in Afghanistan or Pashtun districts of Pakistan. Only three of the Taliban provisional government's 24 members are not Pashtuns; they are Tajiks.

Taliban are currently bringing Afghanistan to a humanitarian level, whether from the standpoint of human rights, freedom, or the male domination society they have created for themselves, separate from the authoritarian rule they have forced on the populace. Hunger, unemployment, unrest, lack of internal and external legitimacy, and ties to terrorist organizations are just a few of the factors that are pushing Afghanistan into another civil war or a proxy conflict in the region.

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[36] Afghanistan Independent Human Rights Commission کمیسیون مستقل حقوق بشر افغانستان (aihrc.org.af) (Accessed 19 June 2023)

On June 20th, 2023, the United National Security Council released the modest illustration below for the whole public to see.

"The humanitarian situation in Afghanistan remains grim. According to OCHA's May humanitarian update on Afghanistan, which was published on 15 June, the country is experiencing "the world's largest humanitarian crisis". The update also notes that the crisis has worsened as 2023 has progressed, with the number of people requiring humanitarian assistance increasing from 28.3 million at the beginning of the year to 28.8 million by the end of May". [37]

The Briefing Consultation report continues with the state of human rights, based on the Taliban's clear claims of abuses against women, their political competitors, and resistance fighters, among other things and so on:

"The human rights situation in Afghanistan, particularly for women and girls, is another likely focus of tomorrow's meeting. The latest report of the Special Rapporteur on the situation of human rights in Afghanistan, which was co-authored with the Working Group on discrimination against women and girls and published on 15 June, found that the Taliban are responsible for "the most extreme forms of gender-based discrimination and generalized censorship through restrictions targeting women and girls, the abolition of legal protections and accountability mechanisms for gender-based violence, and the ongoing denial of rights". More broadly, the Secretary-General's report refers to a range of human rights violations perpetrated by the Taliban, including extrajudicial killings, arbitrary arrests and detentions, torture, the use of corporal punishment, and restrictions on freedom of expression. Council members may condemn these violations in their statements tomorrow and urge the Taliban to cease violating human rights. Members may also refer to resolution 2681 of 27 April, which called for the full, equal, and meaningful participation of women and girls in Afghanistan and called on the Taliban to swiftly reverse their policies and practices that restrict the enjoyment by women and girls of their human rights".[38]

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[37] Afghanistan: Briefing and Consultation, *Security Council Report*, Afghanistan: Briefing and Consultations: What's In Blue: Security Council Report (Accessed 19 June 2023)

[38] Afghanistan: Briefing and Consultation, *Security Council Report*, Afghanistan: Briefing and Consultations: What's In Blue: Security Council Report (Accessed 19 June 2023)

Minorities' Rights in Islamic Countries

Depending on the country in question and its legal system, different minorities have different rights in Islamic nations. It's crucial to remember that Islamic nations have various legal structures and ways of interpreting Islamic law, which has an impact on how minorities are treated. Here is a summary of minority rights in Saudi Arabia, Iran, and Turkey, three Islamic nations.

Saudi Arabia: Saudi Arabia adheres to a strong interpretation of Sunni Islam and has a Sharia-based legal system. While Islam is the national religion, the country respects non-Muslim rights, however, their rights and freedoms are restricted. Non-Muslims are not permitted to openly practice their religion, and religious conversion from Islam to another faith is not accepted and may be deemed apostasy, a felony in Saudi Arabia.

Certainly! The legal system of Saudi Arabia is founded on a blend of Sharia (Islamic law) and civil law concepts. Both parts of the legal system are important when it comes to minority rights. Here's a more in-depth look:

Sharia Law: Sharia law is the cornerstone of Saudi Arabia's legal system. It is based on the Quran (Islam's sacred book) and the Sunnah (Prophet Muhammad's teachings and practices). Sharia law is generally used in aspects of personal status, such as family law, inheritance, and some criminal charges. Religious minorities in Saudi Arabia, such as Christians, Jews, and Hindus, enjoy restricted rights under Sharia law. While non-Muslims are able to live in the nation, they are not authorized to practice their beliefs publicly. Non-Muslim places of worship are largely prohibited, and religious services are limited to private settings. Conversion from Islam to another faith is not permitted and is considered a crime under Sharia law.

Civil Rights: In recent years, Saudi Arabia has taken some attempts to strengthen civil rights for minorities. The Saudi Human Rights Commission was founded to handle human rights concerns, especially minority rights. In 2020, Saudi Arabia implemented measures aiming at improving women's rights, including allowing them to travel without the consent of a male guardian and extending work options.

Nonetheless, despite these advances, religious and ethnic minorities continue to face restricted civil rights safeguards. Discrimination and social exclusion have been documented against minority groups such as Shi'a Muslims, non-Muslim migrant workers, and other religious minorities. Minority groups may experience barriers to employment, education, and public services.

It's worth noting that Saudi Arabia's legal system, including the implementation of Sharia law, is always developing, and there have been conversations and initiatives to improve minority rights. However, as of the September 2021 knowledge cutoff, the overall status of minority rights in Saudi Arabia remains limited.

Iran: Iran is an Islamic country, with Twelver Ja'fari Shia Islam as the official state religion. The Iranian constitution protects the rights of religious minorities, including Christians, Jews, and Zoroastrians, who have reserved seats in the Iranian Parliament. Non-recognized religious minorities in Iran, such as the Baha'is, experience substantial prejudice and persecution.

Minority rights in Iran are impacted by the legal system and the country's devotion to Islamic ideals. While Iran legally acknowledges religious minorities such as Christians, Jews, and Zoroastrians, these communities continue to experience restrictions and persecution. Here is a thorough discussion of minority rights in Iran, coupled with a credible source:

Religious Minority Rights: Religious minorities other than Islam are recognized and protected by Iran's constitution. Christians, Jews, and Zoroastrians, in particular, are recognized as religious minorities and have designated seats in the Iranian Parliament (Majlis). They are permitted to practice their religions and have their own places of worship within certain limits.

Non-recognized religious minorities in Iran, particularly the Baha'is, experience tremendous hurdles and prejudice. The Iranian government does not recognize the Baha'i Faith, and its members are frequently persecuted, including arbitrary arrests, incarceration, denial of education and work prospects, and limitations on their religious practices.[39]

Ethnic Minorities Recognized: The Iranian constitution acknowledges the presence of various ethnic minority groups, including Kurds, Arabs, Baluchis, Turkmens, and others. These communities are recognized as Iranian citizens with the right to keep and develop their own distinct cultures and languages.[40]

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[39] U.S. Department of State - International Religious Freedom Report for 2020: Iran https://www.state.gov/reports/2020-report-on-international-religious-freedom/iran/ (Accessed 19 June 2023)

[40] Iran Constitution Constitution of the Islamic Republic of Iran (wipo.int) (Accessed 19 June 2023)

Cultural Rights and Language: In areas where ethnic minorities are concentrated, the Iranian constitution allows them the right to use their native languages in education, media, and public services. However, there have been occasions where these rights' implementation and enforcement have been constrained. There have been reports of restrictions on the use of local languages, particularly in official roles, raising worries about cultural assimilation and marginalization.

Discrimination and uneven Treatment: Some Iranian ethnic minority groups, especially Baluchs in the Sistan and Baluchistan province of south-eastern Iran, and Arabs in Iran's Ahwaz State, which is linked to the Persian Gulf, have expressed concerns about discrimination and uneven treatment. These challenges include unequal access to public services and resources, as well as restrictions on political participation. There have also been reports of human rights breaches targeting particular ethnic minority communities, such as excessive use of force and arbitrary arrests.[41]

It is crucial to highlight that the situation in Iran regarding ethnic minority rights is complicated and can change depending on a variety of circumstances, including regional dynamics and specific government initiatives. For more extensive and up-to-date information, it is best to consult current publications and research from credible international human rights groups.

Turkey: Turkey is a primarily Muslim country with a secular government. The Turkish constitution guarantees equal rights to all people, regardless of religion or race. Non-Muslim minority groups, such as Christians, Jews, and Alevis, have legal recognition and are entitled to certain rights, including religious freedom. However, certain minority groups in Turkey endure discrimination and cultural rights concerns.[42]

The treatment of minorities in Turkey, notably the Kurdish people, has been a source of debate and scrutiny. While Turkey has taken strides to acknowledge and resolve minority rights, there are still issues and concerns. Here's more on Turkey's minority rights system, with an emphasis on the Kurdish problem.[43]

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[41] Human Rights Abuses against The Baluchi Minority 2.1 Economic and Cultural Discrimination Iran: Human Rights Abuses Against The Baluchi Minority (amnesty.org) (Accessed 20 June 2023)
[42] U.S. Department of State - International Religious Freedom Report for 2020 https://www.state.gov/reports/2020-report-on-international-religious-freedom/turkey/ (Accessed 20 June 2023)
[43] Human Rights Watch – Turkey https://www.hrw.org/world-report/2021/country-chapters/turkey (Accessed 20 June 2023)

Kurdish Minority and Language: Turkey has a sizable Kurdish community, which is estimated to constitute 15-20% of the overall population. Historically, the Turkish government followed an assimilationist strategy, restricting Kurdish language usage and repressing Kurdish cultural expression. However, there have been some encouraging breakthroughs in recent years.

Political Representation and Participation: Kurds are politically represented in the Turkish Parliament by numerous Kurdish-focused political groups. However, Kurdish politicians and parties have experienced difficulties, including legislative limitations, the shutdown of political parties, and the incarceration of elected Kurdish leaders on terrorism-related accusations.

Conflict and Security issues: In Turkey, the Kurdish problem is interwoven with armed conflict and security issues. The Kurdistan Workers' Party (PKK), recognized as a terrorist group by Turkey and other nations, has waged an armed insurgency in pursuit of greater Kurdish rights and autonomy. The Turkish government has conducted military operations against the PKK, resulting in relocation, fatalities, and concerns about human rights.

The treatment of ethnic minorities in Muslim-majority nations varies depending on context and country. While some Islamic nations have made steps to preserve and promote ethnic minorities' rights, others continue to experience discrimination, marginalization, and restricted participation.

It is crucial to note that these nations' policies are impacted by a variety of elements such as political, social, and historical settings, as well as interpretations of Islamic principles. Some nations have constitutional provisions or legal frameworks in place that acknowledge minority rights and attempt to protect and include them. However, how these rights are implemented and enforced varies, and certain ethnic minority groups continue to confront institutional impediments, restricted access to resources, and limitations on cultural and language traditions.

In certain cases, armed conflicts or political upheaval aggravate tensions and lead to human rights violations against ethnic minorities. To nurture the protection and empowerment of ethnic minorities within the different Islamic countries, it is critical to monitor changes, participate in discourse, and promote inclusive policies and practices.

Civil society and non-state actors

As a civic citizen and active participant in society for discourse and advocacy, I think civil society and non-state actors have a critical role in promoting and safeguarding minorities' rights, as well as maintaining the broader spectrum of human rights for all persons. Here are some of the important roles they play that I have discovered through my research and study.

- Civil society groups (CSOs) and non-state actors actively campaign for minorities' rights and raise awareness of their special needs and concerns. They create public awareness, engage in public debate, and advocate for policy reforms to safeguard and promote minority rights.
- Monitoring and accountability: Civil Society Organizations and non-state actors monitor the implementation of minority rights legislation, policies, and practices. They examine governments' and other relevant actors' adherence to international human rights norms, and they document and report any breaches or abuses. They help to promote minority rights protection by keeping authorities responsible.
- Capacity Building and Empowerment: These actors commonly collaborate on capacity development efforts such as training, help, and resources to empower minority groups. They promote inclusive participation, education, and skill development, enabling minorities to successfully claim and exercise their rights.
- Legal Assistance and Support: Civil society and non-state actors provide legal assistance and support to minority groups, assisting them in navigating legal processes, seeking justice, and challenging discriminatory policies. They serve an important role in providing legal advice, representation, and advocacy services to minorities in order to ensure equitable access to justice.
- Dialogue and Reconciliation: These individuals promote dialogue, understanding, and reconciliation among many ethnic, religious, and cultural groups. They aim to close gaps, promote social cohesion, and build inclusive communities in which all individuals may live peacefully and exercise their rights.

I co-hosted a reconciliation and convergence Seminar in Germany on July 1st, 2023, at Düsseldorf University's Hochschule Düsseldorf Building Münstersraße 156.

The event was dubbed the Seminar of Coordination of Afghanistanis in Germany. (Afghanistani's) a term referring to those who are opposed to the Taliban's present 99% Afghan Pashtun authority. The seminar was divided into four panels, each with a different panelist from Afghanistan's varied population

speaking about the deprivation of their people's rights in the current circumstances and throughout history. The panel discussed common features, inter-ethnic disparities, and the problems of convergence. The panelists for this panel were Nasir Mehrin – Historian and Researcher, Dr. Abbas Basir – Ex- Higher Education Minister of Afghanistan, Fahim Fetrat – Journalist and Ex- Afghanistan National Assembly Advisor, Wajiha Timori – Lawyer & Ex- Afghanistan Bank Legal Advisor, and Dr. Hussain Yassa – Writer and Political Activist. The panel was hosted By Edris Joya, Journalist of the Afghanistan/Iran International Television.

The second panel, which I personally hosted, was titled The Invisible Wounds of War: The Psychosocial Dimensions of War and War and Peace Compromise. My panelists were as follows: Assadullah Pazhman – Human Rights Defender/Specialist & Ex- Afghanistan Independent Human Rights Commission Reporter, Dr. Rohullah Amin, Psychologist, War Psychologist & Ex- Senior Researcher American Institute for Afghanistan Studies (AIAS), Fahim Fetrat – Journalist and Ex- Afghanistan National Assembly Advisor, Reza Qasemi - Expert in War and Reconciliation Studies & Ex- Diplomat.

With changing speakers, the third panel's theme was Opportunities and solutions supporting convergence and tackling common goals, with different panelists including Dr. Sahra Kamal - Integration and Immigration Specialist – Düsseldorf University lecturer.

The last panel to explore Women and Women Studies was titled Women, Exile, and Possible Opportunities for Cohesion and featured several panel participants, Including Parwana Nejrabi – Founder of Women for Peace and Freedom Organization, Zohra Amiri – Human Rights Defender and Women affairs activist, and Dr. Benazir Pouya, Psychologist.

The seminar where I was investing my weekly time for planning and logistics had finished my raw material and my deliberations for all of the earlier chapters, reaching a conclusion Chapter. It was a wonderful opportunity for me to watch as the various people mentioned above discussed the issues of my thesis.

CHAPTER IV: CONCLUSION

Lessons learned from the past

After the Taliban rule was overthrown in 2001, Afghanistan has achieved some strides in terms of minority rights. There have been initiatives to support diversity, defend minority rights, and secure minority involvement in social and political areas through the financial and legal assistance of International Community presence in Afghanistan. After the Taliban era in 2001, initiatives were launched to solve these problems and advance the rights of minorities. The rights of all people, regardless of their race, religion, or gender, are expressly recognized by the Afghan Constitution, which was enacted in 2004.[44] The freedom of religion, the right to an education, and the ability to take part in political and public life are all guaranteed.

The promotion and defense of minority rights in Afghanistan have also been supported by international entities, such as the United Nations and donor nations. With an emphasis on inclusion and minority populations, assistance programs have been put in place to support projects in the fields of education, healthcare, infrastructure development, and human rights.

Minority rights might be particularly vulnerable in nations with unstable governments during times of political unrest. Different minority groups in Afghanistan, such as racial and religious minorities, have long struggled with prejudice, violence, and marginalization. The intricate sociopolitical realities of the nation have frequently made these problems worse.

But by 2021, this advocacy and support for minorities' rights in Afghanistan had come to an end, leaving the country's indigenous people and minorities in an even more dire situation with roots in both its past and its ethnopolitical makeup.

The 1973 coup and the founding of the Republic of Afghanistan are the historical origins of the current problem in Afghanistan. Other significant historical events that are related to the current issue include the coup of 1973 and the founding of the republic. A variety of historical, political, social, and geographical variables have combined to define the situation in Afghanistan. Due to this circumstance, Afghanistan's long-standing, stable monarchy was replaced by a short-lived republican style of

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[44] Afghanistan Constitution, Art. 22 Afghanistan 2004 Constitution - Constitute (constituteproject.org) (Accessed 02 July 2023)

government, which eventually gave way to Democratic Marxist Republics and the establishment of the Islamic Brotherhood movement in the nation.

The result of the revolution was a new Republic, which possessed both conventional legitimacy it was not ruling as an elected party, and divine power to rule unlike previous Islamic monarchies where the king served as the nation's "shadow of God".

As a result, the instability was brought on by the new Republic and new occurrences in Afghanistan. the instability caused by the new Republic and new events in Afghanistan set the stage for a second coup in 1978 by the pro-Communist PDPA - Peoples Democratic Party of Afghanistan. This is a new phase and the rise of ethnic conflicts.

The People's Democratic Party of Afghanistan (PDPA)-led coup in 1978 was a pivotal moment in Afghanistan's history. It led to the creation of a socialist republic, which brought about important political and social reforms that had an impact on several facets of society.

The problem was made worse by the Soviet Union's invasion of Afghanistan in 1979. Due to this occurrence, Afghanistan is now susceptible to all types of interventions, including those by superpowers, regional powers, and interest-seeking neighboring nations. The ensuing battle had a terrible effect on the nation, causing extensive damage, evictions, and fatalities. The struggle featured a number of factions, notably the Muslim Brotherhood, mujahideen, or resistance organizations. However, the communist party was the first institution in power to acknowledge the rights of minorities and was the first to let individuals indicate their ethnicity on their national identification cards.

The communist dictatorship also split the populace into many groups, with Shia Ismaelis being ruled by Sayyed Mansor Naderi and Uzbeks joining a militia under the command of General Dostum. Instead of being a country, these divisions separated individuals into groups.

By creating these groups, they have granted minorities the ability to advance in the military and even hold the rank of general. No member of a minority group, such as a Tajik, a Hazara, or an Uzbek, was ever permitted to advance above the rank of an officer before the communist era.

Factionalism and racial divides were the new phases of the improvements in the crisis of Afghanistan. The Soviet-Afghan War widened ethnic divisions and factionalism throughout Afghan society. Racial

and regional divisions were exploited by various organizations, creating a fractious and disconnected political climate.

The only reason the PDPA and the Soviets could govern Afghanistan was because of these ethnic differences and faction-making. The PDPA, which was the ruling party, was divided into two varieties, Khalq (Masses) and Parcham (Banner). It had been divided into two sections by 1967. While the predominantly Persian-speaking Parcham (Banner), led by Karmal, had its center of power in the government's bureaucracy and educational institutions, the predominantly Pashtun Khalq (Masses), led by Taraki and Hafizullah Amin, recruited heavily from the Ghilzai Pashtun disaffected population.[45] Following that, everyone could see how the Communist government in Afghanistan had fallen, and the ethnic strife only grew worse.

Another division among Pashtuns separates them into Durranis and Ghilzais, who were the ruling class from 1947 until the Communist coup in 1978. Durranis are primarily Pashtuns living in Kandahar and the southwest of the Pashtun mainland, while Ghilzais reside in the east and south-eastern regions of Afghanistan. The Ghilzai and Durrani tribes are engaging in power struggles without taking other ethnic groups into account in the framework of Afghan society, which causes problems for the Afghan people as a whole.

"The Durranis had almost completely disappeared from national politics after the last Muhammadzai, Daud Khan, was overthrown in 1978. From that time forward it was the Ghilzai Pashtuns who had constituted the Pashtun power elite, whether in the PDPA (Taraki, Amin, and Najibullah), the mujahideen parties (Hekmatyar, Khalis, and Sayyaf), or even the Taliban (Mulla Omar and his inner circle)".[46]

One of the main charges that the Afghan people level against Ashraf Ghani, the last president of the nation before he departed, is that he was Ghilzai and purposefully allowed the government to fall apart so that the Taliban and the Haqqani Network could seize control of the country. since they are also Ghilzai Tribe members. President Ashraf Ghani made the decision to withdraw and let the Taliban take

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[45] Barfield, Thomas, *Afghanistan A Cultural and Political History*, (Princeton, New Jersey: Princeton University Press, 2010) pp. 339-342 pp. 228
[46] Ibid. pp. 284

over because he did not want to hand authority to a Durrani or a non-Pashtun. Even unsubstantiated sources claim that he had ties to the Taliban months before the fall of Afghanistan in August 2021.

By the end of the communist era, in every region of Afghanistan, several political and military wings have been founded by various ethnic groups during Jihad against the Soviets. In the center, northern, and western regions of Afghanistan, Jamiat-e-Islami, as the biggest political party of the time, a Tajik-dominated Islamic political party, dominates; in the south and southeast, Hezb-e-Islami, the Islamic Party, is the main Pashtun party for Jihad. For the Hazara and Shia communities in Afghanistan, there is a Muslim Shia party called Wahdat-e-Islami. Additionally, the Uzbek Community has Junbish Melli, or a national movement.

The scope of battle shifted when the Soviets withdrew their soldiers from Afghanistan in 1989 and Dr. Najibullah's communist regime was overthrown. From a holy and jihadi battle to an ethnic conflict to a power struggle between major ethnicities. Between Gulbuddin Hekmatyar, the head of the Hizb-e-Islami a Radical Pashtun Muslim, and Prof. Burhanuddin Rabbani, the leader of Jamiat-e-Islami, a submissive Tajik, who was chosen by Peshawar's Shura e Mujahideen or Mujahideen Council to serve as the President of Islamic State of Afghanistan.[47]

The whole nation's infrastructure has been destroyed by ethnic warfare and civil conflicts based on ethnicity, leaving Afghanistan in yet another isolation.

By 1996, a movement led by another ethnic group known as the Taliban was created as a result of this circumstance. This movement adhered to a strict, extremist brand of Islam and was entirely led by Pashtuns.

But almost the whole area that the Islamic State of Afghanistan controlled was lost. However, the minority communities, especially the Tajiks, Hazaras, and Uzbeks, would not give up and started arming themselves to fight the Taliban from 1996 to 2001. This resistance movement was known as the Northern Alliance.

Following 9/11, United States, coalition, and northern ally troops brought an end to the Taliban regime. After all the battles, the goal was to establish a modern state in Afghanistan. In 2001, a meeting in Bonn legalized this. Once more, the distribution of power was based on nationality, with a Pashtun in the

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[47] Hyman Anthony, "The Afghan Politics of Exile," *Third World Quarterly*, 9:1, (1987) pp. 78-79

presidency and two vice presidents from Tajiks, Hazara, and Uzbeks.[48] Following the Bonn Agreement, an interim government was put in place, and with the cooperation of the international community, new constitutions were developed. The new constitution and administration were founded based on democratic and human rights principles, but they were not based on a social contract; rather, they were based on ethnicity, with Pashtun rulers once more in power.

As a result of being a Pashtun, the first president after the Taliban enjoyed several advantages. and then in 2014, John Kerry, the secretary of state, pushed Ashraf Ghani to serve as president for the first four years even though he did not earn enough votes to win. 2019 will see United States Army help the next time, followed by United States pressure. Nobody cast a ballot for him, but the United States Army itself restored him to power.

The Taliban and peace talks began at the same time. The decision-makers on both sides of the bargaining tables were Pashtuns, which is how the power transition took place so effortlessly. The Afghan government's decision to let the United States and other allies directly deal with the Taliban was based on strategic considerations. The Taliban were brought to the negotiating tables in Doha, Qatar, through this dialogue from their covert caverns.

The single significant accomplishment of the government throughout the administrations in front of the world community was the development of free media, which gave the populace the freedom to protest and demand justice. Minorities began their civic battle during this time to hold governments accountable, but the country was run in a way that made it impossible for anybody to exert authority over anything. Nobody was responding to the demands of the people; not only did the central government ignore them, but the international community was also not very eager to become involved. Therefore, ethnic resentment and people's perception of the government as not representing themselves were the only factors that led to the collapse of the Western pro-government movement.

Interethnic peace has been disrupted by the Taliban's re-establishment of their Pashtun Islamic Emirate in Afghanistan. The interethnic language of Farsi/Persian has been outlawed in their workplaces, making it difficult for anybody who doesn't speak Pashto to be heard.

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[48] Bonn Agreement - Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, https://peacemaker.un.org/afghanistan-bonnagreement2001 (Accessed 22 June 2023)

This situation has brought political unrest in the nation to a new level. As I indicated in the chapters above, Afghanistan is a varied nation, with the majority of its ethnic groups residing in its neighboring nations. Therefore, these neighbors have sway over those who are linked to them and have interests in doing so. As a result, they intervene in the nation and support various groups in the country.

It is vital to give minority rights protections first priority when there is political turbulence or upheaval.

The following recommendations are put out to get closer to the ultimate goal of making Afghanistan a secure environment for everyone to live:

- Legal Protection: Assuring that minority rights are fully protected by the legal system, including anti-discrimination laws and constitutional provisions that guarantee all citizens equal rights and opportunities regardless of their ethnicity, religion, or other minority characteristics.
- Political Inclusion: This is important in the context of Afghanistan because any ethnic group that feels underrepresented in the government or the other party attempt to seize power will stand up and fight for what they see as their fundamental rights, such as the right to vote or the right to have a representative.
- Education and Awareness: Promote educational and awareness campaigns that encourage tolerance, respect, and knowledge of the variety among various racial and religious groups. Use inclusive teaching methods that emphasize the accomplishments and history of all communities to foster a feeling of community and lessen bias.
- Economic Empowerment: Put into action policies and initiatives that attempt to lessen economic inequalities and encourage minority groups' economic empowerment. Access to education, job training, and employment possibilities, as well as the encouragement of small company growth and entrepreneurship within minority communities, may all be part of this.
- Security and protection: Ensure the safety and physical security of minority populations, especially in regions where they may be subject to violence or discrimination. This may entail putting in place sufficient security measures, starting community policing programs, and dealing with hate crimes and other forms of prejudice quickly and efficiently.

All of the aforementioned categories are anticipated by an organization known as the government. Afghanistan does not currently have a functioning, legitimate government. In other words, the Taliban are not obligated by law to abide by these accords. They don't only offer any legal protection;

they also practice systematic discrimination, and there are hardly any minorities in their government who are included politically.

The same holds true for all other aspects, but the relationship is quite the opposite in education and awareness. In addition to not offering any educational possibilities, the de facto government of Afghanistan has destroyed Panjshir's sole university, and the majority of the valley's schools are being utilized as Taliban army hideouts.

Taliban have converted all-male schools into Madrassas and are altering the university and school curricula. They are attempting to introduce theology topics and radicalize the curriculum.

In Afghanistan's present condition prioritizing measures to safeguard and advance minority rights is crucial in times of crisis. This can be done in a number of ways, including:

- International Support and Attention: In nations facing political instability, the international community may play a critical role in promoting the protection of minority rights. Humanitarian aid and increasing awareness of the problems minorities confront can help lessen their suffering.
- Human Rights Monitoring and Reporting: In order to increase awareness and put pressure on the appropriate authorities to address these problems, human rights groups and international agencies can closely monitor the condition of minorities, record human rights violations, and produce public reports.
- Transitional Justice: Implementing systems for transitional justice can aid in addressing historical human rights abuses, encourage responsibility, and foster an atmosphere favorable to healing and religious and racial strife.
- Dialog and Inclusive Political Processes: Promoting inclusive political processes that include minority group involvement can ensure that these groups' rights and interests are considered when making decisions. Promoting communication between various populations can increase mutual respect, trust, and social cohesiveness.

We must acknowledge that no system in Afghanistan functioned well if we are to learn from the past. Even Western democracy ultimately failed, not a monarchy or a constitutional monarchy, not the most left-leaning democratic republic, nor an Islamic government.

Why? Because the tribal benefits, which are prioritized over everything else under *Afghani/Pushtunwali* laws, are channeled through all of these government systems. In some circumstances, even the

Pushtunwali codes are superior to Islamic norms. This code's application is typically difficult since it is built on enmity, ego, and vengeance. These mechanisms are exploited in Afghanistan to benefit the governing party, which is primarily Pushtun. [49]

Theoretically, in the past, everything was fair and equal between the races, at least according to texts and legal papers. However, since the Taliban took control, they are no longer subject to any enforceable laws. Nothing except their own rules is accepted by them. Therefore, a new Afghanistan-related solution has to be established. Whether this answer entails dividing Afghanistan into two separate nations or at least two smaller states, many newly created movements outside of Afghanistan such as (The Right to Self-Determination movement & United States of Khorasan) are two movements based out of Afghanistan, but mobilizing their sources to offer a dissolution plan for Afghanistan. They are attempting to attain these states, or at the very least, a federal system where each ethnic group and tribe has authority over its own state. The non-Pashtun tribes will be no more convinced over something less than a federation.

This is what Afghanistan's past has brought about. People are losing their lands daily to multi-National terrorists, the majority of whom are Pashtuns from the Pakistani side, known as TTP or Tehreek Taliban-e-Pakistan, in northern Afghanistan, a Tajik-dominated region, as a result of the United States deal with the Taliban that restored them to power.[50] Then, they are left with no other option than to move toward a new configuration whereby they may likewise exercise their roles and rights.

Solutions to Protect and Promote Minorities' Rights

Afghanistan is no longer the same Afghanistan it was two years ago as a result of the Taliban's resurgence and occupation. Any suggestions made below regarding Afghanistan's survival are speculative, and their viability as a solution depends on external factors. Because of the ongoing 50-year conflict in Afghanistan, we were unable to find a solution. Everything in Afghanistan is dominated by violent culture, and there is little tolerance among the ethnic groups. The only remedy is the tribal conquering culture, which is based on tribal overcoming.

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[49] Zahid, Farhan "UNDERSTANDING TALIBAN TROUGH THE PRISM OF PASHTUNWALI CODE," *Counter-Terrorism and Security Analyst (Pakistan) (2013) pp.02-04*

[50] Taliban Reaches Agreement with Pakistan to Relocate TTP Members to Northern Afghanistan Taliban Reaches Agreement With Pakistan To Relocate TTP Members to Northern Afghanistan (afintl.com) (Accessed 08 July 2023)

Whatever government was put in place in Afghanistan was founded on a global agreement, such as the most recent democracy model from 2001 and 2021 that was formed and backed by a UN Security Council resolution.[51]

Since the beginning of the conflict between Russia and Ukraine, Russia and its allies have sought to exert more influence in Afghanistan, particularly in the years after the withdrawal of Western soldiers. They perceive Afghanistan as a frontier and a barrier protecting them from the south, with Russia and the central Asian nations looking to Afghanistan's stability for their own protection. Russia is interested in working with the Taliban to secure Central Asia, and they do not want a new front to be established there while they are engaged in conflict with Ukraine on the Western front. They view the Taliban as the United States' front group in the meantime. They have expressed their unhappiness with the Taliban at several gatherings. Additionally, the way Russia is described from the ethnic perspective of Afghanistan is different. Vladimir Putin, the president of Russia, has stated that the Taliban must cooperate with all ethnic groups and political currents. The majority of the Taliban are Pashtuns, he claimed. Tajiks exist as well, and various estimates place their percentage at anywhere between 40 and 47 percent. It's a lot, this. It is real, along with Uzbeks, Hazaras, and other ethnic groups which are present.[52]

Also, a professor from Afghanistan notes that I have emphasized this point several times in the past, both in writing and speaking, that there are two points of view in Russia about the Afghanistan issue: one is held by the foreign ministry, and the other by the military and intelligence services. Even if the Russian Ministry of Foreign Affairs has been collaborating with the Taliban, the military and intelligence services have planned and are preparing the possibility of using hard power against the Taliban. Russian Defense Minister Sergey Shaygo stated that foreign terrorist organizations seek to use Afghanistan as a base to enter neighboring nations and to also establish a network of underground jihadists on the day of Putin's visit to Dushanbe.[53]

Afghanistan's society is divided along ethnic lines and is highly polarized, particularly since the Taliban took control, the majority of non-Pashtuns believe they are being held captive and that the Ashraf Ghani government and Taliban are conspiring against them. All of Afghanistan's northern regions are now

[51] Security Council 4443rd Meeting, (PM) 20 December 2001, Resolution 1386

[52] Putin: According to various estimates, 40 to 47 percent of Afghanistan's population is Tajik ۴۰ پوتین: طبق برآوردهای مختلف (afintl.com) تا ۴۷ درصد جمعیت افغانستان تاجیک هستند (Accessed 08 July 2023)

[53] Najimi, Fayaz, Putin Rahman and Afghanistan, (2022) https://sangar.info/fa/th/j/from-ukraine-to-central-asia-more-weapons-less-peace-5 (Accessed 08 July 2023)

aware that the Taliban are using force to rule over them and are denying them their rights. As soon as the Taliban regained power in Afghanistan. In non-Pashtun areas as well as in Panjshir, where they had already encountered opposition under their previous rule and again during the present one, they began ethnic cleansing. According to recent reports, the majority of the residents of Panjshir villages have been forced to abandon their homes as a result of their forced relocation program. This was insufficient, so they began setting fire to Panjshir's schools, closed the university to all students, including men, and destroyed a library.

Based on the report of Amnesty International in May 2023, "Since the earliest days of the Taliban's de facto authority in Afghanistan, they have meted out devastating punishment upon people, sometimes entire civilian communities, whom they suspected were supporting the NRF – National Resistance Front. The Taliban have conducted mass extrajudicial executions, mass arrests, and arbitrary detentions where civilians were tortured, sometimes to death. The Taliban have also restricted the movement of civilians, taken hostages to force the surrender of alleged NRF fighters, restricted access to traditional grazing areas, restricted the use of smartphones, and occupied homes, schools, and mosques, converting them into military bases, detention centers, and interrogation rooms where they hunt for supposed NRF collaborators. These crimes and violations, in sum, amount to collective punishment". [54]

Recent reports indicate that the Taliban are moving members of the TTP (Tehreek Taliban-e-Pakistan) from southern Afghanistan to northern borders. These TTP militants are being banished to Afghanistan because they are regarded as terrorists by the Pakistani establishment. However, they are Pashtun people who live in southern Afghanistan near the Pakistani border and who share their language, culture, and Talibanism. Taliban agreed to relocate these 300+ person armed units to northern Afghanistan in a deal with the Pakistani government.[55]

They are situated in Takhar and Badakhshan, two provinces with significant Tajik populations. More significantly, they are being positioned along the banks of the Oxus River, which divides the Central

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[54] THE COLLECTIVE PUNISHMENT OF CIVILIANS IN PANJSHIR BY THE TALIBAN, *AMNESTY INTERNATIONAL,* https://www.amnesty.de/sites/default/files/2023-06/Amnesty-Bericht-Taliban-Gewalt-Zivilbevoelkerung-Pandschir-Juni-2023.pdf (Accessed 08 July 2023)

[55] Taliban Reaches Agreement with Pakistan to Relocate TTP Members to Northern Afghanistan Taliban Reaches Agreement With Pakistan To Relocate TTP Members to Northern Afghanistan (afintl.com) (Accessed 08 July 2023)

Asian Republics of Tajikistan and Uzbekistan on one side. They pose a serious danger to the geopolitics of the area as well as to the people of Afghanistan.

Therefore, there are several driving forces and reasons that divide Afghanistan along ethnic lines. The Taliban's recent imposition of dictatorship on the populace, despite the fact that forced relocation is a reality, and its support for terrorist organizations that target non-Pashtun ethnic minorities, are among the harshest examples.

External Factors

1- There is a growing polarization in global geopolitics. The conflict between the two traditional polarities of East and West in the international setting does not have a peaceful future in sight anytime soon. All nations are seeing the expansion of the diplomatic influence of the West, led by the United States, Europe, and the United Kingdom, and the East, led by Russia and China. Along with these superpowers, other nations with interests in Afghanistan include those in Central Asia, India, Pakistan, Iran, Saudi Arabia, and Qatar. Each of them was looking out for their own interests and had alliances with other involved forces.

The boundaries and present terrain of Afghanistan were established by former superpowers during the great game of the 19th century, which has played a significant role in the turmoil that has plagued the country in recent years. These superpowers are about to team up once more for a fantastic game in the same area.

Afghanistan was an excellent venue for proxy warfare because of its contentious topography and boundaries as well as how unstable it has been for many years. Any of these nations can arm any ethnic group to defend their position and battle another ethnic group within the nation. as it was used in civil conflicts in the 1990s.

Internal Factors

2- Afghanistan has considerably more internal problems than it does with foreign intrusions, but it also has a lot of internal resources that may be exploited to its advantage to rebuild itself and move toward prosperity. only if these resources are utilized in a wise and proper manner. Not when it is being exploited for extremist temptation and Jihadi Madrassa.

The average number of families in the nation has increased significantly during the previous 25 years, and is presently between 6.5 and 7.5/family, And with 60% of the population under 25, the nation is rather youthful.[56]

The majority of people under 25 have benefited in recent years from the assistance of the international community by attending colleges and universities, participating in civil society activities, and exercising their right to free speech. Modern technology is now accessible to Afghanistan's youth, and information can be sent there rather rapidly. The bulk of them are no longer interested in being treated as second-class citizens in their own countries, therefore they frequently organize forums and discussion groups on social media to discuss their issues in Afghanistan and provide answers.

My research led me to the conclusion that the war in Afghanistan had both external and internal components. and both of them are the primary causes of the war in Afghanistan, which also have an impact on the country's future.

Solutions we can expect

I don't think Afghanistan has a chance to receive 20 years of intellectual and financial backing from the United States and its European allies again.

Afghanistan's social and political structure has also evolved, and the younger generation is managing and observing this development. The non-Pashtun millennial generation, who were hoping for a united Afghanistan, feels deceived and believes Ashraf Ghani's Pashtun administration purposefully let the Taliban seize control. This is not a conspiracy theory; it actually took place. All Afghans are aware of each other's identities and behaviors, and the arousal of the many ethnic groups is evident everywhere.

Afghanistan's youthful population is fed up with the tribe and tribal leaders. They are attempting to replace the tribal leaders with young people who are unrelated to warlords and civil wars.

There are now three different groups organizing for Afghanistan's future:

1- First, there is the party that wants Afghanistan to become a federal state, breaking it up into multiple states as it is now, the current system of "zones." Every state will have an independent

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[56] Gapminder, und UN DESA. "Population of Afghanistan from 1800 to 2020 (in millions)." Chart. August 31, 2019. Statista. Population of Afghanistan 1800-2020 | Statista (Accessed 09 July 2023)

internal policy on matters of security, finances, and ties with other states. yet are reliant on a centralized government for their national security and foreign policy. Latif Pedram, the leader of the Afghan National Congress Party, is the major member of this group who has had the biggest impact on the notion of federalism during the past 20 years. However, according to other accounts, the discussions on federalism in Afghanistan date back to the Communist era and the Civil Wars.[57]

After Latif Pedram, Sarwar Danish, a Hazara politician and University Professor, Afghanistan's former vice president, recently announced the formation of his party in the diaspora, which would go by the name Afghanistan Justice and Freedom Party. Additionally, he looks to a federal structure as a means of bringing freedom and justice to Afghanistan.[58]

2- The second faction is that of Afghanistan's proponents of a parliamentary presidency. which distribute power across the country and across all Afghan ethnic groups. This group of traditional and conservative non-Pashtun elders is militarily supported by the NRF - National Resistance Front, which is in an armed conflict with Taliban in the provinces of Panjshir, Parwan, Badakhshan, Kapisa, Baghlan, and Takhar. Furthermore, they left their policies on the verge of decentralizing authority. According to NRF, the Taliban's ethnocentric behavior causes people to turn to them again and support them, which is why they favor a decentralized government that distributes authority among all of Afghanistan. [59]

3- The third group, which currently comprises a sizable portion of Afghanistan's people, believes that the only way to resolve Afghanistan's problems is through the establishment of a new nation. Theoretically, this party wants to construct a new state with the geographic characteristics of Afghanistan by first uniting the non-Pashtun people of that country. Elites from the Tajik, Uzbek, and Hazara communities make up this group, which is organizing its resources to offer an alternative to Afghanistan's existing political predicament. The two most well-known separatist

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[57] I will Change the System to Federal if Won the Election: Latif Pedram, (2019) I will Change the System to Federal if Won the Election: Pedram - The Daily Outlook Afghanistan (Accessed 09 July 2023)

[58] Former Afghan Vice-President Announces new Political Party, *By Saqalain Eqbal* (2022) Former Afghan Vice-President Announces New Political Party - Khaama Press (Accessed 09 July 2023)

[59] What Does the National Resistance Front of Afghanistan Have to Offer, *By Nilly Kohzad* (2021) What Does the National Resistance Front of Afghanistan Have to Offer? – The Diplomat (Accessed 09 July 2023)

groups are the Persian-speaking Self Determination Movement, [60] and the United States of Khorasan, and both are actively seeking new members both inside and outside of Afghanistan in order to spread their ideologies and promote their causes on a global scale.

However, based on the prior experience of Partition between India and Pakistan in 1947 and Yugoslavia in the 1990s, I think the path to division in Afghanistan is bloodstained. But, when there is no other choice when Pashtun rulers, from communist to Mujahid, liberal to the current Taliban Mullahs, do not symmetrically share the choices in Afghanistan with other ethnicities, they leave no other choice for them and instead consider secession.

Given the aforementioned realities, it is no longer possible for Afghanistan to be dominated by a single ethnic group, whether Pashtuns or non-Pashtuns. The only way out of the predicament is a government with a contemporary foundation, as the international campaign against Afghanistan was always based on geopolitical rather than moral or ethical considerations. Geopolitically speaking, a normal government that adheres to the United Nations Human Rights Charter is therefore no longer a possibility for Afghanistan.

It is a hypothetical possibility that Afghanistan might dissolve and or turn into a federation of ethnic groups. While federalism is one conceivable form of government that might handle ethnic variety, it's important to assess the benefits and drawbacks of such a system, as I've done here, to have a better understanding of a federal setup for Afghanistan.

Advantages:

- Ethnic Autonomy: Under a federation, ethnic groups might have more control over how their territories are run, giving them the freedom to make choices that are in line with their unique requirements, cultural norms, and goals. For example, the majority of the people want education for their girls, only some tribal/religious codes attempt to prevent girls' education. In a federal system, the states can vote for what they want.

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[60] Self-Determination Movement Website, Occidents – Site of the Right to Self-Determination of Persian Speakers in the West (sarzamine-bakhtarian.de) (Accessed 09 July 2023)

- Power-sharing: Federalism may help establish power-sharing agreements between various ethnic groups, ensuring that their voices are heard and that their interests are taken into consideration during decision-making.
- Conflict Mitigation: Federalism may aid in reducing conflicts caused by ethnic tensions and promoting peaceful coexistence by decentralizing authority and granting ethnic areas autonomy.
- Resource Distribution: By guaranteeing that each ethnic region has authority over its resources and may allocate them by local preferences, a federation can permit a fairer allocation of resources.

Disadvantages:

- Fragmentation: Establishing an ethnically diverse federation has the possibility of further fracturing the nation along racial lines, which might cause a breakup of the country's sense of unity and undermine the central administration.
- Federations need great coordination and collaboration among many ethnic areas to avoid political instability. Lack of trust or disagreements over power-sharing may cause political instability and obstruct good government.
- Economic Inequalities: The economic development and resources of various ethnic areas may differ. Within a federated organization, ensuring fair economic opportunity and growth throughout all areas might be a difficult task.
- Nation-Building: In a federation of nationalities, creating a common sense of national identity and cultivating a feeling of community may be more difficult tasks.

It is crucial to remember that any choice to move Afghanistan toward a federal system or alter the country's political system would need to be carefully considered, have support from a variety of ethnic groups, and be informed of both the advantages and disadvantages of doing so. To sustain national unity while recognizing the unique needs and ambitions of ethnic communities, effective implementation would require strong leadership, solid institutions, and inter-ethnic communication and cooperation mechanisms.

As long as Afghanistan's alternatives are limited and the non-Pushtun tribes continue to reject a centralized government, they will oppose it from all angles. This is the sole choice and can be carried out in Afghanistan using a new formation.

learned from the past that an unjust government and system that is built on extortion can never function in Afghanistan. The one thing that all previous governments lacked was a social justice view shared by every Afghan person. Under past regimes, the rights of persons outside the government have always been discriminated against.

As a result of what has been mentioned above, Afghanistan's future stability depends entirely on any of the systems and government that it chooses to install. Internally, Afghanistan has given up on the idea of seeing any simultaneous coexistence of diverse ethnic groups. Because Radical Islam and racial control are how the Pashtun ruling class comes to power. They seek to impose outdated Pashtunwali laws on the populace, which is impossible in the twenty-first century. [61]

It seems utopian to me to anticipate that such regimes will take into account the fundamental rights of human beings as outlined in the Universal Declaration of Human Rights.

Therefore, in the context of Afghanistan, the same system will no longer be able to guarantee the protection and promotion of minorities' rights as well as human rights. This argument is supported by a very straightforward fact: In the past 20 years, elections have been held in Afghanistan in the presence of all international organizations and the international community. None of the parties, including international partners, have respected the will of the people and have instead supported an unreliable and fraudulent government. They disregarded the context's rules of conduct.

Presidents and other officials in Afghanistan often broke the law. There is no longer a likelihood of the same politician and the same system returning, thus something must be done for Afghanistan to have a better entrance.

There is only one way for Afghanistan to remain united and thrive, and that is for all ethnic groups to wisely come to an arrangement based on democratic government, where meritocracy is more important than ethnic nationalism. Afghanistan has no other choice than to secede if this doesn't happen in any scenario.

Experience has demonstrated that some racial and ethnic groupings cannot coexist, as was the case in England, France, Canada, and Spain. However, in those civilizations, the national governments were

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[61] Zahid, Farhan "UNDERSTANDING TALIBAN TROUGH THE PRISM OF PASHTUNWALI CODE," *Counter-Terrorism and Security Analyst (Pakistan) (2013) pp.02-04*

sufficiently capable and democratic to re-establish a just environment in which all the communities could coexist. However, this problem cannot be readily resolved in Afghanistan because there is neither a nation by definition nor a nation-state, and the identity there is ethnic rather than national. Everything in Afghanistan is founded on political anthropology.

Afghanistan lacks a strong nationalist ideology; instead, Pashtun Political Islam is the most influential ideology in modern history, shattering hopes for coexisting peacefully with others.

Before providing a solution for Afghanistan, we must first deal with the Taliban's existing condition. Therefore, the most immediate answer is for all Afghans to band together and fight the Taliban, who are disrespectful of all of their religions, tribes, nationalities, and languages. First, we must defeat the Taliban and stop the Talibanization of Afghanistan. Even still, the ethnic conflicts in Afghanistan won't be resolved without the Taliban. So, a long-term fix is required.

Therefore, based on what I learned while writing this thesis, I offer the following recommendations:

Everything in Afghanistan needs to be redefined from scratch, including the name of the nation, its constitution, its history, its language, and its culture.

Establishing a new social compact based on Afghanistan's circumstances, fostering mutual understanding, and having open conversations about the future free from hostility and prejudice.

Elections, coups, and power politics in Afghanistan should no longer be based on ethnic considerations; instead, they should be based on meritocracy.

In order for everyone to feel prosperous in the country, regardless of ethnicity and origin, equality and equity should be restored for everyone and their political rights, civil rights, inalienable rights, linguistic rights, and cultural rights.

To conclude my points, my conclusions are not philosophical intellectual deconstructions; rather, they reflect the reality of Afghanistan, which is deconstruction in and of itself and gives rise to new paradigms like separatism. Afghanistan only has two options left. either the establishment of a democratic government supported by all Afghanistan individuals, groups, ethnicities, and religious communities that adhere to true democratic constitutions that respect all of the rights of the people. Alternatively, Afghanistan may be divided, which would usher in a new era of Afghan politics.

It is crucial that the international community and the organizations engaged to find a solution for the Afghan people before a huge humanitarian catastrophe, crimes, and injustice have already begun.

I don't see a third option in the current circumstance. I believe that the only way to save the Afghan people from a bleak and uncertain future is via a humanitarian collision, not through benevolent egoism.

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