

country include the devastating impacts of the COVID-19 pandemic, extreme political divisions, and recurring ethnic clashes. In brief, reform proposals to enhance national unity include widening the role of Bahasa Malaysia in society, repositioning the role of *Rukun Negara* as a basis for unity, and expanding the role of religion in promoting good communal values.

**Webinar: Round Table Discussion (RTD): The Return of the Taliban
and the Legal and Humanitarian Implications
(17 September 2021)**

Muhamad Sayuti Mansor

In conjunction with the recent political development in Afghanistan, the International Law and Maritime Affairs Unit (ILMA), Ahmad Ibrahim Kulliyah of Laws (AIKOL) IIUM on 17 September 2021 has organised a roundtable discussion entitled ‘The Return of the Taliban and the Legal and Humanitarian Implications.’ This RTD is moderated by Dr Muhamad Hassan Ahmad, with welcoming remarks by Professor Dr Farid Sufian Shuaib, Dean of the AIKOL. This discussion included four presentations by Associate Professor Dr Mohammad Tahir Sabit, Professor Dr Mohammad Naqib Eishan, Professor Dr Abdul Ghafur Hamid, and Professor Dr Najibah Mohd Zin, and a concluding remarks by Professor Dato’ Dr Mohammad Hashim Kamali, the Founding CEO of IAIS Malaysia.

Mohammad Tahir provided an overview of the current situation in Afghanistan. While the first Taliban-led government has failed due to the lack of international recognition and economic sanction, the recent return of the Taliban looks more promising as evidence from the recognition of the de-facto status of the new administration, albeit unofficially. Despite that, the humanitarian crisis in Afghanistan is becoming more critical. A combination of several catastrophes including drought, the COVID-19 pandemic and the ongoing international economic sanction have put Afghan’s lives in jeopardy, and Tahir urged the international community to prioritise the need of the Afghan people above all else. Mohammad Naqib Eishan then focused on the question of the international legitimacy towards the new Taliban administration. He highlighted the importance of legitimacy for a government to survive and cited that the failure of the previous local governments in Afghanistan was caused by this lack of legitimacy. Thus, he stresses the need for the new Taliban’s regime to have a clear foreign policy in earning international legitimacy and to respect Afghanistan’s constitution.

Abdul Ghafur discussed the ending of the unlawful foreign military intervention in Afghanistan. He criticised the illegality of the US invasion in 2001 as a violation of international law. The Afghanistan invasion has taken a big toll in terms of duration, cost and casualties, while the clear losers of this conflict are both the Afghan people and the American taxpayers. Therefore, the US must be held accountable for the war crimes committed during the occupation on top of the ex gratia compensation paid to the Afghans. Najibah explored the paradigm shifts from cultural to legal rights in protecting women rights and also stressed the importance for the legal interpretation to pay focus on the context as well as avoiding the pitfalls of the protective mind that resulted in too many restrictions on women.

To conclude the discussion, Kamali emphasised the need to revisit the implementation of shariah based on the contemporary context of Afghanistan while observing the principles of *siyasah shar'iyah* and *wasatiyyah* in the governance.

Virtual Conference: KL Conference on Afghanistan: Re-Emergence of a Nation

Session 2: 'Cautious Optimism of the Future of Afghanistan' (26 September 2021)

Muhamad Sayuti Mansor

The KL Conference on Afghanistan: Re-Emergence of A Nation was held on 26 September 2021, by Global Peace Malaysia and ABIM, with IAIS Malaysia as one of the partners. Session 2 was moderated by Associate Professor Dr Zulkifli Hasan and featured three distinguished panel members: Professor Dato' Dr Mohammad Hashim Kamali (IAIS Malaysia), Dr Roy Anthony Rogers (University of Malaya), and Dr Abdul Razak Ahmad (*Bait al-Amanah*). Its sub-theme was 'Cautious Optimism of the Future of Afghanistan.' This discussion revolved on how the international community and Muslim nations, including Malaysia, should respond to the current developments in Afghanistan.

Kamali emphasised in his presentation the prevalent mood of cautious optimism during the early weeks of the Taliban's return as a consequence of the relatively peaceful takeover of Kabul and their pledges of general amnesty, inclusivity, and human rights protection. Given the Taliban's legacy of death, brutality, and terrorism, Afghanistan's future remains uncertain. Apart from the rising concern on human rights, women's rights, and inclusivity, there is also the possibility that the Taliban would become too dogmatic in their