Permanent Mission of Afghanistan to the United Nations

Statement by H.E. Mr. Naseer Faiq

Chargé d'Affaires of Afghanistan Mission to the United Nations

Report of the International Criminal Court – Agenda Item 73

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Madam President,

We thank the President of the International Criminal Court for presenting the Court's annual report and express our appreciation to its judges, Prosecutor and staff for their continued work in advancing international criminal justice.

Afghanistan is a State Party to the Rome Statute. Our commitment to fighting impunity for the gravest international crimes is not merely a legal obligation. It is rooted in the painful experience of our people, who have endured decades of conflict, serious human rights violations and repeated failures to deliver justice.

Madam President,

For the people of Afghanistan, justice and accountability are not abstract principles. They are urgent demands.

Five years after the Taliban's military return to power, Afghan women and girls face systematic and institutionalized discrimination, persecution and exclusion from education, employment and public life. Human rights defenders, journalists, former security personnel, minorities and those who challenge these policies continue to face serious threats and abuses. The denial of fundamental rights has become a governing policy, while victims have little access to protection, remedies or justice.

Against this background, we welcome the Court's continued investigation into the situation in Afghanistan. We particularly welcome the decision of 5 October 2026 to unseal four arrest warrants against senior Taliban officials, including their supreme leader, for alleged crimes against humanity of persecution on gender and political grounds. This is a significant development in the pursuit of accountability. It recognizes that systematic and institutionalized discrimination, including the deliberate deprivation of fundamental rights, may constitute crimes under international law.

It also sends an important message to Afghan women and girls, victims and survivors: their suffering is not invisible, their rights are not negotiable, and those allegedly responsible for their persecution are not beyond the reach of international justice. But arrest warrants must not become the end of the accountability process. They must be followed by meaningful efforts to secure arrests, judicial proceedings and justice for victims.

Madam President,

International justice cannot succeed without the cooperation and political will of States. We therefore urge all States Parties to fully comply with their obligations under the Rome Statute, including cooperation with the Court in the arrest and surrender of persons subject to its warrants. No individual should be shielded from accountability because of political position, influence or control over territory.

We also call for stronger international cooperation in the collection and preservation of evidence, the protection of victims and witnesses, and the prevention of intimidation and reprisals. In this regard, we support effective cooperation, within their respective mandates, between the ICC, the Special Rapporteur on Afghanistan and the Independent Investigative Mechanism established by the Human Rights Council. These mechanisms should reinforce one another, ensure that evidence is preserved and help create credible pathways to justice.

We emphasize that accountability must be victim-centred, independent and impartial. Afghan women, survivors, affected communities and civil society must be able to participate safely and meaningfully in these processes.

Madam President,

We are also concerned that international engagement with the Taliban, without meaningful progress on human rights, risks normalizing repression and weakening the pursuit of justice. Accountability must not be treated as an obstacle to political engagement, nor sacrificed for short-term political considerations. Humanitarian assistance must continue, and the Afghan people must not be abandoned. But engagement must never provide impunity or legitimacy to those responsible for serious international crimes. Afghanistan remains committed to an Afghan-led, United Nations-facilitated political process towards inclusive, representative and accountable governance, grounded in the rights and will of the Afghan people. A sustainable political solution cannot be built on the denial of justice.

Madam President,

For too long, the Afghan people have lived with the consequences of impunity. Each failure to hold perpetrators accountable has deepened the suffering of victims and weakened public confidence in justice. The ICC's recent actions offer an important opportunity to begin breaking that cycle. But international justice will ultimately be judged not by the number of arrest warrants issued, but by whether perpetrators are brought before independent courts, victims are heard and justice is delivered. **There can be no lasting peace without justice, and no credible accountability without action.** We urge Member States to turn their stated commitments into concrete cooperation, sustained support and political will. The Afghan people deserve nothing less.

Thank you.