



Permanent Mission of Afghanistan to the United Nations

Statement

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**Sixth Committee of the 81st Session of the United Nations General Assembly
Agenda item 84: The Rule of Law At The National and International Levels**

8 October 2026

Madam Chair,

Afghanistan aligns itself with the statement delivered on behalf of the Non-Aligned Movement and delivers the following statement at its national capacity.

Afghanistan welcomes the Secretary-General's report and its central message: the exercise of power must be subject to law. Respect for international obligations, equal protection under the law and accountable institutions are indispensable to peace and development.

Five years after their forcible takeover, the Taliban have suspended the application of Afghanistan's Constitution and govern through fear, coercion and intimidation, misusing and distorting Islamic law. They have dismantled legal and judicial safeguards and imposed their authority through discriminatory decrees.

Women have been excluded from judicial roles, while restrictions on their education, employment and movement undermine equality before the law and access to justice.

Arbitrary detention, torture and reprisals, including targeted killings of former officials and security personnel, expose the consequences of unchecked power and the absence of justice and rule of law. Reports of summary and public executions, corporal punishment, arbitrary detention of women and girls, and sexual abuse underscore the urgency of independent scrutiny, protection and accountability.

The rule of law requires legitimate and accountable government. It goes beyond the issuance of decrees and the existence of courts. Those exercising power must themselves be bound by law. Every person must enjoy equal protection and access to independent institutions capable of addressing grievances and providing effective remedies. Afghanistan's international obligations remain binding, regardless of who exercises control.

Madam Chair,

We highlight three priorities.

First, restoring the rule of law, justice and accountability, and achieving lasting peace and stability, require legitimate, representative and accountable governance. This must be pursued

through an Afghan-led and Afghan-owned political process, supported and facilitated by the United Nations, with the participation of women, civil society, democratic forces and other credible Afghan stakeholders.

The Taliban must reverse discriminatory measures, respect due process and allow independent monitoring. Judges, lawyers, prosecutors and human rights defenders must be protected. Women must enjoy equal access to justice and participate fully in its administration.

International engagement must support these objectives and be tied to measurable, independently verified improvements in human rights. It must not normalise institutionalised discrimination or entrench governance through coercion.

Second, mechanisms for monitoring, reporting and accountability must be strengthened. We welcome the report's reference to the Independent Investigative Mechanism for Afghanistan and call for adequate resources for its effective functioning. Evidence must be preserved, victims and witnesses protected, and cooperation with the International Criminal Court strengthened.

We support codifying **gender apartheid** as a crime against humanity and using all available legal mechanisms to end impunity. Accountability must uphold victims' rights to justice and redress and help prevent the recurrence of violations.

Third, international law must be upheld consistently and without selectivity. Disputes must be resolved peacefully in accordance with the Charter of the United Nations. **Counterterrorism** cannot justify unlawful attacks on civilians or violations of Afghanistan's territorial integrity. States must uphold the principle of non-refoulement and protect Afghans at risk of persecution.

Madam Chair,

Control over territory does not confer legitimacy. Afghanistan's future must be built on legitimate government grounded in the people's will, committed to its domestic and international obligations, and supported by independent institutions that uphold justice and equal rights.

The rule of law must protect people from the arbitrary exercise of power and provide the foundation for lasting peace.

I thank you.

