



Press Release

The Afghanistan Transitional Justice Coordination Group (TJCG)

The people of Afghanistan are putting all their faith to the ICC to end decades long impunity and bring justice to the war victims

November 6, 2022

The Afghanistan Transitional Justice Coordination Group (TJCG) is welcoming the decision made by the International Criminal Court (ICC) to investigate gross human rights violations in Afghanistan including war crimes, crimes against humanity and genocide committed in the territory of Afghanistan.

On 31 October 2022, Pre-Trial Chamber II of the International Criminal Court (ICC) authorized the Prosecution to resume the investigation into the Afghanistan Situation. The judges considered that Afghanistan is not presently carrying out genuine investigations in a manner that would justify a deferral of the Court's investigations and that Afghanistan authorities are not showing an interest to pursue the deferral request it submitted on 26 March 2020.

Since Afghanistan joined the ICC in May 2003, some serious war crimes were committed by the Taliban, Daesh as well as international and pro-government forces which was never investigated and no perpetrator was brought to justice. Since Taliban resumed control of Afghanistan in August last year, all the institutions that were built for accountability and investigation of crimes and human rights abuses were abolished and the country is in total absence of legal framework. Meanwhile, Taliban continue to commit serious crimes including war crimes in Afghanistan in absolute amnesty.

The war victims, survivors and their families in Afghanistan already waited too long all are hoping the immediate start of the impartial investigation into the allegations of war crimes, crimes against humanity and other serious human rights violations committed in the territory of Afghanistan. The people of Afghanistan are putting their faith to ICC as last resort to end the culture of decades long impunity and hold the perpetrators of these crimes to account. We are calling on the ICC to:

- 1- Ensure that all the perpetrators of war crimes and crimes against humanity are identified and brought to justice. This must include the people at the top of command to the ones who carried out the crimes.
- 2- Ensure all crimes identified under the Rome Statute, International Humanitarian Law (IHL), International Human Rights Law and any act that was in violations of the Geneva Conventions are investigated thoroughly and impartially. This includes the ones who are responsible for orchestrating, ordering and carrying out the crimes.
- 3- The ICC must maintain its impartiality in investigating the serious human rights violations and crimes and ensure that all state and non-state actors such as the leaders and commanders of such crimes are brought to justice.