

HRD+ Statement

Is Afghanistan's Obligations as a Member of the International Community?

19.04.2026

Following the publication of a communication by United Nations Special Rapporteurs and senior experts on the situation of human rights in Afghanistan, Human Rights Defenders Plus (HRD+) expresses its strong condemnation and deep concern regarding policies that violate the fundamental rights of citizens, including the endorsement of Taliban Decree No. 12 under the title "Criminal Procedure Code for Courts"

. This approach towards governance has severely restricted and, in cases, stripped away access to justice and the fundamental rights of citizens in Afghanistan.

Afghanistan International Obligations

As a state, Afghanistan remains a formal member of the international community and is bound by multiple conventions which, under international law, remain in force regardless of changes in government. By acceding to treaties such as the followings, Afghanistan is obligated to uphold global standards:

- International Covenant on Civil and Political Rights (ICCPR);
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
- Convention Against Torture (CAT).
- Convention on the Rights of the Child (CRC).

Obviously, a meaningful engagement with the world does not come through isolation, but through adherence to these principles and respect for the fundamental rights of citizens.

Violation of the Right to Life and Human Dignity

The expert analysis by the United Nations demonstrates that Taliban decrees clearly target the right to life (as enshrined in Article 6 of the ICCPR):

- Unlawful expansion of the death penalty: Issuing death sentences for crimes that do not meet the threshold of "most serious crimes" under international law (such as repeated theft and corruption) constitutes a grave violation of the right to life.
- Degrading and corporal punishments: Legalizing public flogging and other forms of corporal punishment constitute torture and inhuman treatment, which are absolutely prohibited under the Convention Against Torture.

Institutionalised Discrimination and Legal Apartheid

The legislative decrees of the Taliban administration have codified a discriminatory social hierarchy (dividing citizens into classes such as clerics, elites, middle, and lower), thereby undermining the principle of equality before the law. Furthermore:

- Systematic oppression of women: By legalising widespread discrimination and domestic violence, these policies have effectively eliminated women's security in both public and private spheres and violated Afghanistan's obligations under CEDAW.
- Violation of children's rights: Permitting corporal punishment of children by teachers and parents, and denying girls access to education, stands in direct contradiction to the Convention on the Rights of the Child.
- Targeting minorities and civil society: Vague definitions of terms such as "apostate," "innovator (Mobtadea)," and "corrupter on earth" or (Mufsid fil-Arz) have opened the way for ideological, religious, and gender-based repression. Forced religious conversion-intensifying in the current year constitutes a fundamental violation of civil, cultural, and human rights.

Given intensifying of systematic violations of human rights by the Taliban administration, HRD+ emphasises that justice must not be turned into a tool of domination and repression. Therefore, we call on the de facto authorities to:

Immediately repeal policies and decrees that violate human dignity and return to laws aligned with the principles of justice and international human rights standards.

We also call on the international community to rely on this detailed United Nations analysis and intensify pressure on the Taliban to prevent the institutionalisation of crimes against humanity. Afghanistan is part of the global community, and its people deserve to live under laws that respect their human dignity.

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