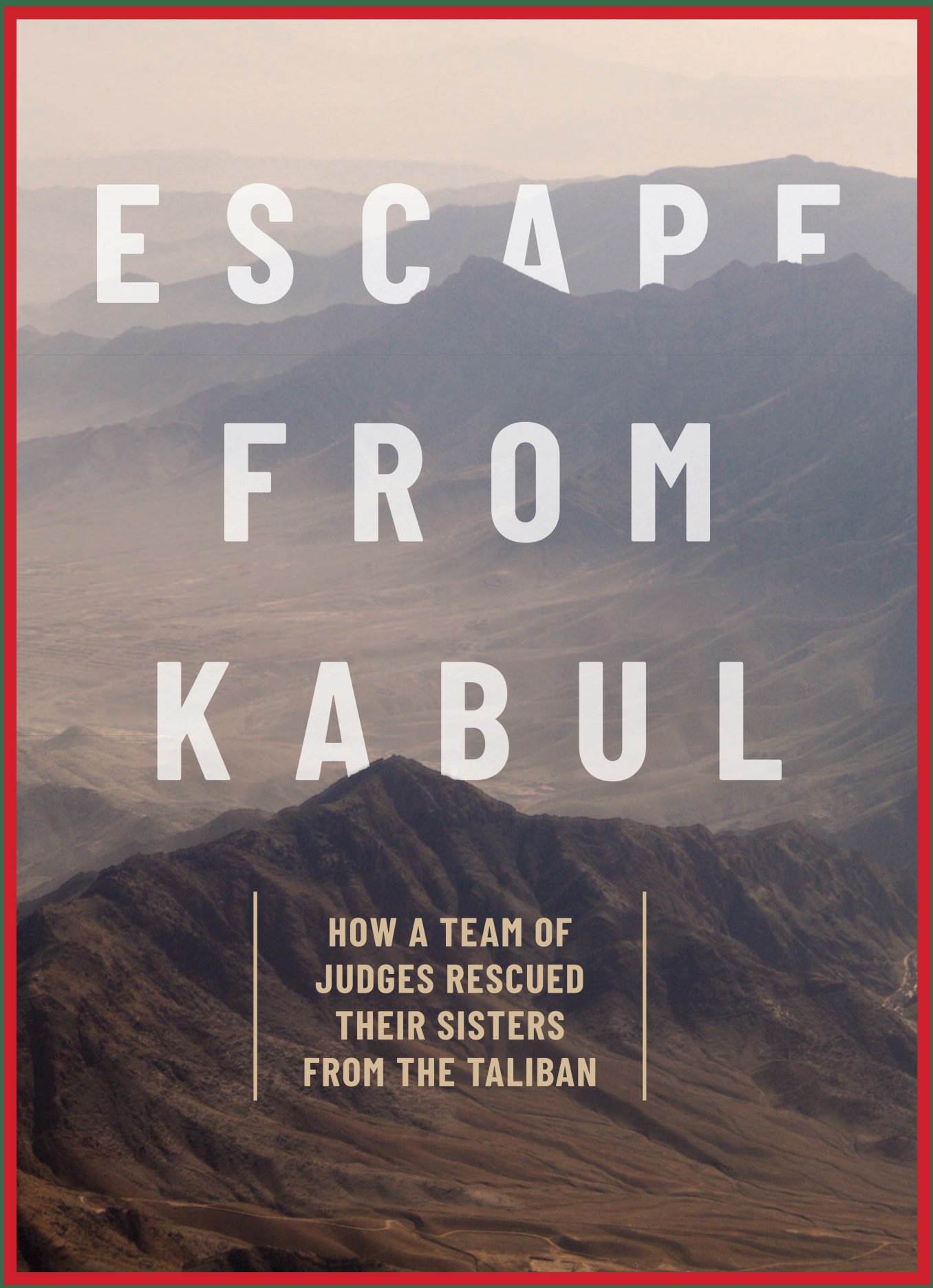

ESCAPE
FROM
KABUL
HOW A TEAM OF
JUDGES RESCUED
THEIR SISTERS
FROM THE TALIBAN

In the summer of 2021, as Afghanistan fell, seven women judges from around the world launched one of the most unlikely humanitarian rescue operations in recent memory. At the Spring Meeting in La Quinta, we heard from two of those heroines, and from one of the Afghan judges they rescued.

On the morning of August 15, 2021, the Honorable Mona Lynch, a Justice of the Supreme Court of Nova Scotia, woke to news that Kabul had fallen to the Taliban overnight, sooner than expected. The Afghan government had collapsed. And roughly 270 women who had served as judges in Afghanistan — women who had gone to work every day "in the insecurity that they were in" while their families pleaded with them to stay home — were now in mortal danger.

What followed was one of the most extraordinary and improbable rescue efforts in recent memory. A team of seven women judges, drawn from New Zealand, Australia, Canada, Spain, the United Kingdom, and the United States, worked around the clock on a continuous Zoom call. Across time zones, they guided fleeing judges through mobbed airports, Taliban checkpoints, and even open sewers. Like something out of *Mission Impossible*, they relied on clandestine communication networks and engaged with the labyrinthine bureaucracies of a dozen different governments — all in a desperate effort to get their sister judges out alive.

A HISTORY WRITTEN IN COURAGE

To understand what was at stake in August 2021, it helps to understand what Afghan women had built over the preceding two decades — and how much it cost them.

The Honorable Tayeba Parsa, who served on the Commercial Division of the Appellate Court in Kabul before her escape, traces the roots of Afghan women's public participation back to 1919, when King Amanullah Khan began encouraging education for girls and participation by women in social life. Progress was slow, frequently reversed, and always contested. Women received suffrage rights in 1964. The first woman judge was appointed in 1965. Under subsequent constitutions, women were guaranteed equal rights under law.

King Khan

Then the Taliban came to power for the first time, and erased it all. "The Taliban fired all of them," Judge Parsa said simply.

After the U.S. invasion in 2001, two decades of democratic governance restored and expanded those rights, returning women to the bench. By 2021, some 270 women served as judges across Afghanistan. They worked in commercial courts, family courts, and criminal courts. ▷

They sentenced Taliban fighters, drug lords, and men who had committed horrific acts of violence against women. They did this knowing they would become targets, because the Taliban hold the belief that women cannot sit in judgment of men.

Judge Parsa describes what it was like to work in that environment with remarkable matter-of-factness. Bomb explosions in or near courthouses were routine. Judges received phone calls from family members after each blast, checking to confirm they were still alive. Courts were targeted not only because they were part of the democratic government, but because judges had personally sent Taliban members to prison. The threat was both ideological and deeply personal.

There were other challenges, too — the familiar ones that women in positions of authority face everywhere. Judge Parsa recalls being passed over for a chief judgeship at Kabul's primary Commercial Court, despite being the only candidate with relevant experience. She was told that "presiding over a prestigious court and dealing with big companies is not something that a female judge can deal with." A younger male judge from the appointing authority's home province — who had no experience in the Commercial Courts – was chosen instead.

Corruption was rampant. Judge Parsa recalls a moment, early in her career at age twenty-five, when she submitted a well-reasoned judicial opinion and her superior yelled at her, trying to pressure her to change her decision. She held firm — telling him that "judging is not only for me a job, it's my moral duty," – then spent the next day expecting to be fired or transferred to a remote province under Taliban control, which was how the system silenced dissenting judges. Instead, her boss apologized. He told her she had written a fine opinion, but that he was under pressure from the Supreme Court. He asked her to sign a different opinion "just this time." She refused. Her father, she said, had taught her: "Never ignore justice. Not even for my sake."

THE INTERNATIONAL ASSOCIATION AND THE BONDS OF FRIENDSHIP

For over a decade before the fall of Kabul, the International Association of Women Judges had been quietly building something that would prove invaluable: genuine human relationships between women judges across the world.

The IAWJ, which counts over 5,000 members from 140 countries among its ranks, had run an annual program since 2004 bringing a small group of Afghan women judges to the United States. The program had two components. The first was what Judge Vanessa Ruiz — a senior judge of the D.C. Circuit Court of Appeals who served as IAWJ president from 2018 to 2021 — calls "the Vermont experience": two weeks of professional sessions, educational programming, and simple human con-

nection. Afghan judges learned to drive cars. They received medical checkups unavailable to them at home. They relaxed. They laughed. They made friends.

The second component took place in Washington, D.C., where the visiting judges toured courts, the State Department, embassies, and the U.S. Supreme Court. Judge Ruiz met annually with Afghan judges for at least a decade, discussing judicial ethics, security, and the perpetual challenge of balancing professional demands with family life — a challenge with a particular urgency for women whose professional lives put them in physical danger.

> IAWJ members also traveled to Afghanistan, partnering with the Afghan Women Judges Association to run programs, including human rights education for girls. It was a genuine two-way partnership. And it built something rarer than institutional cooperation: it built friendship.

That friendship would be tested in ways no one anticipated.

THE WARNING SIGNS

The warning signs began months before Kabul fell. In January 2021, two Afghan women judges — both IAWJ members — were assassinated while being driven to work at the Supreme Court in Kabul. For the IAWJ, this was not merely a news item. Judge Ruiz keeps a photograph from 2009 showing herself in her chambers in Washington alongside visiting Afghan colleagues. Seated next to her is Judge Zakia Herawi. She was one of the two judges killed.

"This was personal," Judge Ruiz said. "This hit home really hard. I remember her well. I remember having discussions with Judge Zakia. She was young. She was a bright light. She had a lot to contribute."

Throughout the spring and summer of 2021, as the Taliban swept through the Afghan countryside province by province, the IAWJ held Zoom meetings with judges in Afghanistan. The judges described their situation clearly: they were committed to their country and their work, proud of what they had built, but increasingly afraid. They felt lost in the noise and confusion of the Allies' withdrawal. They asked the IAWJ to be their voice to the world.

The IAWJ obliged, doing something that judges rarely do: they went to the press. Judge Ruiz appeared on PBS NewsHour alongside Judge Parsa, who was still in Kabul at the time, with Judge Parsa's face blurred for her safety. She later gave an interview to CNN. The organization issued public statements. It knocked on official doors in the United States, Canada, the United Kingdom, Spain, Australia, and New Zealand, pleading for government intervention to protect the Afghan women judges.

"We thought, naively, that if we brought the Afghan women judges' plight to the fore, the international community would come to their aid," Judge Ruiz said. "We were wrong. We were dead wrong."

Nobody came. So, the IAWJ had to do it themselves.

"WE DIDN'T KNOW IT COULDN'T BE DONE"

The team that assembled to execute the rescue included seven judges from around the world: one each from New Zealand, Australia, Canada, Spain, and the United Kingdom, and two from the United States. They were, as Justice Lynch puts it, "judges in their pajamas on Zoom." They had no special operations training. They had no experience in humanitarian logistics. They had limited funds and no institutional backing.

What they had was determination — and a 24-hour, continuously running Zoom call that became the nerve center of the operation. "My partner would say, we did it because we didn't know it couldn't be done," Justice Lynch recalled. "We just kept doing what needed to be done in the moment."

The logistics were staggering. The team built a massive database of personal information, passport images, identity numbers, and family details for every judge they were trying to help. They partnered with humanitarian organizations and veterans' groups — the latter particularly committed, in the words of Judge Ruiz, because "they do not leave people behind." They consulted security experts about encrypted communications. They worked with an interpreter who had been with the IAWJ since the Vermont and Washington programs. They navigated an entirely alien vocabulary: veterans calling back with "roger this" and "roger that," prompting bewildered questions about who Roger was.

Funding was a pressing problem. A charter flight out of Afghanistan cost $800,000 — if you could find a plane and get permission for it to fly. The judges, constrained by judicial ethics from fundraising, had to partner with other organizations to raise the money. The International Bar Association and Jewish Humanitarian Support eventually became key partners.

A breakthrough came through unexpected channels. Judge Parsa had given an interview to Radio-Canada, the French-language broadcaster, which had gained traction in Europe. Through the ripple effects of that coverage, a Polish lawyer named Anna made contact. When Poland evacuated its citizens from Kabul, she offered the IAWJ any open seats on the evacuation flights.

Getting women onto those flights was another matter entirely.

THROUGH THE GATES OF HELL

The scenes outside Kabul's Hamid Karzai International Airport in August 2021 were among the most harrowing of the entire withdrawal. Thousands of desperate people surrounded the airport perimeter. The IAWJ team, watching from thousands of miles away on their Zoom call, tried to guide judges and their families through the chaos.

The women burned their law books, their judges' certificates, anything that could identify them as officers of the court. Some were moving from house to house to stay ahead of men they had sent to prison, while at the same time trying not to put their friends and relatives in danger by staying with them. One judge had awarded custody of a young girl to her maternal family after the father killed the mother; just after August 15th, that judge received a phone call threatening that if she didn't hand the child over to the father by the following day, they would come to kill her and her daughters.

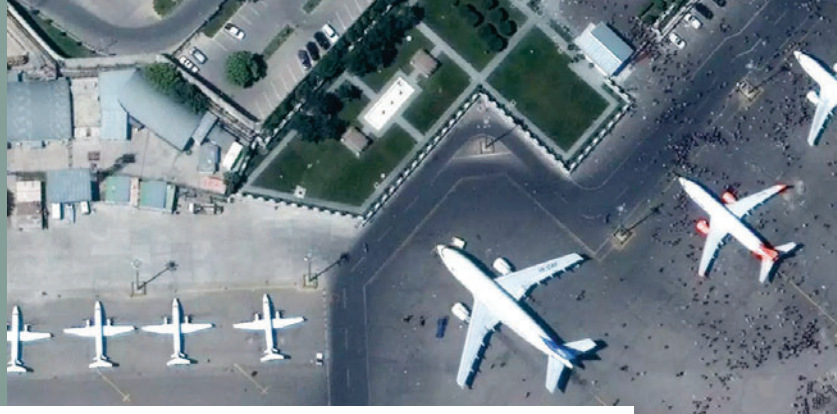
Another judge's former home was visited by men looking for her; when relatives said they didn't know where she was, the men shot and killed the family dog in retaliation.

To get into the airport, judges needed to signal to Polish military personnel who were controlling one of the entry gates who they were. Judge Ruiz instructed the women to write "PL" for "Poland" on the back of their hands, and "J" for "Judge" on their palms, and to display those letters to the Polish soldiers at the gate.

Many couldn't get through at all. The journey from safe houses to the airport sometimes took twenty to thirty hours. Some women waded through sewage. One family — a mother, father, and mother-in-law — made it through a Taliban checkpoint, waded through the sewer, and reached the Allied-controlled gate, only to be told that their three-month-old and three-year-old couldn't enter without passports. The adults could come in, a soldier told them, but the babies had to stay. The family called the IAWJ team. Working through the night, the team made contact with someone who advised them to wait until the guard shift changed. When it did, the new soldier let everyone through.

Polish flights departed with empty seats because judges couldn't fight their way to the gate in time.

Then, on the night of August 26th, Justice Lynch received a call from a lawyer in Toronto: there was a verified bomb threat at Abbey Gate, one of the entrances to the airport. Pull everyone back. They did. That night, a suicide bomber killed more than 200 people near the gate. By some combination of luck and the frantic communications of the IAWJ team, none of the women judges were among the dead.



AFTER THE AIRLIFTS

As of the time the last Allied forces left Kabul and the airport closed to evacuation flights, the IAWJ had gotten thirty judges out. The work was far from over.

For months afterward, the team worked to get more judges out on flights from other airports and over land through Pakistan. Along the way, they were contacted by a number of what Justice Lynch describes diplomatically as "former special forces people" — voices on phones offering to extract people by bus or helicopter for "$14,000 a soul."

They also navigated an entirely new digital underground. Justice Lynch describes being added to a Signal group by a Toronto lawyer and promptly violating operational security by using her real name. "I flunked out of spy school," she said. She subsequently took her mother's name as her Signal handle. The encrypted messaging app, with its disappearing messages, was "very James Bondy" for a judge who prefers to read the last page of a thriller first to find out whether everyone lives.

On January 20, 2022, a planned evacuation flight failed to take off. After that, no more flights departed. By that point, the IAWJ and its partners had directly assisted in evacuating 160 women judges. To date, that number stands at 209. Many came out with extended family members, requiring the IAWJ to advocate with immigration authorities in multiple countries for exceptions to nuclear-family-only policies. With family members, the IAWJ and its partners have rescued over 1000 people.

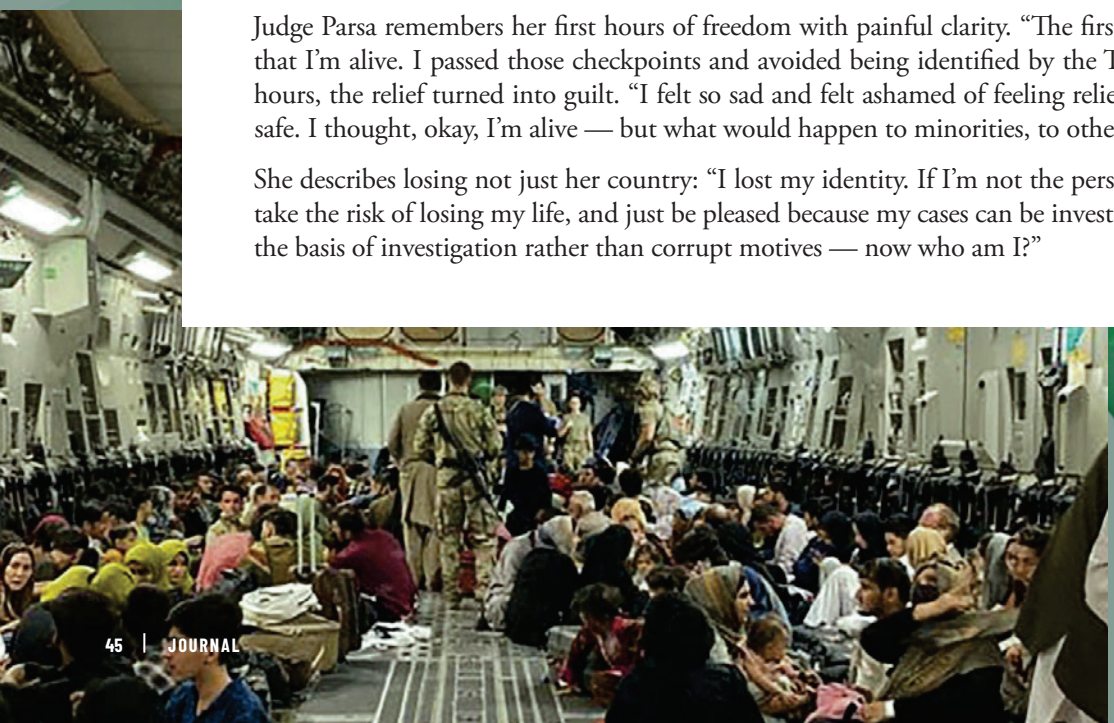
Today, seventy-seven Afghan women judges are resettled in the United States, thirty-seven in Canada, twenty-two in Germany, nineteen each in Australia and the United Kingdom, ten in Ireland, seven in New Zealand, seven in Brazil, and four in Spain.

Thirty-five remain inside Afghanistan, with no clear path out.

A LIFE REBUILT, A FIGHT CONTINUED

Judge Parsa remembers her first hours of freedom with painful clarity. "The first day, I was so excited that I'm alive. I passed those checkpoints and avoided being identified by the Taliban." Then, within hours, the relief turned into guilt. "I felt so sad and felt ashamed of feeling relieved. Because of being safe. I thought, okay, I'm alive — but what would happen to minorities, to other girls?"

She describes losing not just her country: "I lost my identity. If I'm not the person who every day can take the risk of losing my life, and just be pleased because my cases can be investigated and decided on the basis of investigation rather than corrupt motives — now who am I?"



Her answer has been to rebuild, and to keep fighting from exile. She applied for every scholarship she could find, ultimately receiving a Fellowship at Duke Law School, where she completed an LLM, she says, working to "regain my identity." She describes the process of learning American law as surprisingly familiar: "I found it very similar. I just needed to review it in English." She is now studying to take the bar exam, with hopes "to find a job in the United States. To be able to work."

Judge Parsa is one of the few Afghan women judges who have been able to obtain graduate law degrees abroad. Language barriers have prevented many of her colleagues from doing the same. But the shared perspective, she says, is consistent: all the Afghan women judges who escaped have tried to continue their fight for the rule of law, even from exile.

WHAT REMAINS

The story of the escape from Kabul is, among other things, a story about what friendship and professional solidarity can accomplish when governments will not act. The bonds formed on drives through Vermont and in judges' chambers in Washington and in Zoom seminars became the infrastructure of a rescue operation. The trust built over years of shared experience made possible the kind of communication — urgent, encrypted, conducted across time zones at three in the morning — that saved lives.

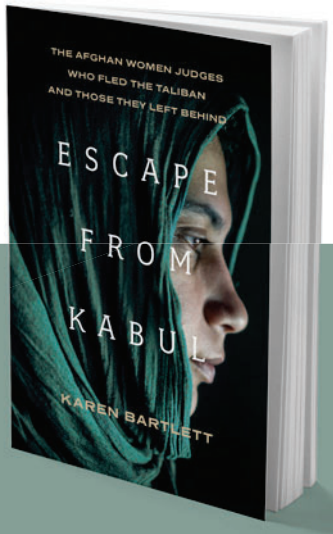
It is also a story still unfinished. The world's attention has moved on from Afghanistan. Pakistan has begun forcibly returning Afghan refugees. Countries that once seemed open to resettlement have pulled back. The thirty-five judges still inside Afghanistan remain in danger with no clear options before them.

For Justice Lynch, Judge Ruiz, and the other members of the IAWJ team, the work continues — quieter now, less dramatic, but no less urgent. For Judge Parsa, it continues in law school classrooms and in the hope of a legal career that will let her advocate for those she left behind.

Her father's words — the ones she invoked when she refused to sign a corrupt judicial opinion at age twenty-five — still guide her: *"Never ignore justice. Not even for my sake."*

Terri L. Mascherin
Chicago, Illinois

The story of the IAWJ rescue operation is told in detail in *Escape from Kabul* by UK journalist Karen Bartlett.



START WHERE YOU ARE.
USE WHAT YOU HAVE.
DO WHAT YOU CAN.
— ARTHUR ASHE