

6 October 2026

Rainbow Afghanistan statement welcoming the unsealing of arrest warrants for two further Taliban officials

The arrest warrants must be enforced; those who order and perpetrate the persecution of Afghanistan's LGBTIQ+ community must be held accountable

Rainbow Afghanistan, an independent, community-led organisation that advocates for the rights, safety and dignity of Afghanistan's LGBTIQ+ community and documents violations against its members, strongly welcomes the International Criminal Court's unsealing of arrest warrants for **Habibullah Agha, the Taliban's Minister of Education, and Neda Mohammad Nadim, the Taliban's Minister of Higher Education.**

The two warrants were issued on 9 September 2025 and unsealed on 5 October 2026, together with the warrants for Haibatullah Akhundzada and Abdul Hakim Haqqani. The Court found reasonable grounds to believe that the four officials bear criminal responsibility for ordering, inducing or soliciting the crime against humanity of persecution on gender grounds, including against people who do not conform to the Taliban's policies on gender, gender identity or expression. These warrants are a step in judicial proceedings; any final determination of guilt will be made by the Court. [1]

For our community, this action is inseparable from the right to life, safety and an end to impunity. We speak from within a community whose members have been subjected to persecution and have nevertheless stood firm, despite the risks, to document the truth and demand justice. Survivors in our community are rights-holders. Their testimony, experiences and demands must be at the centre of the proceedings.

Rainbow Afghanistan's documentation exposes the extent of this repression. Our report, **'Hidden Atrocities: The Situation of Afghanistan's LGBTQ+ Community Under Taliban Rule from 2022 to 2024'**, records the testimonies of 12 people concerning torture and violence by the Taliban. These accounts describe detention, severe beatings, electric shocks, sexual torture, rape and gang rape. The report also records death threats and cases in which contact with individuals was lost following detention. These findings require independent investigation, the preservation of evidence and efforts to establish the responsibility of those who ordered and perpetrated the abuses. [2]

Our report, **'No Exit: Legal Persecution and the Lived Situation of LBTI Women under Taliban Rule in Afghanistan (2025–2026)'**, draws on 30 testimonies and an analysis of Taliban legal instruments. It demonstrates how state, family and community violence reinforce one another. Detention and the disclosure of a person's identity can intensify family violence; forced marriage, exclusion from education and the removal of employment opportunities restrict independence and the ability to escape dangerous environments. The report documents testimonies concerning custodial torture, rape by Taliban forces, death threats and attempted killings in the name of 'honour'. [3]

In Rainbow Afghanistan's assessment, these findings reveal structural repression that targets people's identities while also destroying the means to live independently. When a person is deprived of family support, education, income and access to justice, concealment does not guarantee safety. A survivor may simultaneously fear state officials, relatives and their social environment, with no safe avenue through which to seek redress.

The role of educational environments in perpetuating this violence must be taken seriously. Our own documentation records humiliation on the basis of voice, appearance and gender expression, threats by some teachers, harassment by classmates and forced withdrawal from school and university. This pattern predates the Taliban's return to power; our latest report examines its continuation and intensification under Taliban rule. For some members of our community, spaces that should have supported learning and development have become places of fear, shaming and exclusion. [3]

Education must enable understanding, independence and equality. The denigration of people's identities, hate speech and the legitimisation of violence in educational settings must stop. We call on the Office of the Prosecutor to examine the possible role of decrees, educational content, speeches and the conduct

of education and higher education officials in gender persecution. Efforts to establish the responsibility of these two ministers must include a rigorous investigation of decisions and actions that have resulted in deprivation, discrimination and harm.

States must now translate their welcome into action. For years, survivors have paid for inaction and impunity with their safety, health and futures. The unsealing of the warrants must lead to effective cooperation in their enforcement, witness protection and the advancement of proceedings. Political relations with the Taliban must not leave an escape route from accountability open to those sought by the Court.

Rainbow Afghanistan calls for the following actions:

- 1. Enforce the arrest warrants:** States Parties to the Rome Statute must cooperate effectively in the arrest and surrender of suspects, in accordance with their obligations and the Court's requests, and ensure operational readiness to enforce the warrants.
- 2. Investigate the full chain of responsibility:** Investigations must pursue the role of those who order, carry out and facilitate crimes against the LGBTIQ+ community, from decision-making and the issuing of orders to detention, torture, sexual violence and other acts of persecution.
- 3. Ensure our community's direct and safe participation:** Survivors and organisations led by Afghanistan's LGBTIQ+ community must participate meaningfully in the pursuit of justice. The experiences of lesbian and bisexual women, trans and intersex people, and other members of the community must not be overlooked in generalised accounts.
- 4. Protect survivors, witnesses and those documenting violations:** Confidentiality, informed consent, legal and psychological support, and physical and digital security must be upheld at every stage. No one should be compelled to disclose their identity publicly or endanger their loved ones in order to access justice.
- 5. Provide immediate protection for people at risk:** States must strengthen safe pathways to asylum and humanitarian protection and prevent returns that expose people to torture or persecution. Survivors' safety today must not be left in limbo until judicial proceedings have concluded.

Rainbow Afghanistan will continue documenting violations, defending our community's rights and pursuing justice. We call for independent and fair proceedings, the establishment of individual responsibility, reparations and guarantees of non-recurrence. Survivors' safety and agency are fundamental to our work.

Our message to states is clear: act to enforce the warrants, preserve the evidence and protect those who testify.

Our message to our community is clear: your identity is not a crime. Responsibility for violence lies with those who commit, order or facilitate it. Your rights to life, freedom and justice remain intact.

The rights of Afghanistan's LGBTIQ+ community are non-negotiable. The arrest warrants must be enforced, the suspects must be brought before the Court, and those whose responsibility for ordering or perpetrating crimes is established must be held accountable.

Rainbow Afghanistan

ABOUT THE ASSOCIATION

Rainbow Afghanistan Association (RA) is an Afghan-led organization advocating for the rights and protection of Afghan lesbian, gay, bisexual, transgender, intersex, non-binary, and queer (LGBTIQ+) individuals.

SOURCES

[1] [International Criminal Court. "ICC Pre-Trial Chamber II unseals four arrest warrants in Situation in Afghanistan." 5 October 2026. Official ICC announcement](#)

[2] [Rainbow Afghanistan. Hidden Atrocities: The Situation of Afghanistan's LGBTIQ+ Community Under Taliban Rule from 2022 to 2024.](#)

[3] [Rainbow Afghanistan. No Exit: Legal Persecution and the Lived Situation of LGBTI Women under Taliban Rule in Afghanistan \(2025–2026\).](#)