

Chapter I

Introduction

A. Background of Study

Farukhleqa Unchizada is from Faryab province northern part of Afghanistan from Uzbek minor ethnicity. During the previous Republic government of Afghanistan, she was working as a Human Rights Officer in the field office of the United Nations Assistance Mission in Afghanistan (UNAMA) in Faryab Province.¹ She was tasked with keeping a check on, investigating, and reporting on any cases of civilian, cases of women's rights abuse, and cases of domestic abuse in detention centres. After the Taliban was overthrown in 2021, Ms. Unchizada, like most other women rights defenders, was the subject of physical, and virtual threats. As an interview on the International Service of Human Rights (ISHR) indicated, she was constantly threatened to death, there were online smear campaigns, and attempts to keep a close eye on her, which went beyond physical intimidation to an online setting.² Her social-media accounts were allegedly followed, and the local networks spreading digitally edited photographs that claimed to confirm her lack of allegiance to Afghan moral values became more and more frequent gender-based cyber-attacks on women activists.³ She left the country due to the fear of repression, death, security and safety of her family.

¹ Farukhleqa Unchizada, *Farukhleqa Unchizada – Agenda*, 2019, accessed August 15, 2025, <https://agendaafg.org/personnel/farukhleqa-unchizada/>.

² “Human Rights Defender’s Story: Farukhleqa Unchizada, from Afghanistan,” *ISHR*, June 7, 2024, accessed August 24, 2025, <https://ishr.ch/defender-stories/human-rights-defenders-story-farukhleqa-unchizada-from-afghanistan/>.

³ *Afghanistan: Death in Slow Motion: Women and Girls under Taliban Rule* (Amnesty International Ltd, 2022): 14, accessed August 18, 2025, <https://www.amnesty.org/en/documents/asa11/5685/2022/en/>.

The harassment did not happen by chance; it was part of a larger initiative to undermine human rights activism by ensuring that online environments were hostile. Monitoring of women online has been promoted by the Taliban Ministry of Promotion of Virtue and Prevention of Vice (MPVPV), and Internet Service Providers (ISPs) have been subjected to informal orders to provide information about activists.⁴ The Taliban government has been keeping an eye on things, censoring them, blocking websites and domains, and restricting access to social media.⁵ By enforcing formal government rules and keeping informal watch, the Taliban have cracked down on women journalists, activists, and ordinary users of social media sites.

In contrast, Islam allows everyone to communicate with themselves freely, provided that they do not violate the rights of others to autonomy and respect.⁶ The Taliban regime does not adhere to the actual rules and policies of Islam, even though Islam advocates freedom of expression for all people, regardless of gender. The name of Islam is merely used by this group to enforce their anti-female policies. The Taliban group asserts that they are in favour of online freedom of speech, but they emphasize that anything posted online must not violate Islamic law or Sharia.⁷ Afghan women have been marginalized from society, faced restrictions on digital spaces, and the continuing convergence between virtual and physical domains creates an immediate need to defend the digital

⁴ Allie Funk and Adrian Shahbaz, *Freedom on the Net 2023: The Repressive Power of Artificial Intelligence* (Freedom House, 2023): 47, accessed May 7, 2025, <https://freedomhouse.org/sites/default/files/2023-10/Freedom-on-the-net-2023-DigitalBooklet.pdf>.

⁵ Access now, *targeted: The Taliban's Digital Crackdown on Women*, Access Now Report, 2022.

⁶ Ali Muhammad Bhat, "Freedom of Expression from Islamic Perspective," *Journal of Media and Communication Studies* 6, no. 5 (2014): 73, <https://doi.org/10.5897/JMCS2013.0378>.

⁷ Naveedullah Alokozay et al., "Media Freedom and Censorship: A Comparative Study of Media freedom under First and Second (2.0) Taliban Regime," *Cognizance Journal of Multidisciplinary Studies* 4, no. 8 (2024): 269, accessed May 20, 2025.

rights of Afghan women because it directly affects their gender justice and political freedom.

In other instances, human rights activists, women journalists who posted information online were contacted directly by the Taliban intelligence and issued warnings to remove the information or face repercussions.⁸ Afghan women advocates and activists have been urged, pressured, and threatened because they are speaking out against the Taliban regime. Women who continued working in the country were denied participation due to the necessity to use pseudonyms, work anonymously, or often close accounts following the publication in order to avoid detection by the Taliban.⁹ This shows that censorship did not just start with banning women in the physical workspace, but also deliberately extended to digital space and cut the Afghan women off a platform where they could express their grievances.¹⁰

The case of Farukhleqa Unchizada exhibits how systematic censorship as a part of the Taliban agenda can interact with digital dictatorship to oppress women. Her experiences support the wider observations of the women activists and journalists monitoring rights groups that Afghan women activists, journalists, are systematically locked out of online platforms by intimidation, harassment, and threats.¹¹ This case is

⁸ *Afghanistan: Taliban Target Journalists, Women in Media*, Human Rights Watch, April 1, 2021, accessed June 20, 2025, <https://www.hrw.org/news/2021/04/01/afghanistan-taliban-target-journalists-women-media>.

⁹ Ananya Bhasin, "Bypassing the 'Taliban Firewall': How an Exile Newsroom Reports on Afghan Women," *Committee to Protect Journalists*, December 12, 2024, accessed April 9, 2025, <https://cpj.org/2024/12/bypassing-the-taliban-firewall-how-an-exile-newsroom-reports-on-afghan-women/>.

¹⁰ "Women Journalists Must Be Protected from Violence and Harassment," OHCHR, July 5, 2023, accessed August 2, 2025, <https://www.ohchr.org/en/stories/2023/05/women-journalists-must-be-protected-violence-and-harassment>.

¹¹ "Human Rights in Afghanistan," *Amnesty International*, 2024, accessed August 5, 2025, <https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/afghanistan/report-afghanistan/>.

important since it demonstrates how women in the human rights defender sectors in Afghanistan are in acute distress, specifically those in the provincial minority such as Faryab. The Uzbeks minor ethnicity is the largest population in the northern part of Afghanistan including Faryab Province.¹² In this digital threat context, it is quite reasonable to imagine that Farukhleqa Unchizada from minor ethnicity, and most other female defenders experienced both offline and online harassment, although the public record may not specifically mention the online avenue.

As an illustration, an UN-based digital security user guide cites that in Afghanistan, there exists surveillance and infiltration of social media profiles and messaging services, as well as gendered abuse on the internet, personal impersonation on social media, etc., as a trend. The absence of digital right, including poor data protection, no encryption, or compromised networks, can be directly translated into a human rights issue, such as intimidation, silencing, and exile. During the Taliban regime female journalists, human rights defenders, and women activists experienced the gender based cyber violence (GBCV) such as online harassments, threatened, and forced to censor their existence and voices. The Taliban supporters' groups threatened and blackmailed these activists to destroy their reputation, and their professional background through publishing sexual videos, pictures, and many other ways.

In order to answer the given research questions, present study uses a multi-dimensional theoretical framework that combines human rights theory, theory of digital activism and a new understanding of digital rights as a human right. The principle of non-discrimination, contained in instruments such as Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), International Covenant on Civil

¹² Torayeva Sayyora Bakhtiyorovna and AbdulMusavvir Qadiri, "Life, Education, History and Place of Uzbeks in Afghanistan," *Zien Journal of Social Sciences and Humanities* 18 (2023): 6, accessed June 26, 2025.

and Political Rights (ICCPR), as well as in customary international laws, means that it is the obligation of the states to secure the equal enjoyment of rights without discrimination by their respective states based on gender. In cases where women bear the brunt of cyberviolence, the latter is a sign of structural violence and a violation of this principle. Human rights theory points to the fact that barring women access to internet and online protection infringes the idea of equality in front of the law. It helps prove the point that the unequal access to digital sources is a type of gender discrimination banned by international law. It brings the lived realities of marginalized women into academic and legal analysis to provide a multi-layered picture of how discrimination happens within conflict situations.

Digital Activism Theory acknowledges the internet as the means of resistance, voice and mobilization, particularly, the one targeting the oppressed groups. According to one of the recent studies, digital activism is the habit of applying electronic communication tools as a form of activism to help in the emergence of community movements.¹³ Digital activism plays a vital role in resisting and providing a voice to the dissidents, participants, and women's mobilization in circumstances when offline spaces that allow such activities are limited. In the case of Afghan women, online spaces have taken the place of physical spaces as a means of promoting advocacy, solidarity and visibility. The new interpretation of the Right to Internet Access as a human right positions connection and digital rights as preconditional contemporary freedom, inclusivity, and equality.

By bringing together these lenses, it is possible to have a gender-sensitive evaluation of digital censorship, that is not only the question of whether speech was censored, but

¹³ Nindyta Aisyah Dwityas et al., "Media Sosial Dan Aktivisme Digital Perempuan: Analisis Wacana #Ibutungalmelawan Di Instagram," *Jurnal Komunikasi* 18, no. 2 (2024): 113, accessed October 18, 2025, <https://doi.org/10.20885/komunikasi.vol18.iss2.art1>.

also whose speech was censored and the ways that this exclusion organizes social power. These theories offer solid legal and conceptual grounds when examining how the digital repression by the Taliban disrespects the changing international standards and undermines the rights of Afghan women.

The study is highly applicable to the existing international human rights dilemmas, especially in the case of Afghanistan, under Taliban rule. According to global legal standards both UDHR¹⁴, and ICCPR safeguard the freedom of expression without any discriminatory limitations.¹⁵ Afghanistan remains a part of this treaty and written in the national Constitution included freedom of speech protection. Afghan women possessed the right to free expression under the previous administration, which allowed them to advocate for and speak out against topics that violated their rights in person and to express themselves online. Despite having access to digital advocacy on a worldwide scale, Afghan women's constraints in digital space have become an indisputable issue in addition to other restrictions. These new laws go against the requirements of CEDAW which ensure freedom of expression, privacy, and equality.¹⁶

It is consistent with the major global human rights conventions, including the Universal Declaration of Human Rights (UDHR) Article 19¹⁷, and the ICCPR, Articles 17 and 19¹⁸, which safeguard the right to of expression freedom, right to privacy, and

¹⁴ UN General Assembly, *Universal Declaration of Human Rights*, 1948.

¹⁵ United Nations, *International Covenant on Civil and Political Rights*, 1966.

¹⁶ Barbara Holland-Cunz and Uta Ruppert, "Convention on the Elimination of All Forms of Discrimination against Women, New York, 18 December 1979," in *Frauenpolitische Chancen Globaler Politik*, ed. Barbara Holland-Cunz and Uta Ruppert (VS Verlag für Sozialwissenschaften, 2002), accessed July 31, 2025, https://doi.org/10.1007/978-3-663-10102-4_7.

¹⁷ United Nations, "The Foundation of International Human Rights Law," United Nations, United Nations, accessed May 30, 2025, <https://www.un.org/en/about-us/udhr/foundation-of-international-human-rights-law>.

¹⁸ Agnes Callamard, "The Link between Article 19 & 20 ICCPR," *XIX*, 2008: 13, accessed June 7, 2025.

information. In 2012, the UNHRC established that all rights which exist in the offline sphere should enjoy equal protection in the online world.¹⁹ The UN's general suggestion in number 34 on the Rights of women under CEDAW recognizes that Information and Communication Technologies (ICT) fosters gender equality.²⁰ The former Afghan government signed and safeguarded both genders' freedom of expression and complied with its legal commitments.²¹ At the regional scale, it also echoes with pledges under the UNESCAP Digital Agenda for Asia-Pacific, which focuses on the inclusion of digital development.²²

Other basic rights include the right to speak out, meet with others, go to school and learn, and rely on having access to the Internet. According to the UN Human Rights Council's Resolution online rights should be just as strong as those consumers have in other parts of their lives.²³ Being unconnected to the Internet leads Afghan women to lose both their voice and ties to international aid, rescue teams, and experts in the law. Similarly, a general recommendation by CEDAW confirms that giving rural and marginalized women technical assistance is essential for their inclusion in civic and

¹⁹“Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development,” n.d., accessed June 10, 2025, https://doi.org/10.1163/2210-7975_HRD-9970-2016149.

²⁰ Committee on the Elimination of Discrimination Against Women (CEDAW), General Recommendation No.34 on the Rights of Rural Women, UN Doc. CEDAW/GC/34 (2016), UN Document, accessed June 18, 2025.

²¹ *The Constitution of the Islamic Republic of Afghanistan, 2004*, n.d., accessed May 18, 2025.

²² “Leveraging Digital Innovation for Inclusive and Sustainable Development in Asia and the Pacific,” ESCAP, December 21, 2023, accessed July 1, 2025, <https://www.unescap.org/kp/2023/leveraging-digital-innovation-inclusive-and-sustainable-development-asia-and-pacific>.

²³ Scott Sheeran and Sir Nigel Rodley, eds., *Routledge Handbook of International Human Rights Law*, 1st ed. (Routledge, 2014): 82, accessed June 14, 2025, <https://doi.org/10.4324/9780203481417>.

economic life.²⁴ However, this comes with a heavy legal shortcoming; current human rights treaties and enforced instruments do not expressly give credence to internet access as an enforceable right along with cybersecurity, particularly in conflict-torn or authoritarian environments. International law fails to provide any binding underpinning in the form of litigation or restriction to overcome or confront the eclipse of Afghan women on the internet or any other form of censorship, surveillance, or internet blackouts that affect them.

During the Previous government, digital spaces have helped bring people together and allow women to act against injustice. Using Facebook, WhatsApp, and Twitter, Afghan women held protest meetings, spread their experiences, and invited support from the international community.²⁵ Despite its dangers, this sort of digital activism has developed into a separate social movement.²⁶ It is important to use a gender-based approach when dealing with digital repression. Women are often censored, bullied, and blocked from the internet because of patriarchal authority which is usually tough to remedy under international law. Adding gender analysis to digital rights policy and international law is rare, making it important for experts to pay more attention.

In the research gap, few legal case studies exist that focus on digital rights as gendered rights, especially in oppressive regimes such as the Taliban. By addressing digital rights and rights to speech as a set of fundamental rights of the future of women

²⁴ Cheshmak Farhoumand-Sims, "CEDAW and Afghanistan," *Journal of International Women's Studies* 11, no. 1 (2009): 92, accessed June 19, 2025.

²⁵ Arianna Briganti and Nilofar Sekandari, *DIGITAL TRANSFORMATION FOR AFGHAN WOMEN IN CENTRAL ASIA* (Organization for Security and Co-operation in Europe, 2025): 18, accessed May 28, 2025.

²⁶ UNESCO, "Tech Assisted Multiple Learning Modalities in Afghanistan" (Kabul, Afghanistan: UNESCO, 2022), accessed May 9, 2025, https://articles.unesco.org/sites/default/files/medias/fichiers/2024/10/09.Multiple_learning_modalities_study_report.pdf.

broadly, this research attempts to fill that gap. This study is both legally and morally binding because it increases the voice of the digital rights of Afghan women. The thesis will examine the rules and restrictions of international law in providing digital rights, freedom of expression in cyberspace for women in Afghanistan. This research will look at the right of Afghan females to use the Internet and stay secure online using legal, sociological, and technological frameworks. It attempts to connect discussions in theory with actual situations, suggesting that these digital rights should form part of basic human rights. As well as supporting legal change, identifying these crimes is necessary to preserve Afghan women's right to dignity and involvement in the world.

B. Problem Formulation

- 1- To what extent the Taliban regime policy discriminates the digital rights of Afghan women during 2021-2025?
- 2- How the international human rights law can protect the freedom of expression of Afghan women on digital space under the de facto regime of the Taliban?

C. Objective of Research

1. To evaluate the discrimination on digital space against Afghan women under the de facto Taliban regime's policy.
2. To find the protection of freedom of expression on cyberspace for Afghan women through the international human rights law.

D. Benefits of Research

The expected benefits of the results of this study are divided into theoretically and practically, as follows:

1. Theoretical Benefit:

- a. This study joins the developing field that considers digital rights as human rights, concentrating on discrimination against female gender in authoritarian regimes. The research agrees that digital rights should be considered within the existing frameworks set by the ICCPR and CEDAW. It examines the developing legal argument over the obligation of effective control, non-state actors to obligation of international treaties to advance legal theory, and state responsibility debates
- b. Exploring digital repression focusing on human rights theory, and digital activism theory in international human rights law are enriched by this study through its focus on the intersection of gender and ethnicities. It brings the lived realities of marginalized women into academic and legal analysis to provide a multi-layered picture of how discrimination happens within conflict situations.

2. Practical Benefit:

- a. The findings provide guidelines for UN bodies, international organizations such as UN Women, OHCHR, Human rights Commission, diplomatic missions, and donor agencies as well. This study provides evidence-based recommendations on how to support Afghan women stay safe online particularly those from marginalized ethnic communities.
- b. This research seeks the international attention it must take to maintain high standards in technological environments where freedom is threatened. It reinforces the advocacy call for inclusive advocacy, humanitarian support and culturally informed programming in provinces which are influenced.
- c. Results from the Inquiry may assist legal experts and activists in urging global organizations to include digital rights in their responsibilities and

establish rules for them. It offers documentation of the violations and digital repression of pressures against gender apartheid practices. Giving voice to Afghan women in the virtual world helps raise awareness that can support efforts made by communities, journalists, and civil society for women's rights. It also provides support for the capacity building initiative of Afghan and regional scholars working in gender, law, peacebuilding, and minority rights related fields.

E. Originality of the Research

This part explains a variety of discoveries from earlier research, which serve as the basis for the current investigation. To avoid plagiarism and redundancy concerns regarding similar topics covered in scholarly literature, the current study also draws from pertinent earlier studies about the themes under discussion. Therefore, the author has selected several earlier studies to analyze the differences in their conceptual frameworks and research viewpoints, which are discussed below.

First, Ahmed et al., (2022) entitled “Technology for empowerment: Context of urban Afghan women” examines how Afghan women in cities interact with technology.²⁷ This research looks at how urban Afghan women use digital resources in the face of cultural and political issues. Between December 2019 and June 2020, interviews were conducted with 23 women, refugees, and returnees living in cities, to understand how they interacted with technology. The results show that, while women use digital technology for learning, seeking employment, and reaching out to people, there are major barriers for them such as social constraints, few chances to access the internet, and worries about safety on the internet. According to the study, Afghan women still dream of making the

²⁷ Nova Ahmed et al., “Technology for Empowerment: Context of Urban Afghan Women,” *Technology in Society* 70, no. 102058 (2022): 7, accessed April 18, 2025, <https://doi.org/10.1016/j.techsoc.2022.102058>.

digital world safer for themselves and their peers. It proves the importance of digital policies and resources that support urban Afghan women.

Secondly, Bahadori & Pande, (2020) entitled “Women in Afghanistan Creating a Space on the Internet” her research looks at how Afghan women manage to use the internet to deal with the rules set by the Taliban regime.²⁸ Authors discussed the way women come together online to talk about their lives, share experiences, and build communities in the face of strong social and political obstacles. The research demonstrates digital platforms offer Afghan women chances to gain empowerment, and education and become more active. Using the internet, these women have found ways to fight against strict, traditional views and state their rights openly.

Thirdly, Dangol, (2024) entitled “Bread Work Freedom: Afghan Women’s Resistance and Online Activism against Taliban Oppression” wrote her research to describe how Afghan women actively use social networks, mainly Twitter, to fight the Taliban and support gender equality.²⁹ The study uses partially structured interviews and conducted topic analysis. It explores the impact digital resistance has on activists' views of authority, battle and conflict, expression, information, governance, and independence. Results from the research prove that social media is central to building unity around the world and highlighting the voices of those who are marginalized, showing that digital tools are crucial for activism in restrictive environments.

²⁸ Atoosa Bahadori and Rekha Pande, “Women in Afghanistan Creating a Space on the Internet,” *Quest-The Journal of UGC-HRDC Nainital* 14, no. 23 (2020): 74, accessed April 22, 2025, <https://doi.org/10.5958/2249-0035.2020.00008.X>.

²⁹ Rashmi Dangol, “#BreadWorkFreedom: Afghan Women’s Resistance and Online Activism against Taliban Oppression” (MA., diss, University of Pittsburgh, 2024), accessed April 29, 2025, <https://www.proquest.com/openview/ced5fee3fd2442623218cad1ed20c455/1?pq-origsite=gscholar&cbl=18750&diss=y>.

Fourthly, Guntrum et al., (2022) entitled “Using digitally mediated methods in sensitive contexts: a threat analysis and critical reflection on data security, privacy, and ethical concerns in the case of Afghanistan” her research reviews the ethical, privacy, and data security problems that appear when conducting digital research in Afghanistan during the Taliban administration.³⁰ The study points out that researchers and participants are exposed to greater risks since digital surveillance and data abuse have increased. The authors demonstrate the difficulties of protecting data and participant confidentiality by describing two fake situations of online interviewing in Afghanistan. The paper underlines the importance of approaching threat modelling in context, by combining ideas from peace and conflict studies, information technology security, and research ethics. Regularly, experts counsel researchers to rely on private communication tools, test for risks, and observe ethical principles to avoid damage in digital studies.

Fifthly, Hakimi et al., (2024) entitled “Cyber Opportunities: Fostering Women's Empowerment through E-Commerce in Afghanistan” his study carried out the relationship between females' independence and online retailers in Afghanistan's post-war era.³¹ The research study interviewed 100 Afghan women who were part of the e-commerce department. The study showed that there are many difficulties for women in the digital economy such as social expectations, cultural rules, and insufficient access to technology. Despite various difficulties, the study found that women entrepreneurs can successfully manage the digital world. Being knowledgeable about technology and

³⁰ Laura Gianna Guntrum et al., “Using Digitally Mediated Methods in Sensitive Contexts: A Threat Analysis and Critical Reflection on Data Security, Privacy, and Ethical Concerns in the Case of Afghanistan,” *Zeitschrift Für Friedens- Und Konfliktforschung* 11, no. 2 (2022): 109, accessed April 8, 2025, <https://doi.org/10.1007/s42597-022-00088-2>.

³¹ Musawer Hakimi et al., “Cyber Opportunities: Fostering Women's Empowerment through E-Commerce in Afghanistan,” *Room of Civil Society Development* 3, no. 1 (2024): 8, accessed April 11, 2025, <https://doi.org/10.59110/rcsd.275>.

education helped women, so it was clear that specific efforts were needed. As a result of the research, important ideas were laid out for national policies to address cyber threats, improve security, and launch digital education programs. It was stressed that collaboration with other countries and support for women entrepreneurs are important for making the digital economy inclusive and welcoming for women.

Sixthly, Hassan et al., (2024) entitled “A Comparative Analysis of Media Restrictions under the Taliban Regimes & democratic Regime in Afghanistan” his research examines the level of newspaper, television, and radio freedom in Afghanistan throughout its democratic years (2001–2021) and during Taliban rule on two separate occasions (1996–2001 and post-2021).³² Researchers emphasize that during the democratic era; the number of media outlets grew greatly and women established themselves in the journalistic environment. By comparison, Taliban rule has strictly limited freedom for the media. According to the document, lots of news outlets were shut down, censorship became strict and there was severe pressure on people who spoke against the government. In particular, the order points out that women are prohibited from appearing in the media, all political broadcasts are forbidden and everything broadcast by the media must match the Taliban’s viewpoints. This research further shows that freedom of media and expression in Afghanistan has been declining.

Seventhly, Nazari & Musilek, (2023) entitled “The Gender Digital Divide and Education in Afghanistan: A Review” focusing on the digital gender gap in Afghanistan,

³² Ali Hassan et al., “A Comparative Analysis of Media Restrictions under the Taliban Regimes & Democratic Regime in Afghanistan,” *Al-Mahdi Research Journal (MRJ)* 5, no. 5 (2024): 65, accessed April 15, 2025, <https://ojs.mrj.com.pk/index.php/MRJ/article/view/521>.

paying attention to the ways it affects women's chances of accessing education.³³ The investigation shows that barriers like low reading ability, not being skilled with digital tools and cultural rules keep many Afghan women from using technology. Besides, poor policymaking and missing infrastructure make these problems worse. Even in the face of these issues, the review finds that digital platforms have the chance to give Afghan women educational and work opportunities. They propose strengthening technology and policy measures in Afghanistan to give female students equal access to education.

Eighthly, Obaidi & Dastgeer, (2024) entitled "The Ego Network of the Taliban on Social Media before and after Their Return to Power in Afghanistan" investigated the Taliban's presence in social media by observing the action of X (formerly Twitter), the account managed by spokesperson Zabiullah Mujahid.³⁴ The analysis looks at 1,650 messages sent before and after the Taliban returned to the power. Important findings are about changes in power, tone, and framing. The analysis shows that the group's online presence progressed from that of militants to that of rulers, indicating a new emphasis on how they communicate online. This study investigated how the Taliban used social media to manage their reputation and communications, and looked at public relations through digital propaganda.

Nightly, Pamirzad, (2024) entitled "Afghanistan's Media Political Economy Under the Taliban De Facto Government" his research looks at media control in the de facto Taliban area after 2021, refocusing on efforts by the regime to keep independent

³³ Zahra Nazari and Pert Musilek, "The Gender Digital Divide and Education in Afghanistan: A Review," *2023 IEEE International Humanitarian Technology Conference (IHTC)* 2, no. 56 (2023): 5, accessed September 8, 2025, <https://doi.org/10.1109/IHTC58960.2023.10508864>.

³⁴ Shugofa Dastgeer and Hamid Obaidi, "The Ego Network of the Taliban on Social Media before and after Their Return to Power in Afghanistan," *Global Media Journal* (Hammond, United States) 22, no. 68 (2024): 4, accessed September 2, 2025, <https://doi.org/10.36648/1550-7521.22.68.424>.

media quiet.³⁵ Among the main findings are: Media Suppression: The Taliban closed many media organizations and introduced strict restrictions on journalism. Many journalists have become unemployed as businesses in the media have struggled to keep up with reduced finances and operating costs. Women journalists have greatly suffered, as there are far fewer roles for them in the media than for men under Taliban control. He points out that the media sector in Afghanistan under Taliban rule is challenged by political limits, a difficult financial situation, and inequality. As a result, he studied the way media functions and the related economy in the Taliban regime.

Lastly, Shaikhzada et al., (2025) entitled “Challenges and Opportunities for Afghan Women in the Digital World in Afghanistan” her team went on to examine the whole field of digital engagement for Afghan women, given the serious and often unstable issues in the country’s politics and culture.³⁶ The study points out that several challenges stop women from taking part in digital activities such as lack of technology, poor digital knowledge, and societal rules that limit them. Nonetheless, the study points out that digital tools, including educational sites and online shopping, can offer women new ways to study and earn income. They argue in favour of specific initiatives to improve Afghan women’s access to the internet, help them use technology, and break down social barriers. They point out that everyone including policymakers, teachers, and civil society—should join forces to support these women in the digital world. As a result, this study focused on how Afghan women interact with technology, digital skills and resources.

³⁵ Qurban Hussian Pamirzad, “Afghanistan’s Media Political Economy Under the Taliban De Facto Government,” *The Political Economy of Communication* 11, no. 1 (2024): 78, accessed September 27, 2025, <https://polecom.org/index.php/polecom/article/view/178>.

³⁶ Nooria Shaikhzada et al., “Challenges and Opportunities for Afghan Women in the Digital World in Afghanistan,” *International Journal of Applied Research and Sustainable Sciences* 3, no. 3 (2025): 269, accessed September 13, 2025, <https://doi.org/10.59890/ijarss.v3i3.5>.

Table 1 Research Originality- A Comparative Analysis of this Thesis and Other Scholarly Thesis and Articles.

NO	Titles	Problem Formulations	Similarities	Differences
1	Ahmed et al. (2022). “Technology for empowerment: Context of urban Afghan women”	What are the challenges and opportunities of urban Afghan women in using digital technologies for empowerment during the patriarchal practices?	Focuses on Afghan women's interaction with digital technologies and the challenges they face.	Concentrates on legal analysis, using digital activism theory, and the impact of Taliban policies against women on right to expression in digital space.

2	Bahadori & Pande (2020). “Women in Afghanistan Creating a Space on the Internet”	How women utilised the space of the Internet to deal with the restrictions placed on them?	Focuses on Afghan women's interaction with digital technologies and the challenges they face.	Concentrates on legal human rights frameworks, using the non-discrimination principle, and the impact of Taliban policies on digital rights.
3	Dangol (2024). “Bread Work Freedom: Afghan Women’s Resistance and Online Activism against Taliban Oppression”	How Afghan women have contributed to global discussions about women’s rights and resistance by sharing their stories and connecting with others on social media platforms?	Focuses on Afghan women's digital activism and resistance against Taliban policies.	Examines through legal dimension of digital repression, using normative methodology, and the threats of GBCV under the Taliban regime.
4	Guntrum et al. (2022). “Using digitally mediated methods in sensitive	How can a threat model generally be elaborated in order to identify potential risks and	Focuses on digital security, threats, privacy, and ethical concerns	Focusing on legal analysis, human rights perspective, and

	contexts: a threat analysis and critical reflection on data security, privacy, and ethical concerns in the case of Afghanistan”	adversaries in sensitive context, having privacy, security, and ethical concerns in mind?	in Afghanistan under Taliban rule.	the impact of Taliban policies on Females right to speech in digital space and activism.
5	Hakimi et al. (2024). “Cyber Opportunities: Fostering Women's Empowerment through E-Commerce in Afghanistan”	How can e-commerce serve as a tool for women's empowerment in Afghanistan's socio-cultural context?	Focuses on Afghan women's interaction with digital technologies and the challenges they face.	Examines on legal protection of digital rights, using the digital activism theory to highlight state obligations and gendered repression on GBCV, and the impact of Taliban policies on women’s right to speech.
6	Hassan et al. (2024). “A Comparative Analysis of Media Restrictions under	How do media restrictions differ between Afghanistan's democratic era and	Both address the impact of Taliban policies on freedom of	Focusing on micro-level impacts on Afghan women’s

	the Taliban Regimes & democratic Regime in Afghanistan”	Taliban regimes?	expression, gender inequality, and censorship dissemination.	digital rights, using non-discrimination theory, emphasis on systemic legal challenges and policy implications for women's digital rights.
7	Nazari & Musilek (2023). “The Gender Digital Divide and Education in Afghanistan: A Review”	How does the gender digital divide affect Afghan women's access to education?	Focus on Afghan women's interaction with digital technologies, and the gender inequalities challenges on online learning.	Concentrating on digital rights of Afghan women under the Taliban regime and legal analysis of international frameworks. Emphasis on systemic legal challenges and policy implications for digital rights with attention to

				freedom of expression on activism.
8	Obaidi & Dastgeer (2024). “The Ego Network of the Taliban on social media before and after Their Return to Power in Afghanistan”	1: How were the topics of discussion associated with the before and after the Taliban's return to power in Afghanistan? 2: Who were the targets of discussions before and after the Taliban's takeover of Afghanistan? 3: How was the tone of the Taliban's tweets associated with the before and after the Taliban's return to power in Afghanistan?	Both address the impact of Taliban policies on digital platforms and communication strategies. Examines the discrimination against the female gender in media.	Legal analysis of international human rights frameworks. Emphasis on systemic legal challenges and policy how those same digital policies are used to repress Afghan women's digital rights. Using the digital activism theory to emphasise the importance of freedom of speech under the De Facto regime.

9	Pamirzad 2024). Afghanistan's Media Political Economy Under the Taliban De Facto Government”	1: How did the Taliban takeover affect media ownership in Afghanistan? 2: How does the Taliban government politically interfere in the media sector? 3: What are some of the economic challenges the media faces in Afghanistan due to the Taliban returning to power? 4: How do media institutions counterbalance and influence Afghanistan's political and economic system under the Taliban?	Both address the impact of Taliban policies on media and information dissemination. The lack of international polies and enforcement in Afghanistan. Using qualitative approach	Focuses on Legal analysis of national and international frameworks. Highlighting repression of female digital expression and activism. Using non-discrimination theory to show the violation of the Taliban regime against women and the increase of GBCV in Afghanistan.
10	Shaikhzada et al. 2025). “Challenges	How do digital technologies contribute	Both address the impact of digital	Examines critically

	and Opportunities for Afghan Women in the Digital World in Afghanistan”	to advancing gender equality and empowering Afghan women in education, entrepreneurship, and social inclusion? 2: What are the primary challenges, including cultural, infrastructural, and policy-related barriers, that limit Afghan women's engagement in the digital world? 3: What is the potential of e-commerce and e-learning in fostering economic and educational empowerment among Afghan women?	technologies on Afghan women's empowerment and gender equality. The type of challenges that women face in cyberspace under the Taliban Regime.	analyses Taliban-imposed digital repression as a violation of international human rights law. Using non-discrimination and digital activism theories to assess legal and systemic obstacles.
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This study is different in that it investigates digital rights as key rights for Afghan women, who were under Taliban rule (2021–2025). Its originality comes from analysing various subjects together, covering legal issues, and using previous research to study a context that has been overlooked because of continuous political turmoil, self-censorship, and accessing related data. Although digital rights are mentioned generally, so far this research has focused on how these rights affect people in authoritarian or conflict states such as Afghanistan. The number of such studies is even smaller. The thesis helps to fill an important void by focusing on the distinct circumstance faced by Afghan female in the face of digital repression, mostly after the Taliban came back into power. It points out that challenges in getting internet access and digital rights prevent women from participating in public, educational, and political life.

In addition, this study uses an original legal framework. It examines how women's right to the digital rights can be drawn from and safeguarded using the UDHR, the ICCPR, and the CEDAW. It calls for these documents to be interpreted in a way that includes digital rights as fundamental freedoms like the right to speak, join groups, and get information. The research adds fresh knowledge from reports, human rights documents, and Afghan women's personal experiences between 2021 and 2025. It brings together legal ideas and people's accounts to learn how violations of digital rights and efforts to resist them unfold. Furthermore, the researchers use human rights theory, and digital activism theory to explain how the Taliban's digital governance is a means to maintain structural authority. It looks at how government regulation of technology, social networks, and online tools is part of deeper problems involving power, gender, and ideas. This perspective supports analysis of how censorship is used online to limit the activism of women activists, journalists, and students.

The research is unique because it explores cybersecurity, a topic that is frequently left out of discussions about digital rights. The study points out the importance of giving women in fragile states special cyber protections by covering digital threats, online harassment, and what the Taliban can do with online surveillance. The research also examines how policies set by big technology companies affect digital suppression conditions. In short, what makes this research unique is its use of legal-normative thinking, gender-related analysis, and its context-specific purpose. It relates human rights to the digital era and recommends steps for supporting Afghan women through both activist efforts and changes in laws.

F. Theoretical Framework

Digital rights, gender, and international law in Afghanistan while the Taliban were in power are not well researched. Academic and policy-related writings are drawn together to place the present repression of Afghan women's digital activities in context with human rights, digital governance, and gender discrimination. The proposed study aims to address this gap by examining the right of Afghan women to online security within an international legal framework with the help of real-life examples and thus establish the basis of policy change and legal advocacy on the domestic and international scales.

This study investigates the concept of digital rights threats towards Afghan women during the Taliban regime between 2021-2025, through the two theoretical perspectives of human rights theory as described in the international human-rights law, IHRL, and Digital Activism as explained by the theory of social movement and communication. These two lenses complement each other.

1. Human Rights Theory

The human rights theory offers the main normative and analytical framework within which the given research is placed. Human rights theory is based on the acknowledgement of the human dignity inherent to people and the universality of the basic rights, regardless of gender, ethnicity, religious orientation or political status.³⁷ Its main aim is to limit the usage of power, be it by states or de facto authorities, by means of rules of law that guard the individual against arbitrary interference and exclusion, as well as against abuse. In contrast to other positivist methods of law, human rights theory is a value-directed system that ties legal obligation to moral legitimacy, accountability, and protection of vulnerable groups.³⁸

Under this constitutionality, rights like freedom of expression, privacy, equality before the law, and access to information are not policy preferences that must be followed, but legal rights that can be enforced.³⁹ The international human rights norms apply specifically in the context of authoritarian forms of rule or de facto rule, since their role is to protect people when the domestic law system fails. On this theoretical backdrop, the principle of non-discrimination stands as a foundational and cross-cutting concept. It shapes the interpretation and application of all protected rights. This principle is the central focus of the section below.

One of the principles of human rights theory is non-discrimination. The ICCPR, Article 26; “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective

³⁷ Philip Alston and Ryan Goodman, *International Human Rights*, New to this Edition: (Oxford University Press, 2012): 253, accessed February 16, 2025

³⁸ Alston and Goodman, *International Human Rights*: 255.

³⁹ Hilary Charlesworth and Christine Chinkin, *The Boundaries of International Law: A Feminist Analysis, with a New Introduction* (Manchester University Press, 2022), <https://www.jstor.org/stable/jj.21996497>.

protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.⁴⁰ In General Comment No. 18 (1989), the Human Rights Committee has explained that non-discrimination extends to in law or in fact distinctions and that it is the duty of States to ensure equal and effective protection against discrimination in all the civil and political rights.⁴¹

Along with ICCPR, treaty bodies like the (CEDAW) have come up with particular criteria on gendered harms and gender-based violence. CEDAW General Recommendation No. 35 (2017) re-conceptualizes gender-based violence as a discrimination threat to substantive equality and emphasizes the State role in prevention, investigation, punishment, and redressing such forms of harm.⁴² These tools strengthen the idea that non-discrimination is not a formal equality that is, being treated the same, but substantive equality, where there have to be steps taken to eliminate the structural disadvantages women and minorities face.

States are obligated under human rights theory, possess legal sovereignty, governance authority, and treaty-based obligations to respect, protect, and fulfil human rights. In contrast, where a non-State actor or de facto authority exercises effective control over a territory and its population, international bodies and scholars increasingly recognize such actors as bearing human rights obligations in

⁴⁰ “Article 26: Equality before the Law Equal Protection of the Law,” in *A Commentary on the International Covenant on Civil and Political Rights: The UN Human Rights Committee’s Monitoring of ICCPR Rights*, 1st edition, ed. Paul M. Taylor (Cambridge University Press, 2020), accessed October 25, 2025, <https://doi.org/10.1017/9781108689458.029>.

⁴¹ “CCPR General Comment No. 18: Non-Discrimination,” UNHCR, 2001, accessed November 2, 2025, <https://www.refworld.org/legal/general/hrc/1989/en/6268>.

⁴² “General Recommendation No. 35 (2017) on Gender-Based Violence against Women, Updating General Recommendation No. 19 (1992),” United Nations Human Rights Office of the High Commissioner, 1992, accessed August 3, 2025, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-35-2017-gender-based>.

practice, reflecting a functional approach grounded in control and capacity rather than formal statehood.⁴³ The literature on the duties of the territorial non-state actors and de facto authorities emphasizes that successful control brings about obligations to respect and protect rights; similarly, United Nations reports on Afghanistan since August 2021 have reported that the Taliban, as the de facto authorities, which have control over the nationwide area, have human-rights obligations under IHRL.⁴⁴ This is essential to the Afghan case since it implies that the discriminatory policies such as gendered decrees, mobility and education restrictions, and other policies that restrict media and internet access will also be considered by the same legal standard as the actions of the State.

There is an increasing amount of scholarly and normative literature regarding online gendered harassment and censorship as a type of discrimination and a source of impediments to substantive equality. The UN and human-rights agencies have repeatedly called upon the States and de facto powers to acknowledge the online gendered harms as gender violence and discrimination, and implement gender sensitive online safety protocols.⁴⁵ It is with this body of work that the legal and doctrinal means to make the Taliban's digital restrictions and online

⁴³ “The Human Rights Obligations of Non-State Actors,” in *International Human Rights Law Beyond State Territorial Control*, ed. Antal Berkes, Cambridge Studies in International and Comparative Law (Cambridge University Press, 2021): 184, accessed October 8, 2025, <https://doi.org/10.1017/9781108886543.005>.

⁴⁴ *The Human Rights Situation in Afghanistan: Report of the Office of the United Nations High Commissioner for Human Rights (A/HRC/57/22)* (Relief Web, 2024): 16, accessed September 5, 2025, <https://reliefweb.int/report/afghanistan/human-rights-situation-afghanistan-report-office-united-nations-high-commissioner-human-rights-ahrc5722-advance-unedited-version>.

⁴⁵ “‘Women Journalists Are Not Victims – We Are Heroes’ Affirm Afghan,” March 22, 2024, accessed September 23, 2025, <https://www.unesco.org/en/articles/women-journalists-are-not-victims-we-are-heroes-affirm-afghan-women-journalists-commission-status>.

harassment campaigns relate to the violation of rights and necessitate legal and remedial actions.

In short, Afghan women have utilised the non-discrimination principles in their fight in the form of resistance towards the systemic repression in the country. Afghan women have adopted a method of fighting structures of discrimination through the adoption of digital activism. Despite the need to adopt anonymity, it is within online spaces where women can find the vacuum to claim agency, contend with narratives, and create collective action. This way, the non-discrimination principle is not just a law standard, but a model of resistance practice. International human rights law is anchored on the principle of non-discrimination; the same is invaluable in the context of guaranteeing the enjoyment of fundamental freedoms by Afghan women. With Taliban rule, gender-based systematic discrimination has worsened, especially in the digital arena. Denial of digital rights and exposure to cyberviolence intersect violations of international law in ways that reflect the structure against equality and substantive rights. Learning how these dynamics play out in the framework of human rights theory supports the timeliness of global accountability. The Taliban acts do not merely reflect the local governance choices, but the violation of peremptory norms of international law, therefore, it should be responded to with force by the general global community.

2. Digital Activism Theory

The Digital Activism theory is a sub-group of similar practices in the social-movement studies, political communication, and media studies. The current research has a number of directive strands:

According to Earl and Kimport (2011), digital technologies reduce the cost of mobilization such as coordination, outreach, distribution of information, and

introduce new types of participation.⁴⁶ Online applications allow spread-out players to organize and package grievances in a manner that used to be more expensive. Bennett and Segerberg (2013) explain the distribution of collective action conducted organizationally through the collective action to personalized conduct through the connective action through personalized messages and digitally crafted frames through which large-scale participation occurs without the formal organization.⁴⁷ This is important to the Afghan women's activism that tends to depend upon the decentralized networks and personal stories to create visibility and transnational solidarity. Castells (2012) introduces the contemporary social movements as being anchored in the networked formations.⁴⁸ The digital networks facilitate rapid distribution of narratives and symbolic practices, which are the building blocks of political contestation. Rapid diffusion and fragility are both referred to as network dynamics.

Tufekci (2017) points out that, although networked protests could grow rapidly due to digital tools, they can be weak.⁴⁹ They are only successful when linked to offline organization, and digital repression measures of surveillance, manipulation of platforms, legal restrictions can be easily adjusted by the state, compromising long-term results. It is especially applicable to the context of

⁴⁶ Jennifer Earl and Katrina Kimport, *Digitally Enabled Social Change: Activism in the Internet Age*, 1st edition (MIT Press Direct, 2011): 115, accessed August 12, 2025, <https://direct.mit.edu/books/monograph/3340/Digitally-Enabled-Social-ChangeActivism-in-the>.

⁴⁷ W. Lance Benette and Alexandra Segerberg, *The Logic of Connective Action: Digital Media and the Personalization of Contentious Politics*, 1st edition (Cambridge University Press, 2014): 217, accessed August 26, 2025.

⁴⁸ Manuel Castells, "Networks of Outrage and Hope - Social Movements in the Internet Age.," *International Journal of Public Opinion Research* 25, no. 3 (2013): 400, accessed September 7, 2025, <https://doi.org/10.1093/ijpor/edt020>.

⁴⁹ Zeynep Tufekci, *Twitter and Tear Gas: The Power and Fragility of Networked Protest*, 1st edition (Yale University Press, 2017): 128, accessed October 2, 2025, <https://dl.acm.org/doi/10.5555/3159125>.

authoritarianism, using the same concept of fragility. Digital Activism scholars recognize a number of affordances that activists take advantage of in closed or repressive space: anonymous, pseudonymous organizing, cross-border amplification, documentary evidence of abuses (video, testimonies), networked campaigns to mobilize the diaspora and international solidarity. Although it is also noted that these are accompanied by the repressive mechanisms of surveillance (state surveillance over social accounts and metadata), takedowns of platforms, orchestrated harassment, infiltration of fake accounts, doxxing, and the ability to criminally punish false news or defamation of legalistic. Tufekci and others emphasize that states are using digital tools to manipulate through algorithms of misinformation and mass reporting to activate automated takedowns.⁵⁰ This process can be observed in the post-2021 situation in Afghanistan; the mobilization of the activists and transnational movements has been frequently followed by online harassment, blocking of accounts, and even organized efforts to threaten the women on the Internet.⁵¹

The insights of feminist critique add value to the digital activism theory since they demonstrate that online experiences of women are influenced by gender norms and intersectional identities ethnicity, religion, and minority status. The literature records the gendered harassment motive to demoralize women as visible civic actors and the additional risk that may be multiplied to intersectional minorities such as Uzbek women ethnic group, and Hazara tribe due to the

⁵⁰ Tufekci, *Twitter and Tear Gas*, 129.

⁵¹ Shahrbanu Haidari, *Digital Resistance: Women's Activism Under Taliban Rule* (Center for Information Resilience, 2024): 29, accessed November 1, 2025.

intersecting axes of identity.⁵² In Afghanistan, it has been reported and studied how female journalists and activists, and especially women who were part of minorities in the country, have endured special and digital threats and targeted campaigns aimed at silencing them.⁵³ The approach of digital activism theory with the intersectional gender analysis allows understanding how women in online spaces can be empowered and vulnerable at the same time, depending on their social location and social status.

One of the most important theoretical outcomes of the research is the intersectional synthesis. The human rights theory perspective together with the digital activism theory reveals the compounded digital threats of women who are also ethnic minority representatives specifically Uzbek tribe. Women of colour can be subjected to gendered and ethnically oriented insults such as hate speech, threats, they may have an extra inability to find security and privacy through the Internet with languages, the lack of digital safety resources in minority languages, and they can be over-surveilled or punished because of dissident speech.⁵⁴ Coverage of countries and expert guidance of countries discriminates against ethnic minorities during the Taliban, and is a basis to consider such online harms as intersectional discrimination.⁵⁵ This review justifies specific concentration on Uzbek minority women as a subgroup study.

Ethnic minorities including Uzbeks, Tajiks, and Hazaras are targeted at discrimination and harassment under the Taliban regime, which is reported and

⁵² PETER MARSDEN, *Afghanistan: Minorities, Conflict and the Search for Peace* (Minority Rights Group International, 2024): 38, accessed October 21, 2025.

⁵³ “‘Women Journalists Are Not Victims – We Are Heroes’ Affirm Afghan.”

⁵⁴ *General Country of Origin Information Report Afghanistan* (European Union, 2023): 164, accessed November 11, 2025.

⁵⁵ *General Country of Origin Information Report Afghanistan*.

advised to the country.⁵⁶ The inherent vulnerabilities of minority women in the digital areas are reflected in surveys and qualitative reports indirectly.⁵⁷ These results have justified certain attention to Uzbek women as an independent object of analysis. Digital harms on ethnic minority women are compounded due to gender and ethnic discrimination; both the nature of threats, and prevalence rates are higher.⁵⁸

The digital activism theory provides the normative and legal requirements such as what rights are safeguarded; what are the responsibilities of the authorities, including de facto authorities wielding control, and defines how harms like censorship, gender-based digital violence, unequal digital rights involve the violation of equality and substantive rights.⁵⁹ Additionally, the Digital Activism framework provides a conceptual resource that can be used to understand the way in which Afghan women and the minority women particularly Uzbek ethnicity group including women rights activists, journalists, and human-rights defenders employ networked media to express, organize, and resist, as well as how strategies of digital repression, surveillance, and harassment undermine such activities. The combination of these theoretical approaches has become urgently needed in the 2021-2025 period, as the urgency of such an approach is proven by UN agencies, human-rights NGOs, and media houses.

⁵⁶ Shahrbanu Haidari, *Digital Resistance: Women's Activism Under Taliban Rule*, (October 2024): 14, accessed November 18, 2025, <https://www.info-res.org/app/uploads/2024/10/Digital-Resistance-Womens-Activism-Under-Taliban-rule.pdf>.

⁵⁷ *AFGHANISTAN 2023 HUMAN RIGHTS REPORT* (Human Rights Watch, 2023), 50, https://www.state.gov/wp-content/uploads/2024/02/528267_AFGHANISTAN-2023-HUMAN-RIGHTS-REPORT.pdf.

⁵⁸ MARSDEN, *Afghanistan: Minorities, Conflict and the Search for Peace*.

⁵⁹ *AFGHANISTAN 2023 HUMAN RIGHTS REPORT* (Human Rights Watch, 2023), 50, accessed September 12, 2025, https://www.state.gov/wp-content/uploads/2024/02/528267_AFGHANISTAN-2023-HUMAN-RIGHTS-REPORT.pdf.

To sum up, by bringing human rights theory, and Digital Activism theory, it reconstructs the digital harms of Afghan women under Taliban rule as legalized practices of discrimination subject to IHRL scrutiny, and it creates a mechanistic explanation through the digital activism of how contemporary online technologies are being employed both as a form of empowerment and gendered repression. The combined model proves especially helpful in studying the experience of minority women such as Uzbeks whose intersectional harms are likely to be the sharpest. The chapters that follow will provide empirical tests of the above propositions and seek to generate actionable recommendations to the international organizations, online platforms, and civil-society actors to respond to the discriminatory digital repression, as well as to enhance the digital rights of women in Afghanistan.

G. Terms of Definition:

The objective of the term definition is to eliminate the possibility of misconceptions and interpretation differences that might be attributed to the words in the title of the proposal. According to the research title, the following terms need explanations:

1. Digital Rights

Digital rights are human rights and legal rights that enable individuals to access, use, create, and publish digital media as well as to access and use computers, other electronic devices, and communications networks freely and safely.

2. Cybersecurity

Cybersecurity is the technology, policies, and practices aimed at defending digital systems, data, and users against unauthorized access, cyberattacks,

surveillance, harassment, and other threats on the Internet. In this context, it refers to the protection of Afghan women in the Online space, as discussed in this paper.

3. Taliban Regime (2021-2025)

Can be defined as the time since the Taliban regained power in August 2021 and reinstated numerous repressive laws, in particular, those limiting the rights of women and their safety in the digital environment.

H. Research Method

This study is qualitative research to obtain information, solve problems, answer research questions, and generate new knowledge. This involves a structured and organized process of collecting, analysing, and arranging data with the aim of making it useful for decision making.

1. Type of Research

For this research, the study is a normative to legal norms contained in conventions, international customs, general principle of international law, and doctrine.⁶⁰ Normative research is applied to interpret as well as the existing legal standards, instruments, treaties, and policies deciding digital rights, from a human rights point of view, as they relate to Afghan women and the Taliban.

2. Research Focus

The research concerns bilateral international legal obligations. The study aims to clarify and interpret international legal rules linked to digital rights, such as those ensuring internet service and internet safety in the Taliban regime, in terms of protection and sustainability of females' freedom. It explores:

⁶⁰ Author Peter Mahmud Marzuki, *Penelitian Hukum / Peter Mahmud Marzuki*, 1st edition (Jakarta: Kencana Prenada Media Group, 2005, 2005): 89, <https://lib.ui.ac.id>.

- a. The area of focus is discrimination on digital restrictive policies imposed by the de facto government of the Taliban influence Afghan women on digital space.
- b. Protection of freedom of expression of Afghan women on digital space through the international human rights Law in non-recognition circumstances of the Taliban Regime. It further analyses systems protection, both nationally and globally.

3. Research Approaches

The study uses a doctrinal and case-study approach within the context of a general international human rights law context.

- a. Statutory Approach: The main way is to study legal documents, statements, and law studies related to the discussed issue.⁶¹ It develops a clear understanding of digital rights under international law. It also includes analysis of legal instruments such as CEDAW, ICCPR, ICESCR, and the pertinent UN resolutions.
- b. Conceptual Approach: The conceptual approach examines the concepts and ideas that have emerged within the legal field, in addition to analysing statutes, regulations, and their practical application.⁶² The conceptual approach will be applied to examine the conceptual basis of digital rights as human rights pillars, establishing these notions within the parameters of

⁶¹ Muhaimin, *METODE PENELITIAN HUKUM* (Mataram University Press, 2020): 118, accessed September 18, 2025.

⁶² Jonny Ibrahim, *Teori & Metodologi Penelitian Hukum Normatif*, 1st edition (Universitas Indonesia, 2006): 300, accessed September 22, 2025, <https://bintangpusnas.perpusnas.go.id/konten/BK26135/teori-and-metodologi-penelitian-hukum-normatif>.

international law and determining how they are specifically applied to gendered digital repression.

- c. Historical Approach: Another element included in the research is the historical approach⁶³, which involves examining the transformation of digital rights of Afghan women between the pre-Taliban Republic period and the Taliban regime today. This analysis shows how state policies have changed and also the empowerment of women during various periods.
- d. Case Study Approach: The Taliban-controlled Afghanistan (2021–2025) is used as a case study for the study. The study looks at the ways the Taliban enforce the law, violate rights, and make digital policies that limit women's freedom to use the Internet.

4. Source and Type of Legal Material

The research is based on primary, secondary legal sources, and authoritative documents.

- a. Primary Legal Materials: The primary legal material, that is all written rules enforced by nations, and applied by states.⁶⁴ The sources of primary legal materials used by the authors in this research are include:

- 1. International treaties and conventions: CEDAW, ICCPR, ICESCR, UDHR, UN Charter, and pertinent General Comments from international treaty bodies. Additionally, it uses from national law of previous Republic of Afghanistan government, and Sharia law since

⁶³ Ibrahim, *Teori & Metodologi Penelitian Hukum Normatif*.

⁶⁴ Syed Muhammad Sajjad Kabir, "MEASUREMENT CONCEPTS: VARIABLE, RELIABILITY, VALIDITY, AND NORM," in *Basic Guidelines for Research: An Introductory Approach for All Disciplines* (2016): 95, accessed June 5, 2025.

the Taliban uses the Islamic jurisprudence and jurisdiction since they do not have any specific written law.

2. Resolutions and guidelines: UNSCR 1325, SDG 5 targets and documents from the Human Rights Council.

- b. Secondary Legal Materials: Secondary legal materials provide explanations of primary legal materials, consisting of books, journal articles, scientific papers, academic literature, and relevant research topic materials.⁶⁵
- c. Tertiary Legal Materials: The tertiary legal materials are the additional explanations of primary and secondary legal materials.⁶⁶ It includes legal dictionaries, legal Afghanistan's dictionaries, and encyclopedias.

5. Data Collection Technique

Considering the fact that this is a qualitative legal research project based on the existing materials, the method of data collection is based on:

Analysis of international legal texts, reports, and scholarly analysis of the same. Content study of case studies and reports concerning gender-based discrimination. Thematic capture of the current literature to capture legal patterns, violations and normative controversies. All the data is gathered from credible, public verified sources that are acceptable from a legal and academic perspective.

6. Data Analysis Technique

⁶⁵ Depri Liber Sonata, "METODE PENELITIAN HUKUM NORMATIF DAN EMPIRIS: KARAKTERISTIK KHAS DARI METODE MENELITI HUKUM," *Fiat Justisia: Jurnal Ilmu Hukum* 8, no. 1 (2014): 1, accessed July 1, 2025, <https://doi.org/10.25041/fiatjustisia.v8no1.283>.

⁶⁶ Bagong Suyanto and Sutinah, *Method Research Social: Various Alternative Approach* (Jakarta Gold Prestone Media Group, 2005, 2015), 112, accessed August 10, 2025.

Legal materials collected in research in the form of qualitative descriptive materials, where the data describing matters related to the problem. The research uses the legal interpretation and thematic analysis technique for:

To compare Afghanistan's obligations with the actual policies between 2021–2025. Using UN and NGO reports as documentary evidence for legal violations. By doing content analysis, key legal obligations are sorted, violations can be marked and any openings in enforcement become apparent. By comparing real case experience, and academic theory, the analysis checks for matching principles between the de facto regime of the Taliban's digital governance and international human rights law.

I. Systematic of Writing

This thesis is divided into four parts which is called chapters to allow it to discuss various components of the research question to present a logical and analytical flow systematically, a comprehensive one:

1. Chapter I Introduction

This chapter presents the elements of the research and introduces the file premise on which the research is based. It includes: Background of the study, problem statement, research questions, objectives of the study, research significance, scope and limitations, research method overview, as well as systematic writing.

2. Chapter II General Overview of digital Rights under International Human Rights Law

In this chapter, the author will examine the literature and theory already available in regard to the topic discussed. It explores the foundation of international law and its branch including the human rights legal framework for gender equality

(CEDAW, ICCPR, ICESCR, SDG 5). Also, it will discuss in details regarding the human rights theory, and digital activism theory related to the research title.

3. Chapter III Analyses of Findings and Discussion on digital rights of Afghan Women under the Taliban Regime

This chapter contains the main findings and legal analysis. It provides a comprehensive review of digital rights before and after 2021, and gender-based oppression in Afghanistan. It investigates the study of Taliban policies between 2021- 2025 with reference to international law. Additionally, discusses the founded documentation of Afghan women's digital repression, rights to expression in digital space and it is impact of social media on women's activism, legal accountability and the role of international actors. Also, it explores the possibility of achieving the digital rights of Afghan women during the rule of the Taliban, and what are the international actors' role in legal accountability and policy enforcement.

4. Chapter IV Conclusion and Recommendations

This chapter contains conclusion and recommendations. It includes the summary of the thesis, findings on legal implications for Afghanistan and the international Community, recommendations for lawmakers, civil society, and tech platforms, as well as suggestions for future research.