

## **Abstracts and Authors of Dari and Pashto Articles (English)**

### **Faisal Ahmad Ahmadi, Acceptance and Implementation of International Treaties in the Afghan Legal System**

**Abstract:** Treaty relations are essential to contemporary international life, and Afghanistan has acceded to numerous instruments; yet domestic execution remains inconsistent. This article examines how treaties are accepted and implemented within Afghanistan's legal order, mapping constitutional and statutory mechanisms (e.g., Article 7 of the Constitution and the Law on Treaties) governing signature, ratification, oversight, and judicial review. It finds persistent normative ambiguity about the rank of treaties vis-à-vis the Constitution and ordinary statutes, a hybrid monist–dualist practice, and weak institutional habits: courts seldom cite treaties, ministries lack clear procedures, and reservations are uneven. These gaps risk international responsibility and erode legal certainty. Drawing on comparative practice, the study recommends clarifying the hierarchy of norms through constitutional or interpretive guidance; adopting systematic implementing legislation; empowering the Supreme Court and the Commission for Supervision of the Implementation of the Constitution to guide courts; strengthening MFA monitoring; and building capacity for judges and officials. Effective implementation is both a legal duty and a prerequisite for credible international engagement.

**Author:** Prof. Fazl Ahmad Ahmadi holds a BA in Arabic Literature (Herat University), an LL.M. in International Law (Khatam al-Nabieen University, Kabul), and a PhD in International Law (Shahid Beheshti University, Tehran), and is the author of *International Organizations*, *The Law of International Organizations*, and *International Law*.

### **Abdul Aziz Danish, The Relationship between Sustainable Peace and Transitional Justice**

**Abstract:** Lawlessness and widespread criminality are inevitable consequences in societies where political systems have collapsed into failed states. Afghanistan, ranked among the world's most unstable countries from the 1990s onwards, has experienced decades of conflict marked by war crimes, crimes against humanity, and even acts of genocide committed by various factions. To address such lawlessness, it is essential to uphold the rule of law, establish justice and peace, and implement transitional justice as key components of national recovery. However, since the 2001 Bonn Agreement, the international community and the United Nations have largely prioritised peacebuilding over transitional justice in Afghanistan.

This research examines the relationship between sustainable peace and the implementation of transitional justice, drawing on comparative experiences from societies with similar post-conflict

trajectories. The findings demonstrate that transitional justice is not an obstacle to lasting peace but rather a vital complement—indeed, the foundation and guarantor of its endurance.

**Author:** Dr Abdul Aziz Danish earned his Bachelor’s degree in Law from the University of Muqayyed (Iran) in 2001, followed by a Master’s degree in International Law from the same institution in 2006. During his studies, he co-founded the *Assembly of Afghan Academics* Student Association, serving successively as Advisor to the Secretary (2004), Public Relations Officer (2005), Deputy Secretary (2006), and as a member of the Editorial Board of *New Season* magazine.

He received his PhD in International Law from the University of Tehran in 2013. Since then, Dr Danish has served as a faculty member at Kateb University, teaching undergraduate and postgraduate courses, and has also lectured at Payam Noor and Dawat Universities. He has delivered specialised training on international law and treaties through the Hamida Barmaki Organisation for the Rule of Law, for officials of the Ministry of Justice (2014), the Ministry of Foreign Affairs (2014), and clerics (2016). Since 2015, he has led and managed the Master’s degree programme at Kateb University.

### **Mohammed Djalali and Ahmad Haneef Haneef: Modern Civil Society and Its Legal Status in Afghanistan**

**Abstract:** This study examines the legal status of modern civil society in Afghanistan alongside traditional civic structures. Using a library-based, descriptive–analytical method, it maps the principal contemporary actors—associations (including unions, councils and assemblies) registered with the Ministry of Justice under the Law on Associations, and non-governmental organisations (NGOs) registered with the Ministry of Economy under the NGO Law. It shows that these entities operate within defined regulatory frameworks, possess legal personality through approved statutes, and are subject to oversight and reporting requirements. Beyond domestic law, the paper situates Afghan civil society within key international instruments—including the UN Charter, Universal Declaration of Human Rights, and the ICCPR/ICESCR—which recognise freedoms of association and collective action. The findings conclude that modern civil society organisations in Afghanistan enjoy substantial legal recognition at national and international levels; the Afghan legal system has, to a significant extent, acknowledged and supported their role in public life, despite ongoing practical challenges.

**Authors:** Dr Mohammad Jalali is a faculty member in the Department of Public Law at Shahid Beheshti University, Tehran, Iran. Ahmad Haneef “Haneef” is a PhD candidate in Public

International Law at Shahid Beheshti University, Tehran, Iran. His research was supported by the Hamida Barmaki PhD Scholarship Programme.