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| **英文翻譯** | **中文原稿** |
| "Human rights" are supposed to be an unchallengeable universal value, but even in the modern world, it is hard to reach in countries with unstable regimes. After the Taliban took over Afghanistan, ordinary people became refugees, and even lawyers were persecuted. Guang-Wei, Peng, a reporter for Reporters Without Borders, shared what he witnessed in Afghanistan when the judicial system there was corrupted. He also stood up to support the lawyers whose human rights were in danger.I traveled to Afghanistan for an interview in 2022. On the flight to Kabul, the passenger sitting next to me heard that I was going to Afghanistan for an interview and immediately said that I might be killed in Kandahar because the Taliban controlled the area, and even the Afghans would be afraid.I don’t mean to increase readers' negative impressions toward the Taliban, but I hope that more people will have a better understanding of Afghanistan through reporting. (Extended reading: 【Earth Observation Room】When they all lost a kidney! Has the poor life been reversed? Revealing the Kidney Selling Village in Afghanistan)I am impressed by the judicial system of the Taliban government. I was once on the streets of Kandahar and saw a group of people "registering and reporting" in the middle of the main road with a large pile of papers. Surrounded by lots of people, I curiously asked the local guide, and he said that they were "registering and reporting.” To elaborate, if someone had a conflict with others, he had to register first, write down the incident and the person accused, and send these registrants to the police station. The police "summoned" all parties involved to a face-to-face confrontation. | 「人權」本該是不可撼動的普世價值，但即便是現今，在政權不穩定的國家卻仍奢侈難求。而阿富汗在塔利班接手執政後，不只一般人成為難民，連律師也遭到迫害。無國界記者彭光偉分享，當司法體制崩壞，他在阿富汗目擊的情況，也挺身而出為危難律師的人權聲援。2022年前往阿富汗採訪。飛往喀布爾的班機上，鄰座乘客聽到我要去阿富汗採訪，隨即說我可能會命喪坎達哈，因為當地是塔利班的天下，連阿富汗人都會怕。我無意增加讀者對塔利班的負面印象，只盼透過報導，讓更多人對阿富汗有進一步的認識。（延伸閱讀：【地球觀察室】當他們都少了一顆腎！貧窮的日子翻轉了嗎？揭密阿富汗賣腎村）塔利班政府的司法制度讓我印象深刻。我曾在坎達哈街頭，看到一群人在大馬路中間拿著大疊紙張「登記報案」。四周不少人圍繞著，我好奇地問當地嚮導，他說他們在「登記報案」，有人發生衝突，得先行登記，把事件和指控的人物寫下來，讓這些協助登記者送到警察局，再由警察「傳喚」各方當事人面對面對質。 |
| One of our interview schedules was to get into the police station to watch the local "judicial investigation.” We were taken into a dark, empty room, where the crowd sat on the floor, divided into three groups. In the middle of each group is a "police officer" who listens to the statements of all parties. After everyone has finished speaking, it is up to the police officer to make the final decision.The judiciary collapses, and the system goes back to tribal culture.This seems to return to the early tribal culture, where the elders are the decision-makers of various affairs and the resolvers of conflicts. In Afghanistan, these people with high status and who can make judgments according to the law are called "Mura.” Their power comes from inheritance, the wisdom of their ancestors, and the tacit consensus of the tribe, so few people resist.After the Taliban regained power, Mura's system replaced the judicial system established in Afghanistan for nearly two decades. Lawyers and judges could no longer play their roles. If they had handled cases involving Taliban members in the past, they might even become targets of threats and revenge.According to information compiled by Judicial Reform Foundation and other international human rights organizations, the AIBA was established in 2008. They are responsible for supervising the issuance of lawyers' licenses and promoting the development of the local legal system in Afghanistan.But after the Taliban regained power in August 2021, things changed overnight. The nearly 20-year-old judicial system has almost collapsed, returning to the era of judging by Islamic law. Many lawyers and judges have become victims of being forced to flee overseas from defenders of justice and order. There are more than 6,000 members in the association, and about 1,500 are women. | 那回我們的採訪行程之一，就是進到警局看當地的「司法調查」。我們被帶進一間昏暗空曠的房間，裡面的人群席地而坐，分成了三組。每一組人中間都有一位「警官」，聽著各方人馬的陳述。所有人都講完，再由警官做出最後裁定。司法崩壞　制度重回部落文化這好像回到了早期的部落文化，長老們是各項事務的決策者，也是衝突的解決者。他們的權力來自於傳承、祖先的智慧，以及族人默許的共識，因此鮮少有人反抗。而在阿富汗，這些地位崇高，能依據律法做出判決的人，被稱為「穆拉」。塔利班重返執政之後，穆拉的制度取代了阿富汗歷經將近二十年建立的司法制度，律師、法官再也發揮不了作用，若過去經手過塔利班成員的案件，甚至可能成為威脅、報復的對象。根據民間司改會和其他國際人權組織整理的資料，阿富汗獨立律師協會在2008年成立，他們負責監督律師執照的發放，推動阿富汗當地法律制度發展。但是2021年8月塔利班奪回政權後，一夕丕變。將近20年的司法系統幾乎崩壞，回到了利用伊斯蘭律法判決的時代。許多律師和法官從正義秩序的維護者，淪為被迫逃亡海外的受害者，而協會中超過6,000名成員，女性大約有1,500人。 |
| A few days ago, through the arrangement of the Judicial Reform Foundation, I had the opportunity to talk to an Afghan lawyer, Rafi, who is currently receiving asylum as a refugee in Europe.I used to handle the Taliban case, but you will be arrestedRafi is one of the members of the AIBA. From 2014 to 2017, he participated in the " Cross-cultural communication between NATO and Afghan University Students" project and has long assisted in establishing the Afghan domestic judicial system.However, after the Taliban ruled Afghanistan, his life was utterly reversed. At that time, tens of thousands wanted to retreat from Afghanistan with Western troops, including former government officials, judicial personnel, and various people engaged in work that conflicted with Taliban laws. However, not everyone has the opportunity. Rafi was lucky to be on the evacuation list because he had long-term contacts with NATO.Rafi left Afghanistan with his wife and children, but his mother, brother, and other family members remained there. Due to this, Rafi can't live without concern. After the Taliban took over Kabul, they began to search the bar association. Lawyers who had handled "sensitive" cases such as human rights and women's rights were all targeted by the Taliban.For the lawyers who stayed in Afghanistan, their licenses were almost useless. "Especially female lawyers lost not only their jobs but also their lives. Because of my identity, my family was forced to move constantly to avoid letting the Taliban know their whereabouts.",” Rafi told me that many people have had no place to live for a long time because they have to escape the threat of the Taliban.The situation reminded me of the women's rights activists I interviewed in Afghanistan. She was a radio reporter and desired freedom, so she and her friends went on the streets several times to fight for women's rights, but it was hard to beat the Taliban's forces. Many of her friends were arrested and detained, causing heavy psychological pressure. Not to mention that there was no place for them to live for a long time. On the other hand, they must turn on automatically deleting conversations when using the communication software to prevent the Taliban from targeting them. | 日前透過民間司改會的安排，有機會和一名阿富汗律師Rafi對話，他目前正在歐洲以難民身分接受庇護。曾辦過塔利班的案　換你被辦Rafi就是阿富汗獨立律師協會成員之一。在2014至2017年間，他參與了「北約與阿富汗大學生跨文化對話」計畫，長期協助阿富汗國內司法制度的建立。不過就在塔利班統治阿富汗之後，他的人生徹底翻轉。當時有上萬人想要跟隨西方軍隊一起撤出阿富汗，其中不乏前朝官員、司法人員、各種從事與塔利班律法有衝突工作的人。不過並不是每個人都有機會，Rafi因為長期和北約往來，因此很幸運地被放進了撤離名單中。Rafi帶著妻兒離開阿富汗，但他的母親和兄弟以及其他家族成員都留在當地。也因為這樣，Rafi無法安心度日。塔利班拿下喀布爾後，開始對律師協會進行搜索，處理過人權、女權等「敏感」案件的律師，都是塔利班的肅清對象。留在阿富汗的律師，執照幾乎成了廢紙，「尤其是女性律師，不但失去了工作，更喪失了自己的人生。因為我的關係，我的家人也被迫不斷搬家，避免讓塔利班掌握行蹤。」Rafi告訴我，許多人為了躲避塔利班的威脅，居無定所。這情景讓我想起在阿富汗採訪過的女權運動者。她曾經是電台記者，憧憬自由，因此幾次和朋友們走上街頭爭取婦女權益，但終究難抵塔利班的勢力。她的許多朋友都被逮捕拘禁，造成沉重的心理壓力。更別說得居無定所，使用通訊軟體必須開啟自動刪除對話的功能，想盡辦法不讓塔利班盯上她。 |
| The pain of mental pressure is no less than physical torture. This is the situation faced by Afghan lawyers. According to statistics, seven lawyers have already died, and nearly 150 lawyers have been arrested or investigated since the Taliban came to power. Still, these lawyers can’t reach out for help.Especially after the Ukrainian-Russian War, because global resources flowed into Ukraine and caused a crowding-out effect, many countries that also needed international aid were almost forgotten. In addition, Afghanistan was sanctioned by Western countries due to the Taliban, resulting in human rights asylum and rescue in Afghanistan also being rejected by governments worldwide.Therefore, promoting justice can only rely on the strength of non-governmental organizations. Aurore Lebeau, a Belgian lawyer, launched an advocacy campaign for Afghan lawyers on the " Day of the Endangered Lawyer " on January 24, 2023, and expressed his deep concern about lawyers in Afghan in an interview. The advocate activities were carried out in different European countries, including the Netherlands, France, Ireland, Belgium, etc. Taiwan's Judicial Reform Foundation also joined the cosignatory, providing more resources and assistance in international human rights actions so that more people can see the situation of Afghan lawyers. That is to say, when the official channels are obstructed, the steps of the people are even more valuable.The " Day of the Endangered Lawyer " human rights event commemorates the four lawyers killed in the Atocha massacre in Madrid, Spain, on January 24, 1977.Because of my interview experience in Afghanistan, I have a solid feeling about the current situation of the Afghan people under the rule of the Taliban. This is a country trapped by politics, economy, and religious consciousness. More than 80% of the people in the country live below the poverty line. However, the two shackles of the Taliban regime and Western sanctions have oppressed Afghans with no chance of turning over.Afghanistan might be isolated in international issues. Luckily, the International Network of Day of the Endangered Lawyer saw the critical situation and acted. This appeal also needs to be seen by more people.In recent years, Taiwan has constantly played a vital role in the issue of international aid, maybe because the global neighborhood has suppressed it for a long time, and it is more empathetic to those who need assistance. Therefore, Taiwan should not be absent from the human rights support of lawyers in distress in Afghanistan because in our history, didn't we survive the human rights crisis to achieve the current democratic achievements? | 精神壓力的痛苦並不亞於肉體上的折磨。阿富汗律師就是面臨這樣的處境。根據統計，塔利班執政後已有7名律師遇害，將近150位律師遭到逮捕或是接受調查，但是這些律師卻求助無門。尤其是烏俄戰爭之後，全球資源流進烏克蘭發生的排擠效應，許多同樣需要各項國際援助的國家幾乎遭到遺忘，再加上阿富汗因為塔利班被西方國家制裁，導致阿富汗的人權庇護和救援也遭到各國政府拒絕。因此，很多正義的促成，只能仰賴民間機構力量，比利時律師Aurore Lebeau在2023年1月24號「國際危難律師日」，發起對阿富汗律師的聲援活動，也在受訪時表達對阿富汗律師同業的高度擔憂。聲援活動在歐洲不同國家展開，包括荷蘭、法國、愛爾蘭、比利時等，台灣的民間司法改革基金會也加入連署，在國際人權行動中提供更多資源協助，讓阿富汗律師的處境被更多人看見，當官方管道窒礙難行之時，民間的作為就更加可貴。而之所以會有「國際危難律師日」這個人權活動，也是為了紀念1977年1月24日在西班牙馬德里發生的阿托查屠殺事件中，遭到殺害的4名律師。因為阿富汗的採訪經驗，讓我對於塔利班統治下阿富汗人民現況感受特別強烈。這是個被政治、經濟、宗教意識困住的國家，全國有逾八成人民生活在貧窮線下，但是塔利班政權和西方制裁這兩道枷鎖，壓得阿富汗人毫無翻身機會。本以為阿富汗可能會在國際議題中被邊緣化，所幸國際危難律師聯盟看到了當地的危急狀況並採取行動，我也認為這項訴求需要被更多人看見。而台灣近幾年來在國際援助議題上屢屢成為重要角色，或許是因為長期遭到國際打壓，對於需要協助者更能感同身受，因此，在阿富汗危難律師的人權聲援，台灣更不該缺席，因為在我們歷史中，不就是挺過了人權危機，才有現在的民主成果。 |