CIVIL SOCIETY FORUM

ON THE OPERATIONALIZATION OF THE INDEPENDENT INVESTIGATIVE MECHANISM FOR AFGHANISTAN (IIMA)

06.09.2026

Report



CIVIL SOCIETY FORUM

Justice and Accountability for Afghanistan

Report on discussions concerning the Independent Investigative Mechanism for Afghanistan (IIMA)

6 September 2026

Executive Summary

Following the collapse of the Republic in Afghanistan after 20 years, Afghan civil society organizations, together with their allies and international partners, began advocating for the establishment of an accountability mechanism for Afghanistan. This was a challenging process that required sustained collective efforts, close coordination, and engagement with like-minded and supportive countries. After years of joint advocacy by civil society organizations, individual activists, and supportive states, a comprehensive mechanism was finally adopted by the United Nations on 6 October 2025.

Throughout this process, CSHRN/HRD+ actively contributed by facilitating coordination meetings, organizing joint calls, and supporting joint submissions and advocacy initiatives. The Civil Society Forum is another part of these collective efforts and represents an important step towards the next phase: the operationalization of the Independent Investigative Mechanism for Afghanistan (IIMA). It also provides an opportunity to strengthen and define the role of Afghan civil society in supporting the effective establishment and operationalization of the mechanism.

To ensure broad and inclusive participation, CSHRN/HRD+ organized five consultation meetings with different civil society groups and networks at various levels. In addition, a call for input was shared to encourage wider engagement, gather different perspectives, involve as many stakeholders as possible, and keep civil society actors informed about developments related to the IIMA. Through these efforts, approximately 60 human rights defenders, civil society activists, and experts were brought together to contribute to the process.

Held on 6 September 2026, the Civil Society Forum focused on the IIMA and the role civil society can play in advancing truth, accountability, and justice in Afghanistan. Discussions emphasized the importance of keeping the process victim- and survivor-centred, preserving evidence, building trust, and ensuring that the mechanism complements rather than competes with existing national and international accountability processes.

Participants discussed how Afghan civil society could organize more effectively, coordinate its engagement with the IIMA, strengthen collective advocacy, and contribute evidence in a safe, credible, and legally useful manner. They also examined key institutional questions, including the mechanism's future structure, resources, timeline, transparency, and relationship with existing accountability mechanisms. Challenges such as insecurity, limited access, mistrust, and insufficient capacity were also highlighted.

A recurring concern was the risk of further delays in achieving justice while the necessary institutions and structures are being established. Participants therefore stressed the need for timely action, stronger coordination among different jurisdictions and accountability mechanisms, and consideration of how collected evidence could support proceedings before international courts and national courts exercising universal jurisdiction. Further legal research was also identified as an important area of contribution, particularly regarding the admissibility of evidence, the international justice system, and the legal recognition and definition of gender-based crimes.

Key messages

- Victims and survivors must remain at the centre of the process, and their safety, dignity and trust must be protected.
- Evidence must be preserved securely and handled with attention to digital security, credibility, admissibility and the risk of reprisals.
- Civil society needs a clearer, coordinated and transparent way to engage with the IIMA and influence relevant international institutions.
- The IIMA should complement existing mechanisms and work in coordination with them, while avoiding the repetition of past shortcomings.
- Justice efforts should move forward without unnecessary delay, including through existing legal avenues where appropriate.

1. Purpose and context

The forum examined how civil society can contribute to the development and work of the IIMA, and how the mechanism might support accountability for serious human rights violations in Afghanistan. The discussions reflected a shared concern that the work should lead to meaningful outcomes rather than remain at the level of institutional planning or repeated advocacy.

The opening remarks underlined several principles: the process belongs to victims; evidence must be preserved; mechanisms should be complementary, not competitive; and the overall objective is to promote accountability and justice for Afghanistan. Participants also raised practical questions about how Afghan civil society can participate, what it can expect from the IIMA, and how coordination can be prepared in advance of the mechanism becoming operational.

2. Vision for the IIMA and institutional coordination

Participants discussed the need for a clear and realistic vision for the IIMA. Questions included whether it should have a dedicated office, where it might be located, how it could relate to existing structures, and what timeline would be needed. The notes stress that practical obstacles should not become excuses for delaying progress and that existing buildings and infrastructure should be maintained where relevant.

The mechanism’s scope was also discussed, including the importance of considering violations committed both before and after 2021. Participants highlighted the need to learn from the functioning of the International, Impartial and Independent Mechanism Syria - IIMS and Independent Investigative Mechanism for Myanmar - IIMM and to cooperate closely with existing mechanisms, with the aim of avoiding repeated mistakes and ensuring that mandates reinforce one another.



3. Trust, transparency and the protection of victims and survivors

Trust emerged as a central condition for meaningful civil society engagement. Participants asked how confidence in the IIMA could be established and how survivors and victims could be assured that information shared with institutions would be treated responsibly. The notes also raise concerns about organisations using victims to obtain information, reinforcing the need for ethical engagement and safeguards against exploitation.

The discussions identified transparency, tangible results and mutual confidence as essential. Participants called for clear communication about progress and for concerns to be raised when progress is insufficient. Safety, access, resources, institutional capacity, the situation of minorities and the question of dialogue with the Taliban were among the limitations identified.

4. Civil society engagement and coordination

The working group considered how civil society could establish a structured relationship with the IIMA. Proposals included formally defining civil society's role through policy papers, holding more regular online and hybrid meetings, considering a civil-society committee, and identifying concrete contributions that organisations can make. Participants also stressed that transparency is needed on both sides and that advocacy should be strengthened.

A more coordinated approach was considered necessary because a fully decentralised model might not be sufficient. Ideas included establishing a specialised evidence network, creating thematic advocacy teams, improving access to the United Nations and identifying the practical obstacles that currently prevent civil society from influencing decisions. Digital security for evidence was emphasised as an important requirement.




Question 5

5. Transitional justice and criminal justice pathways

The forum considered how transitional justice should be addressed and how a process involving the IIMA could build on work already undertaken by civil society and the United Nations. The central question was how existing ideas, documentation and initiatives could be translated into practical steps. Participants stressed that the work should focus on justice and on the means by which it can be delivered.

Discussion also covered the place of the International, Impartial and Independent Mechanism Syria - IIMS and Independent Investigative Mechanism for Myanmar - IIMM within the international legal system and how the IIMA might fit into that wider framework. Participants raised questions about the legitimacy and admissibility of evidence, how information should be reported, and how it might be used before courts. The risk of reprisals must be considered throughout.

The notes further suggest examining how international courts and national jurisdictions—including States exercising universal jurisdiction—might contribute to accountability for crimes committed in Afghanistan. The concern was that prosecutions should not be unnecessarily postponed while new mechanisms are being established. Any such approach would require careful legal analysis of jurisdiction, available evidence, procedural requirements and the relationship between different proceedings.

6. Evidence preservation, admissibility and accountability

Evidence preservation was a recurring priority. Participants discussed the possible creation of a specialised evidence network and the need for a clear strategy governing the collection, storage, transfer and use of information. The notes identify uncertainty about the formal transfer of information to the IIMA and underline the need for dialogue and coordination between civil society and relevant mechanisms.

Preserving material is not, by itself, sufficient to ensure that it can be used in court. The notes identify evidentiary value, probative value and admissibility as areas requiring deeper examination, including differences between international courts and national courts exercising universal jurisdiction. Secure handling, careful documentation and protection against reprisals should be treated as essential considerations.

7. Further legal research and possible contributions

The notes identify several areas where additional legal research could support the project. These are preliminary ideas for further examination, rather than agreed forum conclusions or established legal positions.

- Map the roles, current status and working methods of relevant UN mechanisms, including the International, Impartial and Independent Mechanism Syria - IIMS and Independent Investigative Mechanism for Myanmar - IIMM, with particular attention to evidence collection, preservation and civil society participation.

- Examine how the IIMA could interact with the international justice system, taking into account that the mechanism itself does not adjudicate cases.
- Analyse coordination between international courts and national proceedings, including the possible use of universal jurisdiction by States, and identify practical routes for accountability.
- Compare evidentiary standards and admissibility requirements across relevant jurisdictions, including how material collected by civil society might be assessed and used.
- Explore legal and policy questions concerning the recognition and definition of gender-based crimes, and the possible treatment of apartheid and other crimes against humanity within existing international legal frameworks.
- Consult practitioners and researchers with relevant experience to test the feasibility of potential legal pathways and identify lessons from past proceedings.

The notes specifically recognise that proposals to introduce or further recognise crimes within international conventions raise complex legal and political questions and would require careful comparative analysis. Further work could examine how existing crimes against humanity are defined and how gender-based crimes are addressed in current international instruments.

8. Priorities for follow-up

Based on the issues raised in the notes, the following practical priorities could help translate the forum discussion into next steps. They are presented as suggested follow-up actions, not as formally adopted decisions.

1. Develop a shared civil-society position on the IIMA, including expectations, priorities and principles for engagement.
2. Explore a coordination structure or committee and identify whether thematic teams are needed for evidence, advocacy, legal analysis and victim/survivor engagement.
3. Clarify the anticipated process for communication and information transfer between civil society and the IIMA, including safeguards and digital security.
4. Prepare a concise policy paper defining the contribution civil society can offer and the transparency it expects in return.
5. Map existing mechanisms and legal avenues to reduce duplication and identify opportunities for timely accountability.
6. Commission or undertake focused legal research on evidence admissibility, universal jurisdiction and the potential recognition of gender-based crimes.
7. Agree on a regular schedule for online or hybrid coordination meetings and a way to track progress and outstanding questions.

Conclusion

The Civil Society Forum highlighted both the important role civil society can play in supporting the IIMA and the practical challenges that need to be addressed for accountability efforts to succeed. Trust, coordination, transparency, secure evidence preservation, and meaningful participation of victims and survivors emerged as recurring priorities. Participants also emphasized the importance of

ensuring that the IIMA complements existing accountability mechanisms and that institutional development does not become a reason for further delaying justice.

The next phase will require a shared strategy, practical arrangements for civil society engagement, and continued legal and institutional analysis. As reflected in the closing message, *"We can do it,"* participants expressed their determination to continue working collectively towards accountability and justice for Afghanistan.

One of the key outcomes of the forum was the development of a set of collective civil society recommendations and policy documents to guide future engagement with the IIMA. Following the forum, these documents were shared with Civil Society Forum participants for further review, feedback, and discussion. The key documents included:

- **Civil Society Engagement with the Independent Investigative Mechanism for Afghanistan (IIMA) - Submissions and Collective Recommendations**
- **Policy Brief – September 2026**

These documents represent an important step in consolidating the views, priorities, and recommendations of Afghan civil society and providing a collective basis for continued engagement with the IIMA. The ultimate challenge now is to translate this collective commitment into coordinated action and meaningful progress towards truth, accountability, and justice for Afghanistan.